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

**IN**

**ORIGINAL APPLICATION NO. 606 OF 2018**

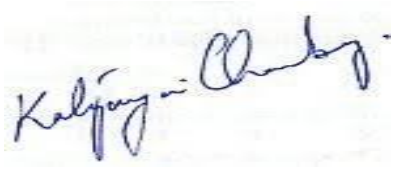
**IN THE MATTER OF:**

**COMPLIANCE OF MUNICIPAL SOLID WASTE MANAGEMENT RULES, 2016 AND OTHER ENVIRONMENTAL ISSUES**

**INDEX**



Dated: 30.05.2026
New Delhi

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**Observation Note by the Amicus Curiae to Status Report/ Compliance Affidavit filed by the Respondent State of J&K**

The UT spanning three distinct ecological zones - the Jammu plains and foothills, the Kashmir Valley, and the mountainous trans-Himalayan districts of Kishtwar, Doda, Bhaderwah, Poonch, and Rajouri. Its rivers- the Jhelum, the Chenab, the Tawi, the Ravi, the Sindh, the Lidder, the Poonch, the Brengi, and the Lolab- are transboundary water systems of international significance, flowing ultimately into Pakistan. Its most iconic water body, Dal Lake- a Ramsar Wetland, a UNESCO-nominated site, receives drainage from the heart of Srinagar, it is one of India's prime tourist destination in the Himalayas.

It is respectfully submitted that the undernoted observations emerge from the affidavits and compliance reports filed in the above-captioned matter by the States of J& K:

| S.NO | TOPIC | OBSERVATION |
|---|---|---|
| 1. | Population | i. Total population in the State- 2933813 (2011) estimated 2026 population- 4126358<br>ii. Total ULBs- 77 |
| 2. | Solid waste (p. 923) | i. GAP- **530 TPD** (+ 26.2 TPD of not collected waste)<br>ii. Total waste generated- 1557 TPD |

| | | |
|---|---|---|
| | | iii. Total waste collected- 1530.8 TPD<br>iv. Total waste transported- 1530.8 TPD<br>v. Total waste processed- 1027 TPD i.e. 66% (previously 711 TPD)<br>vi. Gap between generated and collected/ transported- **26.2 TPD**<br>**vii.** Gap between transported and processed- **503.8 TPD**<br>viii. Gap between generated and processed- **530 TPD**<br>ix. Total waste disposed in landfill- 352 TPD<br>x. RDF- Recyclables are sold to identified recyclers and rejects like loose RDF is being stored at the site. Proposal is in motion to utilise RDF as fuel for cement industries.<br>xi. Inert & Silt- from wet waste is mostly disposed of at landfill sites and/ or used for filling appropriate areas.<br>xii. Plastic waste- MC Samba co- processed 2255.600 MT of post consumer plastic waste at ESSEL MSW Jabalpur Pvt. Ltd. (Madhya Pradesh, p. 1014)<br>xiii. Authorised waste recyclers- list is annexed<br>xiv. Thermal- methanation plant- CBG Plant @ 300 TPD capacity has been approved (timeline- March 2027, p. 952)<br>xv. C& D plant- 2 plants are under construction and will be completed by Oct 26 and June 26 (p. 943)<br>xvi. WTE Plant- 0<br>xvii. Flyash & bottom Ash (WTE)- NA<br>xviii. Sanitary waste collection & processing- information not provided<br>xix. Other information-<br>a) In some ULB's the Gap between generation and processing is shown to be 0, whereas ideally that is not the case. For instance (p. 923) Akhnoor- here waste generated is 8.8 TPD and waste processed is 7.92, creating a gap of 0.88 TPD. Similarly, Kathua is shown to have no Gap, but here also the Gap is 2.7 TPD.<br>b) RS Pura processing site washed away; Arnia site was stopped due to flood- this shows that the UT has established waste processing sites in or around River flood plains with no disaster-resilient design plan (Annexure B) |

| | | |
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| 3. | Legacy waste (p. 945) | i. GAP- 1,816,118<br>ii. Total identified LWS- 101 (approx. in 49 ULBs)<br>iii. Present legacy waste- 1,816,118<br>iv. Daily waste added- 352 TPD as per the affidavit (530 TPD as per gap between daily generation and processing)<br>v. WTE Plant- 0<br>vi. Inert & Silt- information not provided<br>vii. **Leachate disposal**- information not provided. It becomes an essential data in the case of the UT as the leachate from dumpsites may affect fresh water sources, for instance Bandipora processing plant adjacent to Wular Ramsar Wetland.<br>viii. Total land recovered- information not provided<br>ix. Site Remediation plan for LWS (soil & ground water)- information not provided<br>x. Utilisation plan for recovered land from LWS- information not provided<br>xi. Other information<br>a) Landfill site remediation of 6 ULBs in MC pahalgam, having 802.775 MT of RDF was entire disposed of by processing 9583MT of waste. However, the entire RDF has been transported to Delhi (Delhi MSW Solutions Ltd) for further processing. (p. 1007).<br>b) MC Tangmarg has transported 144 MT of RDF to Delhi MSW Solutions Ltd for further processing. (p. 1027)<br>c) Similarly, 2046.05 MT of RDF was sent from dumping site MSW plant, RS Pura Jammu & Kashmir to Gautam Budh Nagar (p. 1008)<br>d) A co- processing certificate annexed at pg. 1014, shows that MC Samba co- processed 2255.600 MT of post- consumer plastic waste at ESSEL MSW Jabalpur Pvt. Ltd. (Madhya Pradesh)<br>e) Bandipora generates 15.6 TPD od waste which is transported to a processing unit adjacent to largest fresh water wetland/ lake- |

