

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO. 620 OF 2024**

**IN THE MATTER OF**

Bashir Ahmed Bhat & Ors.

...Applicants

Versus

National Highways Authority of India & Ors.

....Respondents

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PLACE: NEW DELHI

DATED: 29.10.2025

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**ORIGINAL APPLICATION NO. 620 OF 2024**

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**REJOINDER ON BEHALF OF THE APPLICANTS TO THE  
REPORT OF THE CHIEF HORTICULTURE OFFICER,  
BUDGAM, J&K**

**MOST RESPECTFULLY SHOWETH:-**

1. That present Application is filed before the Hon'ble Tribunal under Section 15 read with Section 20 of the National Green Tribunal Act, 2010 raising the issue of environmental damage in form of dust pollution and water logging which has led to flooding of the Orchards of the Applicants at village Wathoora, Tehsil, Chadoora in District Budgam in the Union Territory of Jammu and Kashmir. The Environmental damage has occurred due to the construction of Srinagar Ring Road passing through Village Wathoora, Tehsil, Chadoora in District Budgam in the Union Territory of Jammu where the Apple Orchards of the Applicants are situated. Infact, not only the Orchards/Agricultural fields of the Applicants but as per the information available with the Applicants a total of approximately 50-60 acres of Orchards/agricultural fields have been adversely impacted in the villages of Khanda Suthsoo, Ganji Bagh, Gowherpora, Wathora Bugam, Lalgam, Lal Gund, Gudsathoo, Wulnu, Ichgam and Dharmuna due to dust pollution and water logging in their respective Orchards/Agricultural Fields. All this has led to a severe

damage of the apple orchards and crops like oats and mustard. The Applicants also submit that the NHAI was duty bound to get done a thorough Environment Impact Assessment (EIA) done as required under Section 3 (2) (v) of the Environment Protection Act, 1986 read with Rule 5 sub-rule (3) clause (d) of the Environment Protection Rules, 1986. The EIA & EMP got done by the NHAI through its consultant Louis Berger Consulting Pvt. Ltd. in 2015 is superficial and deficient in taking care of the actual impact on the Environment as is evident from the facts of the present case. Hence there is violation of the provisions of Environment Protection Act, 1986 read with Rules the Environment Protection Rules, 1986 which is a Schedule I enactment and within the jurisdiction of this Hon'ble Tribunal.

2. That the contents of the Original Application may be read as part and parcel of this Rejoinder and the contents of the said Original Application are not been repeated herein for the sake of brevity. All the contents of the Replies filed by the Respondent NHAI and NKC Projects Pvt Ltd. are denied in toto unless they are specifically admitted herein.
3. The Applicants are filing this Rejoinder to the report of the Chief Horticulture Officer, Budgam, J&K .
4. That the Jammu & Kashmir Pollution Control Committee in compliance to Hon'bte National Green Tribunal's directions dated 27.05.2024 passed in the abovementioned OA on page 250 had cited a Report of the Chief Horticulture Officer, Budgam and Project Director, NHAI furnished a fresh report vide his No. PCC/RDK/P3/20241579-581 dated 02-09-2024 (and submitted as under:-

- 1) The orchard of the applicant is approximately 25 meters away from the embankment of newly constructed ring road. The local nallah was earlier diverted by National Highway Authority of India for construction of bridge which is likely to have caused water logging. The Nallah has been restored in its original course and no flooding / water logging was observed at any place in the surrounding area during the inspection.
- 2) Other than the constructions of ring road project, no other development /construction activities were observed.
- 3) That the orchard of petitioner has fruit trees mostly of plum and pear with some scattered tress of quince apple, locally catted bamsoot. All these fruit tress were found green and healthy.
- 4) That the Horticulture Department was also approached with the request to assess the damage, if any, has occurred in the orchards and share total area effected and extent of damage to the orchard of the applicant vide No. PCC/RDK/PS/2024|570-573 dated 31-08-2024 (copy enclosed as Annexure-5)
- 5) That the Horticulture Development Officer, Chadoora after visiting the site on 2-09-2024 along with District level subject Matter Specialist (pomology Budgam) on spot at crossing point of Ring Road at Wathoora-Budgam road having geo-coordinates Latitude 33.964706, Longitude 74.820925 reported that no damage has been caused to any existing orchard due to the floods during the month of April 2024 vide No. HDO/CHD/2024-25/126 dated 02-09-2024. (copy enclosed as Annexure-6).
- 6) During the inspection, no excavation site was found within the construction area of Srinagar Ring Road near the orchard of petitioner. The Regional Director, J&K PCC, Kashmir has furnished detail of the NoCs obtained by the NHAI from the respective Deputy Commissioners. The details of NoCs and locations

(Borrow area) from where clay has been extracted by the NHAI reveals that NHAI has excavated clay from different locations in Districts Pulwama, Budgam, Baramulla and Bandipora.

