

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No. 600/2024
(I.A No. 236/2024)

In the matter of:

Bhushan Lal Parimoo

..... Applicant

Vs

Union Territory of Jammu & Kashmir & Ors.

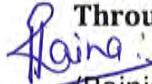
..... Respondents

AFFIDAVIT FILED BY JAMMU SMART CITY LTD. (Respondent no.6) IN
COMPLIANCE WITH ORDER DATED 22.05.2024 PASSED BY THE HON'BLE
NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH.

(For Index, please see Inside)

Date: 31/08/2024
Place: Jammu

Filed by Respondent No.6


Through
Adv (Rajnish Raina)
Advocate
J&K and Ladakh
High Court
Jammu

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Rajnish Raina
(Rajnish Raina)

Advocate

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①

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Bhushan Lal Parimoo

..... Applicant

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Union Territory of Jammu & Kashmir & Ors.

..... Respondents

AFFIDAVIT FILED BY RESPONDENT NO.6 i.e. JAMMU SMART CITY LTD. in COMPLIANCE WITH ORDER DATED 22.05.2024 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH.

I, Dr. Devansh Yadav, Aged 34 years, at Present Chief Executive Officer, Jammu Smart City Ltd (JSCL) 4th Floor, North Block, Bahu Plaza, Jammu, do hereby state on oath/solemn affirmation as under:

1. That I am conversant with the facts and circumstances of the case and am competent to swear this affidavit in my official capacity and on behalf of Jammu smart city Ltd. on the basis of the records, documents and facts available in the department.

2. That I have read and understood the order dated **22.05.2024** passed by the Hon'ble National Green Tribunal in the above captioned matter and filing this affidavit in its compliance thereof.

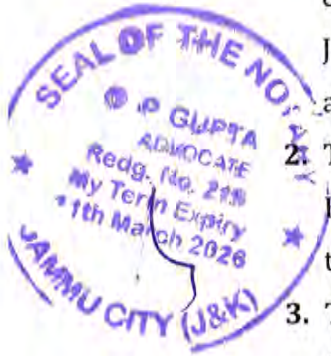
3. The Hon'ble Tribunal by order dated 22/05/2024 in the aforetitled OA No. 600 of 2024 has passed the following order:

Para 3. O.A raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

Para4. Issue notice to the respondents in O.A. No. 600/2024 and I.A. 236/2024. Applicant is directed to serve the respondent and file affidavit of service.

Para5. The respondent no. 6 is directed to file a report in form of affidavit clearly disclosing if, in the implementation of the project any tree is likely to be cut from the park or the nature of park is likely to be changed in any manner.

Photocopy of order dated 22/05/2024 is annexed as **Annexure - R1.**



4. That the deponent craves leave of this Hon'ble Tribunal to raise additional submissions or file additional affidavit in case need arises during the course of arguments.
5. That at the outset it is submitted that the Tawi River Front Development Project is fully compliant with all government orders, guidelines, rules and regulations and the issues raised in the aforesaid application are completely devoid of merits. It is pertinent to mention herein that the Tawi River Front project was handed over to Jammu Smart City Limited (JSCL) in May, 2021 for execution. The project was put to execution in February, 2022 after framing the DPR and floating of tender. The project was taken up in hand by JSCL only after the directions to this effect were issued by Administrative Department in the month of April, 2021 and subsequently, the project was incorporated in JSCL plan works after obtaining the approval of Board of Directors of JSCL. In light of these averments the answering respondent seek leave of this Hon'ble Tribunal to allow the answering respondent being Chief Executive Officer, as also conversant with the facts and circumstances of the case and competent to file response/reply affidavit in my official capacity and on behalf of Jammu Smart City Ltd. on the basis of the records, documents and facts available in the department.

6. Tawi River Front Development Project:

- 6.1** That the Tawi River Front Development Project is one of the flagship projects taken up under the aegis of Jammu Smart City Limited and the project was conceived in the year 2010 with the objective of:

- (i) **providing a robust flood protection mechanism for Jammu city;**
- (ii) **creating a vibrant recreational space in the heart of city and**
- (iii) **preventing the effluent carrying nallahs flowing into the river.**
- (iv) **rejuvenation of ground water aquifers in the vicinity of project reach.**

- 6.2** That for the beautification and strengthening of the banks, stepped promenades at four levels have been constructed on both sides of the river and central island, extending from Bhagwati Nagar Barrage up to Bikram Chowk Bridge for a length of 1.10 kms. The construction of promenades shall lead to creation of land bank on the banks of the river as per following details:



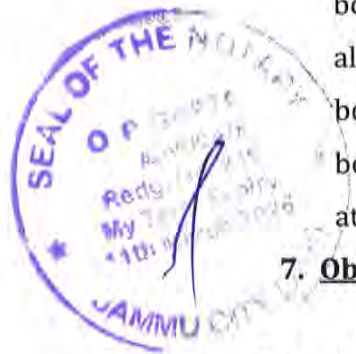
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S.No.	Location	Area Reclaimed
1.	Left Bank	90,000 sqm (22.24 acres)
2.	Right Bank	52,779.8 sqm (13 acres)
3.	Central Island	62,461.9 sqm (15.4 acres)

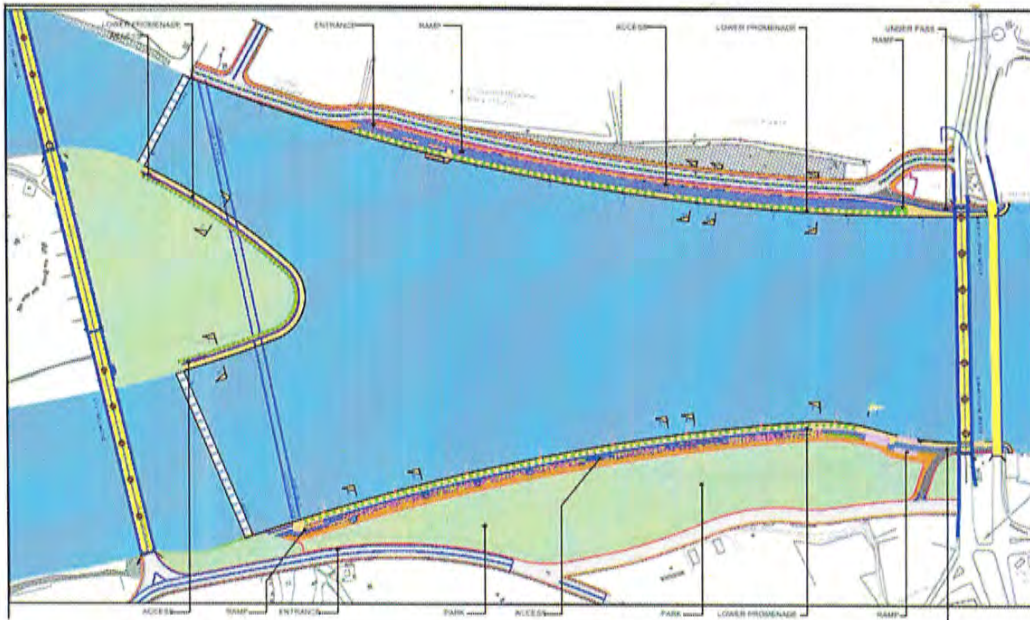
6.3 That prior to the construction of Tawi River Front Promenades, the riverside land was a neglected and degraded area that had been exploited as an unofficial garbage dumping ground, resulting into immensely insanitary conditions which had become an environmental hazard that destroyed the river's natural charm. It is pertinent to mention herein that before taking up the execution of the project, the accumulated garbage was lifted from the site and shifted to municipal garbage dump site at **Kot Bhalwal, Jammu** for bio - remediation and final disposal. It is further submitted that in between the promenades on left bank and right bank, a freshwater lake is being created in conjunction with Barrage being constructed by Irrigation and Flood Control Department. It is further submitted that for leveraging the benefit of lakeside view, the land on both banks is envisaged to be used for creating green spaces in the form of landscaped parks and gardens, planting of trees of various species on the bottom and top promenades and development of planters and plazas all along the length of intermediate promenades. Besides, the promenades are being provided with amenities like cycle tracks, jogging tracks, sitting benches, viewpoints etc., aimed at creating a refreshing and rejuvenating atmosphere.

