

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

OA No. 481 of 2022

Joginder Singh Thakur

Applicant

V/s

UT of Jammu & Kashmir & Ors

Respondent

In the matter of: Reply/response of the Principal Chief Conservator of Forests (HoFF), UT of J&K herein Respondent No. 2, in terms of order dt: 19.10.2022.

May it please your honour,

The answering respondent No. 2 humbly submits as under:

1. The observations / recommendations of the Joint Committee, in compliance to the Hon'ble National Green Tribunal (NGT) order dt.12-08-2022 are:-

- i) *The Local Administration, Forest Department and Baderwah Development Authority and Municipal Committee needs to put in place the mechanism for segregation, collection and disposal of plastic waste at all these tourist places in scientific manner.*
- ii) *Baderwah Development Authority and District Administration needs to provide adequate number of dust bins at all the famous tourist spots and Yatra sites.*
- iii) *The Government and Non-government organizations (especially Langar Committees) should be given permission only if they adhere to Plastic Waste Management Rules. The plastic waste collected should be disposed of scientifically.*

*Pr. Chief Conservator of Forests & HoFF
Jammu & Kashmir*

District Administration and Baderwah Development Authority shall conduct awareness drives among the local people and visitors before the start of Yatras and tourist spots.

2. It is submitted that most of these traditional religious yatras / melas are held in the month of April every year, when devotees of nearby villages

gather to pay obeisance to the local deities / temples located at far off places on high mountain peaks / meadows which remained snow bond during winters.

3. It is submitted that to implement the directions of Hon'ble National Green Tribunal and to enforce implementation of the provisions of Plastic Waste Management Rules 2016 (Amd. 21,22) in a coordinated manner, a meeting was conducted by the Additional Deputy Commissioner on 01-10-2022 in which all the stake holders viz a) Addl. Superintendent of Police, Bhaderwah, b) Chief Executive Officer / Executive Engineer, Bhaderwah Development Authority, c) Divisional Forest Officer, Bhaderwah, d) Tehsildar Bhaderwah, e) Block Development Officer, Bhaderwah and f) President Sanatan Dharam Sabha, Bhaderwah participated and the Minutes of Meeting issued vide No. 280-86/JC dt .03-10-2022 are annexed as **Annexure R-1**.

4. It is submitted that besides several decisions for enforcement of Plastic Waste Management Rules and Hon'ble Hon'ble National Green Tribunal directions to check the entry of Single Use Plastic (SUP) at *Roshra Mata Temple* mela site, the Forest Department with the assistance of J&K Police and Local Administration to check the entry of plastic items including Plastic Waste / Single Use Plastic has established two temporary check posts on 02-10-2022 and 03-10-2022 enroute *Roshra Mata Temple*. The plastic waste / Single Use Plastic collected was handed over to the Bhaderwah Municipal Committee for disposal on scientific line.


Pr. Chief Conservator of Forest & Wildlife
Jammu & Kashmir

The temporary Check Posts shall be established in the forth coming all religious yatras / mela by the Forest Department to prevent the unauthorized and illegal entry of any Plastic / Single Use Plastic enroute forest areas, and the seized Plastic Waste / Single Use Plastic shall be handed over to Bhaderwah Municipal Committee for its scientific disposal.

5. It is submitted that to generate awareness amongst public, the Forest Department has also conducted various plastic free drives at Guldanda, Padhri, Jai Valley (Meadows) and Khellani park, in collaboration with

Bhaderwah Development Authority, Municipal Committee, NGOs involving students of different schools and PRIs.

The details of such Information, Education and Communication (IEC) activities / drives by the Forest Department conducted in Bhaderwah is given as under:

S. No.	Name of Forest Range	Location	Date
1	Bhalesh Range	Chanti (Comptt. 57/Bh)	05-07-2022
2	-do-	Bharthi (Comptt. 55/Bh)	17.-09-2022
3	Chiralla Range	Jai Valley (Tourist spot)	27-08-2022
4	-do-	Allalbani (Picnic spot)	22-09-2022
5	Neru Range	Guldanda (Tourist spot)	12-07-2022
6	-do-	Guldanda (Tourist spot)	30-08-2022
7	-do-	Padhri (Tourist spot)	15-06-2022
8	-do-	Padhri (Tourist spot)	01-05-2022
9	-do-	Padhri (Tourist spot)	29-08-2022
10	-do-	Hanga (Tourist spot)	05-08-2022
11	Kellar Range	Khellani (Tourist spot)	15-05-2022
12	-do-	Khellani (Tourist spot)	08-07-2022
13	-do-	Bani / Trown (Picnic spot)	16-09-2022

6. It is further submitted that the Govt. of J&K has already notified SRO-243 dt. 05-08-2011 under J&K Non-Biodegradable Material (Management, Handling and Disposal) Act, 2007, whereby the Range Officers of Forest Department have also been authorized to take cognizance of the offence under the said Act, which is being implemented in letter and spirit, alongwith enforcement of Plastic Waste Management Rules 2016 (Amd. 21,22) whereby, Single Use Plastic (SUP) has completely been banned in the UT of J&K. The copy of the SRO-243 dt. 05-08-2011 is annexed as **Annexure R-2**.


