

**IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 151 OF 2023**

IN THE MATTER OF:

HASSINA WAJID (SARPANCH)

...Applicant

Versus

STATE OF J&K & ORS.

....Respondents

**REPLY ON BEHALF OF THE RESPONDENT NO. 6 TO 8 TO THE
ORIGINAL APPLICATION AND THE JOINT COMMITTEE
REPORT DT. 17.07.2023**

FILED BY: COUNSEL FOR RESPONDENT NO. 6-8: AJIT SHARMA

**IN THE NATIONAL GREEN TRIBUNAL
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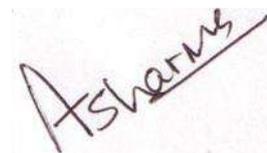
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Filed On: 15.02.2024

Place: Delhi



(AJIT SHARMA)

Counsel for Respondent No. 6-8

**IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 151 OF 2023**

IN THE MATTER OF:

HASSINA WAJID (SARPANCH)

....Applicant

Versus

STATE OF J&K & ORS.

....Respondents

**REPLY ON BEHALF OF THE RESPONDENT NO. 6 TO 8 TO THE
ORIGINAL APPLICATION AND THE JOINT COMMITTEE
REPORT DT. 17.07.2023.**

To,

The Hon'ble Chairperson and his Companion Members
Of the National Green Tribunal.

The humble reply of the Respondents above named

MOST RESPECTFULLY SHOWETH

1. That the above-mentioned Original Application has been filed by the Applicant seeking an injunction on the operation of unit of the Project Proponent i.e. Respondent Nos. 6 to 8. It is submitted at the outset that the averments of the Original Applicant are misleading and are denied by the answering deponents.
2. That this Hon'ble Tribunal has vide order dt. 20.03.2023 constituted a Joint Committee and directed the Committee to submit its factual report submit its factual and action taken report, which has been submitted on 17.07.2023.

3. This Hon'ble Tribunal thereafter vide order dt. 19.10.2023 permitted the Project Proponents to file their reply/response on their behalf. Hence the present reply/response is being filed.
4. The deponent is a stone crusher and a Hot Mix plant based in District Poonch, Jammu & Kashmir who has been running its operations from the year 2016 using latest and advanced machineries with all necessary permissions and consent from the concerned authorities.

CONDUCT OF THE ORIGINAL APPLICANT.

5. It is respectfully submitted that the Original Application has been maliciously filed before this Hon'ble Tribunal by the Applicant for her vested interests. The Applicant has been demanding monies from the answering deponent from 2019 and when refused she has been habitually making complaints against the answering deponent in multiple forums to harass the answering deponent.

Round-1

6. That a false complaint was made by the applicant herein with the Deputy Commissioner, Poonch in 2020 with respect to illegal roads, and the same was later decided in favor of the answering deponent.

Round-2

7. Thereafter, another false complaint was made by the applicant to the Deputy Commissioner, Poonch with regard to encroachment of Government land by the deponent on the basis of which the Project

Proponent's unit was sealed by an order of the Deputy Commissioner, Poonch dt. 26.03.2022. However, the said order dt. 26.03.2022, was challenged by the answering deponent before the High Court of Jammu & Kashmir and vide order dt. 01.04.2022 the Hon'ble High Court in W.P.(C) No. 742/2022 and directed DC, Poonch to consider and ordered to reseal the unit after fulfilment of certain conditions. A true copy of the order dt. 01.04.2022, passed by the Hon'ble High Court in W.P.(C) No. 742/2022.

8. Finally, after filing contempt petition before the Hon'ble High Court in CCP (S) No. 157/2022, the deponent managed to get his unit de-seized. A true copy of the contempt petition filed by the deponent before the Hon'ble High Court in CCP (S) No. 157/2022 are annexed herewith as **Annexure-R1.**

Round-3

9. That on 22.11.2022, another writ petition was filed by the applicant herein against the deponent before the Hon'ble High Court of Jammu & Kashmir titled as "*Inhabitants of Village Chaktroo Through Husinna Wajid Vs. U.T. of J&K & Ors.*" in W.P.(C) No. 2522/2022 claiming similar relief as in the present original application. The said writ petition is pending as on date and the next date of hearing before the Hon'ble High Court is 11.03.2024. A copy of the High Court of Jammu & Kashmir case status showing the pendency of W.P.(C) No. 2522/2022 is annexed herewith as **Annexure-R2.**

10. It is respectfully submitted that the applicant has nowhere in her application mentioned about the pendency of the writ petition before the Hon'ble High Court and has approached this Hon'ble Tribunal with unclean hands by concealing this material fact. A true copy of the Writ Petition (C) No. 2252/2022 filed by the applicant before the High Court Jammu & Kashmir making similar averments to this application has been annexed herewith as **Annexure-R3**.

11. It is further submitted that in the above-mentioned writ petition the Jammu & Kashmir Pollution Control Board filed its reply in February 2023, wherein they have categorically submitted that the whole writ petition is misconceived and further at para 4 & 6 submitted that the deponent meets all the siting criteria and all the application seeking consent for establishment/operation of a stone crusher and Hot Mix plant qualifies the requisite condition present for establishment. A true copy of the reply filed by the Jammu & Kashmir Pollution Control Board dt. February, 2023 in Writ Petition (C) No. 2252/2022 before the High Court Jammu & Kashmir has been annexed herewith as **Annexure-R4**.

12. That the Hon'ble Supreme Court in *Vijay Syal Vs. State of Punjab*, [(2003)

9 SCC 401 held as follows:

"In order to sustain and maintain sanctity and solemnity of the proceedings in law courts it is necessary that parties should not make false or knowingly, inaccurate statements or misrepresentation and/or should not conceal material facts with

a design to gain some advantage or benefit at the hands of the court, when a court is considered as a place where truth and justice are the solemn pursuits. If any party attempts to pollute such a place by adopting recourse to make misrepresentation and is concealing material facts it does so at its risk and cost. Such party must be ready to take consequences that follow on account of its own making. At times lenient or liberal or generous treatment by courts in dealing with such matters are either mistaken or lightly taken instead of learning proper lesson. Hence there is a compelling need to take serious view in such matters to ensure expected purity and grace in the administration of justice".

13. It is further submitted that the Hon'ble Supreme Court in *K. Jayaram v. Bangalore Development Authority*, reported as 2021 SCC Online SC 1194 at para 16, while dealing with suppression of material fact held as follows:

"16. It is necessary for us to state here that in order to check multiplicity of proceedings pertaining to the same subject-matter and more importantly to stop the menace of soliciting inconsistent orders through different judicial forums by suppressing material facts either by remaining silent or by making misleading statements in the pleadings in order to escape the liability of making a false statement, we are of the view that the parties have to disclose the details of all legal proceedings and litigations either past or present concerning any part of the subject-matter of dispute which is within their knowledge. In case, according to the parties to the dispute, no legal proceedings or court litigations was

or is pending, they have to mandatorily state so in their pleadings in order to resolve the dispute between the parties in accordance with law.”

Thus, in light of the above judgments it is humbly prayed that the instant application deserves to be dismissed for the suppression of material facts which form subject-matter of the present dispute and for the harassment being done to the Project Proponent who has been running from one forum to the other to face the frivolous litigations initiated at the hands of the applicant.

**REPORT OF THE JOINT COMMITTEE RIDLED WITH
FACTUAL ERRORS.**

14. It is submitted that the report of the Joint Committee suffers from factual inaccuracies. For instance, the report observes at internal page-5 that the unit holder had failed to submit Land Title Certificate from concerned Deputy Commissioner, Poonch under SO 60.
15. However, the deponent holds a valid Land Title Certificate dt. 08.07.2023, issued by the office of the Deputy Commissioner, Poonch. A true copy of the Land Title Certificate dt. 08.07.2023 issued in favor of the deponent by the office of the Deputy Commissioner, Poonch and NOC is annexed herewith as **Annexure-R5.**

16. It is submitted that Committee's report also concedes that the deponent's plant violates the siting norms criteria. The same is vehemently denied and reliance is placed on the report of the Pollution Control Committee dt. 30.01.2024 and 22.01.2024 and 08.02.2024.

17. It is pertinent to mention that the Air & Water monitoring of the deponent plant done in pursuance of the Pollution Control Committee dt. 13.06.2023 by a private lab reveals that the emission norms of the deponent's plant are below the permissible limits. That the standard permissible limit for PM particles are 300 mg/NM³ however, the deponent's plant has only recorded about 116 mg/NM³. A true copy of the demand letter 13.06.2023 of JKPCC and analysis report 11.09.2023 has been annexed herewith as **Annexure-R6**.

DEFICIENCIES POINTED OUT BY THE JOINT COMMITTEE

NO LONGER EXIST.

18. It is respectfully submitted that after the inspection done by the Joint Committee appointed by this Hon'ble Tribunal the deponent has taken steps to fulfill whatever minor deficiencies were pointed out, and the deponent now fulfills all the conditions laid down in the previous CTO which includes:

- a. Installation of complete shed of CGI sheets shed and enclosed the unit in the shed, complete washing system as additional PCM's to mitigate the impact of unit of critical criteria.
- b. Land Title Certificate under SO 60 from the office of Deputy Commissioner, Poonch.
- c. About 15 feet wind breaking walls consisting of CGI sheets around the unit towards the habitation.
- d. Done three rows of plantation of Eucalyptus Saplings.
- e. Installation of complete washing system and crushing/screening points enclosed in CGI sheets shed.

19. The following observations have also been recorded in the report dt. 22.01.2024 and 31.01.2024 along with colour photographs of the plant done by the office of the Pollution Control Committee in furtherance of the inspection done by the Joint Committee. A true copy of the latest report of the Pollution Control Committee dt. 30.01.2024 and 22.01.2024 has been annexed herewith as **Annexure-R7.**

**DEPONENT'S PLANT IS WELL WITHIN THE SITING NORMS
AND NOT NEAR ANY ABADI AREA.**

20. It is respectfully submitted that the deponent's is well within the siting norms. The same can be seen from the reports of the Pollution Control Committee dt. 30.01.2024 and 22.01.2024. Further reliance is also placed

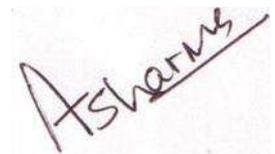
on the report dt. 08.02.2024 of J&K Pollution Control Committee which unequivocally establishes the fact that the deponent's plant is situated at about 550 meters from the Government School Narhad. Further, the School is behind a hillock therefore, the same is not visible from the plant hence, no disturbance is being caused. A true copy of the inspection report of the J&K Pollution Control Committee dt. 08.02.2024 is annexed herewith as **Annexure-R8**.

21. It is further submitted that the same report also records the fact there are about 25 houses including both commercial as well as residential area within 500 meters in scattered form at different elevations and intercepted by regular traffic on road in between the stone crusher and residential area. Therefore, the same cannot be called an Abadi area.

22. In view of the objections made above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to dismiss the Original Application.

Filed On: 15.02.2024

Place: Delhi



(AJIT SHARMA)

Counsel for Respondent No. 6-8



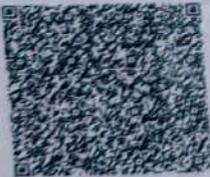
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Government of Jammu and Kashmir

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**IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 151 OF 2023**

IN THE MATTER OF:
Hassina Wajid (Sarpanch)

.....Applicant

Versus

State of Jammu & Kashmir & Ors.

....Respondents

AFFIDAVIT

I, SHAZAD Shabnam, S/o Sh. Abdul Rashid, aged
about ___ years, R/o Chaktroo Teh. Haveli distt. Poonch.,
do hereby solemnly affirm and state as under:-

1. That I am the Partner of the Respondent No. 6,7 and the Respondent No. 8 in the above-mentioned Original Application and as such I am fully acquainted with the facts and circumstances of the instant case and as thus competent to swear this affidavit.

2. That I further state that the contents of the accompanying Reply have been thoroughly read and understood by me and I declare that the Reply Affidavit has been prepared on my instructions.

Shazad Shabnam



- 3. That the contents of the accompanying Reply are all true to my knowledge. The same has been read over to me and understood by me to be true.
- 4. That the annexures to the accompanying Reply are true copies of their respective originals.

Suzand. Sharm
DEPONENT

Verification:-

I, the deponent above named, do hereby verify and state that the contents of the foregoing paragraphs of the above affidavit are true to the best of my knowledge and belief and that no part of it is false and nothing material has been concealed therefrom. Verified by me at Jammu on this 14th day of February, 2024.

Suzand. Sharm
DEPONENT

Tahir Chandhary
Identifying
~~*Tahir Chandhary*~~
Yomold M. Dher
40 Daphway
Moradabad
Alakhi Dist.
Parad



Sworn and Affirmed before me

Suzand. Sharm
DEPONENT

14-2-2024

Sheikh Shakeel Ahmed
Sheikh Najeeb Ashraf
Zulfiqar Ali Ahmed
Supriya Chouhan
Rahul Raina
M. Zulkarnain Chowdhary
Muzzaffar Ali Shah
 ADVOCATES
 J&K HIGH COURT, JAMMU



BAR ROOM NO.1
 District Courts Complex,
 Janipur, Jammu.
EVENING CHAMBER: -
 Aftab Manzil, 261-F,
 Mohalla Ustad, Jammu
 (Off. & Resi.)
 9419182358, 9419117004
 9419134575

Dated: 28-05-2022

To

1. Mr. Inderjeet (JKAS),
Deputy Commissioner, Poonch-185101
2. Mr. Anjum Bashir Khan Khattak (JKAS),
Tehsildar, Haveli (Poonch)-185101

Subject: - Information regarding passing of Order dated 26-05-2022 by the Hon'ble High Court of J&K at Jammu in CCP (S) No.157/2022 titled M/s Dewan Stone Crusher V/s Inderjeet and Anr.

Sir,

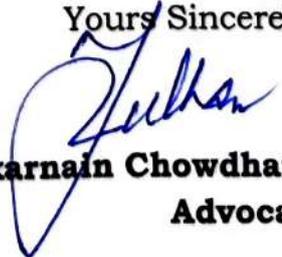
Kindly find enclosed herewith a copy of the aforesaid Order dated 26-05-2022 passed by the Hon'ble High Court of J&K at Jammu in the aforementioned CCP (S) No.157/2022 for your kind perusal alongwith the copy of the contempt petition for your kind information and compliance.

You are accordingly requested to comply with the aforementioned order in its letter and spirit by filing compliance report before the Hon'ble High Court with regard to the Order dated 01-04-2022 passed by the Hon'ble High Court in WP (C) No.742/2022, copy whereof is already enclosed alongwith the contempt petition for your ready reference.

This communication is being issued on behalf of my client in the above titled Contempt petition. The order has been downloaded from the official website of the High Court of Jammu & Kashmir and Ladakh.

Thanking you.

Yours Sincerely,


 (M. Zulkarnain Chowdhary)
 Advocate

①

**IN THE HON'BLE HIGH COURT OF JAMMU & KASHMIR AND
LADAKH AT JAMMU**

Contempt WP(C) No. /2022

IN

WP(C) NO.742/2022

**M/s Dewan Stone Crusher V/s Mr. Inderjeet (JKAS) & Anr
...Petitioner ...Respondents**

IN THE MATTER OF: - MEMO OF URGENCY.

MAY IT PLEASE YOUR LORDSHIPS,

The petitioner most respectfully submits as under:-

1. That the petitioner has filed the above titled contempt petition seeking initiation of contempt of court proceeding against the respondents for their willful/intentional defiance of the order dated 01.04.2022 passed by this Hon'ble Court in WP(C) No. 742/2022 titled M/s Dewan Stone Crusher V/s U.T. of J&K & Ors as the stone crusher of the petitioner has not yet been de-sealed despite the completion of all the formalities and the respondents are intentionally/deliberately sitting over the matter thereby defeating the intent and spirit of the directions passed by this Hon'ble Court on 01.04.2022, which is sure to succeed on its merits.
2. That the matter is of urgent in nature and if the above titled contempt petition will not be heard today the matter will be rendered infructuous and the applicant will suffer irreparable loss and injury in view of this the contempt petition is required to be listed for today.

It is, therefore, respectfully prayed that the Registry of the court may very kindly be directed to list the above titled contempt petition today in the interest of justice.

