

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH AT NEW DELHI**O.A No.253/2023**

Raja Muzaffar Bhat

V/s

Union Territory of J&K & Ors.

In the matter of: -

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District Magistrate
Ashok Kumar Sharma (JKAS)
Poonch
District Magistrate
(J&K)
Poonch ..

Place: Poonch
Date: 07.11.2025

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

O.A No.253/2023

Raja Muzaffar Bhat

V/s

Union Territory of J&K & Ors.

In the matter of: - Compliance Report in pursuance to Order dated 19.08.2025 passed by the Hon'ble Tribunal in O.A. No. 253/2023 titled Raja Muzaffar Bhat Vs UT of J&K and Ors.

May it please your Lordships: -

The Compliance Report is most respectfully submitted as under:

1. That the answering respondent is a law-abiding citizen and a responsible Government Officer, holding the highest regard and reverence for the majesty of this Hon'ble Tribunal. The answering respondent deems it a bounden duty to implement the orders of the Hon'ble Tribunal in letter and spirit.
2. That the Hon'ble Tribunal vide Order dated 19.08.2025 at para-No. 8, 9 and 10 directed the answering respondent as under:

"...8. Mr. Ghansham Singh, Member Secretary appearing for J&KPCC has submitted that till now only 25 lakhs out of EC amount of Rs. 162.09 lakh has been recovered and for the remaining amount, J&KPCC has initiated the action. Amount which has been recovered and which will be recovered towards the EC, is required to be utilized for setting up of the solid waste management facility in the area concerned and for restoring the environmental damage which has been caused by respondent Municipal Council, Poonch.

9. District Magistrate, Poonch along with Member Secretary, J&KPCC will prepare a Plan for utilization of the EC amount for the designated purpose and will place it before the Tribunal atleast one week before the next date of hearing.

10. In terms of the above observations, let further report be filed by Municipal Council, Poonch, District Magistrate, Poonch and Member Secretary atleast one week before the next date of hearing..."

3. That in compliance to the aforesaid directions of the Hon'ble Tribunal, a Sub-Committee was constituted vide Order No. DCP/ARA/2025-26/92-97 dated 30.09.2025 for preparation of draft Rejuvenation Plan for restoring environmental damages caused by Municipal Council Poonch in the area falling between Sher-E-Kashmir Bridge (NH 144A) in the confluence of Poonch River and Betar Nalah near Poonch Town. The copy of the Order is enclosed herewith and marked as **Annexure-I**.

Sharma
District Magistrate
Poonch
(J&K)

4. That accordingly the Sub-Committee has submitted a Draft Rejuvenation Plan vide No. MCP/2025/1584 dated 06.11.2025 to this office which has been forwarded to the Member Secretary Jammu and Kashmir Pollution Control Committee for necessary action vide No DCP/ARA/2025-26/115-17 dated 07.11.2025. The copy of the same is enclosed herewith and marked as **Annexure-II**.
5. That after issuance of attachment order vide No. DCP/SQ/2025-26/708-11 dated 13.08.2025, a formal Notice vide No. DCP/SQ/2025-26/752-55 dated 13.08.2025 was served upon the Chief Executive Officer, Municipal Council Poonch directing therein to deposit the remaining outstanding amount of Rs. 137.90 lakhs in the Environmental Compensation Fund within 30 days, failing which the attached property shall be auctioned in accordance with law.
6. That the Chief Executive Officer, Municipal Council Poonch, vide communication No. MC/P/2025/1010-11 dated 05.09.2025, has requested deferment of attachment proceedings on the ground that (i) an appeal against the quantum of fine is pending before the competent authority, (ii) the attached property is a vital community facility of immense public importance and also generates revenue for municipal services, and (iii) repeated requests for financial assistance are under consideration before higher authorities.
7. That vide Order No. DCP/SQ/2025-26/1061-65 dated 26.09.2025, the auction proceedings pursuant to the said attachment were deferred for a period of one month in view of submissions made by the Municipal Council Poonch. However, the stipulated period has expired, and no substantial payment or compliance has been reported by the Municipal Council Poonch.
8. That thereafter, it has become imperative to proceed with the auction of the attached property for realization of the balanced Environmental Compensation amount in accordance with law and the answering respondent vide No. DCP/SQ/2025-26/1499-1508 dated 07.11.2025 constituted an Auction Committee for conducting, supervising and finalizing the auction proceedings within 30 days in a transparent manner and in conformity with the provisions of the J&K Land Revenue Act and standing financial procedures. The copy of the same is enclosed herewith and marked as **Annexure-III**.
9. That after the auction, the realized amount shall be remitted in full to the Environmental Compensation Fund maintained by the J&K Pollution Control Committee.
10. That all possible efforts are being undertaken by the District Administration to ensure full and faithful compliance with the Hon'ble Tribunal's directions, including realization of the Environmental Compensation amount, prevention of environmental degradation, and restoration of affected sites. The District Administration remains fully committed for executing all further steps expeditiously and submitting periodic progress reports before this Hon'ble Tribunal.

