

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 229/2025

IN THE MATTER OF :

GHULAM NABI BHAT

...PETITIONER

VERSUS

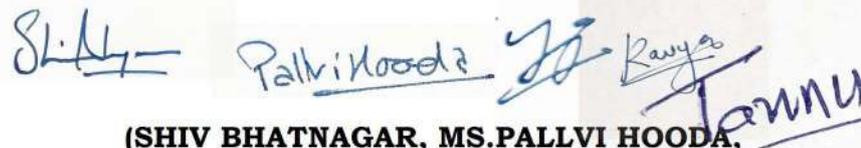
**NATIONAL HIGHWAY AUTHORITY OF
INDIA & ORS.**

...RESPONDENTS

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FILED BY



**(SHIV BHATNAGAR, MS.PALLVI HOODA,
YUVRAJ NANDAL, MS.KAVYA MANUJA, MS.TANNU
[D/14855/2023, D/2759/2020,
D/3096/2024, PH/377/2021, D/4116/2024]
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6 TILAK MARG, NEW DELHI-110 001
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DATE: 05.09.2025
Place: New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 229/2025**

IN THE MATTER OF :

GHULAM NABI BHAT

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**NATIONAL HIGHWAY AUTHORITY
OF INDIA & ORS.**

...RESPONDENTS

REPLY ON BEHALF OF RESPONDENT NO. 2 -NKC PROJECTS PVT LTD.

MOST RESPECTFULLY SHOWETH:

1. That the Answering Respondent- NKC Projects Pvt. Ltd. (hereinafter referred as "R-2") submits this detailed reply without prejudice to its rights and contentions and denies each and every allegation made against R-2, save and except what is specifically admitted herein. Nothing stated in the Original Application ("OA") shall be deemed to have been admitted for lack of specific traverse.
2. That at the outset, it is submitted that each and every allegation, averment and contention in the Original Application (OA), insofar as they impute any act of omission or commission to Respondent No. 2, is specifically and emphatically denied, save and except those which are expressly admitted or specifically dealt with and traversed in detail here-in-below. No statement made in the OA shall be deemed to have been admitted by implication or for want of specific denial.

I. PRELIMINARY OBJECTIONS

A. No cause of action is made out against the Contractor (R-2) (M/s NKC Projects Pvt Ltd).

That the project proponent is Respondent No. 1 (NHAI). R-2 is only the EPC contractor executing works under the direct

supervision and control of the Authority (NHAI)/Authority's Engineer and strictly within the Right of Way (ROW)As provided by NHAI under and in terms of the Agreement with Respondent No. 2. No independent act or omission of R-2 constituting an environmental wrong has been pleaded or established. In any case, any policy, permission, design or EIA-related issue lies within R-1's domain.

B. Vague and unparticularised pleadings.

That the OA does not disclose any specific date(s), time, rainfall event, quantification methodology or horticulture assessment for the alleged "50% loss", nor any contemporaneous measurement of water-level or dust. The few photographs annexed, even if accepted, are at best snapshots of temporary water-logging and cannot establish a sustained injury, causation or quantum. On this ground alone, the compensation claim is liable to be rejected.

C. Necessary parties not impleaded.

- i. That the alleged choking point is an old cross-drainage RCC/Hume pipe laid beneath the existing Wathoora-Batpora road, which is outside the project ROW and under the jurisdiction of the Roads & Buildings (R&B / PWD) Division. Any desiltation/maintenance of that legacy pipe is the function of the road owning agency. The Applicant has failed to implead the concerned road-owning authority, notwithstanding the fact that the said authority is central to the grievance sought to be raised against NHAI and Respondent No. 2. The Hon'ble Tribunal has already permitted impleadment of the Horticulture Department. However, the R&B/PWD, Irrigation & Flood Control and local body are also necessary parties for complete and effective adjudication.
- ii. That in fact, as is evident from the letter dated 17.06.2025 issued by the District Office, Pollution Control Committee,

Budgam, Jammu & Kashmir, the inquiry clearly records that the alleged flooding was occasioned on account of the choking of the common cross-drainage point, being the Hume pipes previously laid by the Roads & Buildings Department for discharge from the complainant's orchard.

Furthermore, pursuant to the inquiry and investigation carried out by the independent Authority's Engineer, Rodic Consultants Pvt. Ltd., it was similarly found that the choking of the pre-existing Hume pipe, laid under the jurisdiction of the Roads & Buildings Department, was the cause of the alleged flooding. The relevant extract of the report of Rodic Consultant, dated 31.07.2025 is reproduced verbatim here-in-below:

"In this regard, it is pertinent to mention here that the applicant's orchard is coming at Km 10+950 LHS and the connecting earlier water drainage was from Ch. 10+950 LHS crossing through the laid pipeline below the existing Wathoora&Batpora Road. However, the said location where the earthen drain is cleaned upto the existing Wathoora&Batpora road (photographs attached). Furthermore, the pipe laid across the existing road of Wathoora&Batpora which is chocked & due to which water is not passing across the road is beyond our ROW.

Hence, you are requested to write R&B(PwD) Division, Chadoora to clear the chocked pipes laid across their road to facilitate the free flow of drainage water. However, we are attaching herewith the photographs of the said earthen drain duly cleared from Ch. 10+950 up to Existing Road of Wathoora to Batpora, for your ready reference."

True copy Rodic Consultants letter **31.07.2025** (confirming choke beyond ROW; asking R&B/PWD to clear) is annexed herewith and marked as **Annexure R-2/1**

True copy of the letter dated 17.06.2025 issued by the District Office, Pollution Control Committee, Budgam, Jammu & Kashmir is annexed herewith and marked as **Annexure R-2/2**

- D. **No nexus with works inside ROW; obstruction, if any, lies beyond ROW.**

That as elaborated in Section III here-in-below, the earthen drain running along the project side has been cleared up to the edge of the existing Wathoora-Batpora road near Ch. 10+950 (LHS). The non-passage of water is due to choking of the old pipe lying under the existing road beyond the project ROW, which R-2 neither controls nor can lawfully handle or excavate without the owning agency's permission. R-2 has repeatedly requested the concerned agency through the Authority/Authority's Engineer to clear that legacy pipe to restore through-drainage.

True copy of the Relevant Pictures road near Ch. 10+950 (LHS) is annexed herewith and marked as **Annexure R-2/3**.

- E. **Inspection communications are preliminary and non-adjudicatory.**

That the letters relied upon by the Applicant do not record any final or reasoned finding of violation by R-2; they merely call for status and remedial action. In any case, they themselves acknowledge that the common drainage point is the old Hume-pipe across the existing road which is beyond ROW. They cannot substitute proof of loss, causation or liability.

True copy of the JKPCC letter dated **30.06.2025** (with NGT order dated **08.05.2025** and Divisional Officer Note dated **14.06.2025**) is annexed herewith and marked as **Annexure R-2/4**.

True copy of the JKPCC follow-up letter dated **24.07.2025** is annexed herewith and marked as **Annexure R-2/5**

- F. **Dust/pollution allegations are generic and technically misconceived.**

That the project follows a specified cycle of spreading, moisture conditioning and compaction. Water sprinkling was carried out to achieve optimum moisture content (OMC) as per technical requirements to achieve density and strength; frequency is calibrated to soil type and ambient conditions. There is no mandate under IRC/MoRTH that daily sprinkling per se is required; the compliance touchstone is achieving specified compaction and maintaining dust suppression appropriate to site conditions. Field density tests confirmed compliance. The allegation of "extreme dust" is unsubstantiated and denied.

G. **No strict/fault liability is attracted on the pleadings.**

That the Applicant invokes Sections 15, 17 and 20 of the NGT Act on bare assertions. Without proof of a wrongful act within ROW attributable to R-2 and a proximate nexus to proven damage, principles like polluter-pays cannot be fastened on a contractor acting under statutory supervision. The OA, as framed, discloses no actionable breach by R-2.

II. **BRIEF FACTUAL CLARIFICATION (WITHOUT PREJUDICE)**

1. That the Applicant's orchard is stated to lie near **Km 10+950 (LHS)** of the Ring Road. The project-side earthen drain has been cleared up to the interface with the existing Wathoora-Batpora road. The historical cross-drainage under that **existing road** is a **legacy RCC/Hume pipe** that is presently **choked**, thereby preventing water from traversing across the road. This choke point is **outside the project ROW** and under the maintenance jurisdiction of the road-owning authority. R-2 has requested the said agency, through the Authority/Authority's Engineer, to clear the choke so that flow is restored. R-2 remains willing to assist any coordinated desiltation effort as permitted by the road owning authority.

