

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

**Execution No.26/2025
In
Original Application No. 351/2019**

In the Matter of:

Raja Muzaffar Bhat

(Applicant)

Versus

Union Territory of Jammu & Kashmir and Ors

(Respondents)

Compliance Affidavit on behalf of the Respondent No.9.

The Respondent No. 9 begs to state as follows:

I, Dr. Basharat Qayoom, District Development Commissioner(Deputy Commissioner) Pulwama, Union Territory of Jammu and Kashmir do hereby solemnly affirm and state as under:

1. That I am presently serving as District Development Commissioner(Deputy Commissioner), Pulwama, UT of Jammu and Kashmir and as such I am well aware of the facts of the present matter.
2. That I most humbly and respectfully submit that the Deponent herein, holds the highest regard and utmost respect for this Hon'ble Tribunal and directions issued by this Hon'ble Tribunal. It is submitted with humility that the deponent has always prioritized the prompt and sincere implementation of the orders passed by this Hon'ble Tribunal.

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3. That the applicant has filed the instant execution application seeking implementation of the order Dated:25/11/2021 passed by this Hon'ble National Green Tribunal in Original Application No.351/2019. The said Original Application concerns the issue of unscientific dumping of waste and encroachment on the wetlands.
4. That in this regard, a meeting was held with the line departments including the Department of Wildlife(Wetlands) J & K, J & K Pollution Control Committee, Rural Development Department and the Urban Local Bodies on 10/07/2025 at Mini Secretariat, DC Office Complex Washbugh Pulwama to review the implementation of the said order. Furthermore, the concerned departments were asked to furnish detailed reports with respect to the said implementation.
5. That the reports submitted by the line departments are detailed and elaborate and comprises of all the facts material to the issue involved. The same also seems to suffice the action taken in order to manage the proper dumping of waste and prevent encroachment on the wetlands. The said reports are reproduced hereinunder:

A. Report furnished by the Wildlife Warden, Wetlands Division, Kashmir:

- a. **Legal Standing and Governance Framework:** It is respectfully submitted that the wetlands in question - including Hokersar and Kranchoo Chandhara, fall within the jurisdiction of the Department of Wildlife Protection, J&K Government, and are managed and regulated under the provisions of the Wildlife Protection Act, 1972 as Conservation Reserves. These wetlands do not fall under the purview of the Wetlands (Conservation and Management) Rules, 2017,




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which, by statute, exclude wetlands situated within forest areas or managed by the Wildlife Department.

- b. **Compliance with Point No. 2 (Para 15):** Execution of Action Plan and Oversight With regard to the direction that the continuous execution of the Action Plan be ensured on a regular basis, the Department respectfully submits the following detailed status:

i) Integrated Management Action Plan (IMAP):

- The Department has formulated and adopted an Integrated Management Action Plan (IMAP) exclusively for the eight designated wetlands under its jurisdiction, including the four wetlands of District Pulwama (Kranchoo, Freshkhoori, Manibugh and Chattalum).
- This plan outlines targeted habitat restoration, ecological conservation, channel maintenance, pollution abatement, and biodiversity enhancement, strictly within the regulatory framework of the Wildlife Protection Act, 1972.

ii) Annual Plans of Operation (APOs)

- Based on the IMAP, Annual Plans of Operation are formulated and approved every financial year. These APOs outline year-wise prioritized interventions.
- Each APO includes:
 - Demarcation of wetland boundaries
 - Restoration of natural feeding channels
 - Plugging of breaches
 - Removal of floating vegetation
 - Manual and mechanical clearance of solid waste



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- Watch and ward teams for protection from encroachment
- Monitoring of aquatic bird populations and
- Monitoring of water quality indicators

iii) Supervision and Monitoring Mechanism:

- A multilevel supervision system has been instituted that includes:
 - Field-level Wildlife Guards and Foresters
 - Block Officers and Range Officers
 - Divisional-level monitoring by Wildlife Warden

c. Compliance with Point No. 3: Clarification on Photographs in Annexure A/5

i) Regarding Annexure A5 (Page 197): Road Construction in Kranchoo-Chandhara Wetland

It is respectfully clarified that:

- The road shown in the image is an age-old cart track that pre-existed prior to 2013 and does not pass through any wetland area formally taken over by the Department of Wildlife Protection.
- In 2013, the Department took possession of 128 Kanals and 19 Marlas of land in the Kranchoo wetland.
- A further 267 Kanals is under acquisition process but has not been officially transferred to the Department as yet.