Sharma
District Magistrate
Poonch
(J&K)

PRAYER:

It is most respectfully prayed that this Compliance Report may kindly be taken on record and may pass such further orders as this Hon'ble Tribunal deems fit in the interest of justice.


District Magistrate
Ashok Kumar Sharma (JKAS)
District Magistrate
Poonch

Place: Poonch
Date: 07.11.2025



UNION TERRITORY OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER, POONCH

Tel. No. 01968-220333 Fax No. 01968-222363 e-mail: deppoonch@gmail.com

**Subject: OA No. 253/2023 titled Raja Muzaffar Bhat Vs UT of J&K and others.
-Constitution of Committee for Preparation of Draft Rejuvenation
Plan thereof.**

ORDER

In pursuance of the directions of the Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 19.08.2025 in OA No. 253/2023 titled *Raja Muzaffar Bhat v. UT of J&K & Ors.*, a Committee with following composition is hereby constituted for preparation of a draft **Rejuvenation Plan** for setting up of **Solid Waste Management** facility in the area falling between Sher-E-Kashmir Bridge (NH 144A) in the confluence of Poonch River and Betar Nalah near Poonch Town for restoring environmental damages by Municipal Council Poonch:

1. Chief Executive Officer, Municipal Council, Poonch – Chairman
2. Tehsildar Haveli, Poonch – Member
3. AEE, Irrigation & Flood Control, Poonch – Member
4. Range Officer, Social Forestry Division, Poonch – Member
5. Divisional Officer, PCC, Poonch – Member

The Committee shall visit the spot and prepare a draft of **Rejuvenation Plan** within a week's time positively for strategic utilization of Environmental Compensation (EC) funds.

DCP/ARA/2025-26/92-97
Dated: 30.09.2025


Ashok Kumar Sharma (JKAS)
Deputy Commissioner
Poonch

Copy to:

1. Member Secretary JKPCC, Jammu for information.
2. CEO Municipal Council, Poonch for information.
3. Tehsildar Haveli, Poonch for information.
4. AEE, Irrigation & Flood Control, Poonch for information.
5. Range Officer, Social Forestry Division, Poonch for information.
6. Divisional Officer, PCC, Poonch for information.

UNION TERRITORY OF JAMMU AND KASHMIR
OFFICE OF THE DISTRICT MAGISTRATE, POONCH
Tel. No. 01965-220333 Fax No. 01965-222363 e-mail: depoonch@gmail.com

The Member-Secretary
Jammu & Kashmir Pollution Control Committee
Parivesh Bhawan, Forest Complex, Gladni
Narwal, Transport Nagar, Jammu

No: DCP/ARA/2025-26/115-17

Date: 07.11.2025

Subject: OA No. 253/2023 titled *Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors.*

Sir,

Kindly refer to the subject cited above. In this context, it is submitted that a meeting was scheduled on 06.11.2025 on your request for preparation of the **Draft Rejuvenation Plan**. However, in view of your absence in the meeting, the draft Rejuvenation Plan has not been finalized.

Accordingly, the draft Rejuvenation Plan prepared by the Sub-Committee constituted vide this office No. DCP/ARA/2025-26/92-97 dated 30.09.2025 is hereby submitted for perusal and further necessary action.