7) Air Quality Monitoring was carried out by the Air lab J&K PCC, Kashmir within the orchard of the applicant. As per the report, the value of PM<sub>10</sub> is 148.18 ug/m<sup>3</sup> and of PM<sub>2.5</sub> is 68.07 ug/m<sup>3</sup> which is above the prescribed standard.

5. That in the Report of J&K PCC it is reported that *“no damage has been caused to any existing orchard due to the floods during the month of April 2024”* as per the Horticulture Department. The Applicants submit that this finding is incorrect and hence denied. The Horticulture Department has informed the Committee on 02.09.2024 i.e after about 4 months about non-occurrence of any floods whereas the Photographic evidence on record and J&K PCC’s own findings say that *“the local nallah was earlier diverted by National Highway Authority of India for construction of bridge which is likely to have caused water logging. The Nallah has been restored in its original course and no flooding / water logging was observed at any place in the surrounding area during the inspection.”* Also the report says that all these fruit trees were found green and healthy which is denied. It is submitted that due to the constant water retention in the apple orchards the fruit production was less than 50 % and it also caused lots of diseases in the trees like fungal infection / scab etc. The apples produced didn’t even fetch Rs 50 kg in the market and this season also the Applicants don’t expect to get good yield. It is submitted that the on the report of the Horticulture Department at page 250 of the record, it is submitted that after four months it is highly unlikely that the

flooding would be visible in August which has happened in April of the same year i.e 2024. It is further submitted that after the water came out / dried up due to sunlight, the area witnessed massive Dust Pollution from June, 2024 onwards.

6. That it is also submitted that the waterlogging has happened in the Orchards/agricultural fields in at Village Wathoora, Tehsil, Chadoora in District Budgam, Union Territory of Jammu and Kashmir adjacent to the ring road i.e about 2-3 meters and not 25 meters away as has been written in Report of the J&K PCC.

**Subsequent events and continuing of the violations by Respondent No.2-NKC**

7. That subsequently, the Applicants made an Application to the Chief Horticulture Officer, District Budgam requesting for re-assessment of damage caused to apple/ plum trees due to waterlogging, dust pollution at Wathoora, Budgam Road due to construction of Ring Road Project.
8. That the Office of the Chief Horticulture Officer, District Budgam carried out a site visit on 11.10.2025 and gave the following report:-

**“SUBJECT: DAMAGE TO THE PLUM AND APPLE ORCHARDS AT WTHOORA DUE TO CONSTRUCTION OF RING ROAD-COMMITTEE REPORT THEREOF**

The committee visited and inspected the spot on 11/10/2025 along with the representative of the orchardists, and the following observations were recorded on the spot:

The plum and apple orchards are situated in close proximity to the under construction ring road. Due to the extensive earth filling for the elevated construction of ring road, the natural drainage

system of the orchards has become clogged, and the soil pores beneath the surface which plays a vital role in percolation and drainage of the water have also been clogged as a result of compaction caused by heavy machinery used for levelling operations.

It was further observed that a large number of small drains have been constructed to avoid the accumulation of water on the ring road highway, but unfortunately, however the outflow of these drains have been directed towards the adjoining plum and apple orchards, which has aggravated the problem of water logging in these orchards. If the situation persists, there is high likelihood that the orchards will suffer severe damage due to prolonged waterlogging.

**Recommendations;**

It is strongly recommended that a proper drainage channel be constructed along the ring road on the orchard side. The Discharge from this drainage can conveniently be diverted towards the existing canal located just a few meters away, thereby ensuring smooth water outflow and preventing further waterlogging in the orchards to avoid any damage in future.

Sd/-  
Horticulture Dev. Officer  
Chadoora

Sd/-  
DLSMS (Entomology)  
Budgam

9. That infact, the Respondent No.2-NKC while constructing the ring road fly over has constructed small drains which allows flushing of rainwater/snow into Applicants orchards and adjoining agriculture farms of other farmers. The outflow of these drains has been directed towards the adjoining plum and apple orchards, which has aggravated the problem of water logging in these orchards. If the situation persists, there is high

likelihood that the orchards will suffer severe damage due to prolonged waterlogging. The water logging is mainly due to diversion of local water channel/nallah. The problem has been mainly a drainage related issue and the diversion thereof as well as clogging of drains due to construction of ring road. Ideally, the Respondent No.2 should have constructed these small drains and joined them with the Kralpora Kul is main Irrigation canal in which all the rainwater gets drained into it finally in this area through small drains but these small drains are chocked and cut by Respondent No.2-NKC leading diversion/clogging at other places.