2. That R-2 continues to maintain within ROW all temporary/earthen drains and has complied with compaction and dust-suppression protocols. In fact, **both the report** of the District Pollution Control Committee, Budgam, Jammu & Kashmir, as well as the independent inspection and report of Rodic Consultants Pvt. Ltd. (Authority's Engineer), unequivocally establish that the alleged flooding did not arise from any act or omission of Respondent No. 2. Rather, the cause was traced to the choking of a legacy cross-drain/Hume pipe situated beneath the existing public road, which falls under the jurisdiction and maintenance of the Roads & Buildings Department, and lies entirely beyond the control and scope of works of Respondent No. 2.

III. REPLY ON MERITS

A. **Allegation of persistent flooding due to R-2 works; denied.**

That the OA attributes flooding to "filling of a drain" and "choking of an RCC pipe". R-2 emphatically denies having blocked any functional cross-drainage within ROW. The temporary earthen drain along the project was kept open and cleared up to the existing road edge. Water stagnation, if any, results from the blocked legacy pipe across the existing Wathoora-Batpora road beyond the ROW. R-2 has neither authority nor possession to excavate that public road/structure. The proper remedy is coordinated desiltation by the owning agency i.e. R&B(PWD) Dept., which R-2 has already sought through the Authority.

B. **Allegation of 50% orchard damage; denied for want of proof.**

That no dated rainfall records, no water-level logs, no horticulture loss assessment, and no yield/baseline are pleaded. Two undated photographs cannot establish causation, extent or duration of any loss. In any event, damage, if any,

would be a function of multiple factors (including rainfall intensity/duration, site grading inside the orchard by its owner, and maintenance of the downstream legacy pipe) and cannot be simplistically attributed to R-2's compliant works inside the ROW.

C. **Dust allegation; denied.**

That R-2 follows an established methodology: spreading, **water-sprinkling to OMC**, and compaction with Vibratory Compactors. Depending on soil and weather, **alternate-day sprinkling** is the technically sound practice to retain OMC without overwetting. The goal is **meeting density and moisture specifications** and suppressing fugitive dust commensurate with site conditions, not a rigid "daily sprinkling" ritual. Field density/MDD/OMC records available at site corroborate compliance. There is no evidence of dust deposition damage on crops.

D. **EIA/EMP allegations do not lie against R-2.**

That any grievance about project appraisal, EIA/EMP sufficiency or design is within R-1's (NHAI) remit. R-2 (NKC), as EPC contractor, is bound by and compliant with the EMP and directions of the Authority/Authority's Engineer.

E. **Communications relied on are non-determinative.**

That the relied-upon departmental communications merely record the Applicant's grievance and seek status/remedial steps. They are not adjudicatory findings and, in fact, point to the old cross-drain under the existing public road as the choke point outside the project ROW.

C. **Specific Paragraphs in the OA**

- i. Paras narrating that a 24" × 20' RCC pipe laid "decades ago" across Srinagar-Chadoora Road got choked (and that R-2 is responsible): **Denied** insofar as they attribute the choke to R-2.

The legacy pipe lies beneath an **existing R&B/PWD road**, outside the project ROW and beyond R-2's control. R-2 has already kept the earthen drain open up to that road edge and requested the owning agency, through the Authority/Authority's Engineer, to clear the choke.

- ii. The contents of the said Para(s) alleging completion timelines, assurances, and continued inaction are not admitted for want of proof. The Applicant is put to strict proof thereof.
- iii. Para(s) alleging "extreme dust" and crop damage: **Denied**. Water-sprinkling was calibrated to OMC; field density tests met specifications. No evidence of dust deposition or yield decline is produced.
- iv. Paras invoking Sections 15, 17 and 20 NGT Act: **Denied** as inapplicable against R-2 on the present pleadings; no environmental violation by R-2 is made out, nor any quantified damage causally linked to an act within R-2's control.

D. Grounds (A to I) in the OA

Each of the Grounds A through I is **specifically denied**.

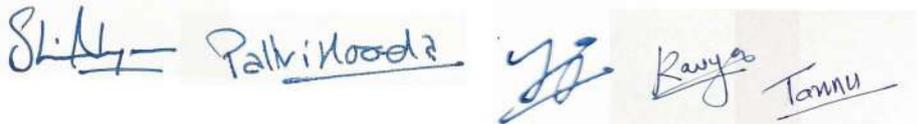
- i. That no environmental harm or injury has been shown to be attributable to the acts or works of Respondent No. 2, all of which have been carried out strictly within the Right of Way and in conformity with the prescribed specifications and directions of the Authority/Authority's Engineer.
- ii. That the allegations pertaining to dust emission and water-logging are wholly vague, unparticularised, and unsupported by any contemporaneous record or credible evidence, and are therefore denied in toto.
- iii. That, without prejudice, the true and proximate cause of any temporary stagnation of water lies in the choking of a pre-existing cross-drain/Hume pipe beneath the existing public

road, which falls outside the project ROW and within the jurisdiction of the competent road-owning authority, namely the Roads & Buildings Department, and not within the domain or control of Respondent No. 2.

CONCLUSION:

That, it is respectfully submitted that nothing stated in the foregoing shall be construed as an admission of any allegation made by the Applicant, whether in the present proceedings or otherwise. The rights and contentions of Respondent No. 2 are fully reserved and shall not be prejudiced by any averments or claims that may hereafter be raised by the Applicant. It is further clarified that if any paragraph of the Original Application has not been specifically traversed herein, the same shall not be deemed to be admitted, and is hereby denied. Respondent No. 2 emphatically rejects the allegations in toto and denies any liability whatsoever in respect of the claims made in the said complaint.

FILED BY



**(SHIV BHATNAGAR, MS.PALLVI HOODA,
YUVRAJ NANDAL, MS.KAVYA MANUJA, MS.TANNU
[D/14855/2023, D/2759/2020,
D/3096/2024, PH/377/2021, D/4116/2024]
ADVOCATES FOR THE PETITIONERS
10A, SAGAR APARTMENT, 10TH FLOOR,
6 TILAK MARG, NEW DELHI-110 001
MOBILE NO. 9810188819
E-mail: vijay3312@gmail.com**

DATE: 05.09.2025
Place: New Delhi

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...RESPONDENTS

AFFIDAVIT

I, Subhash Chandra Chatterjee, S/o. Late S.K. Chatterjee, aged 77 years, R/o. M-52, Ground Floor, Chittaranjan Park, New Delhi-110019, do hereby solemnly affirm and state as under:-

- 1. That I am the authorized signatory on behalf of the Respondent Company in the above captioned matter and as such am well conversant with the facts and circumstances of the case.
- 2. That the contents of the Reply on behalf of Respondent No.2/NKC Projects Pvt. Ltd. are true and correct to the best of my knowledge, belief and nothing material information has been concealed therefrom.
- 3. That the Annexures produced alongwith the reply are true copies of their respective originals.

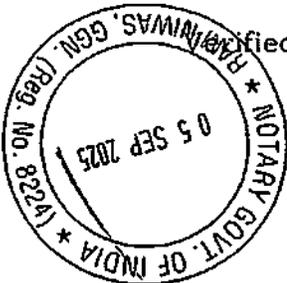
Subhash Chatterjee
 (SUBHASH CHANDRA CHATTERJEE)
 DEPONENT



VERIFICATION

I, the above named deponent do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, belief. No part of it is false nothing material has been concealed therein.

Verified at Gurugram, Haryana on this ___ day of September, 2025.



Subhash Chatterjee
 (SUBHASH CHANDRA CHATTERJEE)
 DEPONENT

ATTESTED






RODIC CONSULTANTS PVT. LTD.

In Joint Venture (JV) with

MSV INTERNATIONAL, INC.



RODIC CONSULTANTS PVT. LTD.

Ring Road Project Office

House No. 248, Near Chinar Apartment,

Astanpora Road, Rawalpura,

Srinagar, (J&K)-190005,

Letter no.: HBT-1590-SO-LTR-2025/1965

Date: 31-07-2025.

To,
The Project Director,
Project Implementation Unit,
National Highway Authority of India,
Lasjan, near Lasjan Flyover (LHS) on NH-44,
Srinagar, J&K-191101
Contact No. - 8130006158

Subject: Consultancy Services for Authority's Engineer for supervision of construction of four-lane Ring Road/bypass around Srinagar city from km 0.000 to km 42.100 (Phase-I) on Engineering, Procurement and Construction (EPC) mode under NHDP phase VII in the Union Territory of Jammu and Kashmir under Bharatmala Pariyojana- Reg. o.A No. 229/2025, titled "Ghulam Nabi Bhat v/s National Highway authority of India & Ors.

Ref: Jammu & Kashmir pollution control committee letter no. JKPCC/Sc./OA-229/2025/688-690 Date: 24.07.2025.