Yours faithfully,

Encl: 03 lvs.


District Magistrate
Poonch
ACA

Copy to the: -

1. Chairman, J&K Pollution Control Committee Jammu - for information.
2. Regional Director, JKPCJ Jammu.



**UT OF JAMMU & KASHMIR
OFFICE OF THE CHIEF EXECUTIVE OFFICER
MUNICIPAL COUNCIL POONCH**

No: MCP/2025/1524

Date: - 06-11-2025

Deputy Commissioner
Poonch

Subject: - Submission of Rejuvenation Plan.

Sir,

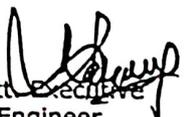
With reference to the subject cited above, it is submitted that a Committee was constituted vide your office order No. DCP/ARA/2025-26/92-97 dated 30-09-2025 regarding preparation of Draft Rejuvenation Plan.

In this regard, the said committee has visited the site and formulated Draft Rejuvenation Plan which is enclosed herewith as Annexure-A for your kind perusal.

Yours faithfully,


Divisional Officer
PCC Poonch
(Member)


Range Officer
Social Forestry
Division
Poonch
(Member)


Asstt. Executive
Engineer
I&FC Poonch (Member)


Tehsildar
Havell
(Member)


Chief Executive Officer
Municipal Council Poonch
(Chairman)


6/11

ARA

Detailed Estimate for Flood Protection Work on R/bank of poonch river for provision for new MCP park.									
S.NO	Description of Items	No	L	B	D/H	Quantity	Unit	Rate (Rs.)	Amount (Rs.)
1	Earth work in bulk excavation by mechanical means (hydraulic excavator) over areas (exceeding 30 cm in depth, 1.5 m in width as well as 10 m ² on plan) including disposal of excavated earth lead upto 50 meters and lift upto 1.5 m								
		1	150	1.7	0.5	127.5			
					total	127.5	cum	187.3	23880.75
2	Supplying and stacking of good earth at site including royalty (earth measured in stacks will be reduced by 20% for payment)								
		1	150	75	0.3	3375			
	D/d vide item no 1 available @50%					63.75			
					total	3311.25		281.3	931454.63
3	Hand-packing stones in wire-crates; excluding cost of crates and stones	1							
	Tier 1st	25	6	1.5	1.5	324	cum		
	No's of K/crates				Total	337.5	cum	371.15	125263.13
4	Back filling with 20% of item no 1					25.5	cum	218.4	5569.20
5	Supply of Stones : Take 85 % Qty. vide item no 03								
						286.87	cum	700	200809.00
6	Supply of k-Crates including Carriage								
						25	nos	5500	137500.00
7	Carriage of stone avg 1 km by Mt								
						286.87	cum	151.47	43452.20
8	Carriage of Earth by 10 km by Mt only								
						3031	cum	348.82	1057273.42
								Total	2525202.319
								SAY	25.00 lacs


