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**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

The Consultant Judicial,
Hon'ble National Green Tribunal,
Principal Bench,
New Delhi.

No: JKPCC/NGT/OA 241.2021/2025/ 307

Date:- 21-05-2025

Sub:- Compliance Report of Jammu and Kashmir Pollution Control Committee in compliance to Hon'ble National Green Tribunal order dated 18-02-2025 passed in OA No. 241/2021, titled " Raja Muzaffer Bhat vs Union of India & Ors".

Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 18-02-2025 passed OA No. 241/2021, titled " **Raja Muzaffer Bhat vs Union of India & Ors**" the Report of the J&K Pollution Control Committee is submitted herewith.

It is, therefore, requested that the Report may kindly be taken on record and placed before the Hon'ble NGT for consideration.

Yours faithfully,

Encl:- As Above

9600
(Ghansham Singh) JKAS
Member Secretary 21.5.25
J&K PCC

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

Original Application No. 241 of 2021

IN THE MATTER OF

“Raja Muzaffer Bhat vs Union of India &
Ors.

Report on behalf of Jammu and Kashmir Pollution Control Committee in pursuant to Hon'ble National Green Tribunal, Principal Bench, New Delhi vide Order dated 18-02-2025 passed in OA No. 241 of 2021 titled “Raja Muzaffer Bhat vs Union of India & Ors”

Background:

That the Hon'ble National Green Tribunal vide Order dated 18-02-2025 in OA No. 241 of 2021 directed as follows:-

3. “The compliance report dated 17.02.2025 has been filed by the J&KPCC stating that the complaints have been filed against four officers who remained posted as Commissioner, SMC, Chief Engineer, 2 UEED, J&K and Chief Executive Officer/ Executive Officer, Municipal Committee, Budgam and Chandura before the adjudicating officer under Section 15 (b) of the Environment (Protection) Act, 1986.
4. On perusal of the said complaint, it is noticed that the complaint suffers from various defects since the Act and Rules under which the violations have been made have not been correctly mentioned, and it has not even been stated under which Act the said complaint has been made. The complaint suffers from the defect of non-application of mind.
5. The Member Secretary, J&KPCC submits that he will re-examine the complaint and will take necessary steps to ensure that the proper

complaint mentioning clear violation, violators and the provisions of law is made.

6. *In the order dated 24.10.2024, it was also recorded that Environmental Compensation (EC) of Rs. 141.43 lakhs was levied upon the Municipal Council, Chadura for violation for 1267 days by order dated 30.09.2024, EC of Rs. 372.1761 lakhs was levied upon the MC, Budgam for violation of 1267 days and EC of Rs. 41.47 crores was levied upon the Municipal Corporation, Srinagar. The Member Secretary, J&KPCC, during the previous proceeding, had stated that prompt action will be taken to recover the said EC. Thereafter, almost four months have passed, but no effective action has been taken for the recovery of EC. The Member Secretary, J&KPCC has now submitted that last opportunity be granted for taking effective steps and file a report concerning the progress made in the recovery of EC”.*

Report of J&K Pollution Control Committee:

In compliance to the aforesaid directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi dated **18-02-2025** in **OA No. 241 of 2021**, the report of the J&K Pollution Control Committee is submitted as under:

The draft complaints were re-examined in the light of the observations made by the Hon'ble NGT in the aforesaid order dated 18-02-2025. The relevant records files available in the J&K Pollution Control Committee, observations and recommendations of the Joint Committee Report dated 14-12-2021, submitted to the Hon'ble National Green Tribunal and Minutes of the Meetings held from time to time by then Administrative Secretary, Housing and Urban Development Department and directions issued as follow up in compliance to the directions of the Hon'ble National Green

Tribunal in the aforesaid O.A were closely examined. The provisions of the Environment (Protection) Act, 1986, and Rules made thereunder, The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981, Environment (Protection) Rules, The JAN VISHWAS (Amendment of Provision) Act, 2023 viz-a viz Environment (Protection) , (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 and Water (Prevention and Control of Pollution) (Manner of Holding inquiry and Imposition of Penalty) Rules, 2024 were also studied in details.

Accordingly, Draft complaint was prepared under Rule 3 of Environment (Protection), (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 and Water (Prevention and Control of Pollution) (Manner of Holding inquiry and Imposition of Penalty) Rules, 2024, keeping in view the nature of violations and observations of the Hon'ble NGT in its order dated 18-02-2025. The Draft was also shared with the Deputy Advocate General of the Hon'ble J&K High Court for vetting vide No. JKPCC/LS/25/4912 dated 26-04-2025 (**copy enclosed as Annexure 1**). The Learned Deputy Advocate General Mr. Vishal Bharti, suggested some changes in the Draft, which were incorporated, and draft complaint was finalized.

Accordingly, complaints under Rule 3 of the Environment Protection (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 and Environment (Protection), (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 and Water (Prevention and Control of Pollution) (Manner of Holding inquiry and Imposition of Penalty) Rules, 2024 have been filed against the 4 officers. (**Copies of complaints are appended as Annexure 2**).



Similarly, Commissioner, Srinagar Municipal Corporation was asked to deposit levied Environmental Compensation to the J&K PCC within a period of 30 days alongwith interest @ 12% vide letter No. JKPCC/Sc/OA241-2024/2232-34 dated 12-03-2025. (**copy enclosed as Annexure 3**).

However, the Commissioner, Srinagar Municipal Corporation in reference to the notices of the J&K PCC issued dated 30-09-2024 and 15-10-2024 , in his reply furnished vide letter No. SMC/PS/COM/244 dated 10-03-2025 (**copy enclosed as Annexure 4**) submitted as under:

1. **Jurisdictional Clarification:** *The issues highlighted, particularly regarding land availability and liquid waste/sewerage management, do not fall within the functional domain of SMC. The responsibility of sewage and liquid waste management lies with the Urban Environmental Engineering Department (UEED), while land-related matters fall under the jurisdiction of the District Administration. The SMC's Drainage Division is primarily concerned with storm water management, not sewage disposal.*
2. **Topographical Constraints:** *Due to Srinagar's predominantly flat and low-lying geography, natural storm water runoff is minimal. Consequently, dewatering stations have been established to manage excess water by channelling it into natural water bodies like the Jhelum River, Doodhganga and various spill channels. Since this storm water is typically non-polluting, it does not conventionally require treatment.*
3. **Sewage Treatment Proposals:** *In line with the NGT's directions, proposals have already been initiated for the development of STPs along Doodhganga. However, as the SMC lacks technical expertise and mandate in sewage treatment, the responsibility was formally*

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handed over to UEED vide letter No. SMC/PS/Com/416-19 dated 30-05-2023.

4. Further, requested that the matter of Environmental Compensation levied against SMC be reconsidered. The core issues raised do not fall under the purview of the SMC, and appropriate steps have already been taken to coordinate with the concerned departments from addressing the same.

The reply of Commissioner, Srinagar Municipal Corporation dated 10-03-2025 has been forwarded to the Regional Director, Pollution CC Kashmir and who has been directed to get the sites of the dewatering stations inspected by a team of Environmental Engineers and Scientists and furnish a report within a fortnight alongwith his comments and recommendations. **(Copy enclosed as Annexure 5).**

Similarly, for recovery of levied Environmental Compensation, Deputy Commissioner, Srinagar was requested to get the levied Environmental Compensation recovered from the Commissioner, Municipal Corporation, Srinagar, as an *Arrears of Land Revenue* and get the same deposited in the Environmental Compensation fund Account of J&K PCC vide letter No. JKPCC/LS/OA241/2024/06/33 dated 04-04-2024. **(copy enclosed as Annexure 6).**

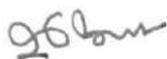
The Deputy Commissioner, Srinagar was again requested to get the levied Environmental Compensation recovered from the Commissioner, Municipal Corporation, Srinagar, as an *Arrears of Land Revenue* and get the same deposited in the Environmental Compensation fund Account of J&K PCC with J&K Bank with interest @12% from 19-11-2024 vide letter No. and JKPCC/Sc /OA241/2025/258-260 dated 14-05-2025. The response of Deputy Commissioner, Srinagar is awaited. **(copy enclosed as Annexure 7).**



It is necessary to submit herein that Chief Executive Officer, Municipal Council, Budgam and Executive Officer, Municipal Committee, Chadoora had submitted Review petitions against the order of levy of Environmental Compensation issued vide orders No. 31 JKPCC of 2024 dated 30-09-2024 and Order No. 32 JKPCC of 2024 dated 30-09-2024 whereby, EC amounting to Rs. 372.176 lacs (MC Budgam) and Rs.141.43 lacs (MC Chadoora) was levied upon MC Budgam and MC Chadoora respectively. On the ground that photographs and images shown by the applicant of some places and sites falls outside the jurisdictions of Municipal areas and responsibility of Solid Waste Management of these areas lies with Rural Development Department **(Copies of the petitions enclosed as Annexure 8)**. That An amount of Rs. 1.00 crore EC was already levied, out of which Rs. 50.00 lacs each was deposited in the chest of District Development Commissioner, Budgam by the MC Budgam and Chadoora.

The petitions filed by the CEO MC Budgam and EO MC Chadoora were forwarded to the Regional Director, PCC Kashmir, who was asked to furnish a report after verification as to whether the sites namely Kralpora, Rangreth, Zuhum, Kandipur, Kralwari and Hanjura falls within or outside the jurisdiction of MC Budgam and MC Chadoora vide this office letter No. JKPCC/2067 dated 10-02-2025 and letter No. 2068 dated 10-02-2025 **(copies enclosed as Annexures 9 and 10)**.

The Regional Director, PCC Kashmir after conducting a ground verification reported that the sites viz. Kralpora, Rangreth, Zuhum, Kandipora, Krawlwari and Hanjura as mentioned in the letter under reference do not falls in the jurisdiction of MC Budgam and MC Chadoora, Budgam, but falls within the territorial jurisdiction of Rural Development Department, a copy of the letter from Project Officer, Wage Employment



(ACO) Budgam is enclosed herewith the report of DO Budgam for reference and authentication. The respective blocks within which these sites/areas fall is mentioned in the table below:

S.No.	Name of Site	Name of Block
1.	Kralpora	Block B.K Pora
2.	Zuhama	Block Chadoora
3.	Kralwari	Block Chadoora
4.	Hanjura	Block Sursyar

This calls for revised apportionment of levied Environmental Compensation upon the respective CEOs, EOs (Housing and Urban Development Department) and BDOs (Department of Rural Development and Panchayati Raj).

In order to get the current status of Establishment of Sewage Treatment Plants (STPs) along the Doodhganga River within the jurisdiction of Srinagar Municipal Corporation and the expected timeline within which these STPs will be established as also implementation of Action Plan for management of Solid and Liquid Waste from Commissioner, Srinagar Municipal Corporation vide J&K PCC letter No. JKPCC/Sc.A/OA241/2021/265 dated 15-05-2025 (**copy enclosed as Annexure 11**).

The Commissioner, Srinagar Municipal Corporation has submitted an Action Taken Report, received on 17-05-2025 (**copy enclosed as Annexure 12**) summarised as under:

- Door-to Door Waste Collection:** *The Srinagar Municipal Corporation has achieved 100% door-to door waste collection across the city, including households along both sides of the*



Doodhganga canal from Bagh-i-Mehtab to Hokarsar. 22 Hooper/Light Commercial Vehicles have been deployed in the designated area for waste collection. This daily activity has effectively curbed littering on the banks of the Doodhganga Canal within Srinagar Municipal Limits. Additionally, services for sludge and septic tank clearance have been provided, significantly reducing waste and grey water discharge into the Doodhganga Nallah.

2. **Segregated Waste Collection:** Efforts are ongoing to achieve 100% household-level segregation of waste. Currently, 60% segregation has been accomplished through compartmentalized D2D Hooper's across all Municipal Wards, with a target of achieving 100% segregation by March 2026.
3. **Closure of Waste Collection Points:** A major waste collection point near the Baghi Mehtab Bridge, close to Doodhganga Nallah, has been permanently closed down to prevent waste from entering the Nallah.
4. **Removal of Legacy Waste from the Banks:** All legacy waste accumulated along the banks of the Doodhganga has been completely cleared, with no remnants remaining within the jurisdiction of Srinagar Municipal Corporation. Special sanitation drives continue to ensure the removal of scattered waste from the Nallah.
5. **Regular Cleanliness Drives on the Banks of Doodhganga Water Body:** The Srinagar Municipal Corporation conducts frequent cleanliness drives along the Banks of Doodhganga Water Body to uphold cleanliness standards and ecological balance. These

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drives serve to combat pollution and preserve the natural beauty of the water body.

6. **Sundays for Srinagar Initiative:** The “Sundays for Srinagar” initiative aims to foster behaviour change and community involvement in sanitation, environmental protection, and sustainability. Special drives, including rejuvenation efforts for lakes and water bodies like Doodhganga, are organized every Sunday to clean up and beautify areas with significant legacy waste accumulation. Over the past 22 months, the Srinagar Municipal Corporation has spearheaded over 217 sanitation drives specifically targeting the Doodhganga Nalla, resulting in the successful clearance of waste from the canal.
7. **IEC Campaigning:** Continual efforts in information, education and communication are actively underway within the area, aimed at fostering awareness and behavioural change regarding the Nallah’s cleanliness. Notable progress has been witnessed, with residents now actively participating by responsibly disposing of waste through doorstep collection by Safai Karamcharis, thereby refraining from littering the Nallah. The IEC initiatives persistently engage the community through various channels, including regular announcements with the locality and persuasive advocacy by local Imams during Friday sermons at mosques.
8. **Enforcement of SWM Rules 2016:** Strict enforcement measures have been undertaken against individuals found littering the Doodhganga canal. Warnings are issued initially, followed by strict action against repeat offenders. The corporation has penalized 110 offenders and recovered fines amounting to Rs. 4,450,000/- with 34 offenders prosecuted in the Municipal Magistrate Court.

26 Jan

Notably, a shopkeeper has been fined Rs.1.00 lac for waste disposal on the banks of the Nallah.

9. **Anti-Polythene Campaigns (6R campaign)**: To combat plastic pollution, the Srinagar Municipal Corporation has initiated the Anti-Polythene Campaign, known as #The 6R Campaign (Reduce, Reuse, Recycle, Remove, Refuse and Report). These campaigns aim to raise awareness about responsible waste disposal and the adverse effects of plastic pollution.
10. **No Littering Zones**: All banks of Doodhganga road have been designated as No Littering Zones, with strict surveillance conducted by a dedicated team lead by the Zonal Sanitation Officer. Offender are promptly fined to maintain cleanliness standards.

The concerted efforts of the SMC have resulted in significant improvement in Solid Waste Management along the Banks of Doodhganga, aligning with the directives of Hon'ble NGT.

Similarly, Chief Engineer, Urban Environmental Engineering Department, J&K was requested to share current status of Establishment of Sewage Treatment Plants (STPs) along the Doodhganga River within the jurisdiction of Srinagar Municipal Corporation and Municipal Committee Chadoora and the expected timeline within which these STPs will be established vide J&K PCC letter No. JKPC/Sc.A/OA241/2021/264 dated 15-05-2025 **(Copy enclosed as Annexure 13)**.

The Chief Engineer, Urban Environmental Engineering Department, J&K has submitted the current status of both the schemes vide letter No. CE/UEED/1333-35 dated 16-05-2025 **(copy enclosed as Annexure 14)** as under:



S.No.	Name of the Scheme	Current status
1.	Zone 1: Sewage Treatment Plant for dry weather flow discharging into Doodhganga (Jurisdiction Srinagar Municipal Corporation)	Tenders are ready for uploading for both Zone 1 and Zone 2 and the same shall be uploaded within weeks' time. Besides both the projects shall be completed by 2026-27.
2.	Zone 2: Technology intervention for discharging dry weather flow into Doodhganga Nallah from Chadoora to Baghi-Mehtaab (Municipal Committee Chadoora).	

The Director, Urban Local Bodies, Kashmir was also requested to share current status of generation and treatment of solid and liquid waste, number of STPs which are existing their capacity and capacity utilization,, the legacy waste which is existing and the progress in clearing the legacy waste during the last one year, besides, the details particulars and status of functionalization of waste processing facilities in the Municipal Council/Committee Budgam and Chadoora vide J&K PCC letter No. JKPCC/Sc.A/OA241/2021/266 dated 15-05-2025 **(copy enclosed as Annexure 15).**

The Director Urban Local Bodies, Kashmir has submitted physical and financial status of works undertaken in MC Budgam and MC Chadoora in compliance to the directions of the Hon'ble NGT in aforesaid OA vide letter No. DULBK-LEG/E-7590513/3939-40 dated 19-05-2025**(copy of the report alongwith photographs are enclosed as Annexure 16)**

That Municipal Council Budgam has completed fencing work of 2100 meters out of total 2600 meters around Mamat Kul. Besides, the erstwhile

dumping site is begin converted into point view park. The Municipal Committee Chadoora, has completed fencing work of 1009 meters out of 1040 meters around Doodhganga Nallah.

1. Physical and Financial status of works in Municipal Council, Budgam :

The MC Budgam has submitted the physical and financial status of the works undertaken under NGT 241/2021 with respect to MC Budgam as per details given in the below mentioned table:

S.No.	Name of work	Approved cost	Allotted Cost	Expenditure	Status
1.	Construction of chain link fencing along the bank of Mamat Nallah/Khul within the limits of MC Budgam	200.06	Rs.120.03 2600 RFT	26.72	The work has been completed upto 80% & 2100 RFT has been completed sofar
2.	Installation of Signage's	1.65	1.145	1.14	Completed

In addition to the above, the erstwhile dumping site at Mamat has been reclaimed using the compensation amount deposited under the authority of the District Magistrate, Budgam. Approximately 70% of the work on allotted items has been completed. However, the remaining crate work is not feasible on the ground due to site conditions. Moreover, DPR lacks essential components such as turfing, plantation, benches, and other park infrastructure. In view of this, the department has recommended closing the current project with an expenditure of Rs.11.43 lakh against the allotted amount.

The current status of the works is as under:

S.No.	Name of work	Approved cost	Allotted Cost	Expenditure	Status
1.	Dev. Of park at Mamat Old dumping site (View point Budgam)	32.97	21.00	11.43	The work has been completed upto 70%.

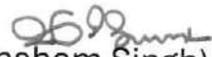
2. Physical and Financial status of works in Municipal Committee, Chadoora, District Budgam :

Municipal Committee, Chadoora has initiated the construction of chain link fencing at critical locations to prevent illegal dumping/throwing the waste on the banks of Nalla Doodhganga. The total sanctioned cost of the project is Rs.103.00 lacs and the work allotted to the contractor was to the tune of Rs.63.92 lacs. 90% of the works stands completed, with 1009 meters of fencing erected out of the total 1040 meters. The remaining portion is expected to be completed within the next 15 days.

Moreover, 30 retro-reflective boards have been installed at various prominent locations along the embankment of Nalla Doodhganga to spread awareness and prevent littering by the public.

Prayer:

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

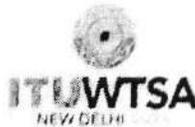

 (Ghansham Singh)
 Member Secretary
 J&K PCC 21.5.25

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Annexure - 1

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkpcb@gmail.com
membersecretaryjkpcb@gmail.com
0191 - 2472881, 2476925



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

Silk Factory Road
Rajbagh, Srinagar, 190 008

Sh. Vishal Bharti,
Deputy Advocate General,
J&K, Jammu.

No: JKPCC/LSJ/25/ 4912

Dated: 16-04-2025.

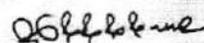
**Sub:- Draft Model of complaint for filing before the Adjudicating Officer under
Section 15 of the Environment (Protection) Act, 1986.**

Sir,

Kindly refer to the subject captioned above and telephonic discussion held with you in the subject matter yesterday. The suggested changes have been incorporated in the revised draft model of complaint for filing before the Adjudicating Officer under Section 15 of the Environment (Protection) Act, 1986 for violations under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981, and the same is enclosed herewith for vetting.

Yours faithfully,

Encl: As above.