7. Objectives of Tawi River Front Development Project:

- 7.1 That the Tawi River Front project has been conceived with the following objectives: -
- Creation of green recreational spaces on areas adjoining promenades;
 - Diversion of polluting nallahs through interceptor drains;
 - Creating a robust flood protection mechanism for the city;
 - Rejuvenation of ground water aquifers in the vicinity of project reach.
- 7.2 It is pertinent to mention herein that the project reach is intervened by 02 No. bridges at Bikram Chowk (Old and New). Arterial roads running parallel to the river are being provided on both banks of the river. These roads are aimed at easing and decongesting the ever-burgeoning city traffic.



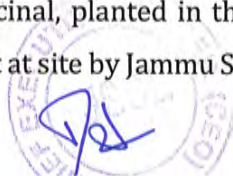
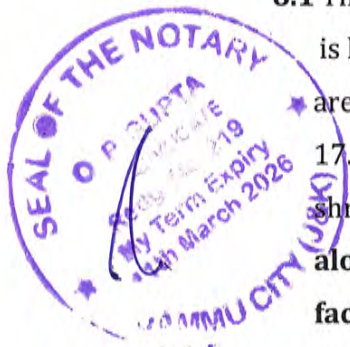
7.3 That on the left bank, an underpass is proposed to be constructed for providing seamless road connectivity on the riverfront and the underpass shall take off from the proposed arterial road near old Bikram Chowk Bridge and the approach road to underpass shall intersect the park constructed by the Tourism Department (drawing enclosed for perusal and reference). This in effect shall disturb the park from its existing location on the left bank. It is pertinent to mention herein that the, the loss of flora and fauna on account of its dislocation is more than adequately being compensated by creating green spaces elsewhere on left bank, right bank and central island as per the details enumerated hereinafter.



Proposed reach of Tawi River Front Project

8 Creation of green recreational spaces on areas adjoining promenades (including Relocation/Substitution of park on Left Bank to alternate location on Right Bank):

8.1 That the existing park on the left bank is spread over an area of 23.39 K and is located adjacent to the Tawi Bridge on Bikram Chowk side. Out of a total area of 23.39K (11835.3 sqm), 6K (3036 sqm) is designated for **parking** and 17.39K (8798.52 sqm) is allocated for the park. In addition to trees and shrubs, **the park includes a shop, three gazebos, a pathway running along the entire park, a play area, kids' toy train, swings and other facilities.** These activities cover 15% of the total park area. It is pertinent to mention herein that as claimed in the petition made before Hon'ble National Green Tribunal, there are more than 650 plants and trees of 180 different species, mostly medicinal, planted in the park and as per enumeration of plantation carried out at site by Jammu Smart City Limited (JSCL) on 1st July

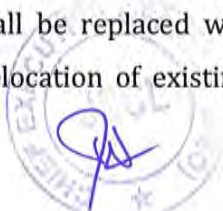
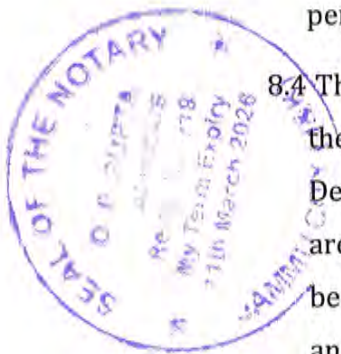


2024, there are 712 no. trees, plants, creepers of different species planted in the existing park of Tourism department as per the details contained is annexed along with pictures of existing structures and plantation at the park for kind reference and perusal of this Hon'ble Tribunal and is marked collectively as **Annexure R2 Colly**.

8.2 That it will be an avowed endeavour of JSCL to relocate and replant these trees, plants and shrubs obtained from the existing park on the left bank to the new proposed location on the right bank as specified in the drawing attached and is marked as **Annexure R3** and the park shall be developed at two adjoining locations on right bank, marked Park (1) and Park (2) on the map, with an area of 10.2 K and 7.8 K respectively. It is further submitted that the total area of two chunks of park proposed to be developed on right bank is 18 Kanal as against an area of 17.39 Kanal on left bank and till date, answering respondent have not cut or fallen any tree on the Left Bank.

8.3 That the applicant has stated that the answering respondent have undertaken felling of trees in the project area on left bank, which is far from true, and the photographs are attached with the petition to support applicant's contention, clearly depict that the fallen trees have been cut inside the park. Since answering Respondent, has not undertaken any project activity inside the park, hence these fallen trees cannot be attributed to it. Answering Respondent being a responsible organization, permission shall be sought from empowered tree cutting authority as per the provision of Jammu Municipal Corporation Act, 2000 before any tree is required to be cut for achieving the objective of the project. It is pertinent to mention here that suitable trees/plants shall be replanted in place of cut/fallen trees as per the instructions of the tree cutting authority.

8.4 That the creation of park on the right bank is a statutory requirement for the development of the project and the same has been incorporated in the Development Control Regulations framed for the land bank and adjoining areas associated with the project and any mortality of trees or plants because of relocation shall be duly compensated by planting new trees and plants in their place. It is further submitted that the loss of plantation in park shall be more than compensated by planting additional trees and plants of different species. It is pertinent to mention herein that the other paraphernalia like children play equipment, benches, dustbins and other miscellaneous items shall be replaced with brand new state of the art equipment. Including relocation of existing park from left bank to right

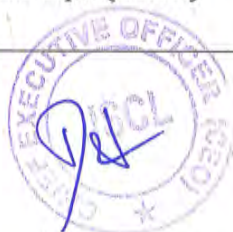
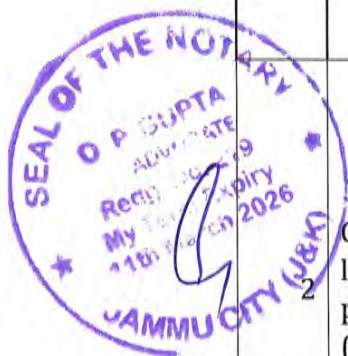


bank, there are number of other spots on the Tawi River Front proposed to be converted into green spaces for public use as per following detail:

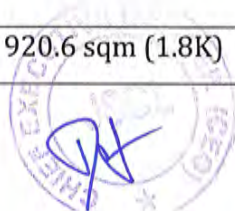
S.No.	Location of Green Open Spaces	Area
1.	Left Bank	20060.2 sqm. (39.5K)
2.	Right Bank	12250.5 sqm. (24K)
3.	Central Island	7521 sqm. (14.8K)
	Total	39,831.7 sqm. (78.3K)

The bifurcation and location of these green spaces along with their area and proposed plantation on Tawi Riverfront is as follows: -

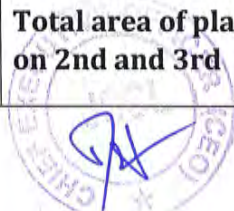
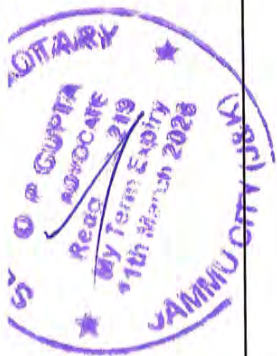
Left Bank			
S.No.	Location	Area	Proposed Plantation
1	Green spine leading to promenades (see drawing)	Green Spine 1: Total Area:3389 sqm (6.7K) i. Hardscape: 2732 sqm (5.4K) ii. Softscape: 657 sqm (1.3K)	Tree: 1. Cassia fistula 2. Jacaranda mimosaeifolia 3. Tabebuia rosea 4. Lagerstroemia speciosa 5. Silver Oak 6. Alstonia
2	Green spine leading to promenades (see drawing)	Green Spine 2: Total Area:3054.8 sqm (6K) i. Hardscape: 2437 sqm (4.8K) ii. Softscape: 617.7 sqm (1.2K)	Shrubs: 1. Murraya paniculata 2. Heleconia 3. Bougainville
3	12 m strip adjacent to top promenade	12M Green Buffer: 10,732.5 sqm (21.2K)	Tree: 1.Thespesia populnea 2.Neolamarckia cadamba



