

**Jammu and Kashmir Pollution Control Committee**

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

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

**The Consultant Judicial,  
Hon'ble National Green Tribunal,  
Principal Bench,  
New Delhi.**

No: JKPCC/NGT/OA 241/3926-27

Date:- 22-10-2024

**Sub:- Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal order dated 10-07-2024 passed in OA No. 241 of 2021 titled "Raja Muzaffer Bhat Vs Union of India & Ors".**

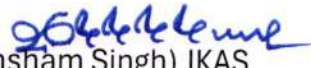
Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 10-07-2024 passed in OA No. 241 of 2021 titled "Raja Muzaffer Bhat Vs Union of India & Ors", the Report of the J&K Pollution Control Committee is submitted herewith.

It is therefore, requested that the Report may kindly be taken on record and placed before the Hon'ble NGT for consideration.

Yours faithfully,

**Encl:- As Above**

  
(Ghansham Singh) JKAS  
Member Secretary 22.X.24  
J&K PCC

Copy to the:-

- 1) Sh. G.M Kawoosa, Government Standing Counsel for UT of Jammu and Kashmir, New Delhi for information and necessary action.

**Before the Hon'ble National Green Tribunal  
Principal Bench, New Delhi**

Original Application No. 241 of 2021

IN THE MATTER OF

**“Raja Muzaffer Bhat Vs Union of India &  
Ors”.**

**Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal Order dated 10-07-2024 passed in OA No. 241 of 2021 titled “Raja Muzaffer Bhat Vs Union of India & Ors”**

**Background:**

That the Hon'ble National Green Tribunal vide Order dated **10-07-2024** in **OA No. 241 of 2021** directed as follows:-

1. *“Hence, EC is required to be levied and recovered from the defaulting Urban Local Bodies by applying the above formula. The Member Secretary, J&K PCC present virtually has submitted that he will now duly look into the issue of compliance of the directions of the Hon'ble Supreme Court as also by the Tribunal. He has stated that within 15 days, due action as contemplated in the order the Hon'ble Supreme Court and the NGT will be taken. Needless to mention at this stage that by the order of the Hon'ble Supreme Court, the Member Secretary, State PCB has been made responsible and Secretary, Department of Environment of the State Government/Union Territory concerned is answerable in case of default”.*
  
2. *“Hence, we require the Member Secretary, J&K PCC and the Secretary, Department of Environment, UT of J&K to comply with the order of the Hon'ble Supreme Court within three months and file compliance affidavit immediately on expiry of three months. Member Secretary, J&K PCC will take appropriate action for imposition and recovery of EC keeping in view the observation made in this order by duly following the principles of 'Natural Justice' within three months and submit action taken report before the next date of hearing”.*



3. "We also take note of the fact that the show cause notices dated 29.06.2024 filed as Annexure A and B along with the report of the J&K PCC dated 08.07.2024 has been issued by the J&K PCC to the Municipal Council, Budgam and Chadoora proposing to levy EC of Rs. 372.1761 lakhs and Rs. 141.43 lakhs for illegal dumping of Municipal Solid Waste but these show cause notices neither reflect the period of violation nor the quantity of solid waste for which the show cause notices have been issued. The Member secretary, J&K PCC is expected to issue show cause notice with all the requisite details and particulars so that at the end, the entire exercise may not be vitiated for technical lapse, resulting in benefit to the defaulting body".

**Status Report:**

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 10-07-2024 in **OA No. 241 of 2021**, the compliance report of the J&K Pollution Control Committee is submitted as hereunder:

**Para 3 of the Order dated 10-07-2024**

We also take note of the fact that the show cause notices dated 29.06.2024 filed as Annexure A and B along with the report of the J&K PCC dated 08.07.2024 has been issued by the J&K PCC to the Municipal Council, Budgam and Chadoora proposing to levy EC of Rs. 372.1761 lakhs and Rs. 141.43 lakhs for illegal dumping of Municipal Solid Waste but these show cause notices neither reflect the period of violation nor the quantity of solid waste for which the show cause notices have been issued. The Member secretary, J&K PCC is expected to issue show cause notice with all the requisite details and particulars so that at the end, the entire exercise may not be vitiated for technical lapse, resulting in benefit to the defaulting body".

1. In accordance with aforesaid directives of the Hon'ble NGT, the revised and fresh show cause notice for levying of Environmental Compensation was served upon **Chief Executive Officer, Municipal Council Budgam** reflecting therein period of violation i.e 1267 days (01-01-2021 to 20-06-2024) and quantity of solid waste i.e 9.21 TPD for unscientific dumping of solid waste, vide this office No. JKPCB/LSJ/NGT/(O.A 241/2021)/024/452-457, Dated 24-07-2024, **(Copy enclosed as Annexure 1)**.

2. Similarly, revised and fresh show cause notice for levying of Environmental Compensation was served upon **Executive Officer, Municipal Committee, Chadoora**, reflecting therein the period of violation i.e 1267 (w.e.f. 01-01-2021 to 20-06-2024), days for unscientific dumping and quantum of solid waste 3.5 TPD, vide this office No. JKPCB/LSJ/NGT/(O.A 241/2021)/024/458-463, Dated 24-07-2024 (**Copy enclosed as Annexure 2**).

**Para 2 of order dated 10-07-2024**

***Levying of Environmental Compensation upon defaulting Urban Local Bodies,***

- i) Executive Officer, Municipal Committee, Chadoora.***
- ii) Chief Executive Officer, Municipal Council, Budgam***
- iii) Srinagar Municipal Corporation,***

**1. Executive Officer, Municipal Committee, Chadoora.**

In response to the revised / fresh show cause notice issued by the J&K Pollution Control Committee dated 24-07-2024, the Executive Officer, Municipal Committee, Chadoora submitted his reply dated 12-07-2024 (**Copy enclosed as Annexure 3**) as under:

- a) Municipal Committee, Chadoora has constructed a Waste Processing Facility at Nagam Chadoora at an overall cost of Rs 118.00 lacs with a processing capacity of 4 TPD, which is operational since August 2023.
- b) Since waste is being handled in MRF facility including treatment of wet waste in composting sheds, dumping of waste along Doodh Ganga Nallah is denied.
- c) Plantation drives and regular awareness drives, cleanliness drives are being conducted on regular basis.

The reply of Executive Officer, Municipal Committee, Chadoora was considered and after consideration of the reply, Environmental Compensation to the tune of Rs. 141.43 lacs was levied upon Executive Officer, MC, Chadoora, for unscientific disposal of solid waste (3.5 TPD) for 1267 days vide this office order No. 32 JKPC of 2024; dated 30-09-2024, **(Copy enclosed as Annexure 4).**

**2. Chief Executive Officer, Municipal Council, Budgam**

In response to the revised / fresh show cause notice issued by the J&K Pollution Control Committee dated 24-07-2024, the Chief Executive Officer, MC, Budgam submitted his reply dated 29-07-2024 **(Copy enclosed as Annexure 5)** as under:

- a) SWM facility is under construction at Lakhripora Pallar with an allotted amount of Rs 153.32 lacs (civil part) and Rs 37.56 lacs (Machinery part).
- b) A park is under development at old dumping site at an estimated cost of Rs 32.97 lacs.
- c) In order to prevent littering in Mamathkul, supplementary action plan for an amount of Rs 2.006 cr has been approved by Chief Secretary in compliance of Hon'ble NGT directions to prevent littering of waste by providing chain link fencing.
- d) Legacy waste @ 40 MT lying on the banks of Mamathkul has been processed at Tral.
- e) Plantation drives and regular awareness drives, cleanliness drives are being conducted on regular basis.

The reply of the Chief Executive Officer, Municipal Council, Budgam was considered and after consideration of the reply, Environmental

Compensation to the tune of Rs. 372.1761 lacs was levied upon Executive Officer, MC, Budgam, for unscientific disposal of solid waste (9.21 TPD) for 1267 days vide this office order No. 31 JKPCC of 2024; dated 30-09-2024, **(Copy enclosed as Annexure 6).**

**3. Commissioner, Srinagar Municipal Corporation, Srinagar:**

- a) The Divisional Officer, J&K Pollution Control Committee, Srinagar submitted EC format for untreated sewage treated discharge of 12.25 MLD for a period of 1327 days in respect of 10 stations namely, 1) **Chanapora MPS** 2) **Chanapora IPS** 3) **Afandi Bagh** 4) **Channapora Sluice** 5) **Pamposh Colony** 6) **Natipora** 7) **Barzulla** 8) **Bulbul Bagh** 9) **Magrey Mohalla** 10) **Tengpora By pass** falling within the jurisdiction of Srinagar Municipal Corporation, to the Regional Director, J&K PCC Kashmir vide his No. PCC/DO/Sgr/Misc/272 dated 30-07-2024 based upon the report submitted by the joint committee constituted by the Hon'ble NGT.
- b) Thereafter, the Regional Director, PCC Kashmir, confirmed the report furnished by the Divisional Officer, Pollution Control Committee, Srinagar and submitted the EC format for untreated sewage discharge of 12.25 MLD vide letter No. PCC/RDK/PS /2024/506-508 dated 31-07-2024 for levying of Environmental compensation to the Srinagar Municipal Corporation. The matter was thereafter referred to the Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation in respect of 10 stations i.e. 1) **Chanapora MPS (Rs. 624.48 lacs)** 2) **Chanapora IPS (Rs.726.29 lacs)** 3) **Afandi Bagh (Rs. 277.87 lacs)** 4) **Channapora Sluice (Rs.208.04 lacs)**

*gobind*

- 5) Pamposh Colony (Rs. 34.61 lacs) 6) Natipora (Rs. 431.01 lacs) 7) Barzulla (Rs. 519.26 lacs) 8) Bulbul Bagh (Rs. 259.96 lacs) 9) Magrey Mohalla (Rs. 286.09 lacs) 10) Tengpora by pass (Rs. 780.60 lacs) for a period of 1327 days.
- c) Accordingly, show cause notice for levying of Environmental Compensation to the tune of **Rs. 41,47,61000** was issued to the Commissioner, Srinagar Municipal Corporation, Srinagar for discharge of untreated sewage @ **12.25 MLD** for a period of **1327 days** in respect of 10 stations in terms of directions of Hon'ble NGT, vide this office No. JKPCC/LSJ/NGT/(O.A 241/2021) /659-664; Dated 30-09-2024, (**Copy enclosed as Annexure 7**).
- d) In the meantime, J&K PCC also requested the Chief Engineer, UEED, J&K to furnish requisite information with respect to current status of establishment of modular STPs by Srinagar Municipal Corporation and UEED to prevent discharge of untreated sewage falling in Doodhganga River through 13 dewatering stations vide this office No. JKPCC/OA241/2024 /1123; Dated 30-09-2024 (**Copy enclosed as Annexure 8**).
- e) The Chief Engineer, UEED J&K submitted his report to the J&K PCC vide their office No. CE/UEED/TS/2119-21 dated 08-10-2024 and submitted as under: - (**Copy enclosed as Annex. 9**).
- i) No land has been identified / demarcated by the revenue department for establishment of 07 No. of STPs along Doodh Ganga so far despite the matter being taken up repeatedly by the UEED in this regard.
  - ii) Regarding second project for Pollution abatement of Doodh Ganga, i.e., Technology intervention for dry weather



flow discharging into Doodh Ganga Nallah from Chadoora to Bagh-e-Mehtab, the project has been submitted to Administrative Department, Housing & Urban Development Department for accord of administrative approval.

f) However, no response was received from the Commissioner, Srinagar Municipal Corporation, Srinagar within the stipulated period of 15 days and therefore, Environmental Compensation amounting to Rs. 41.47 Cr. was levied upon Commissioner, Srinagar Municipal Corporation, Srinagar for untreated sewage discharge of 12.25 MLD into River Doodh Ganga for 1327 days as per the details given below:-

- 1) Chanapora MPS (Rs. 624.48 lacs)
- 2) Chanapora IPS (Rs.726.29 lacs)
- 3) Afandi Bagh (Rs. 277.87 lacs)
- 4) Channapora Sluice (Rs.208.04 lacs)
- 5) Pamposh Colony (Rs. 34.61 lacs)
- 6) Natipora(Rs. 431.01 lacs)
- 7) Barzulla (Rs.519.26 lacs)
- 8) Bulbul Bagh (Rs.259.96 lacs)
- 9) Magrey Mohalla (Rs.286.09 lacs)
- 10) Tengpora bypass (Rs. 780.60 lacs) for a period of 1327 days vide this officer order No. 33-JKPCC of 2024 dated 19-10-2024 (Copy enclosed as Annexure 10).

**4. Recovery of Environmental Compensation levied upon Offenders/Violators involved in the illegal extraction and transportation of minor mineral in Doodhganga Nalla in District Budgam:**

- a) The J&K PCC has levied Environmental Compensation amounting to Rs. 22.50 lacs upon 34 offenders/violators for their involvement in the illegal extraction / transportation of Minor mineral from Doodhganga river on 11-05-2023 and the Deputy Commissioner was requested to taken further necessary action for recovery of Environmental Compensation. However, the Environmental Compensation levied upon offenders has not been yet deposited in the Environmental Compensation account of the J&K Pollution Control Committee.
- b) The Deputy Commissioner, Budgam, has again been requested to initiate proceedings and get the levied EC alongwith 12 % interest from the offenders/violators as an **Arrear of Land Revenue** and get the same deposited in the Environmental Compensation fund account of the J&K Pollution Control Committee, vide this office No. JKPCC/ScA/OA241/3908-09 dated 18-10-2024 ((**Copy enclosed as Annexure 11**)).


**5. Civil / Criminal against the defaulting bodies/person:**

- a) Director, Urban Local Bodies, Kashmir was requested to share names of the officers alongwith their tenure of posting, who have remained posted in these local bodies w.e.f. 01-03-2017.
- b) The Director, Urban Local Bodies, Kashmir has furnished list of 11 officers, who have remained posted as Chief Executive Officer, Municipal Council, Budgam and Executive Officer, Municipal Committee, Chadoora, w.e.f 01-03-2017 todate vide No. DULB/Estt/2024/32269 dated 21-10-2024, (**Copy enclosed as Annexure 12**). Their names have been received on 21 October 2024, from the Director Urban Local Bodies, Kashmir.

The J&K Pollution Control Committee is preparing their detailed particulars and statement of facts and matter is taken up with the Competent Authority i.e Administrative Department of Forest, Ecology and Environment and Housing & Urban Development Department, J&K for taking necessary action as may be warranted under law.

**Prayer:**

In the premises, it is therefore respectfully prayed that the report may kindly be taken on record before the Hon'ble National Green Tribunal for consideration.

  
(Ghansham Singh) 22.10.24  
Member Secretary  
J&K PCC

**Jammu and Kashmir Pollution Control Committee**

Parivesh Bhavan, Forest Complex || Silk Factory Road  
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008  
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

The Executive Officer,  
Municipal Council,  
Budgam:

No.: No. JKPCB/LSJ/NGT/(O.A.241/2021)/024/452-457 Dt. 24/07-2024

**Sub :- Final Notice for Levying of Environmental Compensation for violation  
of Solid Waste Management Rules, 2016.**

Whereas, on account of persistent reports about illegal, unscientific and untreated handling and disposal of the solid waste generated from 13 wards by the Municipal Council (MC) Budgam is being disposed off alongside of Doodh Ganga in violation to Solid Waste Management Rules, 2016 and;

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India and Ors and;

Whereas, fresh inspection was conducted by the Divisional Officer, Pollution Control Committee, Budgam, reporting that neither Municipal Council, Budgam has applied for Authorization granted under Solid Waste Management Rules, 2016 from the J&K Pollution Control Committee nor established processing/material Recovery Facility for Solid Waste and also reported in EC format that MSW generated from the 13 wards is being disposed off alongside of Doodh Ganga without any treatment by the Municipal Council Budgam and;

Whereas, Regional Director, PCC Kashmir vide letter No. PCC / RDK / PS / 2024/434-437 dt. 20-06-2024 confirmed the report of the Divisional Officer, Pollution Control Committee, Budgam, and accordingly, recommended the case for levying of Environmental Compensation to Municipal Council, Budgam and;

Whereas, the *modus operandi* adopted by Executive Officer, Municipal Council Budgam for handling and disposal of Municipal Solid Waste has put the environment of the area to grave threat due to deterioration caused by Pollution of ambient air and water quality besides the irreversible damage done to flora, ecology and water bodies and ecosystem of the area and;


Whereas, in terms of Hon'ble National Green Tribunal directions and the guidelines framed by Central Pollution Control Board in this behalf, final Environmental Compensation on MC Budgam for damaging the environment is hereby levied and it is further proposed to proceed against Executive Officer Municipal Council Budgam and the Head of Department i.e, the Director Urban Local Bodies in term of Section 17 of Environment (**Protection**) Act, 1986.

Now, therefore, take this final notice and show cause within **07 days** from the date of its issuance as to why:

- i). *Environmental Compensation for illegal, unscientific and untreated disposal of 9.21 TPD of solid waste for **1267 days** (w.e.f.01-01-2021 to 20-06-2024) is worked out to the tune of **Rs. 372.1761** lakh by Technical Advisory Committee of the J&K Pollution Control Committee. This is on the basis of days of violation reported by Divisional Officer, PCC Budgam and endorsed by Regional Director, Pollution Control Committee, Kashmir vide letter dt. 20-06-2024, applying **Polluter Pays Principle (PPP)** in terms of directions of the Hon'ble National Green Tribunal be not recovered from the Executive Officer, Municipal Council Budgam.*
- ii). *Concerned officers/officials of the Municipal Council, Budgam be not prosecuted under Environment (Protection) Act 1986 for violation of the Solid Waste Management Rules 2016.*

In the event, no tenable response is received within 07 days of the notice period, the final order for recovery of **Environmental Compensation** as per prescribed guidelines shall follow along with initiation of prosecution proceedings in court of law against you for blatant and repeat violation of Solid Waste Management Rules,2016 and Hon'ble NGT directions without further notice.

**As Approved by the Competent Authority.**

  
(Ghansham Singh), JKAS  
Member Secretary, JKPCC. 24.7.24

Copy to the:-

- i) Deputy Commissioner/District Magistrate, **Budgam** for information .
- ii) Director, Urban Local Bodies, Kashmir for information.
- iii) Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
- iv) Divisional Officer, Pollution Control Committee, Budgam for information and necessary action.
- v) Executive Officer, Municipal Council, Budgam for immediate compliance as directed.

**Jammu and Kashmir Pollution Control Committee**

Parivesh Bhavan, Forest Complex || Silk Factory Road  
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008  
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

The Executive Officer,  
Municipal Council Chadoora,  
Budgam.