(Ghansham Singh) JKAS
Member Secretary
J&K PCC 26.4.25

FORM I
(see rule 3)

To,

The Adjudication Officer
Jammu and Kashmir

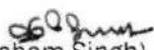
1. Particular of complainant: -

- (a) Name: **J&K Pollution Control Committee through Member Secretary (Ghansham Singh)**
(b) Address for service:
(c) Contact No: **94197-94234**
(d) Email (for service): **membersecretaryjkspc@gmail.com**

2. Particulars of complaint: -

- (a) Date, time and instance of commission of the alleged contravention: **14-12-2021**
i) Violation of Environment (Protection) Act, 1986
ii) Violation of Solid Waste Management Rules, 2016.
iii) Violation of Water (Prevention & Control of Pollution) Act, 1974.
(b) Statement of contravention setting out all relevant material particulars: **(Enclosed as Annexure-A)**
(c) Evidence in support of the statement: **(Enclosed as Annexure-B)**
(d) Tentative amount of damage (in pecuniary terms) with cost break-up. **(Calculation sheet for levying of Environment Compensation enclosed-C)**

I/We, the J&K Pollution Control Committee through the Member Secretary, the complainant herein declare that the facts stated herein are correct as per the record available in the office.


(Ghansham Singh) 10.5.25
Member Secretary

3. Name and Signature of the Complainant:

Discharge of untreated sewage and dumping of Municipal Solid Waste along Doodhganga river.		
1.	Name of the Officer amongst whom complaint is being filed	Sh. Athar Aamir Khan, IAS
2.	Tenure of posting as Commissioner, SMC	01-03-2021 to 08-01-2024
3.	Present Place of Posting	Deputy Commissioner, Kulgam.
4.	Residential address in case of retired officers/officials.	NA
5.	Type of Contravention	i) Section 7 of the Environment (Protection) Act, 1986. ii) Section 41 (A) of the Water (Prevention and Control of Pollution) Act, 1974 read with Section 48 of the Water Act, 1974.

Statement of Contravention:

That Sh. Athar Aamir Khan, IAS remained posted as Commissioner, Municipal Corporation, Srinagar during the period mentioned above and the SMC was responsible for establishment of STPs along Doodhganga river and treatment of municipal solid waste dumped along Doodhganga river within the jurisdiction of SMC. But STPs were not established despite lapse of timelines given by the Hon'ble Supreme Court in case of **Paryavaran Suraksha Samiti Versus Union of India** and directions of the Hon'ble NGT in OA 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India & Ors. and hence giving rise to the filing of this complaint before the Adjudicating Officer for violation of provisions of Environment (Protection) Act & Rules, 1986, Solid Waste Management Rules, 2016 and The Water (Prevention and Control of Pollution) Act, 1974.

The Joint Committee constituted by the Hon'ble NGT had recommended short term action points and long term action points viz. establishment of Modular sewage treatment plants (STPs), Centralized and Decentralized STPs of latest technology with requisite capacity as per the requirement of each area for treatment of untreated sewage coming out

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from 13 dewatering stations (10 main and 3 secondary) on both the sides of Doodhganga river in the 7 wards of Srinagar Municipal Corporation, but no concrete measures have been taken for establishment of these STPs.

Section 7 of the Environment (Protection) Act, 1986 provides that persons carrying on industry, operation, etc, not to allow emission or discharge of environmental pollutants in excess of the standards. No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutant in excess of such standards as may be prescribed.

Section 15 of the Environment (Protection) Act, 1986 provides that where any person contravenes or does not comply with any of the provisions of this act or the rules made or orders or directions issued thereunder for which no penalty is provided, he shall be liable to penalty in respect of each such contravention which shall not be less than ten thousand rupees but which may extend to fifteen lakh rupees.

Section 15-B of Environment (Protection) Act, 1986: Penalty for contravention by Government Department- (1) Where contravention of any of the provisions of this Act has been committed by any Department of the Central Government or the State Government, the Head of the Department shall be liable to penalty equal to one month of his basic salary.

Similarly, **Rule 3 of the Environment (Protection) Rules, 1986** provides standards for emission or discharge of environmental pollutants and the SMC has failed to maintain the standards for discharge of sewage into river Doodhganga by failing to establish STPs to prevent discharge of the sewage from the dewatering stations operated by the Srinagar Municipal Corporation.

Rule 15 of the Solid Waste Management Rules, 2016 provides the duties and responsibilities of local authorities and village Panchayat of census towns and urban agglomerations, which includes collection, segregation, transportation and facilitate construction operation and maintenance of Solid Waste processing facilities and association infrastructure in their own or with participation with the private sector in a time frame arranging from 1 year to 5 years.

Section 41 (A) of the Water (Prevention and Control of Pollution) Act, 1974 provides that, failure to comply with provisions of section 32, or directions issued under Section 33 or Section 33 A, reads as under: whoever contravenes or does not comply with any order or direction issued under clause (C) of sub-section (1) of section 32 or any direction issued by a Court under sub-section (2) of section 33 or any direction issued under

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section 33-A, shall, in respect of each such contravention or non-compliance, be liable to pay the penalty which shall not be less than ten thousand rupees, but which may be extended to fifteen lakh rupees.

The Hon'ble NGT in the aforesaid OA vide its Orders dated 08-03-2022, 14-10-2022, 24-05-2023, 30-05-2023, 23-11-2023 and 03-04-2024 and the J&K PCC issued directions from time to time for taking immediate measures to remediate the situation viz. preventing discharge of untreated sewage into River Doodhganga by establishment of STPs and waste processing infrastructure for scientific treatment of daily generated solid waste as well as legacy waste, but the concerned local authorities failed to comply.

Section 48 of the Water (Prevention and Control of Pollution) Act, 1974: Offences by Government Departments- Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

The Joint Committee constituted by the Hon'ble NGT, in its report submitted on 08-12-2021 had inter-alia also reported and recommended as under:

- i) *No STP is installed in the entire stretch of Doodhganga River for sewage treatment.*
- ii) *Superintendent Engineer, Drainage Circle, Srinagar Municipal Corporation, Srinagar has submitted details of 10 number of main dewatering stations, that discharge about 12.24 MLD of untreated wastewater directly into Doodhganga river per day and there is a need to create a separate sewage network and treatment plants to segregate sewage flow. There are 7 wards of the SMC Srinagar namely, Baghe Mehtab (78) Channpora (10), Rawalpura (68), Budshah Nagar (11) Natipora (13) Hyderpora (15) and Baghati Barzulla (14) related to the Doodhganga river forming catchment area of 13 dewatering stations operated by the Srinagar Municipal Corporation discharging directly untreated sewage into the said river.*

26/11/21

The Ministry of Environment, Forest and Climate Change, Gol, vide Govt. notifications No. 4790 (E) dated 04-11-2024 have notified Environment (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024. Rule 3 provides that CPCB, SPCB, PCC and Integrated Regional Offices of MoEF&CC in their respective jurisdictions, through their authorized officers or any other persons may file a complaint in Form 1 committed under any of Sections 7,8,9,10 & 11 of the Environment (protection) Act, 1986 before the adjudicating officer.

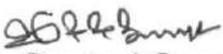
The Ministry of Environment, Forest and Climate Change, Gol, vide Govt. notifications No. GSR 696 (E) dated 11-11-2024 have notified Water (Prevention and Control of Pollution) (Manner of Holding inquiry and imposition of penalty) Rules, 2024. Rule 3 provides that CPCB, SPCB, PCC and integrated Regional Offices of MoEF&CC in their respective jurisdictions, through their authorized officers or any other persons may file a complaint in Form 1 committed under any of Sections 41, 41A, 42, 43, 44, 45A & 48 of the Act before the adjudicating officer.

The Hon'ble NGT, Principal Bench, New Delhi vide its order dated 10-07-2024 and 24-10-2024 has directed to comply the directions of the Hon'ble Supreme Court with regard to take action against the defaulting officers.

Accordingly, complaint under Rule-3 of the Environmental Protection (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 read with Rule 3 of the Water (Prevention and Control of Pollution) (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 against the above said officer is being filed.

Prayer:

It is prayed that in view of the submissions made herein above and those to be argued at the time of hearing, complaint may be accepted and allowed in the interest of Justice, Equity Fair Play and in the best interest of protection of the Environment.


J&K Pollution Control Committee
through
Member Secretary
J&K PCC

FORM I
(see rule 3)

To,

The Adjudication Officer
Jammu and Kashmir

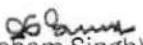
1. Particular of complainant: -

- (a) Name: **J&K Pollution Control Committee through Member Secretary (Ghansham Singh)**
(b) Address for service:
(c) Contact No: **94197-94234**
(d) Email (for service): **membersecretaryjkspc@gmail.com**

2. Particulars of complaint: -

- (a) Date, time and instance of commission of the alleged contravention: **14-12-2021**
i) Violation of Environment (Protection) Act, 1986
ii) Violation of Solid Waste Management Rules, 2016.
iii) Violation of Water (Prevention & Control of Pollution) Act, 1974.
(b) Statement of contravention setting out all relevant material particulars: **(Enclosed as Annexure-A)**
(c) Evidence in support of the statement: **(Enclosed as Annexure-B)**
(d) Tentative amount of damage (in pecuniary terms) with cost break-up. **(Calculation sheet for levying of Environment Compensation enclosed-C)**

I/We, the J&K Pollution Control Committee through the Member Secretary, the complainant herein declare that the facts stated herein are correct as per the record available in the office.


(Ghansham Singh) 10.5.25
Member Secretary

3. Name and Signature of the Complainant:

Discharge of untreated sewage and dumping of Municipal Solid Waste along Doodhganga river.		
1.	Name of the Officer amongst whom complaint is being filed	Sh. Basharat J Kawoosa
2.	Tenure of posting as Chief Engineer, UEED	08-10-2020 to 04-01-2022
3.	Present Place of Posting	Retired.
4.	Residential address in case of retired officers/officials.	R/o Zakoora, Opposite Petrol Pump, Srinagar – 190006.
5.	Type of Contravention	i) Section 7 of the Environment (Protection) Act, 1986. ii) Section 41 (A) of the Water (Prevention and Control of Pollution) Act, 1974 read with Section 48 of the Water Act, 1974.

Statement of Contravention:

That Sh. Basharat J Kawoosa remained posted as Chief Engineer, J&K UEED, during the period mentioned above and the UEED was responsible for establishment of STPs along Doodhganga river. But STPs were not established despite lapse of timelines given by the Hon'ble Supreme Court in case of **Paryavaran Suraksha Samiti Versus Union of India** and directions of the Hon'ble NGT in OA 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India & Ors. and hence giving rise to the filing of this complaint before the Adjudicating Officer for violation of provisions of Environment (Protection) Act & Rules, 1986, and The Water (Prevention and Control of Pollution) Act, 1974.

The Joint Committee constituted by the Hon'ble NGT had recommended short term action points and long term action points viz. establishment of Modular sewage treatment plants(STPs), Centralized and

Decentralized STPs of latest technology with requisite capacity as per the requirement of each area for treatment of untreated sewage coming out from 13 dewatering stations (10 main and 3 secondary) on both the sides of Doodhganga river in the 7 wards of Srinagar Municipal Corporation, but no concrete measures have been taken for establishment of these STPs.

Section 7 of the Environment (Protection) Act, 1986 provides that person carrying on industry, operation, etc, not to allow emission or discharge of environmental pollutants in excess of the standards. No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutant in excess of such standards as may be prescribed.

Section 15 of the Environment (Protection) Act, 1986 provides that where any person contravenes or does not comply with any of the provisions of this act or the rules made or orders or directions issued thereunder for which no penalty is provided, he shall be liable to penalty in respect of each such contravention which shall not be less than ten thousand rupees but which may extend to fifteen lakh rupees.

Section 15-B of Environment (Protection) Act, 1986: Penalty for contravention by Government Department- (1) Where contravention of any of the provisions of this Act has been committed by any Department of the Central Government or the State Government, the Head of the Department shall be liable to penalty equal to one month of his basic salary.

Similarly, **Rule 3 of the Environment (Protection) Rules, 1986** provides standards for emission or discharge of environmental pollutants and the UEED has failed to maintain the standards for discharge of sewage into river Doodhganga by failing to establish STPs to prevent discharge of the sewage from the dewatering stations operated by the Srinagar Municipal Corporation.

Section 41 (A) of the Water (Prevention and Control of Pollution) Act, 1974 provides that, failure to comply with provisions of section 32, or directions issued under Section 33 or Section 33 A, reads as under: whoever contravenes or does not comply with any order or direction issued under clause (C) of sub-section (1) of section 32 or any direction issued by a Court under sub-section (2) of section 33 or any direction issued under section 33-A, shall, in respect of each such contravention or non-

compliance, be liable to pay the penalty which shall not be less than ten thousand rupees, but which may be extended to fifteen lakh rupees.

The Hon'ble NGT in the aforesaid OA vide its Orders dated 08-03-2022, 14-10-2022, 24-05-2023, 30-05-2023, 23-11-2023 and 03-04-2024 and the J&K PCC issued directions from time to time for taking immediate measures to remediate the situation viz. preventing discharge of untreated sewage into River Doodhganga by establishment of STPs and waste processing infrastructure for scientific treatment of daily generated solid waste as well as legacy waste, but the concerned local authorities failed to comply.

Section 48 of the Water (Prevention and Control of Pollution) Act, 1974: Offences by Government Departments- Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

The Joint Committee constituted by the Hon'ble NGT, in its report submitted on 08-12-2021 had inter-alia also reported and recommended as under:

- i) *No STP is installed in the entire stretch of Doodhganga River for sewage treatment.*
- ii) *Superintendent Engineer, Drainage Circle, Srinagar Municipal Corporation, Srinagar has submitted details of 10 number of main dewatering stations, that discharge about 12.24 MLD of untreated wastewater directly into Doodhganga river per day and there is a need to create a separate sewage network and treatment plants to segregate sewage flow. There are 7 wards of the SMC Srinagar namely, Baghe Mehtab (78) Channpora (10), Rawalpora (68), Budshah Nagar (11) Natipora (13) Hyderpora (15) and Baghati Barzulla (14) related to the Doodhganga river forming catchment area of 13 dewatering stations operated by the Srinagar Municipal Corporation discharging directly untreated sewage into the said river.*

26/11/21

The Ministry of Environment, Forest and Climate Change, GoI, vide Govt. notifications No. 4790 (E) dated 04-11-2024 have notified Environment (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024. Rule 3 provides that CPCB, SPCB, PCC and Integrated Regional Offices of MoEF&CC in their respective jurisdictions, through their authorized officers or any other persons may file a complaint in Form 1 committed under any of Sections 7,8,9,10 & 11 of the Environment (protection) Act, 1986 before the adjudicating officer.

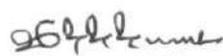
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The Hon'ble NGT, Principal Bench, New Delhi vide its order dated 10-07-2024 and 24-10-2024 has directed to comply the directions of the Hon'ble Supreme Court with regard to take action against the defaulting officers.

Accordingly, complaint under Rule-3 of the Environmental Protection (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 read with Rule 3 of the Water (Prevention and Control of Pollution) (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 against Sh. Basharat J Kawoosa, Retired Chief Engineer, J&K UEED is being filed.

Prayer:

It is prayed that in view of the submissions made herein above and those to be argued at the time of hearing, complaint may be accepted and allowed in the interest of Justice, Equity Fair Play and in the best interest of protection of the Environment.


J&K Pollution Control Committee
through
Member Secretary
J&K PCC

FORM I
(see rule 3)

To,

The Adjudication Officer
Jammu and Kashmir

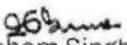
1. Particular of complainant: -

- (a) Name: J&K Pollution Control Committee through Member Secretary (Ghansham Singh)
(b) Address for service:
(c) Contact No: 94197-94234
(d) Email (for service): membersecretaryjkspc@gmail.com

2. Particulars of complaint: -

- (a) Date, time and instance of commission of the alleged contravention: **14-12-2021**
i) Violation of Environment (Protection) Act, 1986
ii) Violation of Solid Waste Management Rules, 2016.
iii) Violation of Water (Prevention & Control of Pollution) Act, 1974.
(b) Statement of contravention setting out all relevant material particulars: (Enclosed as Annexure-A)
(c) Evidence in support of the statement: (Enclosed as Annexure-B)
(d) Tentative amount of damage (in pecuniary terms) with cost break-up. (Calculation sheet for levying of Environment Compensation enclosed-C)

I/We, the J&K Pollution Control Committee through the Member Secretary, the complainant herein declare that the facts stated herein are correct as per the record available in the office.


(Ghansham Singh) 10.5.25
Member Secretary

3. Name and Signature of the Complainant:

Discharge of untreated sewage and dumping of Municipal Solid Waste along Doodhganga river.		
1.	Name of the Officer amongst whom complaint is being filed	Sh. N.A Kakroo
2.	Tenure of posting as Chief Engineer, UEED	January 2022 to April 2024
3.	Present Place of Posting	Retired.
4.	Residential address in case of retired officers/officials.	R/o Jawahir Nagar, Srinagar, 26-Private-190008.
5.	Type of Contravention	i) Section 7 of the Environment (Protection) Act, 1986. ii) Section 41 (A) of the Water (Prevention and Control of Pollution) Act, 1974 read with Section 48 of the Water Act, 1974.

Statement of Contravention:

That Sh. N.A Kakroo remained posted as Chief Engineer, J&K UEED, during the period mentioned above and the UEED was responsible for establishment of STPs along Doodhganga river. But STPs were not established despite lapse of timelines given by the Hon'ble Supreme Court in case of **Paryavaran Suraksha Samiti Versus Union of India** and directions of the Hon'ble NGT in OA 241 of 2021 titled Raja Muzaffar Bhat Versus Union of India & Ors. and hence giving rise to the filing of this complaint before the Adjudicating Officer for violation of provisions of Environment (Protection) Act & Rules, 1986 and The Water (Prevention and Control of Pollution) Act, 1974.

The Joint Committee constituted by the Hon'ble NGT had recommended short term action points and long term action points viz. establishment of Modular sewage treatment plants(STPs), Centralized and Decentralized STPs of latest technology with requisite capacity as per the

requirement of each area for treatment of untreated sewage coming out from 13 dewatering stations (10 main and 3 secondary) on both the sides of Doodhganga river in the 7 wards of Srinagar Municipal Corporation, but no concrete measures have been taken for establishment of these STPs.

Section 7 of the Environment (Protection) Act, 1986 provides that persons carrying on industry, operation, etc, not to allow emission or discharge of environmental pollutants in excess of the standards. No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutant in excess of such standards as may be prescribed.

Section 15 of the Environment (Protection) Act, 1986 provides that where any person contravenes or does not comply with any of the provisions of this act or the rules made or orders or directions issued thereunder for which no penalty is provided, he shall be liable to penalty in respect of each such contravention which shall not be less than ten thousand rupees but which may extend to fifteen lakh rupees.

Section 15-B of Environment (Protection) Act, 1986: Penalty for contravention by Government Department- (1) Where contravention of any of the provisions of this Act has been committed by any Department of the Central Government or the State Government, the Head of the Department shall be liable to penalty equal to one month of his basic salary.

Similarly, **Rule 3 of the Environment (Protection) Rules, 1986** provides standards for emission or discharge of environmental pollutants and the UEED has failed to maintain the standards for discharge of sewage into river Doodhganga by failing to establish STPs to prevent discharge of the sewage from the dewatering stations operated by the Srinagar Municipal Corporation.

Section 41 (A) of the Water (Prevention and Control of Pollution) Act, 1974 provides that, failure to comply with provisions of section 32, or directions issued under Section 33 or Section 33 A, reads as under: whoever contravenes or does not comply with any order or direction issued under clause (C) of sub-section (1) of section 32 or any direction issued by a Court under sub-section (2) of section 33 or any direction issued under section 33-A, shall, in respect of each such contravention or non-compliance, be liable to pay the penalty which shall not be less than ten thousand rupees, but which may be extended to fifteen lakh rupees.

The Hon'ble NGT in the aforesaid OA vide its Orders dated 08-03-2022, 14-10-2022, 24-05-2023, 30-05-2023, 23-11-2023 and 03-04-2024 and the J&K PCC issued directions from time to time for taking immediate measures to remediate the situation viz. preventing discharge of untreated sewage into River Doodhganga by establishment of STPs and waste processing infrastructure for scientific treatment of daily generated solid waste as well as legacy waste, but the concerned local authorities failed to comply.