Copy of the Report dated 22.10.2025 of the Office of the Chief Horticulture Officer, Budgam, J&K is annexed herewith as **ANNEXURE-A4.**

Recent photographs of the construction of small drains which allows flushing of rainwater/snow into Applicants orchards and adjoining agriculture farms of other farmers from the elevated portion of the ring road are annexed herewith as **ANNEXURE-A5 (Colly).**

10. That It is reiterated that there has been environmental damage in form of dust pollution and water logging which has led to flooding of the Orchards of the Applicants at village Wathoora, Tehsil, Chadoora in District Budgam in the Union Territory of Jammu and Kashmir. The Environmental damage has occurred due to the construction of Srinagar Ring Road passing through Village Wathoora, Tehsil, Chadoora in District Budgam in the Union Territory of Jammu where the Apple Orchards of the Applicants are situated. This fact also stand proved by the report of the J&K Pollution Control Committee which says at

page 256 that course of the Water Channel may have caused flooding that was earlier diverted for construction of Bridge at Wathoora – Bugam Road near applicants orchard. The report reads :

“ The course of the water channel / nallah which was earlier diverted for construction of the bridge may have caused flooding in the surroundings. This water channel has now been restored to its original course and no flooding and water logging was observed at any place in the surrounding areas during the inspection “

11. That it is submitted that the report of J&K Pollution Control Committee is self-explanatory as the J&K PCC team has admitted that flooding has taken place. With regard to inspection the same was carried on 20.08.2024 and this was after almost 4 months of the flooding that had taken place. Due to the constant water retention in the apple orchards the fruit production was less than 50 % and it also caused lots of diseases in the trees like fungal infection / scab etc. The apples produced didn't even fetch Rs 50 kg in the market and this season also the Applicants don't expect to get good yield.
12. That it is submitted that the after the water came out / dried up due to sunlight, the area witnessed massive Dust Pollution from June, 2024 onwards. Pertinently the massive trucks carrying the clay / soil from nearby Karewas has been unloaded around the Apple Orchard of the Applicants- Bashir Ahmad Bhat and others and this caused huge Dust Pollution in the area and even the apple /plum flowering has been impacted and production of fruit and other crops has come down drastically.

**Very poor Air Quality**

13. The response of J&K Pollution Control Committee -Page 256 at Point No 5 mentions about Air Quality. The same was sought and the quality of the air in the construction site near Apple Orchard of Bashir Ahmad Bhat and others is very bad. The report reads :

“ The air quality report reveals that PM10 PM2.5 is above the prescribed standards “

14. The said report is mentioned on page 257 which has been prepared by the Air Lab Team of J&K Pollution Control Committee. The air quality near orchard of Bashir Ahmad Bhat is very bad. PM 10 was recorded as 148.18 which is very dangerous as normal value is 0 to 50 or max 100. This report means the air quality is unhealthy for individuals and plants as well.

15. That the Report dated 10.09.2024 has been filed by the J&K PCC disclosing that a Joint Committee was constituted which had conducted the site inspection and had found as under:-

*“That the Joint committee after conducting the site inspection furnished a inspection report along with its observations and recommendations vide his No. PCC/RDK/PS/2024/564-565 dated 30-08-2024 (copy enclosed as Annexure-2). The joint committee reported as under:-*

*1) Flooding may have been caused due to diversion of the course of water channel/ nallah, which has been restored now. No flooding/water togging observed during the inspection.*

*2) No developmental activity other than the ring road project observed in the proximity of the apple orchard. The orchard is approximately 25 meters away from the embankment of road.*

3) *Dust observed in the area is due to the unmetalled road, which could have adversely affected the orchards.*

4) *The air quality monitoring carried out by the Air Lab. J&K PCC, Kashmir reveals that PM10 and PM2.5 is above the prescribed standards.”*

16. Therefore, the Environmental damage has occurred due to the construction of Srinagar Ring Road passing through Village Wathoora, Tehsil, Chadoora in District Budgam in the Union Territory of Jammu where the Orchards of the Applicants are situated.
17. It is re-iterated that the NHAI was duty bound to get a thorough Environmental Impact Assessment (EIA) done in terms of Section 3 (2) (v) of the Environment Protection Act, 1986 read with Rule 5 sub-rule (3) clause (d) of the Environment Protection Rules, 1986. The EIA Report got done by the NHAI through it's consultant Louis Berger Consulting Pvt. Ltd. in 2015 mentions the in Table 0.4: Key Environmental Impacts and Management Measures and with respect to drainage it is mentioned as follows in the EIA Report:-