Dear Sir,

Reference may please be made to above cited subject and letter under reference regarding action taken w.r.t remedial measures/restoration and compensation for the damage caused to the applicant's orchard due to construction activities. In this regard, it is pertinent to mention here that the applicant's orchard is coming at Km 10+950 LHS and the connecting earlier water drainage was from Ch. 10+950 LHS crossing through the laid pipeline below the existing Wathoora & Batpora Road. However, the said location where the earthen drain is cleaned upto the existing Wathoora & Batpora road (photographs attached). Furthermore, the pipe laid across the existing road of Wathoora & Batpora which is chocked & due to which water is not passing across the road is beyond our ROW.

Hence, you are requested to write R&B(PwD) Division, Chadoora to clear the chocked pipes laid across their road to facilitate the free flow of drainage water. However, we are attaching herewith the photographs of the said earthen drain duly cleared from Ch. 10+950 up to Existing Road of Wathoora to Batpora, for your ready reference.

Yours Sincerely,

Rodic Consultants Pvt. Ltd. in JV with M/s MSV International Inc.



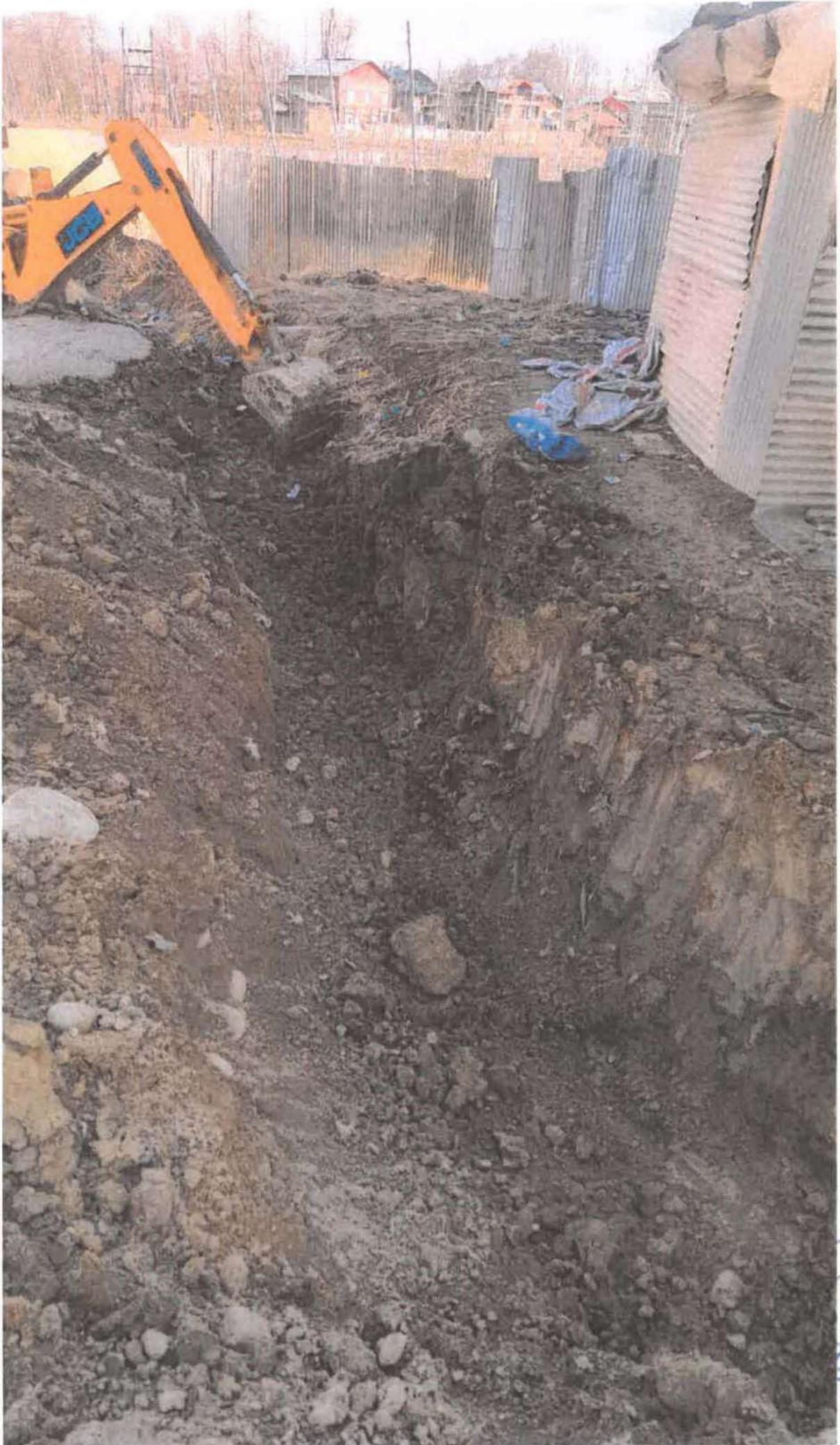
Team Leader

(Kiran Shrikant Vishwaroop)

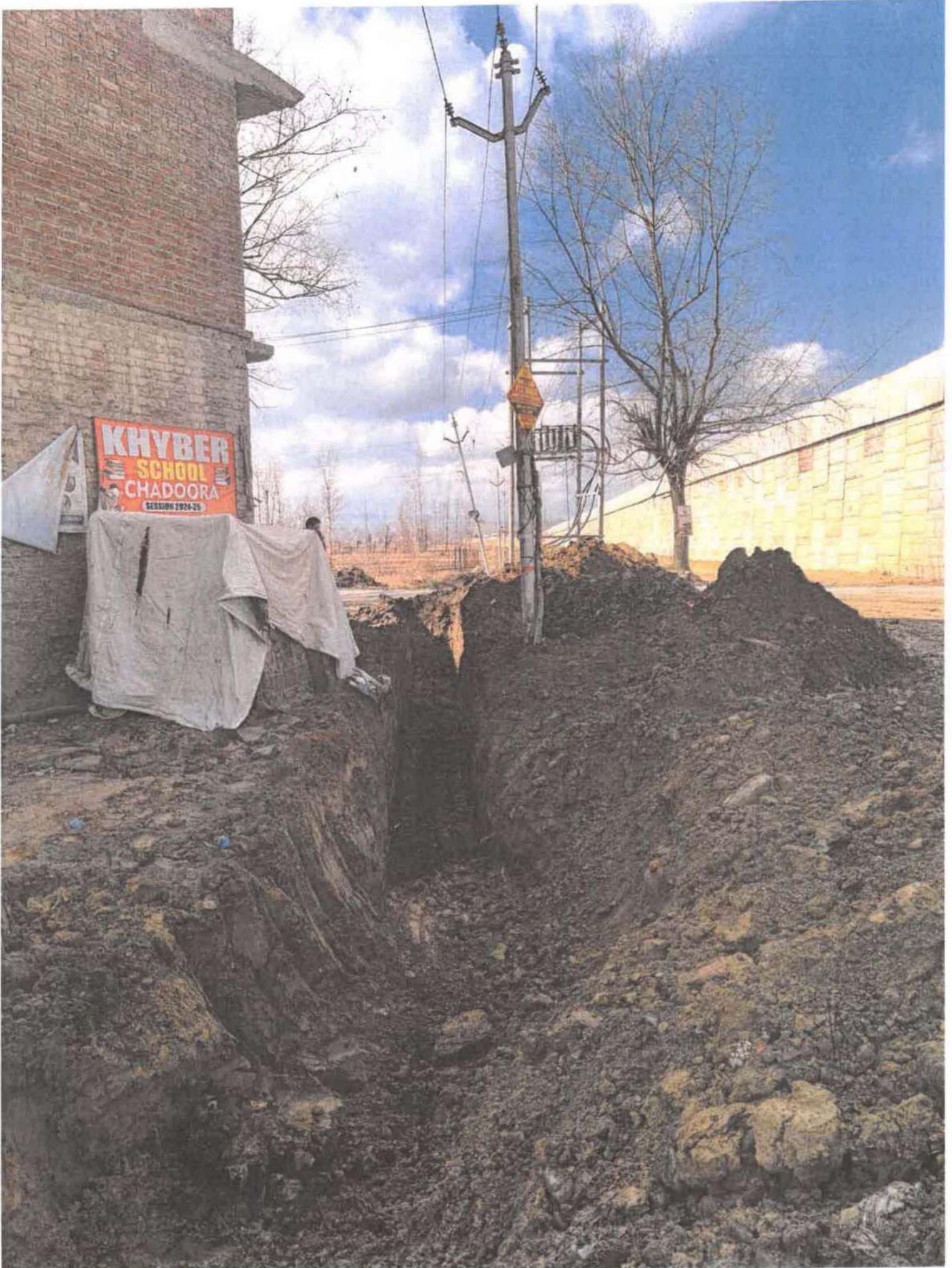
Enclosure: Photographs.