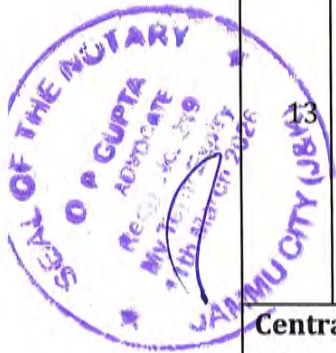
	running throughout its length (see drawing)		<p>3. Markhamia lutea 4. Dalbergia sissoo 5. Cassia fistula 6. Michelia champaca 7. Bauhinia purpurea 8. Pongamia pinnata 9. Tabebuia rosea 10. Jacaranda mimosaeifolia 11. Bismarck Palm</p> <p>Grass:</p> <p>1. Red fountain grass 2. White fountain grass</p> <p>Shrubs : 1. Clerodendrum inerme 2. Bougainvillea 3. Hibiscus rosa sinensis 4. Murraya paniculata 5. Casesalpinia pulcherrima 6. Tecoma purpurea 7. Bauhinia purpure</p>
4	Planters on 2 No. intermediate promenades	Total area of planters on 2nd and 3rd promenade: 1963.3 sqm (3.8K)	<p>Tree :</p> <p>1. Michelia champaca 2. Bauhinia purpurea</p> <p>Shrubs :</p> <p>1. Quisqualis indica 2. Ipomoea cairica 3. Vernonia Elaeagnifolia 4. Crinum latifolium 5. Clerodendrum inerme 6. Leucophyllum Frutescens 7. Bougainvillea 8. Heleconia 9. Snake plant 10. Plumbago auriculata 11. Hibiscus rosa Sinensis 12. Murraya paniculata 13. Casesalpinia pulcherrima</p>
5		920.6 sqm (1.8K)	Tree:



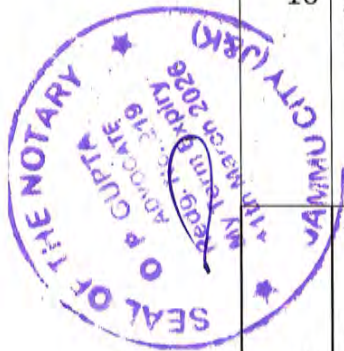
	Green Area near Parking		1. Weeping willow tree 2. Alstonia Shrubs: 1. Bougainvillea 2. Plumbago auriculata 3. Murraya paniculata
6	Top promenade (trees)	174 No. of Trees	Tree: 1. Thespesia populnea 2. Azadirachta indica 3. Callistemon lanceolatus 4. Butea monosperma 5. Michelia champaca 6. Bauhinia purpurea
7	Bottom promenade (trees)	8m x 800m (95 No. of Trees)	Tree: 1. Pongamia pinnata 2. Neolamarckia cadamba 3. Cassia siamea 4. Lagerstroemia speciosa 5. Weeping willow tree
Right Bank			
S.No.	Location	Area	Proposed Plantation
8	Park 1	5,196 sqm (10.2K)	As mentioned in annexure 'A' (To be relocated/ replanted from the plantation obtained from the existing park).
9	Park 2	3988.5 sqm (7.8K)	-Do-
10	Entrance Plaza	1240 sqm (2.4K)	Tree: 1. Cassia fistula 2. Jacaranda mimosaeifolia 3. Tabebuia rosea 4. Lagerstroemia speciosa 5. Silver Oak 6. Alstonia Shrubs: 1. Murraya paniculata 2. Heleconia 3. Bougainville
11	Planters on 2 No.	Total area of planters on 2nd and 3rd	Tree : 1. Michelia champaca



	intermediate promenades	promenade: 1826 sqm (3.6K)	2. Bauhinia purpurea Shrubs : 1. Quisqualis indica 2. Ipomoea cairica 3. Vernonia Elaeagnifolia 4. Crinum latifolium 5. Clerodendrum inerme 6. Leucophyllum Frutescens 7. Bougainvillea 8. Heleconia 9. Snake plant 10. Plumbago auriculata 11. Hibiscus rosa Sinensis 12. Murraya paniculata 13. Casesalpinia Pulcherrima
12	Top promenade (trees)	130 No. of Trees	Tree: 1. Thespesia populnea 2. Azadirachta indica 3. Callistemon lanceolatus 4. Butea monosperma 5. Michelia champaca 6. Bauhinia purpurea
13	Bottom promenade (trees)	95 No. of Trees	Tree: 1. Pongamia pinnata 2. Neolamarckia cadamba 3. Cassia siamea 4. Lagerstroemia speciosa 5. Weeping willow tree
Central Island			
S.No.	Location	Area	Proposed Plantation
14	12 m strip adjacent to top promenade running throughout its	5478 sqm (10.8K)	Tree: 1. Thespesia populnea 2. Neolamarckia cadamba 3. Markhamia lutea 4. Dalbergia sissoo



	length (see drawing)		<p>5. Cassia fistula 6. Michelia champaca</p> <p>7. Bauhinia purpurea 8. Pongamia pinnata</p> <p>9. Tabebuia rosea 10. Jacaranda mimosaeifolia</p> <p>11. Bismarck Palm</p> <p>Grass:</p> <p>1. Red fountain grass 2. White fountain grass</p> <p>Shrubs : 1. Clerodendrum inerme 2. Bougainvillea</p> <p>3. Hibiscus rosa sinensis 4. Murraya paniculata 5. Casesalpinia pulcherrima 6. Tecoma purpurea 7. Bauhinia purpurea</p>
15	Other green areas	2043 sqm (4K)	<p>Tree:</p> <p>1. Weeping willow tree 2. Alstonia</p> <p>Shrubs: 1. Bougainvillea 2. Plumbago auriculata 3. Murraya paniculata</p>
16	Top promenade (trees)	96 No. of Trees	<p>Tree:</p> <p>1. Thespesia populnea 2. Azadirachta indica 3. Callistemon lanceolatus 4. Butea monosperma 5. Michelia champaca 6. Bauhinia purpurea</p>
17	Bottom promenade (trees)	51 No. of Trees	<p>Tree:</p> <p>1. Pongamia pinnata 2. Neolamarckia cadamba 3. Cassia siamea 4. Lagerstroemia speciosa 5. Weeping willow tree</p>



8.5 That besides relocating the existing park from left bank to right bank including replantation of trees, shrubs and plants, a total of additional 1,454 trees and 22,885 shrubs will be planted in the proposed green open spaces on the Left, Right, and Central Island. The details and number of trees and shrubs proposed at different locations other than park in the Tawi River Front Project are annexed herewith and marked as **Annexure "R4"**. It is pertinent to mention herein that in addition to the above-mentioned plantation, the promenades and green spaces shall be provided with jogging tracks, cycling tracks, viewpoints, children play equipment, open gym equipment, open air theatre for public activities etc. It is further submitted that the even though the park with an area of 17.39 Kanal is being relocated from its present position, yet its loss is being more than compensated by creating different types of green spaces with an area of 78.3Kanal elsewhere on Left Bank, Right Bank and Central Island of Tawi River Front Project.

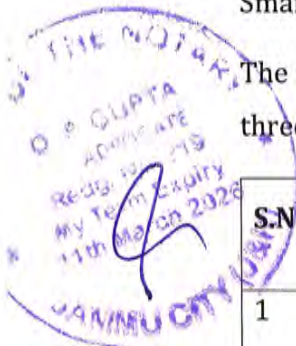
8.6 That JSCL proposes to undertake the landscaping and greenery component of Tawi River Front Development Project on left bank and central island, by way of planting trees of various species on the bottom and top promenades and landscaping of planters on two middle promenades under National Clean Air Programme (NCAP) for which an amount of Rs.2.0 Cr. (approx.) shall be expended.

8.7 That the existing park from the left bank shall be relocated to the right bank only after following due process as stipulated in the Jammu Municipal Corporation Act, 2000.

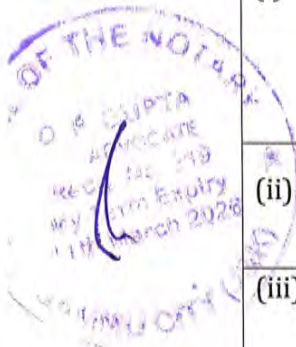
8.8 That JSCL is a socially responsible organization and aware to the growing needs of improvement to the environment and therefore a number of projects aimed at creating green vibrant spaces have been executed under the aegis of Smart City Mission during the last three years w.e.f., 2021-22 till date.