Section 48 of the Water (Prevention and Control of Pollution) Act, 1974: Offences by Government Departments- Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

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The Joint Committee constituted by the Hon'ble NGT, in its report submitted on 08-12-2021 had inter-alia also reported and recommended as under:

- i) *No STP is installed in the entire stretch of Doodhganga River for sewage treatment.*
- ii) *Superintendent Engineer, Drainage Circle, Srinagar Municipal Corporation, Srinagar has submitted details of 10 number of main dewatering stations, that discharge about 12.24 MLD of untreated wastewater directly into Doodhganga river per day and there is a need to create a separate sewage network and treatment plants to segregate sewage flow. There are 7 wards of the SMC Srinagar namely, Baghe Mehtab (78) Channpora (10), Rawalpora (68), Budshah Nagar (11) Natipora (13) Hyderpora (15) and Baghati Barzulla (14) related to the Doodhganga river forming catchment area of 13 dewatering stations operated by the Srinagar Municipal Corporation discharging directly untreated sewage into the said river.*

The Ministry of Environment, Forest and Climate Change, GoI, vide Govt. notifications No. 4790 (E) dated 04-11-2024 have notified

Environment (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024. Rule 3 provides that CPCB, SPCB, PCC and Integrated Regional Offices of MoEF&CC in their respective jurisdictions, through their authorized officers or any other persons may file a complaint in Form 1 committed under any of Sections 7,8,9,10 & 11 of the Environment (Protection) Act, 1986 before the adjudicating officer.

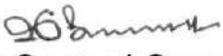
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The Hon'ble NGT, Principal Bench, New Delhi vide its order dated 10-07-2024 and 24-10-2024 has directed to comply the directions of the Hon'ble Supreme Court with regard to take action against the defaulting officers.

Accordingly, complaint under Rule-3 of the Environmental Protection (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 read with Rule 3 of the Water (Prevention and Control of Pollution) (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 against Sh. N.A Kakroo, Retired Chief Engineer, J&K UEED is being filed.

Prayer:

It is prayed that in view of the submissions made herein above and those to be argued at the time of hearing, complaint may be accepted and allowed in the interest of Justice, Equity Fair Play and in the best interest of protection of the Environment.


J&K Pollution Control Committee
through
Member Secretary
J&K PCC

FORM I
(see rule 3)

To,

The Adjudication Officer
Jammu and Kashmir**1. Particular of complainant: -**

- (a) Name: **J&K Pollution Control Committee through Member Secretary (Ghansham Singh)**
(b) Address for service:
(c) Contact No: **94197-94234**
(d) Email (for service): **membersecretaryjkspc@gmail.com**

2. Particulars of complaint: -

- (a) Date, time and instance of commission of the alleged contravention: **14-12-2021**
i) Violation of Environment (Protection) Act, 1986
ii) Violation of Solid Waste Management Rules, 2016.
iii) Violation of Water (Prevention & Control of Pollution) Act, 1974.
(b) Statement of contravention setting out all relevant material particulars: **(Enclosed as Annexure-A)**
(c) Evidence in support of the statement: **(Enclosed as Annexure-B)**
(d) Tentative amount of damage (in pecuniary terms) with cost break-up. **(Calculation sheet for levying of Environment Compensation enclosed-C)**

I/We, the J&K Pollution Control Committee through the Member Secretary, the complainant herein declare that the facts stated herein are correct as per the record available in the office.


(Ghansham Singh) | 0.5.25
Member Secretary

3. Name and Signature of the Complainant:

Discharge of untreated sewage and municipal solid waste into Doodhganga river in Chadoora and dumping of solid waste near Mamath bridge on the bank of Mamath stream in Budgam		
1.	Name of the Officer amongst whom complaint is being filed	Sh. Nazir Ahmad Dar
2.	Tenure of posting as a) I/c Chief Executive Officer, Municipal Council, Budgam. b) I/c Executive Officer, Municipal Committee, Chadoora.	16-10-2020 to 06-09-2023 14-08-2015 to 14-04-2021 and 15-09-2022 to 14-03-2023
3	Present Place of Posting	Retired.
4.	Residential address in case of retired officers/officials.	R/o Hyderpora, near Jamia Masjid adjacent to Mughal Darbar, Srinagar.
5.	Type of Contravention	i) Section 7 of the Environment (Protection) Act, 1986. ii) Section 41 (A) of the Water (Prevention and Control of Pollution) Act, 1974 read with Section 48 of the Water Act, 1974.

Statement of Contravention:

That Sh. Nazir Ahmad Dar remained posted as Chief Executive Officer, Municipal Council, Budgam and Executive Officer, Municipal Committee, Chadoora during the period mentioned above, and was responsible for taking measures for scientific treatment of Solid Waste dumped on the bank of Mamath Kul by establishment of waste processing facilities and preventing discharge of untreated sewage into river Doodhganga in Chadoora Town by establishment of STPs. But no concrete measures were taken for scientific treatment and disposal of solid waste

25/11/2023

and sewage treatment despite lapse of timeline given by the Hon'ble Supreme Court in case of **Paryavaran Suraksha Samiti Versus Union of India** and directions of the Hon'ble NGT and hence giving rise to the filing of this complaint before the Adjudicating Officer for violation of provisions of Environment (Protection) Act & Rules, 1986, Solid Waste Management Rules, 2016 and The Water (Prevention and Control of Pollution) Act, 1974.

Section 7 of the Environment (Protection) Act, 1986 provides those persons carrying on industry, operation, etc, not to allow emission or discharge of environmental pollutants in excess of the standards. No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutant in excess of such standards as may be prescribed.

Section 15 of the Environment (Protection) Act, 1986 provides that where any person contravenes or does not comply with any of the provisions of this act or the rules made or orders or directions issued thereunder for which no penalty is provided, he shall be liable to penalty in respect of each such contravention which shall not be less than ten thousand rupees but which may extend to fifteen lakh rupees.

Section 15-B. Penalty for contravention by Government Department- (1) Where contravention of any of the provisions of this Act has been committed by any Department of the Central Government or the State Government, the Head of the Department shall be liable to penalty equal to one month of his basic salary.

Similarly, **Rule 3 of the Environment (Protection) Rules, 1986** provides standards for emission or discharge of environmental pollutants and the officer has not been able to maintain the standard for discharge of sewage into river Doodhganga by failing to establish STPs to prevent discharge of the sewage from the dewatering stations operated by the Srinagar Municipal Corporation.

Rule 15 of the Solid Waste Management Rules, 2016 provides the duties and responsibilities of local authorities and village Panchayat of census towns and urban agglomerations, which includes collection, segregation, transportation and facilitate construction operation and maintenance of Solid Waste processing facilities and association infrastructure in their own or with participation with the private sector in a time frame arranging from 1 year to 5 years.

Section 41 (A) of the Water (Prevention and Control of Pollution) Act, 1974 provides that, failure to comply with provisions of section 32, or

directions issued under Section 33 or Section 33 A, reads as under: whoever contravenes or does not comply with any order or direction issued under clause (C) of sub-section (1) of section 32 or any direction issued by a Court under sub-section (2) of section 33 or any direction issued under section 33-A, shall, in respect of each such contravention or non-compliance, be liable to pay the penalty which shall not be less than ten thousand rupees, but which may be extended to fifteen lakh rupees.

The Hon'ble NGT in the aforesaid OA vide its Orders dated 08-03-2022, 14-10-2022, 24-05-2023, 30-05-2023, 23-11-2023 and 03-04-2024 and the J&K PCC issued directions from time to time for taking immediate measures to remediate the situation viz. preventing discharge of untreated sewage into River Doodhganga by establishment of STPs and waste processing infrastructure for scientific treatment of daily generated solid waste as well as legacy waste, but the concerned local authorities failed to comply.

Section 48, Offences by Government Departments- Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

The Joint Committee constituted by the Hon'ble NGT, in its report submitted on 08-12-2021 had inter-alia reported and recommended as under:

- i) Public drain near Chadoora Bridge carrying domestic sewage discharges into the water body without any treatment.*
- ii) No STP is installed in the entire stretch of Doodhganga River for sewage treatment.*
- iii) Littering and dumping of municipal solid waste including plastic waste on the banks of the river as well as into the river itself, at many scattered locations.*

26/10/2021

Source of Pollution in Doodhganga River:

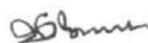
A detailed survey of the stretch of Doodhganga river from Sogam in Chadoora) District Budgam) to Tengpora in the heart of Srinagar City has revealed the following main sources of pollution:

1. The sources of pollution of the Doodhganga river include both point and non-point sources. Direct discharge of untreated sewage, municipal wastewater, effluents from restaurants, automobile workshops, vegetable, meat and fish markets situated in the catchment areas are the point sources of pollution. Non-point sources of pollution include dumping of solid waste, agricultural run-offs etc.
2. Dumps of solid waste which include both biodegradable and non-biodegradable waste are observed on the banks of river at various locations, prominent among them are sites near Chadoora, Kralpora, Bagh-e-Mehtab, Barzulla etc.
3. Dumping of Cattle dung by local inhabitants is observed at few places on the banks of river and there is every possibility of contamination of river water during the rainy season.

Sewerage is the core element that determines the environmental status of any settlement. Development of appropriate sewerage system with efficient treatment is the key requirement, which acts as pre-requisite for facilitating balanced and harmonized development of the area in general and Doodhganga river in particular. Augmentation of existing inadequate system/treatment facilities as well as adoption of new latest technologies of wastewater treatment requires continuous efforts so that a clean & hygienic environment is created which shall lead to good health & wellbeing of the people.

Source of Pollution in Mamath Kul:

- iv) *A detailed survey of the stretch of Mamath river from Village Mamath to Budgam town has revealed that the main sources of pollution of this stream is due to dumping of solid waste near Mamath Bridge on the bank of the Mamath stream which approximately is 2 km away from the District Headquarter Budgam. During the inspection by the joint committee, huge dumps of solid waste which include both biodegradable and non-biodegradable waste was found accumulated (probably the*



legacy waste) as the site was previously being used by Municipal Council Budgam as dumpsite in unscientific manner. The adverse impact on the environment due to unscientific management of this waste results into:

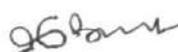
- *Ground and Surface water pollution due to leachate generation from the dumping site.*
- *Air pollution due to bad odour of the waste.*
- *Increase in acidity of soil near the garbage heaps.*

The Ministry of Environment, Forest and Climate Change, Gol vide Govt. notifications No. 4790 (E) dated 04-11-2024 have notified Environment (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024. Rule 3 provides that CPCB, SPCB, PCC and Integrated Regional Offices of MoEF&CC in their respective jurisdictions, through their authorized officers or any other persons may file a complaint in Form 1 committed under any of Sections 7,8,9,10 & 11 of the Environment (protection) Act, 1986 before the adjudicating officer

The Ministry of Environment, Forest and Climate Change, Gol, vide Govt. notifications No. GSR 696 (E) dated 11-11-2024 have notified Water (Prevention and Control of Pollution) (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024. Rule 3 provides that CPCB, SPCB, PCC and Integrated Regional Offices of MoEF&CC in their respective jurisdictions, through their authorized officers or any other persons may file a complaint in Form 1 committed under any of Sections 41, 41A, 42, 43, 44, 45A & 48 of the Act before the adjudicating officer.

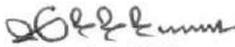
The Hon'ble NGT, Principal Bench, New Delhi vide its order dated 10-07-2024 and 24-10-2024 has directed to comply the directions of the Hon'ble Supreme Court with regard to take action against the defaulting officers.

Accordingly, complaint under Rule-3 of the Environmental Protection (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 read with Rule 3 of the Water (Prevention and Control of Pollution) (Manner of Holding Inquiry and Imposition of Penalty) Rules, 2024 against Sh. Nazir Ahmad Dar, I/c Chief Executive Officer (retired) is being filed.



Prayer:

It is prayed that in view of the submissions made herein above and those to be argued at the time of hearing, complaint may be accepted and allowed in the interest of Justice, Equity Fair Play and in the best interest of protection of the Environment.


J&K Pollution Control Committee
through
Member Secretary
J&K PCC

[Faint handwritten marks]



**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 - 2472881, 2476925



822
ITUW TSA
NEW DELHI 2024

Annexure 3
Parivesh Bhavan, Forest
Complex
Transport Nagar, Jammu,
180 006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**Commissioner,
Srinagar Municipal Corporation,
Srinagar.**

No.: JKPC/Sc./OA 241-2024/2232-34

Date: 12 03-2025

Sub: Levying of EC upon Commissioner Srinagar Municipal Corporation.

Ref: Order No: 33 JKPC of 2024, dated 19.10.2024.

Sir,

Please refer to the subject and reference referred above. In this connection, I am to convey that EC to the tune of Rs. 41,47,61000/- was imposed vide order No. 33 JKPC of 2024, dated 19.10.2024 for violation of Solid and Liquid Waste Management Rules, 2016. A time period of 30 days was provided to SMC for deposition of the said amount in the EC Fund Account No. 0023040510000001 of J&K Bank of J&KPC, but the said amount has not been deposited with J&KPC, so far even after lapse of the 30 days time period provided for deposition of EC as on **19.11.2024.**

You are therefore, requested to deposit the EC with interest @ 12% in the account provided above.

Yours faithfully,

Ghansham Singh JKAS
Ghansham Singh JKAS
Member Secretary 12/3/25

Copy to:-

1. Commissioner/ Secretary to Government, Housing & Urban Development Department, Civil Secretariat, Jammu/ Srinagar for favour of kind information.
2. Regional Director, Kashmir for information & follow up.

mailed

No: SMC/ps/com/244.
Dated: 10/03/2025

The Member Secretary
J&K Pollution Control Committee
Jammu/Srinagar

Subject: Request for Reconsideration of Environmental Compensation Levied under SWM Rules in Compliance with NGT Directions (O.A No. 241/2021)

Reference:

1. Notice issued vide No. JKPCC/LSJ/NGT/(O.A 241/2021)/659-664 dated 30.09.2024.
2. Letter from the Commissioner, SMC, No. SMC/PS/COM/1183-89 dated 15.10.2024.

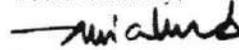
Sir,

With reference to the notice cited above regarding the imposition of Environmental Compensation in the matter of *Raja Muzaffar Bhat vs. Union of India & Others* (O.A No. 241/2021), and in view of the directions issued by the Hon'ble National Green Tribunal (NGT) dated 03.04.2024, the Srinagar Municipal Corporation (SMC) respectfully submits the following for reconsideration:

1. **Jurisdictional Clarification:** The issues highlighted, particularly regarding land availability and liquid waste/sewerage management, do not fall within the functional domain of SMC. The responsibility for sewage and liquid waste management lies with the Urban Environmental Engineering Department (UEED), while land-related matters fall under the jurisdiction of the District Administration. The SMC's Drainage Division is primarily concerned with storm water management, not sewage disposal.
2. **Topographical Constraints:** Due to Srinagar's predominantly flat and low-lying geography, natural storm water runoff is minimal. Consequently, dewatering stations have been established to manage excess water by channeling it into natural water bodies like the Jhelum River, Doodh Ganga, and various spill channels. Since this storm water is typically non-polluting, it does not conventionally require treatment.
3. **Sewage Treatment Proposals:** In line with the NGT's directions, proposals have already been initiated for the development of STPs along Doodh Ganga. However, as the SMC lacks technical expertise and mandate in sewage treatment, the responsibility was formally handed over to UEED vide Letter No. SMC/PS/Com/416-19 dated 30.05.2023.

In light of the above, it is requested that the matter of Environmental Compensation levied against SMC be reconsidered. The core issues raised do not fall under the purview of the SMC, and appropriate steps have already been taken to coordinate with the concerned departments for addressing the same.

Yours faithfully,



Dr. Owais Ahmed (IAS)
Commissioner
Srinagar Municipal Corporation

824

Annexure - 5

**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

The Regional Director,
Pollution Control Committee,
Kashmir.

No: - JKPCC/OA 241/2024/288

Date: -17-05-2025

**Sub: - Reconsideration of the Environmental Compensation Levied upon Commissioner,
SMC under SWM Rules in compliance to the directions of Hon'ble NGT in OA
241/2021.**

Sir,

Please find enclosed herewith a letter No. SMC/PS/Com/244 dated 10-03-2025 from the Commissioner, Srinagar Municipal Corporation regarding the subject cited above. You are advised to examine the contents of the aforesaid letter, conduct the site inspection of all the 13 dewatering stations operated by the Srinagar Municipal Corporation alongwith a team of Environmental Engineers and Scientists and share a report alongwith your comments and recommendations within a fortnight.

Encl: As above.

Yours faithfully,


(Ghansham Singh) JKAS
Member Secretary 17.5.25
JKPCC, Jammu

No: SMC/PS/COM/244.
Dated: 10/03/2025

The Member Secretary
J&K Pollution Control Committee
Jammu/Srinagar

Subject: Request for Reconsideration of Environmental Compensation Levied under SWM Rules in Compliance with NGT Directions (O.A No. 241/2021)

Reference:

1. Notice issued vide No. JKPCC/LSJ/NGT/(O.A 241/2021)/659-664 dated 30.09.2024.
2. Letter from the Commissioner, SMC, No. SMC/PS/COM/1183-89 dated 15.10.2024.

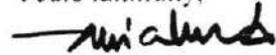
Sir,

With reference to the notice cited above regarding the imposition of Environmental Compensation in the matter of *Raja Muzaffar Bhat vs. Union of India & Others* (O.A No. 241/2021), and in view of the directions issued by the Hon'ble National Green Tribunal (NGT) dated 03.04.2024, the Srinagar Municipal Corporation (SMC) respectfully submits the following for reconsideration:

1. **Jurisdictional Clarification:** The issues highlighted, particularly regarding land availability and liquid waste/sewerage management, do not fall within the functional domain of SMC. The responsibility for sewage and liquid waste management lies with the Urban Environmental Engineering Department (UEED), while land-related matters fall under the jurisdiction of the District Administration. The SMC's Drainage Division is primarily concerned with storm water management, not sewage disposal.
2. **Topographical Constraints:** Due to Srinagar's predominantly flat and low-lying geography, natural storm water runoff is minimal. Consequently, dewatering stations have been established to manage excess water by channeling it into natural water bodies like the Jhelum River, Doodh Ganga, and various spill channels. Since this storm water is typically non-polluting, it does not conventionally require treatment.
3. **Sewage Treatment Proposals:** In line with the NGT's directions, proposals have already been initiated for the development of STPs along Doodh Ganga. However, as the SMC lacks technical expertise and mandate in sewage treatment, the responsibility was formally handed over to UEED vide Letter No. SMC/PS/Com/416-19 dated 30.05.2023.

In light of the above, it is requested that the matter of Environmental Compensation levied against SMC be reconsidered. The core issues raised do not fall under the purview of the SMC, and appropriate steps have already been taken to coordinate with the concerned departments for addressing the same.

Yours faithfully,



Dr. Owais Ahmed (IAS)
Commissioner
Srinagar Municipal Corporation

826

Annexure - 6

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 - 2472881, 2476925



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

Silk Factory Road
Rajbagh, Srinagar, 190 008

**The Deputy Commissioner,
Srinagar.**

No:- JKPCC/LSJ/OA241/2024/06/33

Date:- 04-04-2025

**Sub:- Recovery of Environmental Compensation levied upon
Commissioner, Srinagar Municipal Corporation.**

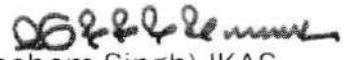
Sir,

Kindly refer to the subject captioned above. In this connection, I am to request that J&K Pollution Control Committee had levied Environmental Compensation amounting to Rs.41,47,61000/- upon Commissioner, Srinagar Municipal Corporation for violation of the Solid and liquid Waste Management Rules 2016, vide this office Order No 33 -JKPCC of 2024 dated 19-10-2024 (copy of the order enclosed). But the levied Environmental Compensation has not been deposited by the Commissioner, Srinagar Municipal Corporation till date.

In this connection, you are requested to kindly get the Environmental Compensation recovered from the Commissioner, Srinagar Municipal Corporation as an **Arrears of Land Revenue** and get the same deposited in the online Environmental Compensation Fund Account No. 00234051000001 of the J&K Pollution Control Committee.

