

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

O.A No. 481/2022

IN THE MATTER OF:-

Joginder Singh Thakur

V/S

Union Territory of J&K

IN THE MATTER OF:-

Reply in terms of the order dated 12-08-2022 on behalf of Deputy
Commissioner, Doda

May it please your Lordships:-

The answering respondent most respectfully submit as under:-

1. That, it is submitted, the applicant earlier filed a representation before the Addl. Deputy Commissioner, Bhaderwah with regard to seeking Ban on single use plastic in Religious places of Bhaderwah and accordingly the Addl. Deputy Commissioner, Bhaderwah vide his office letter No. PA/ADC/B/22-23/438-42 dated 27-04-2022 and letter No.PA/ADC/B/22-23/443-47 dated 27-04-2022 respectively in reference to the representation of the applicant, asked the Tehsildar Bhaderwah, Sub. Divisional Police Officer, Bhaderwah, Executive Officer, MC Bhaderwah, Divisional Forest Officer, Bhaderwah, District Pollution Officer, Doda as well as Block Development Officer, Bhaderwah to take action/steps to minimize the use of Polythene and also suggest steps to be taken in future to ensure that these Plastic pollutants are not thrown by the visitors/participants of Melas in open places as they are hazardous for the environment/ecosystem and also requested to furnish action taken.

A copy of letters dated 27-04-2022 is annexed as annexure R-1 R-2 for your kind reference.

2. That, it is submitted, the office of answering respondent came to know that the applicant filed O.A before the Hon'ble National Green Tribunal Principal Bench, New Delhi wherein in its order dated 12-08-2022 in case O.A No. 481/2022 titled Joginder Singh Thakur V/S Union Territory of Jammu and Kashmir, had directed the respondents to file response/reply to the

Amal Singh
Deputy Commissioner
Doda
12/08/2022

allegations made in the application particularly with reference to implementation of the notification dated 12-08-2021 issued by MoEF & CC in the Union Territory of Jammu and Kashmir and accordingly the office of the answering respondent vide office letter No. 505-14/ARA dated 06-09-2022 and letter No. 515/ARA dated 07-09-2022 respectively had directed the concerned officers to furnish the action taken/response given strictly as per the Hon'ble National Green Tribunal order dated 12-08-2022 to the office of the answering respondent, so that appropriate action can be taken accordingly.

The copies of letter dated 06-09-2022 and 07-09-2022 is annexed as annexure R-3 and R-4 for your kind reference.

3. That, it is submitted, the Divisional Forest Officer Doda vide letter No. DFO/D/2274-79 dated 21-09-2022 had submitted his report to the answering respondent wherein he has reported that verbal directions have already been issued to the concerned Range Officers of Doda Forest Division to prevent any type of activity which results in throwing of plastic bags, bottles and packets etc by the people visiting the Forest areas of the Doda Forest Division and directed to take strict action against the people involved in the throwing of plastic waste inside the forest and imposing of heavy penalty. Furthermore, the Divisional Forest Officer, Doda had already conducted various drives against the use of plastic based products in different areas of the District especially Doda Forest Division and disposed off almost 60 Qtls of plastic waste in different areas in Doda Forest Division.

A copy of letter dated 21-09-2022 is annexed as annexure R-5 for your kind reference.

4. That, it is submitted, the Chief Executive Officer, Bhaderwah Development Authority vide letter No. BDA/22-23/PS/440-43 dated 22-09-2022 had submitted his report to the answering respondent, wherein he has reported that periodic cleanliness drives are being carried out at all parks, assets and tourist destinations falling within the jurisdiction of Bhaderwah Development Authority. Any kind of Plastic waste if found is collected and disposed off by Bhaderwah Development Authority.


Deputy Commissioner
DODA.
22/09/2022

A copy of letter dated 22-09-2022 is annexed as annexure R-6 for your kind reference.

5. That, it is submitted, the Executive Officer, Municipal Council Doda vide letter No. MC/D/2022/1123 dated 24-09-2022 had submitted his report to the answering respondent, wherein he had reported that Municipal Council Doda alongwith Pollution Control Board has been conducting regular drives in jurisdiction of Municipal Council Doda. During these inspections, polythene was seized and fine was imposed on violators alongwith 25 Court Challans. Moreover the Municipality is in the process of completing MRF (Material recycle Facility) to ensure proper disposal of waste plastic.

A copy of letter dated 24-09-2022 is annexed as annexure R-7 for your kind reference.

