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Government of Jammu and Kashmir
274
J&K Pollution Control Committee

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email: membersecretaryjkspcb@gmail.com

The Consultant (Judicial)
Hon'ble National Green Tribunal (P.B)
New Delhi.

No:- JKPCC/NGT/114/134-136

Date:- 26-05-2023.

Sub:- Response of the J&K Pollution Control Committee w.r.t point no. vi of additional affidavit filed by the applicant Dated 23-05-2023 in OA No. 241/2021 titled Raja Muzaffar Bhat V/s Union of India and Ors.

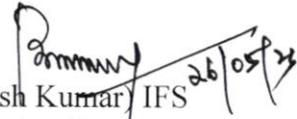
Sir,

In reference to the point no. vi of additional affidavit filed by the Applicant Dated 23-05-2023 in OA No. 241/2021 titled Raja Muzaffar Bhat V/s Union of India and Ors, kindly find enclosed herewith the response w.r.t J&K Pollution Control Committee in this regard.

The response of the J&K Pollution Control Committee to the additional affidavit filed by the applicant is submitted for record.

Yours Sincerely,

Encl:- (As above)


(K. Ramesh Kumar) IFS
Member Secretary
J&K Pollution Control Committee,
Jammu

Copy to the:-

1. Sh. G. M. Kawoosa, Additional Standing Counsel for J&K Govt. in Hon'ble NGT matters in New Delhi, for information and necessary action. This is in reference to govt. of J&K Order no. 8495-JK(LD) of 2022 Dated 12-10-2022.
2. P.A to Chairman J&K Pollution Control Committee for kind information the Chairman.

Response of the J&K Pollution Control Committee w.r.t point no. vi of additional affidavit filed by the applicant Dated 23-05-2023 in OA No. 241/2021 titled Raja Muzaffar Bhat V/s Union of India and Ors.

Background: -

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”.

Accordingly in compliance to the Hon'ble NGT Orders, Environmental Compensation to the tune of Rs. 28.50 lacs has been levied as per the Polluter Pays Principle on the offenders indulged in illegal extraction / transportation of minerals from Doodhganga Nallah and Orders of Environmental Compensation levied against the offenders have been already dispatched to them for depositing the Environmental Compensation within a period of 45 days, failing which an interest @12% on the Environmental Compensation amount shall be levied on them, which shall be complied.

Meanwhile, the applicant has filed Additional Affidavit dt. 23-05-2023 and the response of J&K Pollution Control Committee in this regard is submitted as under:-

Point no. vi of additional affidavit filed by the Applicant: - No compensation imposed upon the project proponent operating illegal mining in River Doodh Ganga at Chadoora.

The applicant in additional affidavit has mentioned that *“The J&K Pollution Control Committee imposed a mere penalty of Rs. 2.50 lakhs upon the contractor undertaking*

riverbed mining in Doodh Ganga upstream on 11.5.2023. That no penalty has been imposed upon the Geology and Mining Department due to whose lackadaisical approach, the illegal mining is still persisting. Further, it is significant to note that the environmental compensation of Rs. 2.50 lakhs has been imposed upon Sh. Gh. Qadir Sheikh, who is the owner of the Excavator. That the J&K Pollution Control Committee has failed to impose the environmental compensation upon the actual project proponent, Shri Danish Yusuf, who has obtained the Environmental Clearance”.

In this regard, the point no. vi of the additional affidavit filed by the applicant as referred above is denied since the J&K Pollution Control Committee has levied environmental compensation to the tune of Rs. 28.50 lakhs on the offenders for illegal mining in Doodh Ganga and the status report has been filed before the Hon'ble NGT by the J&K Pollution Control Committee vide communication no. JKPCC/NGT/114/40-42 dt. 12-05-2023. The copies of environmental compensation orders are annexed as Annexure 1 - 33.

Further, it is submitted that the Environmental Compensation has not been levied against the project proponent since the District Mineral Officer, Budgam vide its communication no. **DMO/Bud/DGM/F-05/2903-2906** dt. **27-12-2022** has categorically informed that the lease holders of Minor Mineral Block No. 11 (Chadoora old Bridge to Hanjigund D/S Doodhganga Nallah) and Block No. 12 (Chadoora Foot Bridge to Sogam Bridge U/S Doodhganga Nallah) have not been found involved in illegal mining within or outside the peripheries of their respective blocks. Copy of letter from District Mineral Officer Budgam dt. **27-12-2022** is annexed as **Annexure 34**.

Hence, the response of the J&K Pollution Control Committee to the additional affidavit filed by the applicant is submitted for record.





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Jammu



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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.
- P.A to Chairman J&K Pollution Control committee for information of the Chairman.