Yours faithfully,

Encl: As above.


(Ghansham Singh) JKAS
Member Secretary 4.4.25
J&K PCC

**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

**Deputy Commissioner,
Srinagar.**

No. JKPC/Sc./OA-241/2025/258-260

Date: 14-05-2025

**Sub: Recovery of Environmental Compensation levied upon Commissioner Srinagar
Municipal Corporation.**

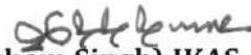
Ref:- Order No.33 JKPC of 2024 dated 19-10-2024

Sir,

Please refer to the subject and reference referred above. In this connection, I am to convey that Environmental Compensation to the tune of Rs. 41,47,61000/- was imposed vide Order No. 33 JKPC of 2024 dated 19-10-2024 for violation of Solid and liquid Waste Management Rules, 2016. A time period of 30 days was provided to SMC for deposition of the said amount in the EC Fund Account No. 00234051000001 of J&K Bank of J&K PCC, but the said amount has not been deposited with J&K PCC, so far even after lapse of the 30 days time period provided for deposition of EC as on 19-11-2024.

In this connection, it is once again requested to kindly get the levied Environmental Compensation recovered from the Commissioner Municipal Corporation Srinagar, as an Arrears of Land Revenue and get the same deposited in the online Environmental Compensation Fund Account No. 00234051000001 of the J&K Pollution Control Committee with J&K Bank with interest @ 12% from 19.11.2024.

Yours faithfully,


(Ghansham Singh) JKAS
Member Secretary 14.5.25

Copy to:-

1. Commissioner/Secretary to Government, Housing & Urban Development Department, Civil Secretariat, Jammu/Srinagar for favour of kind information.
2. Regional Director, Kashmir for information & follow up.

**BEFORE THE LEARNED CHAIRMAN POLLUTION CONTROL
COMMITTEE JAMMU / SRINAGAR.**

IN THE CASE OF:

Imposition of environmental compensation on
Executive Officer Municipal Council Chadoora vide order
No 32-JKPCC of 2024 dated:30.09.2024.

IN THE MATTER OF:

**REVIEW PETITION AGAINST
ORDER No 32-JKPCC of 2024
dated:30.09.2024.**

May it please your honour

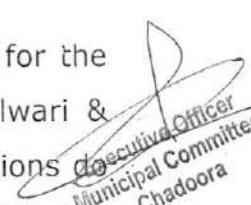
The petitioner most respectfully submit thye grounds of petition
as under:

1. That the petitioner is an authorized officer of the Government and is competent to file the instant petition based on the official records maintained in the office.
2. That, at the outset, it is appropriate to mention here that the Department of Housing & Urban Development has filed a status report before the Hon'ble NGT in compliance to order dated: 30/05/2023 passed in OA No. 241/2021 titled Raja Muzaffar Bhat Vs Union of India & Others. The Copy of said status report is enclosed herewith as **Annexure A-I**.
3. That, in response to said status report, the applicant namely Raja Muzaffar Bhat filed objection before the Hon'ble NGT on 02/04/2024 (Copy enclosed as **Annexure A-II**) enclosing therewith the photographs/images taken at some places/sites viz Kralpora, Rangreth, Zuhum, Kandipur, Kralwari & Hanjura showing that waste is still dumped on the bank of Doodganga river and Mamat-Kul. Accordingly the Hon'ble NGT vide order dated 03/04/2024 (Copy enclosed as **Annexure A-III**) directed to the Pollution Control Board to impose environmental compensation on the violators.
4. That, in compliance to the order dated 03/04/2024 of NGT the JKPCB vide No. JKPCB/LSJ/NGT/(O.A.241/2021)/024/458-463 Dated: 24/07/2024 (Copy enclosed as **Annexure A-IV**) served show cause notice to the petitioner i.e MC, Chadoora. The MC Chadoora vide No. MC/CHD/NGT/2024-25/747-51 dated 30.07.2024 (Copy enclosed as **Annexure A-V**) responded to the

Executive Officer
Municipal Committees
Chadoora

said notices comprehensively. However, the JKPCC vide order No.32-JKPCC of 2024 dated 30-09-2024 has imposed environmental compensation to the tune of Rs. 141.43 lacs on MC, Chadoora without considering the fact that the locations shown by the applicant where garbage has been shown dumped in the said photographs do not fall within the municipal limits of MC Chadoora.

5. That, it is further submitted that earlier in the year 2022, the Hon'ble National Green Tribunal has already vide order dated 08/03/2022 (Copy enclosed as **Annexure A-VI**) levied environmental compensation to the tune of Rs one crore on MC Budgam and MC Chadoora, out of which Rs 50 lacs was deposited into the chest of District Dev. Commissioner Budgam by the MC Chadoora.
6. That, as regards imposition of environmental compensation to the tune of Rs. Rs. 141.43 lacs for unscientific and untreated disposal of the solid waste of 3.50 TPD for 1267 days (w.e.f 01/01/2021 to 20/06/2024) on MC Chadoora is concerned, in this context, It is submitted It is stated that MC Chadoora w.e.f 01-01-2021 to 24/08/2023 was in the possession of dumping site at Nagam and the waste generated in town was transported to the dumping site located at Nagam and some of the waste was landfilled and rest of the which was accumulated has been transported to MC Budgam for its shifting to Tral site for further scientific treatment/ Bio remediation in the year 2022-23 the waste generated in MC Chadoora is being scientifically processed at Solid Waste Management Plant at Nagam having processing capacity of 4 TPD and is fully operational.
7. That, regarding the photographs shown by the applicant for the locations viz Kralpora, Rangreth, Zuhum, Kandipur, Kralwari & Hanjura, it is brought to your kind notice that these locations do not fall within the jurisdiction of MC Chadoora, but fall within the rural areas of Block B.K. Pora and Block Chadoora (the record disclosing the fact is annexed herewith as **ANNEXURE VII**). Hence, there no waste of any kind is being dumped near the water bodies within the jurisdiction of MC Chadoora.


Executive Officer
Municipal Committees
Chadoora

3. That the hotspots mentioned are far away at a distance of 5 to 7 kms from the jurisdiction of MC.Chadoora.
9. That the petitioner has already moved a representation for waiving of the environmental compensation levied to the tune of Rs Rs. 141.43 lacs on MC Chadoora, which was submitted through Director Urban Local Bodies Kashmir vide No. ULBK-LEG/113/2024-7 (7590513)/3/1950 dated 18.10.2024, which is still pending before the Ld Committee for consideration.
10. That the Director urban Local Bodies Kashmir vide DULBK-PS/74/2024-07/756499/31616-17 Dated:10.10.2024 also took up the matter with Administrative Department to seek advise of the Department of Law Justice and Parliamentary Affairs. In response, the Administrative Department vide letter No HUD-LITOMISC/26/2021-(9019) dated: 04.11.2024 (Copy enclosed and annexed herewith as **ANNEXURE VIII**) conveyed advise of Law Department, which is reproduced as under:

" Department is advised to move an application before the committee for recalling of the Order No. 32-JKPCC of 2024 dated 30.09.2024 passed by the Jammu and Kashmir Pollution Control Committee on the basis of stated facts that the area wherein violations of NGT directions have been found does not fall with in the jurisdiction of the Municipal Council Chadoora but fall within the limits of the Block Development Officer (BDO) FO b.k.Pora and the BDO for Chadoora."

11. That the Petitioner prefers the present petition upon the following from amongst other grounds, which are taken without prejudice to one another:

A. BECAUSE the Ld. Committee has not appreciate the submission made in the respose to the notice served vide No. JKPCB/LSJ/NGT/(O.A.241/2021)/024/458-463 Dated: 24/07/2024 .

B. BECAUSE the Ld. Committee has not taken into account the fact that the locations where garbage is being dumped at the bank of Doodhganga does not fall with in the jurisdiction of the Municipal Council Chadoora but fall within the limits of

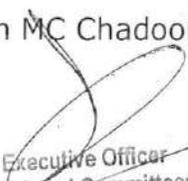
Executive Officer
Municipal Committees
Chadoora

the BDO B.K.Pora and BDO Chadoora.

C. BECAUSE in the annexure of order No 32-JKPCC of 2024 dated:30.09.2024, it is alleged that the MC Chadoora is dumping the waste unscientifically at the bank of Doodganga, is against the fact on spot.

12. The impugned order being ex-facie contrary to law and the facts and circumstances of the case, needs to be reviewed, in the interest of justice on the grounds stated herein above.

In the premises, it is therefore, respectfully prayed that the petition be accepted and order No 32-JKPCC of 2024 dated:30.09.2024 passed by the Ld. Committee may kindly be reviewed and environment compensation levied to the tune of Rs Rs. 141.43 lacs on MC Chadoora may kindly waived off, in the interest of justice.


Executive Officer
Municipal Committees
Appellants

**BEFORE THE LEARNED CHAIRMAN POLLUTION CONTROL
COMMITTEE JAMMU / SRINAGAR.**

IN THE CASE OF:

Imposition of environmental compensation on Executive Officer Municipal Council Budgam vide order No 31-JKPCC of 2024 dated:30.09.2024.

IN THE MATTER OF:

**REVIEW PETITION AGAINST
ORDER No 31-JKPCC of 2024
dated:30.09.2024.**

May it please your honour

The petitioner most respectfully submit thye grounds of petition as under:

1. That the petitioner is an authorized officer of the Government and is competent to file the instant petition based on the official records maintained in the office.
2. That, at the outset, it is appropriate to mention here that the Department of Housing & Urban Development has filed a status report before the Hon'ble NGT in compliance to order dated: 30/05/2023 passed in OA No. 241/2021 titled Raja Muzaffar Bhat Vs Union of India & Others. The Copy of said status report is enclosed herewith as **Annexure A-I**.
3. That, in response to said status report, the applicant namely Raja Muzaffar Bhat filed objection before the Hon'ble NGT on 02/04/2024 (Copy enclosed as **Annexure A-II**) enclosing therewith the photographs/images taken at some places/sites viz Kralpora, Rangreth, Zuhum, Kandipur, Kralwari & Hanjura showing that waste is still dumped on the bank of Doodganga river and Mamat-Kul. Accordingly the Hon'ble NGT vide order dated 03/04/2024 (Copy enclosed as **Annexure A-III**) directed to the Pollution Control Board to impose environmental compensation on the violators.
4. That, in compliance to the order dated 03/04/2024 of NGT, the JKPCPC vide No. JKPCB/LSJ/NGT/(O.A.241/2021)/024/452-457 Dated: 24/07/2024 (Copy enclosed as **Annexure A-IV**) served show cause notice to the petitioner i.e MC, Budgam. The MC Budgam vide No. MC/Bud/NGT/2024- 25/2542-46 dated 29.07.2024 (Copy enclosed as **Annexure A-V**) responded to the

M. Singh
CHIEF EXECUTIVE OFFICER
MUNICIPAL COUNCIL
BUDGAM

said notices comprehensively. However, the JKPCC vide order No.31-JKPCC of 2024 dated 30-09-2024 has imposed environmental compensation to the tune of Rs. 372.1761 lacs on MC, Budgam without considering the fact that the locations shown by the applicant where garbage has been shown dumped in the said photographs do not fall within the municipal limits of MC Budgam.

5. That, it is further submitted that earlier in the year 2022, the Hon'ble National Green Tribunal has already vide order dated 08/03/2022 (Copy enclosed as **Annexure A-VI**) levied environmental compensation to the tune of Rs one crore on MC Budgam and MC Chadoora, out of which Rs 50 lacs was deposited into the chest of District Dev. Commissioner Budgam by the MC Budgam.
6. That, as regard to the imposition of environmental compensation to the tune of Rs.372.176 lacs for unscientific and untreated disposal of the solid waste of 9.21 TPD for 1267 days (w.e.f 01/01/2021 to 20/06/2024) on MC Budgam is concerned, in this context, It is submitted that no such legacy waste is being dumped around the embankment of Mamat Kul after 08/03/2022 because after lifting of old legacy waste, the said site has been restored to waste free site and post 08.03.2022 waste generated in the MC Budgam was dumped at Hanjan (temporary site), where the District Administration has provided open space, which is far away from populated area / water bodies etc. The said site was also maintained diligently on daily basis through systematic treatments, land filling/earth filling, ensuring adherence to established waste management protocols and minimizing environmental impact. However, the site has been permanently closed in light of the establishment of a decentralized waste management project. This innovative project ensures that municipal waste is collected, processed, and disposed of in a scientific and environmentally sustainable manner, adhering to the highest standards of waste management.
7. That, the site where legacy waste was dumped prior to 08.03.2022 is being developed through beautification and has

M. S. S. S.
CHIEF ACCOUNTS OFFICER
MUNICIPAL COUNCIL
BUDGAM

been converted into community park / view point at approved cost of Rs.32.92 lakhs. The said work is 75 % completed. (copy of DPR & Photographs disclosing the spot position are enclosed as **Annexure VII**).

8. That, regarding the photographs shown by the applicant for the locations viz Kralpora, Rangreth, Zuhum, Kandipur, Kralwari & Hanjura, it is brought to your kind notice that these locations do not fall within the jurisdiction of MC Budgam, but fall within the rural areas of Block Surasyar, Chadoora and B.K. Pora(the record disclosing the fact is annexed herewith as **ANNEXURE VIII**). Further, as per contents of the impugned order as well as notices, it has been alleged that MC Budgam dumps the waste in Doodganga, in this context, it is submitted that Doodganga is far away at a distance of 7 to 10 kms from the jurisdiction of MC Budgam. Hence, there no waste of any kind is being dumped near the water bodies within the jurisdiction of MC Budgam.

9. That total generation of waste in MC Budgam is approximately 6.20 TPD, as per projected population of 2024, while in the impugned order it has been shown as 9.21 TPD. The calculation of waste generation at 9.21 TPD is not based on established calculation method as laid down in the SBM 2.0 guidelines issued by Ministry of Housing and Urban Affairs Government of India (MoUA). The calculation appears to have been made using a imaginative figures and an estimated waste generation rate of 510 gm per person, which is not based on fact. As per the above comparison it is quite evident that the imaginative figures of population and an estimated waste generation rate of 510 gm per person, is not based on fact neither as per the guidelines issued by the by Ministry of Housing and Urban Affairs Government of India (MoUA) under SBM 2.0. it also justifies that the show cause notices as well as compensation claimed by the JKPC were devoid of any factual basis and lacked substantive evidence, rendering them vague and unjustified. Besides, the period mentioned in the JKPC's notice / order is factually incorrect, as the MC Budgam had already initiated and completed the transportation of accumulated wastes from the designated

Monyane
CHIEF EXECUTIVE OFFICER
MUNICIPAL COUNCIL
BUDGAM

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site, thereby rendering the specified timeframe irrelevant. The record disclosing the fact is annexed herewith as **ANNEXURE IX.**

10. That, since the Urban local Bodies of Kashmir division are strictly following the law/rules vis-à-vis directions of the Hon'ble NGT for protection and upliftment of the environment. Municipal Council Budgam has already taken up the establishment of a full flagged solid waste Management plant at Lakhripora Pallar Budgam at projected cost of Rs 310.57 lacs, which has been made functional recently and the wet waste which are being collected from Budgam Town are processed, and disposed of in a scientific and environmentally sustainable manner, adhering to the highest standards of waste management and minimizing the environmental impact. The Municipal Council of Budgam has implemented an efficient dry waste management system to ensure proper segregation, collection, and disposal of dry waste. The dry waste collected from Budgam Town is being efficiently transported to the newly established waste management facility at Lakhripor Pallar, ensuring streamlined waste disposal and optimal resource recovery. Thereafter the Municipality, having a registered rag pickers in Budgam and are being engaged in sorting and recovering recyclable materials from dry waste, generating income through sale of reusable items and processed materials, thereby supporting their livelihoods and advancing the town waste management objectives. Furthermore, efforts are underway to enhance the facility's waste handling capabilities through the procurement of additional machinery. The bids were invited vide bid No. GEM/2024/B/ 5670099 dated 06-12-2024 for procurement of machinery equipments, and once the new machinery is installed, it is expected to significantly improve the town's waste management practices. This upgrade will likely increase the facility's efficiency, capacity, and overall effectiveness in managing waste.
11. That the petitioner has already moved a representation for waiving of the environmental compensation levied to the tune of Rs 372.176 lacs on MC Budgam, which was submitted through Director Urban Local Bodies Kashmir vide No. ULBK-

M. Ojha
Secretary
National Green Tribunal
Gurgaon

LEG/113/2024-7 (7590513)/3/1950 dated 18.10.2024, which is still pending before the Ld Committee for consideration.

12. That the Director urban Local Bodies Kashmir vide DULBK-PS/74/2024-07/756499/31616-17 Dated:10.10.2024 also took up the matter with Administrative Department to seek advise of the Department of Law Justice and Parliamentary Affairs. In response, the Administrative Department vide letter No HUD-LITOMISC/26/2021-(9019) dated: 04.11.2024 (Copy enclosed and annexed herewith as **ANNEXUREX**) conveyed advise of Law Department, which is reproduced as under:

" Department is advised to move an application before the committee for recalling of the Order No. 31-JKPCC of 2024 dated 30.09.2024 passed by the Jammu and Kashmir Pollution Control Committee on the basis of stated facts that the area wherein violations of NGT directions have been found does not fall with in the jurisdiction of the Municipal Council Budgam but fall within the limits of the BDO Surasyar."

13. That Municipal Council Budgam is committed to continuous improvement and expansion of the facility to achieve optimal waste management. Besides, this Council to protect the environmentally sensitive Mamat Nallah water body, the Council has implemented a proactive measure involving the installation of chain link fencing, with the approved cost of Rs.201.93 lacs, and allotted cost of Rs.120.25 lacs thereby mitigating risks of pollution, unauthorized encroachment, and preserving the waterway's natural habitat. Furthermore, as part of its efforts to promote public awareness and discourage littering, the Municipal Council of Budgam has also installed 30 Retro reflective boards at prominent places along the Mamat Nallah water body, serving as a visual reminder to the general public to maintain environmental cleanliness and refrain from littering. Besides, the MC Budgam in continuation to already scheduled cleanliness drives on every Saturday & Wednesday carries out special sanitation drive every week on Thursday.

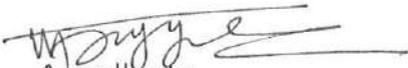
That the Petitioner prefers the present petition upon the following from amongst other grounds, which are taken without prejudice to one another:

- A. BECAUSE** the Ld. Committee has not appreciate the submission made in the respose to the notice served vide No JKPCB/LSJ/NGT/(O.A.241/2021)/024/452-457 Dated: 24/07/2024.
- B. BECAUSE** the Ld. Committee has not taken into account the fact that the locations where garbage is being dumped at the bank of mamuth kul does not fall with in the jurisdiction of the Municipal Council Budgam but fall within the limits of the BDO Surasyar.
- C. BECAUSE** in the annexure of orderNo 31-JKPCC of 2024 dated:30.09.2024, it is alleged that the MC Budgam is dumping the waste unscientifically at the bank of Doodganga, while fact is that the Doodganga is far away at a distance of 7 to 10 kms from the jurisdiction of MC. Budgam.
- D. BECAUSE** the actual quantity of solid waste generation is approximately 6.20 TPD,as pr present projected population of 2024, while in said order it has been shown as 9.21 TPD.
- E. BECAUSE** the claim that waste is being dumped at the banks of Mamat Nallah is entirely unfounded and not based on factual evidence. In reality, the newly implemented decentralized waste management project has ensured that all municipal waste is being systematically collected, processed, and disposed of in a scientifically approved and environmentally sustainable manner. As a result, there is no longer any waste being dumped or left out at the banks of Mamat Nallah, thereby protecting the environment and public health. Moreover, in order to augment the existing waste processing infrastructure, the procurement process by way of invitation of tenders for machinery has been

(7)
initiated, with installation slated to occur within the next month.

15. The impugned order as well as notices, being ex-facie contrary to law and the facts and circumstances of the case, needs to be reviewed, in the interest of justice on the grounds stated herein above.