20/12/2022
Answering Respondent No. 2
Pr. Chief Conservator of Forests (HoFF)
J&K
Jammu & Kashmir

Minutes of meeting convened in this office on 01-10-2022 at 3:00 PM
in order to discuss the strategy to implement the order of Hon'ble
National Green Tribunal New Delhi.

The following officers attended the meeting:-

1. Addl. Supdt. Of Police, Bhadarwah.
2. Divisional Forest Officer, Bhadarwah.
3. Executive Engineer, PWD R&B Division, Bhadarwah.
4. Tehsildar Bhadarwah.
5. Rep. of Block Development Officer, (Panchayat Inspector) Bhadarwah.

Other Organization.

1. President Sanatan Dharam Sabha Bhadarwah.

The representation of Sh. Joginder Singh Thakur Advocate J&K High Court Jammu dated 10/04/2022 addressed to Addl. Deputy Commissioner Bhadarwah was readout to the participants of the meeting. In response to this representation the communications of this office addressed to Divisional Forest Officer, Bhadarwah, District Pollution Officer Doda, Block Development Officer Bhadarwah, Tehsildar Bhadarwah, Sub Divisional Police Officer Bhadarwah and Executive Officer Municipal Committee Bhadarwah were also readout and reminded to the officers. Undersigned apprised the house that the aforementioned officers have not submitted the Action Taken Reports in this office so far. The order of Hon'ble National Green Tribunal issued in reference to the aforementioned representation of Sh. Joginder Singh Thakur were also readout to the participants and discuss in detail. The Department was of the response of officers was as under:-

1. **Addl. Superintendent Of Police Bhadarwah:-** Addl. Supdt. of Police Bhadarwah apprised the house that police has already taken up the awareness and campaign against single use of plastic in various drives in the town, in Thana Diwas and in PCPG meetings, besides the Police posts in the rural areas have also been instructed for similar campaign.
2. **Divisional Forest Officer, Bhadarwah:-** DFO Bhadarwah apprised that his department has also been campaigning against single use Plastic particularly in the religious melas and yatras taking place in forest areas. The field officials are conducting the IEC programmes through various modes viz- verbal, written slogans and Banners etc.
3. **Executive Engineer, BDA Bhadarwah:-** XEN BDA Bhadarwah also detailed about the activities conducted by BDA at Tourism sites viz- Gatha Park, Nalthi Park, Jai Valley and Padri meadows etc. the authority has installed the dustbins and the waste material is collected and disposed off suitably. Besides the slogans, posters and Banners have also been displayed in these designations and enroute also.



- i. **Tehsildar Bhadarwah**:-Tehsildar Bhadarwah briefed that the revenue officers/Officials have also been conducting the awareness programmes against single use plastic in collaboration with MC Bhadarwah, PRIs and Lumbardars and Chowkidars etc. as a part of Swatch Bharat Campaign.
5. **Block Development Officer, Bhadarwah**:- Rep. of BDO Bhadarwah (Inspector Panchayat) detailed that for last one month the Department has launched Swatch Bharat Abhiyan in rural areas through the PRIs. The common people are being educated against the harms of Single use plastic also by the PRIs as a part of Swachta Campaign.
6. **President Sanatan Dharam Sabha Bhadarwah**:- President Sanatan Dharam Sabha Bhadarwah also briefed that he has sensitized the people during religious festivals, fairs and Melas against the utilization of single use plastic and have urged the people to maintain the locations of religious melas neat and Clean in order to protect the forest, meadows, natural resources and environment as a whole.

Undersigned also briefed the house regarding the various programmes and drives conducted by school students, Municipal Committee, Degree College Students, NCC Cadets, NGOs, Army 4RR etc with regard to the cleanliness (Swachta Drive) and against the single use plastic. Besides this the pledge for cleanliness against the use of plastic items and Narcotics is also being taken in every Block Diwas conducted in Block Bhadarwah and Bhalla. In addition to this the forthcoming Ashtami Mela at Roushra Mata Temple Chinta on 03-10-2022; was also discussed and the strategy was devised in order to minimize the utilization of single use plastic. The following decisions were taken/directions passed:-