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Annex-2

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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 - JKPC of 2023
Dated : 11-05-2023

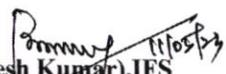
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **241/2021** titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated **08-03-2022** has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well 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 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
JKPC

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

Copy to the:-

- Deputy Commissioner/District Magistrate, Bdgam 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.



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Annex-3

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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 - JKPC of 2023
Dated : 11 -05-2023

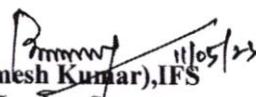
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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. 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:-

- 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. Abdul Ahad Bhat S/o Ghulam Mohd Bhat R/o Naru-District Budgam (owner of Tractor)** for immediate compliance as directed.
- v) P A to Chairman I&K Pollution Control Committee for information of the Chairman



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email: membersecretaryjkpcb@gmail.com

Amr. 4.

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

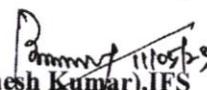
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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:-

- 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. Gh. Qadir Sheikh S/o Gh. Ahmad sheikh R/o Dadompura-District Budgam (owner of Excavator) for immediate compliance as directed.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



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email: membersecretaryjkpcb@gmail.com

Sub: Levying of Environmental Compensation on Sh. Safeer 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

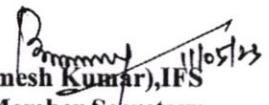
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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. Safeer 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. Safeer 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

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. Safeer Ahmad Malik S/o Sh. Ali Mohd Malik R/o Kargam-District Budgam (owner of Tractor)** for immediate compliance as directed.
- v. P.A. to Chairman, J&K Pollution Control Committee for information of the Chairman.



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Annex- 6

email: membersecretaryjkpcbb@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

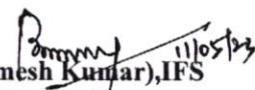
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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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Tel/Fax: 0191-24769225

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J&K POLLUTION CONTROL COMMITTEE
Jammu



Summer Office: May-October
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Behind Silk Factory
Rajbogh Srinagar
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Amme-7.

email: membersecretaryjkpcb@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 - 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 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. JKPCC/NGT/114/ 31-35
Dt. 11 -05-2023

Copy to the:-

- i. Deputy Commissioner/District Magistrate, Bdogam 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 please.
- iv. **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.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.\



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email: membersecretaryjkpcc@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 - 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 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
11/05/23

No. JKPC/NGT/114/36-40
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.



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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:-

- 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 Lateef Ahmad Mir S/o Abdul Gani Mir R/o Hussipora Chadora-District Budgam (Owner of the Chassis)** for immediate compliance as directed.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



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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

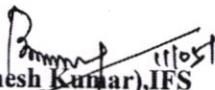
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **241/2021** titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated **08-03-2022** has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well 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.



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Annex - 11

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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/ 51-SS
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 Younis Farooq S/o Farooq Ahmad Sofi R/o Naoam 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.



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Jammu



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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.: /2 - JKPC of 2023
Dated : 11-05-2023

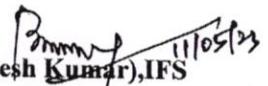
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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:-

- 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 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.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



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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

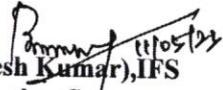
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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. 002304051000001** 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/114/61-65
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 Mehraj ud Din Bhat S/o Abdul Gani Bhat R/o Razwen -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.



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Anup - 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 - JKPC of 2023
Dated : 11-05-2023

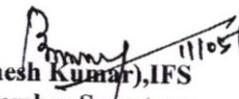
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **241/2021** titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated **08-03-2022** has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well 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 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. JKPC/NGT/114/66-70
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 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.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.

Amr - 15

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



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Harwal, Jammu
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Rajbagh Sringeri
Ph/Fax: 0194-231145

email: membersecretaryjkpcb@gmail.com

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

ORDER NO.: 15 - 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. Basharat Ahmad Yattoo S/o Noor Mohd Yattoo 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 Yattoo S/o Noor Mohd Yattoo 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. JKPC/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 Yattoo S/o Noor Mohd Yattoo 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



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Jammu



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Behind Silk Factory
Rajbigha, Srinagar
Ph/Fax: 0194-2311165

email: membersecretaryjkpcb@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

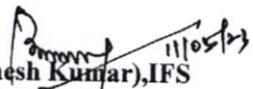
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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/114/176-20
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. 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.



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Annex - 17

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

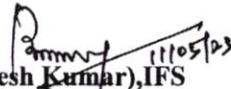
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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:-

- 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. 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.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



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Jammu



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Rajbagh 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 - 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. 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:-

- 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. Nazir Ahmad Chopan S/o Gh. Ahmad Chopan R/o Panzan -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.