**DATED: 25.05.2022
PLACE: JAMMU**

Shypral
**THE PETITIONER
THROUGH COUNSEL**

Zulhan
**(M. ZULKARNAIN CHOWDHARY)
ADVOCATE**

2

**IN THE HON'BLE HIGH COURT OF JAMMU & KASHMIR AND
LADAKH AT JAMMU**

Contempt WP(C) No. /2022

IN

WP(C) NO.742/2022

**M/s Dewan Stone Crusher V/s Mr. Inderjeet (JKAS) & Anr
...Petitioner ...Respondents**

IN THE MATTER OF:- MEMO OF PARTIES.

M/s Dewan Stone Crusher, Chaktroo,
Tehsil Haveli District Poonch
through its Proprietor
Shazad Shabnam Age 32 years,
S/o Sh. Abdul Rashid,
R/o Ward No.2, Chaktroo,
Tehsil Haveli District Poonch.

....PETITIONER

VERSUS

1. Mr. Inderjeet (JKAS),
Deputy Commissioner, Poonch-185101.
2. Mr. Anjum Bashir Khan Khattak (JKAS),
Tehsildar, Haveli (Poonch).

....RESPONDENTS

Contempt WP(C) No.	
Petitioner Name	Shazad Shabnam
Petitioner's Father Name	Abdul Rashid
Address of Petitioner	Ward No.2, Chaktroo, Tehsil Haveli District Poonch
Petitioner's Mobile No.	9622157797
Name of Advocate	M. Zulkarnain Chowdhary
License Number of Advocate	JK-51/2014
Mobile Number of Advocate	9419134575
E-mail of Advocate	zulkar86@gmail.com

Zulkar
(Adv.)

Shazad

3

**IN THE HON'BLE HIGH COURT OF JAMMU & KASHMIR AND
LADAKH AT JAMMU**

Contempt WP(C) No. _____ /2022

IN

WP(C) NO.742/2022

**M/s Dewan Stone Crusher V/s Mr. Inderjeet (JKAS) & Anr
...Petitioner ...Respondents**

IN THE MATTER OF:-

LIST OF DATES OF EVENTS.

S.No.	Dates	Events .
1		Aggrieved of the illegal sealing of the stone crusher the petitioner filed a writ petition (WP(C) No.742/2022) in Jammu Wing of the Hon'ble High Court of J&K and Ladakh
2	01.04.2022	The aforesaid writ petition came up for consideration before this Hon'ble Court on 01.04.2022 and after considering the submissions made by the learned counsel for the petitioner, the writ petition was disposed of with a direction to the respondents to consider the case of the petitioner in case he files representation or has filed it and pass appropriate orders under law thereon preferably within a period of four weeks from the date copy of the order is made available to the respondents
3	14.05.2022	The petitioner on 14.05.2022 made a representation to the respondent No.2 to retrieve the state land, if any, from the petitioner in case he is found in possession of the same and further requested that his unit may kindly be de-sealed. The petitioner categorically submitted that in case any State land is found in his possession, the same may kindly be retrieved
4	21.05.2022	Thereafter vide No.NTC/267 dated 21.05.2022 the Naib-Tehsildar Chandak sent a detailed report to the respondent No.2 wherein it was categorically submitted that the State land comprised in Khasra No.218 stood already retrieved on 22.02.2022 in presence of the members of

(Signature)
(Att.)

(Signature)

4

		the Commission and Police, however only a ramp was there which had not been removed by the petitioner and the said ramp was also removed in presence of the revenue team assisted by the Police on 17.05.2022 with the help of JCB and thus there is no encroachment left at the behest of the petitioner
5		The petitioner in view of the latest communication dated 21.05.2022 which cleared the dust in the matter has been continuously pressing upon the respondents to pass appropriate orders regarding the de-sealing of the stone crusher as there is no legal impediment left but both the respondents are not taking a final call in the matter which is in contravention of the order dated 01.04.2022 passed by this Hon'ble Court in WP(C) No.742/2022 wrongly typed as 742/2020
6		both the respondents are intentionally and deliberately sitting over the matter and their conduct is contumacious as after the fulfillment of all the conditions the said respondents cannot further harass and victimize the petitioner and they are under an obligation to pass the appropriate orders for de-sealing the unit of the petitioner. The respondents are ex-facie guilty of contempt of this Hon'ble Court and are required to be dealt accordingly and Rule Nisi be framed against them

DATED: 25.05.2022
PLACE: JAMMU

Sharma
FILED BY: -

Zulhas
**(M. ZULKARNAIN CHOWDHARY)
ADVOCATE**

(5)

**IN THE HON'BLE HIGH COURT OF JAMMU & KASHMIR AND
LADAKH AT JAMMU**

Contempt WP(C) No. _____/2022

IN

WP(C) NO.742/2022

**Petition under Section 2(A) read with Section 12 of Contempt of
Courts Act, 1997 and subject matters pertains to District Poonch**

M/s Dewan Stone Crusher, Chaktroo,
Tehsil Haveli District Poonch
through its Proprietor
Shazad Shabnam Age 32 years,
S/o Sh. Abdul Rashid,
R/o Ward No.2, Chaktroo,
Tehsil Haveli District Poonch.

....PETITIONER

VERSUS

1. Mr. Inderjeet (JKAS),
Deputy Commissioner, Poonch-185101.
2. Mr. Anjum Bashir Khan Khattak (JKAS),
Tehsildar, Haveli (Poonch).

....RESPONDENTS

IN THE MATTER OF: - Petition seeking initiation of contempt of court proceedings against the respondents for their willful/intentional defiance of the order dated 01.04.2022 passed by this Hon'ble Court in WP(C) No. 742/2022 titled M/s Dewan Stone Crusher V/s U.T. of J&K & Ors as the stone crusher of the petitioner

Shazad

*Julhan
(Adv.)*

6

has not yet been de-sealed despite the completion of all the formalities and the respondents are intentionally/deliberately sitting over the matter thereby defeating the intent and spirit of the directions passed by this Hon'ble Court on 01.04.2022.

Prayer for issuance of Rule Nisi against the respondents and for dealing against them appropriately.

MAY IT PLEASE YOUR LORDSHIPS;

The petitioner most respectfully submits as under: -

1. That the stone crusher of the petitioner was illegally/ arbitrarily sealed by the District Administration, Poonch on the express directions of the respondents on 26.03.2022 without adopting due course of law and without affording any opportunity of being heard to the petitioner.
2. That aggrieved of the illegal sealing of the stone crusher the petitioner filed a writ petition (WP(C) No.742/2022) in Jammu Wing of the Hon'ble High Court of J&K and Ladakh wherein following relief was claimed: -


(Adv.)



7

“(a) Certiorari seeking to quash the impugned order No.TH/OQ-243 dated 25.03.2022;

(b) Certiorari seeking to quash the impugned order No.35-C/9925-29 dated 26.03.2022 issued by Naib-Tehsildar Chandak i.e. respondent No.5.

(c) Certiorari seeking to quash the impugned order No.TH/OQ-2231-32 dated 26.02.2022 issued by Assistant Collector 1st Class (Tehsildar Haveli Poonch-respondent No.4).

(d) Mandamus, commanding and directing the respondents to de-seize the crusher of the petitioner, where the crusher of the petitioner is peacefully running in Khasra No.256 situated at Chaktroo, Tehsil Haveli District Poonch since 2016, which proper NOCs of the concerned Department;

(e) Mandamus, commanding and directing the respondents to decide the representation of the petitioner filed on 22.03.2022 and 26.03.2022, where the petitioner is categorically mentioned that the petitioner has not installed the crusher in the State land particular in Khasra No.218, as such, the stone crusher M/s Dewan Stone Crusher is proprietary land of the petitioner.

3. That the aforesaid writ petition came up for consideration before this Hon'ble Court on 01.04.2022 and after considering the submissions made by the learned counsel for the petitioner, the writ petition was disposed of with a direction to the respondents to consider the case of the petitioner in case he files

(Adv.)

Sumed .

8

representation or has filed it and pass appropriate orders under law thereon preferably within a period of four weeks from the date copy of the order is made available to the respondents.

A copy of the said order dated 01.04.2022 is enclosed herewith and marked as **ANNEXURE-I.**

4. That vide No.DCP/ARA/2022/11-12 dated 15.04.2022, the Assistant Revenue Attorney to Deputy Commissioner, Poonch issued a communication to the Tehsildar, Haveli i.e. respondent No.2 wherein attention of Hon'ble Court order's was invited alongwith the representations of the petitioner dated 29.03.2022 and 05.04.2022 with a direction to dispose of the same in the light of the rules governing the subject including provisions of SO-60 dated 23.02.2021 and relevant guidelines of J&K Pollution Control Board.

A copy of the communication dated 15.04.2022 is enclosed herewith and marked as **ANNEXURE-II.**

5. That on 19.04.2022 the respondent No.2 reverted back to respondent No.1 wherein it was submitted that following documents have been sought from the petitioner: -

*Shukran
(Adv.)*

Shukran

⑨

- i) **Consent to establish/operate from the Jammu and Kashmir Pollution Control Board issued as per the procedure/guidelines and siting criteria prescribed by the Jammu and Kashmir Pollution Control Board.**
- ii) **No Objection Certificate from Deputy Commissioner concerned regarding the title verification of land and its usage.**
- iii) **Registration with the District Industries Centre (DIC) if the unit holder intends to avail any incentives available in the Industrial Policy.**

In the said communication it was further submitted that the petitioner has submitted the photocopies of the aforementioned documents and it has also been stated that the state land which has been encroached by him shall be vacated and made encumbrance free and finally the respondent No.2 requested the respondent No.1 that the documents appended may be verified and the necessary directions for de-sealing the stone crusher be issued in the matter.

A copy of the said communication No.TH/OQ/158 dated 19.04.2022 is enclosed herewith and marked as

ANNEXURE-III.

6. That thereafter the respondent No.2 constituted a committee of three officers i.e. Naib-Tehsildar Khanater, Naib-Tehsildar Haveli and Naib-Tehsildar Chandak and

Julkan
(Adv)

Sharma

10

SHO Police Station Mandi, Assistant Engineer/Junior Engineer JPDCL Poonch and Field Officer Pollution Control Board Poonch and the said Committee was directed to de-seal the petitioner's unit after the fulfillment of the following conditions: -

- i) **Production of No-objection certificate from Deputy Commissioner.**
- ii) **Production of valid CTO as per SO-60 dated 23.02.2021.**
- iii) **Removal of encroachment and making the state land under the unit encumbrance free.**

7. That on 28.04.2022 the petitioner was called in the office of respondent No.2 by the team of aforesaid officers with a direction to produce the desired documents mentioned above and after hearing the petitioner the Committee made the following observations: -

- i) **The applicant has produced NOC issued from the office of Assistant Commissioner Revenue (Poonch) vide order No.DMP/J/2328-30 dated 27.08.2016 (copy enclosed).**
- ii) **The applicant has produced 'Consent to Operate' issued from Jammu & Kashmir State Pollution Control Board vide order No.PCC/Digital/22061834784 of 2022 dated 27.04.2022 (copy enclosed).**
- iii) **The applicant was directed to make the state land under the said unit encumbrance free and**

Jeehan
(Adv)

Sharma

(11)

produce a certificate from concerned field staff. The applicant has not vacated the encroached state land and therefore has not been able to produce the desired certificate from the concerned field staff till date in this regard.

8. That the Committee accordingly observed that the unit cannot be de-sealed as the petitioner has not been able to fulfill the condition No.3 (State land) and accordingly the report was submitted to the respondent No.2.

A copy of the said detailed communication bearing No.NTH/254 dated 30.04.2022 is enclosed herewith and marked as **ANNEXURE-IV**.

9. That faced with the situation the petitioner on 14.05.2022 made a representation to the respondent No.2 to retrieve the state land, if any, from the petitioner in case he is found in possession of the same and further requested that his unit may kindly be de-sealed. The petitioner categorically submitted that in case any State land is found in his possession, the same may kindly be retrieved.

A copy of the said representation dated 14.05.2022 is enclosed herewith and marked as **ANNEXURE-V**.

Fullan
(Adv.)

Samad

12

10. That thereafter vide No.NTC/267 dated 21.05.2022 the Naib-Tehsildar Chandak sent a detailed report to the respondent No.2 wherein it was categorically submitted that the State land comprised in Khasra No.218 stood already retrieved on 22.02.2022 in presence of the members of the Commission and Police, however only a ramp was there which had not been removed by the petitioner and the said ramp was also removed in presence of the revenue team assisted by the Police on 17.05.2022 with the help of JCB and thus there is no encroachment left at the behest of the petitioner.

A copy of the detailed report alongwith Aks Tatima Shajra is enclosed herewith as **ANNEXURE-VI**.

11. That with the aforementioned report it is thus amply clear that the three stipulations fixed have been satisfied and there is no legal impediment for not de-sealing the stone crusher of the petitioner.
12. That the petitioner in view of the latest communication dated 21.05.2022 which cleared the dust in the matter has been continuously pressing upon the respondents to pass appropriate orders regarding the de-sealing of the stone crusher as there is no legal impediment left but both the respondents are not taking a final call in the

*Jalkean
(Adv.)*

Sharma

13

matter which is in contravention of the order dated 01.04.2022 passed by this Hon'ble Court in WP(C) No.742/2022 wrongly typed as 742/2020.

13. That both the respondents are intentionally and deliberately sitting over the matter and their conduct is contumacious as after the fulfillment of all the conditions the said respondents cannot further harass and victimize the petitioner and they are under an obligation to pass the appropriate orders for de-sealing the unit of the petitioner. The respondents are ex-facie guilty of contempt of this Hon'ble Court and are required to be dealt accordingly and Rule Nisi be framed against them.

14. That there is no other efficacious remedy available to the petitioner except to approach this Hon'ble Court, therefore, the petitioner once again has been constrained to approach this Hon'ble Court.

An affidavit in support of contempt petition is enclosed herewith.

IN THE PREMISES:-

It is, therefore, respectfully prayed that keeping in view the submissions made hereinabove and those to be

Jalhan
(Adv.)

and.

(14)

urged at the time of hearing, the Hon'ble Court may very kindly be pleased to punish the respondents for their willful/intentional defiance of the order dated 01.04.2022 passed by this Hon'ble Court in WP(C) No. 742/2022 titled M/s Dewan Stone Crusher V/s U.T. of J&K & Ors as the stone crusher of the petitioner has not yet been de-sealed despite the completion of all the formalities and the respondents are intentionally/ deliberately sitting over the matter thereby defeating the intent and spirit of the directions passed by this Hon'ble Court on 01.04.2022.