No.: No. JKPCB/LSJ/NGT/(O.A.241/2021)/024/458-463 Dt: 24-07-2024

**Sub :- Final Notice for Levying of Environmental Compensation for violation of Solid Waste Management Rules, 2016.**

Whereas, on account of persistent reports about illegal, unscientific and untreated handling and disposal of the solid waste generated from 13 wards by the Municipal Council (MC), Chadoora-District Budgam is being disposed off alongside of Doodh Ganga in violation to Solid Waste Management Rules, 2016 and;

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India and Ors and;

Whereas, fresh inspection was conducted by the Divisional Officer, Pollution Control Committee, Budgam, reporting that neither Municipal Council, Chadoora-District Budgam has applied for Authorization granted under Solid Waste Management Rules, 2016 from the J&K Pollution Control Committee nor established processing/material Recovery Facility for Solid Waste and also reported in EC format that MSW generated from the 13 wards is being disposed off alongside of Doodh Ganga without any treatment by the Municipal Council Budgam and;

Whereas, Regional Director, PCC Kashmir vide letter No. PCC / RDK / PS / 2024/434-437 dt. 20-06-2024 confirmed the report of the Divisional Officer, Pollution Control Committee, Budgam, and accordingly, recommended the case for levying of Environmental Compensation to Municipal Council, Chadoora-District Budgam and;

Whereas, the *modus operandi* adopted by Executive Officer, Municipal Council, Chadoora-District Budgam for handling and disposal of Municipal Solid Waste has put the environment of the area to grave threat due to deterioration caused by Pollution of ambient air and water quality besides the irreversible damage done to flora, ecology and water bodies and ecosystem of the area and;

Whereas, in terms of Hon'ble National Green Tribunal directions and the guidelines framed by Central Pollution Control Board in this behalf, final Environmental Compensation on Municipal Council, Chadoora-District Budgam for damaging the environment is hereby levied and it is further proposed to proceed against Executive Officer Municipal Council, Chadoora-District Budgam and the Head of Department i.e, the Director Urban Local Bodies in term of Section 17 of Environment (**Protection**) Act, 1986.

26/7/24


Now, therefore, take this final notice and show cause within **07 days** from the date of its issuance as to why:

- i). *Environmental Compensation for illegal, unscientific and untreated disposal of 3.5 TPD of solid waste for **1267 days** (w.e.f.01-01-2021 to 20-06-2024) is worked out to the tune of **Rs. 141.43** lakh by Technical Advisory Committee of the J&K Pollution Control Committee. This is on the basis of days of violation reported by Divisional Officer, PCC Budgam and endorsed by Regional Director, Pollution Control Committee, Kashmir vide letter dt. 20-06-2024, applying **Polluter Pays Principle (PPP)** in terms of directions of the Hon'ble National Green Tribunal be not recovered from the Executive Officer, Municipal Council, Chadoora-District Budgam.*
- ii). *Concerned officers/officials of the Municipal Council, Chadoora-District Budgam be not prosecuted under Environment (Protection) Act 1986 for violation of the Solid Waste Management Rules 2016.*

In the event, no tenable response is received within 07 days of the notice period, the final order for recovery of **Environmental Compensation** as per prescribed guidelines shall follow along with initiation of prosecution proceedings in court of law against you for blatant and repeat violation of Solid Waste Management Rules,2016 and Hon'ble NGT directions without further notice.

**As Approved by the Competent Authority.**



  
**(Ghansham Singh), JKAS**  
 Member Secretary, **24.7.24**  
 JKPCC.

Copy to the:-

- i. Deputy Commissioner/District Magistrate, **Budgam** for information .
- ii. Director, Urban Local Bodies, Kashmir for information.
- iii. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
- iv. Divisional Officer, Pollution Control Committee, Budgam for information and necessary action.
- v. Executive Officer, Municipal Council, Chadoora-District Budgam for immediate compliance as directed.

GOVERNMENT OF JAMMU AND KASHMIR  
OFFICE OF THE EXECUTIVE OFFICER MUNICIPAL COMMITTEE CHADOORA

The Member Secretary,  
JKPCC, Silk Factory Road,  
Rajbagh, Srinagar.

No: MC/CHD/2024/627-31

Dated: 12-07-2024

Subject: Final Notice for Levying of Environmental Compensation for Violation of Solid Waste Management Rules, 2016

Sir,

In reference to the subject cited above, the Municipal Committee Chadoora submits the following point-wise reply to the notice issued vide No JKPCB/LSI/NGT/O.A.241/021/024/440-45 dated: 29-05-2024. In this context, it is submitted that:-

1. The Municipal Committee Chadoora has constructed a waste processing facility at Nagam Chadoora at an overall cost of Rs. (118.00 lacs) with a processing capacity of 4 TPD. The site has been operational since 24<sup>th</sup> August 2023. It consists of a Material Recovery Facility (MRF) and compost shed where segregated waste is being treated and processed scientifically. The machinery components as part of the MRF are procured and used for segregation, baling, and shredding activities on a daily basis. As such, it is denied that any solid waste generated from 13 wards of Chadoora ULB is being disposed of alongside Doodh Ganga Nalla in violation to SWM rules or any Hon'ble NGT direction is being violated or floated.
2. The selection of the site was undertaken with due diligence in light of the SWM rules governing site selection. Clause 15 (Y) of SBM Rule-2016 states the following in this regard, to "make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is **exceeding five metric tons per day including** sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be". Pertinent to mention that the capacity of our plant is only 4 TPD.
3. Further, it is to state that there are no water bodies or habitations in the vicinity. Since the waste is processed according to the rules, every effort is made to mitigate any chance of environmental pollution, whether it be air, water, or noise pollution. Additionally, this office has proposed bio-fencing of the site in collaboration with the Floriculture and Social Forestry Departments. This initiative will enhance the green zone around the SWM plant, reduce any potential odour, and provide the required buffer as per norms.
4. Important to note that prior to start of work on the plant, legacy waste of quantity more than 90 MT lying at Chadoora was treated scientifically through biomining by transporting the waste to Tral as part of the recently concluded biomining contract. It is further clarified that the Municipal Committee Chadoora consists of 13 wards. Dry and wet waste from all 13 wards (households and business establishments) is being collected and transported to the SWM Plant daily for treatment and scientific



- disposal ensuring 100% D2D collection. Dry (recyclable) waste is sold to vendors, and compost samples have been sent to agriculture department for quality testing and analysis report has been received from the agriculture department. (Copy enclosed)
5. Besides, special cleanliness drives, scheduled every Thursday along the embankment of Nalla Doodh Ganga, have ensured that both sides of Nalla Doodh Ganga are neat and clean within the jurisdiction of the Municipal Committee Chadoora (approximately 2.00 kms). This has improved the ambiance and water quality to the extent that locals, children, and students are swimming in Nalla Doodh Ganga as of today (Geo-tagged photographic evidence enclosed).
  6. The Municipal Committee Chadoora certifies that no solid waste is disposed of or dumped on the banks of Nalla Doodh Ganga within its jurisdiction. All collected waste is processed at the SWM Plant, and complete cleanliness is maintained within the limits of MC Chadoora. Plantation drives and regular awareness campaigns are conducted in all wards using PA systems, digital displays, and signage boards installed with relevant signages under Hon'ble NGT funds in light of their directions.
  7. The sanitation team monitors all activities along the embankment of Nalla Doodh Ganga and takes necessary action against violators of the Water Regulation and Management Act, including imposing on-the-spot fines. Hence it is clear that the solid waste of MC Chadoora is being handled as per SWM rules and there is no violation as alleged in the given show cause notice.

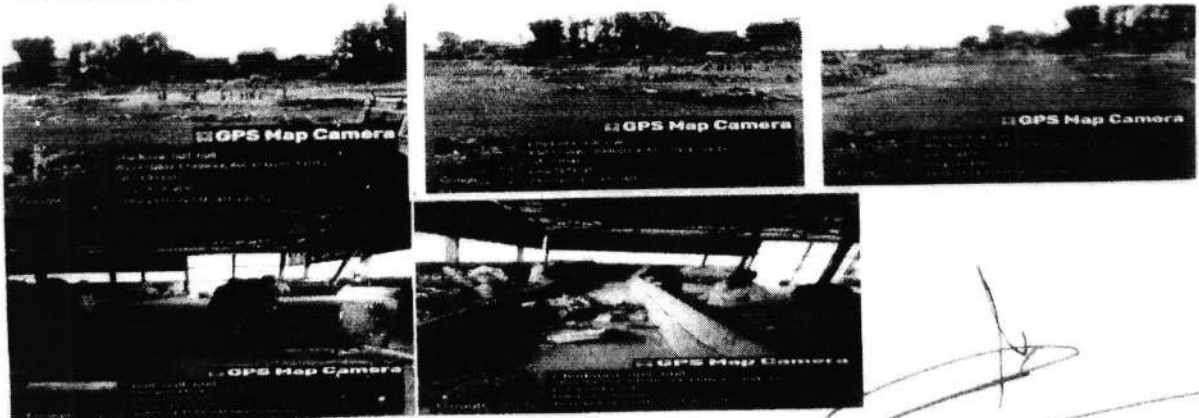
In light of the above, it is requested that no recovery of environmental compensation be levied on MC Chadoora, as we have been disposing of solid waste scientifically at the SWM Plant for the past year with a capacity of 4.0 TPD.

Yours faithfully,

**Executive Officer,  
Municipal Committee,  
Chadoora.**

Copy to:

1. Deputy Commissioner Budgam, for information.
2. Director, Urban Local Bodies Kashmir, for information.
3. Regional Director, Pollution Control Committee Kashmir, for information.
4. Divisional Officer, Pollution Control Committee Budgam, for information.



**Jammu and Kashmir  
Pollution Control Committee**

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**Sub :- Levying of Environmental Compensation to the Executive Officer, Municipal  
Committee, Chadoora, Budgam.**

**ORDER NO. 32 JKPCC of 2024**

**DATED : 30-09-2024.**

Whereas, there are reports that the solid waste generated from 13 wards of the Municipal Committee (MC), Chadoora, District Budgam is being disposed off in and around Doodh Ganga river in violation of Solid Waste Management Rules, 2016 ; and

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India and Ors ;and

Whereas, after fresh inspection by the Divisional Officer, Pollution Control Committee, Budgam, has reported that neither Municipal Committee, Chadoora-District Budgam has applied for Authorization under Solid Waste Management Rules, 2016, nor has established processing/material Recovery Facility for Solid Waste. He has further reported that MSW generated from the 13 wards is being disposed off alongside of Doodh Ganga without any treatment by the Municipal Committee, Chadoora; and

Whereas, Regional Director, PCC Kashmir vide letter No. PCC / RDK / PS / 2024/434-437dt. 20-06-2024, confirmed the report of the Divisional Officer, Pollution Control Committee, Budgam, and accordingly, recommended the case for levying of Environmental Compensation to Municipal Committee, Chadoora-District Budgam and;

Whereas, disposal of Municipal Solid Waste in unscientific manner has resulted in Pollution of ambient air and water, besides the damage to ecology and biodiversity of water bodies and ecosystem of the area; and

Whereas, case was examined by the Technical Advisory Committee of the J&K Pollution Control Committee for assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation in respect of **3.5 TPD** of solid waste for a period of **1267 days** (w.e.f.01-01-2021 to 20-06-2024) to the tune of **Rs. 141.43 lakh** as per the directions of the Hon'ble National Green Tribunal and guidelines framed in this behalf; and

Whereas, notice for levying of Environmental Compensation was served upon the Executive Officer, Municipal Committee, Chadoora, vide No. JKPCC/NGT/(O.A. 241/2021)/024/458-463 dated 24-07-2024 , with the direction to show cause within 07 days, as to why Environmental Compensation be not levied; and

Whereas, the Executive Officer, Municipal Committee, Chadoora has furnished detailed reply and reported that some measures have been taken by Municipal Committee, Chadoora for Solid Waste Management and scientific treatment of 90 MT of

25/9/24

legacy waste lying at Chadoora through the bio-mining during the year 2024, but no explanation has been provided about the past violations.

Now, therefore, in view of the above and in compliance of the directions of the Hon'ble NGT in OA No. 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India and Ors., the Environmental Compensation to the tune of **Rs. 141.43 lakh** is hereby levied upon Executive Officer, Municipal Committee, Chadoora for unscientific and untreated disposal of solid waste for **1267 days** (w.e.f. 01-01-2021 to 20-06-2024) as assessed by the Technical Advisory Committee of the J&K Pollution Control Committee. The Executive Officer, Municipal Committee, Chadoora is hereby directed to deposit a sum of **Rs. 141.43 lakh** in the Environmental Compensation Fund Account No. 0023040510000001 of the JK Pollution Control Committee in J&K Bank Ltd. within 30 days from the date of issuance of this order.

In case of default to pay Environmental Compensation in due time, the violator is liable to pay Environment Compensation by (2) two times, (4) four times, (8) Eight times for 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarter respectively as per the guidelines of Environmental Compensation issued by Central Pollution Control Board (CPCB).

Issued with the Approval of Competent Authority.

Encls: EC calculation sheet.

  
(Ghansham Singh), JKAS 30.9.24  
Member Secretary  
J&K Pollution Control Committee

No:- JKPCC/LSJ/NGT/(O.A.241/2021) | 132-136

Dated: 30-09-2024

Copy to the:-

- 1) Deputy Commissioner/District Magistrate, Budgam for information.
- 2) Director, Urban Local Bodies, Kashmir for information.
- 3) Regional Director, Pollution Control Committee, Kashmir for information and follow up action.
- 4) Divisional Officer, Pollution Control Committee, Budgam for information and necessary action.
- 5) Executive Officer, Municipal Committee, Chadoora for immediate compliance as directed.

**Environment Compensation to be levied for improper and unscientific management of MSW by Municipal Council, Chadoora, Distt. Budgam (J&K) as per MSW Rules, 2016**

As per approved formula for levying Environmental Compensation under Polluter Pays' Principle in O.A No. 593/2017 by the Hon'ble NGT order dt. 28/08/2019, in a case titled Paryavaran Suraksha Samiti & Anr. V/ Union of India & Ors., the details are given as below:-

<b>Environment Compensation</b>	= 2.4 (Waste generation – Waste disposal as per Rule)
	+ 0.02 (Waste generation – Waste disposal as per Rule) x N
	+ Marginal cost of Env. Externality x (Waste generation – Waste disposal as per Rules) x N

Where waste quantity is in Tons Per Day (TPD)

The status of MSW generation and violation committed by Municipal Council, <sup>Chadoora</sup> ~~Budgam~~ as per different reports is as under: -

A)	<b>Population of Chadoora Town</b>	= 6422 as per census 2011.
	d) Number of households in the city / town	= 947
	e) Number of election / administrative wards in the city/town	= 13 Nos.
	f) Class of Town	= c
B)	<b>Quantity of Solid waste generation (As per report of D.O. Budgam)</b>	3.5 TPD
C)	<b>Quantity of Waste disposed as per SWM Rules, 2016.</b>	Nil. Illegal, unscientific and untreated disposal of Solid Waste generated from 13 Wards by the Municipal Council (MC) Chadoora, Budgam is being disposed alongside of <b>Doodh Ganga</b> in violation to SWM Rules, 2016.
D)	<b>No. of days of violation (N)</b>	As per report of Divisional Officer, PCC Budgam and Regional Director, JKPC, Kashmir the days of violation are 1267 days (dt. 01.01.2021 to 20.06.2024)
E)	<b>Marginal cost of Environment externality</b>	0.02 (minimum as per Hon'ble NGT approved guidelines)
F)	<b>Total Environment Compensation</b>	2.4 (3.5-0) + 0.02 (3.5-0) x 1267 + 0.01 (3.5-0) x 1267 8.40 + 88.69 + 44.345 = Rs. 141.43 lacs . Total EC = Rs141.43 lacs.

*[Signature]*  
26.06.2024  
(Member TAC)

*[Signature]*  
Randeep  
(Member TAC)  
on leave

*[Signature]*  
26.06.24  
(Convener TAC)

*[Signature]*  
26.6.24  
(Head TAC)

## Office of the Chief Executive Officer

Municipal Council Budgam

"Nothing like voting, I vote for Sure"

-: ॐ :-

The Member Secretary,  
Pollution Control Committee,  
Kashmir.

No:- MC/Bud/NGT/2024-25/2542-46

Dated: 29-07-2024

Subject:- Final Notice for levying of Environmental Compensation for violation of Solid Waste Management Rules 2016.

Ref:- Your notice No JKPCB/LSJ/NGT/OA241/2021/024/434-39 dated 29-6-2024, followed by No. JKPCB/LSJ/NGT/ OA241/ 2021/024/452-457 dated 24-07-2024

Sir,

Kindly refer your letter No JKPCB/LSJ/NGT/OA241/2021/ 024/434-39 dated 29-6-2024, followed by No. JKPCB/LSJ/NGT/ OA241/ 2021/024/452-457 dated 24-07-2024, wherein final notice has been served upon this council. In this context, it is submitted that the reply to the notice has already been submitted by this office, addressed to Member Secretary JKPC, Silk Factory Road Rajbagh Srinagar, copy among others endorsed to Regional Director Pollution Control Committee Kashmir vide this office letter No.MC/Bud/NGT/2024-25/ 2401-2404 dated 15-07-2024, the copy of the same is again enclosed for kind perusal and information.

Need to mention here that the Solid Waste Management facility is under execution with an allotted cost of Rs.153.32 lacs (Civil part) and Rs.37.56 lacs machinery part and will be commenced shortly. Besides the park has been developed at Old Dumping Site within the allotted cost of Rs.32.97 lacs and will be completed shortly, the copies of allotment/ LOI are enclosed.

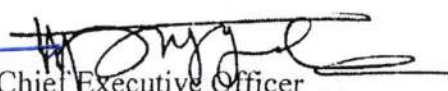
Since inception, MC Budgam has been on the forefront to address the waste collection/ disposal issues of the habitant of the town and simultaneously taking strict measures to reduce the water pollution and preservation of our water sources. To ensure that the waste collected from the town does not interfere with the ecology of the area, and to manage the disposal of waste in a very scientific way, MC Budgam has put all efforts to rope in all line departments and with the kind cooperation of Pollution Control Committee and patronage of district administration, we are about to achieve our ambitious objective of completing the Scientific based SWM facility at Pallar, as most of the work on the project has already been completed. We are of firm belief that once the facility is ready and commenced, it would add another feather to the cap of all stakeholders including JKPC. Once again, we want to reiterate that we are committed to preserve all water bodies falling in our territorial jurisdiction in general and our prestigious "Mamat Kul" in particular.