Copy to
1. MSV international Inc. Gurgaon
2. Document Controller, Rodic
3. NKC Projects









Government of Jammu & Kashmir

District Office Pollution Control Committee, Budgam.

Regional Director
Pollution Control Committee
Kashmir.

No:-JKPCC/DO/BUD/2025/209

Dated 17-06-2025

Subject:- OA NO.229/2025 titled "Ghulam Nabi Bhat V/s National Authority of India & ors"

Ref:- JKPCC/Sc/OA- 229/2025

Dated 28.4.2025

Sir,

In reference to the subject captioned above. An onspot inspection of the proposed site at village Wathora Batpora Tehsil Chadoora District Budgam was conducted on 14-06-2025 and the following observation were under:-

The construction of semi circular ring road at Batpora Wathora (at spot with Geo coordinates Lat.33.964727 ,Long 74.811301) resulted in physical division of land and leading to the accumulation of the surface water by obstructing the natural flow of irrigation water that lead to persistent water logging on the orchards site of the complaint.

The common drainage point now from the complainants orchard was a cross drainage (Hume pipes laid previously by Roads & Buildings Deptt. across the Srinagar Wathora Batpora Road that has now got blocked due to construction activity of semi ring road and as such resulting in the persistent water logging in the orchard. The same is self explanatory from the contents of the letter issued from the office of the National Highway Authority of India in a reply to the complainant issued from their office Vide NO" PD/SGR/14001/2014/Gen/1630 Dated. 14-02-2025.to the owner of the orchard and during the course of inspection same observations were witnessed on spot.

A letter has been sent to the Chief Horticulture Officer Budgam (copy enclosed) to assess the extent of damage to orchard.

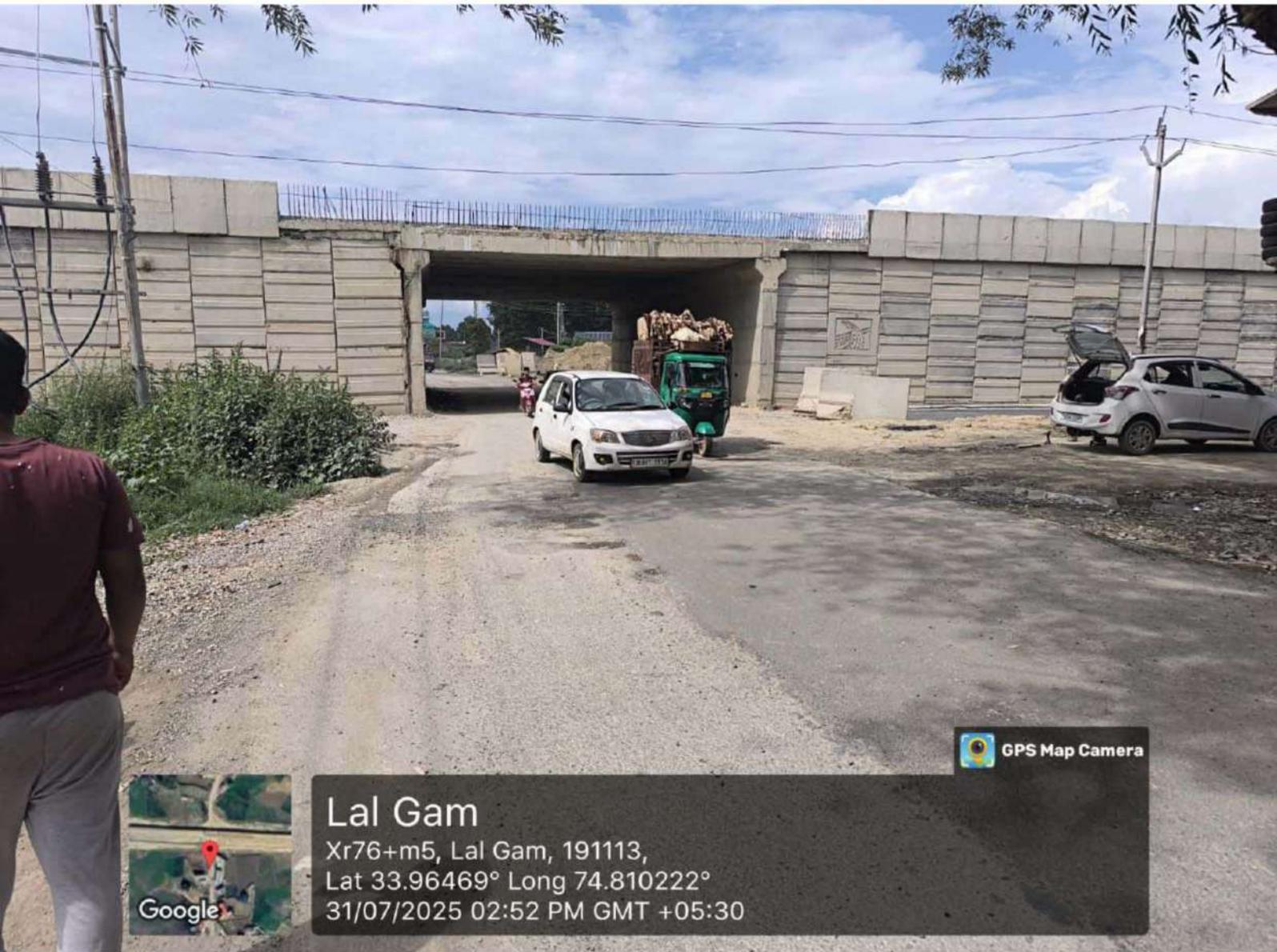
The owner of the orchard was witnessed dewatering the accumulated water from the drain from the side of his orchard by means of dewatering pump at the time of inspection.

Report as such with photographic evidence is submitted.

Yours faithfully,

[Signature]
District Officer
JKPCC, Budgam.

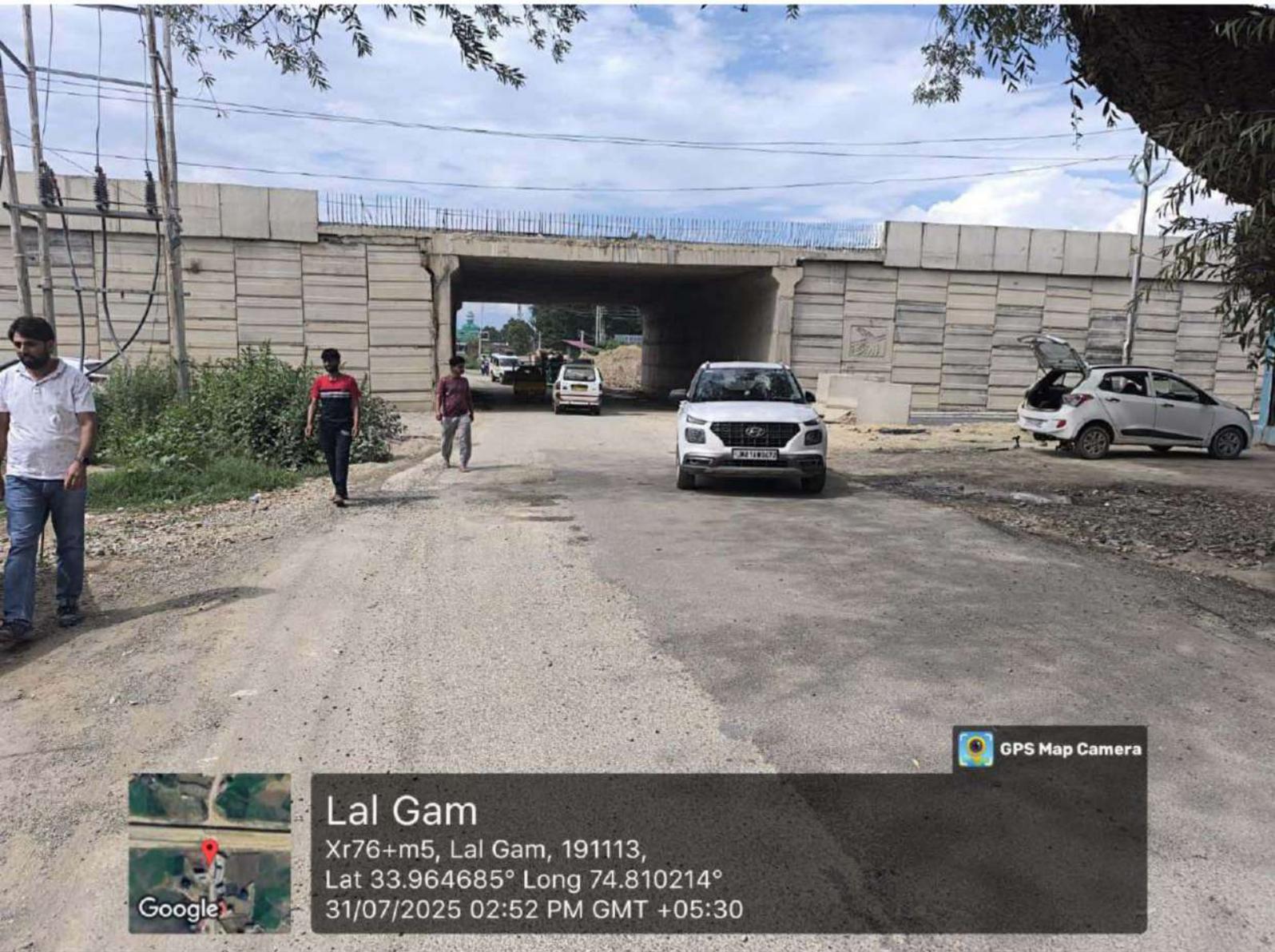
Encl(Chief Horticulture Office letter)
(Photographs)
(Inspection report)



