

**Jammu and Kashmir  
Pollution Control Committee**

chairman87jkspcb@gmail.com  
membersecretaryjkspcb@gmail.com

0191 – 2472881, 2476925



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

Silk Factory Road  
Rajbagh, Srinagar, 190 008

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

No. JKPCC/NGT/OA 620-2024/769

Dt. 10 -09-2024.

**Sub: - Response of Jammu & Kashmir Pollution Control Committee in compliance to Hon'ble National Green Tribunal directions dated 27-05-2024 passed in OA No. 620 of 2024 titled Bashir Ahmed Bhat & Ors Versus National Highways Authority of India (NHAI) & Ors.**

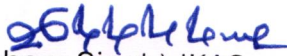
Sir,

In compliance to the Hon'ble National Green Tribunal Order Dated **27-05-2024** passed in **OA No. 620 of 2024** titled **Bashir Ahmed Bhat & Ors Versus National Highways Authority of India (NHAI) & Ors.**, the response of J&K Pollution Control Committee is submitted herewith.

It is therefore, requested that the response may kindly be taken on record and placed before the Hon'ble National Green Tribunal for consideration.

Yours faithfully,

Encl: (As above)

  
(Ghansham Singh) JKAS  
Member Secretary 10.9.24  
JKPCC, Jammu

**Copy to the: -**

1. Sh. G.M Kawoosa, Additional Standing Counsel, Supreme Court of India / Hon'ble NGT New Delhi, for information and necessary action. This is in reference to Govt. of J&K Order No. 15387-JK(LD) of 2024 Dated 03-09-2024.

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

Original Application No. **620 of 2024**

**IN THE MATTER OF**

**“Bashir Ahmed Bhat & Ors. Versus  
National Highways Authority of India  
(NHAI) & Ors”.**

Response of the Jammu and Kashmir Pollution Control Committee in compliance to Hon'ble National Green Tribunal directions dated 27-05-2024 passed in OA No. **620 of 2024** titled “News item titled **“Bashir Ahmed Bhat & Ors. Versus National Highways Authority of India (NHAI) & Ors”** .

**Background:**

That the Hon'ble National Green Tribunal, Principal Bench, New Delhi vide its order dated 27-05-2024 in the OA No. 620 of 2024 titled **“Bashir Ahmed Bhat & Ors. Versus National Highways Authority of India (NHAI) & Ors”** issued the following directions:-

3. *Further grievance of the applicant is that on account of the construction activity, the dust pollution is being caused and the same is adversely affecting the orchards of the applicant spread over approximately at 50-60 acres and that the villages of Khanda Suthsoo, Ganj Bagh, Gowherpora, Wathora Bugam, Lalgam, Lal Gund, Gudsathoo, Wulnu, Ichgam and Dharmunadue are effected in this process and the damage is caused to the crops of oats and mustard.*
4. *It is also the grievance of the applicant that during the construction process, reckless excavation of clay from Karewas, a unique geological formation in Kashmir has impacted the ecology.*
5. *The OA raises substantial issues relating to compliance of environmental norms.*
6. *Issue notice to the respondents for filing their response at least one week before the next date of hearing by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)*



*preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.*

7. *Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing.”.*

In compliance to the foresaid directions of Hon’ble NGT dated 27-05-2024 in **OA No. 620 of 2024**, a committee of officers headed by the Regional Director, J&K PCC, Kashmir was constituted and directed to visit the affected areas and furnish a comprehensive report along with recommendations with following terms and references vide No. JKPCC/NGT/OA/620/2024/259 dated 29-07-2024 (**Copy enclosed as Annexure-1**).

(Terms & References)

- 1) To ascertain the reasons for orchards flooding as pointed out by the applicant.
- 2) To assess the details of developmental activities taken place in the vicinity of the Apple Orchards affected due to construction activity.
- 3) To assess the total area affected and extent of damage caused to orchards.
- 4) To assess the violation in respect of reckless excavation of clay from Karewas, as unique geological formation in Kashmir.
- 5) To assess the scale of air pollution due to dust on account of construction activity (through J&K PCC Srinagar, Air Lab team).

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 logging 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 PM<sub>10</sub> and PM<sub>2.5</sub> is above the prescribed standards .

Thereafter, Regional Director, J&K PCC, Kashmir was directed to re-examine and submit fresh report clearly indicating the reason for flooding in the orchard, extent of damaged caused to the orchard and violations in respect of excavation of the clay from Karewas as also the findings of I/c Air Lab who carried out quality in the area vide letter No. JKPCC/Sc./OA 620/740 dated 31-07-2024 (**Copy enclosed as Annexre-3**).

The Regional Director, J&K PCC, Kashmir after taking up the matter Chief Horticulture Officer, Budgam and Project Director, NHAI furnished a fresh report vide his No. PCC/RDK/PS/2024/579-581 dated 02-09-2024 (and submitted as under **Copy enclosed as Annexure-4**) :-


- 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 called 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.