The details of the landscaping and greenery projects executed by JSCL during last three years is given below:

S.No.	Project Name & Location	Site Area	Plantation Detail
1	Blue Green Project for Ranbir Canal Part 1 from BSF Paloura upto Shakti Nagar Bridge	Length -1.5km Width - 10m	Trees - 210 No. Shrubs - 76,425 No. Grass -1341.9 sqm



2	Blue Green Project for Ranbir Canal Part 2 from Pawan Ice cream, Bakshi Nagar upto Shakti Nagar Bridge	Length -450m Width - 10m	Trees - 49 No. Shrubs - 27,261 No. Grass -1225 sqm
3	Blue Green Project for Ranbir Canal Part 3 from Pawan Ice cream, Bakshi Nagar upto Canal head	Length -310m Width - 4-7m	Shrubs -5,061 No. Grass -525 sqm
4	Blue Green Project for Tawi Canal Zone 1 from Gorkha Nagar to Railway Station	Length -1.6km Width - 5-6m	Trees - 235 No. Shrubs - 51,064 No. Grass -650 sqm
5	i. Landscaping Of Road Outside Jammu University from Hostel Gate Upto J&K Bank	Length -520m Width - 5-7.5m	Shrubs - 8,200 No. Grass -544 sqm
	ii. Landscaping Of Medians and Road Side Development Along Road from NH-44 Qasim Nagar, Narwal	Length -600m Width - 6m	Shrubs - 1657 No. Grass - 200 sqm
6	Landscaping & Development of Green Spaces in Jammu		
(i)	Landscaping Along the Road from Panama Chowk Towards JKPCC Office	Length -64 m Width - 8m	Shrubs - 1,221 No. Grass - 500sqm
(ii)	Landscaping Of Rockery at Bikram Chowk	Area - 57 sqm	Shrubs - 927 No.
(iii)	Landscaping Of JambuLochan Park near Ranbireshwar Temple	Area - 350 sqm	Shrubs - 1276 No. Grass - 250 sqm
7	Landscaping Of Road Outside Women College from	Length -680 m Width - 4-7m	Trees - 195 No. Shrubs - 19,121 No. Grass -525 sqm



	Presentation Convent School Gate Upto Asia Hotel		
8	Landscaping Works for Various Pockets Across Jammu City at: -		
(i)	Rotary Near Balidaan Stambh.	Area - 2326 sqm	Trees - 22 No. Shrubs - 7,973 No. Grass -965 sqm
(ii)	Har-Ki-Pauri Road from Entrance to Temple Entry		
a.	Entrance Area-	Area - 165 sqm	Shrubs - 2013 No.
b.	View Point of Har-ki-Paudi	Length -75 m Width - 7 m	Shrubs - 118 No.
(iii)	Median opposite Balidan Stamb towards Qasim Nagar	Area - 1652 sqm	Shrubs - 3450 No. Grass - 900 sqm
9	Landscaping & Development of Public Park (Community Park) Adjacent to Gym at Channi Himmat Near Green Belt Park	Area - 5720 sqm	Trees - 200 No. Shrubs - 1,817 No. Grass - 2670sqm
10	Landscaping Of Open Space on Railway Outer from Channi Himmat Towards Railway Station	Length -800m Width - 7-12 m	Shrubs - 26,706 No. Grass -7431 sqm
11	Landscaping & Development of Green Spaces Along the Road from Panama Chowk Upto Railway Station Via Divisional Commissioner's Office	Length -830 m Width -4- 7 m	Shrubs - 11,379 No. Grass -3111 sqm
		Total Trees	- 911 No.
		Shrubs	- 2,45,551 No.
		Grass	- 18,251 sqm
Photographs of the green landscaped sites of Jammu Smart City Limited (JSCL) are marked as Annexure-R5			

9. Diversion of Polluting Nallahs: -



- 9.1 That at present all the nallahs on the left bank and right bank discharge effluent directly into the river. This effluent is one of the primary sources of river pollution. Besides being injurious for aquatic life, this is also a primary source of water pollution and contamination which makes it unfit for irrigation purposes as well. It is further submitted that the interceptor drains are being constructed by laying RCC Hume pipes of sufficient diameter as per requirement, which run parallel to the promenades for carrying the sewage laden effluent directly to the STPs on left bank and right bank, thereby preventing the nallahs from directly debouching into the proposed lake. This single step shall eliminate any chance of pollution and contamination of river water and keep the lake pristine (Pics of under construction interceptor drains are attached and marked as **Annexure R6**).
- 9.2 That the nallahs in the project reach that are being intercepted through interceptor drains and prevented from flowing into the river are as follows:

Right Bank	i) Rehari Nallah
	ii) Krishna Nagar Nallah
	iii) Rajinder Nagar Nallah
Left Bank	i) Warehouse Nallah
	ii) Bikram Chowk Nallah

It is further submitted that in addition, the Sewerage & Drainage Department has undertaken the diversion of nallahs on the upstream of project area by constructing Intermediate Pumping Stations (IPSs) for pumping the effluent into the main trunk sewer for carrying them directly to STPs on left bank and right bank. The diversion of nallahs undertaken by Sewerage & Drainage Department are listed below: -

- Christian Colony Nallah
- Gujjar Nagar Nallah
- Jogi Gate Nallah
- Prem Nagar Nallah
- Qasim Nagar Nallah

Photographs of sites are enclosed herewith and marked as Annexure R-7

10. Creation of Robust Flood Protection Mechanism for the city: -



10.1 That the construction of the promenades is being undertaken by constructing RCC retaining walls in three steps behind which land bank as already stated, shall be created and these retaining walls are being taken up to a level of 306.50 m above MSL. The Highest Flood Level (HFL) during the year 2014, which is a one in a hundred-year event, had caused the water to rise up to a level of 305m. It is further submitted that the retaining walls have been taken 1.5 m above the HFL observed in 2014 and hence constitute a robust flood protection system for the city in the project reach. Besides, the project is being executed without disturbing the waterway in any manner whatsoever.

11. Rejuvenation of Ground Water: -

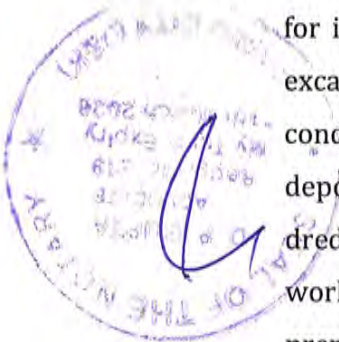
11.1 That with the completion of project, a lake shall be created in the extent from Tawi Barrage up to Bikram Chowk Bridge in a length of 1.0 kms. The standing water in the lake, besides adding to the aesthetics of the surrounding, shall also result into recharging of ground water aquifers in the vicinity of the project which shall increase the ground water level, ensuring replenishment of water table.

12. Environment Impact Assessment/Environmental Clearance: -

12.1 That the execution of project is limited to the river banks and it envisages to create stepped promenades on both sides of the banks and central island along with creation of reclaimed land which shall extensively be used for creating green vibrant recreational spots, as described in the aforementioned paras.

12.2 That the project's execution is limited to the river banks. It is not intended for irrigation, water supply, or any industrial use. No mining or mineral excavation is involved during the construction phase. Dredging activities, conducted under the supervision of field experts, are undertaken to remove deposited material from the riverbed, ensuring smooth river flow. The dredged material is utilized within the project for embankment and other works. However, a robust environmental management plan has been prepared for the project which is being followed in letter and spirit.

12.3 That the project has received CTO (Consent to Operate) clearance from the state pollution control board for the batching plant and a stone crusher. All necessary measures to contain dust have been implemented, with the stone crusher positioned away from densely populated areas. All environmental



concerns are thoroughly addressed through an Environmental Management Plan, which includes environment, health, and safety aspects of the project.

12.4 That the project has no negative impact on water quality. In fact, it is designed to improve the water quality of the Tawi River by diverting all existing nallas on both sides of the river through 1200 mm diameter interceptor drainage pipelines to the existing STPs on left bank and right bank. It is pertinent to mention herein that Previously, sewage and other domestic waste was being dumped into the river, but this practice has been stopped due to the construction of Tawi River Front Project. Under this project, all nallas carrying toxic effluent from the city have been diverted to interceptor drainage pipelines, which will ultimately lead to the STP for treatment.