DATED: 25.05.2022
PLACE: JAMMU

Shazad
THE PETITIONER
Shazad Shabnam
(M) 9622157797
THROUGH COUNSEL

Zulkarnain Chowdhary
(M. ZULKARNAIN CHOWDHARY)
ADVOCATE
(M) 9419134575

2:42

5G 39



hcservices.ecourts.gov.in



CNR Number : JKHC02-005961-2022

Case Status

First Hearing Date	: 25th November 2022
Next Hearing Date	: 11th March 2024
Stage of Case	: FOR ADMISSION After Notice
Coram	: 1724HON'BLE MR. JUSTICE WASIM SADIQ NARGAL
Bench	: Single Bench
State	: JAMMUKASHMIR
District	: POONCH
Judicial	: OTHER WRIT PETITION (OWP)
Causelist Name	: Regular
Short Order	: DATE FIXED

Petitioner and Advocate

1) INHABITANTS OF VILLAGE CHAKTROO TH HUSSINA WAJID

Advocate- AVISH SHARMA

Respondent and Advocate

1) U T OF J AND K TH COMMISSIONER SECRETARY POLLUTION CONTROL BOARD TRANSPORT NAGAR JAMMU AND OTHERS

Advocate - MR.DEWAKAR SHARMA DY AG ,Arushi Shukla

Acts

Under Act(s)	Under Section(s)
Article 226-Section103	1A

IA Details

IA Number	Party	Date of Filing	Next Date	IA Status
CM/6938/2022	INHABITANTS OF VILLAGE CHAKTROO TH HUSSINA WAJID U T OF J AND K TH COMMISSIONER SECRETARY POLLUTION CONTROL BOARD TRANSPORT NAGAR JAMMU AND OTHERS	22-11-2022	--	Pending

History of Case Hearing

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
			25-11-2022	FOR ADMISSION Before Notice
Supplementary-1	HONBLE MRS. JUSTICE SINDHU SHARMA	28-11-2022	28-11-2022	FOR ADMISSION Before Notice
Supplementary-1	HONBLE MR. JUSTICE RAJNESH OSWAL	28-11-2022	20-02-2023	FOR ADMISSION After Notice
	HONBLE MR. JUSTICE SANJEEV KUMAR	20-02-2023	26-04-2023	FOR ADMISSION After Notice
Supplementary-1	HONBLE MR. JUSTICE TASHI RABSTAN	26-04-2023		FOR ADMISSION After Notice
Supplementary-1	HONBLE MR. JUSTICE TASHI RABSTAN	26-04-2023(PK)	17-05-2023	FOR ADMISSION After Notice
Regular	HONBLE MR. JUSTICE WASIM SADIQ NARGAL	17-05-2023	26-07-2023	FOR ADMISSION After Notice
Regular	HONBLE MS. JUSTICE MOKSHA KHAJURIA KAZMI	26-07-2023	20-10-2023	FOR ADMISSION After Notice
Regular	HONBLE MR. JUSTICE PUNEET GUPTA	20-10-2023	16-12-2023	FOR ADMISSION After Notice
Regular	HONBLE MR. JUSTICE WASIM SADIQ NARGAL	16-12-2023	11-03-2024	FOR ADMISSION After Notice

Orders

Order Number	Order on	Judge	Order Date	Order Details
1	WP(C)2522/2022	HONBLE MRS. JUSTICE SINDHU SHARMA	25-11-2022	View
2	WP(C)2522/2022	HONBLE MR. JUSTICE RAJNESH OSWAL	28-11-2022	View
3	WP(C)2522/2022	HONBLE MR. JUSTICE TASHI RABSTAN	26-04-2023	View

Category Details

Category	SB OTHER WRIT PETITIONS (101)
Sub Category	MISC MATTERS (99)

OBJECTION

Sr.No.	Scrutiny Date	OBJECTION	Compliance Date	Receipt Date
1	22-11-2022	All Objections are Complied	--	--

Document Details

Sr. No.	Document No.	Date of Receiving	Filed by	Name of Advocate	Document Filed
1	1	18-01-2023	U T OF J AND K TH COMMISSIONER SECRETARY POLLUTION CONTROL BOARD TRANSPORT NAGAR JAMMU AND OTHERS	DEWAKAR SHARMA	OBJECTIONS
2	2	20-02-2023	U T OF J AND K TH COMMISSIONER SECRETARY POLLUTION CONTROL BOARD TRANSPORT NAGAR JAMMU AND OTHERS	ANIRUDDH SHARMA	VAKALATNAMA

[Back](#)

ANNEXURE- R3

(S)

IN THE HON'BLE HIGH COURT OF JAMMU AND KASHMIR &
LADAKH AT JAMMUPetition filed under Article 226 of the constitution of India & the Subject Matter pertains to
District Poonch

W.P.(C) ___ OF 2022

IN THE MATTER OF:

Inhabitants of Village Chaktroo,
Through Sarpanch
Hussina Wajid, aged 26 years,
W/o Sh. Mohd. Rashid,
R/o Village: Chaktroo, Tehsil Haveli
District Poonch, Jammu & Kashmir- 185101

....Petitioners

VERSUS

1. Union Territory of Jammu & Kashmir
Through Commissioner/Secretary,
Jammu & Kashmir Pollution Control Board
Parivesh Bhawan, Forest Complex, Gladni, Narwal, transport Nagar, Jammu,
Jammu and Kashmir -180004

2. Sh. Shahzad Shabnam
S/o Sh. Abdul Rashid
R/o Village: Chaktroo, Tehsil Haveli, Poonch, Jammu & Kashmir- 185101

3. M/s Dewan Stone Crusher
Chaktroo, Tehsil Haveli, District Poonch, Jammu & Kashmir- 185101

4. M/s Shahzad Shabnum Contractor Hot Mix Plant
Chaktroo, Tehsil Haveli, District Poonch, Jammu & Kashmir- 185101

... Respondents

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA SEEKING WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION FOR REVOKING/WITHDRAWING THE CONSENT TO OPERATE (CTO) ORDERS GRANTED TO RESPONDENT NO.3 AND RESPONDENT NO.4 BY RESPONDENT NO.1 UNDER SECTIONS 25/26 OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 & SECTION 21 OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981 ON GROUNDS OF NON-FULFILLMENT OF THE SITTING CRITERIA FOR ESTABLISHMENT & OPERATION OF STONE CRUSHERS & HOT MIX PLANTS APPLICABLE AS PER REVISED GUIDELINES NO. SPCB/PS/CH/PA/IV/131-135 LAID DOWN BY THE JAMMU & KASHMIR POLLUTION CONTROL COMMITTEE.

MAY IT PLEASE YOUR LORDSHIPS:

The Petitioners most respectfully submit as under:

Chakroo
Dr

1. That the Petitioners are residents of Village Chakroo, Tehsil Haveli, District Poonch, Jammu & Kashmir, hence, being citizens of India are entitled to enjoy all the rights guaranteed by the Constitution of India.

2. That the Petitioners being materially aggrieved by the illegal establishment and operation of Stone Crusher and Hot Mix Plant by Respondent No.2 have invoked the writ jurisdiction of this Hon'ble Court seeking a writ in the nature of mandamus, or any other appropriate writ, order, or direction quashing the following Consent to Operate (CTO) Orders for ORANGE category of units granted by the Jammu & Kashmir Pollution Control Committee (hereinafter "JK PCC") under Sections 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 in clear violation of the sitting criteria laid down by the

(7)

JKPCC for the establishment and operation of stone crushers and hot mix plants vide No. SPCB/PS/CH/PA/TV/131-135;

(a) CTO (Renew) No. PCC/digital/22061834784 of 2022 dated 27.04.2022 granted in favour of M/s Dewan Stone Crushers for a period April 2023;

(b) CTO (Fresh) No. PCC/digital/22043101380 of 2022 dated 30.09.2022 granted in favour of M/s Shahzad Shabnum Contractor Hot Mix Plant for a period upto September 2023.

A copy of CTO (Renew) No. PCC/digital/22061834784 of 2022 dated 27.04.2022 has been attached to this petition and has been annexed as **Annexure-I**.

A copy of CTO (Fresh) No. PCC/digital/22043101380 of 2022 dated 30.09.2022 has been attached to this petition and has been annexed as **Annexure-II**.

BRIEF FACTS

Brief facts for the adjudication of issue at hand are:

1. That Respondent No.2 is a resident of Village Chaktroo, Poonch, Jammu & Kashmir and is illegally involved in the installation and operation of Stone Crusher and Hot Mix Plant Units under the name and style as M/s Dewan Stone Crusher and M/s Shahzad Shabnum Contractor Hot Mix Plant at Village Chaktroo, Tehsil Havelli, District Poonch on agriculture land, near residential area and in clear violation of the established laws and rules.
2. That earlier, a Hot Mix Plant under the name and style of M/s Dewan and Shabnam Hot Mix Plant was set up at Drungli Nalah, Poonch and was operating illegally in violation of Sections 25/26 of the Water ((Prevention & Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention & control of Pollution) Act, 1981 without adequate pollution control devices/

measures and valid consent from JK Pollution Control Committee (JK PCC).
 Accordingly, JK PCC issued Order no. 30 JK PCC of 2022 dated 07.06.2022 directing closure of the said Hot Mix Plant

A copy of the said Order dated 07.06.2022 is attached to this petition and has been annexed as Annexure-III.

3. That subsequent to the closure of Hot Mix Plant at DrungliNalah, Poonch, Respondent No.2 moved the M/s Shahzad Shabnum Hot Mix Plant (hereinafter 'Respondent Unit No.4') to its existing M/s Dewan Stone Crusher (hereinafter 'Respondent Unit No.3') at village Chaktroo, Tehsil: Haveli District: Poonch.

4. That the illegally installed Respondent Unit No. 3 and Respondent Unit No.4 have proved to be a public nuisance and has made the lives of the Petitioners miserable as the Petitioners being inhabitants of the same village have been facing serious health problems/risks due to the emission of noise and pollutants by the said Stone Crusher and Hot Mix Plant.

5. That Respondent No.2 has also illegally installed a Sand Grinding Chakki under the penumbra of Stone Crusher and is being operated day and night thus, has become a source of painful noise for the residents, particularly the aged and ailing ones and the students.

6. That it is pertinent to point out that the aforementioned Consent to Operate Orders have been issued without making proper spot verification and without ensuring compliance with the sitting criteria and norms issued by the Jammu & Kashmir Pollution Control Committee

7. That the JKPCC revised guidelines No. SPCB/PS/CH/PA/IV/131-135 dated 09.02.2004 w.e.f. February 2022 laying down the sitting criteria for the Existing and New Stone Crushers and Hot Mix Plants which enumerates that the Existing or New Stone Crushers and Hot Mix Plants cannot operate within

500 m, 1 Km, and 2 Km of any residential area (abadi), healthcare establishment, and educational institution respectively which are also the critical sitting criterias.

A copy of revised guidelines No. SPCB/PS/CH/PA/IV/131-135 has been annexed to this petition as Annexure-IV.

8. That Respondent No.2, in clear violation of the aforesaid critical sitting criteria, has been operating the said Respondent Unit No.3 and Respondent Unit No.4 within:

(a) 500 m of residential area;

(b) 1 Km of three schools:

(i) Govt. Girl Middle School, Narhad, Chaktroo

(ii) Govt. Primary School, Gagarkote

(iii) Govt. Primary School, Kalsi;

(c) 350 m of Primary Health Centre, Chaktroo from the centre of crushing point.

It is important to note that the said distances have been measured in accordance with Rule 3.1 of the revised guidelines No. SPCB/PS/CH/PA/IV/131-135. Rule 3.1 requires that all the parameters to be measured from centre of crushing point and distance to be measured is aerial distance i.e. crow fly distance as per KMZ file of google map.

Google Map screenshots showing the distance of Respondent Unit No.3 and Respondent Unit No.4 from the aforementioned establishments & Sarpanch letter confirming the said distances is attached to this petition and annexed as Annexure-V.

9. That both Respondent Unit No.3 and Respondent Unit No.4 are installed on agricultural land and cause severe harmful effects to nearby crops, cattle, and the environment. Further, it is causing a serious threat to the health of the

All my law.

general public, habitation, water resource, and especially flora and fauna.

Annexure-VI is a copy of Revenue Records (along with translated version) showing the said establishment to be on Agricultural Land.

10. That the Petitioners vide representation dated 19/09/2022 had also approached Respondent No.1 seeking withdrawal of the CTO Order and closure of the M/s Dewan Stone Crusher and Hot Mix Plant installed illegally by Respondent No.2 at village Chakroo, Tehsil: Haveli, District: Poonch as the said stone crusher posed serious health risks to the Petitioners.

A copy of the representation dated 19/02/2022 has been attached to this petition and has been annexed as Annexure-VII.

11. That the petitioners through their counsel, Avish Sharma, also filed an RTI for disclosing the criterias considered for granting the impugned CTO's however no substantial reply is received for the same.

A copy of the response to RTI is attached as Annexure-VIII.

Continuing
That being aggrieved by the acts of Respondents the Petitioners have preferred this petition on the grounds mentioned hereunder which are independent and without prejudice to one another.

GROUNDS

A. FOR THAT the CTO Order dated 27.04.2022 granted in favour of Respondent No.2 to operate Respondent Unit No.3 and Respondent Unit No.4 is illegal on grounds of non-fulfillment of the sitting criteria for establishment & operation of stone crushers & hot mix plants applicable as per revised guidelines No. SPCB/PS/CH/PA/IV/131-135 laid down by the Jammu & Kashmir Pollution Control Committee. Specifically, the Units are located on agriculture land and within the prohibited distance from residential area, school and health centre.

B. FOR THAT the act of illegally establishing and operating Respondent Unit No.3 and Respondent Unit No.4 by Respondent No.2, has violated several established statutory requirements provided by the environmental protection laws in India, in particular, Sections 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

C. FOR THAT the aforementioned acts of Respondent No.2 has put the health of the Petitioners at serious risk and has been a constant source of nuisance thereby infringing upon their Right to clean and peaceful environment guaranteed under Article 21 of the Constitution of India.

12. That the Petitioners crave leave to add, amend, modify, rescind, supplement, or alter any of the grounds mentioned hereunder and/or produce such records, documents, calculations as deemed necessary either before or at the time of hearing of this petition.

13. That the Petitioners have not previously filed any such writ petition in the said matter under Article 226 and Article 227 of the Constitution of India either before this Hon'ble Court or under any other court including the Supreme Court of India.

14. That the Petitioners are left with no other equally efficacious alternative and speedy remedy available than to approach this Hon'ble Court by way of filing this writ petition.

An affidavit in support of petition is enclosed herewith.

IN THE PREMISES:

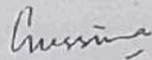
It is, therefore, most respectfully prayed that keeping in view the submissions made hereinabove and those to be urged at the time of hearing, your Lordships may very kindly be pleased to issue appropriate writ order or direction in the nature of:

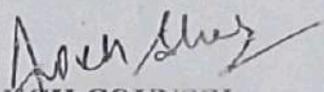
12

- i. Mandamus or any other appropriate writ, order, or direction for revoking/withdrawing the Consent to Operate (CTO) Orders C.T.O.(Renew) No. PCC/digital/22061834784 of 2022 and C.T.O.(Fresh) No. PCC/digital/220431001380 of 2022 dated 27.04.2022 and 30.09.2022 respectively granted to Respondent No.2 for operating Respondent Unit No. 3 and Respondent Unit No.4 by Respondent No.1 under Sections 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 on grounds of non-fulfillment of the sitting criteria for establishment & operation of stone crushers & hot mix plants applicable as per revised guidelines No. SPCB/PS/CH/PA/IV/131-135 laid down by Respondent No.1.
- ii Any other relief which this Hon'ble Court deems fit and proper in the facts and circumstances of the present case may also be granted in favour of the Petitioners.

PLACE: JAMMU

DATED: 21-11-22


PETITIONERS


THROUGH COUNSEL
AVISH SHARMA
ADVOCATE

ANKUSH SHARMA
ADVOCATE

Before the Hon'ble High Court of Jammu & Kashmir and Ladakh
at Jammu.

Reply under rule 15(1) of the
Writ proceedings rules, 1997.

Matter pertains to District Poonch

WP(C) No. 2252/2022

In the case of : Inhabitants Village Chaktroo, Poonch
V/s
UT of J&K & Ors.

In the matter of : Reply/Objections on behalf of the
Respondent No. 1.

May it please your Lordships :

Objections are submitted as under:-

Preliminary Objections:-

1. That none of the rights of the petitioners have been violated. Writ petition as such is not maintainable and is liable to be dismissed.
2. That whole writ petition of the petitioners is misconceived and incorrect besides being without merit and the writ petition on this count also deserves to be dismissed.
3. That the petitioners have not come to this Hon'ble Court with clean hands, therefore are guilty of misrepresentation of facts. As such writ merits outright dismissal.
4. That the petitioners have also suppressed material facts and miss-represented the factual and legal position as such writ is not permissible.


Regional Director
Pollution Control Board
Jammu

Reply on Merits.

1. Petitioners in the writ under reply have sought closure of the stone crusher of private respondents on the ground that same is source of nuisance and health hazard for local inhabitants. It is submitted at the very outset that the stone crusher in question has been established in the area and the same plant meets the criteria prescribed for installation of stone crushers and requisite pollution control measures are in place in the unit. The sitting criteria is also met by the

units and accordingly the stone crusher and Hot Mix Plant have been consented by the Board for operation vide consent No. PCC/Digital/22061834784 of 2022 dated 27-04-2022 valid up to April, 2023 and PCC/Digital/22043101380 of 2022 dt 20-09-2022 valid upto September, 2023 respectively.