In light of the collective actions made by Municipal Council Budgam, the issue for levying of environmental compensation may be withdrawn, as we are disposing the wastes as per the SWM Rules and shortly, municipal solid waste will be processed scientifically at the SWM Plant after its completion.

Enclosed (=11 leaves:-)

Yours faithfully,

S C (M) (AN)

  
Chief Executive Officer  
Municipal Council,  
Budgam.

26/07/24  
1-8-24

Copy to the :-

1. Chairman Jammu & Kashmir Pollution Control Committee for favour of information.
2. Deputy Commissioner Budgam for favour of information.
3. Director Urban Local Bodies Kashmir for favour of information.
4. Regional Director Pollution Control Committee Kashmir for favour of information.

## Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road  
 Transport Nagar, Jammu, 180 008 || Rajbagh, Srinagar, 190 008  
 Tel - 0191-2476927, mail - membersecretaryjkspcb@gmail.com

The Executive Officer,  
 Municipal Council,  
 Budgam;

No.: No. JKPCB/LSJ/NGT/(O.A.241/2021)/024/452-457 Dt. 24/07-2024  
 Sub :- Final Notice for Levying of Environmental Compensation for violation  
 of Solid Waste Management Rules, 2016.

Whereas, on account of persistent reports about illegal, unscientific and untreated handling and disposal of the solid waste generated from 13 wards by the Municipal Council (MC) Budgam is being disposed off alongside of Doodh Ganga in violation to Solid Waste Management Rules, 2016 and;

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India and Ors and;

Whereas, fresh inspection was conducted by the Divisional Officer, Pollution Control Committee, Budgam, reporting that neither Municipal Council, Budgam has applied for Authorization granted under Solid Waste Management Rules, 2016 from the J&K Pollution Control Committee nor established processing/material Recovery Facility for Solid Waste and also reported in EC format that MSW generated from the 13 wards is being disposed off alongside of Doodh Ganga without any treatment by the Municipal Council Budgam and;

Whereas, Regional Director, PCC Kashmir vide letter No. PCC / RDK / PS / 2024/434-437 dt. 20-06-2024 confirmed the report of the Divisional Officer, Pollution Control Committee, Budgam, and accordingly, recommended the case for levying of Environmental Compensation to Municipal Council, Budgam and;

Whereas, the *modus operandi* adopted by Executive Officer, Municipal Council Budgam for handling and disposal of Municipal Solid Waste has put the environment of the area to grave threat due to deterioration caused by Pollution of ambient air and water quality besides the irreversible damage done to flora, ecology and water bodies and ecosystem of the area and;

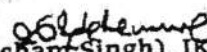
Whereas, in terms of Hon'ble National Green Tribunal directions and the guidelines framed by Central Pollution Control Board in this behalf, final Environmental Compensation on MC Budgam for damaging the environment is hereby levied and it is further proposed to proceed against Executive Officer Municipal Council Budgam and the Head of Department i.e, the Director Urban Local Bodies in term of Section 17 of Environment (Protection) Act, 1986.

Now, therefore, take this final notice and show cause within 07 days from the date of its issuance as to why:

- i). Environmental Compensation for illegal, unscientific and untreated disposal of 9.21 TPD of solid waste for 1267 days (w.e.f. 01-01-2021 to 20-06-2024) is worked out to the tune of Rs. 372.1761 lakh by Technical Advisory Committee of the J&K Pollution Control Committee. This is on the basis of days of violation reported by Divisional Officer, PCC Budgam and endorsed by Regional Director, Pollution Control Committee, Kashmir vide letter dt. 20-06-2024, applying Polluter Pays Principle (PPP) in terms of directions of the Hon'ble National Green Tribunal be not recovered from the Executive Officer, Municipal Council Budgam.
- ii). Concerned officers/officials of the Municipal Council, Budgam be not prosecuted under Environment (Protection) Act 1986 for violation of the Solid Waste Management Rules 2016.

In the event, no tenable response is received within 07 days of the notice period, the final order for recovery of Environmental Compensation as per prescribed guidelines shall follow along with initiation of prosecution proceedings in court of law against you for blatant and repeat violation of Solid Waste Management Rules, 2016 and Hon'ble NGT directions without further notice.

As Approved by the Competent Authority.

  
(Ghansham Singh), JKAS  
Member Secretary, JKPCC. 24.7.24

Copy to the:-

- i) Deputy Commissioner/District Magistrate, Budgam for information.
- ii) Director, Urban Local Bodies, Kashmir for information.
- iii) Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
- iv) Divisional Officer, Pollution Control Committee, Budgam for information and necessary action.
- v) Executive Officer, Municipal Council, Budgam for immediate compliance as directed.

The Member Secretary,  
JKPCC, Silk Factory Road,  
Rajbagh, Srinagar.

No:- MC/Bud/NGT/2024-25/ 2401 - 2404

Dated: 15/7/24

Subject:- Final Notice for levying of Environmental Compensation for violation of Solid Waste Management Rules 2016.

Sir,

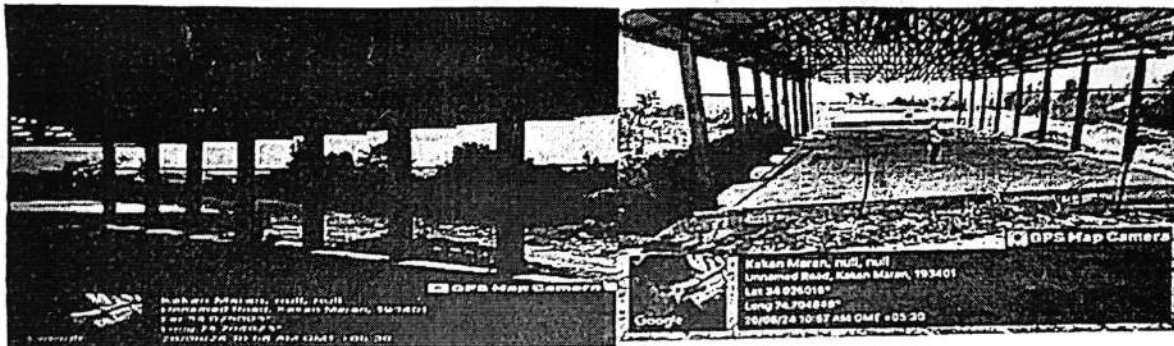
Kindly refer your letter No JKPCB/LSJ/NGT/OA241/2021/ 024/434-39 dated 29-6-2024 wherein charges have been leveled upon this institution, that this office is disposing off municipal solid waste generated from 13 wards alongside of Doodh Ganga without treatment in violation to solid Waste Management Rules, 2016, and the unscientific and illegal dumping of Municipal Waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O:A No. 241 of 2021 titled Raja Muzaffar Bhat versus Union of India and others. In this regard it is submitted that:

1. The Doodh Ganga nallah does not fall within the jurisdiction limits of Municipal Council Budgam. However, the Mamat Nallah is passing through Budgam Town, which is also under O.A No. 241/2021 in the Hon'ble National Green Tribunal, and in compliance to the directions of the Hon'ble National Green Tribunal passed in O.A. No. 241/2021 titled **Raja Muzaffar Bhat V/s Union of India & others**, this office has taken a number of measures to address the issue of restoration and preservation of Mamath Kull.
2. The Municipal Council Budgam in order to redress the issue of handling/ managing and disposal of waste generated in the town, conceived and got approved a project for establishment of decentralized facilities amounting to Rs.310.57 Lakhs at Lakhripora Pallar Budgam. Work on one plant of 5 TPD capacity is under progress and is scheduled to be completed by July 2024 and another plant of equal capacity also stands approved which is proposed to cater to the waste generation by 2030. This will help in preservation of water bodies of Mamath Kull Budgam.

Government of Jammu & Kashmir  
Office of the Chief Executive Officer  
Municipal Council Budgam  
"Nothing like voting, I vote for Sure"

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3. That the process for procurement of equipment required for scientific processing/ disposing of generated waste has been initiated and will be completed in couple of days. The machinery components as part of the MRF are to be used for segregation, baling, and shredding activities on a daily basis. Work on the plant is in full swing and 70% work has been completed sofar, and the expected timeline for completion of 5TPD plant is upto ending July 2024. The glimpses of the MRF facility are as under:



4. Till such time that the new facility is commissioned, this office is disposing of the waste by way of landfill at Handjan Site, the said site has been provided by the District Administration Budgam for disposal of routine waste collected from the town as temporary arrangement. The waste is being collected and taken to site and properly covered there with the layers of earth as per Solid Waste Management Rules, 2016.
5. Further, it is to state that the District Administration had earlier identified the site at Pallar for construction of waste management facility but during the visit of the site by the Worthy Deputy Commissioner along with the Officers / Official of JKPCC Department, it was conveyed on spot that the site is not feasible for Construction for MRF Facility, and new site be identified. Accordingly, the District Administration identified a new site at Lakhripora Pallar Budgam, which was approved on spot by the Officers/ Officials of the JKPCC Department for Construction of MRF Facility as there are no water bodies or habitations in the vicinity. Accordingly, the project has been taken up in hand at Lakhripora Pallar.

Moreover, the waste is disposed according to the SWM Rules and also every effort is made to mitigate any chance of environmental pollution, whether it be air, water, or noise pollution. Additionally, this office has proposed bio-fencing of the new site in collaboration with the Floriculture and Social Forestry Departments. This initiative will enhance the green zone around the SWM plant, reduce any potential odour, and provide the required buffer as per norms.

In addition to above, in order to prevent the littering in Mamat Khul, Supplementary action plan for an amount of **Rs 2.006 Crore** has been approved by worthy Chief secretary in compliance of directive passed in the

Government of Jammu & Kashmir  
 Office of the Chief Executive Officer  
 Municipal Council Budgam  
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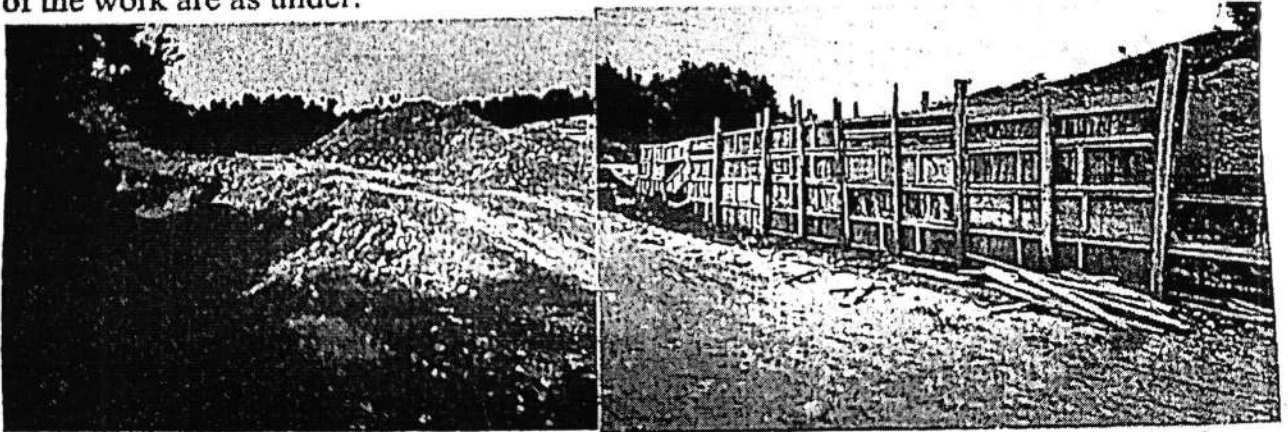


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order of Hon'ble NGT's order under OA 241/2021 for initiatives proposed to prevent bank of Mamath by way of providing chain linked fencing within municipal boundary of Budgam. The DPR has been prepared in this regard by the Irrigation and Flood Control Department to the tune of Rs.2.01 crores and same has been submitted to the competent authority for accord of administrative approval. Work will be put to tenders after the receipt of administrative approval by this office. The Status of work covered under supplementary Action plan is as under.

S.No	Description of Items.	Cost in lacs	Current Status
1	Fencing Along MamathKhul. In MC Badgam	200.06	The DPR has been prepared by the executing Agency Irrigation and Flood Control (I&FC) to the extent of Rs.200.01 lacs. The tender for the work will be floated shortly
2	Signage's with Anti Littering in Budgam and Chadura	1.65	The work has been completed.

Apart from this, some immediate measures have been taken to protect the water body MamathKhul by way of treatment of Legacy waste of quantity more than 40 MT lying on the bank of Mamath Kull which has been lifted and processed at Tral. Land reclaimed is being beautified by way of development of View park at a cost Rs.32.94 lacs and work is under progress. The photographs of the work are as under:



6. Besides, special cleanliness drives, scheduled every Saturday & Wednesday along the embankment of Mamat Khul, have ensured that both sides of Nalla Mamat are neat and clean within the jurisdiction of the Municipal Council Budgam (approximately 4.00 kms). Plantation drives and regular awareness campaigns are conducted in all wards using PA systems, digital displays, and

## Office of the Chief Executive Officer

Municipal Council Budgam

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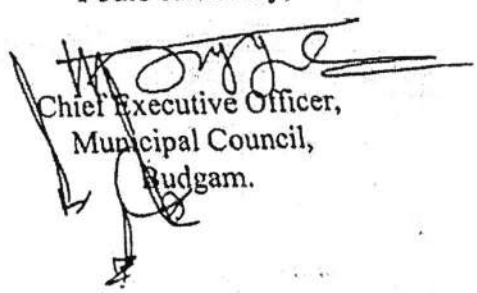
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signage boards installed with relevant signages under Hon'ble NGT funds in light of their directions. The sanitation team monitors all activities along the embankment of Mamat Khul and takes necessary action against violators of the Water Regulation and Management Act, including imposing on-the-spot fines. Hence, it is clear that the solid waste of MC Budgam is being handled as per SWM rules and there is no violation as alleged in the given show cause notice.

7. Since inception, MC Budgam has been on the forefront to address the waste collection/ disposal issues of the habitant of the town and simultaneously taking strict measures to reduce the water pollution and preservation of our water sources. To ensure that the waste collected from the town does not interfere with the ecology of the area, and to manage the disposal of waste in a very scientific way, MC Budgam has put all efforts to rope in all line departments and with the kind cooperation of Pollution Control Committee and patronage of district administration, we are about to achieve our ambitious objective of completing the Scientific based SWM facility at Pallar, as most of the work on the project has already been completed. We are of firm belief that once the facility is ready and commenced, it would add another feather to the cap of all stakeholders including JKPCC. Once again, we want to reiterate that we are committed to preserve all water bodies falling in our territorial jurisdiction in general and our prestigious "Mamat Kul" in particular.

In light of the above, it is requested that no recovery of environmental compensation be levied on MC Budgam, as we are disposing the wastes as per the SWM Rules and shortly, municipal solid waste will be processed scientifically at the SWM Plant after its completion.

Yours faithfully,



Chief Executive Officer,  
Municipal Council,  
Budgam.

Copy to:

1. Deputy Commissioner Budgam, for information.
2. Director, Urban Local Bodies Kashmir, for information.
3. Regional Director, Pollution Control Committee Kashmir, for information.
4. District Officer, Pollution Control Committee Budgam, for information.

**Jammu and Kashmir  
Pollution Control Committee**  
chairman87jkpcb@gmail.com  
membersecretaryjkpcb@gmail.com  
0191 - 2472881, 2476925

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

The Executive Officer,  
Municipal Council,  
Budgam:

No.: No. JKPCB/LSJ/NGT/(01A24/1021)/024/434-39 Dt. 29-06-2024

**Sub :- Final Notice for Levying of Environmental Compensation for violation  
of Solid Waste Management Rules, 2016.**

Whereas, on account of persistent reports about illegal, unscientific and untreated handling and disposal of the solid waste generated from 13 wards by the Municipal Council (MC) Budgam is being disposed off alongside of Doodh Ganga in violation to Solid Waste Management Rules, 2016 and;

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India and Ors and;

Whereas, fresh inspection was conducted by the Divisional Officer, Pollution Control Committee, Budgam, reporting that neither Municipal Council, Budgam has applied for Authorization granted under Solid Waste Management Rules, 2016 from the J&K Pollution Control Committee nor established processing/material Recovery Facility for Solid Waste and also reported in EC format that MSW generated from the 13 wards is being disposed off alongside of Doodh Ganga without any treatment by the Municipal Council Budgam and;

Whereas, Regional Director, PCC Kashmir vide letter No. PCC / RDK / PS / 2024 /434-437 dt. 20-06-2024 confirmed the report of the Divisional Officer, Pollution Control Committee, Budgam, and accordingly, recommended the case for levying of Environmental Compensation to Municipal Council, Budgam and;

Whereas, the *modus operandi* adopted by Executive Officer, Municipal Council Budgam for handling and disposal of Municipal Solid Waste has put the environment of the area to grave threat due to deterioration caused by Pollution of ambient air and water quality besides the irreversible damage done to flora, ecology and water bodies and ecosystem of the area and;

Whereas, in terms of Hon'ble National Green Tribunal directions and the guidelines framed by Central Pollution Control Board in this behalf, it is proposed to levy Environmental Compensation on MC Budgam for damaging the environment and it is further proposed to proceed against Executive Officer Municipal Council Budgam and the Head of Department i.e, the Director Urban Local Bodies in term of Section 17 of Environment (Protection) Act, 1986.

Now, therefore, take this final notice and show cause within 15 days from its issuance as to why:

- i). Environmental Compensation to the tune of Rs. 372.1761 lakh as calculated by Technical Advisory Committee of the J&K Pollution Control Committee on the basis of days of violation reported by Regional Director, Pollution Control Committee, Kashmir vide letter dt. 20-06-2024, apply **Polluter Pays Principle (PPP)** in terms of directions of the Hon'ble National Green Tribunal be not recovered from the Executive Officer, Municipal Council Budgam.
- ii). Concerned officers/officials of the Municipal Council, Budgam be not prosecuted under Environment (Protection) Act 1986 for violation of the Solid Waste Management Rules 2016.

In the event, no tenable response is received within 15 days of the notice period, the final order for recovery of **Environmental Compensation** as per prescribed guidelines shall follow along with initiation of prosecution proceedings in court of law against you for blatant and repeat violation of Solid Waste Management Rules, 2016 and Hon'ble NGT directions without further notice.

As Approved by the Competent Authority.

*Ghansham Singh*  
 (Ghansham Singh), JKAS  
 Member Secretary, 29.6.24  
 & JKPCC.