6. That, it is submitted, the Assistant Commissioner Panchayat, Doda vide letter No. ACP/D/2022-23/NGT/258 dated 29-09-2022 had submitted his report to the answering respondent wherein he has reported that the District Administration Doda has launched special drives for cleanliness of all offices, market places, residential areas, tourist spots, water bodies etc. As a part of nationwide campaign "Swachhta Hi Seva Hai" cleanliness drive is ongoing in all panchayats w.e.f 15th September and door to door waste collection campaign was launched in all 237 panchayats of the district in which local self help groups, NGOs, and civil society is also engaged. That the collected waste mostly single use plastic and other recyclable/non-recyclable waste is collected by NGOs, Self Help Groups, scrap dealers who have been assigned different panchayats as AOR. The Rural Development Department has reached on understanding with the three Municipal bodies of District Doda for utilizing soon to be started MRF facilities of these ULBs for proper disposal of the plastic and other non-biodegradable items.

A copy of letter dated 29-09-2022 is annexed as annexure R-8 for your kind persual.

7. That, it is submitted, the Addl. District Magistrate, Bhaderwah vide order No. PA/ADC/B/22-23/2372-81 dated 22-09-2022, the directions has been passed regarding ban on the throwing of domestic/commercial waste and sewage into the water bodies in the territorial jurisdiction of Sub. Division Bhaderwah. That Executive Engineer Jal Shakti (I& FC) Bhaderwah, Block

Arash Khan
Deputy Commissioner
22/09/2023

Development Officer Bhaderwah, Executive Officer Municipal Committee Bhaderwah and Assistant Executive Engineer Jal Shakti Bhaderwah were directed to issue the notices to such persons who are responsible for throwing such waste into the water bodies and the pipes of toilets in open space rather than in their septic tanks and soakage pits.

A copy of order dated 22-09-2022 of Addl. District Magistrate, Bhaderwah is enclosed herewith as **annexure R-9** for your kind perusal.

8. That, it is submitted the Addl. District Magistrate, Doda vide order No. 1392-94/DM/DODA dated 27-09-2022, the directions had been passed regarding ban on throwing of commercial/Domestic waste into the water bodies. That the ban is further imposed on throwing toilet outlets directly into the lanes and drains. That Executive Office, Municipal Committee, Doda were directed to issue notices to every such person who violates the order and initiate action.

A copy of the order bearing No. 1392-94/DM/DODA dated 27-09-2022 is enclosed herewith as **Annexure R-10** for kind perusal.

9. That, it is submitted, the Addl. District Magistrate, Doda vide orders No. 1448-58/DM/Doda dated 01-10-2022 and No. 1468-80/DM/Doda dated 03-10-2022, the directions had been passed in exercise of the Power conferred upon U/S 144 Cr.PC that there will be complete ban of Plastic articles viz Bag 75 microns wrappers, empty water bottles etc in the Green Meadow area, Forest area and in and around water resource of the entire District Doda. That Senior Superintendent of Police Doda, Divisional Forest Officer, Doda/Bhaderwah/Batote, Assistant Development Panchayat Doda and Divisional Office Pollution Control Committee were directed to implement the order in letter and spirit.

A copy of the order bearing No. 1448-58/DM/Doda dated 01-10-2022 is enclosed herewith as Annexure R-11 for your kind perusal.

- 10 That, it is submitted, the answering respondent (District Magistrate, Doda) in exercise of the Power conferred upon U/S 133 Cr.PC passed an order vide No. 2101-13/DM/Doda dated 18-11-2022 wherein directions had been passed to all the residents of the District to remove garbage/avoid dumping of garbage on any public place viz streets, roads, roadsides, open grounds, nalluhs, river/riverside or any other place covered under the definition of

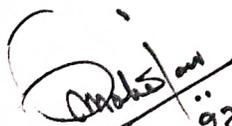

 Deputy Commissioner
 DODA
 27/10/2023

public place and ensure to dump the garbage only at places specified by the concerned Municipal bodies or Block Sanitation Officers/Panchayats or handover the garbage to the door to door collectors only. That dumping of garbage, littering at public places is a constant source of nuisance and a threat to public health. Furthermore, any violation in this behalf shall be dealt under the relevant section of law.

A copy of order bearing No. 2101-13/DM/Doda dated 18-11-2022 is enclosed herewith as **annexure R-12** for your kind perusal.

11. That, it is submitted, the Divisional Forest Officer, Bhaderwah vide letter No. DFO/Bhad/3648-50 dated 11-10-2022 had submitted his report to the answering respondent, wherein he has reported that all the field staff including Range Forest Officers, Block Forest Officers and Beat Guards have been advised and directed to conduct cleanliness drives in forest areas under the vision of plastic free forests. Following the directions a number of such drives have been conducted in different Ranges of Bhaderwah Forest Division on routine basis. Cleanliness drives have been conducted in Jai, Padhri, Guldanda (Meadows) & Khellani Park etc in collaboration with Bhaderwah Development Authority, Municipal Committee, NGOs, Students and PRIs. In such one recent initiative, two temporary plastic check posts were installed enroute ROSHRA MATA TEMPLE by the Forest Department in collaboration with J&K Police and local administration during which all the plastic items including plastic waste bottles were seized from the devotees and other peoples visiting the local religious site and were collected at entry point of Jai area to ensure that no plastic is taken into forest areas. That check points are being further instructed to ensure random checking of the vehicles to ensure against the entry of Single Use Plastic. That the District Administration has launched awareness campaign against single use plastic and people have been advised to ensure moving away from plastic to biodegradable packing material. That random/regular checkings are done at the entry point of the district to ensure against entry of banned plastic into the district.