2. That, the answering respondents most respectfully submit that the private respondent had applied for consent to establish M/S Shahzad Dewan Stone Crusher and Shabnam Hot mix plant in village Chaktrou Poonch and have obtained the consent as submitted in the foregoing para, with stipulated specific conditions (copy whereof is annexed hereto as **Annexure R-I and R-II**). All requisite pollution control devices/ pollution control measures are in place to ward off any chance of pollution beyond permissible limits.
4. That the answering respondents submits before this Hon'ble court that consent issued in favor the unit holders have been granted only after the siting criteria requisite for the establishment of the stone crusher/Hot Mix plant has been fully qualified by the private respondents at the time of applying for the consent of the answering respondent Committee/Board. As such the answering respondents have issued consent in favor of private respondents in consonance and compliance to the laid down guidelines/siting criteria meant for establishment of a stone crusher and Hot Mix Plant. Therefore the petition deserves to be dismissed to the extent to pertains to the answering respondent Board.
6. That the answering respondents have ensured that every application seeking consent for establishment/operation of a stone crusher and Hot Mix plant qualifies the requisite siting criteria/condition precedent for the establishment of particular unit as laid down by the Government from time to time as well as in conformity to the environmental legislation, likewise the consent to


Regional Director
Pollution Control Board
Jammu

establish and operate has been given/issued in favor of the private respondents by the answering respondent Board.

7. That the answering respondents reserve the right of urging additional grounds at the time of arguments.
8. Reply objections are supported by duly sworn Affidavit

Prayer

In the premises it is therefore prayed that the instant petition may be dismissed to the extent it pertains to the answering respondent Board/Committee, same shall serve the ends of law and justice.

Place: Jammu

Dated : /01/2023


 Answering Respondent
 Regional Director
 Pollution Control Board
 Jammu

Pollution Control Committee, Jammu,
 Mobile No.:9419962563
 Through Counsel

(Dewakar Sharma)
 Deputy Advocate General

Before the Hon'ble High Court of Jammu & Kashmir and Ladakh
at Jammu.

Reply under rule 15(1) of the
Writ proceedings rules, 1997.

Matter pertains to District Poonch.

WP(C) No. 2522/2022

In the case of : Inhabitants Village Chaktroo, Poonch
V/s
UT of J&K & Ors.

In the MATTER OF : Affidavit in support of objection to the
writ petition

I, Sat Paul, IFS, Aged 39 years, presently posted as Regional Director, Pollution Control Committee, Jammu do hereby solemnly affirm and declare that the accompanying objections has been read over and explained to me and the contents of the para No. 01 to 08 of the objections are true and correct as per my personal knowledge and those of remaining paras 01 to 08 are basis on legal advice.

I solemnly swear / affirm that the affidavit is true, no part of this is false and nothing has been concealed.

Place: Jammu

Dated : /01/2023


Regional Director
Pollution Control Board
Jammu



GOVERNMENT OF UNION TERRITORY OF JAMMU AND KASHMIR

OFFICE OF THE DEPUTY COMMISSIONER POONCH

Subject: Issuance of Land title Certificate under SO 60.
Ref. No: Tehsildar Havell's Office letter No: TH/OQ/1297
dated 02-09-2022.

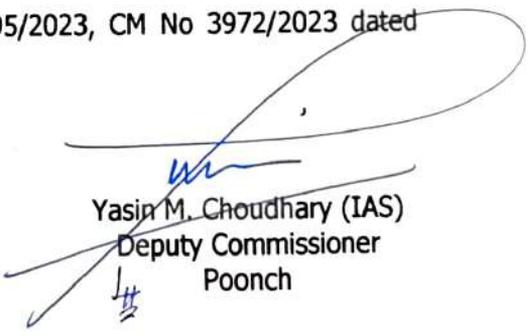
No: DCP/SQ/2023/557

Dated: 18/07/2023

TITLE CERTIFICATE

It is certified that land measuring 02 Kanal 10 Marla out of Khasra No. 256 of village Chaktroo, Tehsil Haveli is the proprietary land of Mr. Shehzad Shabnam S/o Abdul Rashid R/o Chaktroo Tehsil Haveli. The Stone Crusher namely M/S Dewan Stone Crusher is installed in said Khasra No.

Hence the land title certificate is issued in favour of above said owner of the land as required under SO 60 and is subject to the outcome of the litigation pending in the matter under Agrarian Reforms Act 1976 in the Court of Deputy Commissioner Poonch. Also this is in compliance to the Order passed by Hon'ble High Court of Jammu & Kashmir and Ladakh in WP (C) No 1695/2023, CM No 3972/2023 dated 03-07-2023.


Yasin M. Choudhary (IAS)
Deputy Commissioner
Poonch



**UT OF JAMMU & KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER POONCH**

Tel No.01965-220333 E-Mail: dcpoonch@gmail.com

Sub: Grant of NOC regarding title verification of land and its usage.

Ref: SO 60 Notification dated 23-02-2021 issued by Department of Mining Govt. of J&K.

No Objection Certificate

Whereas, Shazad Shabnam S/o Abdul Rashid R/o Chaktroo, Tehsil Haveli, District Poonch has applied for grant of NOC under SO 60 for the installed Hot Mix Plant on Khasra No. 266 in village Chaktroo being required for obtaining CTE/CTO from JK Pollution Control Committee. The application was forwarded to Tehsildar Haveli vide this office letter No. DCP/SQ/2023/842-43 dated 28-08-2023 for factual report in the matter; And,

Whereas, Tehsildar Haveli vide his No.TH/OQ/1029 dated 11-09-2023 has submitted report alongwith reports of field staff and relevant revenue record, wherein it has been mentioned that the land measuring 07 Marlas out of Khasra No. 266 has been obtained by Shazad Shabnam on lease from owner/proprietor of the land namely Abdul Rashid duly registered before Sub-registrar Haveli/Mandi at village Chaktroo, Tehsil Haveli, District Poonch over which M/s Shazad Shabnam Contractor Hot Mix Plant stands installed; And,

Whereas, the M/s Shazad Shabnam Contractor Hot Mix Plant stands installed and is already established/operating on the said land i.e. the land is already being used for the mentioned purpose; And

Whereas, sub-rule (3) of Rule 3 of SO 60 provides as under;

"(3) Stone Crusher/Hot and Wet Mixing Plant shall establish/operate only on securing:-

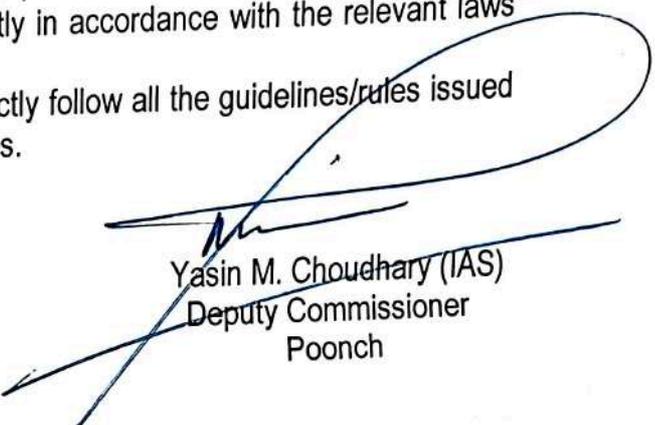
- (I) Consent to establish/operate from the Jammu and Kashmir Pollution Control Board issued as per the procedure/guidelines and sitting criteria prescribed by the Jammu and Kashmir Pollution Control Board.**
- (II) No objection Certificate from Deputy Commissioner concerned regarding title verification of land and its usage; and**
- (III) Registration with the District Industries Centre (DIC) if the unit holder intends to avail any incentives available in the Industry Policy."**

Now, therefore, in view of the above, NOC under S.O. 60, dated 23 of February, 2021 regarding title and usage of land measuring 07 Marlas out of Khasra No. 266 at

105 / 126

village Chaktroo, Tehsil Haveli, District Poonch is hereby issued in favour of Shazad Shabnam S/o Abdul Rashid, subject to the following terms and conditions:-

1. That this NOC shall be valid only after obtaining CTO from the Pollution Control Board.
2. That the concerned Hot Mix Plant shall operate only after the CTO from the Pollution Control Board is granted for the same.
3. That the applicant shall maintain a proper record of material supplied/used.
4. That the applicant shall be personally responsible for compensating the loss in case of any damage to the adjoining land/areas and any other infrastructure due to functioning of above mentioned unit.
5. That the applicant shall install highly sophisticated and modern equipment to control the dust/noise as per the norms of Pollution Control Board, without any fail.
6. That all conditions laid out under S.O. 60, of Mining Department, J&K, (Notification, Jammu, 23 of February, 2021), issued vide endorsement No. MNG/Crushers/15/2021, dated 23.02.2021, shall be fulfilled in letter & spirit and all the activities shall be carried out strictly in accordance with the relevant laws and rules.
7. That the owner of the HMP Unit shall strictly follow all the guidelines/rules issued in this regard by the Competent Authorities.


 Yasin M. Choudhary (IAS)
 Deputy Commissioner
 Poonch

No: - DCP/SQ/2023/904-07

Date: - 11-09-2023

Copy to: -

1. Tehsildar Haveli for information and n/action.
2. District Officer, Pollution Control Committee, Poonch for information and n/action.
3. Other concerned for information and n/action.
4. Shazad Shabnam S/o Abdul Rashid R/o Chaktroo, Tehsil Haveli, District Poonch for information.



PCC

www.jkspcb.nic.in

**J&K POLLUTION CONTROL COMMITTEE
OFFICE OF THE REGIONAL DIRECTOR - JAMMU**

Parivesh Bhawan, Forest Complex Gladhi, Transport Nagar, Narwal, Jammu
Email: regionaldirectorjkspcbjammu@gmail.com, Tel/fax 0191-2476926

Head Labs,
Air & Water Lab,
PCC, Jammu.

No.: PCC/RDJ/O/23/ 829-30

Dated:- 13/06/23

Sub.: Air & Water Monitoring of M/s Shazad Shabnam Contractor Hot Mix Plant, Chaktroo, Haveli Poonch.

With reference to the cited subject, you are directed to conduct Air & Water Monitoring of the unit and submit the analysis report within 7 days positively for further needful action at this end.

Sat Paul 13/06/2023
Sat Paul, IFS
Regional Director

Copy to :-

1. The Member Secretary, JKPCJ Jammu for kind information.
2. Divisional Officer, PCC Poonch for information & necessary action. He will depute the Research Assistant to associate with the team.

Received on
16/06/23
Sat Paul

1/c water lab/ Air Lab.
do the needful plz.

Sat Paul
07/07/23

Effluent standards have not been specified for Hot Mix Plant. *Rishi Gupta* J&K
Encl (02 No.) 12/9/23

Stack monitoring has been conducted, the report of which is enclosed having result within the limit.

Head Labs/- K.O.R after submitted copy to RD(J). *Mawar* 12/9/23

2023/09/15 09:54 PM

Government of Jammu & Kashmir
J&K Pollution Control Committee
Office of the Regional Director Jammu

PARIVESH BHAWAN, Forest Complex, GLADNI, TRANSPORT NAGAR (NARWAL) JAMMU
E-mail regionaldirectorjkspcbmu@gmail.com Tele/Fax- 0191 2476926

The Head Labs,
JKPCC Jammu.

NO : PCC/Air Lab/J/35

Subject: - Monitoring/Analysis report of M/S Shazad Hot Mix Plant, Chatroo Haveli Poonch
Dated: 13/06/23

Ref: - PCC.RDJ/O/23/829-30

Madam,

Kindly find enclosed here with the monitoring/Analysis report of M/S Shazad Hot Mix Plant,
Chatroo Haveli Poonch for further needful action at your end please.

Yours faithfully,

Nawal
Suman Pawar
I/C Air Lab
12/9/23

I/C Air Lab
Submit the report to RD (J) accordingly.

Neel
13/9/23

**J & K POLLUTION CONTROL COMMITTEE JAMMU,
PARIVESH BHAVAN GLADNI, TRANSPORT NAGAR (NARWAL)
JAMMU**

ANALYSIS REPORT

AIR ANALYSIS REPORT

Test Report No. 10 -

Date - 11/9/2023

1	Laboratory Sample No.	Report No. 10 of Air Monitoring.
2	Name of Industry	M/S Shazad shabnam contractor Hot mix plant, Chatroo H
3	Type of Sample	Stack monitoring (Drum type Hot mix plant)
4	Date of Sample Collection	18/08/2023

Results

Sr. No.	Parameters	Stack (PM)
	Standard Permissible Limits	300 mg/Nm ³)
1	Results	116.7

Standard followed: APHA 17th Edition (For the Examination of Air and Stack Emissions)

Monitoring was conducted along with the Research Assistant of District Poonch.

[Signature]
J. Assistant

[Signature]
Suman Pawar
12/9/23
I/C Air Lab.

[Signature]
Neelu Sharma
Head Labs.

JKPCC Jammu



Government of Jammu & Kashmir
J&K POLLUTION CONTROL COMMITTEE
OFFICE OF THE REGIONAL DIRECTOR - JAMMU
Parivesh Bhawan, Forest Complex Gladni, Transport Nagar, Narwal, Jammu
Email: regionaldirectorjkspcbjmu@gmail.com, Tel/fax 0191-2476926

ANNEXURE R-7

The Member Secretary,
 J&K Pollution Control Committee,
 Jammu.

No: PCC/RDJ/NGT/24/3619.

Dated: 30/01/2024

Sub: Factual report of M/s Diwan Stone Crusher, Chaktroo, Haveli, Poonch.

Ref: 1 Hon'ble NGT matter titled Hassina Wajid (Sarpanch) V/s State of J&K (UT) & Ors.
2 Hon'ble NGT Order dated 19/10/2023.

Sir,

With reference to the subject cited above, the latest inspection report of M/s Diwan Stone Crusher, Chaktroo, Haveli, Poonch has been submitted by Divisional Officer Poonch vide letter No. JKPCC/Div/P/2024/10 dated 22/01/2024. As per report, the unit holder has fulfilled the conditions laid down in the previous CTO(F) like construction of CGI sheets shed, proper wind breaking wall, three rows of plantation, complete washing system as additional PCM's to mitigate the impact of unit on critical criteria's. The unit holder has also submitted the land title certificate under SO 60 from DC Poonch.

Earlier the joint committee constituted by Hon'ble NGT had recommended that the unit can be allowed to operate only after complying with the conditions of the CTO granted by the J&K PCC and land title certificate under SO 60. Copy of the latest inspection report with photographs of PCD's is enclosed for kind reference.

Hence status report in the case is submitted for information and further directions in the matter. Moreover, the case is listed for hearing on **16/02/2024**.

Encl: As Above.

Yours faithfully,

(SAT PAUL), IFS

Regional Director

[Handwritten Signature]
 30/01/2024



**Government of Jammu and Kashmir
Office of the Divisional Officer
Pollution Control Committee
Poonch**

The Regional Director,
JKPCC Jammu.

No. JKPCC/Div/P/2024/10

Dated: 22/01/2024

**Subject: Factual report of M/s Diwan Stone Crusher, Chaktroo, Haveli,
Poonch**

Ref: PCC/RDJ/2022/0/2930 dated: 08/12/2023

Sir, ~

In reference to the above captioned subject, it is to submit that the unit was inspected and following observations were made during inspection.

1. The unit holder has constructed/installed a complete shed of CGI Sheets and enclosed the unit in the shed.
2. About 15 feet high wind breaking walls consisting of CGI Sheets installed around the periphery of unit towards the habitation.
3. Unit holder has done plantation around the unit in three rows of Eucalyptus Sapling. Directed to plant broad leave trees in current season.
4. The unit holder has installed the complete washing system and crushing/screening points are enclosed totally in a CGI Sheets shed (photographs attached for reference).
5. The said unit case is also a live case in Hon'ble NGT and Member Secretary JKPCC constituted a committee comprising of District Magistrate Poonch, CPCB member and D.O PCC Poonch for carrying out Joint inspection of the said unit.

6. The Joint Committee in its report submitted on 22/06/2023 has recorded that: - The unit under reference can be operated only after complying with the conditions of the Consent to Operate granted by JKPCC and Land title certificate under SO 60 from the concerned Deputy Commissioner.