| | | |
|---|---|---|
| | | Wular Ramsar wetland. This may raise the risk of contamination through leachate, if left unchecked. |
| 4. | Liquid waste (p. 948) | i. GAP- **323.89** MLD (p.958)<br>ii. Total sewage generation- 445.647 MLD<br>iii. Total STPs- 8<br>iv. STP installed capacity- 229.0 MLD<br>v. STP utilised capacity- 137.06 MLD (59.7 % of the installed)<br>vi. Final discharge- (p. 951) Rivers: Jhelum, Tawi, Chenab, Ravi, Naz, Neru, Poonch, Basantar, Mangota, Kud river, Lidder, Sukhnaag, Sindh, Jehlim, Chaka Nadi, Sherbagh stream, Devika Khund, Doodh Ganga, Nala- Sangran, Malwani, Paphadan etc , Open area, Tamala and Aik, Balani and Tan talab, Pond, Jogigund Ladh, Canals- Janji, Alikhur etc, Kuls- Mosh, Gaam, Ghaas etc..<br>vii. Water quality analysis of STP outlet- (p.962) FC is high for bot Jammu division and Kashmir division. It is pertinent to note that the FC count is higher in Kashmir division.<br>viii. Water quality analysis of rivers/ streams- Information not provided<br>ix. Water quality analysis of STP inlet- Information not provided<br>x. Number of storm water drains used for sewage disposal- Information not provided<br>xi. Number of streams used for sewage disposal- Information not provided<br>xii. Household connections- number of targeted household has been mentioned, but not the entire count.<br>xiii. STP sludge utilisation- information not provided |
| 5. | Ring fenced account (p. 947) | i. Account opened- 2023<br>ii. Amount deposited- 350 Cr<br>iii. Amount Utilised- 40.51 Cr<br>iv. Amount proposed to be utilised- 309.49 Cr (by 2028) |

**SUGGESTIONS:**

Accordingly, the following suggestions are respectfully proposed to enhance environmental safeguards, and align implementation with statutory mandates and judicial directions.

1. The UT may consider preparing a Watershed Protection plan for fresh water lakes/ Ramsar wetland sites such as the Wular lake and Dal lake.
2. The UT has not provided any information on leachate generation and management, it is humbly prayed that:
   a) Information regarding generation, collection and treatment of leachate may be submitted
   b) install a leachate collection and containment system
   c) file a leachate characterisation report (BOD, COD, heavy metals, pH, EC)

3. There must be a complete prohibition on disposal of any solid waste into/ around and at the vicinity of water bodies. Similar check should be imposed for discharge of sewage or mixed effluent in water bodies.
4. The UT may reconsider stockpiling of RDF in 80 ULBs (p. 934), such storage might be an environmental risk (from bulk storage of combustible material). The UT must also furnish a plan for processing the RDF in-situ/ within it's territorial boundaries. (unlike the current situation where ULBs are sending their RDF to Delhi/ Gautam budh Nagar and Jabalpur).
5. The UT may consider not establishing any STPs and/or Waste processing sites/ SLF and any I&D infrastructure in close vicinity of a wate body (for instance RS Pura, Arnia, Bandipora).
6. The UT may file an explanation for Gap in sewage treatment, alongwith details of each drain (storm water/ stream, nallah/ darya or sewage line) that is tapped/ planned to be tapped and diverted for treatment to an STP (with timeline)
7. The following information may be provided by the UT regarding houlsehold connections:
   a) Total number of households in the UT
   b) Implementing agency
   c) the STP capacity available to receive the increased sewage flow
   d) the scheme/ funding source
8. The UT may provide a comprehensive industrial effluent status report for all notified industrial estates in J&K- including SIDCO and SICOP estates at Jammu, Bari-Brahmana, Kathua, Udhampur, Lassipora (Pulwama), and Sopore- covering:

a) total industrial effluent generated per estate (MLD)
b) ETP and CETP capacity and utilisation
c) compliance with JKPCC consent conditions
d) quantum of industrial effluent discharged to drains without treatment

The observation note is respectfully submitted for the kind perusal of the Hon'ble National Green Tribunal, Principal Bench, New Delhi.

AND FOR THIS ACT OF KINDNESS, THE ADVOCATE AS IN DUTY BOUND SHALL EVER BE GRATEFUL.

Dated: 30.05.2026
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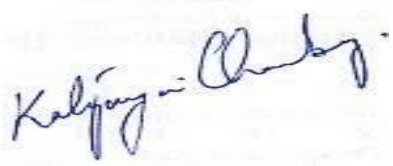

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