Copy to the:-

- i) Deputy Commissioner/District Magistrate, Budgam for information.
- ii) Director, Urban Local Bodies, Kashmir for information.
- iii) Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
- iv) Divisional Officer, Pollution Control Committee, Budgam for information and necessary action.
- v) Executive Officer, Municipal Council, Budgam for immediate compliance as directed.

GOVERNMENT OF JAMMU AND KASHMIR  
Office of the Superintending Engineer, (R&B) Circle, Srinagar/Budgam

No. SE/R&B/Sgr-Bud/PS/

Dt. 1-10-2022

The Executive Engineer  
(R&B) Muffasil Division,  
Budgam

Sub.

**LETTER OF ALLOTMENT OF CONTRACT FOR:**  
"Establishment of storage Transportation and IEC activities  
Mechanized Segregation of Disposal site processing through Auto  
Composting at MC Budgam"

- Ref:
1. Your N.I.T No. 128-MDB of 2022-23/8021-41 dated 22-08-2022
  2. Chief Engineer PW(R&B) Kmr's No. CE/RBK/WS/18465 dated 12-09-2022
  3. Letter of acceptance No. SE/DB/11953-55 dated 14-09-2022 and  
No. SE/DB/12553-54 dated 22-09-2022

Advertised Cost	Allotted cost	Period of completion	Major Head
Rs. 154.26 lacs	Rs. 1,53,32,358.91	350 days	FC Grants (2022-23)

For and on behalf of the Lt. Governor of Jammu & Kashmir UT, the contract for above mentioned work is hereby allotted in favour of M/S BISMILLAH ROAD CONSTRUCTION CO. PROP. MUSHTASHIM BASHIR, PANTHA CHOWK SRINAGAR REGISTRATION NO. PW/DJNK-CONT-2022-215776 CLASS "A" at the rates incorporated in the quantity schedule forming Annexure "A" to this allotment letter.

**Terms & Conditions.**

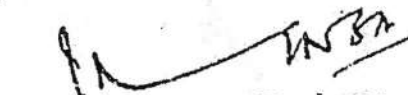
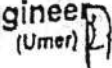
- 1) The work should be executed strictly in accordance with the terms and conditions as laid down in the NIT/Bid Document and PWD Form 25 [Contract Agreement].
- 2) The cost of work shall not exceed Rs.1,53,32,358.91 (Rupees One Crore, Fifty Three lacs, Thirty Two Thousand, Three Hundred Fifty Eight and Paise Ninety One) only.
- 3) The rate for different departmental material supplied to the contractor by the department shall be recovered as per the conditions / rates laid down in the advertised NIT.
- 4) The rate structure allowed herein shall apply to this work package only and shall not be correlated or inferred for similar nature of works.
- 5) Payment for items for which quoted rates are higher than estimated / DPR rates be restricted to estimated / DPR rates only till completion of items with quoted rates lower than the estimated / DPR rates.
- 6) It should also be ensured that advertised quantities as per the BOQ should not exceed the advertised quantities in any case in order to ensure that interse position of bidders does not get changed
- 7) Strict monitoring and quality control of the material used and works executed shall be ensured
- 8) The Executive Engineer will draw the Contract Agreement within one weeks time and have it accepted by the competent authority.
- 9) The work should be executed strictly as per plans, proposals, designs / drawings and specifications approved by the competent authority.
- 10) The Executive Engineer will ensure safety, stability, strength and durability of the structure and while proportioning the sections of various components.

Contd. P. 2.

Superintending Engineer  
(UMD)


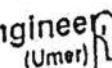
2<sup>nd</sup> of Allotment of Contract No. 13331-34 dated  
 2.2 for "Establishment of storage Transportation and IEC activities  
 Budgam" Segregation of Disposal site processing through Auto Composting

- The Executive Engineer will ensure that work is approved in the works programme under relevant head of account, AA/TS is accorded and funds are available.
- All the connected documents / references of this allotment letter will constitute a legal contract document and will be binding upon the contractor even before drawal of formal Contract Agreement;
- 13) Service tax plus surcharges as required under rules shall be deducted on gross amount from bills of the contractor. In case Government increase the rate of service tax, the contractor has to pay the same of his own. No claim whatsoever will be entertained on this account.
  - 14) Performance Security in the shape of TDR bearing No. 686490 dated 27-09-2022 for an amount of Rs. 4,60,000/- issued by JK Bank Fateh Kadal Srinagar produced by the contractor is retained in this office and shall be released after successful completion of work with defect liability period (DLP).
  - 15) The Executive Engineer will ensure that the contractor does not stand either black listed or debarred from taking any contract in any wing of the PWD.
  - 16) The materials obtained from dismantling is to be quantified, stored in Divisional store and necessary stock entry there-of to be made by the Executive Engineer.
  - 17) All other prerequisite formalities be fulfilled prior to the Execution of the work by the contractor.
  - 18) The date of start of work shall be reckoned within two days from the date of issuance of this allotment letter. In case the agency fails to start the work within stipulated time, the contract allotment shall be deemed cancelled without issuance of any notice to the contractor.
  - 19) The Executive Engineer will ensure that the work is completed within the specified period;
  - 20) All key construction material i.e., (cement, steel, pipes etc.) shall have to be arranged by the contractor strictly as per specifications with the approval of Engineer-in-charge
  - 21) The defective liability shall be calculated from the date of certified completion of work and the period shall be Eighteen (18) months.
  - 22) On completion of contract, the contractor shall be responsible to remove all unused materials and restore all work in its original profile at his own cost.

  
 Superintending Engineer  
 (Umer) 

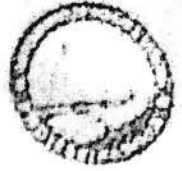
Copy along with Annexure "A" to the: -

1. Chief Engineer PWD (R&B) Department Kashmir for information.
2. M/S BISMILLAH ROAD CONSTRUCTION CO. PROP. MUSHTASHIM BASHIR, PANTHA CHOWK SRINAGAR for information and necessary action.
3. TO/ HD, Circle Office.
4. Concerned file.

  
 Superintending Engineer  
 (Umer) 

OFFICE OF THE EXECUTIVE ENGINEER R&B  
DIVISION BUDGAM

Engineering Complex Budgam PIN No. 191111  
E-mail: xembudbud@gmail.com, Phone FAX: 01951-255709



Favour: Ahmad Sanait  
To: Baidat Ahmad Sanait  
From: Fakhruddin Khanwahid Budgam  
Reg: EE (R&B) SB-8-908 OF 2018-19  
Ch. No. 700084/180

No. - EE/BUD/LE/13047-49  
Dated - 21/10/2024

Subject: Development of Park at Old Dumping Site near Marnath Bridge  
as Budgam View Point.

Reference: No. 141-MDR of 2023-24/12114-29 DATED-30-12-2023 No. 1

Your bid for the subject work has been received through e-tendering among others and after perusing the comparative statement online, your bid has been found lowest at an amount of Rs. 21,24,630/- against advertised cost of Rs. 32.94 Lacs which is 35.50% below than advertised cost. As per the circular issued by the Chief Engineer PWR&B Department, Kashmir vide No. GE/RBK/HD/32857-92 Dated:- 01/01/2022 Modification about Earnest Money and Performance Security, you are hereby directed to produce 05% as performance security of allotted cost which amounts to Rs. 1,06,232/- (One Lac Six Thousand Two Hundred and Thirty Two Rupees only). Besides you are directed to produce enlistment registration card and original Treasury Challan on account of tender document fee and 2% (CDR) Earnest Money so that formal allotment is issued in your favour. Meanwhile you are directed to mobilize your resources for start of work within two days positively failing which the tender shall be put to fresh e-tenders on your bid and cost and your enlistment registration card shall be barred from participation in any tendering process in this office.

Executive Engineer  
R&B Division Budgam

Copy to the:

1. District Development Commissioner Budgam for favour of information.
2. Superintending Engineer PWR (R&B) Circle Budgam for favour of information.
3. Assistant Engineer (R&B) Sub Division Budgam for information. He is directed to ensure that the contractor mobilizes his resources to start the work with a date positively and report accordingly to this office.
4. Head Draftsman (Regional office).
5. Camp Clerk for information.

**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

Annex - B

**Subject Levying of Environmental Compensation to the Executive Officer, Municipal Council, Budgam**

**ORDER NO. 31 JKPC of 2024**

**Dated 30-09-2024**

Whereas, there are reports that the solid waste generated from 13 wards of the Municipal Council (MC), Budgam is being disposed off in and around Mamath Kull in violation of Solid Waste Management Rules, 2016; and

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India and Ors; and

Whereas, after fresh inspection by the Divisional Officer, Pollution Control Committee, Budgam, has reported that neither Municipal Council Budgam has applied for Authorization under Solid Waste Management Rules, 2016, nor has established processing/material Recovery Facility for Solid Waste. He has further reported that MSW generated from the 13 wards is being disposed off alongside of Mamath Kull without any treatment by the Municipal Council, Budgam; and

Whereas, Regional Director, PCC Kashmir, vide letter No. PCC / RDK / PS / 2024/434-437 dt. 20-06-2024, confirmed the report of the Divisional Officer, Pollution Control Committee, Budgam, and accordingly, recommended the case for levying of Environmental Compensation to Municipal Council, Budgam; and

Whereas, disposal of Municipal Solid Waste in unscientific manner has resulted in Pollution of ambient air and water, besides the damage to ecology and biodiversity of water bodies and ecosystem of the area; and

Whereas, the case was examined by the Technical Advisory Committee (TAC) constituted by the JK Pollution Control Committee for assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation in respect of **9.21 TPD** of solid waste for a period of **1267 days** (w.e.f. 01-01-2021 to 20-06-2024) to the tune of **Rs. 372.1761** lakh as per the directions of Hon'ble NGT and guidelines framed in this behalf; and

Whereas, notice for levying of Environmental Compensation was served upon the Executive Officer, Municipal Council Budgam, vide No. JKPC/NGT/(O.A. 241/2021)/024/452 dated 24-07-2024, with the direction to show cause within 07 days, as to why Environmental Compensation be not levied; and

Whereas, the Executive Officer, Municipal Council Budgam has furnished a detailed reply and reported that some measures have been taken by Municipal Council,

*25/9/24*


Budgam for Solid Waste Management and for lifting and treatment of legacy waste of 40 MT from the banks of Mamath Kull during the year 2024, vide his No. MC/Budgam/NGT/2024-25/2542- 46 dated 29-07-2024, but no explanation has been provided about the past violations.

Now, therefore, in view of the above and in compliance to the directions of the Hon'ble NGT in OA No. 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India and Ors., the Environmental Compensation to the tune of Rs. **372.1761 lakh** is hereby levied upon Executive Officer, Municipal Council, Budgam for unscientific and untreated disposal of solid waste of **9.21 TPD** for **1267 days** (w.e.f. 01-01-2021 to 20-06-2024) as assessed by the Technical Advisory Committee of the J&K Pollution Control Committee. The Executive Officer, Municipal Council, Budgam is hereby directed to deposit a sum of **Rs. 372.1761 lakh** in the Environmental Compensation Fund Account No. 0023040510000001 of the JK Pollution Control Committee in J&K Bank Ltd. within 30 days from the date of issuance of this order.

In case of default to pay Environmental Compensation in due time, the violator is liable to pay Environment Compensation by (2) two times, (4) four times, (8) Eight times for 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarter respectively as per the guidelines of Environmental Compensation issued by Central Pollution Control Board (CPCB).

Issued with the Approval of Competent Authority.

Encls: EC Calculation sheet.

  
(Ghansham Singh), JKAS 30.9.24  
Member Secretary  
J&K Pollution Control Committee

No:- JKPCC/LSJ/NGT/(O.A.241/2021) | 127-131

Dated: 30-09-2024

Copy to the:-

- 1) Deputy Commissioner/District Magistrate, Budgam for information.
- 2) Director, Urban Local Bodies, Kashmir for information.
- 3) Regional Director, Pollution Control Committee, Kashmir for information and follow up action.
- 4) Divisional Officer, Pollution Control Committee, Budgam for information and necessary action.
- 5) Executive Officer, Municipal Council, Budgam for immediate compliance as directed.

**Environment Compensation to be levied for improper and unscientific management of MSW  
by Municipal Council, Budgam (J&K) as per MSW Rules, 2016**

As per approved formula for levying Environmental Compensation under Polluter Pays' Principle in O. No. 593/2017 by the Hon'ble NGT order dt. 28/08/2019, in a case titled Paryavaran Suraksha Samiti & Anr. v Union of India & Ors., the details are given as below:-

<b>Environment Compensation</b> = 2.4 (Waste generation – Waste disposal as per Rule) + 0.02 (Waste generation – Waste disposal as per Rule) x N + Marginal cost of Env. Externality x (Waste generation – Waste disposal as per Rules) x N
--

Where waste quantity is in Tons Per Day (TPD)

The status of MSW generation and violation committed by Municipal Council, <sup>Budgam</sup> ~~Poonch~~ as per different reports is as under: -

	<b>Population of Budgam Town</b>	= 18,022 as per census 2011.
A)	a) Number of households in the city / town	= 3204
	b) Number of election / administrative wards in the city/town	= 13 Nos.
	c) Class of Town	= c ✓
B)	<b>Quantity of Solid waste generation</b> (As per report of D.O. Budgam)	9.21 TPD
C)	<b>Quantity of Waste disposed as per SWM Rules, 2016.</b>	Nil.  Illegal, unscientific and untreated disposal of Solid Waste generated from 13 Wards by the Municipal Council (MC) Budgam is being disposed alongside of <b>Doodh Ganga</b> in violation to SWM Rules, 2016.
D)	<b>No. of days of violation (N)</b>	As per report of Divisional Officer, PCC Budgam and Regional Director, JKPC, Kashmir the days of violation are 1267 days ( dt. 01.01.2021 to 20.06.2024)
E)	<b>Marginal cost of Environment externality</b>	0.01 (minimum as per Hon'ble NGT approved guidelines)
F)	<b>Total Environment Compensation</b>	2.4 (9.21-0) + 0.02 (9.21-0) x 1267 + 0.01 (9.21-0) x 1267 22.104 + 233.3814 + 116.6907 = Rs. 372.1761 lacs. Total EC = Rs. 372.1761 lacs.

*Cengh*  
26.06.2024  
(Member TAC)

*Randeep*  
(Member TAC)  
On leave

*Arno S. Joshi*  
26/6/24  
(Convener TAC)

*Juha*  
26.6.24  
(Head TAC)

**Jammu and Kashmir Pollution Control Committee**

Parivesh Bhavan, Forest Complex || Silk Factory Road  
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008  
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

**The Commissioner,  
Srinagar Municipal Corporation,  
Srinagar.**

No.: No. JKPCCL/SJ/NGT/(O.A. 241/2021)/ 659-664 Date:- 30-09-2024

**Sub :- Notice for Levying of Environmental Compensation for violation of Solid Waste Management Rules, 2016.**

Whereas, the Hon'ble National Green Tribunal (NGT), New Delhi vide its order dated 18-10-2021 in O.A. No. 241/2021 titled Raja Muzaffar Bhat Versus Union of India & Ors., while observing that *dewatering pump stations installed at various locations on the bank of Doodh Ganga River are still operational and discharging untreated waste water into the River and prima-facia, it appears that there are continued violations of Water Act to the prejudice of Environment Act and public health, which remains unchecked and directed the concerned authorities to verify the facts and take remedial action in accordance with the law; and*

Whereas, Hon'ble National Green Tribunal vide its order dated 18-10-2021 in O.A. No. 241/2021, constituted five member joint committee comprising of (i) Central Pollution Control Board, (ii) J&K Pollution Control Committee, (iii-iv) Deputy Commissioners, Srinagar and Budgam and (v) Director, Urban Local Bodies, Kashmir with state PCB as Nodal Agency for compliance and coordination; and

Whereas, the Hon'ble NGT in the aforesaid order also directed that Joint Committee may meet within two weeks and undertake visits to the site in question. The Committee may look into the water quality in terms of fecal coliforms, quantity of sewage being discharged, solid Waste being dumped on the banks of the River and Action Plan prepared by River Rejuvenation Committee (RRC) for J&K constituted as per the orders of Tribunal and directed to submit the reports within two months; and

Whereas, Joint Committee constituted by the Hon'ble NGT submitted its report on 14-12-2021 acknowledging the violations include dumping of waste on the banks of River Doodh Ganga, discharge of untreated sewage into the River, unregulated illegal mining activities and failure to protect the embankments of the River and *the relevant extracts of the report is reproduced as under:*

**"A. SEWAGE MANAGEMENT** Total sewage generated from 7 wards of Srinagar Municipal Corporation forming the catchment of 13 dewatering stations (10 Main and 3 Secondary) on the two sides of Doodh Ganga Nallah is estimated as 16.36 MLD whereas, the untreated sewage falling into Doodh Ganga Nallah through these

25/11

dewatering stations is 12.25 MLD. The balance sewage 4.11 MLD gets treated in Septic Tanks/Soakage Pits.

Whereas, the Hon'ble supreme Court of India in the matter of **Paryavarn Suraksha Samiti and Anrs V/s Union of India and Ors** vide its order dated 22-02-2017, while considering the issue of setting up of Common Effluent Treatment Plants (CETP) had provided time limit of 3 years and directions issued for CETP are also applicable to STP. The relevant extract of the Hon'ble Supreme court of India which reads are as under:-

- 8) *In view of the fact that the financial position has been taken care of, as has been expressed above, we are of the view, that the setting up of "common effluent treatment plants", should be taken up as an urgent mission. 'With reference to common effluent treatment plants, which are already under implementation, we hope and expect that they would be completed within the timelines already postulated. With reference to common effluent treatment plants, which are yet to be set up, we consider it just and appropriate to direct the State Governments concerned (including the Union Territories connected) to complete the same within a period of three years, from today. We are also of the view that while acquiring land for the "common effluent treatment plants". the State Governments concerned (including the union Territories concerned) a will acquire such additional land, as may be required for setting up "Zero liquid discharge plants", if and when required in the future.*
12. *We are of the view that in the manner suggested above, the malady of sewer treatment, should also be dealt with simultaneously. We, therefore, hereby direct that "sewage treatment plants" shall also be set up and made functional, within the timelines and the format, expressed herein above.*
14. *To supervise complaints of no-implementation of the instant directions, the Benches concerned of the national Green Tribunal, will maintain running and numbered case files, by dividing the jurisdictional area into units. The abovementioned case files will be listed periodically. **The Pollution Control board concerned is also hereby directed to initiate such civil or criminal action, as may be permissible in law against all or any of the defaulters.***

Whereas, the timelines of 3 years stipulated by the Hon'ble Supreme Court of India in the aforesaid case for setting up and operationalization of CETPs and STPs for preventing discharge of untreated sewage into the Doodh Ganga River has already lapsed on 21-02-2020 and the CETPs/STPs are yet to be operationalize; and

Whereas, the Hon'ble NGT vide its order dated 03-04-2024 observed as under:-

11. *The above sequence of events clearly revealed that though substantial time has lapsed after passing of initial order by the Tribunal and bringing it to the notice of local authorities, the gravity of the situation, yet no serious efforts have*

*26/04*

been made by the local bodies i.e. Municipal Corporation of Srinagar, Municipal Committee Budgam and Municipal Committee Chadoora. We also find that in spite of repeated direction, no positive efforts are being made by these local bodies.