CEO MC
Poonch

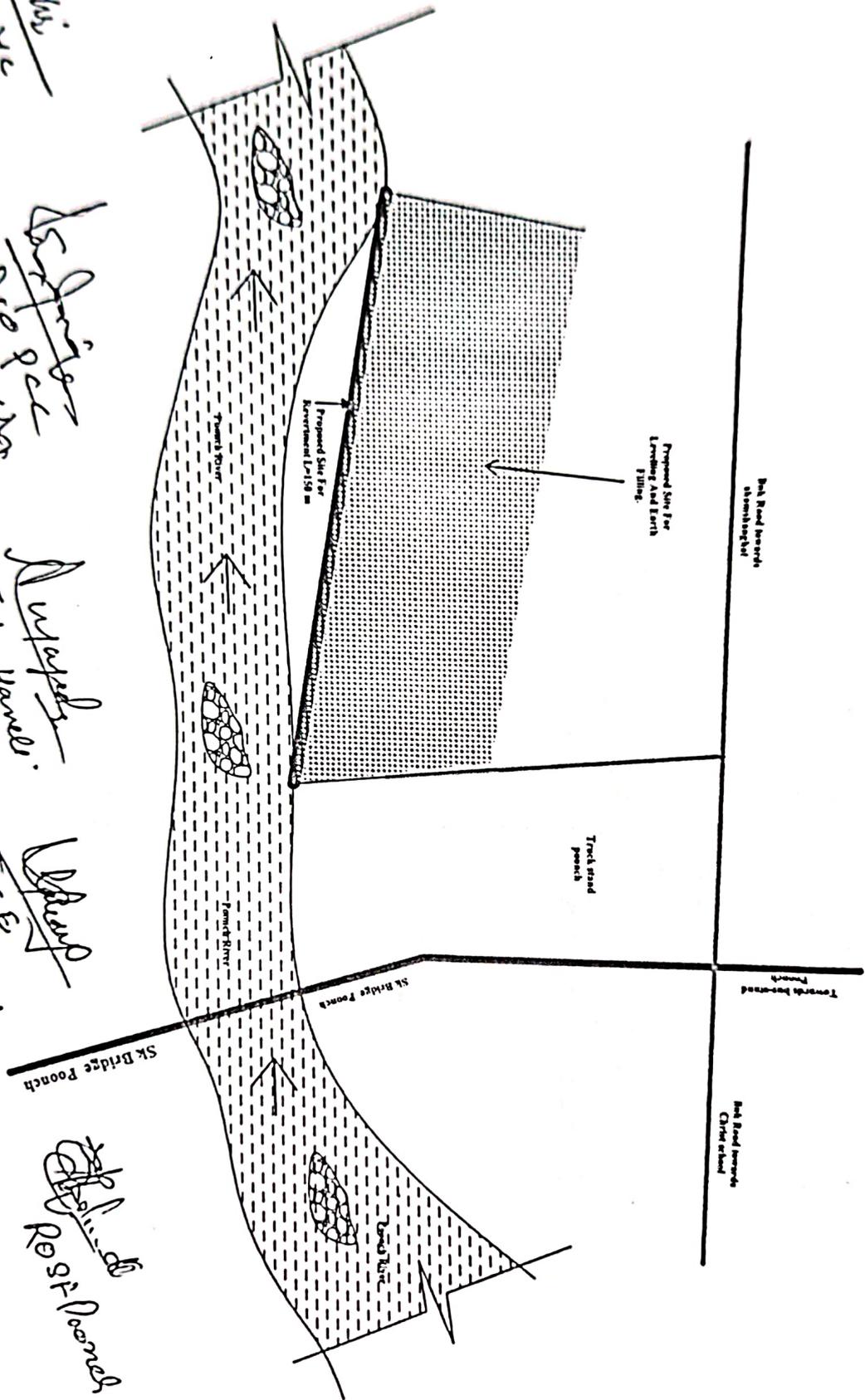

DIB PCC
Poonch.


Teh. Haveli.


I d F C


RO SF II

Site Plan/Landscape view of proposed new municipality park on Right bank of Poonch river



M. Mis
LEO Poonch

K. S. Poonch
D.O Poonch

A. Poonch
T.V. Poonch

M. Poonch
A.E.E.
G.T.P.C.

R. S. Poonch



**UNION TERRITORY OF JAMMU AND KASHMIR
OFFICE OF THE DISTRICT COLLECTOR, POONCH**

Tel. No. 01968-220333 Fax No. 01968-222363 e-mail: dcpoonch@gmail.com

Subject: OA No. 253/2023 titled *Raja Muzaffar Bhat Vs UT of J&K & Ors.* – Constitution of Auction Committee for sale of attached property of Municipal Council Poonch.

ORDER

Whereas, in compliance with the directions of the Hon'ble National Green Tribunal in OA No. 253/2023 titled *Raja Muzaffar Bhat Vs UT of J&K & Ors.*, an Environmental Compensation amounting to Rs. 162.9 lakhs was imposed by the J&K Pollution Control Committee (JKPCC) upon the Municipal Council Poonch for violation of the Solid Waste Management Rules, 2016; and

Whereas, despite repeated opportunities, the Municipal Council Poonch has failed to deposit the full compensation amount, and only Rs. 25.00 lakhs have been deposited with JKPCC till date; and