In the premises, it is therefore, respectfully prayed that the petition be accepted and orderNo 31-JKPCC of 2024 dated:30.09.2024 passed by the Ld. Committee may kindly be reviewed and environment compensation levied to the tune of Rs 372.176 lacs on MC Budgam may kindly waived off, in the interest of justice.


Appellants

839 Annexure - 9

**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

**The Regional Director,
J&K Pollution Control Committee,
Kashmir.**

No:- JKPCC/ 2067

Dated: 10-02-2025.

**Sub:- Review petition against the order No. 31-JKPCC of 2024 dated 30-09-2024
filed by the Chief Executive Officer, Municipal Council, Budgam.**

Sir,

Please find enclosed herewith a review petition filed by the Chief Executive Officer, Municipal Council, Budgam against levy of Environmental Compensation upon Chief Executive Officer, Municipal Council, Budgam.

You are requested to have the contents of the petition examined and furnish a report within 3 days after verifying as to whether the sites namely, **Kralpora, Rangreth, Zuhum, Kandipur, Krawlwari and Hanjura** falls within the jurisdiction of Municipal Council, Budgam or outside the jurisdiction of Municipal Council, Budgam. If these sites fall outside the jurisdiction of Municipal Council, Budgam, please indicate the name of the block in which these sites / areas fall.

Yours faithfully,

Encl:- As above.


(Ghansham Singh) JKAS
Member Secretary 10.2.25
J&K PCC

mailed

**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

**The Regional Director,
J&K Pollution Control Committee,
Kashmir.**

No:- JKPC/ 2068

Dated: 10 -02-2025.

**Sub:- Review petition against the order No. 32-JKPC of 2024 dated 30-09-2024
Executive Officer, Municipal Committee, Chadoora.**

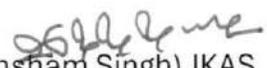
Sir,

Please find enclosed herewith a review petition filed by the Executive Officer, Municipal Committee, Chadoora against levy of Environmental Compensation upon Executive Officer, Municipal Committee, Chadoora.

You are requested to have the contents of the petition examined and furnish a report within 3 days after verifying as to whether the sites namely, **Kralpora, Rangreth, Zuhum, Kandipur, Krawlwari and Hanjura** falls within the jurisdiction of Municipal Committee, Chadoora or outside the jurisdiction of Municipal Committee, Chadoora. If these sites fall outside the jurisdiction of Municipal Committee, Chadoora, please indicate the name of the block in which these sites / areas fall.

Yours faithfully,

Encl:- As above.


(Ghansham Singh) JKAS

Member Secretary 10.2.25
J&K PCC

Marked
By



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

841
An
PCC Sheikh-ul-Alam Campus, Rajbagh, Near Government Silk Factory, Srinagar-190008
www.jkspcb.in Email: regionaldirectorkmr@gmail.com, Tel/fax 0194-2311842

The Member Secretary,
J & K Pollution Control Committee,
Jammu.

No: PCC/ROK/LS (NGT)/2025/ 662-664.

Date:- 16-05-2025.

Subject: - Review petition against the order No. 32-JKPCC of 2024 dated 30-09-2024 filed by the Chief Executive Officer, Municipal Council, Budgam.

Reference: - Your letter No. JKPCC/2068 dated 10-02-2025.

Sir,

Referencing to the above quoted letter on the captioned subject, it is hereby submitted that the instant petition filed by the Chief Executive Officer, Municipal Council, Budgam has been examined and a comprehensive report vide No. JKPCC/DO/BUD/2025/70 dated 17-02-2025 along with corroborative evidences/& supportive photographs sought from the Divisional Officer, PCC, Budgam in verification of the averments made by the Appellant in this petition are enclosed herewith for kind perusal and favour of necessary action required in the matter please.

More so, examination came across with the following points in view of the ground position as placed by the Divisional Officer, PCC, Budgam in the afore-said report :-

- 1) That, the sites viz. Kralpora, Rangreth, Zuhum, Kandipora, Krawlwari and Hanjura as mentioned in the letter under reference do not falls in the jurisdiction of Municipal Committee Budgam or Municipal Committee Chadoora, Budgam but exists within the territorial jurisdiction of Rural Development Department, a copy of the letter from Project Officer, Wage Employment (ACO), Budgam is enclosed with the report of DO Budgam for reference and authentication. The respective blocks with which these sites/areas fall is mentioned in the table below:-

S.No.	Name of Site	Name of Block
1.	Kralpora	Block B.K.Pora
2.	Zuhama	Block Chadoora
3.	Krawlwari	Block Chadoora
4.	Hanjura	Block mSursyar

- 2) That, MC Budgam has shifted the dumping site from Mamat-Kul to Lakhripora Pallar. Two processing sheds have been established recently with a capacity of STPD each where waste generated is being processed. No machinery has been installed till date.
- 3) That, MC Chadoora at present is in possession of dumping site at Hayatpora Nagam. Waste processing plant of capacity is operational on-the-spot and the Nallah Dood Ganga is approximatelt 4 Kms away from this dumping site. Hence, submitted please.

Encls: - A/a. (08)

Copy to:-

1. DO, PCC, Budgam for information.
2. I/c NGT Cases, JK PCC, Kashmir for information and necessary action.

Regional Director,
Kashmir.
16.05.2025

Government of Jammu & Kashmir

District Office Pollution Control Committee, Budgam.

Regional Director
Pollution Control Committee
Kashmir.

No:-JKPCC/DO/BUD/2025/70

Dated 17-2-2025

Subject:- Review petition against the order No. 31 JKPCC of 2024 dated 30-09-2024 filed by Chief Executive Officer, MC Budgam & Order No 32 JKPCC of 2024 dt. 30-09-2024 filed by Executive Officer, MC Chadoora.

Ref. No:- JKPCC/2067 & JKPCC/2068

Dated 10-02-2025

Sir,

Apropos to the subject & reference cited above, MC Chadoora of District Budgam at present is in possession of a dumping site at Hayathpora Nagam measuring around 8 kanals out of a big chunk of land which measures approximately 86 kanals. Waste Processing Plant of capacity 4 TDP is operational and as on date is found Operational. Waste collected from the M.C. limits of MC Chadoora is being processed now at the same dumping Site. The Nallah Doodh Ganga is approximately 4 KM's away from the present Dumping Site.

MC Budgam has now acquired the land of 11 kanals 7 marlas at Lakhripora Pallar, Budgam and has shifted the dumping site from Mamath Koul to Lakhripora Pallar. Two Processing Sheds have been established recently, with a capacity of 5TPD each where waste generated is being processed. No machinery has been installed till date. Dumping waste is still seen at Mamath , the dumping site needs to be closed by capping of fresh layer of soil.

It is pertinent to mention that the areas as mentioned in the letter do not falls in the jurisdiction of MC Budgam or MC Chadoora, Budgam. The area Kralpora falls in block B.K. Pora, Zuhama falls in Block Chadoora, Kralwari in Block Chadoora and Hanjura in Block Sursyar (copy enclosed information provided by Project Officer, Wage Employment (ACD) Budgam.)

It will not be out of place to mention that Administrator Wakaf Board Charar-I-Sharief is a bulck waste producer and has no facility of dumping or treating the Municipal Solid Waste generated.

Report as such is submitted.

Documents Attached:-

1. Letter from MC Budgam
2. Letter from ACD Budgam
3. Photographs

Yours faithfully,


District Officer
JKPCC Budgam.

Government of Jammu & Kashmir
 Office of the Chief Executive Officer
 Municipal Council Budgam
 "Nothing like voting, I vote for Sure"



-: ओः:-

The District Officer ,
 Pollution Control Committee,
 Budgam.

No:- MC/Bud/Acctts/2024-25/589-92 Dated: 12-02-2025

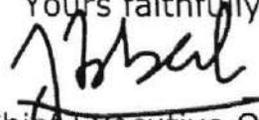
Subject: Review petition against the Order No 31 -JKPCC of 2024 dated 30-09-2024 filled by Chief Executive Officer MC Budgam.

Ref:- Your letter No. JKPCC?DO/BUD/2025/42 dated 11-02-2025.

Sir,

Kindly refer to the subject cited above and reference, in this connection, it is to bring to your attention that baseless allegations against the Municipal Council (MC) Budgam, has been leveled in the case titled OA No. 241/2021 titled Raja Muzaffar Bhat Vs Union of India & Others by producing pictures of the rural area around Kralpora and Suryasar road. These allegations are related to environmental violations, particularly the dumping of solid waste into the Doodh Ganga river and Mamat Nallah. However, the areas highlighted the locations viz Kralpora, Rangreth, Zuhum, Kandipur, Kralwari & Hanjura, it is brought to your kind notice that these locations do not fall within the jurisdiction of MC Budgam, but fall within the rural areas of Block Surasyar, Chadoora and B.K. Pora. Further, as per contents of the said order, it has been alleged that MC Budgam dumps the waste in Doodganga, while Doodganga is far away at a distance of 7 to 10 kms from the jurisdiction of MC. Budgam.

Yours faithfully,


 Chief Executive Officer,
 Municipal Council,
 Budgam

Copy to the:

1. Deputy Commissioner Budgam for information.
2. Director Urban Local Bodies Kashmir for information.
3. Member Secretary JKPCC Rajbagh Srinagar for information.

R.No.
 40
 12/2/25



GOVERNMENT OF JAMMU & KASHMIR
OFFICE OF THE PROJECT OFFICER WAGE EMPLOYMENT (ACD) BUDGAM
E-mail Id:- acdbudgam@gmail.com

The District Officer,
JKPCC Budgam.

No:- ACD/BUD/Misc/2024-25/ 11883

Dated:- 13/02/2025

**Subject:- Review petition against the Order No. 31-JKPCC of 2024 Dated:- 30-09-2024
& Order No. 32-JKPCC OF 2024 Dated:- 30-09-2024 filed by Chief Executive
Office Municipal Committee Budgam.**

Reference:- Your Letter No. JKPCC/DO/BUD/2025/44 Dated:- 11-02-2025.

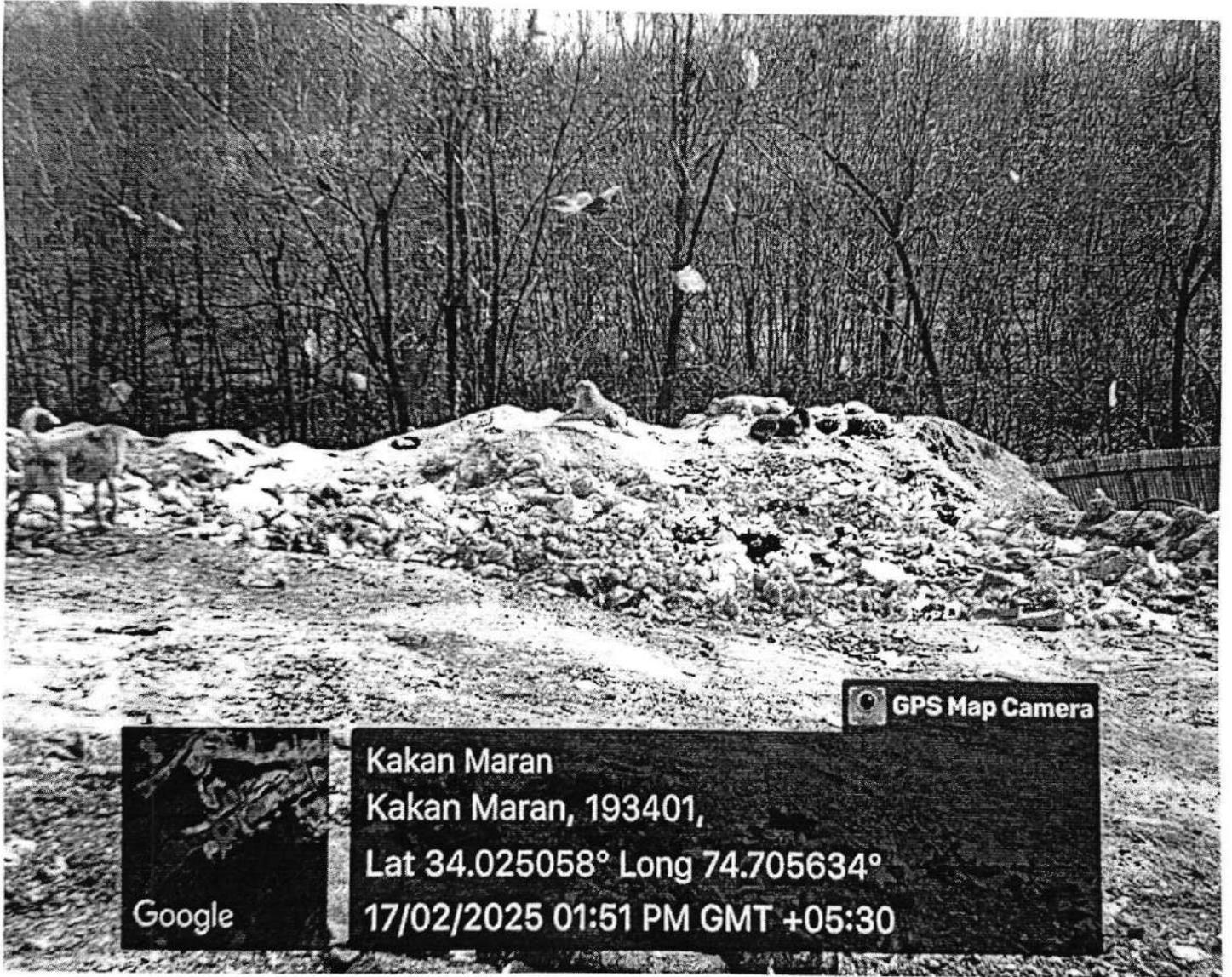
Sir,

Regarding the above captioned reference on the subject, the information as desired is given below for information and further necessary action.

S.No	Name of Site	Area of Jurisdiction
1	Kralpora	Block B.K.Pora
2	Zuhama	Block Chadoora
3	Kralwari	Block Chadoora
4	Hanjura	Block Sursyar