Area	Impacts	Management Measures
<b>Construction Phase</b>		
Drainage	<ul style="list-style-type: none"> <li>• Change in drainage pattern of the land.</li> <li>• Increased incidence and duration of floods due to obstruction of natural drainage courses by the road embankment.</li> </ul>	<ul style="list-style-type: none"> <li>• Adequate lined and covered drains are provided for the project to facilitate its long life, and to avoid soil erosion &amp; land degradation.</li> <li>• Adequate cross drainage works &amp; structures will be provided for smooth passage of runoff to avoid flooding.</li> </ul>

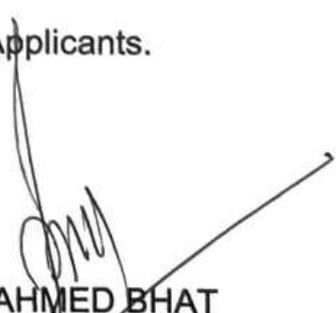
	<ul style="list-style-type: none"> <li>• Chances of filling of existing drainage courses during earth filling.</li> </ul>	<ul style="list-style-type: none"> <li>• Steps at the bridge sites will be provided to inspect, regular cleaning and inspection of these sites.</li> <li>• Filling of existing drainage courses will be strictly avoided.</li> <li>• Suitable drainage at construction site &amp; camp will be provided to avoid water stagnation, soil erosion &amp; mosquito breeding.</li> </ul>
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18. The EIA & EMP got done by the NHAI through it's consultant Louis Berger Consulting Pvt. Ltd. in 2015 is deficient in taking care of the actual impact on the Environment and Management Measures as provided for in Key Environmental Impacts and Management Measures and with respect to drainage in the EIA have not been met. Hence there is a violation of the Section 3 (2) (v) of the Environment Protection Act, 1986 read with Rule 5 sub-rule (3) clause (d) of the Environment Protection Rules, 1986 and the issue in hand pertains to violation of a Schedule I enactment of the NGT Act, 2010 and within the jurisdiction of this Hon'ble Tribunal. There is poor impact assessment of natural drainage system that has led to massive impact on orchards leading to submergence of Orchard lands and damaging of crops.

Copy of the relevant page of the EIA dealing with Key Environmental Impacts and Management Measures with respect to drainage **ANNEXURE-A6**.

19. That it is submitted that this is a clear cut case of liability of NHAI and it's contractor NKC Projects Pvt. Ltd to pay compensation to the Applicants for damage to their Orchards/agricultural fields on the basis of principles of No Fault Liability as per Section 17 of the NGT Act, 2010.
20. The NHAI and it's contractor NKC Projects Pvt. Ltd are also duty bound under Section 15 of the NGT Act, 2010 for restoration, restitution and remediation of the Orchards/agricultural fields of the Applicants and other villages/ area in their vicinity to it's original state and pay forthwith compensation to the Applicants.
21. As per Section 20 of the NGT Act, 2010 the principle of polluter pays is part of the NGT Act, 2010 and the Applicants rely on the said provision for imposition of a suitable compensation by this Hon'ble Tribunal.
22. Therefore, the prayer in the Original Application may very kindly be allowed in view of the above-mentioned facts and circumstances.

Any other or further relief may also be granted in favour of the Applicants.

  
BASHIR AHMED BHAT  
Applicant No.1

THROUGH



SAURABH SHARMA



BIJAY KUMAR

Advocates

Counsels for the Applicants

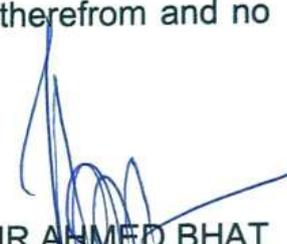
Chamber No. 746, Lawyers Chamber Block,

Saket, New Delhi

e-mail: saurabh.envirolawyer@gmail.com

(M): 9810983559

VERIFICATION: Verified today on this 28<sup>th</sup> Oct 25 at Srinagar, Union Territory of J&K do hereby verify and declare that the facts mentioned above are true and correct nothing material has been concealed therefrom and no part of it is false.



BASHIR AHMED BHAT  
Applicant No.1

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 620 OF 2024

**IN THE MATTER OF**

Bashir Ahmed Bhat & Ors.

...Applicants

Versus

National Highways Authority of India & Ors.