GPS Map Camera



Lal Gam
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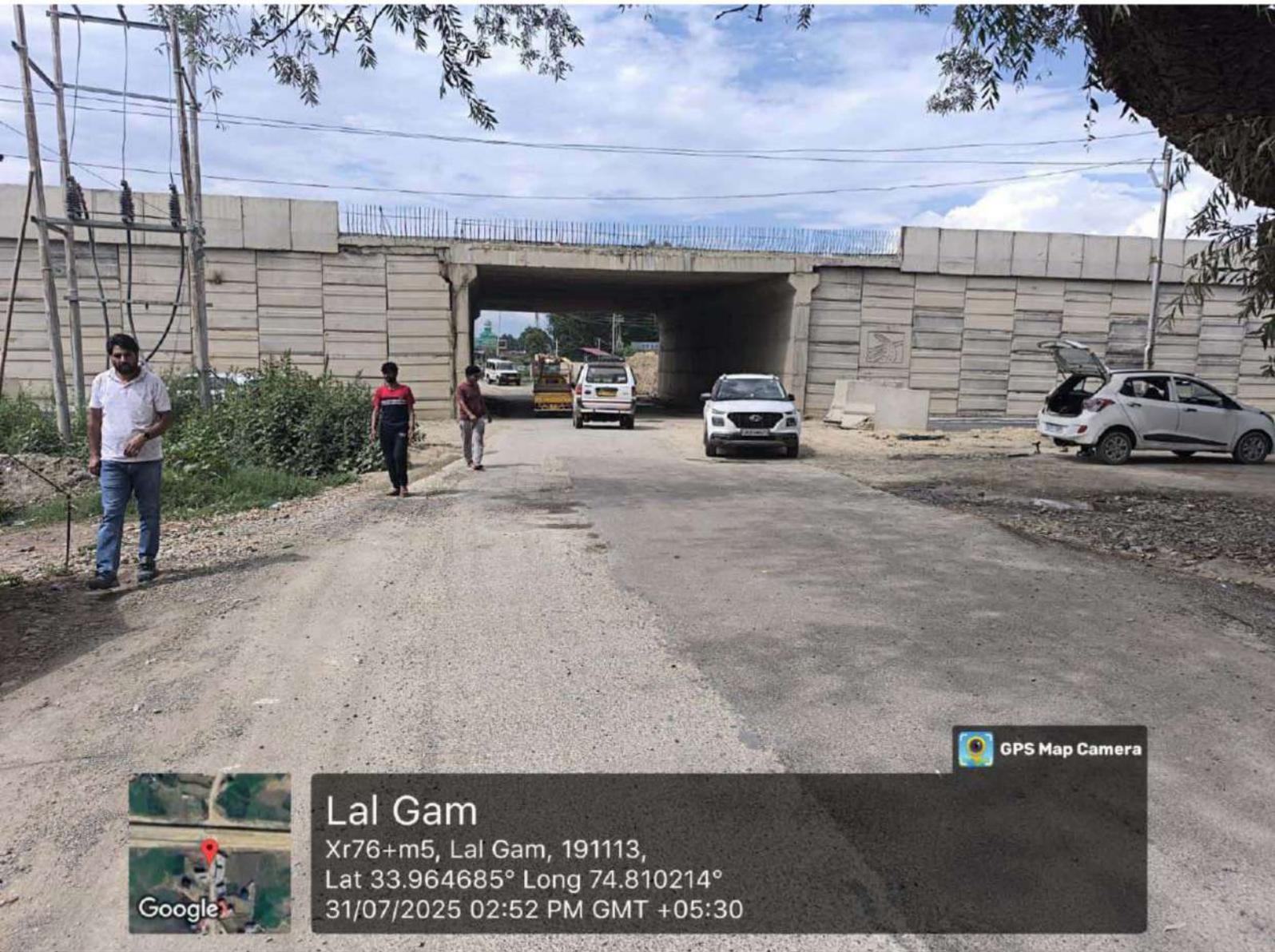


GPS Map Camera



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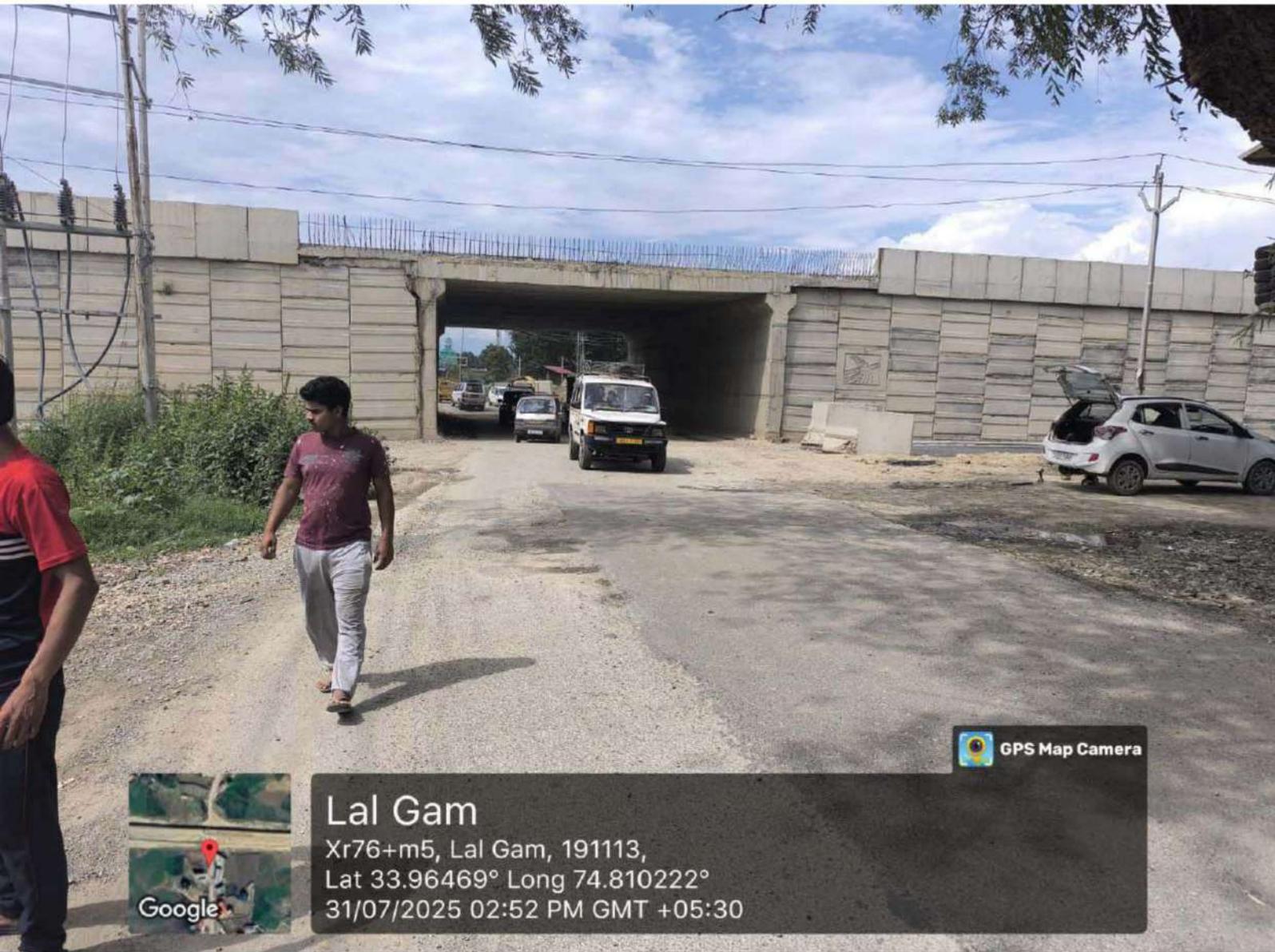