12. Hence, the only option left is to impose Environmental Compensation (EC) on the violators for continuous violation of environmental norms. Thus, the matter is adjourned to the next date giving opportunity to Respondents No. 6, 7 and 8 to argue on the issue of imposition of EC on the next date of hearing. They may file their response in this regard at least one week before the next date of hearing."

Whereas, the Hon'ble NGT vide its order dated 10-07-2024 observed and directed as under:-

34. "Hence, EC is required to be levied and recovered from the defaulting Urban Local Bodies by applying the formula. The Member Secretary, J&K PCC present virtually has submitted that he will now duly look into the issue of compliance of the directions of the Hon'ble Supreme Court as also by the Tribunal. He has stated that within 15 days, due action as contemplated in the order the Hon'ble Supreme Court and the NGT will be taken.

35. Hence, we require the Member Secretary, J&K PCC and the Secretary, Department of Environment, UT of J&K to comply with the order of the Hon'ble Supreme Court within three months and file compliance affidavit immediately on expiry of three months. Member Secretary, J&K PCC will take appropriate action for imposition and recovery of EC keeping in view the observation made in this order by duly following the principles of 'Natural Justice' within three months and submit action taken report before the next date of hearing."

Whereas, Divisional Officer, Pollution Control Committee Srinagar submitted Environmental Compensation Format for untreated sewage discharge of 12.25 MLD for a period of 1327 days in respect of 10 stations namely 1) **Chanapora MPS** 2) **Chanapora IPS** 3) **Afandi Bagh** 4) **Channapora Sluice** 5) **Pamposh Colony** 6) **Natipora** 7) **Barzulla** 8) **Bulbul Bagh** 9) **Magrey Mohalla** 10) **Tengpora by pass** falling within the jurisdiction of Srinagar Municipal Corporation, to the Regional Director, J&K PCC Kashmir vide his No. PCC/DO/Sgr/misc/272 dated 30-07-2024 based upon the report submitted by the joint committee constituted by the Hon'ble NGT; and

Whereas, the Regional Director, PCC Kashmir, confirmed the report furnished by the Divisional Officer, PCC Srinagar and submitted the EC format for untreated sewage discharge of 12.25 MLD vide letter No. PCC/RDK/PS/2024/506-508 dated 31-07-2024 for levying of Environmental compensation to Srinagar Municipal Corporation; and

Whereas, accordingly, case was examined by the Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of

Environmental compensation in respect of 10 stations i.e. 1) Chanapora MPS (Rs. 624.48 lacs) 2) Chanapora IPS (Rs.726.29 lacs) 3) Afandi Bagh( Rs. 277.87 lacs) 4) Channapora Sluice (Rs.208.04 lacs) 5) Pamposh Colony (Rs. 34.61 lacs)6) Natipora(Rs. 431.01 lacs) 7) Barzulla (Rs.519.26 lacs) 8) Bulbul Bagh(Rs.259.96 lacs) 9) Magrey Mohalla(Rs.286.09 lacs) 10) Tengpora by pass (Rs.780.60 lacs) for a period of 1327 days (as per the format submitted by D.O. PCC Srinagar) in compliance to the directions of Hon'ble NGT and guidelines framed in this behalf; and

Whereas, the discharge of untreated sewage into Doodh Ganga River from the 13 dewatering pump stations located on left and right side of the Doodh Ganga River falling in the jurisdiction of Srinagar Municipal Corporation is in violation of Section 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 and Environmental Protection Act, 1986; and

Whereas, in terms of Hon'ble National Green Tribunal directions and the approved guidelines, you are liable for the Environmental Compensation for damaging the environment.

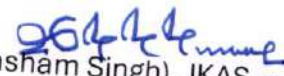
Now, therefore, take this notice and show cause within **15 days** from the date of issuance of this notice as to why:-

- i) Environmental Compensation amounting to (cumulatively of 10 stations) Rs. **41,47,61000/-** should not be levied upon you on the basis of Polluter Pays Principle (PPP) in terms of directions of the Hon'ble National Green Tribunal.

In the event, no tenable response is received within the notice period, the order for levy of Environmental Compensation as per prescribed guidelines will be issued.

**'Issued with the approval of the Competent Authority'.**

Encl: EC calculation sheet.

  
 (Ghansham Singh), JKAS 30.9.24  
 Member Secretary  
 J&K Pollution Control Committee  
 Jammu/Srinagar

Copy to the:-

1. Financial Commissioner (Additional Chief Secretary) Department of Forest, Ecology and Environment, Civil Secretariat, Jammu/Srinagar for kind information.
2. Commissioner/Secretary to Govt., Housing & Urban Development Department, Civil Secretariat, Jammu/Srinagar for favour of kind information.
3. Deputy Commissioner / District Magistrate Srinagar for information.
4. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
5. Divisional Officer, Pollution Control Committee, Srinagar for information and necessary action.

**Environment Compensation to be levied to SMC, Srinagar for violation of the provisions of Water (P & CP) Act, 1974**

Environmental Compensation for discharge of untreated sewage by concerned individual:

EC = Capital Cost Factor × [Marginal Average Capital Cost for Treatment Facility × (Total Generation – Installed Capacity) + Marginal Average Capital Cost for Conveyance Facility × Total Generation – Operational Capacity] + O&M Cost Factor × Marginal Average O&M Cost × (Total Generation – Operational Capacity) × No. of days for which facility was not available + Environmental externality × No. of days for which facility was not available.

Alternatively,

EC(LacsRs.) = [17.5 (Total Sewage Generation – Installed Treatment Capacity) + 55.5 (Total Sewage Generation – Operational Capacity)] + 0.2 (Sewage Generation – Operational Capacity) × N + Marginal Cost of Environmental Externality × Total Sewage Generation – Operational Capacity) × N

Where;

N – Number of days from the date of compliance of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority.  
(Quantity of sewage is in MLD)

S.NO.	Name of the Station	Chanapora MPS	Chanapora IPS	Afandi Bagh	Channapora Sluice	Pamposh Colony
A	Sewage Generation (MLD) (as per Regional Office Kashmir)	1.84 (MLD)	2.14 (MLD)	0.817 (MLD)	0.613 (MLD)	0.102 (MLD)
B	Installed Treatment Capacity (MLD)	0	0	0	0	0
C	Operational Capacity (MLD)	0	0	0	0	0
D	Treatment Capacity Gap (MLD) (A-B)	1.84 (MLD)	2.14 (MLD)	0.817 (MLD)	0.613 (MLD)	0.102 (MLD)
E	Calculated EC (Capital cost component for STPs) in Lacs Rs. (17.5 × A)	Rs. 32.20 Lacs	Rs. 37.45 Lacs	Rs. 14.29 Lacs	Rs. 10.72 Lacs	Rs. 1.78 Lacs
F	Calculated EC (Capital cost component for Conveyance System) in Lacs Rs. (55.5 × A)	Rs. 102.12 Lacs	Rs. 118.77 Lacs	Rs. 45.34 Lacs	Rs. 34.02 Lacs	Rs. 5.66 Lacs
G	Calculated EC (O&M Component in Lacs Rs./day (0.2 × A × No. of days)	Rs. 488.33 Lacs	Rs. 567.95 Lacs	Rs. 216.83 Lacs	Rs. 162.69 Lacs	Rs. 27.07 Lacs
H	Calculated Environmental Externality (Lacs Rs. Per Day) (A × 75 × No. of days ÷ 1Lac)	Rs. 1.83 lacs	Rs. 2.12 Lacs	Rs. 0.81 Lacs	Rs. 0.61 Lacs	Rs. 0.10 Lacs
I	Total (E + F + G + H)	Rs. 624.48 Lacs	Rs. 726.29 Lacs	Rs. 277.27 Lacs	Rs. 208.04 Lacs	Rs. 34.61 Lacs

*Chander Singh*  
09.08.2024

Chander Singh Kotwal  
Member

*Randeep Singh*

Randeep Singh Manhas  
Member

Fayaz Ahmad  
Member

*Angrez Singh*  
08.08.24

Angrez Singh  
Convener

*J N Sharma*

J N Sharma  
Head

**Jammu and Kashmir Pollution Control Committee**

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

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Chief Engineer,  
Urban Environmental Engineering Department,  
J&K, Jammu

No:- JKPCC/OA 241/2024 / 1123

Date:- 30-09-2024.

**Subject:- Compliance of Hon'ble NGT Order in O.A No. 241/2021 titled Raja Muzaffar Bhat Vs. Union of India & Ors.**

Sir,

Please refer to the subject cited above and also discussion held with you in the matter during a meeting chaired by the Chairman, J&K Pollution Control Committee in his office chamber on 28-09-2024 to review the compliance status of Hon'ble NGT cases.

In this connection, I am to convey that a joint committee constituted by the Hon'ble NGT vide its order dated 18-10-2021 had submitted its report on 14-01-2022. The Joint Committee in the report had submitted as under:

**"A. SEWAGE MANAGEMENT** Total sewage generated from 7 wards of Srinagar Municipal Corporation forming the catchment of 13 dewatering stations (10 Main and 3 Secondary) on the two sides of Doodhganga Nallah is estimated as 16.36 MLD whereas the untreated sewage falling into Doodhganga Nallah through these dewatering stations is 12.25 MLD. The balance sewage 4.11 MLD gets treated in Septic Tanks/Soakage Pits. It is proposed to construct modular sewage treatment plants for treatment of untreated sewage coming out from these dewatering stations, 1 No. combined STP for 3 dewatering stations of Chhanpora area (4.8 MLD), 6.00 MLD capacity STP under construction at Aloochoi Bagh is supposed to cater the untreated sewage (2.30 MLD) of Tengpora Dewatering Station. For remaining 6 No. dewatering stations individual modular STPs of capacities 0.6 MLD, 0.10 MLD, 1.30 MLD, 1.55 MLD, 0.80 MLD, 0.85 MLD are proposed. The estimated cost of these modular STPs works out to Rs. 45.00 Cr. The DPRs are being finalized and will be ready by 31st March 2022. These modular STPs are being proposed for funding under AMRUT-2 and once approved and allotted they will be commissioned in 18 months. That the maximum pollution in Doodhganga occurs in the stretch between Bagh-i-Mehtab and Bemina. This area is part of Zone 1 of Srinagar City (Sewerage Zone) for which a comprehensive sewerage scheme 125.5 MLD has already been proposed for funding through JICA."

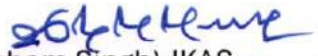


Since the aforesaid case is listed for hearing in the month of October 2024 before the Hon'ble NGT and the J&K Pollution Control Committee have to furnish compliance report and current status of establishment of the STPs to prevent the untreated sewage in the Doodhganga River.

The J&K Pollution Control Committee requires the current status of establishment of modular STPs by the Srinagar Municipal Corporation and UEED to prevent untreated sewage falling in Doodhganga River through these 13 dewatering stations alongwith complete details of sewage generated, treated and gap between sewage generation and treatment.

It is therefore, requested to please furnish the requisite information to the J&K Pollution Control Committee within three days treating the matter as Most Urgent.

Yours faithfully,

  
(Ghansham Singh) JKAS 30.9.24  
Member Secretary  
J&K Pollution Control Committee  
Jammu/Srinagar.

Copy to the :-

1. Commissioner, Srinagar Municipal Corporation, Srinagar for information.

**UNION TERRITORY OF JAMMU & KASHMIR**  
**OFFICE OF THE CHIEF ENGINEER**  
**URBAN ENVIRONMENTAL ENGINEERING DEPARTMENT (J&K)**  
**Main Office Suliman Shopping Complex, Srinagar-190001, Kashmir (J&K)**  
**Camp Office (Nov-April) Transport Nagar, Narwal, Jammu-180006**  
**e-mail: [cejkuued8@gmail.com](mailto:cejkuued8@gmail.com)**

Member Secretary  
 J&K Pollution Control Committee  
 Jammu/ Srinagar.

No: CE/UEED/TS/ 2119-21  
 Dated: - 08-10-2024

Subject: Compliance of Hon'ble NGT order in O.A. No 241 /2021 titled Raja Muzaffar Bhat v/s Union of India and others

Reference: Your office letter No: JKPC/0A241/2024/1123 Dated 30-09-2024

\*\*\*

SC (AN)  
 26/10/24  
 B.X.24  
 Sir  
 With reference to your office above cited letter, it is submitted that 2.30 MLD Sewage of Tengpora Dewatering Station stands connected with 6.00 MLD STP at Aloochi Bagh and is being treated as per CPHEEO norms.

Regarding balance STPs which were to be constructed at seven locations, the Administrative Approval stands accorded by the Administrative Department and the work stands tendered out and date of submission of Bids has been extended due to non-availability of land to be identified / demarcated by Revenue Department.

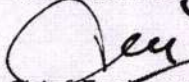
In this regard, the concerned Executive Engineer had a meeting with worthy Divisional Commissioner Kashmir and Additional Deputy Commissioner Srinagar and as reported by the Executive Engineer, all three Tehsildar i.e Tehsildar Chanpora, Tehsildar south and Tehsildar B K Pora were directed by worthy Divisional Commissioner Kashmir as well as Additional Deputy Commissioner Srinagar to identify / demarcate the land for construction of 7 No: STPs along Doodh Ganga Nallah. The matter stands again taken up by concerned Executive Engineer with concerned Tehsildars vide his communicated dated 28-09-2024. Undersigned too has requested Deputy Commissioner Srinagar vide letter no: CE/UEED/TS/CJ/2100-02 Dated 04-10-2024 to issue directions to the Tehsildar for earliest identification / demarcation of state land for the purpose keeping in view the sensitivity of case in view of instructions of Hon'ble NGT.

But land has not been identified / demarcated by the Revenue Department so far despite repeated visits of the Assistant Executive Engineers concerned to office of Tehsildar as reported by concerned Executive Engineer.

Regarding second project for pollution abatement of Doodhganga, i.e "Technology intervention for dry weather flow discharging into Dood Ganga Nallah from Chadura to Bagh-e-Mehtab, the technical appraisal of which has been received in July 2024 has been sent to Administrative Department Housing & Urban Development Department for accord of Administrative Approval.

Accordingly submitted for your kind information.

Yours faithfully,

  
 Chief Engineer  
 J&K U.E.E.D

HJL  
 7-0

Copy to:

1. Commissioner Secretary to Govt. H&UD Department J&K for information.
2. Executive Engineer S&D Division Ist Srinagar. This takes reference to report submitted vide his letter No: SDDI/CC/2183 Dated 05-10-2024

Annex - 10  
683

**Jammu and Kashmir Pollution Control Committee**

Parivesh Bhavan, Forest Complex || Silk Factory Road  
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008  
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

**Sub:-Levyng of Environmental Compensation upon Commissioner,  
Srinagar Municipal Corporation**

**ORDER No.: 33 -JKPCC of 2024**  
**DATED : 19 -10-2024**

Whereas, the Hon'ble National Green Tribunal (NGT), New Delhi vide its order dated 18-10-2021 in O.A. No. 241/2021 titled Raja Muzaffar Bhat Versus Union of India & Ors., while observing that dewatering pump stations installed at various locations on the bank of Doodh Ganga River are still operational and discharging untreated waste water into the River and prima-facia, it appears that there are continued violations of Water Act to the prejudice of Environment Act and public health, which remains unchecked and directed the concerned authorities to verify the facts and take remedial action in accordance with the law; and

Whereas, Hon'ble National Green Tribunal vide its order dated 18-10-2021 in O.A. No. 241/2021, constituted five member joint committee comprising of (i) Central Pollution Control Board, (ii) J&K Pollution Control Committee, (iii-iv) Deputy Commissioners, Srinagar and Budgam and (v) Director, Urban Local Bodies, Kashmir with state PCB as Nodal Agency for compliance and coordination; and

Whereas, the Hon'ble NGT in the aforesaid order also directed that Joint Committee may meet within two weeks and undertake visits to the site in question. The Committee may look into the water quality in terms of fecal coliforms, quantity of sewage being discharged, solid Waste being dumped on the banks of the River and Action Plan prepared by River Rejuvenation Committee (RRC) for J&K constituted as per the orders of Tribunal and directed to submit the reports within two months; and

Whereas, Joint Committee constituted by the Hon'ble NGT submitted its report on 14-12-2021 acknowledging the violations include dumping of waste on the banks of River Doodh Ganga, discharge of untreated sewage into the River, unregulated illegal mining activities and failure to protect the embankments of the River and the relevant extracts of the report is reproduced as under:

**"A. SEWAGE MANAGEMENT** Total sewage generated from 7 wards of Srinagar Municipal Corporation forming the catchment of 13 dewatering stations (10 Main and 3 Secondary) on the two sides of Doodh Ganga Nallah is estimated as 16.36 MLD whereas, the untreated sewage falling into Doodh

Ganga Nallah through these dewatering stations is 12.25 MLD. The balance sewage 4.11 MLD gets treated in Septic Tanks/Soakage Pits.