12.5 That the project under execution has no built-up area, as only open to sky promenades are being constructed.

However, for the next stage of project which may involve some developmental/construction activity in some pockets of the reclaimed land, for which a proposal is being framed. The proposal shall be submitted to the government for approval and any developmental/construction activity shall be taken up only after conducting Environment Impact Assessment and obtaining Environmental Clearance from the concerned authorities as stipulated under Environmental (Protection) Rules, 1986 and notification of Ministry of Environment and Forests, dated 14th Sep, 2006.

In view of the above submissions, it is stated that the Jammu Smart City Ltd, Jammu is constantly monitoring the implementation/ development of Tawi River Front Development Project in coordination with the concerned authorities at various levels. It is, therefore, most respectfully submitted that the application may kindly be disposed with appropriate orders as deemed fit and proper in the interest of justice.


Deponent

VERIFICATION

I, Dr. Devansh Yadav Aged -34 years, at present working as Chief Executive Officer, Jammu Smart City Limited do hereby verify and declare that the facts stated above in para nos. 1 to 12 are true upon information received from the records as well are true upon legal advice received by me which I believe to be true. The

documents submitted are photocopies of the Originals.



Executive Officer
Deponent

Date; 31/08/2024

Place: Jammu

Through Raina:
Adv

(Rajnish Raina)
Advocate
J&K and Ladakh
High Court
Jammu

MOB:
9419200509

Email: rajnish14@gmail.com



NOTARY PUBLIC OF THE NOTARY
D. P. GUPTA
Advocate
Registration No. 219
Muzerani Expiry
11th March 2026
JAMMU CITY (J&K)

Solemnly Affirmed/Sworn Before Me
31/8/2024
NOTARY PUBLIC
JAMMU CITY

IDENTIFIED BY

Raina:
(Rajnish Raina)
Rajnish Raina
Advocate
Advocate
J&K and Ladakh High Court



सत्यमेव जयते

INDIA NON JUDICIAL

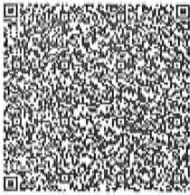
Government of Jammu and Kashmir

₹10

e-Stamp

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Unique Doc. Reference	: SUBIN-JKJK1255740416970042161879W
Purchased by	: CEO JAMMU SMART CITY
Description of Document	: Article 4 Affidavit
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: CEO JAMMU SMART CITY
Second Party	: Not Applicable
Stamp Duty Paid By	: CEO JAMMU SMART CITY
Stamp Duty Amount(Rs.)	: 10 (Ten only)

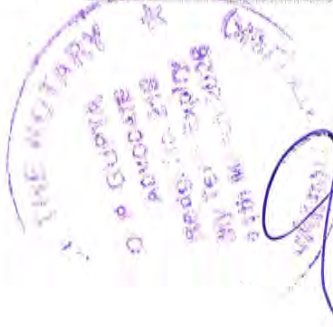


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Description of Document : Article 37 Notarial Act
Property Description : Not Applicable
Consideration Price (Rs.) : 0
 (Zero)
First Party : CEO JAMMU SMART CITY
Second Party : Not Applicable
Stamp Duty Paid By : CEO JAMMU SMART CITY
Stamp Duty Amount(Rs.) : 10
 (Ten only)



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Item No.09

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.600/2024
(I.A. No.236/2024)

Bhushan Lal Parimoo

Applicant

Versus

Union Territory of Jammu & Kashmir & Ors.

Respondent(s)

Date of hearing: 22.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Prakash Pandey, Adv. (through VC)

ORDER

1. In this original application plea of the applicant is that River Tawi Front Park at Bikram Chowk, Jammu consists of more than 650 plants and 180 different species of trees. The grievance of the applicant is that the respondent no. 6 in the process of implementation of smart city project is likely to cut the trees inside the park. It is also plea of the applicant that some of the trees outside the park have already been cut. Hence, there is every likelihood that the park will be destroyed.

2. During the course of argument learned counsel for the applicant has referred to the communication dated 20.01.2023 annexure A-7 sent by the CEO Jammu Smart City ltd. to the Tourism Department stating that the decision has been taken to merge the park with a reclaimed land of Tawi Riverfront and that the park is within the planning boundary earmarked for the project.

3. O.A raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.
4. Issue notice to the respondents in O.A. No. 600/2024 and I.A. 236/2024. Applicant is directed to serve the respondent and file affidavit of service.
5. The respondent no. 6 is directed to file a report in form of affidavit clearly disclosing if, in the implementation of the project any tree is likely to be cut from the park or the nature of park is likely to be changed in any manner.
6. List the matter on 09.09.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

May 22, 2024
O.A. No.600/2024
H.B.

Plantation details of existing Park proposed to be relocated, as enumerated by JSCL on July 1st, 2024					
S.No.	Name	Height	Quantity	Type	Name of species mentioned in the NGT document
Plants (A) and Trees (B)					
1	Alstonia (Blackboard Tree)	10'-12'	22	Tree	Alstonia
	Alstonia (Blackboard Tree)	7'-8'	62	Plant	
	Alstonia rostrata	10'-14'	5	Tree	
2	Pongamia pinnata	10'-14'	32	Tree	Sukh Chain
3	Tecoma gaudichaudi	10'-14'	4	Tree	Tacoma
	Tecoma capinsis (Orange flowers)	5'-7'	4	Plant	
4	Bamboo	10'-14'	6	Tree	Bamboo
	Bamboo	5'-7'	6	Plant	
5	Ficus panda	12'-14'	12	Tree	Ficus
	Ficus benjamina	13'-15'	5	Tree	
	Ficus benjamina	6'-8'	2	Plant	
	Ficus macrophylla	12'-14'	8	Tree	
6	Hamelia patens	12'-14'	10	Tree	Hamelia
	Hamelia patens	6'-8'	12	Plant	
7	Thevetia peruviana	12'-14'	10	Tree	Thavecica
	Thevetia peruviana	6'-8'	52	Plant	
8	Shoeblock plant (China rose)	12'-14'	1	Tree	China Rose
	China Rose	6'-7'	5	Plant	
9	Reetha	10'-12'	1	Tree	Reetha
10	Bahunia	12'-14'	1	Tree	Kachnar
11	Casuarina	12'-14'	2	Tree	Casuarina
12	Camphor	10'-12'	3	Tree	Kapur
	Camphor	6'-8'	2	Plant	
13	Moringa	10'-12'	1	Tree	Swanjnaa
	Moringa	6'-8'	1	Plant	
14	Neolamarckia cadamba	12'-14'	6	Tree	Kadam
15	Duranta	10'-12'	2	Tree	Duranta
	Duranta	5'-7'	4	Plant	
	Duranta	2'-4'	35	Plant	
16	Silver Oak	10'-12'	1	Tree	Silver Oak
17	Banana	12'-14'	2	Tree	Banana
18	Jamun	10'-12'	12	Tree	Jamun
19	Pterospermum acerifolium	12'-14'	2	Tree	Kanak
20	Tabermontana Coronoria	6'-8'	4	Plant	Chandni
21	Tamarindus Indica	6'-8'	1	Plant	Imli
22	Frangipani	6'-8'	45	Plant	Pulmeria rubra/Pudica/Champa
23	Araucaria	10'-12'	4	Tree	Christmas Tree
24	Karonda	6'-7'	1	Plant	Garna
25	Pencil Pine	6'-8'	1	Plant	Pencil Pine
26	Raat ki Raani	6'-7'	2	Plant	Raat ki Raani
27	Guava	6'-8'	1	Plant	Guava
28	Chinar	6'-8'	1	Plant	Chinar
29	Curry Patta	6'-8'	1	Plant	Kadi Patta
30	Sacred Fig	6'-8'	3	Plant	Peepal
31	Lemon	5'-7'	2	Plant	Lemon Tree
32	Apple	6'-8'	2	Plant	Apple
33	Monkey Fruit	6'-8'	2	Plant	Monkey Fruit/lakoocha
34	Din ka raja	5'-7'	1	Plant	Din ka raja
35	Hill Lemon	6'-8'	2	Plant	Gargal
36	Ashwaghandha	3'-4'	2	Plant	Ashwaghandha
37	Har Shingar	6'-8'	1	Plant	Parijaat Bel Patri
38	Loquat	6'-8'	1	Plant	Loghaat
39	Lemon Grass	2'-3'	20	Plant	Lemon Grass