As per the report of the Joint Committee headed by the Regional Director, Pollution Control Committee Kashmir, the primary source of Air Pollution in the area is vehicular emissions, construction activity and fugitive dust from unmetalled stretch of Ring Road in the area. Deposition of dust was also observed on the leaves of the trees in the area.

However, taking cognizance of the report of Regional Director Pollution Control Committee Kashmir, about causing of the air pollution due to the emission of dust, Project Director, National Highway Authority of India, PIU Srinagar, has been directed to take immediate effective dust control measures viz. dust suppressant, high pressure water sprinklers for control of dust arising due to the plying of vehicles on the unmetalled stretch of ring road under construction in the District Budgam, so that human life flora and fauna in the adjoining areas is not affected.(Copy enclosed as **Annexure 7**)

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

  
(Ghansham Singh) 10.9.24  
Member Secretary  
J&K PCC

# Jammu and Kashmir Pollution Control Committee

Annexure 1  
253

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

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

**Subject: Hon'ble National Green Tribunal, Notice dated 23-07-2024 in OA No. 620/2024 titled "Bashir Ahmad Bhat & Ors. V/s National Highways Authority of India (NHAI)".**

**Reference: Hon'ble NGT Notice dated 23-07-2024.**

## ORDER

Whereas, the subject case has arisen out on account of construction of Srinagar Ring Road Passing through Village Wathoora, Tehsil Chadoora in District Budgam of Jammu & Kashmir, the flooding of the apple orchards of the applicant has taken place.

Whereas, the Hon'ble NGT, while taking cognizance of the matter and hearing the case on 27-05-2024, directed for filing of response at least one week before the next hearing in the case and the case has been listed on 11-09-2024.

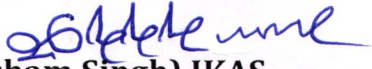
Now therefore, in view of the above, a Committee of the following officers of J&K Pollution Control Committee is hereby constituted to visit the affected area and furnish a comprehensive report along with recommendations: -

- 1) Sh. Abhijeet Joshi, Regional Director, Kashmir)
- 2) Faiz Ahmad, AEE, DO, Srinagar.
- 3) Sh. Mohd. Ashraf Khander, JEE, Budgam.

### Terms of References (TORS)

- 1) To ascertain the reasons for orchards flooding as pointed out by the applicant.
- 2) To assess the details of development activities taken place in the vicinity of the Apple orchards affected due to construction activity.
- 3) To assess the total area affected and extent of damage caused to orchards.
- 4) To assess the violation in respect of reckless excavation of clay from Karewas, as unique geological formation in Kashmir.
- 5) To assess the scale of air pollution due to dust on account of construction activity (through J&KPCC Srinagar air Lab team).

The Committee after spot visit shall furnish a comprehensive report along with photographs and specific recommendations within a week's time, positively.

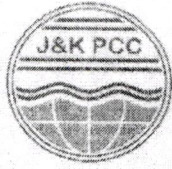
  
(Ghansham Singh) JKAS  
Member Secretary 29.7.24  
J&K PCC

No: JKPCC/NGT/OA/620/2024/259

Date: 29-07-2024

Copy to:

1. Deputy Commissioner, Budgam.
2. Regional Director, J&K PCC, ~~Kashmir~~ for information & necessary action.
3. Sh. Abhijeet Joshi, Regional Director, Kashmir.
4. Faiz Ahmad, AEE, DO, Srinagar.
5. Sh. Mohd. Ashraf Khandar, JEE, Budgam.



Government of Jammu & Kashmir  
**J&K POLLUTION CONTROL COMMITTEE**  
**OFFICE OF THE REGIONAL DIRECTOR - KASHMIR**

Sheikh-ul-Alam Campus, Rajbagh, near Government Silk Factory, Srinagar-190008  
 www.jkspcb.in Email: regionaldirectorjkmr@gmail.com, Tel/fax 0194-2311842



Member Secretary  
 JK, Pollution Control Committee  
 Jammu

No:- PCC/RDK/PS/2024/564-565

Dated:- 30-08-2024

Subject:- **Inspection in compliance to the directions of the Hon'ble NGT Notice dated 23-07-2024 in OA No. 620/2024 titled 'Bashir Ahmad Bhat and Ors Vs National Highway Authority of India (NHAI).**

Sir,

With regard to the subject cited above, kindly find attached herewith the inspection report alongwith observations, recommendations of the committee members and photographs for further course of action at your end please.