Whereas, the Hon'ble supreme Court of India in the matter of **Paryavarn Suraksha Samiti and Anrs V/s Union of India and Ors** vide its order dated 22-02-2017, while considering the issue of setting up of Common Effluent Treatment Plants (CETP) had provided time limit of 3 years and directions issued for CETP are also applicable to STP. The relevant extract of the Hon'ble Supreme court of India which reads are as under:-

- 8) In view of the fact that the financial position has been taken care of, as has been expressed above, we are of the view, that the setting up of "common effluent treatment plants", should be taken up as an urgent mission. 'With reference to common effluent treatment plants, which are already under implementation, we hope and expect that they would be completed within the timelines already postulated. With reference to common effluent treatment plants, which are yet to be set up, we consider it just and appropriate to direct the State Governments concerned (including the Union Territories connected) to complete the same within a period of three years, from today. We are also of the view that while acquiring land for the "common effluent treatment plants". the State Governments concerned (including the union Territories concerned) a will acquire such additional land, as may be required for setting up "Zero liquid discharge plants", if and when required in the future.
12. We are of the view that in the manner suggested above, the malady of sewer treatment, should also be dealt with simultaneously. We, therefore, hereby direct that "sewage treatment plants" shall also be set up and made functional, within the timelines and the format, expressed herein above.
14. To supervise complaints of no-implementation of the instant directions, the Benches concerned of the national Green Tribunal, will maintain running and numbered case files, by dividing the jurisdictional area into units. The abovementioned case files will be listed periodically. **The Pollution Control board concerned is also hereby directed to initiate such civil or criminal action, as may be permissible in law against all or any of the defaulters.**

Whereas, the timelines of 3 years stipulated by the Hon'ble Supreme Court of India in the aforesaid case for setting up and operationalization of CETPs and STPs for preventing discharge of untreated sewage into the Doodh Ganga River has already lapsed on 21-02-2020 and the CETPs/STPs are yet to be operationalize; and

26/4/20

Whereas, the Hon'ble NGT vide its order dated 03-04-2024 observed as under:-

11. The above sequence of events clearly revealed that though substantial time has lapsed after passing of initial order by the Tribunal and bringing it to the notice of local authorities, the gravity of the situation, yet no serious efforts have been made by the local bodies i.e. Municipal Corporation of Srinagar, Municipal Committee Budgam and Municipal Committee Chadoora. We also find that inspite of repeated direction, no positive efforts are being made by these local bodies.

12. Hence, the only option left is to impose Environmental Compensation (EC) on the violators for continuous violation of environmental norms. Thus, the matter is adjourned to the next date giving opportunity to Respondents No. 6, 7 and 8 to argue on the issue of imposition of EC on the next date of hearing. They may file their response in this regard at least one week before the next date of hearing."

Whereas, the Hon'ble NGT vide its order dated 10-07-2024 observed and directed as under:-

34. "Hence, EC is required to be levied and recovered from the defaulting Urban Local Bodies by applying the formula. The Member Secretary, J&K PCC present virtually has submitted that he will now duly look into the issue of compliance of the directions of the Hon'ble Supreme Court as also by the Tribunal. He has stated that within 15 days, due action as contemplated in the order the Hon'ble Supreme Court and the NGT will be taken.

35. Hence, we require the Member Secretary, J&K PCC and the Secretary, Department of Environment, UT of J&K to comply with the order of the Hon'ble Supreme Court within three months and file compliance affidavit immediately on expiry of three months. Member Secretary, J&K PCC will take appropriate action for imposition and recovery of EC keeping in view the observation made in this order by duly following the principles of 'Natural Justice' within three months and submit action taken report before the next date of hearing."

Whereas, Divisional Officer, Pollution Control Committee Srinagar submitted Environmental Compensation Format for untreated sewage discharge of 12.25 MLD for a period of 1327 days in respect of 10 stations namely 1) **Chanapora MPS** 2) **Chanapora IPS** 3) **Afandi Bagh** 4) **Channapora Sluice** 5) **Pamposh Colony** 6) **Natipora** 7) **Barzulla** 8) **Bulbul Bagh** 9) **Magrey Mohalla** 10) **Tengpora by pass** falling within the jurisdiction of Srinagar Municipal Corporation, to the Regional Director, J&K PCC Kashmir

*gohar*

vide his No. PCC/DO/Sgr/misc/272 dated 30-07-2024 based upon the report submitted by the joint committee constituted by the Hon'ble NGT; and

Whereas, the Regional Director, PCC Kashmir, confirmed the report furnished by the Divisional Officer, PCC Srinagar and submitted the EC format for untreated sewage discharge of 12.25 MLD vide letter No. PCC/RDK/PS/2024/506-508 dated 31-07-2024 for levying of Environmental compensation to Srinagar Municipal Corporation; and

Whereas, accordingly, case was examined by the Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation in respect of 10 stations i.e. 1) **Chanapora MPS (Rs. 624.48 lacs)** 2) **Chanapora IPS (Rs.726.29 lacs)** 3) **Afandi Bagh (Rs. 277.87 lacs)** 4) **Channapora Sluice (Rs.208.04 lacs)** 5) **Pamposh Colony (Rs. 34.61 lacs)** 6) **Natipora(Rs. 431.01 lacs)** 7) **Barzulla (Rs.519.26 lacs)** 8) **Bulbul Bagh (Rs.259.96 lacs)** 9) **Magrey Mohalla (Rs.286.09 lacs)** 10) **Tengpora by pass (Rs.780.60 lacs)** for a period of **1327 days** (as per the format submitted by D.O. PCC Srinagar) in compliance to the directions of Hon'ble NGT and guidelines framed in this behalf; and

Whereas, the discharge of untreated sewage into Doodh Ganga River from the 13 dewatering pump stations located on left and right side of the Doodh Ganga River falling in the jurisdiction of Srinagar Municipal Corporation is in violation of Section 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 and Environmental Protection Act, 1986; and


Whereas, final notice for levying of Environmental Compensation for violation of Solid and Liquid Waste Management Rules, 2016 was issued to the Commissioner, Srinagar Municipal Corporation, Srinagar vide No. JKPCC/LSJ/NGT/(OA-241/2021)/ 659-664 dated 30-09-2024 with the direction to show cause and file response within 15 days as to why Environmental Compensation as calculated by the Technical Advisory Committee amounting to the Rs. **41,47,61000/- (cumulative for 10 stations)** should not be levied upon you, but the Commissioner, Srinagar Municipal Corporation, despite lapse of stipulated time period failed to furnish any response / reply in the matter to J&K PCC.

Now, therefore, in view of the aforesaid reasons and in compliance to the directions of Hon'ble NGT dated 10-07-2024 in OA. 241/2021, Environmental Compensation amounting to Rs. **41,47,61000/-** is hereby levied upon Commissioner, Srinagar Municipal Corporation, Srinagar on the

basis of Polluter Pays Principle (PPP) with the advise to deposit the Environmental Compensation in the Environmental Compensation Fund Account No. No. 0023040510000001 of the JK Pollution Control Committee in J&K Bank Ltd. within 30 days from the date of issuance of this order.

**'Issued with the approval of the Competent Authority'.**

**Encl: EC calculation sheet.**

  
(Ghansham Singh), JKAS  
Member Secretary 19.10.24  
J&K Pollution Control Committee  
Jammu/Srinagar

No.: No. JKPCC/LSJ/NGT/(O.A. 241/2021) 137-142

Date:- 19 -10-2024

Copy to the:-

1. Financial Commissioner (Additional Chief Secretary) Department of Forest, Ecology and Environment, Civil Secretariat, Jammu/Srinagar for kind information.
2. Commissioner/Secretary to Govt., Housing & Urban Development Department, Civil Secretariat, Jammu/Srinagar for favour of kind information.
3. Commissioner, Srinagar Municipal Corporation, for information and necessary action.
4. Deputy Commissioner / District Magistrate Srinagar for information.
5. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
6. Divisional Officer, Pollution Control Committee, Srinagar for information and necessary action.

## Environment Compensation to be levied to SMC, Srinagar for violation of the provisions of Water (P & CP) Act, 1974

Environmental Compensation for discharge of untreated sewage by concerned individual:

$EC = \text{Capital Cost Factor} \times [\text{Marginal Average Capital Cost for Treatment Facility} \times (\text{Total Generation} - \text{Installed Capacity}) + \text{Marginal Average Capital Cost for Conveyance Facility} \times (\text{Total Generation} - \text{Operational Capacity})] + \text{O\&M Cost Factor} \times \text{Marginal Average O\&M Cost} \times (\text{Total Generation} - \text{Operational Capacity}) \times \text{No. of days for which facility was not available} + \text{Environmental externality} \times \text{No. of days for which facility was not available.}$

Alternatively,

$EC \text{ (LacsRs.)} = [17.5 \{ \text{Total Sewage Generation} - \text{Installed Treatment Capacity} \} + 55.5 \{ \text{Total Sewage Generation} - \text{Operational Capacity} \}] + 0.2 \{ \text{Sewage Generation} - \text{Operational Capacity} \} \times N + \text{Marginal Cost of Environmental Externality} \times \text{Total Sewage Generation} - \text{Operational Capacity} \times N$

Where;

N – Number of days from the date of compliance of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority.  
(Quantity of sewage is in MLD)


S.NO.	Name of the Station	Natipora	Barzulla	Bulbul Bagh	Magrey Mohalla	Tengpora By Pass
A	Sewage Generation (MLD) (as per Regional Office Kashmir)	1.27 (MLD)	1.53 (MLD)	0.766 (MLD)	0.843 (MLD)	2.3 (MLD)
B	Installed Treatment Capacity (MLD)	0	0	0	0	0
C	Operational Capacity (MLD)	0	0	0	0	0
D	Treatment Capacity Gap (MLD) (A-B)	1.27 (MLD)	1.53 (MLD)	0.766 (MLD)	0.843 (MLD)	2.3 (MLD)
E	Calculated EC (Capital cost component for STPs) in Lacs Rs. (17.5 × A)	Rs. 22.22 Lacs	Rs. 26.77 Lacs	Rs. 13.40 Lacs	Rs. 14.75 Lacs	Rs. 40.25 Lacs
F	Calculated EC (Capital cost component for Conveyance System) in Lacs Rs. (55.5 × A)	Rs. 70.48 Lacs	Rs. 84.91 Lacs	Rs. 42.51 Lacs	Rs. 46.78 Lacs	Rs. 127.65 Lacs
G	Calculated EC (O&M Component in Lacs Rs./day (0.2 × A × No. of days)	Rs. 337.05 Lacs	Rs. 406.06 Lacs	Rs. 203.29 Lacs	Rs. 223.73 Lacs	Rs. 610.42 Lacs
H	Calculated Environmental Externality (Lacs Rs. Per Day) (A × 75 × No. of days ÷ 1Lac)	Rs. 1.26 lacs	Rs. 1.52 Lacs	Rs. 0.76 Lacs	Rs. 0.83 Lacs	Rs. 2.28 Lacs
I	Total (E + F + G + H)	Rs. 431.01 Lacs	Rs. 519.26 Lacs	Rs. 259.96 Lacs	Rs. 286.09 Lacs	Rs. 780.6 Lacs

  
Chander Singh Kotwal  
Member

  
Randeep Singh Manhas  
Member

Fayaz Ahmad  
Member

  
Angrez Singh  
Convenor

  
J N Sharma  
Head

**Jammu and Kashmir  
Pollution Control Committee**

chairman87jkpcb@gmail.com  
membersecretaryjkpcb@gmail.com  
0191 - 2472881, 2476925



Parivesh Bhavan, Forest Complex  
Transport Nagar, Jammu, 180 006

Silk Factory Road  
Rajbagh, Srinagar, 190 008

*Ames - 11*

689

The Deputy Commissioner,  
Budgam.

No:- JKPC/SCA/BA241/3908-09

Date:-18-10-2024.

**Sub:- Recovery of Environmental Compensation on the 34 offenders / persons (tipper / Trailies PCC of District Budgam imposed by the J&K PCC for illegal extraction of minor minerals from Doodhganga Nallah.**

**Ref:- OA No. 241/2021 titled Raja Muzaffar Bhat V/s Union of India dated 08-03-2022.**

Sir,

The Hon'ble National Green Tribunal vide its order dated 08-03-2022 in the aforesaid OA had directed for recovery of loss caused to the state in the form of value of minerals as well as the loss caused to the environment for undertaking mining activities along doodhganga Nallah of District Budgam.

The relevant extract of the Hon'ble NGT order is reproduced as under:-

***"Para 14. It will be open to the State to recover the amount from the polluters / erring officers in accordance with law. For illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgement of the Hon'ble Supreme Court inter-alia in Goa Foundation Vs Union of India & Ors. (2014) 6 SCC 590 and Common Cause Vs. Uol & Ors., (2017) 9 SCC 499. It is also open to the State PCB to initiate prosecution against the violators".***

In compliance to the aforesaid directions of Hon'ble National Green Tribunal, the J&K Pollution Control Committee had identified offenders / violators involved in the illegal extraction of minor minerals from Doodhganga Nallah and levied Environmental Compensation upon 34 violators to the tune


*25/10/24*

of Rs. 28, 50,000/- on 11-05-2023. The levied amount was to be deposited within a period of 45 days in the Environmental Compensation Fund Account No. 002300510000001 of the J&K Bank Limited and on lapse of the said period an interest of 12 % on the Environmental Compensation amount was to be charged at the risk and responsibility of the offender. The copies of the orders levying Environmental Compensation was also endorsed to the Deputy Commissioner, Budgam for information and necessary action. **(Copies of the orders alongwith the list of offenders / violators and amount of Environmental Compensation levied as indicated against each is also enclosed herewith).**

Pursuant to this, the Deputy Commissioner, Budgam had directed Tehsildars of Chadoora, B.K Pora, Chararisharief, Khansahib and Budgam for ensuring deposition of Environmental Compensation levied to the tune of Rs. 28,50,000/- in the Environmental Compensation Fund Account No. 002300510000001 of the J&K Bank Limited vide letter No. DCB/Relief/SC-171886/2023/410-421 dated 22-05-2022 (**copy enclosed**). However, till date none of the offenders / violators have deposited the Environmental Compensation in the Environmental Compensation Fund Account.

You are, therefore, once again requested to get the levied Environmental Compensation alongwith 12 % interest (recoverable from 26-06-2023) recovered from the offenders / violators as an Arrears of Land Revenue and get the same deposited in the on the Environmental Compensation Fund Account No. 0023040510000001 of the J&K Pollution Control Committee.

Yours faithfully,

  
(Ghansham Singh), JKAS  
Member Secretary 18.10.24  
J&K PCC

Copy to the : Regional Director, J&K PCC, Kashmir for necessary followup.

UNION TERRITORY OF JAMMU AND KASHMIR  
OFFICE OF THE DEPUTY COMMISSIONER, BUDGAM

The Tehsildar,  
Chadcora/B.K Pora/Chararisharief/  
Khansahib/Budgam.

No.: DCB/Relief/SC-171886/2023/4/0-421  
Subject: JKPCC Closure Orders.

Dated: 22-05-2022

Sir,

Apropos to the subject, the below tabled offenders/ persons (Tripper/Tractor Drivers) were illegally extracting Minor Minerals from Doodh Ganga Nallah as reported by the member Secretary J&K PCC, Jammu. The Member Secretary of Jammu & Kashmir Pollution Control Committee has already issued notices to them and imposing fine all of them and directed to deposit the fined amount in the Environmental Compensation Fund Account No. 0023040510000001 of the Board in J&K Bank Ltd. Within 45 days. The details of the offenders are as under:-

S. No.	Name with Address	Fine imposed in Rupees.	Notice No./Date
1	Manzoor Ahmad rather S/o Gh Mohiddin R/o summerbugh	50,000/=	01-JKPCC of 2023, dated 11-05-2023
2	Ab Qayoom Dar S/o Mohd Ismail Dar R/o Lelhar	1,00,000/=	02-JKPCC of 2023, dated 11-05-2023
3	Ab Ahad Bhat S/o Gh Mohd Bhat R/o Naroo	50,000/=	03-JKPCC of 2023, dated 11-05-2023
4	Gh Ahmad S/o Gh Qadir Sheikh R/o Dadompura	2,50,000/=	04-JKPCC of 2023, dated 11-05-2023
5	Safer Ahmad Malik S/o Ali Mohd Malik R/o Kargam	50,000/=	05-JKPCC of 2023, dated 11-05-2023
6	Ab Aziz Dar S/o Gh Mohiddin Dar R/o Namtehaal	1,00,000/=	07-JKPCC of 2023, dated 11-05-2023
7	Mohd Rafiq S/o Gh Mohiddin R/o Chekpora	1,00,000/=	08-JKPCC of 2023, dated 11-05-2023
8	Laeef Ahmad Mir S/o Ab Gani R/o Hussipora	1,00,000/=	09-JKPCC of 2023, dated 11-05-2023
9	Asdil Farooq S/o Farooq Ahmad Sofi R/o Hussipora	1,00,000/=	10-JKPCC of 2023, dated 11-05-2023
10	Younis Farooq S/o Farooq Ahmad Sofi Magam	50,000/=	11-JKPCC of 2023, dated 11-05-2023
11	Mohd Rafiq S/o Gh hassan Ganie r/o Hanjigund	1,00,000/=	12-JKPCC of 2023, dated 11-05-2023
12	Mehraj Din S/o Ab Gani R/o Razwan	50,000/=	13-JKPCC of 2023, dated 11-05-2023
13	Mehraj Din S/o Ab Rehman Sofi R/o Chararisharief	50,000/=	14-JKPCC of 2023, dated 11-05-2023
14	Basharat Ahmad Yatoo S/o Noor Mohd Yatoo R/o Chadoora	1,00,000/=	15-JKPCC of 2023, dated 11-05-2023
15	Manzoor Ahmad Mir S/o Ali Mohd Mi R/o Doyan	50,000/=	16-JKPCC of 2023, dated 11-05-2023

Warrant  
Letter  
KBC

Pubname

in current level

Case also

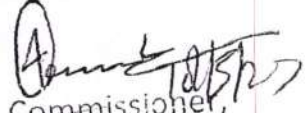
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Starting of the company / PC Refurbish

16	Mohd Altaf Bhat S/o Ab Rashid Bhat R/o Surasyar	1,00,000/=	19-JKPCC of 2023, dated 11-05-2023
17	Shahad Ahmad Khan S/o Imdad Ahmad Khan R/o Baghi Mehtab	1,00,000/=	20-JKPCC of 2023, dated 11-05-2023
18	Mushitaaq Ahmad S/o Nazir Ahmad Sheikh R/o Checkpora	50,000/=	21-JKPCC of 2023, dated 11-05-2023
19	Javid Ahmad Dar S/o Bashir Ahmad Dar R/o Marvel	1,00,000/=	22-JKPCC of 2023, dated 11-05-2023
20	Shahnaw Ahmad S/o Ali Mohd Mir R/o Summerbugh	1,00,000/=	23-JKPCC of 2023, dated 11-05-2023
21	Kumail Hussain S/o Ghulam Mustafa R/o Chadoora	1,00,000/=	24-JKPCC of 2023, dated 11-05-2023
22	Khursheed Ahmad Yattoo S/o Ferooz Ahmad Yattoo R/o Jalgam	50,000/=	25-JKPCC of 2023, dated 11-05-2023
23	Maqbool Ahmad Dar S/o Ali Mohd Dar R/o Hajibagh	50,000/=	26-JKPCC of 2023, dated 11-05-2023
24	Aqib Ahmad Ganie S/o Gh Rasool Ganie R/o Bujibagh	1,00,000/=	27-JKPCC of 2023, dated 11-05-2023
25	Shabir Ahmad S/o Ab Rehman R/o Arizal	1,00,000/=	28-JKPCC of 2023, dated 11-05-2023
26	Mohd Iqbal S/o Gh Mohd R/o Kralpora	1,00,000/=	29-JKPCC of 2023, dated 11-05-2023
27	Ishiaq Ahmad S/o Ab Rehman Guroo R/o Malpora	1,00,000/=	30-JKPCC of 2023, dated 11-05-2023
28	Nazir Ashraf s/o Mohd Ashraf r/o Badipora	50,000/=	31-JKPCC of 2023, dated 11-05-2023
29	Zahoor Ahmad Bhat S/o Gh rasool Bhat R/o Kralpora	1,00,000/=	32-JKPCC of 2023, dated 11-05-2023
30	Bashir Ahmad Bhat S/o Gh Mohiddin R/o Huroo	1,00,000/=	33-JKPCC of 2023, dated 11-05-2023
31	Nazir Ahmad Chopan S/o Gh Ahmad R/o Panzan	50,000/=	18-JKPCC of 2023, dated 11-05-2023
32	Ab Qayoom S/o Abdul Gani Lone	1,00,000/=	17-JKPCC of 2023, dated 11-05-202

As such you are requested to take strict action under norms against the respective offenders. The action taken report may kindly be furnished to this office within a week positively. Matter may be treated as most urgent.