40	Arabian Jasmine	4'-5'	1	Plant	Jasmine
	Cape Jasmine (Gandhraj)	4'-5'	1	Plant	
41	Rubber Fig	6'-8'	1	Plant	Rubber Plant
42	Thujja	4'-5'	2	Plant	Morpankhi
43	Lagerstroemia speciosa	5'-7'	10	Plant	Panjtaara
44	Putranjiva roxburghii Wall	10'-12'	2	Tree	Putranjiva
45	Santalum album	6'-8'	4	Tree	White Sandalwood
46	Citrus medica	6'-8'	1	Plant	Kimb
47	Citrus limetta	6'-8'	1	Plant	Mausambi
48	Cassia Fistula	12'-14'	2	Tree	Amaltas
49	Sago Palm	3'-4'	4	Plant	
50	Ponytail Palm	3'-7'	10	Plant	
51	Pitrachardia (Fan palm)	6'-8'	1	Tree	
52	Arica Palm	6'-8'	6	Tree	
53	River tamarind	10'-12'	1	Tree	
54	Bismark Palm	12'-14'	1	Tree	
55	Furkeria	3'-4'	30	Plant	
56	Anar	7'-9'	2	Plant	
57	Melia azedarach (Chinaberry)	6'-8'	1	Plant	
58	Silver Yucca	6'-7'	1	Plant	
59	Palm	12'-14'	2	Tree	
60	Zamia	3'	1	Plant	
61	Bouganville	10'-12'	50	Tree	
62	Oleander	6'-8'	2	Plant	
63	Pedilanthus Plant	2'-3'	30	Plant	
Climbers and Creepers (C)					
64	Grape Vine		1	Climber	Misc. Creepers/Climber
65	Passiflora suberosa (Rakhibel)		10	Climber	
66	Mansoa alliacea (Garlic Vine)		2	Climber	
67	Combretum indicum		1	Creepers	
68	Clerodendrum Splendens		1	Climber	
Plants in pots (D)					
	Name	Quantity			
69	Collis	11			
70	Sweet Bitter	10			
71	Ponytail Palm	9			
72	Marigold	15			
73	Silver Yucca	7			
74	Varsicolour	8			
75	Frangipaani	5			
76	Pedilanthus Plant	12			
77	Syngonium	15			
78	Snake plant	8			
Total number of plants					
	Type	Quantity			
	Plants (A)	376			
	Trees (B)	221			
	Climbers/Creepers (C)	15			
	Plants in pots (D)	100			
	Total No	712			
Note : Plants upto the height of 8' have been considered as plants and above 8' height are considered as trees.					

**DETAIL OF EXISTING STRUCTURES AND
PLANTATION AT PARK ON LEFT BANK**

1st July, 2024

A. DETAILS OF STRUCTURES



Entrance Gate from the road side



Shop near entry to the park



Entrance Gate from the Parking side



Pathways inside the park



Parking at the entrance of the park



Gazebo inside the park



Children Play Area inside the park

B. DETAILS OF PLANTATION

Trees



Alstonia (Blackboard Tree)



Ficus benjamina



Alstonia rostrata



Ficus panda



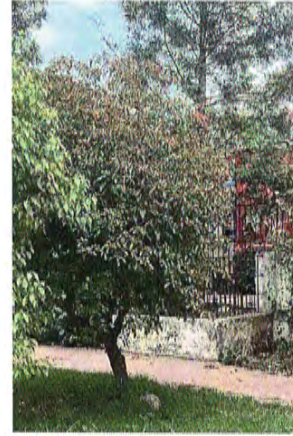
Pongamia pinnata-Sukhchain



Bamboo



Tecoma capinsis



Hamelia patens



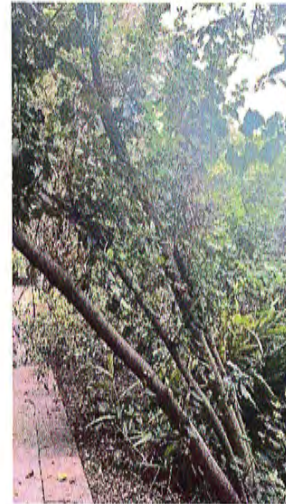
Tecoma gaudichaudi



Thevetia peruviana



Ficus macrophylla



Shoebblack plant (Chinarose)



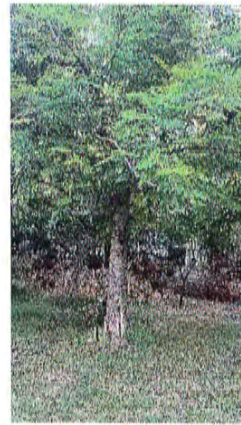
Reetha



Camphor (Kapur)



Bahunia (Kachnar)



Moringa (Swanjnaa)



Casuarina



Neolamarckia cadamba(Kadam)



Duranta-Duranta



Jamun



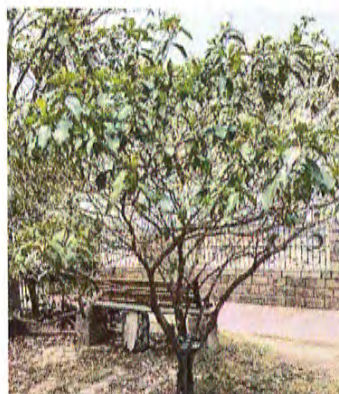
Silver Oak



Pterospermum acerifolium (Kanak)



Banana



Tabermontana Coronaria (Chandni)



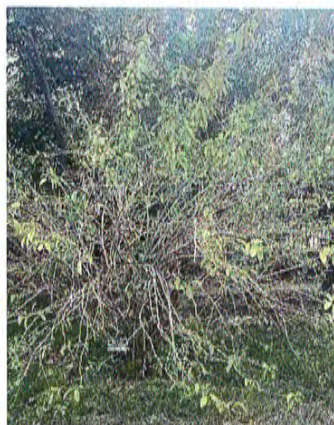
Tamarindus Indica(Imli)



Karonda(Garna)



Frangipani-(Pulmeria
rubra/Pudica/Champa)



RaatkiRani



Araucaria(Christmas Tree)



Guava



Chinar-Chinar



Monkey Fruit(Lacoocha)



Lemon tree



Din ka Raja



Apple



Hill Lemon(Gargal)



Ashwagandha



Lemon grass



Harshingar(Parijatbelpatri)



Arabian Jasmine CapeJasmine(Gandhraj)



Loquat



RubberFig(RubberPlant)



Thuja(Morpamkhi)



Citrusmedica (Kimb)



Lagerstroemia speciosa (Panjtaara)



Sago Palm



PonytailPalm



Putranjiva roxburghii Wall(Putranjiva)



Pitrachardia (FanPalm)



Bismark Palm



Arica Palm



Furkeria



River Tamarind



Anar



Melia azadirach (Chinaberry)



Bouganville



Silver Yucca



Oleander



Zamia



Pedilanthus Plant

Climbers/Creepers



Grape Wine



Mansoaalliacea
(Garlic Vine)



Clerodendrum
Splendens



Passiflora suberosa
(Rakhibel)