SL(A)(AN)

26/8/24

End (34/8/24)

Yours faithfully,

(Abhijeet Joshi)SFS  
 Regional Director, PCC  
 Kashmir

30/8/2024  
 30.08.2024

Copy to the :-

1. PA to Chairman JK PCC, Jammu for information of the worthy Chairman.



J & K Pollution Control Committee  
Sheikh-ul-Alam Complex Rajbagh Kashmir

**Inspection in compliance to the directions of Hon'ble NGT Notice dated 23/07/2024 in OA no.620/2024 titled "Bashir Ahmad Bhat & Ors v/s National Highways Authority of India (NHAI)"**

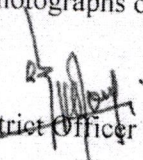
In compliance to the directions as per the order no JKPCC/NGT/OA/620/2024/259 dated 29/07/2024 undersigned officers of PCC conducted inspection/ survey of the area on 20/08/2024. The observations made during the course of inspection are as under:-

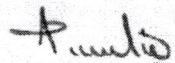
- ✓ • The course of water channel/Nallah which was earlier diverted for construction of bridge may have caused flooding in surroundings. This water channel has now been restored to its original course and no flooding /water logging was observed at any place in the surrounding areas during the inspection.
- The developmental activity that was witnessed adjacent to the petitioner's orchard was the construction of semi ring road project being executed by National Highway Authority of India. No other developmental works were witnessed during the course of inspection. The petitioner's Orchard is approximately 25 meters away from the embankment of road.
- ✓ • Dust being dispersed from the unmetalled road could be seen which would have adverse effect on the orchards. However, the inspection team could not assess the damage caused to orchards, needs intervention of Department of Horticulture for assessment.
- With regard to violation in respect of reckless excavation of clay from Karewas , I/C of the site communicated that material being used for construction of road is being excavated with due permission from concerned Authority.
- The ambient air quality monitoring was carried out by air lab within the petitioner's orchard , report is enclosed as Annexure-1. The air quality report reveals that PM10 and PM2.5 is above the prescribed standards.

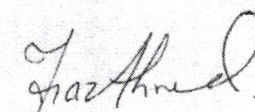
**Recommendations:-**

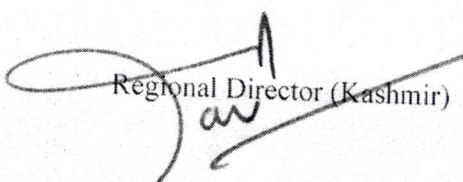
- The construction of road embankment at this particular place is almost complete and it was observed that private /public vehicles are plying on the road resulting in emission of dust. Plying of vehicles should be restricted until road is completely black topped.
- The dumpers/tippers used by the company for carrying the construction material must be restricted to minimum speed with proper covering of the material .
- Continuous water sprinkling at the construction sites should be practiced to minimize the emission of dust due to plying of the Vehicles carrying the construction material .

Photographs of the site are attached with the report.

  
District Officer Budgam

  
Scientist -A

  
District Officer Srinagar

  
Regional Director (Kashmir)

Incharge Air Lab,  
J&kpcc Sgr.Kmr.

Subject :- Hon'ble National Green Tribunal, Notice dated 23-7-2024 in OA No. 620/2024 Titled "Bashir Ahmad Bhat & Ors. V/S National Highways Authority of India (NHAI)."

Reference:- Hon'ble NGT Notice dated 23-07-2024.

The Air lab team visited the site on 02-08-2024 and carried out Air quality Monitoring of below mentioned parameters and the results are given as:-

S.No.	Location/Sampling Site	Result (PM10)	Result (PM2.5)	NO <sub>2</sub>	SO <sub>2</sub>
1	Within the Orchard of Mr. Bashir Ahmad Bhat.	148.18	68.09	20.23	9.65

Note:-

- (1) All values are in  $\mu\text{g}/\text{m}^3$ .
- (2) Ambient Air Quality standard limits:-  
24 Hours Avg:- (i) PM 2.5=60  $\mu\text{g}/\text{m}^3$ . (ii) RSPM=100  $\mu\text{g}/\text{m}^3$ .  
(III) SO<sub>2</sub>=80  $\mu\text{g}/\text{m}^3$  (IV) NO<sub>2</sub>=80  $\mu\text{g}/\text{m}^3$ .
- (3) The monitoring data is confined to the collected samples only.

The monitoring has been carried out for four parameters (PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>2</sub> & SO<sub>2</sub>) - The data reveals that PM<sub>10</sub> (RSPM) & PM<sub>2.5</sub> are above the limits as per the standard limits reflected in above data sheet.