Yours faithfully,

  
 Addl. District Dev. Commissioner,  
 Budgam



Copy to the:

- (i) Member Secretary, JK Pollution Control Committee, Jammu for favour c information.
- (ii) Assitant Regional Transport officer for information, with the direction to tak necessary action against the offenders (Vehicle owners).
- (iii) District Mineral officer Budgam for information and n/a.
- (iv) Sub Divisional Magistrate, Chadoora/Khansahib for information and n/a.



Winter office-November-April  
Parvati Bhawan, Forest Complex  
Gleam, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on **Sh. Manzoor Ahmad Rather S/o Gh. Mohi-ud-Din Rather R/o Summerbugh Budgam** (owner of Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 01 - JKPCC of 2023  
Dated : 11-05-2023

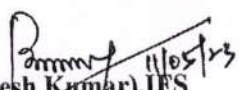
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **241/2021** titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated **08-03-2022** has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499*, it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated **14-10-2022** that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining, the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh. Manzoor Ahmad Rather S/o Gh. Mohi-ud-Din Rather R/o Summerbugh Budgam (owner of Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Manzoor Ahmad Rather S/o Gh. Mohi-ud-Din Rather R/o Summerbugh Budgam (Chassis Owner)** and is hereby directed to deposit a sum of **Rs.50,000/= (Rupees Fifty Thousand only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/01-05  
Dt. 11-05-2023  
Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Manzoor Ahmad Rather S/o Gh. Mohi-ud-Din Rather R/o Summerbugh Budgam (Chassis owner)** for immediate compliance as directed.



PCC

Winter office-November-April  
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Government of Jammu and Kashmir



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Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax: 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Abdul Qayoom Dar S/o Mohd Ismail Dar R/o Lelhar-District Budgam owner of Chassis for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 02 - JKPCC of 2023

Dated : 11-05-2023

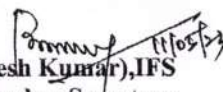
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors* (2014) 6 SCC 590 and *Common Cause Vs Union of India* (2017) 9 SCC 499. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh. Abdul Qayoom Dar S/o Mohd Ismail Dar R/o Lelhar-District Budgam (Chassis Owner)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Abdul Qayoom Dar S/o Mohd Ismail Dar R/o Lelhar-District Budgam ( Chassis Owner)** and is hereby directed to deposit a sum of **Rs.1,00,000/= (Rupees one lakh only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within 45 days and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/06-10  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action .
- Sh. Abdul Qayoom Dar S/o Mohd Ismail Dar R/o Lelhar-District Budgam( Chassis owner) for immediate compliance as directed.
- P.A to Chairman J&K Pollution Control committee for information of the Chairman.



Winter office-November-April  
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Gladia, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

695  
Annp-3

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Abdul Ahad Bhat S/o Ghulam Mohd Bhat R/o Naru-District Budgam (owner of Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 03 - JKPCC of 2023  
Dated : 11 -05-2023

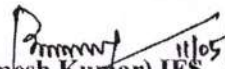
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors* (2014) 6 SCC 590 and *Common Cause Vs Union of India* (2017) 9 SCC 499. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh. Abdul Ahad Bhat S/o Ghulam Mohd Bhat R/o Naru-District Budgam (owner of Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Abdul Ahad Bhat S/o Ghulam Mohd Bhat R/o Naru-District Budgam (owner of Tractor)** and is hereby directed to deposit a sum of **Rs.50,000/= (Rupees Fifty Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/11-15  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Abdul Ahad Bhat S/o Ghulam Mohd Bhat R/o Naru-District Budgam (owner of Tractor) for immediate compliance as directed.



Winter office-November-April  
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Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Gh. Qadir Sheikh S/o Gh. Ahmad sheikh R/o Dadompura-District Budgam (owner of Excavator ) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 04-JKPCC of 2023  
Dated : 11-05-2023

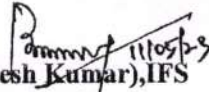
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.2,50,000/= (Rupees Two Lacs Fifty Thousand only)** to **Sh. Gh. Qadir Sheikh S/o Gh. Ahmad sheikh R/o Dadompura-District Budgam (owner of Excavator )** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Gh. Qadir Sheikh S/o Gh. Ahmad sheikh R/o Dadompura-District Budgam (owner of Excavator )** and is hereby directed to deposit a sum of **Rs.2,50,000/= (Rupees Two Lacs Fifty Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/16-20

Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Gh. Qadir Sheikh S/o Gh. Ahmad sheikh R/o Dadompura-District Budgam (owner of Excavator ) for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Ampp-697

Winter office-November-April  
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Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Safer Ahmad Malik S/o Ali Mohd Malik R/o Kargam-District Budgam (owner of Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 05 - JKPCC of 2023  
Dated : 11 -05-2023

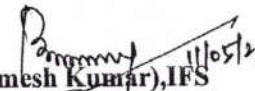
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors* (2014) 6 SCC 590 and *Common Cause Vs Union of India* (2017) 9 SCC 499. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to Sh. Safer Ahmad Malik s/o Sh. Ali Mohd Malik R/o Kargam-District Budgam (owner of Tractor) as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Safer Ahmad Malik s/o Sh. Ali Mohd Malik R/o Kargam-District Budgam (owner of Tractor)** and is hereby directed to deposit a sum of **Rs.50,000/= (Rupees Fifty Thousand only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/21-25

Di. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Safer Ahmad Malik S/o Sh. Ali Mohd Malik R/o Kargam-District Budgam (owner of Tractor) for immediate compliance as directed.
- P.A. to Chairman, J&K Pollution Control Committee for information of the Chairman.



Winter office-November-April  
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Narwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



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Rajbogh Srinagar  
Ph/Fax 0194-2311165

Annex-6

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Farooq Ahmad Magray S/o Abdul Gani R/o Mudbal- District Budgam (owner of Vehicle No. JK13F-5016) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 06 - JKPCC of 2023  
Dated : 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh. Farooq Ahmad Magray S/o Abdul Gani R/o Mudbal- District Budgam (owner of Vehicle No. JK13F-5016)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Farooq Ahmad Magray S/o Abdul Gani R/o Mudbal- District Budgam (owner of Vehicle No. JK13F-5016)** and is hereby directed to deposit a sum of **Rs.1,00,000/= (Rupees one lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/26-30  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Farooq Ahmad Magray S/o Abdul Gani R/o Mudbal- District Budgam (owner of Vehicle No. JK13F-5016) for immediate compliance as directed.
- P.A. to Chairman, J&K Pollution Control Committee for information of the Chairman.



Winter office: November-April  
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Narwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Amn 699

Summer Office: May-October  
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Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkspcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Abdul Aziz Dar S/o Gh. Mohi ud Din Dar R/o Namtehal- District Budgam (owner of Chassis) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 07 - JKPC of 2023  
Dated : 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh. Abdul Aziz Dar S/o Gh. Mohi ud Din Dar R/o Namtehal -District Budgam (Owner of the Chassis)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Abdul Aziz Dar S/o Gh. Mohi ud Din Dar R/o Namtehal -District Budgam (Owner of the Chassis)** and is hereby directed to deposit a sum of **Rs.1,00,000/= (Rupees one lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPC/NGT/114/ 31-35  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action please.
- Sh. Abdul Aziz Dar S/o Gh. Mohi ud Din Dar R/o Namtehal -District Budgam (Owner of the Chassis)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.)



Winter office-November-April  
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Glede, Troutland Nagar,  
Srinagar, Jammu  
Tel/Fax: 0191-2470225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Annex-8

Summer Office: May-October  
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Kashmir Silk Factory  
Budgeh Srinagar  
Ph/Fax: 0194-221265

email: membersecretaryjksch@gmail.com

Sub: Levying of Environmental Compensation on Sh. Mohd Rafiq Paul S/o Gh Mohi ud Din Paul R/o Checkpora - District Budgam (owner of Vehicle No. JK04A-8998) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 08 - JKPCC of 2023  
Dated : 11 -05-2023

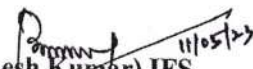
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors* (2014) 6 SCC 590 and *Common Cause Vs Union of India* (2017) 9 SCC 499. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh. Mohd Rafiq Paul S/o Gh Mohiud Din Paul R/o Checkpora - District Budgam (owner of Vehicle No. JK04A-8998)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Mohd Rafiq Paul S/o Gh Mohiud Din Paul R/o Checkpora - District Budgam (owner of Vehicle No. JK04A-8998)** and is hereby directed to deposit a sum of **Rs.1,00,000/= (Rupees one lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/26-40  
Dt. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam, for information and necessary action.
- Sh. Mohd Rafiq Paul S/o Gh Mohiud Din Paul R/o Checkpora - District Budgam (owner of Vehicle No. JK04A-8998) for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office: November-April  
Parivesh Bhawan, Forest Complex  
Guan, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-2476325

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311365

701  
Annex-9

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh Lateef Ahmad Mir S/o Abdul Gani Mir R/o Hussipora Chadora-District Budgam (Owner of the Chassis) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 09 - JKPC of 2023  
Dated : 11 -05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining, the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh Lateef Ahmad Mir S/o Abdul Gani Mir R/o Hussipora Chadora-District Budgam (Owner of the Chassis)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh Lateef Ahmad Mir S/o Abdul Gani Mir R/o Hussipora Chadora-District Budgam (Owner of the Chassis)** and is hereby directed to deposit a sum of **Rs.1,00,000/= (Rupees one lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPC/NGT/114/41-45  
Dt. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh Lateef Ahmad Mir S/o Abdul Gani Mir R/o Hussipora Chadora-District Budgam (Owner of the Chassis) for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office-November-April  
Patiwari Bhuwari, Furat Complex  
Gudni, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-2476225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

Amme-10

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh Adil Farooq Sofi, S/o Farooq Ahmad Sofi, R/o Hussipora Chadoora-District Budgam (owner of the Vehicle No. JK01L-5299) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 10 - JKPCC of 2023  
Dated : 11 -05-2023

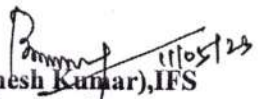
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh Adil Farooq Sofi, S/o Farooq Ahmad Sofi, R/o Hussipora Chadoora-District Budgam (owner of the Vehicle No. JK01L-5299)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh Adil Farooq Sofi, S/o Farooq Ahmad Sofi, R/o Hussipora Chadoora-District Budgam (owner of the Vehicle No. JK01L-5299)** and is hereby directed to deposit a sum of **Rs.1,00,000/= (Rupees one lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
& Member Secretary  
JKPCC

No. JKPCC/NGT/114/46-50  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh Adil Farooq Sofi, S/o Farooq Ahmad Sofi, R/o Hussipora Chadoora-District Budgam (owner of the Vehicle No. JK01L-5299) for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office: November-April  
Pavesh Bhawan, Forest Complex  
Gladhi, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-2470925

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

703  
Annex - 11

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh Younis Farooq S/o Farooq Ahmad Sofi R/o Naoam Chadoora-District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 11 - JKPC of 2023  
Dated : 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590* and *Common Cause Vs Union of India (2017) 9 SCC 499*. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh Younis Farooq S/o Farooq Ahmad Sofi R/o Naoam Chadoora-District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh Younis Farooq S/o Farooq Ahmad Sofi R/o Naoam Chadoora-District Budgam (owner of the Tractor)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPC

No. JKPC/NGT/114/57-55  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh Younis Farooq S/o Farooq Ahmad Sofi R/o Naoam Chadoora-District Budgam (owner of the Tractor)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office-November-April  
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Gladini, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-2476925

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: memberssecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh Mohd Rafiq Ganie S/o Gh. Hasan Ganie R/o Hanjiqund-District Budgam (owner of the Vehicle No. JK04D-9651) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 12 - JKPC of 2023  
Dated : 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh Mohd Rafi Ganie S/o Gh. Hasan Ganie R/o Hanjiqund-District Budgam (owner of the Vehicle No. JK04D-9651)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh Mohd Rafi Ganie S/o Gh. Hasan Ganie R/o Hanjiqund-District Budgam (owner of the Vehicle Tractor)** and is hereby directed to deposit a sum of **Rs.1,00,000/= (Rupees one lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
& Member Secretary  
JKPCC

No. JKPC/NGT/114/56-60  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh Mohd Rafi Ganie S/o Gh. Hasan Ganie R/o Hanjiqund-District Budgam (owner of the Vehicle No. JK04D-9651) for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter Office: November-April  
Parvati Bhawan, Forest Complex,  
Gauri, T. Anant Nagar,  
Baramulla, Jammu  
Tel/Fax: 0191-247692/25

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Akbar Campus  
Behadli Factory  
Jammu  
Tel/Fax: 0191-221110/5

email: membersecretaryjkpcc@gmail.com

Sub: Levying of Environmental Compensation on Sh. Mehraj ud Din Bhat S/o Abdul Gani Bhat R/o Razwen-District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 13 - JKPCC of 2023  
Dated : 11 -05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining, the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh Mehraj ud Din Bhat S/o Abdul Gani Bhat R/o Razwen-District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh Mehraj ud Din Bhat S/o Abdul Gani Bhat R/o Razwen -District Budgam (owner of the Tractor)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/1141/61-65  
Dt. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral officer, Budgam for information and necessary action.
- Sh Mehraj ud Din Bhat S/o Abdul Gani Bhat R/o Razwen -District Budgam (owner of the Tractor)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office-November-April  
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Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



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Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Amr - 14

Sub: Levying of Environmental Compensation on Sh. Mehraj ud Din Sofi S/o Abdul Rahman Sofi R/o Chararisharief-District Budgam (owner of the Vehicle No. JK04F-5657) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 14 - JKPCC of 2023  
Dated : 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining, the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh Mehraj ud Din Sofi S/o Abdul Rahman Sofi R/o Chararisharief-District Budgam (owner of the Vehicle No. JK04F-5657)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Mehraj ud Din Sofi S/o Abdul Rahman Sofi R/o Chararisharief-District Budgam (owner of the Vehicle No. JK04F-5657)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/166-70  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh Mehraj ud Din Sofi S/o Abdul Rahman Sofi R/o Chararisharief-District Budgam (owner of the Vehicle No. JK04F-5657) for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Water: 03/11-November-April  
Pollution: 03/11-November-April  
Climate, Transport: 03/11-November-April  
Normal: 03/11-November-April  
Tel/Fax: 0191-2479225

Summer Office: May-October  
Sheikh Akbar Campus  
Behind J&K Factory  
Badliya, Jammu  
Ph/Fax: 0191-2311155

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Basharat Ahmad Yatoo S/o Noor Mohd Yatoo R/o Chadoora -District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 15 - JKPCC of 2023  
Dated : 11 -05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that " there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Basharat Ahmad Yatoo S/o Noor Mohd Yatoo R/o Chadoora -District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Basharat Ahmad Yatoo S/o Noor Mohd Yatoo R/o Chadoora -District Budgam (owner of the Tractor)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/71-75  
Dt. 11-05-2023

Copy to the:-

- i. Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- ii. Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- iii. District Mineral Officer, budgam for information and necessary action.
- iv. **Sh. Basharat Ahmad Yatoo S/o Noor Mohd Yatoo R/o Chadoora -District Budgam (owner of the Tractor)** for immediate compliance as directed.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman



Water (J&K) - November - April  
Pollution Control Committee, Jammu  
Guanah, Transport Building  
Jammu - 180001  
Tel/Fax: 0191-2470225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind SDA Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311105

email: memberssecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Manzoor Ahmad Mir S/o Ali Mohd Mir R/o Doyan Chadoora -District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 16 - JKPCC of 2023  
Dated : 11 -05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh. Manzoor Ahmad Mir S/o Ali Mohd Mir R/o Doyan Chadoora -District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Manzoor Ahmad Mir S/o Ali Mohd Mir R/o Doyan Chadoora -District Budgam (owner of the Tractor)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/76-20  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Manzoor Ahmad Mir S/o Ali Mohd Mir R/o Doyan Chadoora -District Budgam (owner of the Tractor)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office: November-April  
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Gladol, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-2476925

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



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Behind Silk Factory  
Rajbhog Srinagar  
Ph/Fax 0194-2311165

Annex - 17  
709

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Abdul Qayoom Lone S/o Abdul Gani Lone R/o Watrad -District Budgam (owner of the Vehicle No. JK01L-7404) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 17 - JKPCC of 2023  
Dated : 11 -05-2023


Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining, the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lac only)** to **Sh. Abdul Qayoom Lone S/o Abdul Gani Lone R/o Watrad -District Budgam (owner of the Vehicle No. JK01L-7404)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Abdul Qayoom Lone S/o Abdul Gani Lone R/o Watrad -District Budgam (owner of the Vehicle No. JK01L-7404)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lac only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/81-25  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Abdul Qayoom Lone S/o Abdul Gani Lone R/o Watrad -District Budgam (owner of the Vehicle No. JK01L-7404)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter Office: November-April  
Pitwari Bhatwari, Forest Complex  
Gleddi, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Bajbajh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Nazir Ahmad Chopan S/o Gh. Ahmad Chopan R/o Panzan -District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 18 - JKPC of 2023  
Dated : 11 -05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh. Nazir Ahmad Chopan S/o Gh. Ahmad Chopan R/o Panzan -District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Nazir Ahmad Chopan S/o Gh. Ahmad Chopan R/o Panzan -District Budgam (owner of the Tractor)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/86-90  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Nazir Ahmad Chopan S/o Gh. Ahmad Chopan R/o Panzan -District Budgam (owner of the Tractor)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office-November-April  
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Gladini, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
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Behind Silk Factory  
Rajbagh Srinagar  
Pin/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Annex 719

Sub: Levying of Environmental Compensation on Sh. Mohd Altaf Bhat S/o Abdul Rashid Bhat R/o Surasyar -District Budgam (owner of the Vehicle No. JK04F-3702) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 19 - JKPC of 2023  
Dated : 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh. Mohd Altaf Bhat S/o Abdul Rashid Bhat R/o Surasyar -District Budgam (owner of the Vehicle No. JK04F-3702)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Mohd Altaf Bhat S/o Abdul Rashid Bhat R/o Surasyar -District Budgam (owner of the Vehicle No. JK04F-3702)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPC/NGT/114/191-95  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Mohd Altaf Bhat S/o Abdul Rashid Bhat R/o Surasyar -District Budgam (owner of the Vehicle No. JK04F-3702)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.