Combretum indicum

Potted Plants

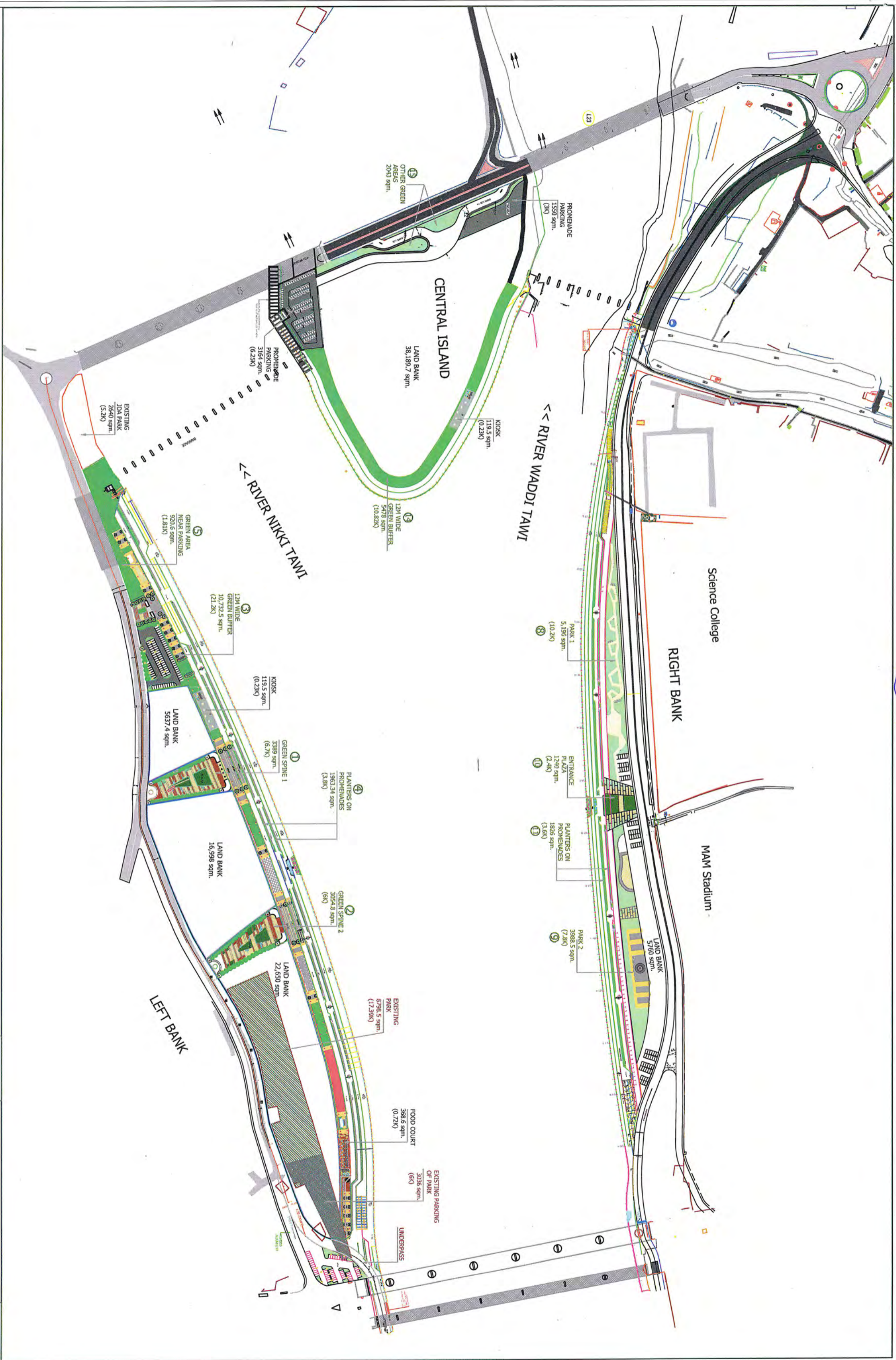
- Collis
- Sweet Bitter
- Ponytail Palm
- Marigold
- Silver Yucca
- Varsicolor
- Frangipaani
- Pedilanthus Plant
- Syngonium
- Snake plant



Plantation Detail Proposed At Different Locations In Tawi Riverfront Project on all banks		
S.No.	Name	Quantity
TREES		
1	Pongamia Pinnata	110
2	Azadirachta Indica	110
3	Thespesia Populnea	120
4	Neolamarckia Cadmba	35
5	Markhamia Lutea	110
6	Cassia Fistula	110
7	Cassia Siamea	110
8	Lagerstroemia Speciosa	120
9	Dalbergia Sissoo	50
10	Weeping willow tree	65
11	Callistemon lanceolatus	78
12	Michelia champaca	121
13	Butea monosperma	76
14	Silver Oak	26
15	Alstonia	61
16	Bauhinia Purpurea	55
17	Jacaranda mimosaefolia	41
18	Bismarck Palm	15
19	Tabebuia rosea	41
<u>TOTAL</u>		1454

SHRUBS		
1	Quisqualis indica	1600
2	Ipomea carica	1600
3	Vernonia elaeagnifolia	1800
4	Bougainvillea	2500
5	Leucophyllum Frutenscens	2500
6	Clerodendrum Inerme	2500
7	Crinum Latifolium	2500
8	Hibiscuss rosa-sinensis	1600
9	Murraya Paniculata	1600
10	Casesalpinia Pulcherrima	1800
11	Heleconia	540
12	Plumbago auriculata	25
13	Snake plant	460
14	Plumbago auriculata	460
15	Tecoma purpurea	700
16	Bauhinia Purpurea	700
<u>TOTAL</u>		22885
GRASS		
1	Red Fountain grass	2500
2	White Fountain grass	2500
<u>TOTAL</u>		5000

SITE PLAN OF TAWI RIVERFRONT



(40)



ANNEXURE –R5

SITE PICTURES OF LANDSCAPING PROJECTS COMPLETED BY JSCL

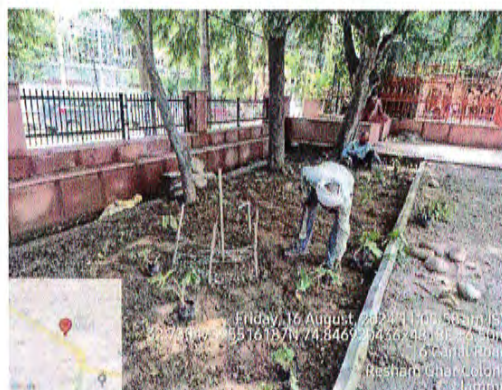
- 1. Name of Project: Blue Green Project for Ranbir Canal Part 1 from BSF Paloura upto Shakti Nagar Bridge



- 2. Name of Project: Blue Green Project for Ranbir Canal Part 2 from Pawan Ice cream , Bakshi Nagar upto Shakti Nagar Bridge



3. Name of Project: Blue Green Project for Ranbir Canal Part 3 from Pawan Ice cream , Bakshi Nagar upto Canal head



4. Name of Project: Blue Green Project for Tawi Canal Zone 1 from Gorkha Nagar to Railway Station



5. Name of Project:

- i. Landscaping Of Road Outside Jammu University From Hostel Gate Upto J&K Bank



- ii. Landscaping Of Medians And Road Side Development Along Road From Nh44 Qasim Nagar, Narwal



6. Name of Project: Landscaping & Development Of Green Spaces In Jammu

i. Landscaping Along The Road From Panama Chowk Towards Jkpcc ii. Office



ii. Landscaping Of Rockery At Bikram Chowk:



iii. Landscaping Of JambuLochan Park near Ranbireshwar Temple



7. Name of Project: Landscaping Of Road Outside Women College From Presentation Convent School Gate Upto Asia Hotel



8. Name of Project: Landscaping Works For Various Pockets Across Jammu City At:-

i. Rotary Near Balidaan Stambh.

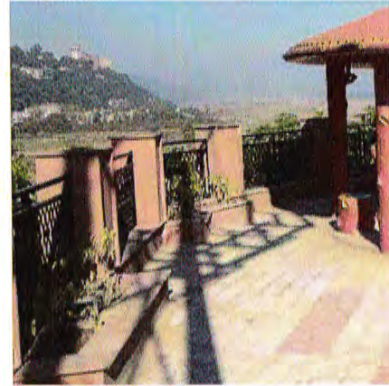


ii. Har-Ki-Pauri Road From Entrance To Temple Entry

a. Entrance Area-



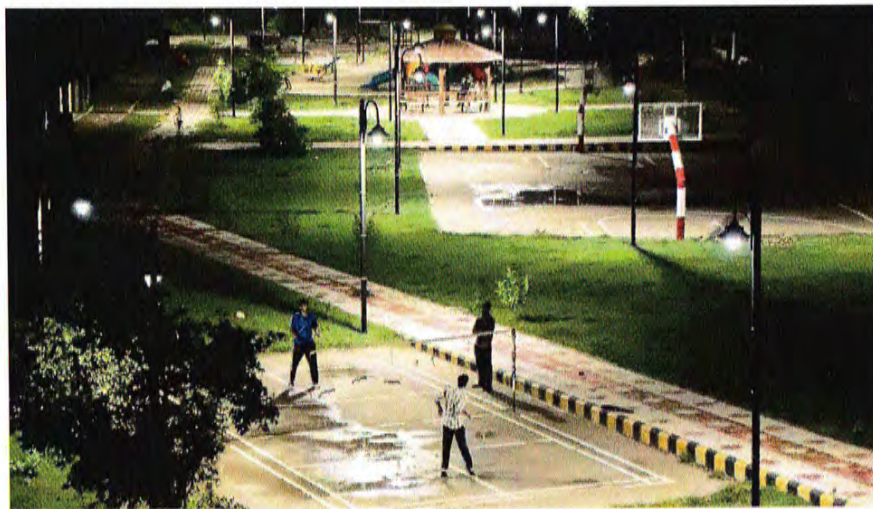
b. View Point of Har-ki-Paudi:



iii. Median opposite Balidan Stamb towards Qasim Nagar



9. Name of Project: Landscaping & Development Of Of Public Park (Community Park) Adjacent To Gym At ChanniHimmat Near Green Belt Park