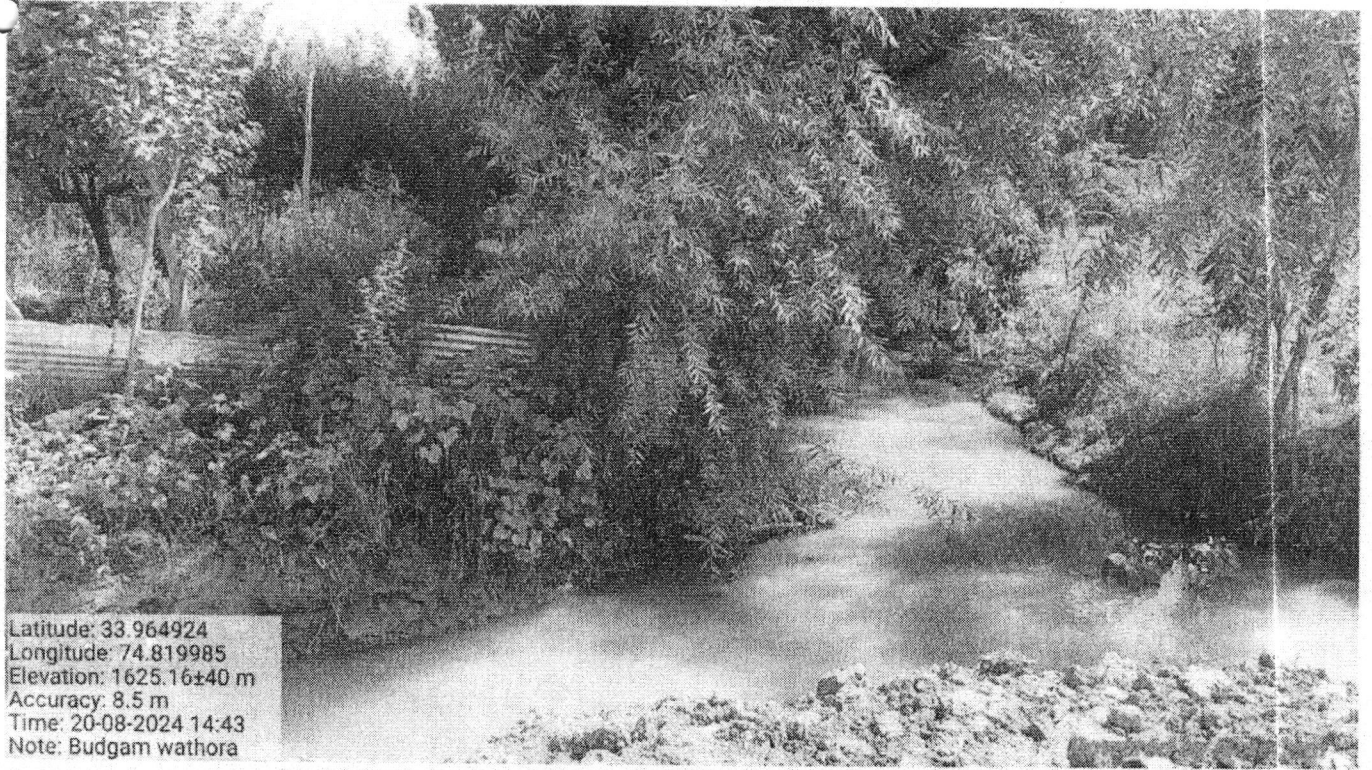
Scientist-A (Air Lab)  
Call



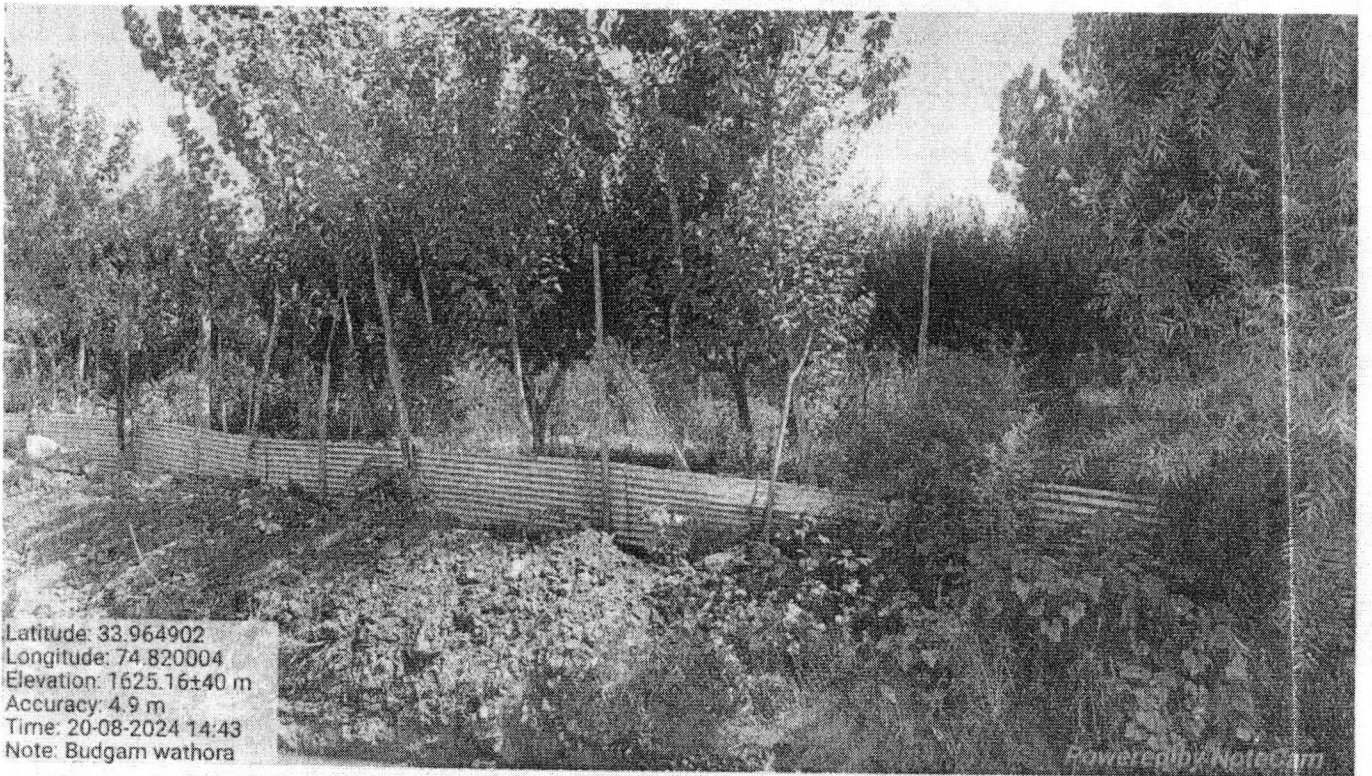
Latitude: 33.964877  
Longitude: 74.819916  
Altitude: 1591.9±41 m  
Accuracy: 5.4 m  
Time: 20-08-2024 14:44  
Note: Budgam wathora