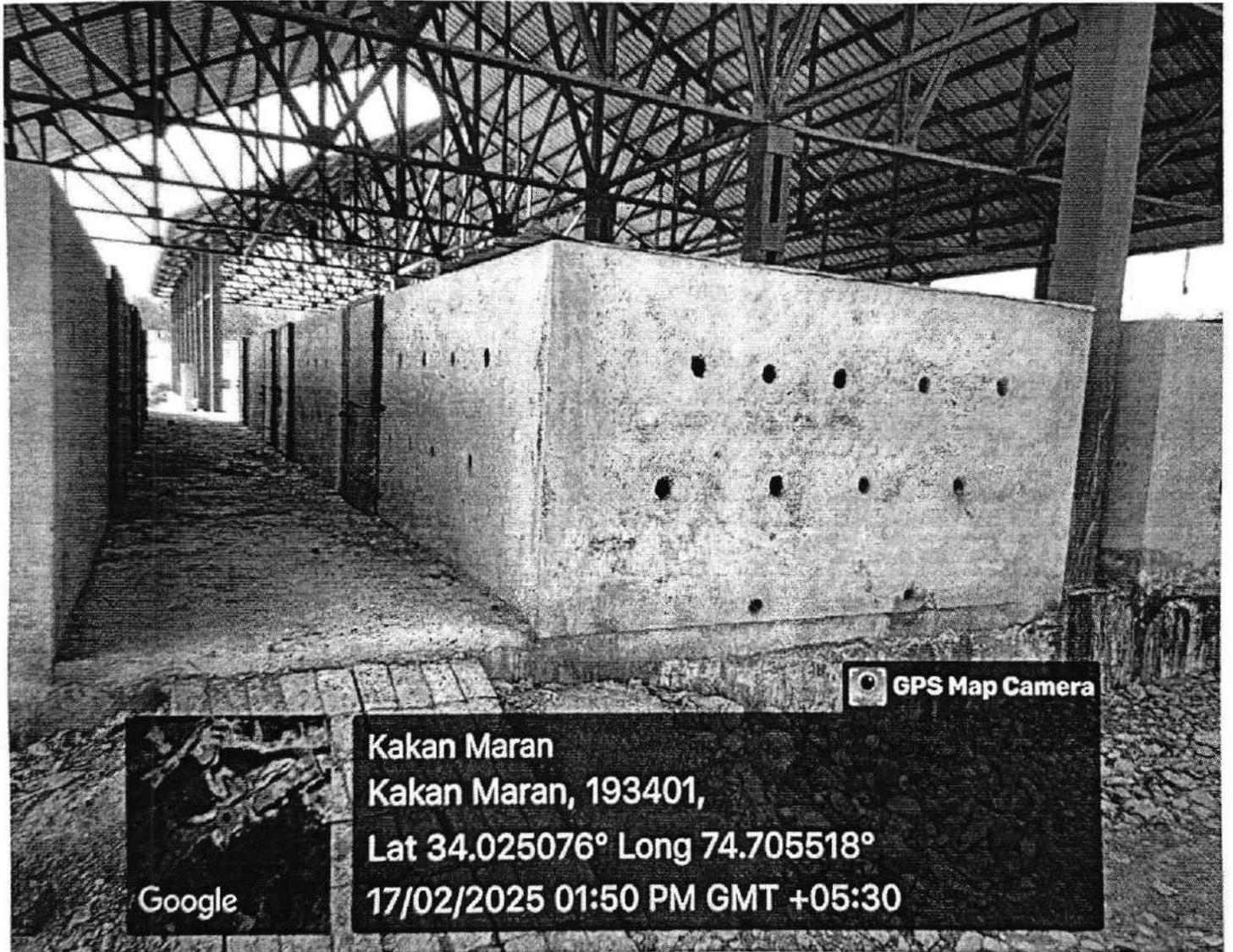
Yours Faithfully,

M. M. J. 13/2/25
Project Officer,
Wage Employment (ACD),
Budgam

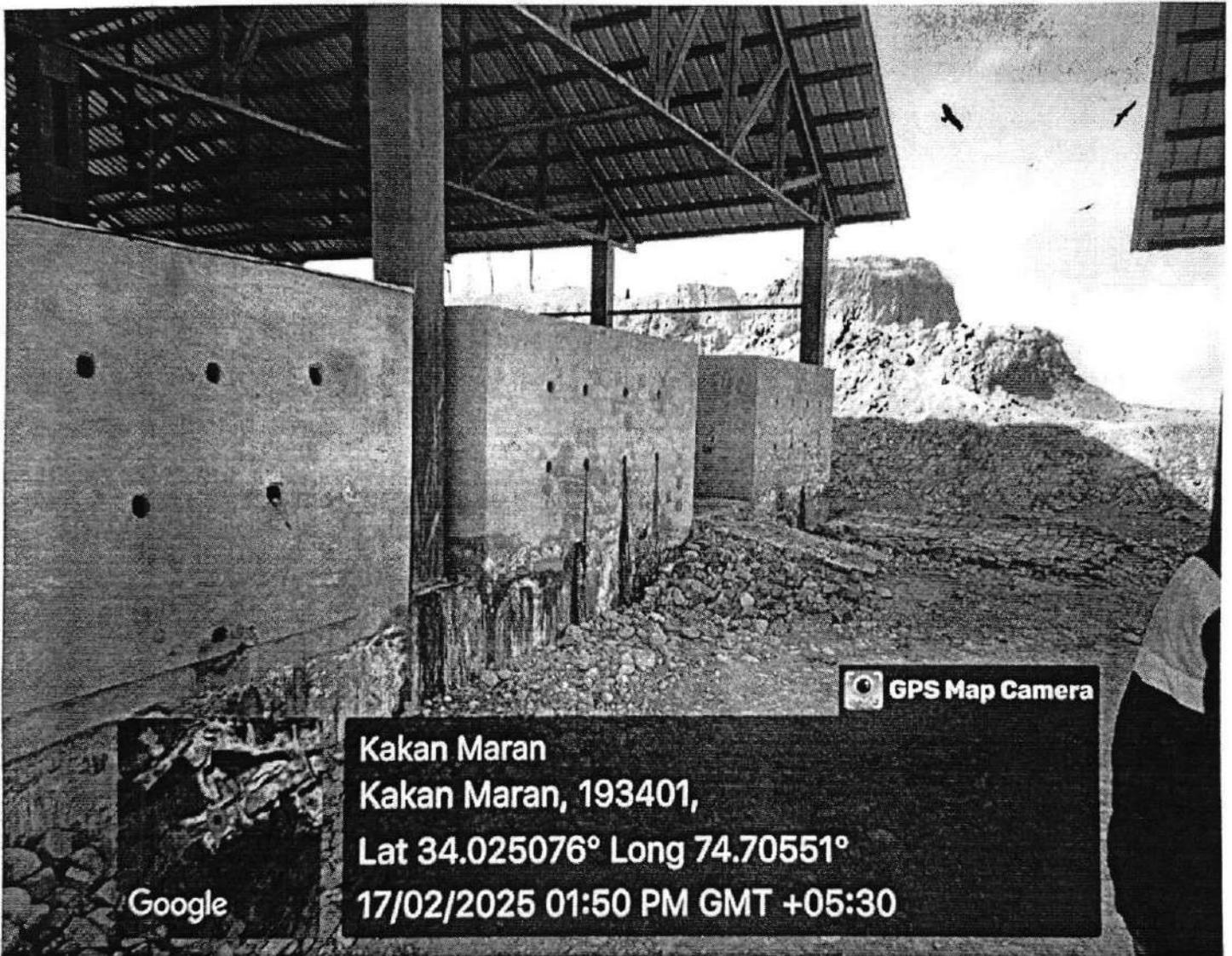


Photograph of Lakshnipura Paller
Dumping site of M.C. Budgam

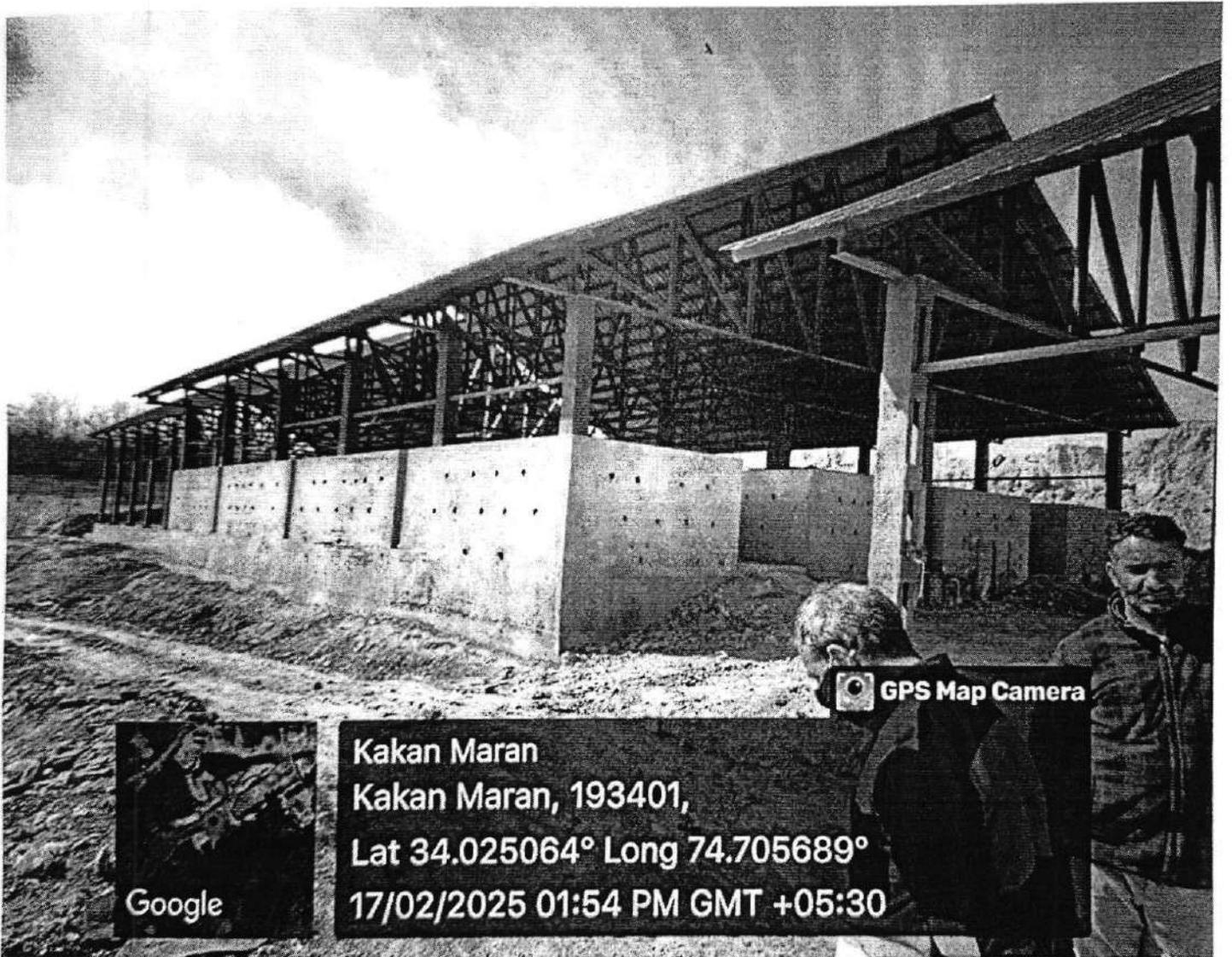
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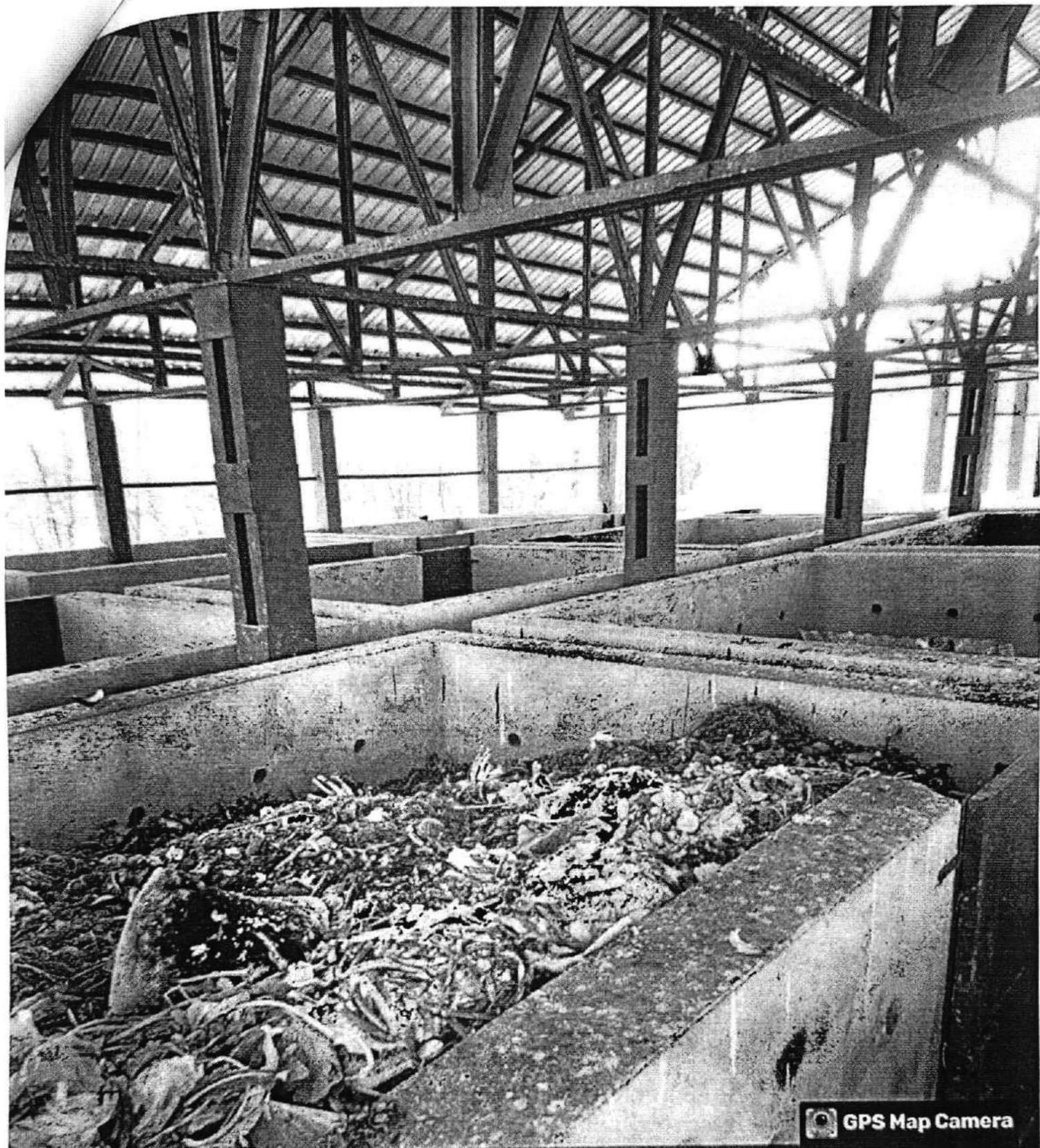
Lakshipora Pallar
M.C. Budgam



Lakshripora Dumping site
M.C. Baidya



Lakhsipora Budgam.
M.C. Budgam

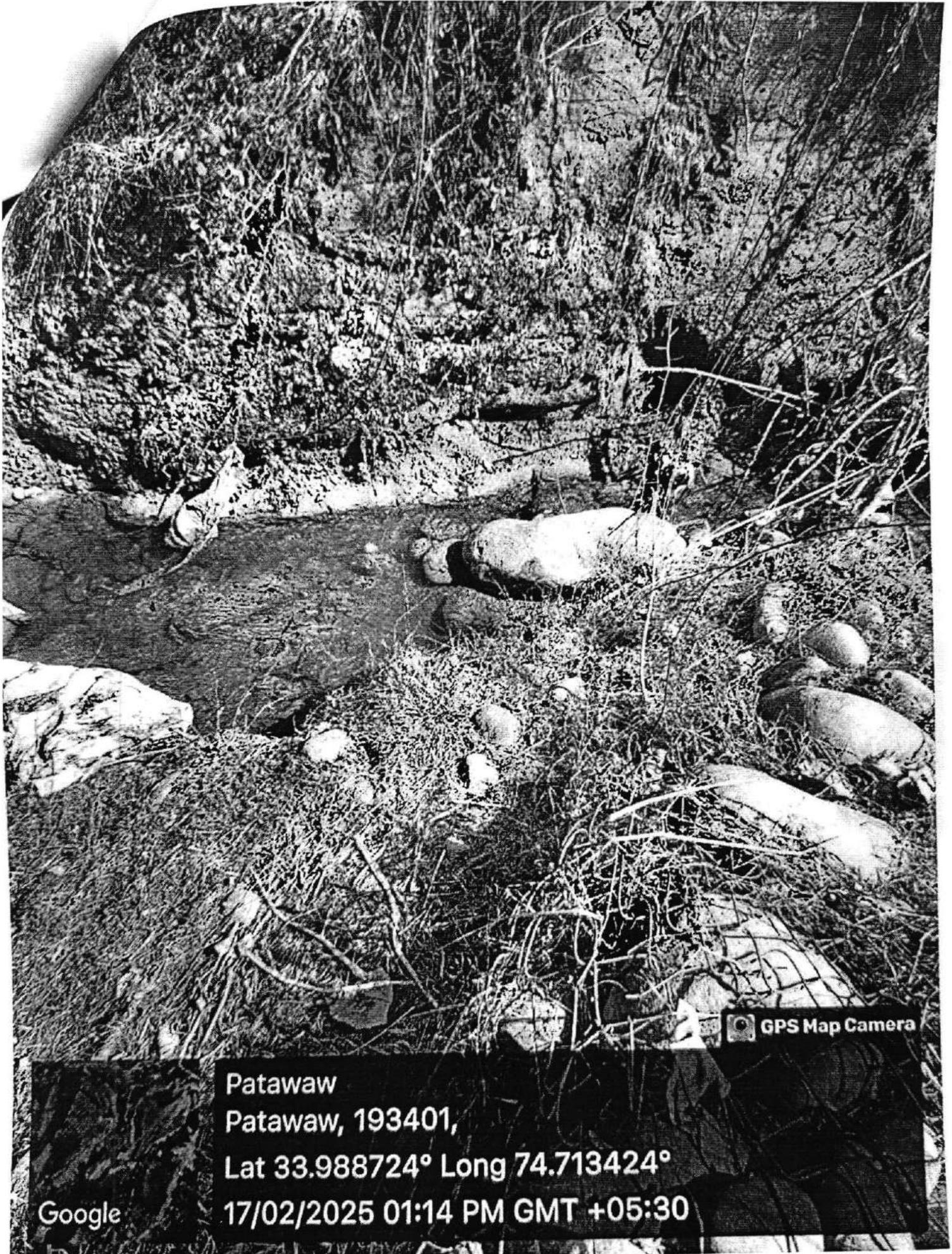


GPS Map Camera

Kakan Maran
Kakan Maran, 193401,
Lat 34.025132° Long 74.705465°
17/02/2025 01:50 PM GMT +05:30

Google

Dumping site M.C Badran at Palla Lakshabara



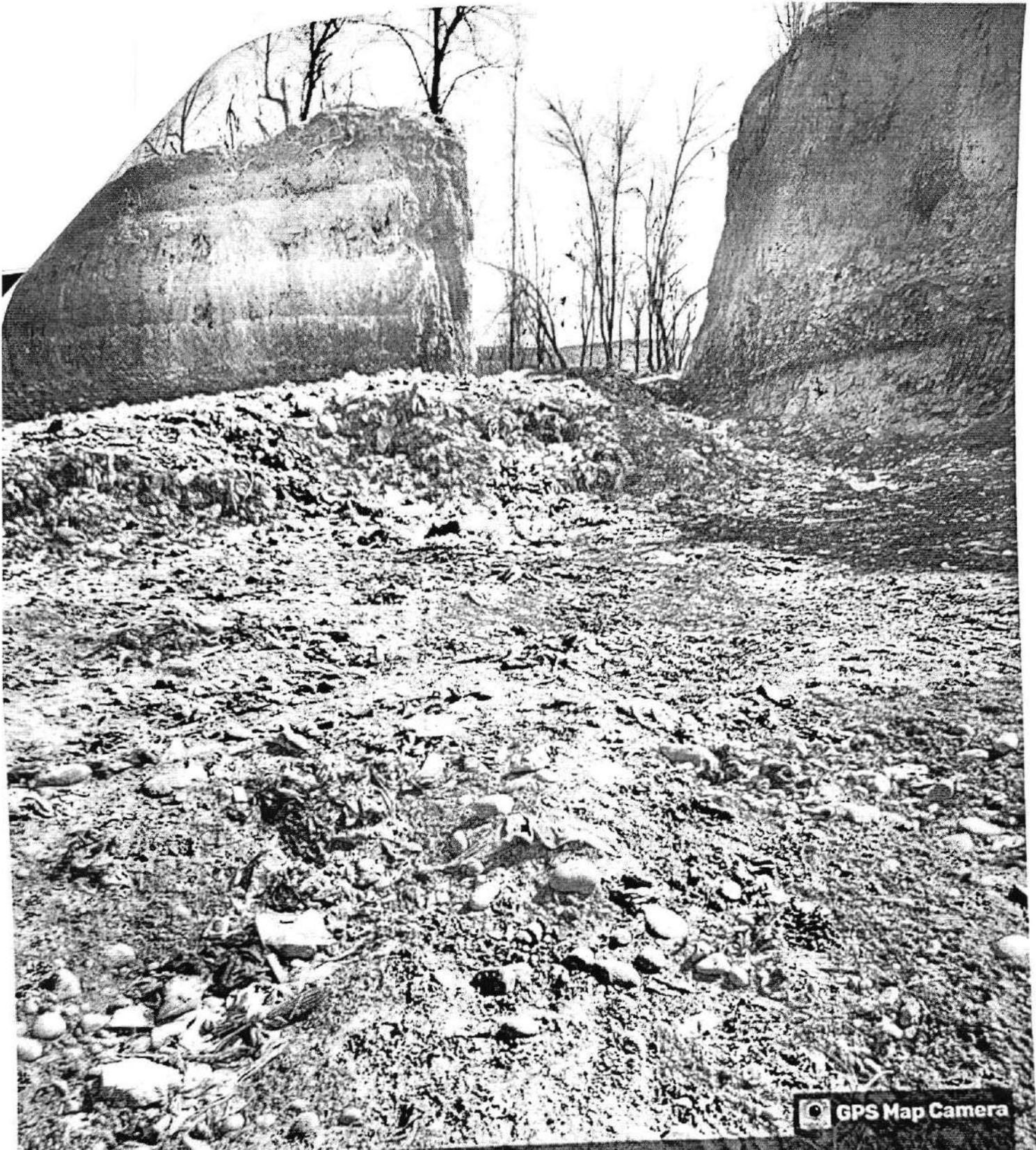
GPS Map Camera

Patawaw
Patawaw, 193401,
Lat 33.988724° Long 74.713424°
17/02/2025 01:14 PM GMT +05:30

Google

01 - 02 - 03 - 04 - 05 - 06 - 07 - 08 - 09 - 10 - 11 - 12 - 13 - 14 - 15 - 16 - 17 - 18 - 19 - 20 - 21 - 22 - 23 - 24 - 25 - 26 - 27 - 28 - 29 - 30 - 31 - 32 - 33 - 34 - 35 - 36 - 37 - 38 - 39 - 40 - 41 - 42 - 43 - 44 - 45 - 46 - 47 - 48 - 49 - 50 - 51 - 52 - 53 - 54 - 55 - 56 - 57 - 58 - 59 - 60 - 61 - 62 - 63 - 64 - 65 - 66 - 67 - 68 - 69 - 70 - 71 - 72 - 73 - 74 - 75 - 76 - 77 - 78 - 79 - 80 - 81 - 82 - 83 - 84 - 85 - 86 - 87 - 88 - 89 - 90 - 91 - 92 - 93 - 94 - 95 - 96 - 97 - 98 - 99 - 100

851



GPS Map Camera

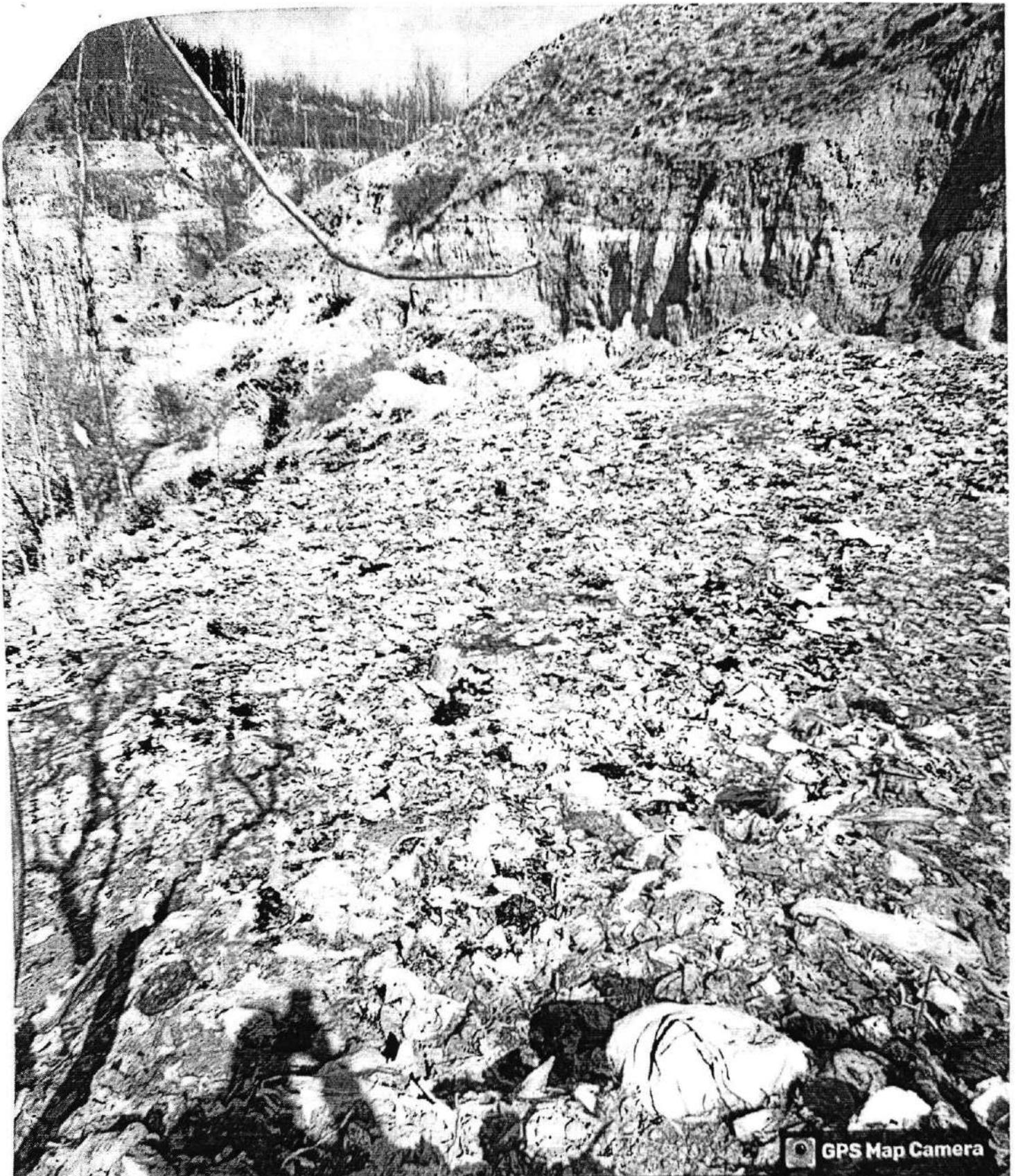


Google

Patawaw
Patawaw, 193401,
Lat 33.988546° Long 74.713705°
17/02/2025 01:15 PM GMT +05:30

Mammalla Dumping site

852



GPS Map Camera

Patawaw
Patawaw, 193401,
Lat 33.988557° Long 74.713783°
17/02/2025 01:15 PM GMT +05:30

Google

Mammali Damodar site

853

Annexure-11

**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

**The Commissioner,
Srinagar Municipal Corporation,
Srinagar.**

No:- JKPCC/Sc.A/OA241.2021/265

Date:- 15-05-2025

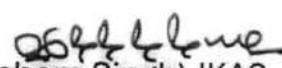
**Sub:- Hon'ble National Green Tribunal order dated 18-02-2025 in OA
241/2021 titled Raja Muzaffar Bhat V/s Union of India & Ors.**

Sir,

Kindly refer to the subject cited above. In this connection, I am directed to request you to share current status of Establishment of Sewage Treatment Plants (STPs) along the Doodhganga River within the jurisdiction of Srinagar Municipal Corporation and the expected timeline within which these STPs will be established as also implementation of action plan for management of solid and liquid waste.