Now sir, it merits to mentioned here that the unit holder has fulfilled the conditions laid down in the previous CTO (F) like construction of a complete CGI Sheets shed, proper wind breaking walls, three rows of plantation (at the Juvenile stage and needs more plantation of broad leave trees), complete washing system as additional pollution control measures to mitigate the impact of unit on critical criteria like residential area and school (not visible from the unit). The unit holder has also submitted the land title certificate under SO 60 from the Deputy Commissioner Poonch.

Hence factual report is submitted for further necessary action please

Yours faithfully,


Arshad Mirza

D.O PCC Poonch



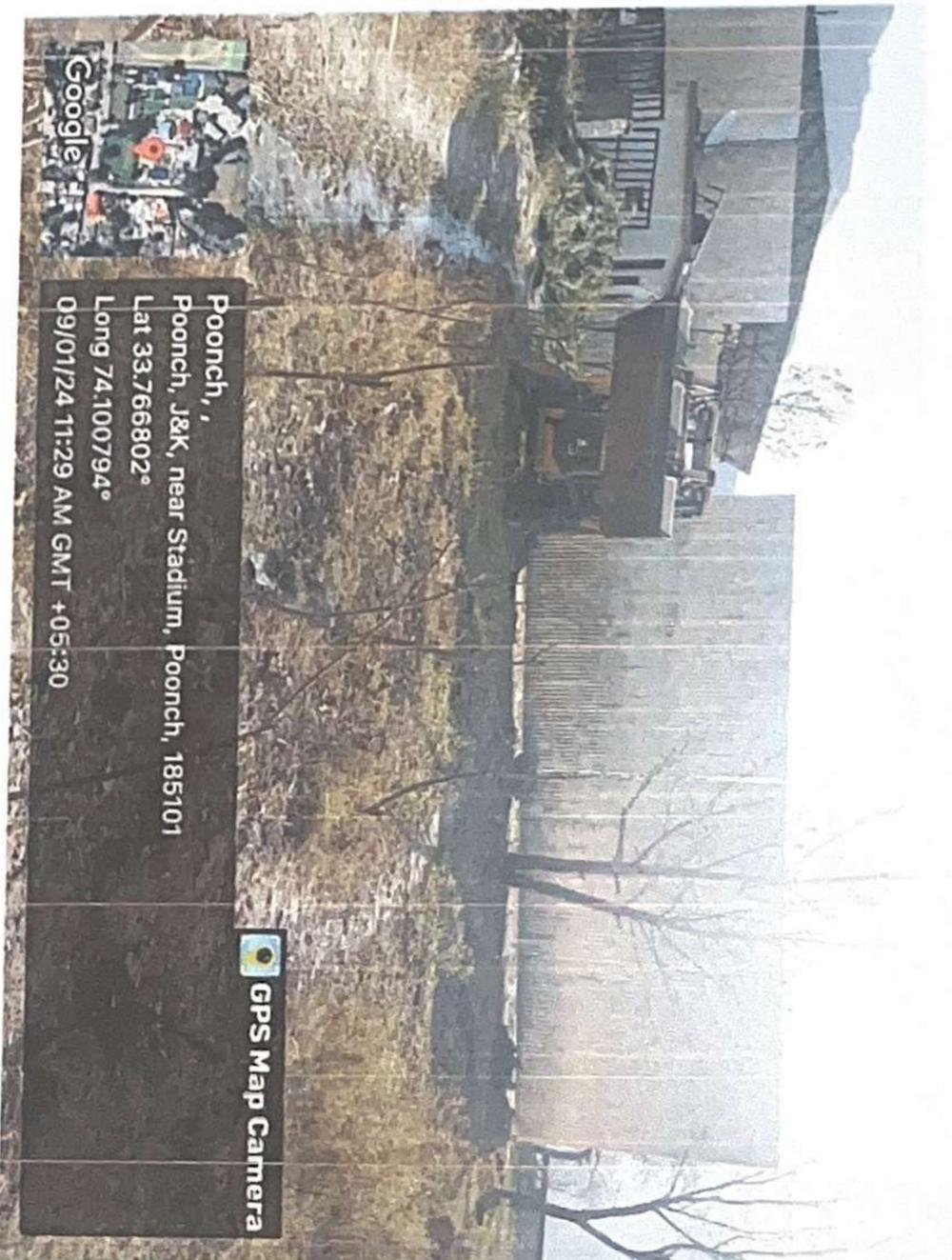
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GPS Map Camera



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GPS Map Camera



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 Poonch, J&K, near Stadium, Poonch, 185101
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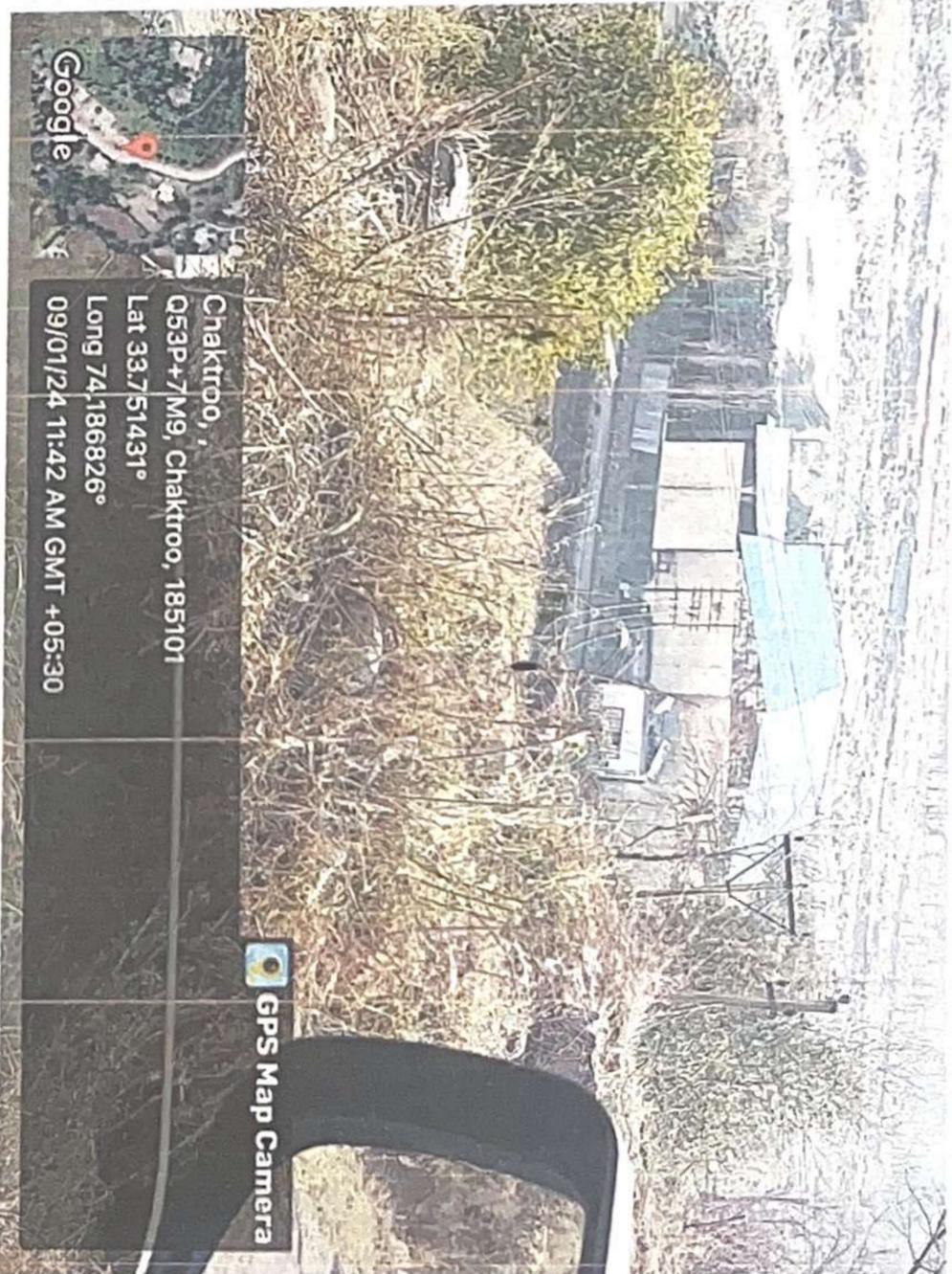
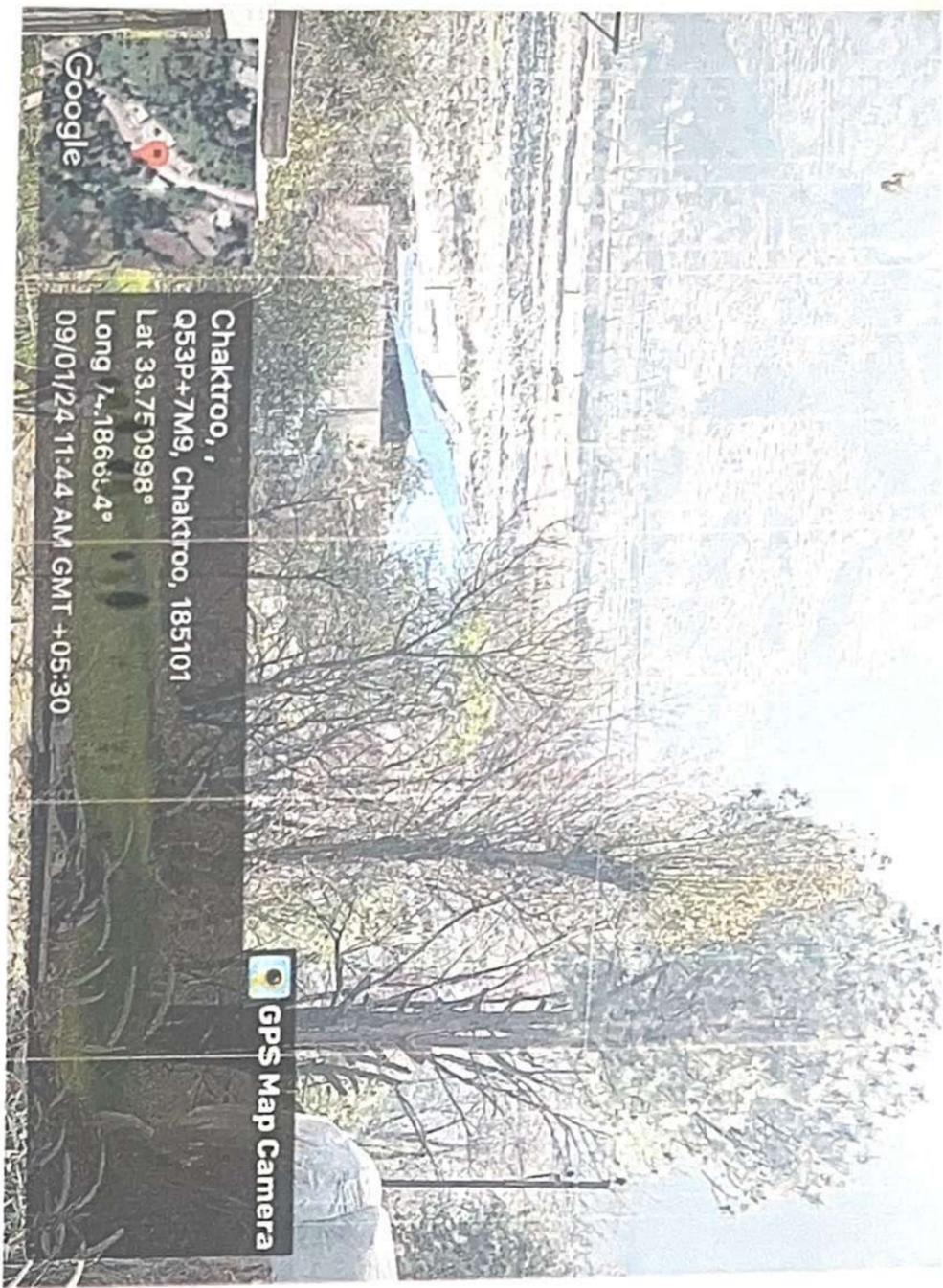
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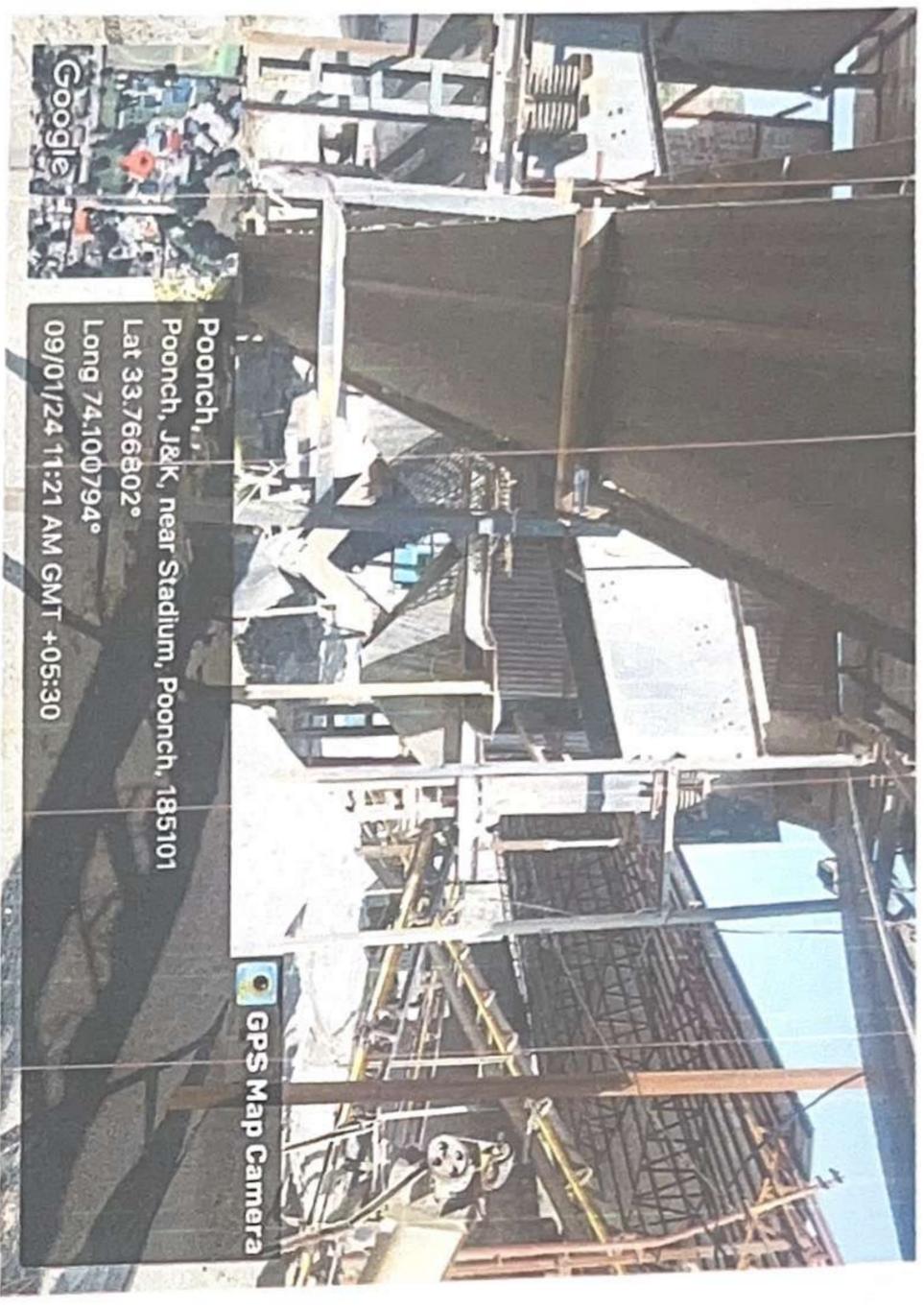