Latitude: 33.965486  
Longitude: 74.820141  
Elevation: 1630.76±30 m  
Accuracy: 11.8 m  
Time: 20-08-2024 14:48  
Note: Budgam wathora



Latitude: 33.964924  
Longitude: 74.819985  
Elevation: 1625.16±40 m  
Accuracy: 8.5 m  
Time: 20-08-2024 14:43  
Note: Budgam wathora



Latitude: 33.964902  
Longitude: 74.820004  
Elevation: 1625.16±40 m  
Accuracy: 4.9 m  
Time: 20-08-2024 14:43  
Note: Budgam wathora

Power2Go by NoteCam

**Jammu and Kashmir Pollution Control Committee**

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

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

The Regional Director,  
Pollution Control Committee,  
Kashmir.

No. JKPCC/Sc/OA 620/740

Date:- 31-08-2024.

**Sub:- OA No. 620/2024 titled Bashir Ahmed Bhat & Ors V/s National Highways Authority of India (NHAI) & Ors.**

Sir,

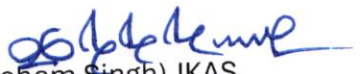
Please refer your letter No. PCC/ROK/PS/24/564-565 dated 30-08-2024, regarding the subject cited above. The report of the joint committee is sketchy and incomplete on account of the following reasons:

1. The Committee was asked to ascertain the reasons for the orchard flooding. The committee has not indicated the reasons for flooding in the orchard in the report. Besides, *have only indicated that construction of bridge may have caused flooding in the surroundings.*
3. The committee was asked to assess the total area affected and the extent of damage caused to the orchard. Instead of getting the details of the affected area and extent of damage to the orchards from the concerned Revenue and Horticulture Departments in the District. *The Committee has just replied that the team could not assess the damage.*
4. The Committee was asked to pin point the violations in respect of reckless excavation of clay from Krawas as unique Geological information. The Committee instead of ascertaining and verifying the record of permissions, if any, taken by the Executing agencies and furnishing the details and extent of excavation of clay has just relied *upon someone incharge person present on spot that every thing is being done with due permission.*
5. The Committee was asked to assess the scale of air pollution caused due to the dust on account of construction activities. Though the committee has pointed that PM 10 and PM2.5 is above the prescribed standard, but the incharge Air Lab has just put the results on the papers, without giving his findings. The incharge Air Lab is directed to put his findings on the report.

20/8/24

You are therefore, directed to have the report re-examined and furnish complete and comprehensive report after obtaining the requisite details from the concerned departments of the District alongwith your definite findings indicating therein the reasons of the floods in unambiguous terms, the area affected (in Kanals and Marlas) extent of the damage caused to the orchard by quantifying and computing in monitory terms and the scale and extent of excavation (area in cubic meters and approximate quantum of clay extracted which could be cross checked and verified with the permissions if any, taken by the Executing agency))carried out at the site. The report of the joint committee should reach this office by **02-09-2024** positively.

**Matter be treated as Most Urgent.**

  
(Ghansham Singh) JKAS  
Member Secretary 31-8-24  
J&K PCC

**Government of Jammu & Kashmir**  
**J&K POLLUTION CONTROL COMMITTEE**  
**OFFICE OF THE REGIONAL DIRECTOR - KASHMIR**  
*Sheikh-ul-Alam Campus, Rajbagh, Near Government Silk Factory, Srinagar-190008*  
www.jkspcb.in Email: regionaldirectorkmr@gmail.com, Tel/fax 0194-2311842

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Member Secretary  
 JK Pollution Control Committee  
 Jammu

No:- PCC/RDK/PS/2024/579-581

Dated:- 02/09/2024

Subject:- OA No. 620 /2024 titled Bashir Ahmad Bhat and Ors Vs National Highways Authority of India (NHAI) and Ors, Comprehensive Report thereof.