Since, the case is listed on 22-05-2025 and the requisite information is required for filing compliance/status report before the Hon'ble NGT, Principal Bench, New Delhi and the same be furnished to the J&K PCC at the earliest.

Yours faithfully,


(Ghansham Singh) JKAS
Member Secretary 15.5.25
J&K PCC



Received on
17.5.2025.

Action Taken Report on O.A No. 241/2021 titled Raja Muzaffar Bhat Vs Union of India & Others:

In compliance with the directives issued by the Honorable National Green Tribunal (NGT) in O.A No. 241/2021, the Srinagar Municipal Corporation (SMC) has embarked on a comprehensive and multi-faceted approach to bolster Solid Waste Management (SWM) standards along the Banks of Doodh Ganga. The following detailed interventions have been executed by the SMC:

Door-to-Door Waste Collection:

The Srinagar Municipal Corporation has achieved 100% door-to-door waste collection across the city, including households along both sides of the Doodh Ganga canal from Bagh-i-Mehtab to Hokarsar. 22 Hooper/Light Commercial vehicles have been deployed in the designated area for waste collection. This daily activity has effectively curbed littering on the banks of the Doodhganga Canal within Srinagar Municipal limits. Additionally, services for sludge and septic tank clearance have been provided, significantly reducing waste and greywater discharge into the Doodh Ganga Nallah.

Segregated Waste Collection:

Efforts are ongoing to achieve 100% household-level segregation of waste. Currently, 60% segregation has been accomplished through compartmentalized D2D Hooper's across all Municipal Wards, with a target of achieving 100% segregation by Mar, 2026.

Closure of Waste Collection Points:

A major waste collection point near the Baghi Mehtab Bridge, close to Doodganga Nalla, has been permanently closed down to prevent waste from entering the Nallah.

Removal of Legacy Waste from the Banks:

All legacy waste accumulated along the banks of the Doodganga has been completely cleared, with no remnants remaining within the jurisdiction of Srinagar



Municipal Corporation. Special sanitation drives continue to ensure the removal of scattered waste from the Nallah.

Regular Cleanliness Drives on the Banks of Doodh Ganga Water Body:

The Srinagar Municipal Corporation conducts frequent cleanliness drives along the Banks of Doodh Ganga Water Body to uphold cleanliness standards and ecological balance. These drives serve to combat pollution and preserve the natural beauty of the water body.

Sundays for Srinagar Initiative:

The "Sundays for Srinagar" initiative aims to foster behavior change and community involvement in sanitation, environmental protection, and sustainability. Special drives, including rejuvenation efforts for lakes and water bodies like Doodh Ganga, are organized every Sunday to clean up and beautify areas with significant legacy waste accumulation. Over the past 22 months, the Srinagar Municipal Corporation (SMC) has spearheaded over 217 sanitation drives specifically targeting the Doodhganga Nallah, resulting in the successful clearance of waste from the canal.

IEC Campaigning:

Continual efforts in information, education, and communication (IEC) are actively underway within the area, aimed at fostering awareness and behavioral change regarding the Nallah's cleanliness. Notable progress has been witnessed, with residents now actively participating by responsibly disposing of waste through doorstep collection by Safai Karamcharis, thereby refraining from littering the Nallah. These IEC initiatives persistently engage the community through various channels, including regular announcements within the locality and persuasive advocacy by local Imams during Friday sermons at mosques.

Enforcement of SWM Rules 2016:

Strict enforcement measures have been undertaken against individuals found littering the Doodh Ganga Canal. Warnings are issued initially, followed by strict action against repeat offenders. The Corporation has penalized 110 offenders and recovered fines amounting to Rs. 4,450,000/-, with 34 offenders prosecuted in the



Municipal Magistrate Court. Notably, a shopkeeper has been fined Rs. 1.00 lac for waste disposal on the banks of the Nallah.

Anti-Polythene Campaigns (6R Campaign):

To combat plastic pollution, the Srinagar Municipal Corporation has initiated the Anti-Polythene Campaign, known as #The 6R Campaign (Reduce, Reuse, Recycle, Remove, Refuse, and Report). These campaigns aim to raise awareness about responsible waste disposal and the adverse effects of plastic pollution.

No Littering Zones:

All banks of Doodh Ganga road have been designated as No Littering Zones, with strict surveillance conducted by a dedicated team led by the Zonal Sanitation Officer. Offenders are promptly fined to maintain cleanliness standards.

The concerted efforts of the Srinagar Municipal Corporation have resulted in significant improvements in Solid Waste Management along the Banks of Doodh Ganga, aligning with the directives of the Honorable NGT.

857

Annexure - 13

**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

**The Chief Engineer,
Urban Environmental Engineering Department,
J&K.**

No:- JKPCC/Sc.A/OA241.2021/264

Date:- 15 -05-2025

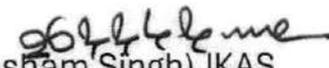
**Sub:- Hon'ble National Green Tribunal order dated 18-02-2025 in OA
241/2021 titled Raja Muzaffar Bhat V/s Union of India & Ors.**

Sir,

Kindly refer to the subject cited above. In this connection, I am directed to request you to share current status of Establishment of Sewage Treatment Plants (STPs) along the Doodhganga River within the jurisdiction of the Srinagar Municipal Corporation and Municipal Committee Chadoora and the expected timeline within which these STPs will be established.

Since, the case is listed on 22-05-2025 and the requisite information is required for filing compliance/status report before the Hon'ble NGT, Principal Bench, New Delhi and the same be furnished to the J&K PCC at the earliest.

Yours faithfully,


(Ghansham Singh) JKAS
Member Secretary 15.5.25
J&K PCC

UNION TERRITORY OF JAMMU & KASHMIR
OFFICE OF THE CHIEF ENGINEER
URBAN ENVIRONMENTAL ENGINEERING DEPARTMENT (J&K)
Main Office Suliman Shopping Complex, Srinagar-190001, Kashmir (J&K)
Camp Office (Nov-April) Transport Nagar, Harwal, Jammu-180006
e-mail: cejkueed8@gmail.com

Member Secretary,
J&K PCC

No: CE/UEED/1333-35
Dated: 16/5/25

Subject: Hon'ble National Green Tribunal order dated 18-02-2025 in OA 241/2021
titled Raja Muzaffar Bhat V/S Union of India & others.

Reference: Your letter No: JKPCC/Sc.A/OA241.2021/264 Dated 15-05-2025.

Sir,

In reference to above cited communication the current status of both the schemes is given under for your information, perusal and necessary action.

S.No:	Name of the Scheme	Current status
1.	Zone 1 Sewage Treatment Plant for dry weather flow discharging in to Doodganga (Jurisdiction Srinagar Municipal Corporation)	Tenders are ready for uploading for both Zone 1 and Zone 2 and the same shall be uploaded within weeks' time.
2.	Zone 2 Technology intervention for discharging dry weather flow into Doodganga Nallah from Chadoora to Baghi-Mehtaab (Municipal Committee Chadoora)	Besides both the projects shall be completed by 2026-27

Yours faithfully,

16/5/2025
Technical Officer to
Chief Engineer

Copy to:-

1. Superintending Engineer UEED circle-II for information.
2. Executive Engineer S&D Division Srinagar for information.

859

Annexure-15

**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

**Director,
Urban Local Bodies,
Kashmir.**

No:- JKPCC/Sc.A/OA241.2021/266

Date:- 15-05-2025

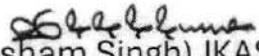
**Sub:- Hon'ble National Green Tribunal order dated 18-02-2025 in OA
241/2021 titled Raja Muzaffar Bhat V/s Union of India & Ors.**

Sir,

Kindly refer to the subject cited above. In this connection, I am directed to request you to share current status of generation and treatment of solid and liquid waste, number of STPs which are existing their capacity and capacity utilization, the legacy waste which is existing and the progress in clearing the legacy waste during the last one year, Besides, the detail particulars and status of functionalization of waste processing facilities in the MC Budgam and Chadoora.

Since, the case is listed on 22-05-2025 and the requisite information is required for filing compliance/status report before the Hon'ble NGT, Principal Bench, New Delhi and the same be furnished to the J&K PCC at the earliest.

Yours faithfully,


(Ghansham Singh) JKAS
Member Secretary 15-5-25
J&K PCC

www.ulbk.org
email: directorulbk@gmail.com

Ph: 0194-2490714
0194-2490757

Government of Union Territory Jammu and Kashmir
Directorate of Urban Local Bodies Kashmir

The Member Secretary,
J&K Pollution Control Committee,
Jammu / Srinagar

No. DULBK-LEG/E-7590513/13939-40 Dated: 19-05-2025

Subject:- Hon'ble National Green Tribunal order dated 18.02.2025
in OA No. 241/2021 titled Raja Muzaffar Bhat Vs Union
of India and others.

Reference:- JKPCC/SC.A/OA241.2021/266 Dated:- 15/05/2025

Sir,

Kindly refer to the subject and reference cited above. In this regard, find enclosed herewith the communication No. MC/BUD/ dated: 19/05/2025 as well as communication No. MC/Chd/2024-25/NGT/443 dated: 19/05/2025 alongwith its annexures received from Municipal Council Budgam and Municipal Committee, Chadoora respectively. As per above mentioned letter dated 19/05/2025 of MC, Budgam, 2100 meters of fencing work around Mamat-Kul has been completed out of total 2600 meters. (Latest photographs annexed as **Annexure-A**). Besides, the erstwhile dumping site is being converted into point view park (Latest photographs annexed as **Annexure-B**).

As regard Municipal Committee, Chadoora, 1009 meters of fencing around Doodganga Nallah has been completed out of total 1040 meters. (Latest photographs annexed as **Annexure-C**)

Yours faithfully,


Director,
Urban Local Bodies,
Kashmir

Copy to:-

The Commissioner / Secretary to Govt. Housing and Urban Dev.
Department, Civil Secretariat, Jammu / Srinagar for favour of kind
information.



Office of the Chief Executive Officer

Municipal Council Budgam

"Nothing like voting, I vote for Sure"

-: ॐ ॐ :-



The Director,
Urban Local Bodies,
Kashmir.

No:- MC/Bud/

Dated:

Subject: - Physical and Financial Status of the works taken under NGT 241/2021 in respect of MC Budgam.

Sir,

Kindly refer above captioned subject, in this connection, it is stated that the physical and financial status of the works undertaken under NGT 241/2021 with respect to MC Budgam is as follows. Need to mention here that the execution is currently in progress, and as per the confirmation from the executing agency, the remaining work is expected to be completed within the next 15 days.

S.No	Name of Work	Approved Cost	Allotted Cost	Expenditure	Status
01	Construction of Chain link fencing along the bank of Mamat Nallah/ Khul within the limits of MC Budgam	200.06	Rs.120.03 2600 RFT	26.72	The work has been completed upto 80% & 2100 RFT has been completed sofar
02	Installation of Signage's	1.65	1.145	1.14	Completed

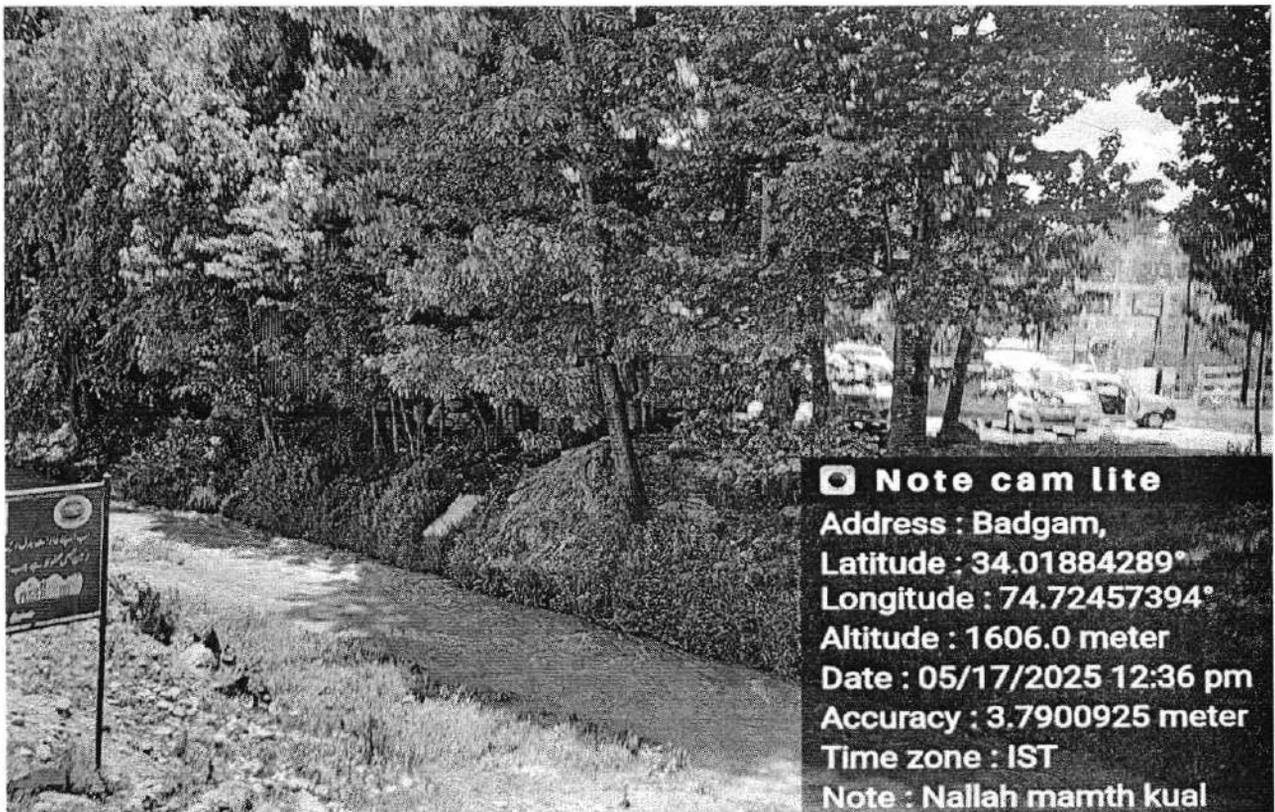
In addition to the above, the erstwhile dumping site at Mamat has been reclaimed using the compensation amount deposited under the authority of the District Magistrate. As per the R&B department, approximately 70% of the work on allotted items has been completed. However, the remaining crate work is not feasible on the ground due to site conditions. Moreover, the DPR lacks essential components such as turfing, plantation, benches, and other park infrastructure. In view of this, the department has recommended closing the current project with an expenditure of ₹11.43 lakh against the allotted amount. The details of the park are as follows:

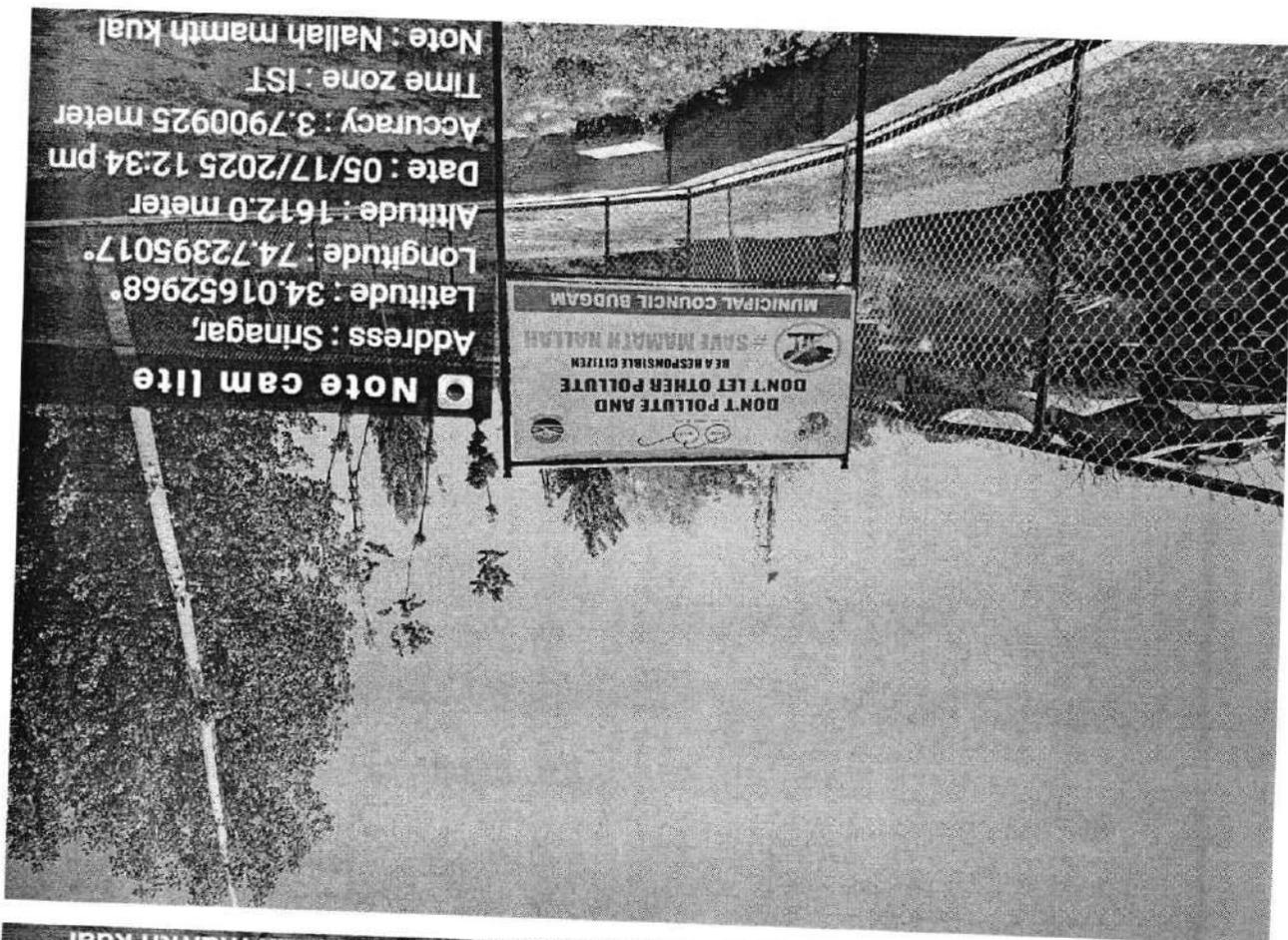
S.No	Name of Work	Approved Cost	Allotted Cost	Expenditure	Status
01	Dev. Of Park at mamat Old Dumping Site (View Point Budgam)	32.97	21.00	11.43	The work has been completed upto 70% .