Protection Measures Undertaken:

- The Department has not permitted any new road construction within the wetland boundaries under its control. A close coordination in this regard is




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being maintained with district administration of Pulwama. The road in question does not encroach upon the protected wetland land held by the Department under the Wildlife Protection Act.

- No infrastructure development has been allowed within the wetland demarcated as a Conservation Reserve.

d. Summary

In view of the above, it is humbly submitted that:

- All wetlands under the Department's jurisdiction are being managed as Conservation Reserves under the Wildlife Protection Act, 1972.
- All interventions are strictly aligned with the approved IMAP and annual APOs, with continuous monitoring and rectification mechanisms.
- The solid waste near Hokersar is a recurring hydrological inflow issue, not a case of legacy or local dumping, and is being managed effectively.
- The road in Kranchoo-Chandhara is an old track outside the formal jurisdiction of the Department and no new road construction has been permitted within the acquired wetland boundary.



B. Report furnished by the Municipal Committee Pampore:

The Municipal Committee Pampore has taken proactive and intensified steps for the protection of the Fashkoori Wetland, so


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that the wetland is kept free from garbage, plastic waste, cow dung and other pollutants:

- Sanitation work is conducted on daily basis in surroundings and adjacent areas of Fashkoori wetland.
- Dedicated Manpower have been deployed on a fortnight basis, supported by necessary machinery and tools.
- In Restoration of natural water flow patterns by removing blockages, repairing damaged inlets and outlets so that water level is managed.
- The cleanliness and conservation drives are being carried out every alternate month (last drive done in the month of June 2025) in coordination with:
 - Local respectable citizens;
 - Officials from the Forest Department;
 - Wetland Conservation authorities;
 - Environmental activists, including Adv. Nadeem Qadri (Environmental Lawyer, the Hon'ble High Court Srinagar).



Three Heavy-duty trash guards have been installed at drain outfalls to trap solid waste before entering the wetland. The trapped material is regularly cleaned and cleared by the sanitation team of the Municipal Committee Pampore.

- 100% door-to-door waste collection has been achieved in and around the Fashkoori wetland area.
- 100 household dustbins have been distributed across the area of Fashkoori, Pampore in current Financial year and more shall be distributed end of this year before winters.


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In view of the above efforts, this Municipality is also facing some limitations in terms of following essentials which in fact is in final consideration with the Competent Authorities subject to necessary approvals and availability of requisite funds:

- Modern equipment (especially specialized boats and mechanized de-silting tools) matter already taken up with the Competent Authority, which is under consideration subject to availability of funds.
- The DPR for Sewerage Treatment Plant already stands prepared through UEED Division Srinagar and is under active consideration subject to necessary approvals from the competent authority and the availability of funds required for the completion thereof. The project envisages the laying of approximately 6.6 kilometres of sewer network, along with the establishment of three strategically located pump stations to facilitate effective wastewater conveyance and treatment. Notably, one of the proposed pump stations is planned to be situated in close proximity to the Fashkoori Wetland, a sensitive ecological zone, with the intent to safeguard the wetland's fragile ecosystem.
- In addition to the above mentioned STP, a Faecal Sludge Treatment Plant (FSTP) of 10 Kilo Litres per Day (KLD) capacity was also proposed by the UEED. The accomplishment of the said project is subject to necessary approvals from the competent authority and the availability of funds required.

Conclusion:

The Municipal Committee Pampore remains steadfast in its commitment towards the preservation of the environment and



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promotion of sustainable urban management practices. Recognizing the ecological significance of the Fashkoori Wetland, the Committee has prioritized its protection through a range of coordinated measures.