Reference:- JKPCC/SC/OA620/740 dated 31-08-2024.

Sir,

With regard to the subject and reference cited above, kindly find enclosed the revised inspection report of the committee for favour of further necessary action.

Yours faithfully

Encl:- (05 nos)

(Abhijeet Joshi)SES  
 Regional Director  
 PCC Kashmir

Copy to the :-

1. District Officer, PCC Budgam /Srinagar/ Scientist 'A' for information. He is advised to get the geo coordinate and details of borrowed areas from the NHAI.
2. PA to Chairman, JK PCC for information of the worthy Chairman.

S(CA)(AN)

Please prepare

Memorandum for HENGIT

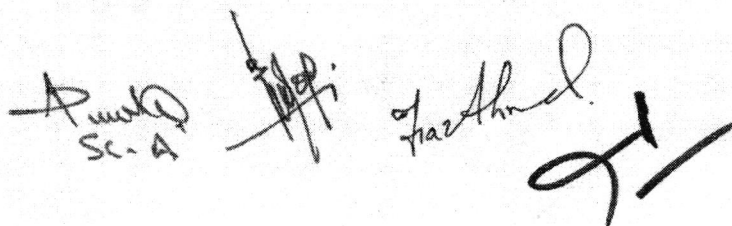
and Admin. Department

Issue  
 4/9/24

**Revised compliance report in compliance to directions of Hon'ble NGT notice dated 23-07-2024 in OA No. 620 /2024 titled Bashir Ahmad Bhat and Ors Vs National Highways Authority of India (NHAI) and Ors.**

In pursuance of Member Secretary, JKPCC direction issued vide No. JKPCC/Sc/OA 620-2024 /24/665 dated 13-08-2024, the Committee inspected the said area on 20-08-2024. The Srinagar Ring Road is found under construction and the petitioner's orchard adjacent on the left side of the said road. The surrounding area includes orchards and paddy field.

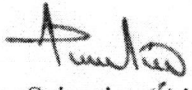
- 1) During inspection no orchard flooding is noticed. The orchard of the applicant is approximately 25 mts away from the embankment of newly constructed ring road. There is a local nallah coming from left side of the road which was earlier diverted by National Highways Authority of India (NHAI) for construction of bridge which may have caused flooding in surrounding covering petitioners orchard also. But at present the said 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) Except for Srinagar Ring Road construction no other development / construction activities was observed.
- 3) Regarding total area affected and the extent of damage it is submitted that during inspection no damage has been observed. The petitioners orchard contains fruit trees mostly of plum and pear with some scattered trees of apple variety locally called Bamchunt (Quince apple). All the fruit trees are found green and healthy. The Horticulture Deptt has been approached vide this office No. PCC/RDK/PS/ 2024/570-573 dt. 31-08-2024 to report damage if any has been occurred and recorded in favour of the petitioner in their official record when any flood has happened. Horticulture Development officer, Chadoora Budgam vide his No. HDO/CHD/2024-25/126 dated 02-09-2024 has reported that no damage has been occurred to any existing orchard due to the floods occurred during the month of April-2024. (Copy enclosed).
- 4) During inspection no excavation site was found within the construction area of Srinagar Ring Road near the petitioners orchard. Further vide this office No. PDD/RDK/PS/2024/574-577 dt. 31-08-2024 the National Highways Authority of India (NHAI) has been asked to provide substantial details and claims alongwith record of permissions if any taken by the executing agency regarding the source of clay used for construction of the above road. The response from NHAI is awaited but they have submitted the borrow areas from which the soil used for the construction of said road which shall be verified by the committee when actual geo coordinates / locations will be received from NHAI. The assessment requisite of reckless excavation of clay from karewas shall be verified lateron. As per the details received the above borrowed areas fall in district Pulwama, Budgam, Baramulla and Bandipora.
- 5) The petitioner's orchard is situated approximately 25 mts left to the under construction Srinagar Ring Road and also Bugam Wathoora link road. The under construction Srinagar

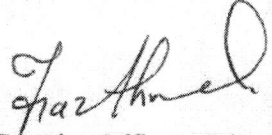

  
 Sc. A      Haz Ahmad

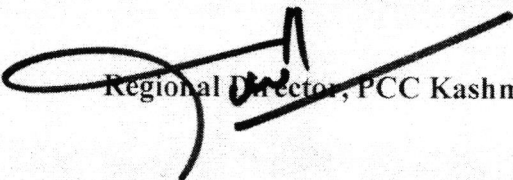
Ring Road is not yet black topped. The air monitoring was carried out by JKPCC Kashmir through Sh Fayaz Ahmad, Scientist Air Lab who reported that  $PM_{10}=148.18 \mu\text{g}/\text{m}^3$  and  $PM_{2.5} \mu\text{g}/\text{m}^3 = 68.09 \mu\text{g}/\text{m}^3$  within the orchard of Mr Bashir Ahmad Bhat ie petitioner. The reported range of  $PM_{10}$  and  $PM_{2.5}$  is above permissible limit of  $100 \mu\text{g}/\text{m}^3$  for  $PM_{10}$  and  $80 \mu\text{g}/\text{m}^3$  for  $PM_{2.5}$ . So air pollution is reported on the site. It is found that the vehicles locals as well as commercial are plying on the link road and under construction Srinagar Ring Road are the main cause of air pollution within the area.