....Respondents

**AFFIDAVIT**

I, Bashir Ahmed Bhat, son of Shri Ghulam Mohammad Bhat, aged about 72 years, resident of Alamdar Colony, Gopalpora, Chadoora, District Budgam, Union Territory of Jammu & Kashmir, do hereby solemnly affirm and declare as under:-

1. That I am the Applicant No.1 in the abovementioned Original Application and therefore competent to swear the present Affidavit on my behalf and my Co-Applicants.
2. That the accompanying Rejoinder has been drafted by my counsel on my instructions and the contents of the same are true and correct to my knowledge.



*[Handwritten Signature]*  
 DEPONENT

**VERIFICATION:** Verified today on this 28<sup>th</sup> October 25 at Srinagar, Union Territory of J&K do hereby verify and declare that the facts mentioned above are true and correct nothing material has been concealed therefrom and no part of it is false.

**Certified that the statement**  
**declared on oath before me**  
 on 28/10/25 at Srinagar  
 and who is identified by  
Bashir Ahmed Bhat  
*[Signature]*  
**Nazia Hashim (Advocate)**  
**Notary Public Srinagar**

*[Handwritten Signature]*  
 DEPONENT  
*[Handwritten Signature]*  
*[Handwritten Signature]*



सत्यमेव जयते

## INDIA NON JUDICIAL

## Government of Jammu and Kashmir

₹ 10

e-Stamp

**Certificate No.** : IN-JK87914142851881X  
**Certificate Issued Date** : 28-Oct-2025 02:19 PM  
**Account Reference** : NEWIMPACC (SV)/ jk12541104/ SRINAGAR/ JK-SN  
**Unique Doc. Reference** : SUBIN-JKJK1254110460643141792280X  
**Purchased by** : Bashir Ahmed Bhat  
**Description of Document** : Article 4 Affidavit  
**Property Description** : Not Applicable  
**Consideration Price (Rs.)** : 0  
 (Zero)  
**First Party** : Bashir Ahmed Bhat  
**Second Party** : Not Applicable  
**Stamp Duty Paid By** : Bashir Ahmed Bhat  
**Stamp Duty Amount(Rs.)** : 10  
 (Ten only)



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## Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
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GOVERNMENT OF JAMMU AND KASHMIR  
OFFICE OF THE CHIEF HORTICULTURE OFFICER BUDGAM

Tele/Fax: - 01951-255278.

E-Mail:- horticulturechiefbudgam2016@gmail.com.

The Deputy Commissioner,  
Budgam.

No:- CHO/Bud/Dev/2025-26/5705-06

Dated: -22/10/2025.

Subject:- Reassessment of Damage to Apple/Plum Trees Due  
to Construction of Ring Road Project at Wathoora  
Chadoora - Committee Report

Sir,

Apropos to the subject cited above, it is submitted that this office received a representation from the following applicants seeking reassessment of damage caused to apple and plum trees due to the construction of the Ring Road Project at Wathoora Chadoora:

1. Bashir Ahmad Bhat, S/o Mohd Afzal Bhat
2. Nazir Ahmad Bhat, S/o Mushtaq Ahmad Bhat
3. Gowhar Ahmad Bhat, S/o Barkat Ali Bhat

In response to the said representation, a Committee was constituted by this office to assess the reported damage. The said Committee visited the spot and furnished their report (copy enclosed)

As such it is requested to your good self, that the matter may kindly be got taken up with the concerned authorities for addressing the said issue.

Yours Faithfully

*Shafiq*  
(Shafiqa Khalid)

Chief Horticulture Officer  
Budgam.

Encl 2 leaves

Copy to the: -

- Bashir Ahmad Bhat S/o Mohd Afzal Bhat, Nazir Ahmad Bhat S/o Mushtaq Ahmad Bhat and Gowhar Ahmad Bhat S/o Barkat Ali Bhat for information.

**SUBJECT: DAMAGE TO THE PLUM AND APPLE ORCHARDS AT WTHOORA DUE TO CONSTRUCTION OF RING ROAD-COMMITTEE REPORT THEREOF**

The committee visited and inspected the spot on 11/10/2025 along with the representative of the orchardists, and the following observations were recorded on the spot:

The plum and apple orchards are situated in close proximity to the under construction ring road. Due to the extensive earth filling for the elevated construction of ring road, the natural drainage system of the orchards has become clogged, and the soil pores beneath the surface which plays a vital role in percolation and drainage of the water have also been clogged as a result of compaction caused by heavy machinery used for levelling operations.

