

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO. 1211 OF 2024

**IN THE MATTER OF:-**

RAJA MUZAFFAR BHAT

...APPLICANT

VERSUS

UNION TERRITORY OF J&K & OTHERS

...RESPONDENTS

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**NDOH: 13.07.2026**

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PLACE: NEW DELHI

DATED: 10.07.2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO.1211 OF 2024

IN THE MATTER OF:-

RAJA MUZAFFAR BHAT

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OBJECTIONS/COMMENTS//SUGGESTIONS ON BEHALF OF  
APPLICANT TO THE REPORT DATED 06.05.2026

MOST RESPECTFULLY SHOWETH:

1. That the accompanying Original Application has been filed before the Hon'ble Tribunal under Sections 14 and 15 of the National Green Tribunal Act, 2010 highlighting a substantial question relating to environment relating to illegal and unscientific River Bed Mining (RBM) in river Sukhnag in District Budgam in the Union Territory of Jammu & Kashmir, by means of JCB machines and L&T Cranes.
2. That in the Order dated 24.09.2025 it has been mentioned in the proceedings that

"The stand of respondents no. 1 and 2 in their report dated 15.09.2025 is as under:-

*"9. That it is respectfully submitted that at present, no mining is being Collite carried out on the basis of Short-Term Permits and no fresh Disposal have been issued. Further, all mining activities in Sukhnag Permits Nallah stand stopped.*

*10. That it is apt to mention herein that the District Mineral Officer, Budgam has also taken stringent action against illegal mining under law. From January 2024 to August 2025, 215 vehicles have been seized, penalties amounting to Rs. 29.36 lakhs realized, and 26 FIRS lodged against habitual offenders. Surprise inspections and raids are being conducted regularly to check illegal mining.*

*11. That, in further compliance with the directions of the Hon'ble Tribunal Dated: 29.07.2025, the Deputy Commissioner, Budgam (Respondent No. 2), vide Order No. DCB/ARA/CC/2025/1572-78 dated 27.08.2025, has constituted a Committee to assess the damages caused due to Mining in Sukhnag Nallah. The said Committee is*

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**presently carrying out the assessment, and its report shall be filed immediately upon completion. A copy of the said order 27.08.2025 is enclosed here with as Annexure-VI,"**

(Emphasis supplied)

3. That vide it's Order dated 24.09.2025 this Hon'ble Tribunal had mentioned in it's Order: \_

"6. We are of the view that this committee should carryout the work under the supervision and guidance of an independent committee. Hence, we form a Joint Committee Comprising of Member Secretary, J&KPCC, RO, MoEF&CC, Chandigarh and a Nominee of the Expert by Director, GB Pant Institute. The Member Secretary, J&KPCC will coordinate in this joint committee. The joint committee will ensure that committee constituted by Deputy Commissioner, Budgam by the order dated 27.08.2025 **assesses the damage caused due to mining/short-term permit/illegal mining by taking into account all the relevant factors and consideration and also ascertain the persons responsible without showing any favour or bias towards any person.** If need arises, joint committee formed by the Tribunal can send its representative to the spot when the verifications is done by the five members joint committee appointed by Deputy Commissioner, Budgam."

(Emphasis supplied)

4. That it is submitted that although the said Committees were to assess the damage caused to the Environment due to **mining/short-term permit/illegal mining.** Although, the damage has been observed by the said Committee but no quantification of the damage in terms of monetary loss has been done till date.
5. That it is important to point out here that in the proceedings dated 24.09.2025 during the proceedings it was pointed out that the Respondent No.2 had granted Short Term Disposal Permit for clearance of extraction of boulders from Sukhnag nala which fact finds mention in the Reply filed by the State and Report of J&K PCC dated 25.02.2026 and agenda item no.5 of minutes of meeting of District Level Single Window Committee

dated 02.11.2022. It is submitted that No Short Term Permits can be issued without a valid EC (*judgment dated 16.01.2026 passed by this Hon'ble Tribunal in Aman Choudhury vs. Union of India, OA, No. 176 of 2022 relied upon*).

6. That the Committee had to "*ascertain the persons responsible without showing any favour or bias towards any person*" but it has failed to fix the responsibility of Respondent No.2-Deputy Commissioner, Budgam is responsible for causing loss to the Environment by issuance of Short Term Disposal Permit. It is submitted that in this case the violators are liable to be saddled with imposition of Environmental Liability/Compensation in terms of 'Polluter Pays Principle'.
7. That vide order dated 26.02.2026 this Hon'ble Tribunal had mentioned that
 

"5. The expert committee during its visit will also ascertain the loss suffered by Sh. Peerzada Rayees in his trout fish farm and will quantify the same."
8. Although the loss suffered by Sh. Peerzada Rayees has been quantified as Rs. 3 Lakhs only but it is submitted that this is the actual loss of the trout fish. The Compensation for loss caused to the trout fish farm would be much more which also needs to be quantified.
9. In light of the above facts and circumstances, the Hon'ble Tribunal may be pleased to direct that Environmental Compensation maybe assessed for the loss caused to Environment of Sukhnag river by issuance of Short Term Disposal Permits by Respondent No.2, fix the Responsibility of Respondent No.2 for the said Environmental loss, Impose Environmental Liability on Respondent No.2 for the issuance of Short Term Disposal Permits in violation of law and pass

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directions for assessment & payment of Environmental  
Compensation to the Trout Fish Farm of Shri Peerzada Raees.

It is prayed accordingly



**RAJA MUZAFFAR BHAT**  
**APPLICANT**

THROUGH



**SAURABH SHARMA**  
**Advocates**  
**Counsel for the Applicant**

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**AFFIDAVIT**

I, Raja Muzaffar Bhat, aged about 49 years, son of Shri Bashir Ahmed Bhat, resident of 64, Alamdar Colony, Gopalpura, District Budgam, Union Territory of Jammu & Kashmir, do hereby solemnly affirm and declare as under:-

1. That I am the Applicant in the abovementioned Original Application and therefore competent to swear the present Affidavit.
2. That the accompanying Objection/Comments/Suggestions to the Joint Committee Report dated 06.05.2026 has been drafted by my counsel on my instructions and the contents of the same are true and correct to my knowledge.



DEPONENT

**VERIFICATION:** Verified today on this 10<sup>th</sup> of July at Srinagar, Union Territory of J&K do hereby verify and declare that the facts mentioned above are true and correct nothing material has been concealed therefrom and no part of it is false

I certify that the statement as declared on oath before me at Budgam Magam on this day of 10-07-26 by Raja Muzaffar S/o Bashir Ahmed Bhat S/o Gopalpura Chador who is identified by Suhail Mushtaq and Favaz Marray Notary Public Budgam Magam



DEPONENT

**Government of Jammu and Kashmir**

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**Certificate No.** : IN-JK36155795062504Y  
**Certificate Issued Date** : 10-Jul-2026 11:07 AM  
**Account Reference** : NEWIMPACC (SV)/ jk12523904/ BUDGAM/ JK-BG  
**Unique Doc. Reference** : S\JBIN-JKJK1252390454189452695047Y  
**Purchased by** : Raja Muzaffar Bhat  
**Description of Document** : Article 4 Affidavit  
**Property Description** : Not Applicable  
**Consideration Price (Rs.)** : 0  
 (Zero)  
**First Party** : Raja Muzaffar Bhat  
**Second Party** : Not Applicable  
**Stamp Duty Paid By** : Raja Muzaffar Bhat  
**Stamp Duty Amount(Rs.)** : 10  
 (Ten only)



₹10

FIRMUS AMIN  
 L-Sig  
 AT

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