Hence submitted please.

  
District Officer, PCC Budgam

  
Scientist, 'A'

  
District Officer, Srinagar

  
Regional Director, PCC Kashmir

Incharge Air Lab,  
J&kpcc Sgr.Kmr.

Subject :- Hon'ble National Green Tribunal, Notice dated 23-7-2024 in OA No. 620/2024 Titled "Bashir Ahmad Bhat & Ors. V/S National Highways Authority of India (NHAI)."

Reference:- Hon'ble NGT Notice dated 23-07-2024.

The Air lab team visited the site on 02-08-2024 and carried out Air quality Monitoring of below mentioned parameters and the results are given as:-

S.No.	Location/Sampling Site	Result (PM10)	Result (PM2.5)	NO <sub>2</sub>	SO <sub>2</sub>
1	Within the Orchard of Mr. Bashir Ahmad Bhat.	148.18	68.09	20.23	9.65

Note:-

- (1) All values are in  $\mu\text{g}/\text{m}^3$ .
- (2) Ambient Air Quality standard limits:-  
24 Hours Avg:- (i) PM 2.5=60  $\mu\text{g}/\text{m}^3$ . (ii) RSPM=100  $\mu\text{g}/\text{m}^3$ .  
(III) SO<sub>2</sub>=80  $\mu\text{g}/\text{m}^3$  (IV) NO<sub>2</sub>=80  $\mu\text{g}/\text{m}^3$ .
- (3) The monitoring data is confined to the collected samples only.

*[Handwritten signature]*

*[Handwritten signature]*  
F.I

*[Handwritten signature]*  
N.A

The monitoring has been carried out for four parameters (PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>2</sub> & SO<sub>2</sub>) - The data reveals that PM<sub>10</sub> (RSPM) & PM<sub>2.5</sub> are above the limits as per the standard limits reflected in above data sheet.

*[Handwritten signature]*  
Scientist-A (Air Lab)  
EAL

**Construction of Four Lane Ring Road/Bypass Around Srinagar city from KM 0.00 to Km 42.100 (Phase-1)  
Under NHDP Phase VII in the Union Territory of Jammu and Kashmir Under Bharatmala Pariyojna**

Sn o.	Chainage		Borrow Area	District	NOC From Deputy Commissioner
	From	To			
1	03+000	04+000	Tumchi Nopra	Pulwama	DCP-SQ/21-22/1581-85 Dt 09/11/2021
2	04+000	06+000	Kunzwera	Budgam	DCB/LAS/022/1720-24 Dt 28/05/2022
3	06+000	10+000	Gowherpora	Budgam	DCB/LAS/2021/1032-36 Dt 30/12/2021
4	10+000	12+000	Kashermulla	Budgam	DCB/SQ/2022/Lifting/3122-23 Dt 10/11/2022
5	12+000	15+000	Ickoot	Budgam	DCB/SQ/2023-24/Lifting/1142-43 Dt 27/05/2023
6	15+000	18+000	Ichgam	Budgam	DCB/SQ/2024-25/Lifting/2538-40 Dt 24/07/2024
7	18+000	32+000	ROW	Budgam	1171/MCC/DGM/NKC/2021/549-57
8	23+350	32+500	Pallar Budgam	Budgam	DCB/SQ/2023-24/Lifting/1349-50 Dt 03/06/2023
9	32+500	35+000	Wahabpora	Budgam	DCB/SQ/2023-24/5091-92 Dt 23/01/2024
10	35+000	36+400	Magam Barow	Budgam	DCB/LAS/2021/984-87 Dt 30/12/2021
11	35+000	36+400	Aqulipora	Budgam	DCB/SQ/2024-25/5905-06 Dt 12/04/2024
12	35+000	37+400	Pattan	Baramulla	DCB/SQ/8042-8050 Dt 06/12/2021
13	37+400	39+000	Diver	Baramulla	Divcom/LAS-4363/814 Dt 20/12/2022
14	41+500	42+200	Tirgam	Bandipora	DCB/SQ/2609-14 Dt 19/01/2022
	<b>Total</b>				

**Government of Jammu & Kashmir**  
**J&K POLLUTION CONTROL COMMITTEE**  
**OFFICE OF THE REGIONAL DIRECTOR - KASHMIR**  
*Sheikh-ul-Alam Campus, Rajbagh, Near Government Silk Factory, Srinagar-190008*  
www.jkspcb.in Email: regionaldirectorkmr@gmail.com, Tel/fax 0194-2311842

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Chief Horticulture Officer  
 Budgam

NO: PCC/RDK/PS/2024..5.70-573

Dated: 31-08-2024

Subject:- OA NO. 620/2024 titled Bashir Ahmed Bhat & Ors Vs National Highway Authority of India (NHAI) & Ors .