It was further observed that a large number of small drains have been constructed to avoid the accumulation of water on the ring road highway, but unfortunately, however the outflow of these drains have been directed towards the adjoining plum and apple orchards, which has aggravated the problem of water logging in these orchards. If the situation persists, there is high likelihood that the orchards will suffer severe damage due to prolonged waterlogging.

**Recommendations;**

It is strongly recommended that a proper drainage channel be constructed along the ring road on the orchard side. The Discharge from this drainage can conveniently be diverted towards the existing canal located just a few meters away, thereby ensuring smooth water outflow and preventing further waterlogging in the orchards to avoid any damage in future.

  
Horticulture Dev. Officer  
Chadoora

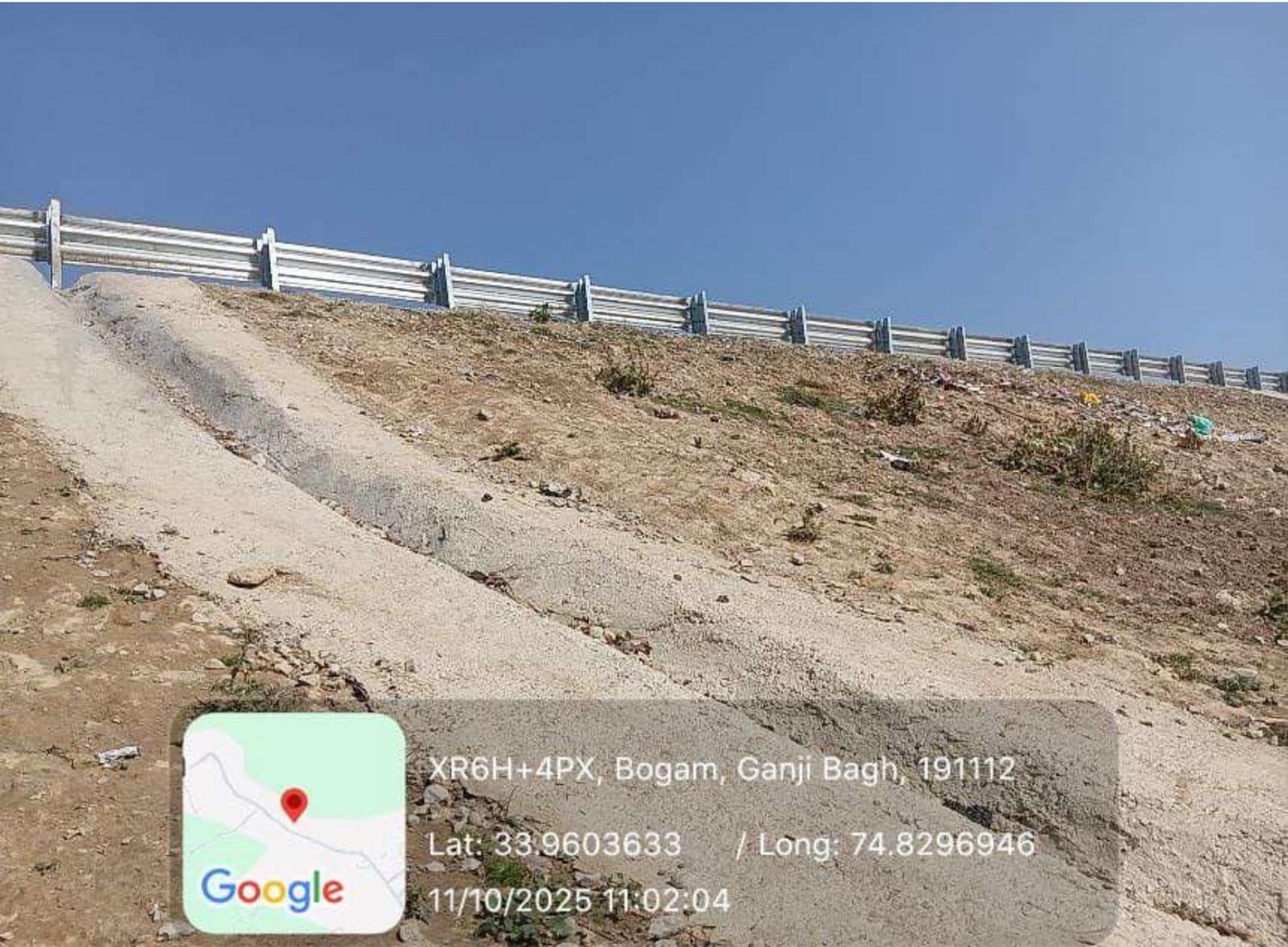
  
DUSMS (Entomology)  
Budgam  
22/10/2025

**Copy to;**

Chief Horticulture Officer Budgam for information and further necessary action.