Whereas, vide this office Order No. DCP/SQ/2025-26/708-11 dated 13.08.2025, immovable property of the Municipal Council Poonch, namely a Community Hall situated at Purani Poonch, Ward No. 17, was attached under Section 71 of the J&K Land Revenue Act, 1996 Bikarmi, for recovery of the pending compensation amount of Rs. 137.9 lakhs; and

Whereas, a Notice vide No. DCP/SQ/2025-26/752-55 dated 13.08.2025 was served upon Chief Executive Officer Municipal Council Poonch with the direction to deposit the outstanding amount of outstanding amount of Rs. 137.90 lakhs in the Environmental Compensation Fund of J&K Pollution Control Committee, Jammu within 30 days from the date of this notice, failing which the attached property shall be put to public auction in accordance with law, without further notice; and

Whereas, Chief Executive Officer, Municipal Council Poonch, vide communication No. MC/P/2025/10/0-11 dated 05.09.2025, has requested deferment of attachment proceedings on the ground that (i) an appeal against the quantum of fine is pending before the competent authority, (ii) the attached property is a vital community facility of immense public importance and also generates revenue for municipal services, and (iii) repeated requests for financial assistance are under consideration before higher authorities; and

Whereas, vide Order No. DCP/SQ/2025-26/1061-65 dated 26.09.2025, the auction proceedings pursuant to the said attachment were deferred for a period of one month in view of submissions made by the Municipal Council Poonch; and

Whereas, the said period of deferment has since expired, and no substantial payment or compliance has been reported by the Municipal Council Poonch; and

Whereas, it has now become imperative to proceed with the auction of the attached property for realization of the balance Environmental Compensation amount in accordance with law; and

Whereas, it is considered appropriate to constitute an Auction Committee for conducting, supervising and finalizing the auction proceedings in a transparent manner and in conformity with the provisions of the J&K Land Revenue Act and standing financial procedures.


AKA



Now, therefore, in exercise of powers vested in me under Section 71 of the J&K Land Revenue Act, 1996 Bikarmi, I, Ashok Kumar Sharma (JKAS), District Collector, Poonch, hereby constitute the following Auction Committee for conducting and supervising the public auction of the attached property of Municipal Council Poonch, as detailed below:

1. Assistant Commissioner (Revenue), Poonch	Chairman
2. Executive Engineer, PW (R&B) Department, Poonch	Member
3. District Treasury Officer, Poonch	Member
4. Tehsildar Haveli, Poonch	Member
5. Accounts Officer, Deputy Commissioner's Office, Poonch	Member

Terms of Reference:

1. The Committee shall conduct the public auction of the attached property (Community Hall, Purani Poonch, Ward No. 17) in accordance with the provisions of the J&K Land Revenue Act, 1996 Bikarmi and rules framed thereunder.
2. The Committee shall ensure wide publicity of the auction through print and electronic media, display notices at prominent public places and provide reasonable time for prospective bidders to participate.
3. The reserve price shall be determined based on the assessed land and structure value as per the record or any updated valuation approved by the Committee.
4. The auction proceedings shall be properly recorded and the Auction Report along with recommendations shall be submitted to the undersigned for approval and further necessary orders.
5. The Committee shall ensure complete transparency, fairness and adherence to codal formalities during the entire process.

The Committee shall initiate necessary steps immediately and complete the process within a period of 30 days from the issuance of this order.


 Ashok Kumar Sharma (JKAS)
 District Collector
 Poonch

No: DCP/SQ/2025-26/1499-1508

Date: 07.11.2025

Copy to the: -

1. Commissioner/Secretary to the Government, Housing & Urban Development Department, J&K – for information.
2. Divisional Commissioner, Jammu – for information.
3. Director, Urban Local Bodies, Jammu – for information.
4. Member Secretary JKPC, Jammu – for information.
5. Assistant Commissioner (Revenue), Poonch – for information & compliance.
6. Executive Engineer PW (R&B) Department, Poonch – for information & compliance.
7. District Treasury Officer, Poonch – for information & compliance.
8. Tehsildar Haveli – for information & compliance.
9. Account Officer, Deputy Commissioner Office, Poonch – for information & compliance.