A copy of letter dated 11-10-2022 is enclosed herewith as **Annexure R-13** for your kind perusal.

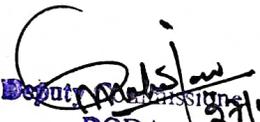

Deputy Commissioner
DODA.
27/11/2023

12. That, it is submitted, the Executive Officer, Municipal Committee, Bhaderwah vide letter No. MC/B/22-23/903 dated 09-01-2023 had submitted his report to the answering respondent, wherein he has reported that if there is any plastic or waste on road side within municipality limits, then it is removed by the sanitation team immediately and sent to SWM plant for its secondary disposal. That Executive Officer, Municipal Committee, Bhaderwah further reported that notice regarding strict enforcement of ban for use of Single-use plastic and polythene carry bags and other form of polythene has been issued by the Executive Officer, Municipal Committee, Bhaderwah vide No. MC/B/21-22/1023 dated 18-02-2022.

A copy of letter dated 09-01-2023 alongwith notice bearing No. MC/B/21-22/1023 dated 18-02-2022 are enclosed herewith as Annexure R-14-15 for your kind perusal

IN THE PREMISES

Therefore, it is respectfully prayed that in view of the submission made herein above and those to be urged during the course of the argument, the Hon'ble Tribunal may very kindly be pleased to consider above response/reply in the interest of justice.


Deputy Commissioner,
DODA
27/01/2023
Vishesh Paul Mahajan
Deputy Commissioner,
Doda



Government of Jammu & Kashmir.
OFFICE OF THE ADDL. DEPUTY COMMISSIONER, BHADARWAH.
 Email: adcbbhadarwah@gmail.com Tele/FAX No. 01997-244243
 The Tehsildar,
 Bhaderwah.

The Sub Divisional Police Officer,
 Bhadarwah.

The Executive Officer, MC
 Bhadarwah.

No:- PA/ADC/B/22-23/ 438-42

dated: 27/04/2022.

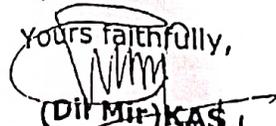
Sub:- Representation seeking Ban on single use plastic in Religious
 places of Bhadarwah.

Sir,

This office has received a representation through Sh. Joginder Singh Thakur, Advocate J&K High Court Jammu, which is enclosed with. The Conclusive part of this representation is as "You are accordingly requested through the medium of the instant representation to consider the request to ban the use of single use plastic and also issue guidelines to handle/reduce the use of plastic to as minimum as possible within 15 days from receipt of this representation failing which I shall be constrained to knock the doors of court of law including the National Green Tribunal and Hon'ble High Court".

You are therefore, requested to take steps to minimize the use of polythene in your jurisdiction and the action taken in this regard may be intimated to this office as soon as possible..

Encls:- 02 lvs .

Yours faithfully,

 (DIP MIP) KAS
 Additional Deputy Commissioner,
 Bhaderwah.

Copy to the:-

1. Deputy Commissioner, Doda for favour of Information.
2. Sh. Joginder Singh Thakur, Advocate J&K High Court Jammu.



Government of Jammu & Kashmir.
 OFFICE OF THE ADDL. DEPUTY COMMISSIONER, BHADARWAH.
 Email: adcbhadarwah@gmail.com Tele/FAX No. 01997-244243



The Divisional Forest Officer,
 Bhabarwah.

The District Pollution Officer,
 Doda.

The Block Development Officer,
 Bhadarwah.

No:- PA/ADC/B/22-23/ 443-47

dated: 27/07/2022.

Sub:- Representation seeking Ban on single use plastic in Religious
 places of Bhadarwah.

Sir,

This office has received a representation through Sh. Joginder Singh Thakur, Advocate J&K High Court Jammu, which is enclosed with. The point No.2,3 and4 of the enclosed representation pertains to your departments as the activities/areas mentioned are in your jurisdiction/job chart.

You are therefore, requested to take action in order to clean the areas mentioned in the representation and also care shall be taken in future that these unwanted things should not be thrown by the visitors/participants of Melas in open places which is hazardous for the environment/ecosystem. Action taken may please be intimated to this office.