XR6H+4PX, Bogam, Ganji Bagh, 191112

Lat: 33.9603633 / Long: 74.8296946

11/10/2025 11:02:04



XR6H+4PX, Bogam, Ganji Bagh, 191112

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11/10/2025 10:58:35

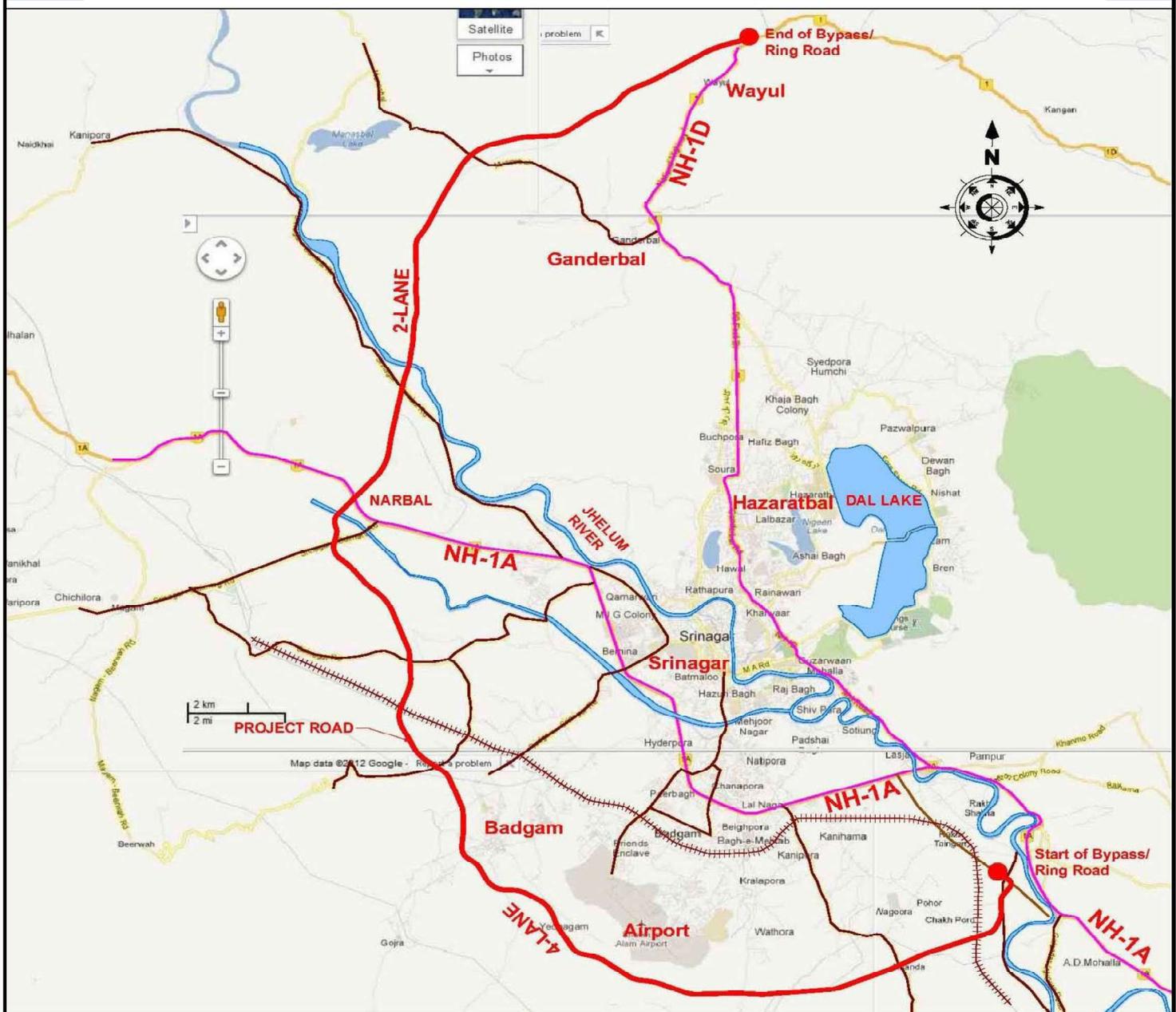


# NATIONAL HIGHWAYS AUTHORITY OF INDIA

## भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

Consultancy Services for Preparation of Feasibility-cum-Preliminary Design Report for construction of stand alone Ring Road/Bypass around Srinagar city in the State of Jammu and Kashmir under NHDP Phase VII