Sir,

On the subject cited above, the above named petitioner has made grievance before Hon'ble National Green Tribunal that on account of construction of Srinagar Ring Road passing through village Wathoora, Tehsil Chadoora in District Budgam, the flooding of apple orchards of the petitioner has taken place. The petitioner submitted before Hon'ble NGT that water channel has been blocked in the process of construction of the said road resultantly, the water logging has taken place and the flooding has damaged approximately 3 acres of the orchard land belonging to him.

Hon'ble NGT has taken cognizance in the said matter and JKPCC has been made as one of the respondent in the said matter. In order to file the report the cooperation from your side is required as being the technical expert and record holder to record and access the damage if any has occurred in the orchards. In this regard you are requested to report to this office that whether such damage has taken place in the said area due to the construction of the above referred road as per your official record alongwith total area affected and extent of damage in the above referred orchard of the applicant.

Since the matter is serious and require urgent response, so requested to take the matter on priority as the case is to be listed in first week of September 2024 and the response is to be filled before 03-09-2024.

Yours faithfully

(Abhijeet Joshi) SFS  
 Regional Director  
 PCC Kashmir

SC (A) (AW)  
 29.9.24

Copy to the :-

1. Member Secretary, JK PCC Jammu for information please.
2. District Officer, PCC Budgam for information and directed to visit to the CHO Budgam for collecting the requisite information.
3. Incharge NGT cases, JKPCC Kashmir for information and follow up.

GOVERNMENT OF JAMMU AND KASHMIR (UT)  
OFFICE OF THE HORTICULTURE DEVELOPMENT OFFICER CHADOORA

Chief Horticulture Officer,  
Budgam

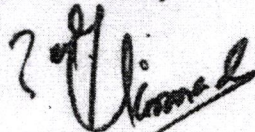
No: - HDO/CHD/2024-25/ 126 Dated: - 02-09-2024  
Subject: - QA No.620/2024 titled Bashir Ahmad Bhat Ors Vs National Highway  
Authority of India ( NHAI) & Others .  
Reference: - Your letter No. CHO/Bud/Dev/2024-25/2267-68 dated 02-09-2024

Madam,

With reference to the above cited subject, it is to submit that undersigned visited the spot today on 02/09/2024 along with District Level Subject Matter Specialist ( Pomology Budgam) on spot at Crossing point of Ring Road at Wathora Bugam road having geo coordinates Latitude 33.964706 , Longitude 74.820925 and observed that no damage has been occurred to any existing orchard due to the floods occurred during the month of April 2024.

Moreover, it is requested to kindly take up the matter with the concerned agency to depute representative of the agency , Complainant and representative of the Revenue authority , so that the exact spot can be identified/ demarcated by them to the undersigned and the factual position be submitted to the concerned quarters .

Yours faithfully

  
Horticulture Development Officer  
Chadoora

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

The Project Director,  
National Highway Authority of India,  
PIU, Srinagar, Kashmir.

No. JKPC/Sc/OA 620/739

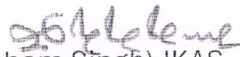
Date: 30-08-2024.

**Sub:- OA No. 620/2024 titled 'Bashir Ahmed Bhat & Ors V/s National Highways Authority of India (NHAI) & Ors. – Taking of effective dust control measures on the unmetalled Ring Road passing through the District Budgam.**

Sir,

Please refer the subject captioned above. In this connection, I am to convey that a joint committee constituted by J&K PCC after inspecting the site has reported that the petitioner's orchard is situated approximately 25 meters left to the under construction Srinagar Ring Road and also Budgam-Wathoor link road. The under-construction Srinagar ring road is not yet black topped as a result of which air pollution is caused due to the plying of locals as well as commercial vehicles and thereby affecting the human life, flora and fauna in the adjoining areas. The J&K PCC carried out monitoring of air pollution and it has been reported that PM10 is 148.18 ug/m<sup>3</sup> and PM2.5 ug/m<sup>3</sup> is 68.09 ug/m<sup>3</sup> with in the orchard of Mr. Bashir Ahmad Bhat i.e Petitioner. The reported range of PM10 and PM2.5 is above permissible limit of 100 ug/m<sup>3</sup> for PM10 and 80 ug/m<sup>3</sup> for PM2.5.

Therefore, in exercise of the powers vested under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981, you are hereby directed to take immediate effective dust control measures viz. dust suppressant, high pressure water sprinklers for control of dust arising due to the plying of vehicles on the unmetalled stretch of ring road under construction in the District Budgam, so that human life flora and fauna in the adjoining areas is not affected.

  
(Ghansham Singh) JKAS 30.8-24  
Member Secretary  
J&K PCC

copy to the:-

- 1) Regional Director, J&K PCC, Kashmir for information and necessary action.