S. No	Points Discussed	Decisions Taken/ Directions Passed	Action to be taken by
1.	Nakas to check the carriage Of Single Use Plastic by the Public	Divisional Forest Officer, Bhadarwah affirmed that his officials will launch Nakas at three points on the ways leading to Roushra Mata Temple in order to check the entry of single use Plastic at the site of Mela. Besides the Banners and Posters will also be displayed enroute and at the site of the Mela.	Divisional Forest Officer, Bhadarwah.
2.	Support of Nakas	Addl. Supdt. Of Police, Bhadarwah agreed that he will deploy two to three security personalls on each Naka in order to help the Forest officials in the checking of single use Plastic	Addl. Supdt. Of Police Bhadarwah
3.	Role of PRIs	Inspector Panchayat Block Development Office Bhadarwah ensured that the PRIs of the area will be involved in the checking the entry of single use plastic at the site of Mela. The Panchayat functionaries viz. Secretary Panchayat, (VLWs and MPWs) and GRS will help the PRIs in maintaining cleanliness at the site of Mela also sponsor the volunteers to collect the waste material from the location of	BDO Bhadarwh/PRIs



	Committees of Officials	field. Tehsildar Bhadarwah agreed to mobilize the lambardars, Chowkidars and Patwaries of the area to work in collaboration with forest officials, Police and PRIs in minimizing single use of Plastic and Cleaning the Mela site.	Tehsildar Bhadarwah.
5.	Role of BDA Bhadarwah	Executive Engineer, BDA Bhadarwah ensured that he will also depute his three to four officials to coordinate/help the forest Department in this behalf.	Executive Engineer, BDA Bhadarwah
6.	Awareness among the yatries	President Sanatan Dharam Sabha was also requested to impart the awareness among the participants of fairs, melas and Yataras against the utilization of single use plastic and other waste which is harmful to the environment viz-a-viz use of drugs.	President Sanatan Dharam Sabha Bhadarwah

Undersigned requested all the officers to work in collaboration henceforth in order to minimize the use of Single Use Plastic, as ordered by Hon'ble National Green Tribunal New Delhi so that the natural resources and environment as a whole may be protected from the harms of plastic and other wastes emerging at the sites of religious fairs, Melas and Yatras. The various activities carried on by various Departments should also be photographed/videographed.


 (Diljit Singh) JKAS
 Addl. Deputy Commissioner
 Bhadarwah

No: - 280-86/JC

Dated:- 03/01/2022.

Copy to the:-

1. District Development Commissioner, Doda for favour of kind information.
2. Addl. Supdt. Of Police, Bhadarwah for information and n/action.
3. Divisional Forest, Officer, Bhadarwah for information and n/action.
4. Executive Engineer, BDA Bhadarwah for information and n/action.
5. Tehsildar Bhadarwah for information and necessary action.
6. Block Development Officer, Bhadarwah for information and n/action.
7. President Sanatan Dharam Sabha Bhadarwah for information and n/action.



Government of Jammu and Kashmir
Civil Secretariat Forest Department

Notification
Srinagar, the 5th Aug, 2011

SRO 243: In exercise of powers conferred by the Section 13 of the Jammu and Kashmir State Non-Biodegradable Material (Management, Handling and Disposal) Act, 2007, the Government hereby authorize the following officers to compound the offences under the said Act within their respective territorial jurisdictions:-

- (i) District Officers and above of Pollution Control Board;
- (ii) Sub Divisional Magistrates/Tobaldars/Executive Magistrates;
- (iii) Chief Executive Officers of Tourism Development Authorities;
- (iv) Secretary and Enforcement Officers, Lakes and Waterways Development Authority (LAWDA);
- (v) Health Officers, Khilafwuzi Officers / Chief Enforcement Officers of Srinagar Municipal Corporation and Jammu Municipal Corporation;
- (vi) Executive Officers of Municipal Bodies;
- (vii) Wildlife Wardens / Range Officers of Wildlife Department; and
- (viii) Range Officers and above of Forest Department.

By order of the Government of Jammu & Kashmir.

Sd/-

(Shankaran) IAS

Commissioner/Secretary to Government,
Forest Department

Dated: - 05-08-2011

No. FST/PCB/66/2002-III

Copy to the:-

1. Financial Commissioner _____
2. Principal Secretary to Government _____
3. Commissioner/Secretary to Government _____
4. Principal Chief Conservator of Forests, J&K-Srinagar.
5. Divisional Commissioners, Kashmir / Jammu.
6. Secretary to Government _____
7. Chairman, Pollution Control Board, J&K-Srinagar.
8. Chief Wildlife Warden, J&K-Srinagar.
9. Director, Environment, Ecology & Remote Sensing, J&K-Srinagar.
10. Director, Industries & Commerce, Kashmir / Jammu.
11. Director, Information, J&K-Srinagar.
12. Director, Local Bodies, Jammu / Kashmir.
13. All Deputy Commissioners _____
14. Vice Chairman, Srinagar / Jammu Development Authority.
15. Commissioner, Srinagar / Jammu Municipal Corporation.
16. Vice Chairman, Lakes and Waterways Development Authority.
17. Manager, Government Press, J&K-Srinagar for publication of the SRO in extraordinary issue of Government Gazette.
18. Stock file / concerned file.

(Mogul Munir Ali) KAS Sd/- (10/11)
Deputy Secretary to Government
Forest Department