### Environmental Impact Assessment (EIA) & Environmental Management Plan (EMP) Report



**February 2015**

QCI/NABET-Accreditation Sl.No. 86



*Submitted By:*

**Louis Berger Consulting Pvt. Ltd.**

Engineers • Planners • Scientists • Economists

Plot No. 3, 5th Floor, Tower B, Sector 32, Surinder Jakhar Bhavan (IFFCO), Gurgaon-122001, Haryana, India



Table 0.4: Key Environmental Impacts and Management Measures

Area	Impacts	Management Measures
<b>Construction Phase</b>		
Topography & geology	<ul style="list-style-type: none"> <li>• Disfiguration &amp; change in existing profile of the land due to borrow pits &amp; construction of new bypass.</li> <li>• Disturbance on geological setting due to quarrying.</li> <li>• Uncontrolled digging of borrow pits resulting in water accumulation &amp; breeding of vector disease.</li> </ul>	<ul style="list-style-type: none"> <li>• Borrow pits will be restricted to 1 m depth followed by resurfacing of pits.</li> <li>• Road building materials will be procured from approved and licensed quarries only.</li> <li>• Suitable seismic design of the bridge structures will be adopted to mitigate the earthquake impacts.</li> </ul>
Soil	<ul style="list-style-type: none"> <li>• Disruption &amp; loss of productive top soil from agricultural fields due to borrow pits which may reduce crop yield.</li> <li>• Loosening of top soil &amp; loss of vegetative cover along the road due to excavation &amp; back filling which will lead to enhanced soil erosion.</li> </ul>	<ul style="list-style-type: none"> <li>• Adequate measures like adequate drainage, embankment consolidation &amp; slope stabilization will be taken along the road to avoid soil erosion.</li> <li>• Top soils (15 cm) of borrow pit sites will be conserved and restored after excavation is over.</li> <li>• Accidental spillage of lubricants/oil and molten asphalt will be avoided by adherence to good practices.</li> </ul>
Land use	<ul style="list-style-type: none"> <li>• Loss of agricultural land resources due to land acquisition for the road.</li> <li>• Generation of solid waste in the form of construction spoils from construction sites.</li> <li>• Changes in existing land use pattern of the ROW for construction of the road.</li> <li>• Loss of trees</li> <li>• Generation of bituminous waste due to scarifying of damaged pavement</li> </ul>	<ul style="list-style-type: none"> <li>• Earth material generated from excavation of roadways &amp; drainage will be reused during site development.</li> <li>• Construction debris will be disposed of in suitable pre-identified dumping areas.</li> <li>• Dumping areas will be biologically reclaimed.</li> <li>• Construction camp will be provided to avoid indiscriminate settlement of construction workers.</li> <li>• Compensatory and additional plantation will be carried out along the road</li> <li>• Staging of the debris on / along the road will not be allowed. Regular inspection of construction site will be carried out to ensure for this.</li> <li>• Scarified bitumen will be recycled for use below Sub grade under pavement or below GSB under shoulder.</li> </ul>
Drainage	<ul style="list-style-type: none"> <li>• Change in drainage pattern of the land.</li> <li>• Increased incidence and duration of floods due to obstruction of natural drainage courses by the road embankment.</li> <li>• Chances of filling of existing drainage courses during earth filling.</li> </ul>	<ul style="list-style-type: none"> <li>• Adequate lined and covered drains are provided for the project to facilitate its long life, and to avoid soil erosion &amp; land degradation.</li> <li>• Adequate cross drainage works &amp; structures will be provided for smooth passage of runoff to avoid flooding.</li> <li>• Steps at the bridge sites will be provided to inspect, regular cleaning and inspection of these sites.</li> <li>• Filling of existing drainage courses will be strictly avoided.</li> <li>• Suitable drainage at construction site &amp; camp will be provided to avoid water stagnation, soil erosion &amp; mosquito breeding.</li> </ul>



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Saurabh Sharma <saurabh.envirolawyer@gmail.com>

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## Advance Service of Rejoinder in OA No. 620/2024

1 message

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**Saurabh Sharma** <saurabh.envirolawyer@gmail.com>

Wed, Oct 29, 2025 at 12:06 PM

To: Vijay Kumar <vijay3312@gmail.com>, membersecy.pcb@jk.gov.in, cs-jandk@nic.in, Madhu Sweta <madhu@singhaniania.in>

Sir,

Please find attached advance service of Rejoinder to the report of the Horticulture Dept. filed by the Applicants in OA No. 620/2024.

Regards

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**Saurabh Sharma, Advocate**  
**Counsel for Applicants**  
**+91 9810983559**



**Rejoinder on behalf of the Applicant to the Report of the Horticulture Dept..pdf**

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