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Annex - 19

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 - 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 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. JKPCC/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.



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email: membersecretaryjkpcb@gmail.com

Amme - 20

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 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. 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.



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email: memberssecretaryjkpsc@gmail.com

Annex - 21

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 - JKPC of 2023
Dated : 11 -05-2023

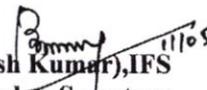
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Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation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



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



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Ph/Fax 0194-2311165

email: membersecretaryjkpcb@gmail.com

Amey - 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.



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Amny - 23

email: membersecretaryjkcpcb@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 - JKPCC of 2023
Dated : 11-05-2023

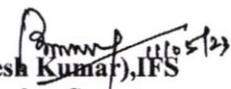
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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. 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.



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email: membersecretaryjkpcb@gmail.com

Annex - 24

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 - JKPC of 2023
Dated : 11-05-2023

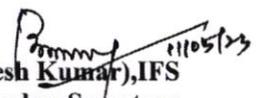
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **241/2021** titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated **08-03-2022** has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well 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. 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
JKPC

No. JKPC/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.



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



Amnye - 25

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

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

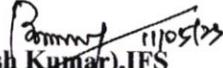
Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled **Raja Muzaffar Bhat Versus Union of India and Ors.** vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the 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. Khursheed Ahmad Yattoo S/o Feroz Ahmad Yattoo 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 Yattoo S/o Feroz Ahmad Yattoo 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. JKPCC/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 Yattoo S/o Feroz Ahmad Yattoo 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 & Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



Anne - 26

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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 - 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. 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. JKPC/NGT/114/ 126 -130

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. 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.



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



Amme - 27

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Rajbagh Srinagar
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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 - 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. 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. JKPCC/NGT/114/131-135

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. 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.



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304
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email: membersecretaryjkspcb@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 - 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".

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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. JKPC/NGT/114/136-140

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. Shabir Ahmad S/o Abdul Rahman R/o Arizal -District Budgam (owner of the vehicle No. JK04F-4981)** for immediate compliance as directed.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of Jammu ³⁰⁵ 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. 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 - 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 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.



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



Annex-30

Winter office-November-April
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email: membersecretaryjkpcb@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:-

- 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.
- 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.
- P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



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



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Ph/Fax 0194-2311165

email: membersecretaryjkpcb@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
JKPC

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.



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



Anno-32

Winter office-November-April
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Behind Silk Factory
Rajbagh Srinagar
Ph/Fax 0194-2311165

email: membersecretaryjkpcb@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.

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. Zahoor Ahmad Bhat S/o Gh. Rasool Bhat R/o Kralpora -District Budgam (owner of the Vehicle No. JK01N-8061)** as per the directions of Hon'ble NGT and guidelines framed in this behalf.

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.



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309

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



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Ph/Fax 0194-2311165

email: membersecretaryjkpcpcb@gmail.com

Amr-33

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 - 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".

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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.
- District 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.

OFFICE OF THE DISTRICT MINERAL OFFICER, BUDGAM

GEOLOGY & MINING DEPARTMENT

Ph: 7006733395

SIDCO COMPLEX OMPORA BUDGAM

email: dmobudgam12@gmail.com

The District Officer,
J&K Pollution Control Committee,
Budgam

No:- DMO/Bud/DGM/F-05/2903-2906

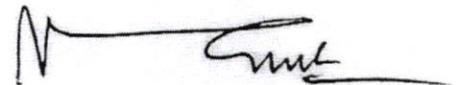
Dated: 27.12.2022

Subject:- Illegal mining in Doodhganga Nallah and penalty thereof.

Sir,

Kindly refer to the subject cited above. In this context, it is to inform that the lease holders of Minor Mineral Block No. 11 (Chadoora old bridge to Hanjigund D/S Doodhganga Nallah) and Block No. 12 (Chadoora Foot Bridge to Sogam Bridge U/S Doodhganga Nallah) have not been found involved in illegal mining within or outside the peripheries of their respective blocks. The fine realized as communicated in the Action Taken Reports furnished from time to time from this office has been collected from tractor/tipper/machine owners found indulged in illegal extraction/transportation of minerals from Doodhganga Nallah. It is worthwhile to place on record that the seized vehicles/machinery as communicated in the above said ATRs are not recorded on the name of Lease Holders of the said Blocks.

Yours faithfully,



District Mineral Officer,
Budgam

Copy to the:

1. Deputy Commissioner, Budgam for favour of information.
2. Director Geology & Mining Department, Jammu for favour of information.
3. Joint Director (K), Geology & Mining Department Srinagar for favour of information.