- All available resources are being mobilized to safeguard the wetland, with proactive coordination maintained with the Forest Department, Wetland Authorities, and other relevant stakeholders, including members of civil society and local volunteers. This collaborative approach has fostered greater awareness and ensured that preservation efforts are inclusive and community-driven.
- The Municipal Committee Pampore has adopted a multi-pronged strategy to address these issues effectively. Key initiatives include:
 - Strengthening waste management practices around the wetland catchment area;
 - Engaging additional human resources through outsourcing and local engagement alongwith boats for deep cleaning;
 - Proposal and procurement of mechanized cleaning tools and equipment;
 - Periodic de-silting and de-weeding operations;
 - Enhanced community involvement through awareness drives and cleanliness campaigns under IEC activities.

The progress achieved thus far represents a marked improvement compared to previous years, both in terms of field-level implementation and institutional responsiveness. These developments reflect the growing commitment of the Municipal




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Committee as well as active citizen participation in the shared responsibility of ecological preservation.

C. Report furnished by the Assistant Commissioner Panchayat, Pulwama:

Chatlam Wetland:

- Chatlam Wetland falls within the jurisdiction of Panchayat Halqa Konibal. In Panchayat Halqa Konibal Garbage vehicles are continuously collecting door to door waste twice or sometimes thrice a week around the village surrounding the wetland and later the same is being managed by sanitation committee of Panchayat Halqa Konibal.
- The legacy waste sites if any created around the periphery of the wetland are continuously being monitored and cleared by this office.
- Assets to tackle solid waste at village level like Compost pits, segregation sheds etc are created in Panchayat Halqa Konibal.
- Regarding the Liquid waste Management, assets like individual soakage pits, community soakage pits has been created to tackle grey waste at house hold level.

In addition to this, DPR for construction of DEWATS has been proposed and approved during the current financial year for an amount of Rs 21.20 Lakh by Assistant Commissioner Panchayat Pulwama vide No:- ACP/PU1/1499-1512 Dated:- 14-06-2025, once complete it will successfully manage grey waste entering into the wetland permanently.

Krenchoo Wetland:

- Regarding the Solid waste Management, garbage vehicle collects door to door waste from households twice in a week and later is



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being managed by sanitation committee there. The boundary walls around the Krenchoo wetland are being monitored by local sanitation committee of Krenchoo to check and cleared legacy waste site around wetland. Assets like Compost pits and Segregation sheds are already in active state to manage solid waste at Halqa level.

- Regarding the Liquid waste management, DEWATS has been approved during the current financial year 2025-26 by Assistant Commissioner Panchayat Pulwama vide No:- ACP/PUI/1499-1512 Dated:- 14-06-2025, for an amount of Rs 18.74 Lakh to manage grey waster entering into the wetland.
- Assets like individual soakage pits, community soakage pits are also created in the Panchayat to check and manage the grey water at households level.

Furthermore, the department is proactive in creating awareness among masses regarding Solid waste and Liquid Waste management by way of regular IEC's, Camps, Placards.

6. That this affidavit is submitted to place on record the factual position and the Action Taken Report in compliance to the order Dated:25/11/2021 passed in OA No.351/2019 by this Hon'ble Tribunal.



Dr. Basharat Qayoom,
District Development Commissioner
(Deputy Commissioner)
Pulwama

Pulwama

Dated: 25/08/2025



VERIFICATION

I, Dr. Basharat Qayoom, District Development Commissioner(Deputy Commissioner) Pulwama, Union Territory of Jammu and Kashmir, having my office address at Ground Floor, Mini Secretariat, Pulwama-192301do hereby and declare that the statements made in the aforesaid paras are true and correct to the best of my knowledge and information and I believe the same to be true and that no material is has been concealed therefrom.

Solemnly affirmed on this 25th day of August, 2025 at Pulwama.



Dr. Basharat Qayoom,
District Development Commissioner
(Deputy Commissioner)
Pulwama

Certified that the contents of the affidavit are declared on oath this 25/8/2025 before me by the deponent. The deponent is identified by ADVOCATE SUHAIL AH. SUHAIL

25/8/2025
ADVOCATE
MIR SHAKEEL AHMAD
NOTARY DISTT. COURT
PULWAMA

IDENTIFIED BY