10. Name of Project: Landscaping Of Open Space On Railway Outer From ChanniHimmat Towards Railway Station



11. Name of Project: Landscaping & Development Of Green Spaces Along The Road From Panama Chowk Upto Railway Station Via Divisional Commissioner's Office





Picture showing waste dumped on Left Bank prior to the construction of project



Picture showing waste prior to the construction of project



Photo 3:



Photo 4. Depicting existing state of water pollution due to nallah entering Tawi river posing threat to its aquatic life



Picture showing stagnated cesspool resulting from the flowing of nallah directly into the river prior to the construction of project



Picture showing Interceptor Drain On Left Bank



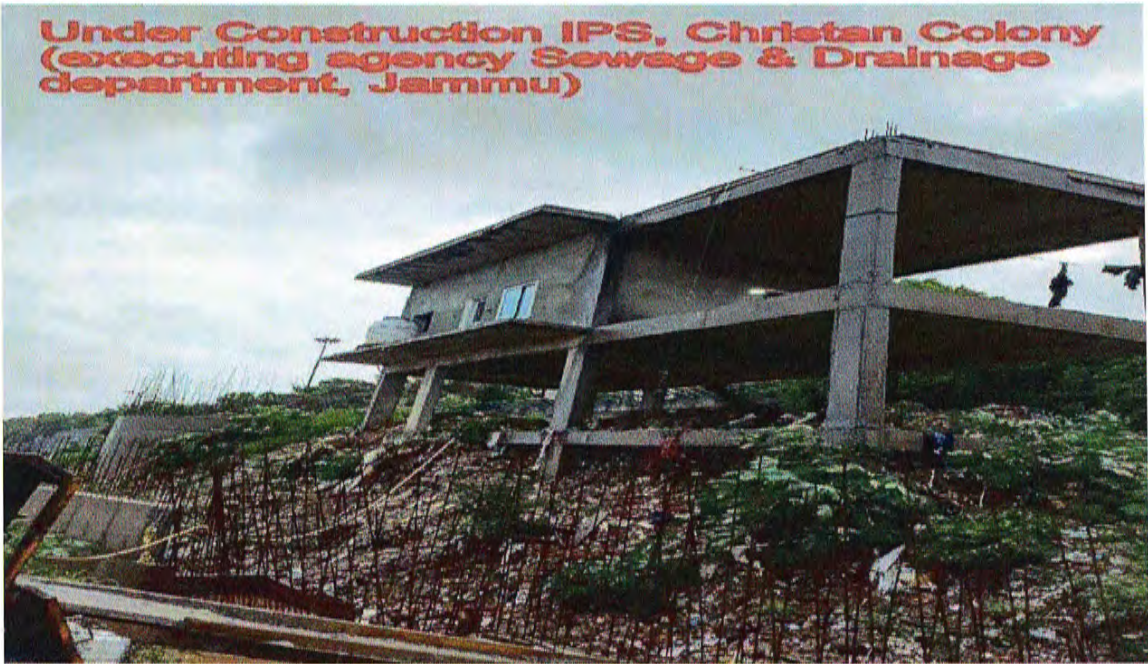
Picture showing Interceptor Drain On Right Bank



Picture showing Interceptor Drain On Right Bank

Under Construction Intermediate Pumping Station, Tawi Riverfront-Left Bank (executing agency JSCL)









2. Land Use and General Regulations

2.1. Brief Overview

2.1.1. Land Use Zoning for Reclaimed land and Warehouse area.

Unique code has been assigned to each plot for enforcing development rules. Land parcels of Left Bank, Central Island, Right bank, and adjoining areas as assigned code A, B, C & D simultaneously, Refer **Table 2.1** for plot numbering and assigned land use for the same as per land use plan in **Figure 2.1**

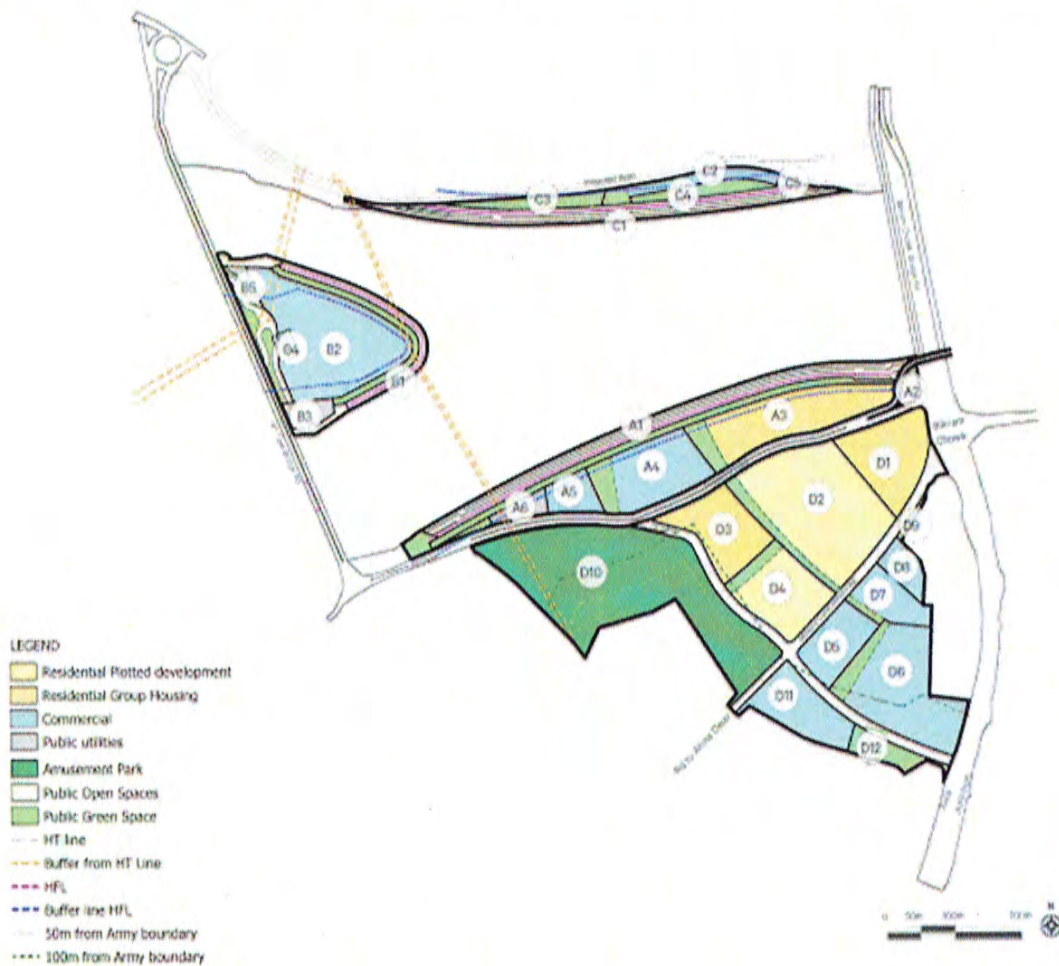


Figure 2.1 Land use plan for Tawi Riverfront Development Project

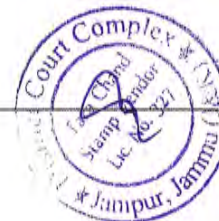
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