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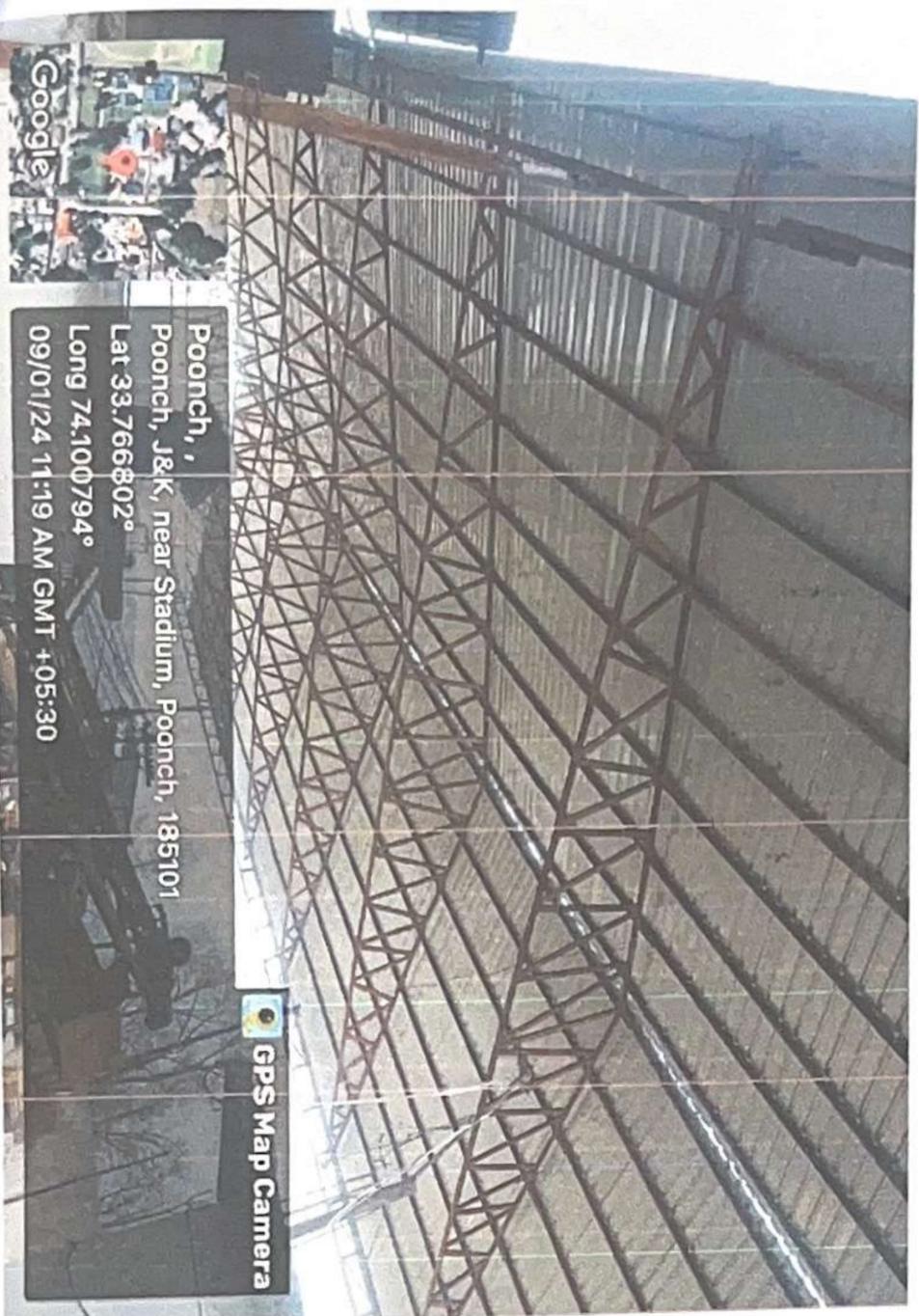