Sub: Levying of Environmental Compensation on Sh. Shahad Ahmad Khan S/o Imdad Ahmad Khan R/o Baqi Mehtab 128 -District Budgam (owner of the Vehicle No. JK01P-8212) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 20 - JKPC of 2023  
Dated : 11-05-2023


Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One lakh only)** to **Sh. Shahad Ahmad Khan S/o Imdad Ahmad Khan R/o Baqi Mehtab 128 -District Budgam (owner of the Vehicle No. JK01P-8212)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Shahad Ahmad Khan S/o Imdad Ahmad Khan R/o Baqi Mehtab 128 -District Budgam (owner of the Vehicle No. JK01P-8212)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One lakh only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPC/NGT/114/196-100

Dt. 11-05-2023

Copy to:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Shahad Ahmad Khan S/o Imdad Ahmad Khan R/o Baqi Mehtab 128 -District Budgam (owner of the Vehicle No. JK01P-8212)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Annex - 21  
713

Winter Office: November-April  
Punjab Bhawan, Tourist Complex  
Cantonment, Srinagar  
National, Jammu  
Tel/Fax: 0191-2470025

Summer Office: May-October  
Sheela Akash Complex  
Behind SSB Factory  
Rajbagh, Srinagar  
Ph/Fax: 0194-2311165

email: membersecretaryjkspcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Mukhtar Ahmad Sheikh S/o Nair Ahmad Sheikh R/o Checkpora Chadoora -District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 21 - JKPCC of 2023  
Dated : 11 -05-2023

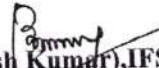
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh. Mukhtar Ahmad Sheikh S/o Nair Ahmad Sheikh R/o Checkpora Chadoora -District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Mukhtar Ahmad Sheikh S/o Nair Ahmad Sheikh R/o Checkpora Chadoora -District Budgam (owner of the Tractor)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/01-105

Dt. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral officer, Budgam for information and necessary action.
- Sh. Mukhtar Ahmad Sheikh S/o Nair Ahmad Sheikh R/o Checkpora Chadoora -District Budgam (owner of the Tractor)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office: November-April  
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Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



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Behind Silk Factory  
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Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Amny - 22

Sub: Levying of Environmental Compensation on Sh. Javaid Ahmad Dar S/o Bashir Ahmad Dar R/o Marvel -District Budgam (owner of the Vehicle No. JK04E-4100) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 22- JKPCC of 2023  
Dated : 11 -05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors* (2014) 6 SCC 590 and *Common Cause Vs Union of India* (2017) 9 SCC 499. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Javaid Ahmad Dar S/o Bashir Ahmad Dar R/o Marvel -District Budgam (owner of the Vehicle No. JK04E-4100)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Javaid Ahmad Dar S/o Bashir Ahmad Dar R/o Marvel -District Budgam (owner of the Vehicle No. JK04E-4100)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/106-110  
Dt. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Javaid Ahmad Dar S/o Bashir Ahmad Dar R/o Marvel -District Budgam (owner of the Vehicle No. JK04E-4100)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Water Office, Newbery Road,  
Panchsheel Chowk, Forest Complex,  
Gulab, Jammu. Jammu,  
Kashmir, India.  
Tel/Fax: 0191-2670223

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



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Behind J&K Factory  
Rajbigha, Jammu  
Ph/Fax: 0191-2311165

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715

email: memberssecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Shahnawaz Ali S/o Ali Mohd Mir R/o Summerbugh -District Budgam (owner of the Vehicle No. JK01AC-6984) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 23 - JKPC of 2023  
Dated : 11 -05-2023

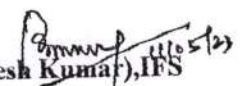
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Shahnawaz Ali S/o Ali Mohd Mir R/o Summerbugh -District Budgam (owner of the Vehicle No. JK01AC-6984)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Shahnawaz Ali S/o Ali Mohd Mir R/o Summerbugh -District Budgam (owner of the Vehicle No. JK01AC-6984)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/111-115

Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Shahnawaz Ali S/o Ali Mohd Mir R/o Summerbugh -District Budgam (owner of the Vehicle No. JK01AC-6984)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Member Secretary  
PCC  
Panchsheel Bhawan, Forest Complex  
Gleadow, Ferozpur Road,  
Jammu, Jammu  
Tel/Fax: 0191-2476225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Akram Campus  
Behind Silk Factory  
Rajpura, Srinagar  
Ph/Fax: 0194-2311185

email: memberssecretaryjkpcc@gmail.com

Sub: Levying of Environmental Compensation on Sh. Kumail Husain S/o Ghulam Mustafa R/o Chadoora-District Budgam (owner of the vehicle No. JK16-1406) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 24 - JKPCC of 2023  
Dated : 11 -05-2023

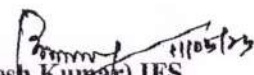
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Kumail Hussain S/o Ghulam Mustafa R/o Chadoora -District Budgam (owner of the Vehicle No. JK016-1406)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Kumail Hussain S/o Ghulam Mustafa R/o Chadoora -District Budgam (owner of the Vehicle No. JK016-1406)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/116-120  
Dt. 11 -05-2023  
Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Kumail Hussain S/o Ghulam Mustafa R/o Chadoora -District Budgam (owner of the Vehicle No. JK016-1406) for immediate compliance as directed.**
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Member Office: November-April  
Parliament Buildings, Forest Complex  
Gaulah, Jammu  
Kashmir, Jammu  
Ph/Fax: 0191-2410223

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Amin Complex  
Behind S&S Factory  
Rajpura, Jammu  
Ph/Fax: 0191-2311165

Amny 22  
717

email: memberssecretaryjkspcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Shahnawaz Ali S/o Ali Mohd Mir R/o Summerbugh -District Budgam (owner of the Vehicle No. JK01AC-6984) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 23 - JKPC of 2023  
Dated : 11 -05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Shahnawaz Ali S/o Ali Mohd Mir R/o Summerbugh -District Budgam (owner of the Vehicle No. JK01AC-6984)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Shahnawaz Ali S/o Ali Mohd Mir R/o Summerbugh -District Budgam (owner of the Vehicle No. JK01AC-6984)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/111-115  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Shahnawaz Ali S/o Ali Mohd Mir R/o Summerbugh -District Budgam (owner of the Vehicle No. JK01AC-6984)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office-November-April  
Futwachi Bhowan, Forest Complex  
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Narwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Khursheed Ahmad Yatoo S/o Feroz Ahmad Yatoo R/o Lalgam -District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 25 - JKPC of 2023  
Dated : 11 -05-2023

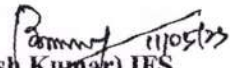
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining, the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh. Khursheed Ahmad Yatoo S/o Feroz Ahmad Yatoo R/o Lalgam -District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Khursheed Ahmad Yatoo S/o Feroz Ahmad Yatoo R/o Lalgam -District Budgam (owner of the Vehicle Tractor)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPC/NGT/114/121-125

Dt. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Khursheed Ahmad Yatoo S/o Feroz Ahmad Yatoo R/o Lalgam -District Budgam (owner of the Tractor)** for immediate compliance as directed.
- P. A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Annex 719

Winter office-November-April  
Parivesh Bhawan, Forest Complex  
Gladni, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-24769225

Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkspcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Maqbool Ahmad Dar S/o Ali Mohd Dar R/o Hanjibugh -District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 26 - JKPCC of 2023  
Dated : 11 -05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh. Maqbool Ahmad Dar S/o Ali Mohd Dar R/o Hanjibugh -District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Maqbool Ahmad Dar S/o Ali Mohd Dar R/o Hanjibugh -District Budgam (owner of the Vehicle Tractor)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/ 126-130

DI. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Maqbool Ahmad Dar S/o Ali Mohd Dar R/o Hanjibugh -District Budgam (owner of the Tractor)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Winter office-November-April  
Parvesh Bhawan, Forest Complex  
Gladir, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-24769225

Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Aqib Ahmad Hanji S/o Ghulam Rasool Hanji R/o Bujibagh-District Budgam (owner of the vehicle No. JK03E-2126R) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 27 - JKPCCE of 2023  
Dated : 11 -05-2023


Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590* and *Common Cause Vs Union of India (2017) 9 SCC 499*. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Aqib Ahmad Hanji S/o Ghulam Rasool Hanji R/o Bujibagh-District Budgam (owner of the vehicle No. JK03E-2126R)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Aqib Ahmad Hanji S/o Ghulam Rasool Hanji R/o Bujibagh -District Budgam (owner of the vehicle No. JK03E-2126R)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCCE/NGT/114/131-135  
Dt. 11 -05-2023  
Copy to:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Aqib Ahmad Hanji S/o Ghulam Rasool Hanji R/o Bujibagh -District Budgam (owner of the vehicle No. JK03E-2126R)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Shabir Ahmad S/o Abdul Rahman R/o Arizal -District Budgam (owner of the vehicle No. JK04F-4981) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 28 - JKPCC of 2023  
Dated : 11 -05-2023

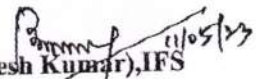
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Shabir Ahmad S/o Abdul Rahman R/o Arizal -District Budgam (owner of the vehicle No. JK04F-4981)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Shabir Ahmad S/o Abdul Rahman R/o Arizal -District Budgam (owner of the vehicle No. JK04F-4981)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/136-140  
Dt. 11 -05-2023  
Copy to the:-

- i. Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- ii. Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- iii. District Mineral Officer, Budgam for information and necessary action.
- iv. **Sh. Shabir Ahmad S/o Abdul Rahman R/o Arizal -District Budgam (owner of the vehicle No. JK04F-4981)** for immediate compliance as directed.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Annex- 29

Winter office-November-April  
Parivesh Bhawan, Forest Complex  
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Narwal, Jammu  
Tel/Fax: 0191-24769225

Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Mohd Iqbal S/o Gh. Mohd R/o Karalpura -District Budgam (owner of the Vehicle No. JK01-6287) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 29 - JKPCC of 2023  
Dated : 11 -05-2023

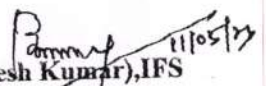
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499*. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Mohd Iqbal S/o Gh. Mohd R/o Karalpura -District Budgam (owner of the Vehicle No. JK01-6287)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Mohd Iqbal S/o Gh. Mohd R/o Karalpura -District Budgam (owner of the Vehicle No. JK01-6287)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/141-145  
Dt. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Mohd Iqbal S/o Gh. Mohd R/o Karalpura -District Budgam (owner of the Vehicle No. JK01-6287) for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Winter office - November-April  
Parvesh Bhawan, Forest Complex  
Gladhi, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-24769225

Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkspcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Ishfaq Ahmad Guroo S/o Abdul Rahman Guroo R/o Malpora -District Budgam (owner of the Vehicle No. JK013G-1173) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 30 - JKPCC of 2023  
Dated : 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Ishfaq Ahmad Guroo S/o Abdul Rahman Guroo R/o Malpora -District Budgam (owner of the Vehicle No. JK13G-11737)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Ishfaq Ahmad Guroo S/o Abdul Rahman Guroo R/o Malpora -District Budgam (owner of the Vehicle No. JK13G-11737)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/146-150

Dt. 11-05-2023

Copy to the:-

- i. Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- ii. Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- iii. District Mineral Officer, Budgam for information and necessary action.
- iv. **Ishfaq Ahmad Guroo S/o Abdul Rahman Guroo R/o Malpora -District Budgam (owner of the Vehicle No. JK13G-11737)** for immediate compliance as directed.

Central Committee for information of the Chairman.



Winter office-November-April  
Parivesh Bhawan, Forest Complex  
Gladhi, Transport Nagar,  
Narwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkspcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Nazir Ashraf S/o Mohd Ashraf R/o Badipora Chadoora -District Budgam (owner of the Tractor) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 31 - JKPC of 2023

Dated : 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors* (2014) 6 SCC 590 and *Common Cause Vs Union of India* (2017) 9 SCC 499. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.50,000/= (Rupees Fifty Thousand only)** to **Sh. Nazir Ashraf S/o Mohd Ashraf R/o Badipora Chadoora-District Budgam (owner of the Tractor)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Nazir Ashraf S/o Mohd Ashraf R/o Badipora Chadoora-District Budgam (owner of the Tractor)** and is hereby directed to deposit a sum of **Rs. 50,000/= (Rupees Fifty Thousand only)** in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPC/NGT/114/151-155  
Dt. 11-05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Nazir Ashraf S/o Mohd Ashraf R/o Badipora Chadoora-District Budgam (owner of the Tractor)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter Office: November-April  
Parvash Bhawan, Forest Complex  
Gladhi, Transport Nagar,  
Harwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

Annex 725

email: membersecretaryjkspcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Zahoor Ahmad Bhat S/o Gh. Rasool Bhat R/o Kralpora R/o Malpora -District Budgam (owner of the Vehicle No. JK01N-8061) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 32 - JKPC of 2023

Dated : 11-05-2023

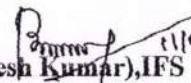
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590* and *Common Cause Vs Union of India (2017) 9 SCC 499*. it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

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Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Zahoor Ahmad Bhat S/o Gh. Rasool Bhat R/o Kralpora -District Budgam (owner of the Vehicle No. JK01N-8061)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPC/NGT/114/156-160  
Dt. 11-05-2023  
Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- District Mineral Officer, Budgam for information and necessary action.
- Sh. Zahoor Ahmad Bhat S/o Gh. Rasool Bhat R/o Kralpora -District Budgam (owner of the Vehicle No. JK01N-8061)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Winter office - November - April  
Farvesh Bhawan, Forest Complex  
Gladia, Transport Nagar,  
Harwal, Jammu  
Tel/Fax: 0191-24769225

Government of Jammu and Kashmir  
J&K POLLUTION CONTROL COMMITTEE  
Jammu



Summer Office: May-October  
Sheikh Alam Campus  
Behind Silk Factory  
Rajbagh Srinagar  
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Bashir Ahmad Bhat S/o Gh. Mohi ud Din Bhat R/o Huroo -District Budgam (owner of the Vehicle No. JK13G-1811) for illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 33 - JKPCC of 2023

Dated : 11 -05-2023


Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in *Goa Foundation Versus Union of India and Ors (2014) 6 SCC 590 and Common Cause Vs Union of India (2017) 9 SCC 499.* it is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of **Rs.1,00,000/= (Rupees One Lakh only)** to **Sh. Bashir Ahmad Bhat S/o Gh. Mohi Ud Din Bhat R/o Huroo -District Budgam (owner of the Vehicle No. JK13G-1811)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon **Sh. Bashir Ahmad Bhat S/o Gh. Mohi Ud Din Bhat R/o Huroo -District Budgam (owner of the Vehicle No. JK13G-1811)** and is hereby directed to deposit a sum of **Rs. 1,00,000/= (Rupees One Lakh only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the Board in J&K Bank Ltd. within **45 days** and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

  
(K. Ramesh Kumar), IFS  
Member Secretary  
JKPCC

No. JKPCC/NGT/114/161-165

Dt. 11 -05-2023

Copy to the:-

- Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- Disrict Mineral Officer, Budgam for information and necessary action.
- Sh. Bashir Ahmad Bhat S/o Gh. Mohi Ud Din Bhat R/o Huroo -District Budgam (owner of the Vehicle No. JK13G-1811)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.

URBAN  
LOCAL  
BODIES  
JAMMU & KASHMIR

Government of Union Territory of Jammu & Kashmir  
**Directorate of Urban Local Bodies Kashmir**  
*Habitat Centre, Bemina, Srinagar*

**The Member Secretary**

Jammu & Kashmir Pollution Control Committee  
Srinagar,

No:- DULB/Estt/2024/32269

Dated: 21/10/2024

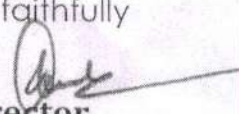
**Subject:- O.A. No. 241/2021 titled Raja Muzaffer Bhat V/s. Union of India & others.**

Sir,

Please refer to your letter No. JKPCC/OA-241/2021/1238 dated: 16.10.2024 regarding the above cited subject. The details of postings of Chief Executive Officers/ Executive Officers, who have remained posted in Municipal Council Budgam and Municipal Committee Chadoora w.e.f. 01.03.2017, are as under:-

S No.	Name of Municipal Council/ Committee	Name of Chief Executive Officer/ Executive Officer	Tenure of posting
1.	Municipal Council Budgam	Syed Nayeem Rizvi Executive Officer	09.12.2016 to 03.01.2019
2.		Anis Ahmad Chowdhary Executive Officer	04.01.2019 to 15.10.2020
3.		Nazir Ahmad Dar I/C Executive Officer	16.10.2020 to 06.09.2023
4.		Mohammad Iqbal Bhat Executive Officer	07.09.2023 to 13.02.2024
5.		Oruj Mohi ud Din Executive Officer	14.02.2024 to till date.
6.	Municipal Committee Chadoora	Nazir Ahmad Dar I/C Executive Officer	14.08.2015 to 14.04.2021
7.		Mushtaq Ahmad Wani I/C Executive Officer	15.04.2021 to 12.09.2022
8.		Nazir Ahmad Dar I/C Executive Officer	15.09.2022 to 14.03.2023
9.		Shahid Yousuf Bhat Executive Officer	15.03.2023 to 06.09.2023
10.		Mohammad Iqbal Bhat Executive Officer	11.09.2023 to 19.02.2024
11.		Mohammad Ismail Mir I/C Executive Officer	19.02.2024 to till date

Yours faithfully

  
Director

Urban Local Bodies