GPS Map Camera



Lal Gam

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GPS Map Camera



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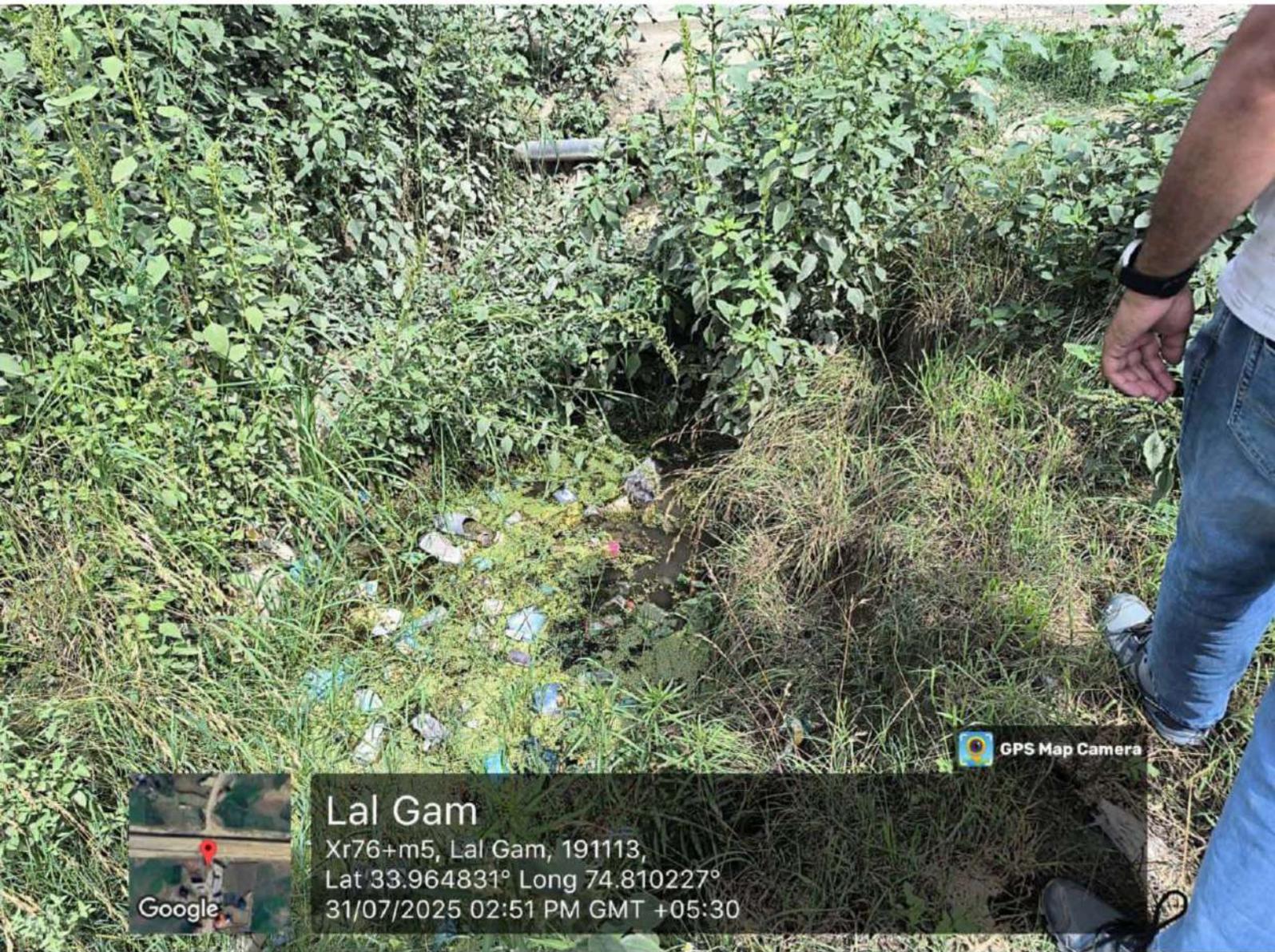
 GPS Map Camera



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GPS Map Camera



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Lat 33.964831° Long 74.810227°
31/07/2025 02:51 PM GMT +05:30





Project Director,
NHAI,
PIU, Ramban, J&K.

Pls send to PIU-Srinagar
PA/OA

for info
31/6/25

No.: JKPC/Sc./OA-229/2025/589-

Date: 30-06-2025

Sub: O.A No. 229/2025, titled "Ghulam Nabi Bhat V/s National Highway Authority of India & Ors."

Ref: Hon'ble NGT order dated 08.05.2025.

Sir,

Please refer to the subject cited above. In this connection, I am to convey that Hon'ble NGT vide its order dated 08.05.2025 has issued following directions (copy enclosed).

"In this original application, the Applicant has raised an issue of damage caused to the Applicant's orchard/agricultural field on account of water logging due to choking of a waste water drain in the course of construction of a flyover by the Respondents No. 1 and 2. The plea of the Applicant is that the Apple orchard of the Applicant located at Wathora, Batpora, Tehsil Chadoora, District Budgam, Union territory of J&K and the water logging has led to flooding/damaging of approximately 6.5 Kanals of the said orchard/agricultural field. The Applicant further alleges that the Respondents No. 1 and 2 are engaged in construction of Srinagar Ring Road flyover bridge near to the Orchard/Agricultural field of the Applicant and in that process since the drain has been clogged with the construction material, therefore, the flooding has taken place resulting in damage to the orchard.

In this original application, the Applicant has claimed the remedial/restoration action as also the compensation for the damage 2 caused. The oral prayer made by learned Counsel for the Applicant to implead the Horticulture Department is accepted. Let the cause title of the OA be amended by the Applicant."

Further, spot inspection was carried out by, Divisional Officer, J&K PCC, Budgam on 14.06.2025 and Inspection report is enclosed as Annexure II for reference and record.

In the light of above directions and report of Divisional Officer, J&K PCC, Budgam you are requested to share Action Taken w.r.t remedial measures taken and restoration action as also the compensation for the damage caused to the applicant's orchard.

Yours faithfully,

(Signature)
(Ghansham Singh)JKAS
Member Secretary 30-6-25

Copy to:

1. Deputy Commissioner Budgam for favor of Information.
2. RD Kashmir for Information and necessary action.

Item No. 05

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 229/2025
(I.A. No. 350/2025)

Ghulam Nabi Bhat

Applicant

Versus

National Highway Authority of India & Ors.

Respondent(s)

Date of hearing: 08.05.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Saurabh Sharma, Adv. for Applicant

ORDER

1. In this original application, the Applicant has raised an issue of damage caused to the Applicant's orchard/agricultural field on account of water logging due to choking of a waste water drain in the course of construction of a flyover by the Respondents No. 1 and 2. The plea of the Applicant is that the Apple orchard of the Applicant located at Wathora, Batpora, Tehsil Chadoora, District Budgam, Union territory of J&K and the water logging has led to flooding/damaging of approximately 6.5 Kanals of the said orchard/agricultural field. The Applicant further alleges that the Respondents No. 1 and 2 are engaged in construction of Srinagar Ring Road flyover bridge near to the Orchard/Agricultural field of the Applicant and in that process since the drain has been clogged with the construction material, therefore, the flooding has taken place resulting in damage to the orchard.

2. In this original application, the Applicant has claimed the remedial/restoration action as also the compensation for the damage



SC(K)(AN)

9/5/25
71-5/25

caused. The oral prayer made by learned Counsel for the Applicant to implead the Horticulture Department is accepted. Let the cause title of the OA be amended by the Applicant.

3. Issue notice in OA and IA No. 350/2025 to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. The Applicant is directed to serve the respondents and file affidavit of service atleast one week before the next date of hearing.

4. List on 15.09.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

May 08, 2025
Original Application No. 229/2025
(I.A. No. 350/2025)
dv

7

Government of Jammu & Kashmir

District Office Pollution Control Committee, Budgam.

Chief Horticulture officer

Budgam

No:-JKPCC/DO/BUD/2025/202-03

11-06-2025

Dated. 14-06-2025

Subject :- O.A.No.229-2025, titled, Ghulam Nabi Bhat V/s. UT of J & K and Ors:

Sir,

With reference to the subject cited above, it is submitted that the petitioner has filled a grievance before the Hon,ble National Green Tribunal (N.G.T) availing that due to the construction of the Srinagar Ring Road passing through village Batpora Wathoor Tehsil Chadoora, District Budgam. water logging has occurred, damaging approximately 6.5 kannals of his orchard land, the petitioner claims that the water channel was blocked during construction activities, leading to accumulation of water and result in damage to the orchard.