Yours faithfully,

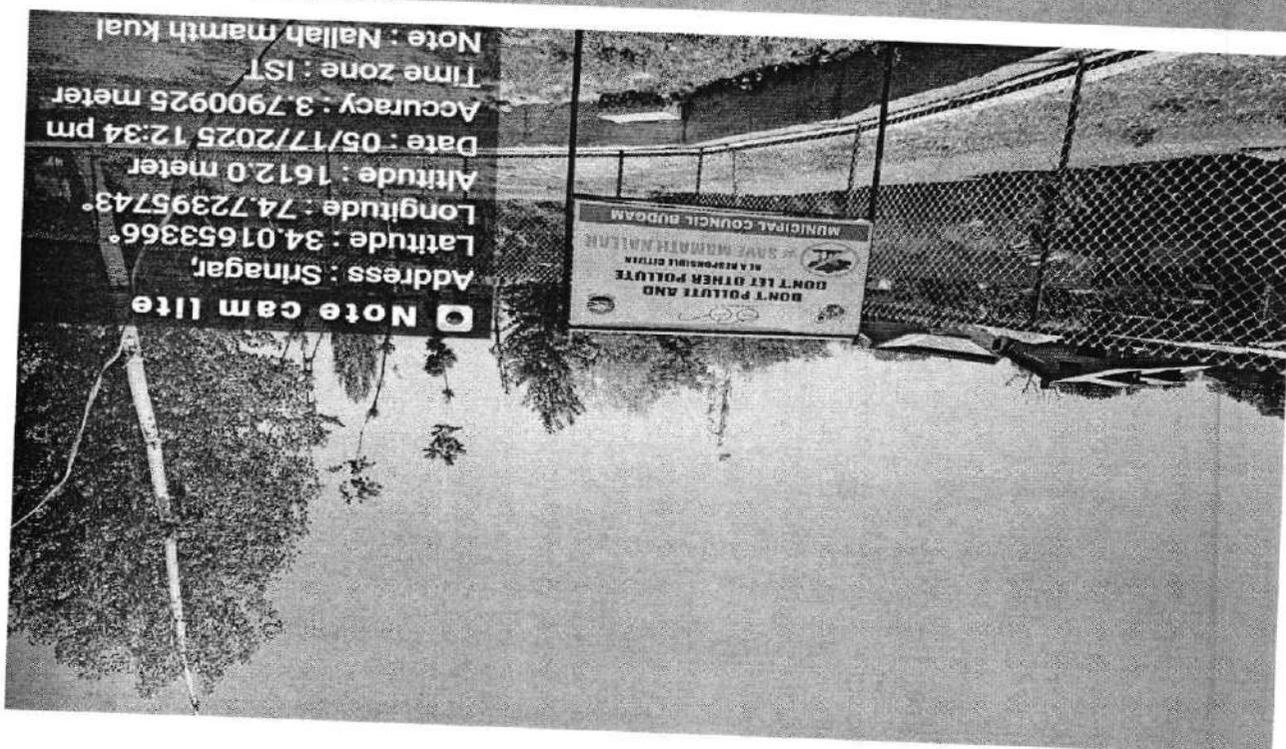
Chief Executive Officer
Municipal Council
Budgam

Annexure-A

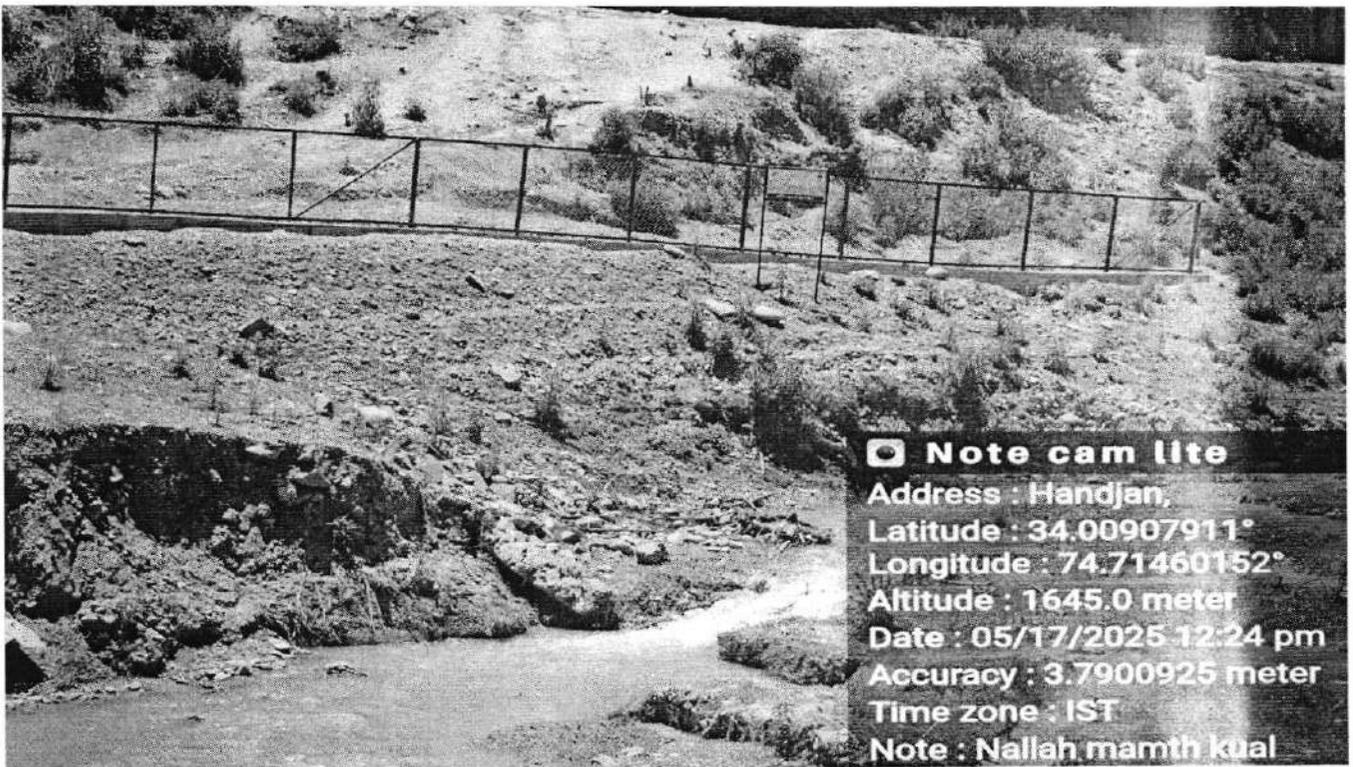
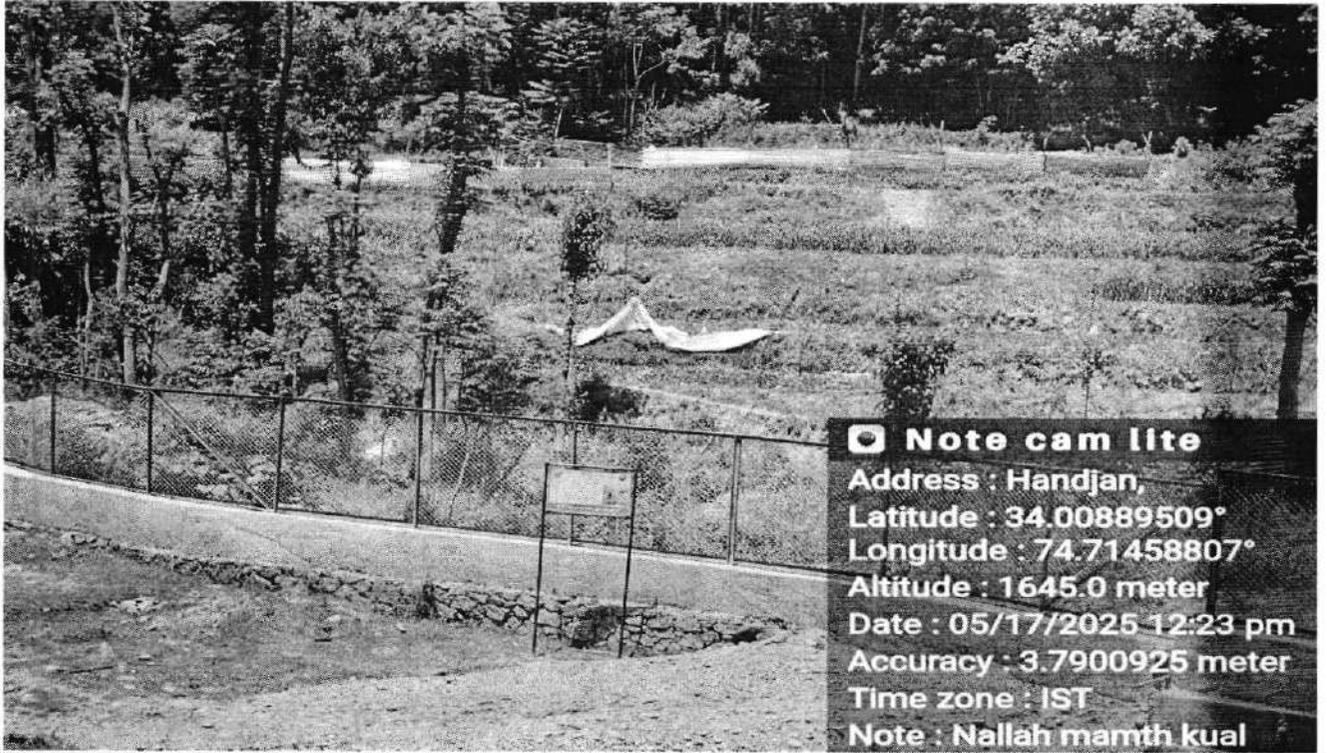
Photographs of Fencing of Mamat Kul at MC Budgam.



Note cam lite
 Address : Srinagar,
 Latitude : 34.01652968°
 Longitude : 74.72395017°
 Altitude : 1612.0 meter
 Date : 05/17/2025 12:34 pm
 Accuracy : 3.7900925 meter
 Time zone : IST
 Note : Nallah mamth kual

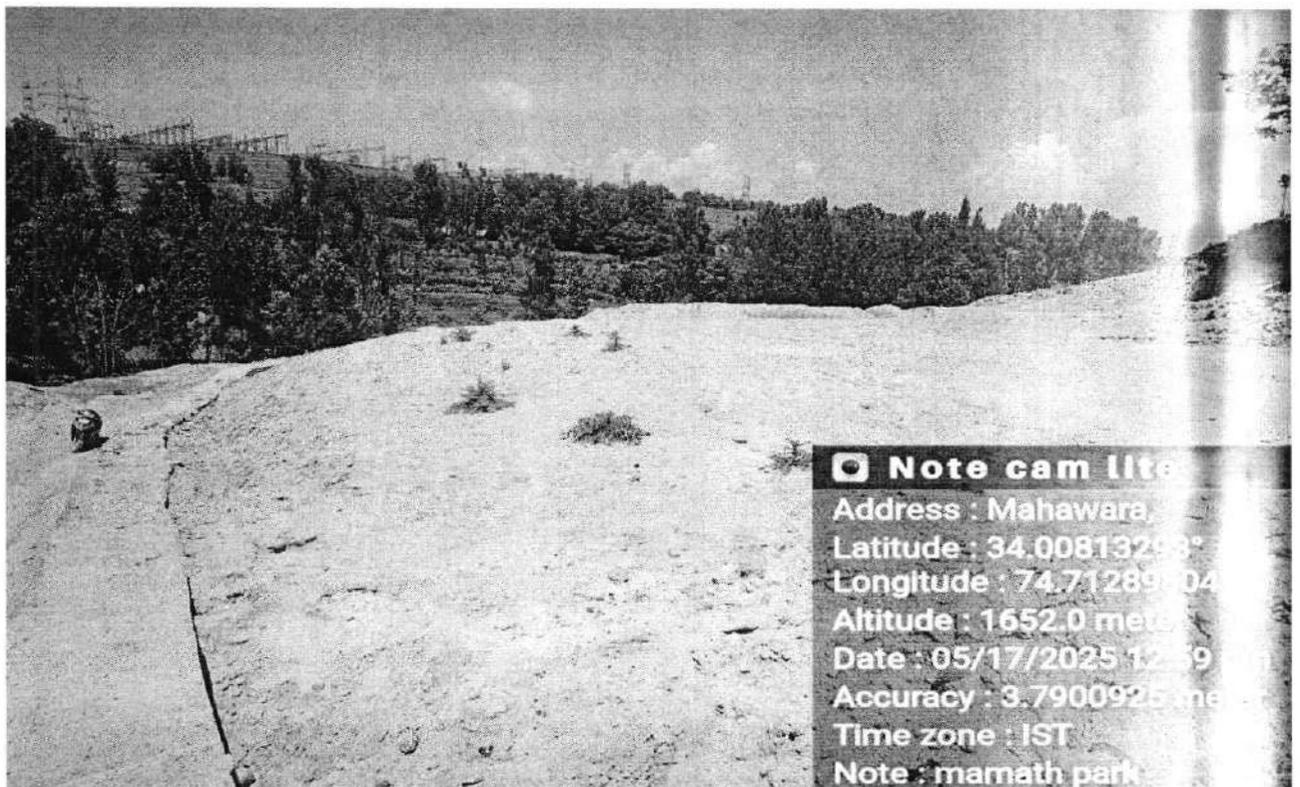
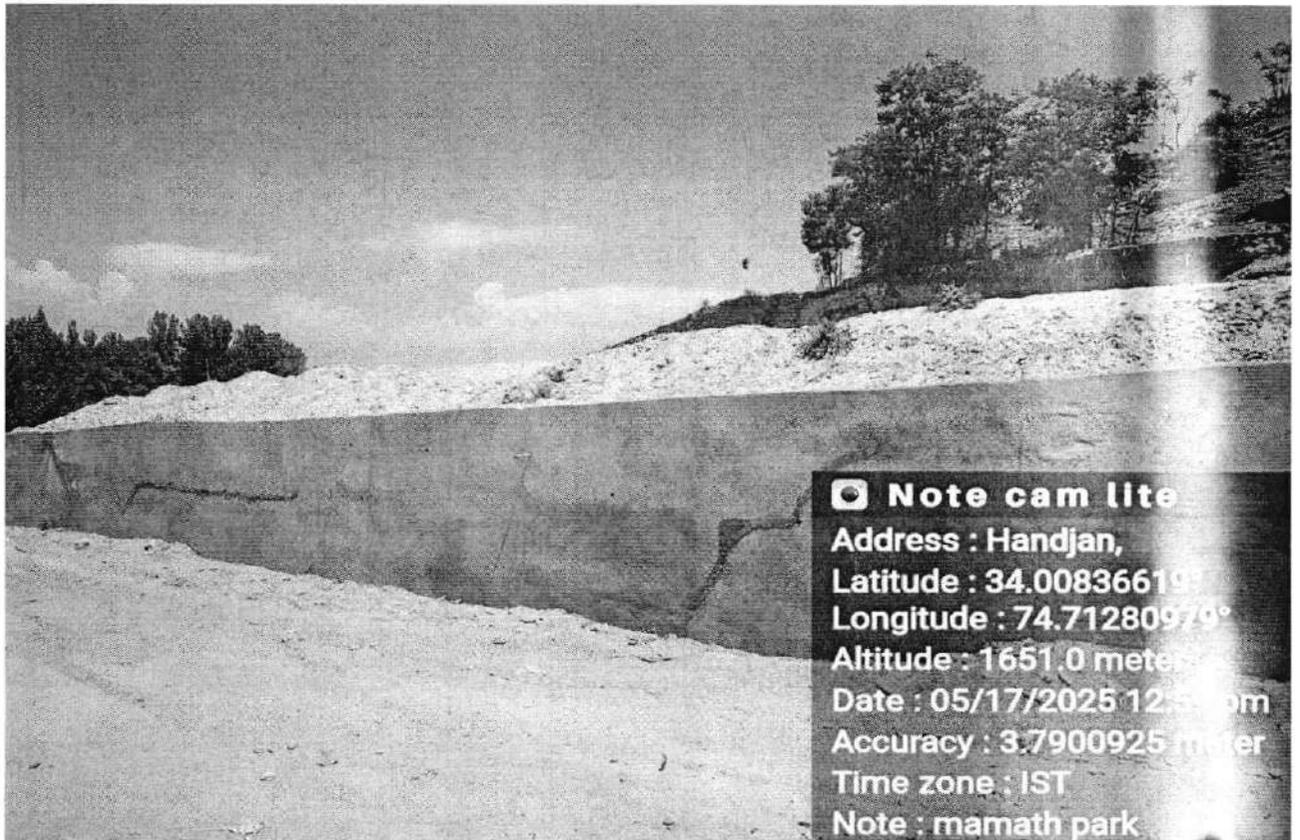


Note cam lite
 Address : Srinagar,
 Latitude : 34.01653366°
 Longitude : 74.72395743°
 Altitude : 1612.0 meter
 Date : 05/17/2025 12:34 pm
 Accuracy : 3.7900925 meter
 Time zone : IST
 Note : Nallah mamth kual



Annexure-B

Photographs of Old Dumping site at MC Budgam.



GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE EXECUTIVE OFFICER MUNICIPAL COMMITTEE CHADOORA

The Director,
Urban Local Bodies,
Kashmir.

No: - MC/CHD/2024-25/NGT/443

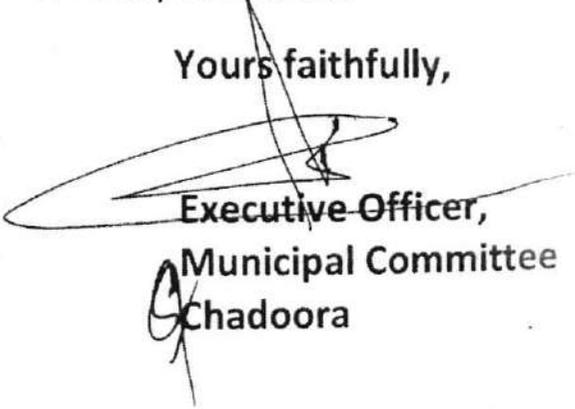
Dated: 19.05.2024

Subject: - Detailed report of OA 241/2021 titled Raja Muzaffar
Bhat V/s Union of India & Ors.

Sir,

It is to bring in your kind notice that the Municipal Committee Chadoora, has initiated the construction of chain link fencing at critical locations to prevent illegal dumping/throwing the waste on the banks of Nalla Doodh Ganga. The total sanctioned cost of the project is Rs. 103.00 lacs, and the work was allotted to the contractor to the tune of Rs. 63.92 lacs. As on date, 90% of the work stands completed, with 1009 meters of fencing erected out of the total 1040 meters. The remaining portion is expected to be completed within the next 15 days as per the executing agency. Moreover, 30 retro-reflective boards have been installed at various prominent locations along the embankment of Nalla Doodganga to spread awareness and prevent littering by the public. The geo-tagged photographic evidence is enclosed for ready reference.

Yours faithfully,


Executive Officer,
Municipal Committee
Chadoora

Annexure-C

Photographs of Fencing of Nallah Doodganga at MC Chadoora.