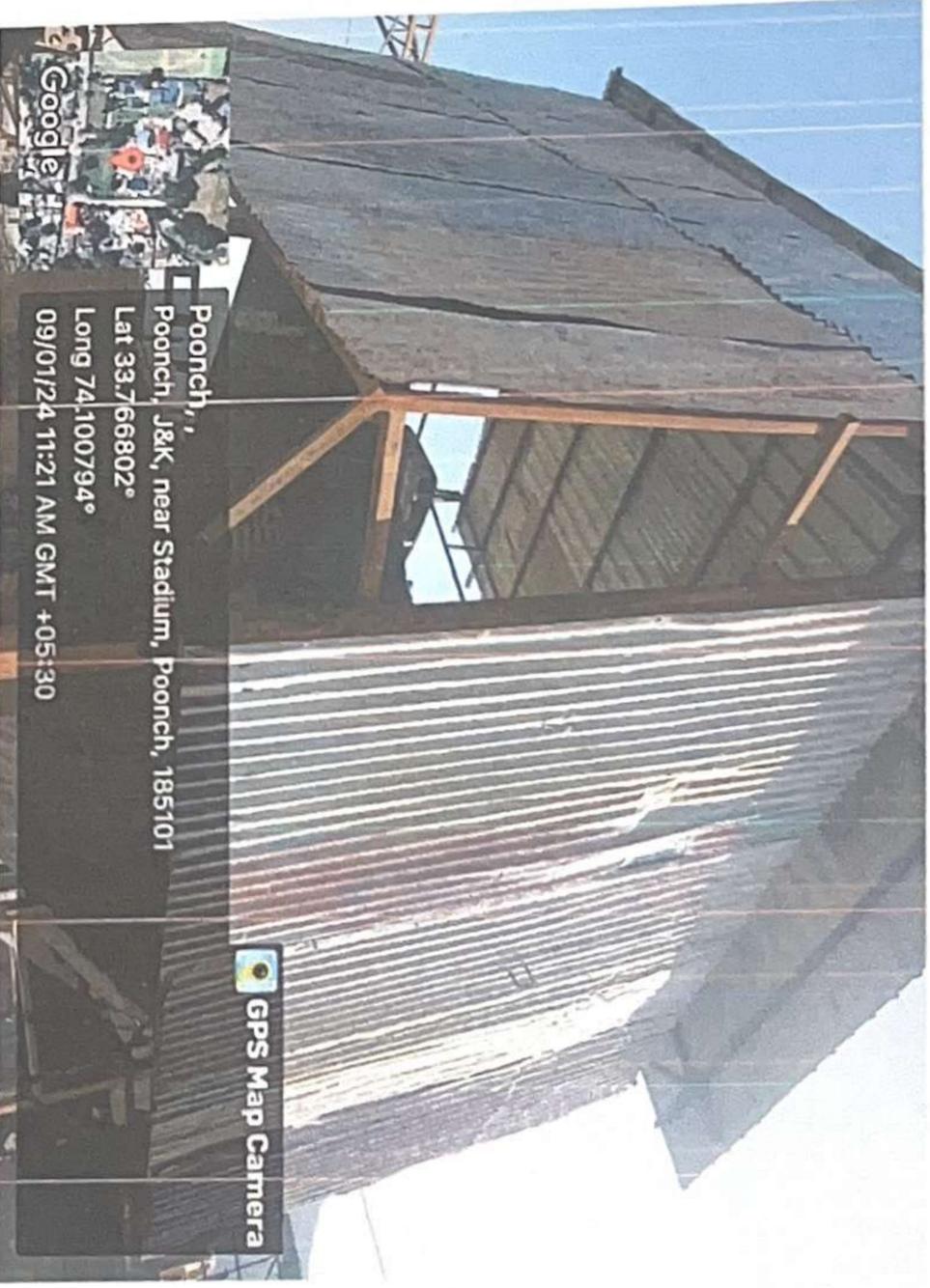
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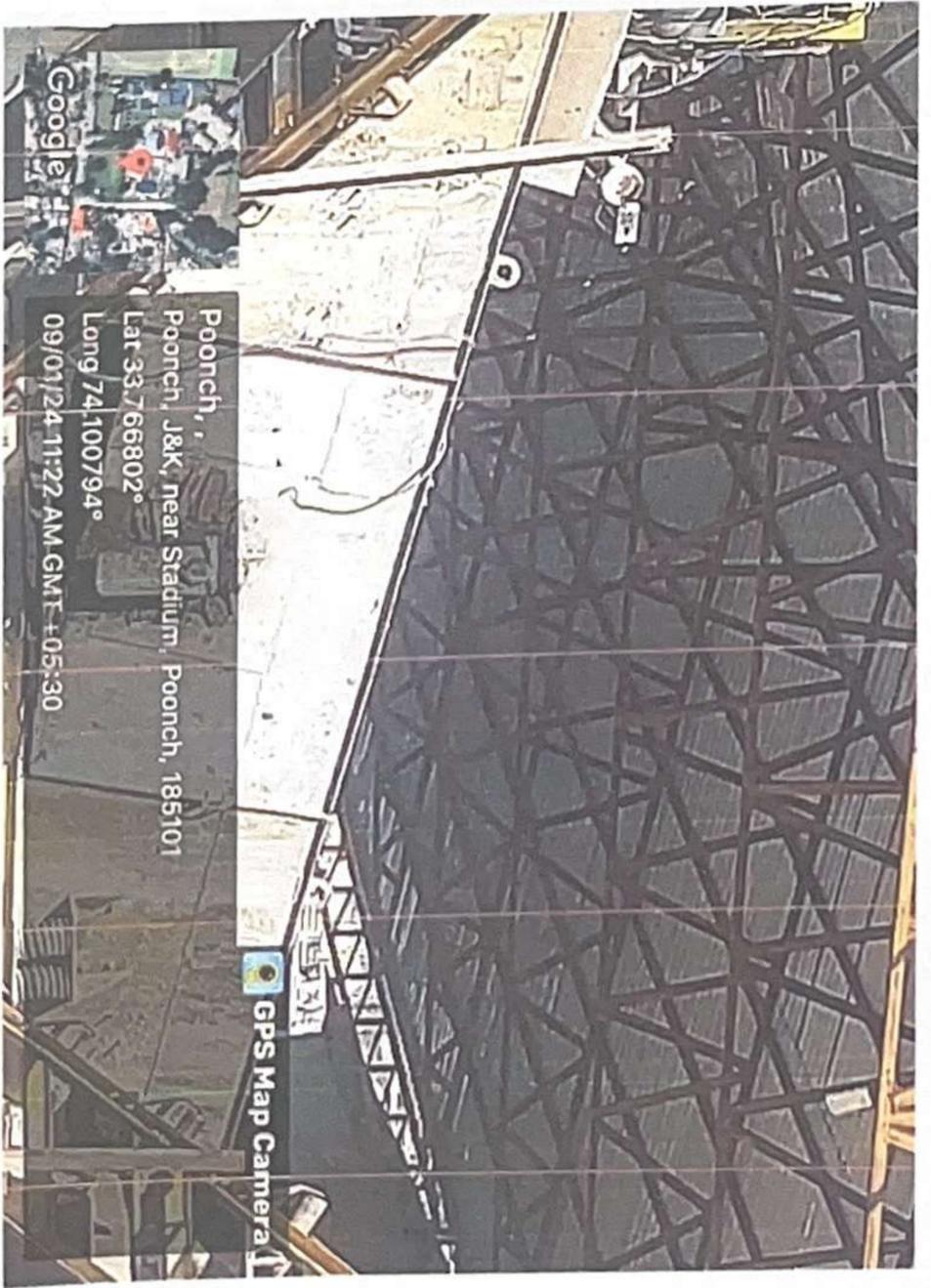
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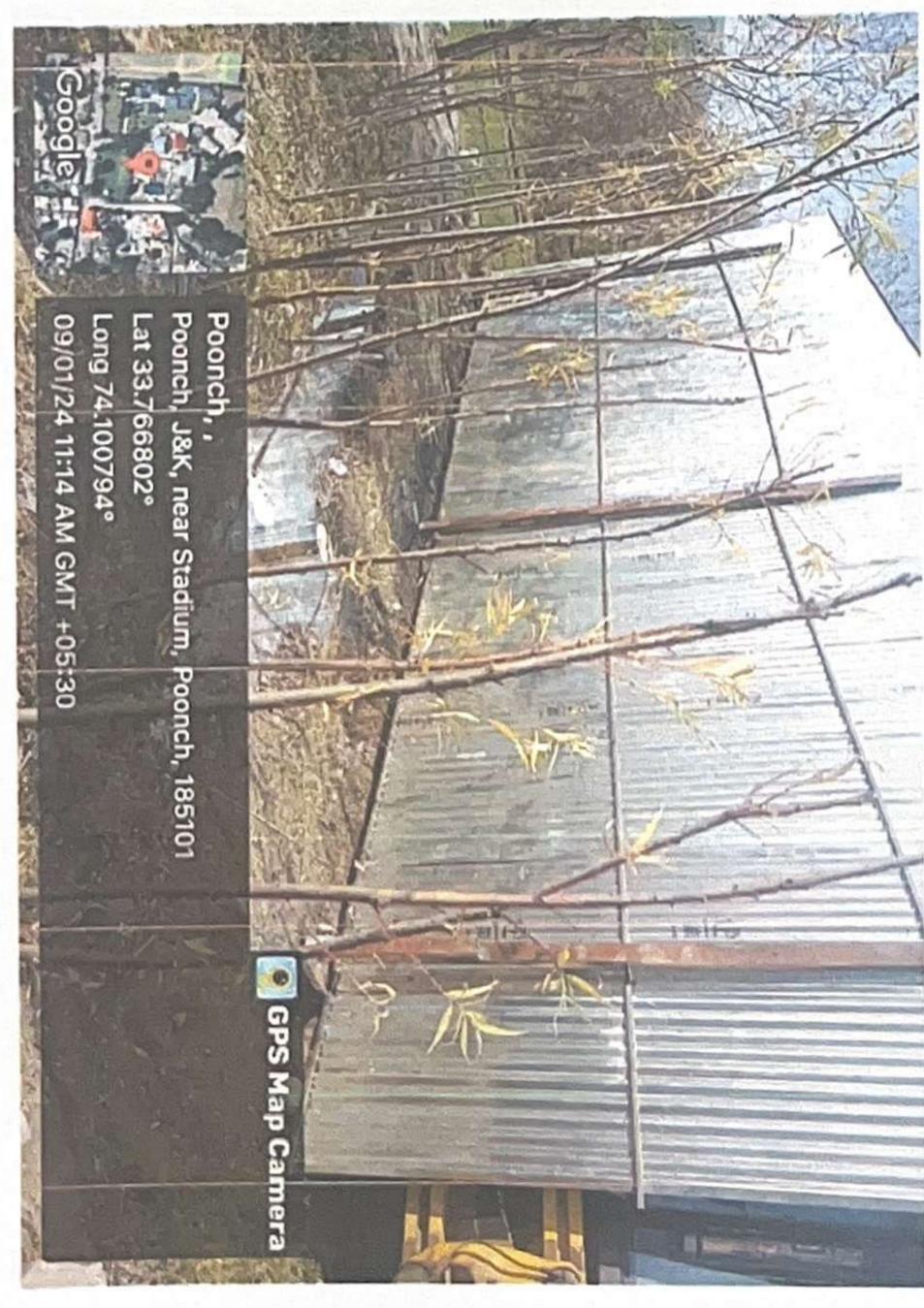
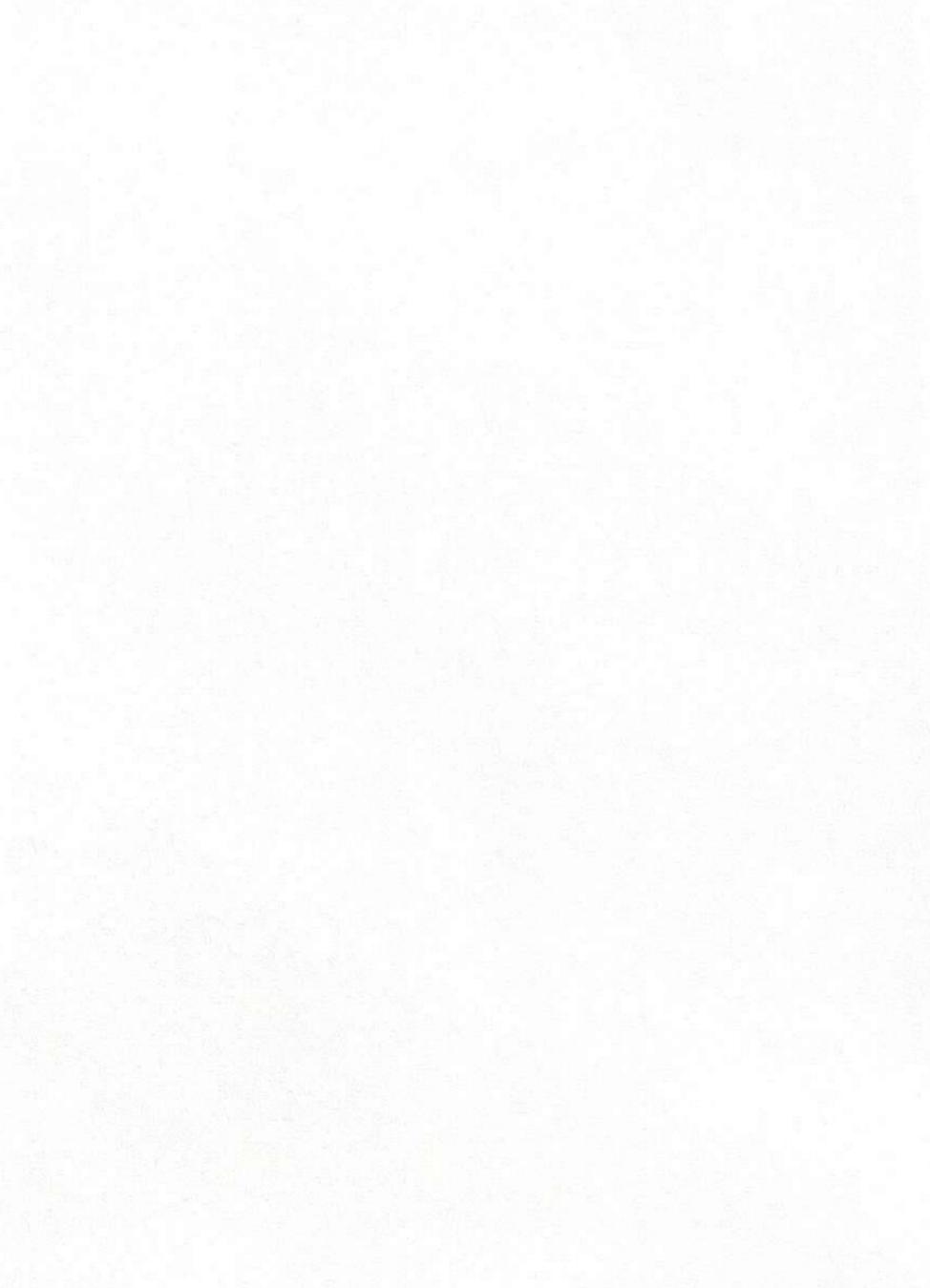
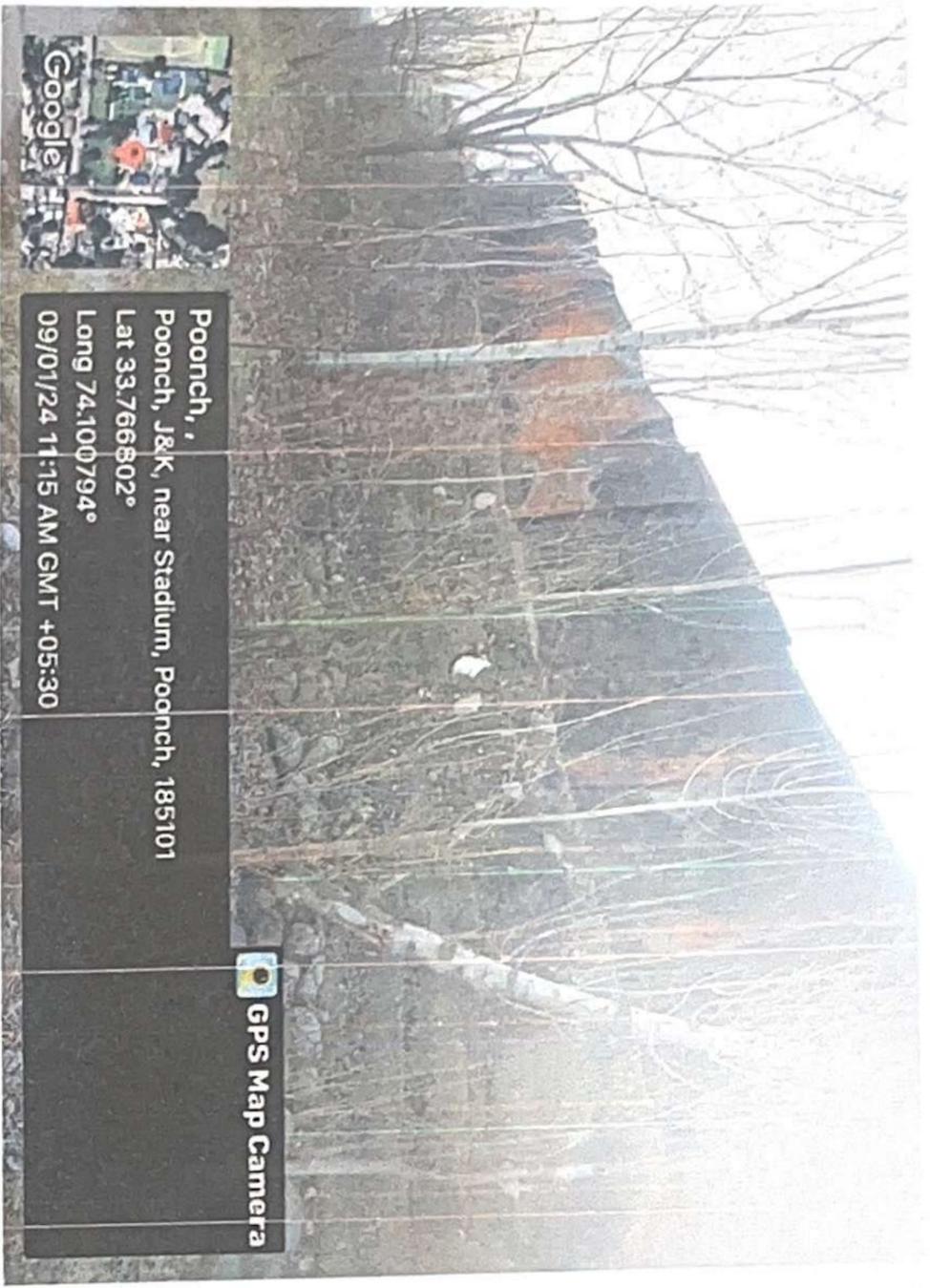
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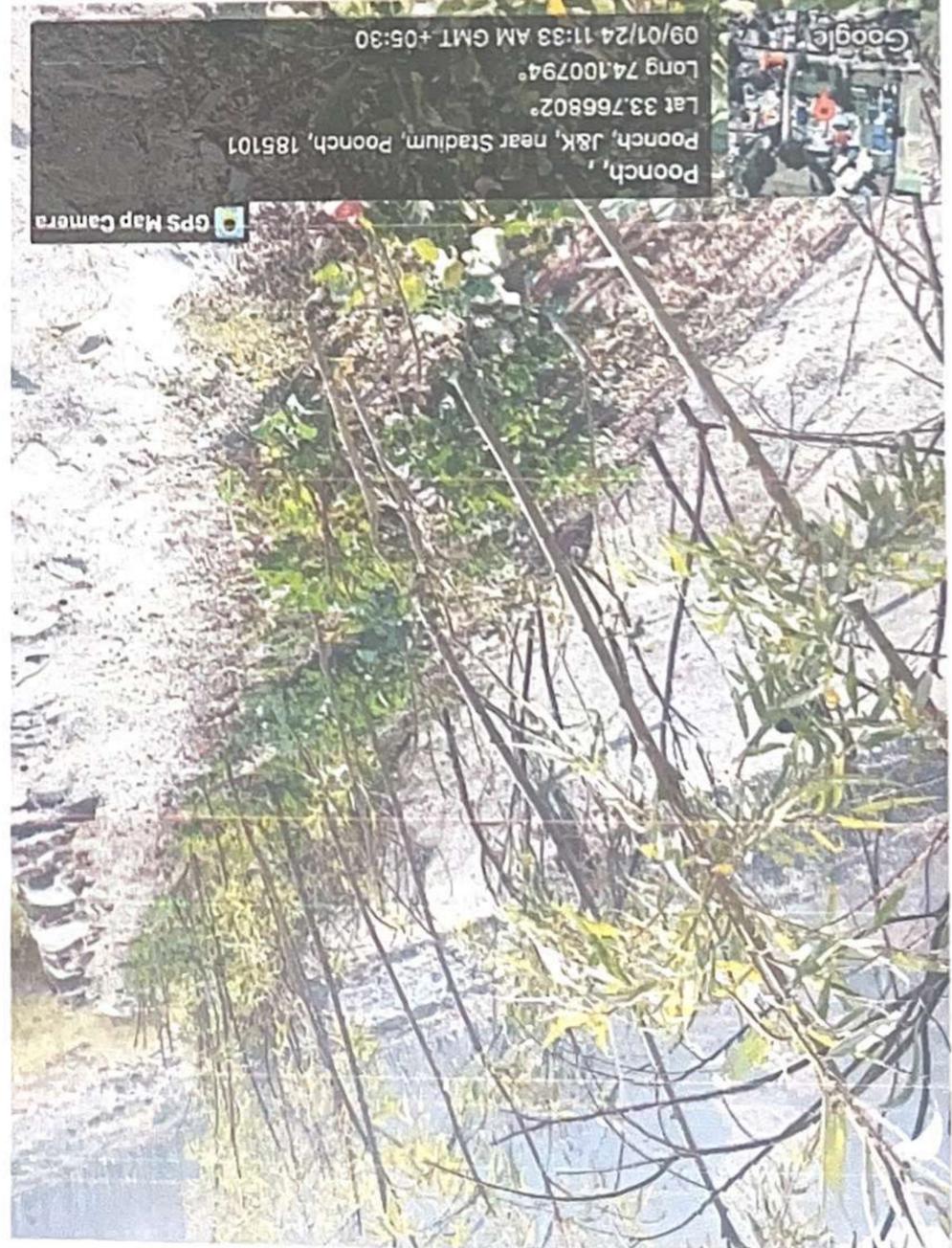
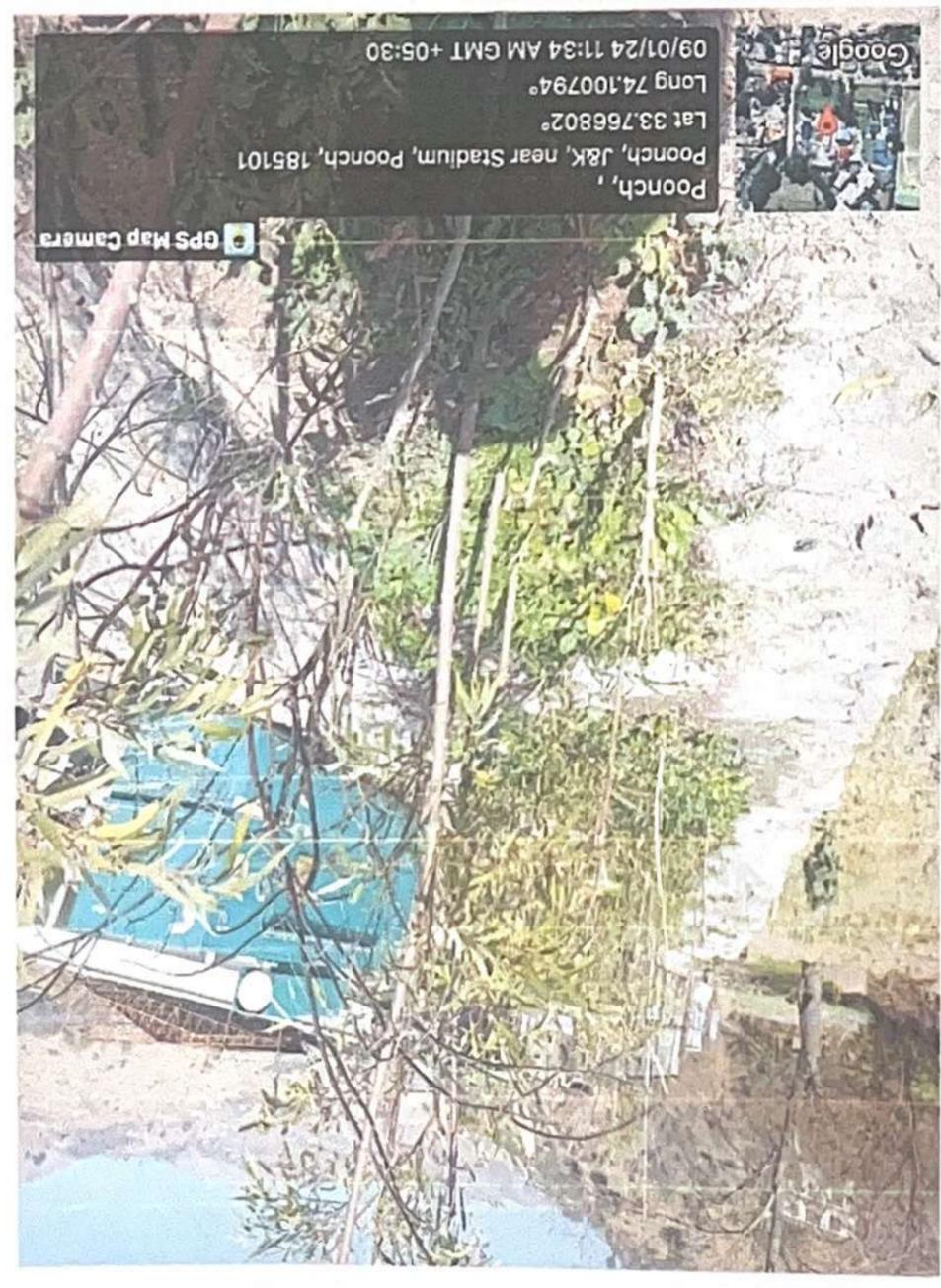
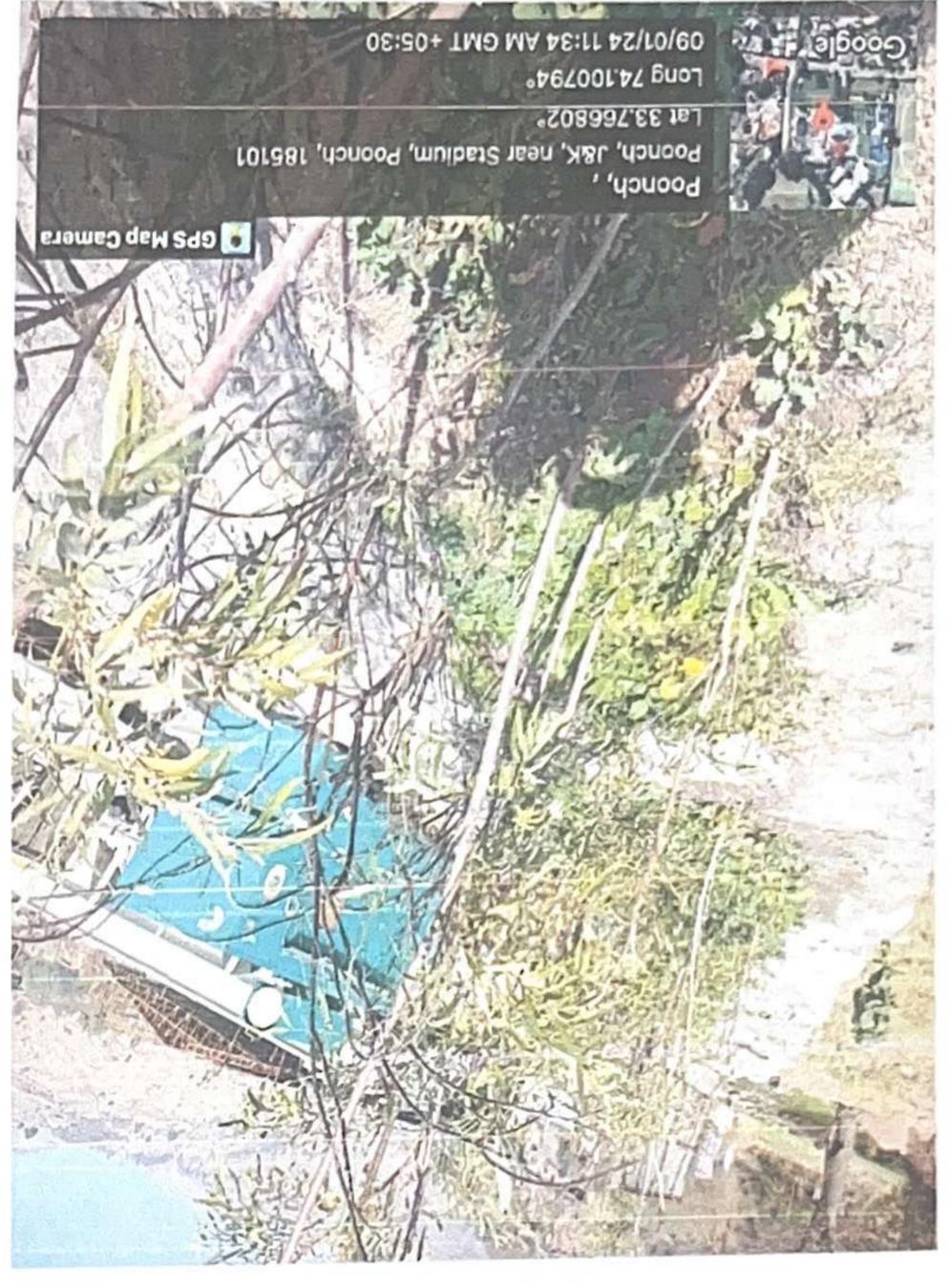
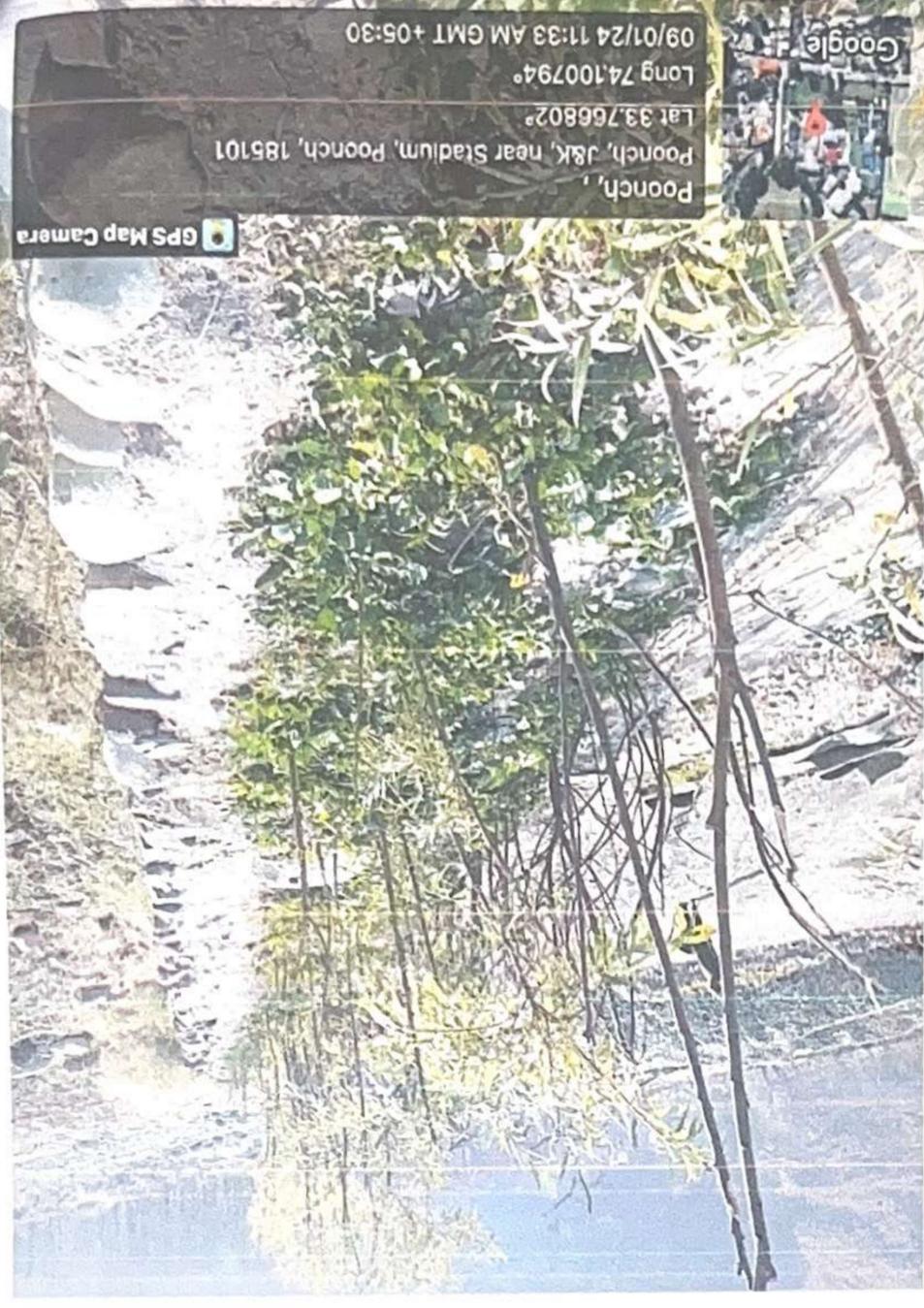
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GPS Map Camera