In view of the above, your cooperation is solicited in verifying the claims as your office is the competent technical authority and custodian of relevant horticulture records, you are requested to inspect the site and report to this office on the following:-

Whether site damage has occurred, the area effect, and the extent and nature of the damage, if any, to the orchard land.

As the matter is of urgent nature and list before the Hon,ble Tribunal, you are kindly requested to treat the matter on priority and submitted your report at the earliest.

Encl:(@part copy)

Yours faithfully,
District officer
JKPCC, Budgam.

Copy to:-

Regional Director, JKPCC Kmr for kind information.

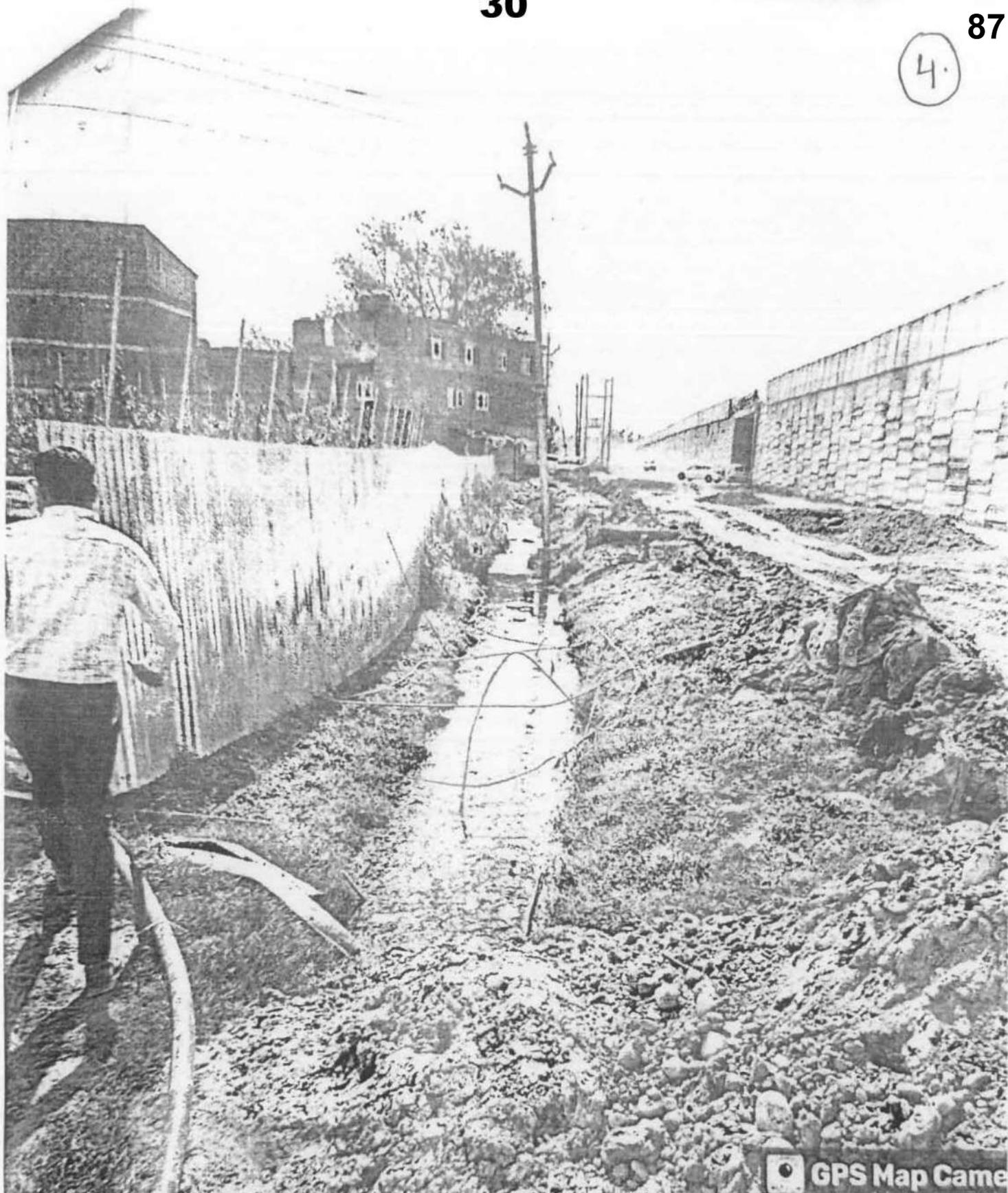
(5)

This report is submitted for further necessary action and compliance in the matter before the Hon'ble NGT.

- Enclosures:
 - 1. Site Photographs
 - 2. Communication to Chief Horticulture Officer, Budgam

Thomson
F2/SUD

4.



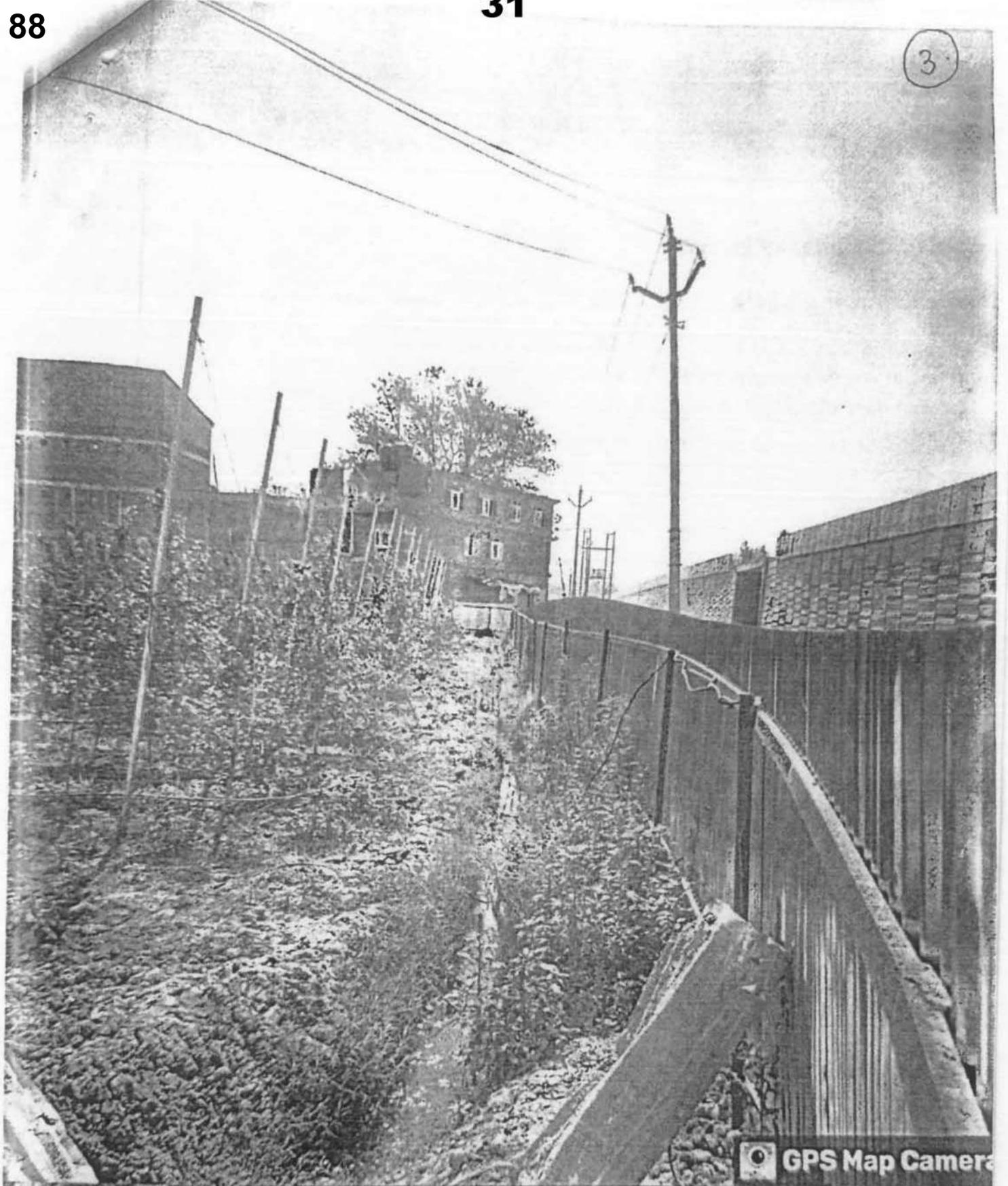
GPS Map Camera

Lal Gam

Xr76+m5, Lal Gam, 191113,
Lat 33.964727° Long 74.811301°
14/06/2025 03:29 PM GMT +05:30

Google

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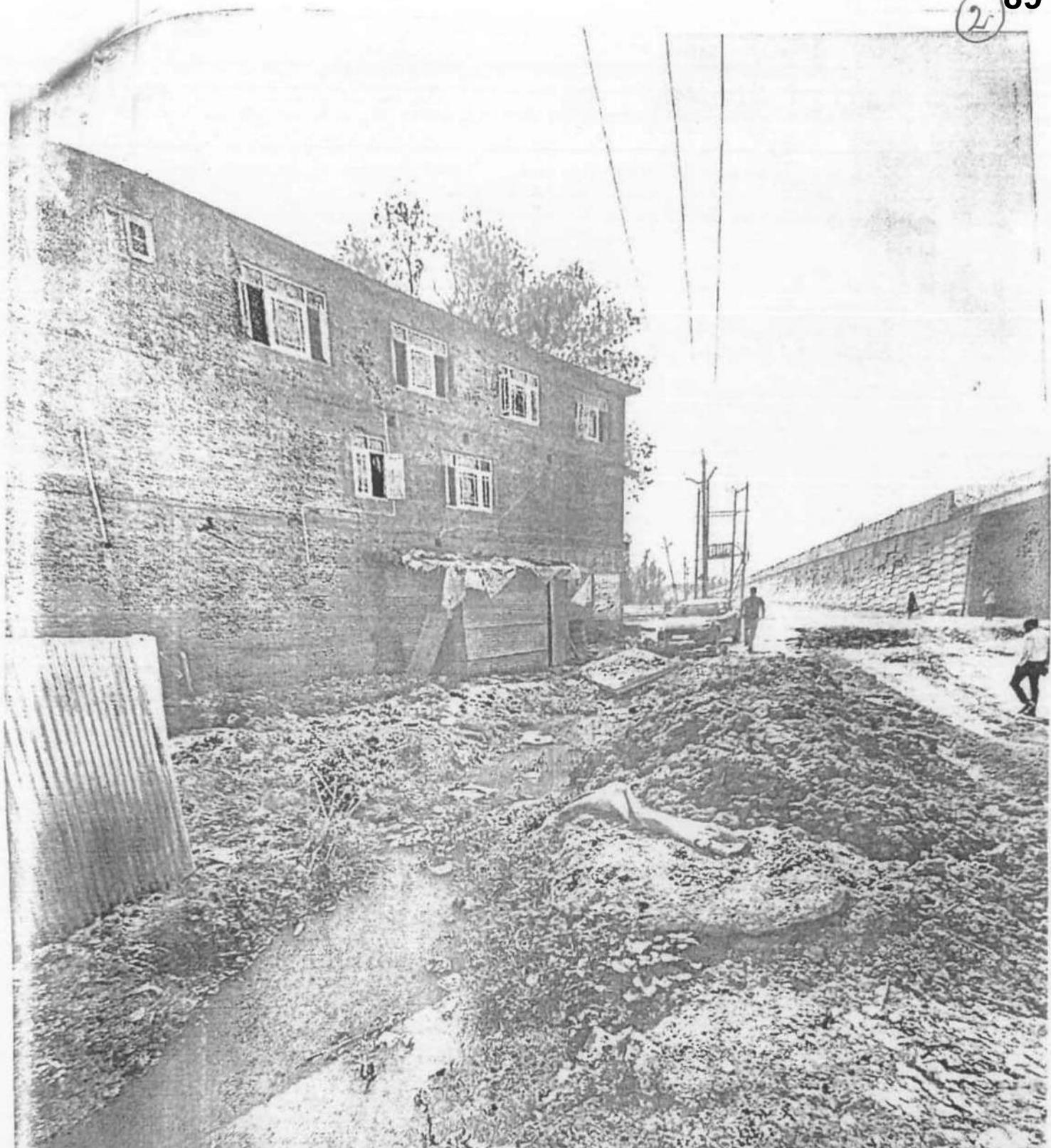


GPS Map Camera

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GPS Map Came

Lal Gam

Xr76+m5, Lal Gam, 191113,
Lat 33.964739° Long 74.810736°
14/06/2025 03:32 PM GMT +05:30

Google

Jammu and Kashmir Pollution**Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 - 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**Project Director,
NHAI,
PIU, Ramban, J&K.**

No.: JKPCC/Sc./OA-229/2025/ 688-690

Date: 24-07-2025

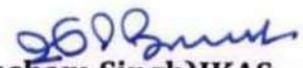
Sub: O.A No. 229/2025, titled "Ghulam Nabi Bhat V/s National Highway Authority of India & Ors."

Ref: JKPCC/Sc./OA-229/2025/589-591;dated: 30.06.2025.

Sir,

With regard to the subject and reference cited above you are again requested to share Action Taken w.r.t remedial measures taken and restoration action as also the compensation for the damage caused to the applicant's orchard by or before 05.08.2025.

Yours faithfully,


(Ghansham Singh)JKAS
Member Secretary

24.7.25

Copy to:

1. Deputy Commissioner Budgam for favor of Information.
2. Regional Director, JKPCC Kashmir for Information and necessary action.

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. _____ OF 2025

IN THE MATTER OF:-

GHULAM NABI BHAT

...APPLICANT

VERSUS

NATIONAL HIGHWAYS AUTHORITY OF INDIA & ORS.

...RESPONDENTS

VAKLATNAMA

KNOW ALL to whom these present shall come that I/We, Subhash Chandra Chatterjee, S/o. Late S.K. Chatterjee, aged 78 years, R/o. M-52, Ground Floor, Chittaranjan Park, New Delhi-110019 the above named Decree Holder do hereby appoint:

Ms. Pallvi Hooda (D/2759/2020) Mr. Shiv Bhatnagar, advocate (D/14855/2023), Mr. Yuvraj Nandal (D/3096/2024), and Ms. Kavya Manuja, Advocate (PH/377/2021) (hereinafter called the advocate/s) to be my/our Advocate in the above noted case authorized him/her: -

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us.

To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I/we or my/our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I/we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this ____ day of September, 2025.

Accepted subject to the terms of fees.

I identify the signature of the Client.

Subhash Chatterjee

(SUBHASH CHANDRA CHATTERJEE)

CLIENT

Pallvi Hooda

Ms. Pallvi Hooda
Advocate
D/2759/2020

Offices at: 10A, Sagar Apartment
6 Tilak Marg,
New Delhi-110001

Shiv Bhatnagar

Mr. Shiv Bhatnagar
Advocate
D/14855/2023

Yuvraj Nandal

Mr. Yuvraj Nandal
Advocate
D/3096/2024

Kavya Manuja

Ms. Kavya Manuja
PH/377/2021
Advocate



Tannu

Tannu
D/4116/2024
Advocate



NKC PROJECTS PVT. LTD.

(An ISO 9001:2015 Certified Co.)

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED IN THE MEETING OF THE BOARD OF DIRECTORS OF NKC PROJECTS PRIVATE LIMITED (THE "COMPANY") HELD ON TUESDAY, THE 19th DAY OF JULY, 2022 AT CORPORATE OFFICE OF THE COMPANY SITUATED AT PLOT NO. 872, UDYOG VIHAR, PHASE-V, GURUGRAM-122016.

"RESOLVED THAT the consent of the Board of Directors of the Company be and is hereby accorded to authorise Shri Subhas Chandra Chatterjee S/o Late S.K. Chatterjee R/o M- 52, Ground Floor, Chittaranjan Park, New Delhi-110019 (Aadhaar No. 5224 7797 5763) to represent the company's interest for filing Special Leave Petitions, Original Applications, Miscellaneous Applications, Counter Petitions, or any Other Writ Petitions before Hon'ble Supreme Court of India or Hon'ble National Green Tribunal or Hon'ble High Court of Jammu and Kashmir against Government of Jammu and Kashmir or any other individual for the project named as "Construction of four lane ring road/bypass around Srinagar city from Km 0.000 to Km 42.100 (Phase-I) under NHDP phase VII in the Union Territory of Jammu and Kashmir under Bharatmala Pariyojana on EPC mode".

Certified true copy

For & on behalf of
NKC Projects Private Limited


Rohit Kumar Gupta
Whole-Time Director
DIN: 03589691





Vijay Kumar <vijay3312@gmail.com>

Reply on behalf of the respondent no. 2 NKC Projects Pvt. Ltd.

1 message

Vijay Kumar <vijay3312@gmail.com>
To: saurabh.envirolawyer@gmail.com

Fri, Sep 5, 2025 at 5:05 PM

Reply on behalf of the respondent no. 2 NKC Projects Pvt. Ltd.

--

VIJAY KUMAR
P.A. to Mr. Shiv Bhatnagar, Adv.
10A, Sagar Apartment, 6 Tilak Marg,
New Delhi -110001
Mob. 09810188819, 8368447708
Ph. office 011-23070195 **Print this mail only if absolutely necessary. Save Paper. Save Trees**

 **FINAL NKC REPLY GULAM OA NGT_redacted.pdf**
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