PCC

119/126

J&K POLLUTION CONTROL COMMITTEE
OFFICE OF THE REGIONAL DIRECTOR - Jammu

Parivesh Bhawan, Forest Complex Gladni, Transport Nagar, Narwa, Jammu
Email: regionaldirectorjkspcbjmu@gmail.com, Tel/fax 0191-2476926

Divisional Officer,
PCC, Poonch.

No:- PCC/RDJ/2022/O/2930 .

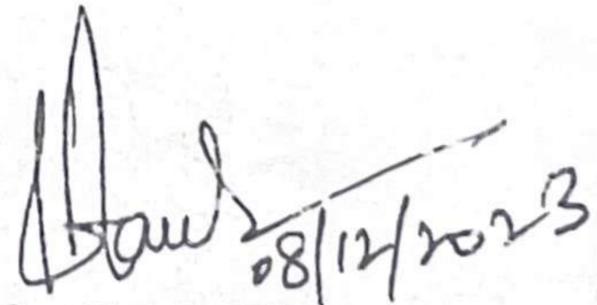
Dt:- 08/12/2023

Subject: - Factual Report of M/s Diwan Stone Crusher, Chaktroo, Haveli Poonch.

Ref:- (i) E-Office file No. 2763649.
(ii) Your office letter no. JKPC/Div/P/2023/513 dt.28-11-2023.

In reference to above referred no. & cited subject, the unit holder approached this office today on 08-12-2023 and requested for grant time to rectify the deficiencies and install the adequate PCDs/PCMs such as water sprinkling system over crushing & screening points, CGI covering at required points, Telescopic chutes, wind breaking wall and further claimed that required plantation has been done.

In this regard you are directed to carry-out fresh inspection of the said stone crusher after 20-12-2023 and submit the status report accordingly for further necessary action at the this end.


08/12/2023

Sat Paul, IFS

Regional Director



120/126

Government of Jammu and Kashmir
Office of the Divisional Officer
Pollution Control Committee
Poonch

The Regional Director,
JKPCC Jammu.

No: JK PCC/Div/P/2023/513

Dated: 28-11-2023

Subject: Factual Report of M/S Diwan Stone Crusher, Chaktroo, Haveli, Poonch.

Ref.: Your goodself office Endorsement No. PCC/RDJ/O/23/2639 Dated: 18-11-2023.

Sir,

Apropos to the Subject & Reference cited above, it is to submit that the unit holder has not installed/undertaken the adequate PCDs/PCMs such as Water sprinkling system over Crushing & Screening points, CGI coverings at required points, Telescopic chutes, Wind breaking wall, Plantation etc. The latest Geo tagged photographs are attached herewith for ready reference.

Therefore, keeping into consideration the above mentioned non-compliances on part of the unit holder, the case for withdrawal of Closure Order cannot be processed at this stage.

Hence submitted for further necessary action at your end please.

Your's faithfully,

(Signature)

(Sampat Singh Manhas)
Divisional officer,
PCC, Poonch.

S.A. (Red)
wa as ulr.

Pollution Control Committee
(JAMMU)
Receipt No. 3559
Date 29/11/23
Quantity One Set

D.O Pcc Poonch has already submitted this report through E-office to Regional Director Pcc, Jammu
ks
04/12/23

Direct DD to grant
in day more time to
to do work to
A PCDs to



**J&K POLLUTION CONTROL COMMITTEE JAMMU
SCHEDULE-II**

Format For Report On Processing of Application For Grant/Renewal Of Consent For Stone
Crushers/Hot mix plants

- | | |
|--|---|
| 1. Name of the unit | M/S SHAZAD SHABNAM CONTRACTOR HOT MIX PLANT, CHAKTROO, HAVELI, POONCH |
| 2. Capital Investment | 57.0 |
| 3. Capital Investment Verified From | As per previous Consent |
| 4. Year of Commissioning of the unit | 2022 |
| 5. (a) Type of Consent | CTO |
| (b) Category of unit as per general classification approved by the Committee | ORANGE |
| (c) Classification of the unit | Small |
| 6. Product manufactured qty: Indicate Consented Quantity TPD/TPM | Bitumen Concrete = 120 MT/Hour |
| 7. Location | |
| Distance of proposed site from following features(as per sitting criteria) | |
| (a) National Highway/State Highway | More than 100 mts. |
| (b) Distt/Other/Road | More than 30 mts. |
| (c) Municipal Limits | More than 30 mts. |
| (d) Distt. Headquarters | More than 30 mts. |
| (e) Residential Area/Abadi | More than 20 houses exist within 500 mts. approx. |
| (f) Tourist Complex/Resort | More than 01 km. |
| (g) Forest Land | More than 300 mts. |
| (h) Controlled Area | More than 200 mts. |
| (i) Approved water supply of 20 KL | More than 01 Km. |
| (j) Hospital/Nursing Home/Health Centre | About 02km. (10 bedded) |
| (k) Notified Bird Sancturay/National Park/Wildlife Area | More than 01 km. |
| (l) Agricultural Land/Orchard except Dry/Banjar Kadeem | About 100 mts. |
| (m) Nearest Educational Institution or other similar Institution | About 500 mts. |
| 8. (a) Proposed /Installed PCDS | |
| (i) Green Belt proposed | N.A. |
| (ii) Water Sprinkling System | N.A. |
| (iii) Jacketing/Enclosures at different sections viz crushing point at Screens points etc | N.A. |
| (iv) Wind breaking wall | N.A. |
| (v) Metalling of roads | Done |
| (b) Total proposed cost for installing the PCDS | |

9. Remarks:

- (a) Adequacy of Pollution Control System Installed/Proposed Adequate as per SMR results
- (b) SPM level(within prescribed standard or not) With in limits as per SMR uploaded
- (c) Impact on receiving environment water and air and comments hereof NO
- (d) Have any complaints been received if so, details thereof and comments NO
- (e) Area under plantation and No. of trees planted 0.5 kanals
- (f) Other information Nil

Whether Consent may be Granted :	No
If no, further action recommended	As will be decided by higher authorities.
Officer Recommendation	The unit holder had got CTO(F) of Hot Mix Plant unit on temporary/project specific basis only up to September 2023 and now has applied for it's further renewal for one year. The unit holder has uploaded Land Title Certificate from concerned Deputy Commissioner, SMR conducted by Air Laboratory JKPCJ Jammu in which results are reported within limits, Affidavit attested by First Class Magistrate stating that the unit holder will not operate the HMP during night hours and without PCDs etc. Also a Live case is under trial in Hon'ble National Green Tribunal in the matter of OA No. 151/2023 titled Hassina Wajid (Sarpanch) Versus State of Jammu and Kashmir (UT) & Ors. The HMP unit inspected and found operational with inbuilt APCDs such as Water Scrubber, Dust Collector and settling tank etc. Therefore, authorities may please decide the case in light of above report.

Details of the Consent Fee Paid:**Type of Consent:- CTO**

For the Year		Bank Name	Branch Name	Draft No./Money Receipt No.	Date	Amount (In Rupees)
From	To					
30/09/2023	30/09/2024	NA		151109618	2023-10-19 15:43:20.01 5	5400.0

Officers Remarks

Name and Designation

<p>The case is for CTO(R) of Hot Mix Plant unit on temporary/project specific basis only for which the unit holder had got CTO(F) up to September 2023. The unit holder has uploaded Land Title Certificate from concerned Deputy Commissioner, SMR conducted by Air Laboratory JKPCC Jammu in which results are reported within limits, Affidavit attested by First Class Magistrate stating that the unit holder will not operate the HMP during night hours and without PCDs etc. Also a Live case is under trial in Hon'ble National Green Tribunal in the matter of OA No. 151/2023 titled Hassina Wajid (Sarpanch) Versus State of Jammu and Kashmir (UT) & Ors. The details of this case had already been submitted in note history above. The HMP unit inspected and found operational with inbuilt APCDs such as Water Scrubber, Dust Collector and settling tank etc. Therefore, keeping into consideration the above mentioned facts, Authorities may please decide the case for further issuance of CTO(R).</p>	<p>Sampat Singh(JEE)</p>
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VAKALATNAMA
IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 151 OF 2023

IN THE MATTER OF:
Hassina Wajid (Sarpanch)

.....Applicant

Versus

State of Jammu & Kashmir & Ors.
.....Respondents

I, Shahzad Shabnam, the Respondent No. 8 and the Representative of Respondent No.6 & & in the above mentioned original Application, do hereby solemnly appoint:-

AJIT SHARMA

Advocate

320 C.K. Daphtary Chambers, Supreme Court of India
NEW DELHI-110001
D/797/2006

Hereinafter, called the Advocates, to be my Advocates in the above noted case and do hereby authorize :-

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 Courts.

To sign, verify and present pleadings, replications, appeals, cross-objections, or Petitions for execution, review, revision, restoration withdrawal, compromise or other Petitions, replies, objections, Affidavits or other documents as may be deemed necessary for conducting the said case in all its stages.

To file and take back documents.

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 out execution proceedings.

To deposit, draw and receive money, in cash or by way of cheque and issue receipts therefor and to do all other acts, deeds and things that may be necessary to be done for the progress and in course of conducting the said case.

To appoint and instruct any other legal practitioner authorising him to exercise the powers and authorities hereby conferred upon the Advocates whenever he may think fit to do so and to sign the power of attorney on my behalf.

And I the undersigned do hereby agree to ratify and confirm acts done by the Advocates or his substitute in the matter as if the same were done by me for all intents and purposes. I further undertake that I or my duly authorised agent shall appear in the Court on all hearings and will inform the Advocate for appearance when the case is called.

And I the undersigned do hereby agree not to hold the Advocates or his substitute responsible for the result of the case in consequence of his absence from the Court when the said case is called or for any negligence of the said Advocate or his substitute.

And I / we do hereby agree that in the event of the whole or any part of the fee agreed by me to be paid to the Advocates remaining unpaid, they shall be entitled to withdraw from the prosecution of the said case until the same is paid up. If any costs are allowed for an adjournment, the Advocates shall be entitled to the same.

IN WITNESS WHEREOF I do hereunto set my hands to these presents, the contents whereof have been understood by me this day of February 2024.

Accepted

Shahzad Shabnam

Shahzad Shabnam
(CLIENT)

Ajit Sharma

AJIT SHARMA

ADVOCATE/S

(I identify the signatures of the client(s) who has affixed the signatures on this vakalatnama, on this day, in my presence)





PROOF OF SERVICE

a renganath <a.renganath8@gmail.com>

**Advanced Service of Reply on behalf of Respondent No. 6-8 in O.A. No. 151/2023
before NGT, New Delhi**

a renganath <a.renganath8@gmail.com>
To: advprakashpandey@yahoo.com
Cc: Ajit Sharma <sharma.ajit@gmail.com>

Thu, Feb 15, 2024 at 2:06 PM

Sir

PFA the subject titled document for your information and necessary action.

Regards
Regards

A. Renganath Adv.**For Ajit Sharma, Adv.****Counsel for Respondents 6-8**

**Chamber No. 320,
C.K. Daphtary Block,
Supreme Court of India,
New Delhi - 110 001**

Contact No. : [9650207507](tel:9650207507)

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