Encls:- 02 lrs.

Yours faithfully,

 (DIP/AD)KAS
 Additional Deputy Commissioner,
 Bhabarwah.

Copy to the:-
 1. Deputy Commissioner, Doda for favour of Information.
 2. Sh. Joginder Singh Thakur, Advocate J&K High Court Jammu.

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

1. The Additional Deputy Commissioner, Bhaderwah.
2. Chief Executive Officer, Bhaderwah Development Authority, Bhaderwah.
3. The Assistant Commissioner, (Dev) Doda.
4. The Divisional Forest Officer, Bhaderwah/Doda.
5. The Divisional Officer, Pollution Control Committee Doda.
6. The Executive Officers, Municipal Committee, Doda/Bhaderwah/Thathri.

(1) Act
(2) SDO - Bhaderwah

No: 505-14 /ARA

Dated: 06-09-2022

Sub:- Implementation of Hon'ble National Green Tribunal order dated 12-08-2022 in Original Application No. 481/2022 titled Joginder Singh Thakur V/s UT of Jammu and Kashmir.
Sir,

Refer to the above order of the Hon'ble National Green Tribunal (Principal Bench), New Delhi dated 12-08-2022 alongwith its enclosures (copy enclosed) in case Original Application No. 481/2022 titled Joginder Singh Thakur V/S Union Territory of Jammu and Kashmir wherein the following directions had been issued to the respondents which are reproduced as under;

"Notices along with copies of the application and documents attached therewith be issued to the Chief Secretary, Union Territory of Jammu and Kashmir, State PCB, DFO and Deputy Commissioner, Doda requiring them to file their response/reply to the allegations made in the application particularly with reference to implementation of the notification dated 12-08-2021 issued by MoEF & CC in the Union Territory of Jammu and Kashmir within two months by E-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

List the matter for further consideration on 19-10-2022"

In this regard, in light of the above order dated 12-08-2022 passed by the Hon'ble NGT Principal New Delhi in the above case, you are hereby required to furnish the action taken report/response as per the Hon'ble NGT order dated 12-08-2022 by or before 12-09-2022 to this office, so that the requisite reply/response can be prepared by this office and filed well in time before the Hon'ble NGT through official email i.e judicial-ngt@gov.in. Furthermore, in absence of your reply/response there is an apprehension that the Hon'ble NGT may pass any adverse order against the respondents in the above titled case.

Encl 05 /lvs

Yours faithfully,
(Signature) Umar) KAS
Assistant Commissioner (Rev),
Doda

Copy to the:-

1. P.A to Deputy Commissioner, Doda for information to Worthy Deputy Commissioner, Doda.

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

(E)

Assistant Commissioner, Panchayat
 Doda.

No: 515 /ARA

Dated: 07-09-2022

Sub:- Implementation of Hon'ble National Green Tribunal order dated 12-08-2022 in Original
 Application No. 481/2022 titled Joginder Singh Thakur V/s UT of Jammu and Kashmir.

Sir,

Please refer to the the subject cited above, wherein the following directions had been
 issued to the respondents which are reproduced as under;

*"Notices along with copies of the application and documents attached therewith be
 issued to the Chief Secretary, Union Territory of Jammu and Kashmir, State PCB, DFO and
 Deputy Commissioner, Doda requiring them to file their response/reply to the allegations
 made in the application particularly with reference to implementation of the notification
 dated 12-08-2021 issued by MoEF & CC in the Union Territory of Jammu and Kashmir within
 two months by E-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR
 Supported PDF and not in the form of Image PDF.*

List the matter for further consideration on 19-10-2022"

In this regard, in light of the above order dated 12-08-2022 passed by the Hon'ble NGT
 Principal Bench New Delhi in the above case, you are hereby required to furnish the action
 taken report/response as per the Hon'ble NGT order dated 12-08-2022 by or before 12-09-
 2022 to this office, so that the requisite reply/response can be prepared by this office and
 filed well in time before the Hon'ble NGT through official email i.e judicial-ngt@gov.in. A copy
 of the Hon'ble National Green Tribunal order dated 12-08-2022 and its enclosures along with
 letter dated 06-09-2022 are enclosed herewith for your reference.

Encl 06 /lvs

(Sanjeev Kumar) JKAS
 Assistant Commissioner (Rev),
 Doda.

OFFICE OF THE DIVISIONAL FOREST OFFICER DODA
FOREST DIVISION DODA

Telephone-01996-233538

Email-dfododa1@gmail.com

The Assistant Commissioner, (Rev),
Doda.

1334398

No: - DFO/D 2274-78

Dated:- 21-09-2022

Sub: - Implementation of Hon'ble National Green Tribunal order dated. 12-08-2022 in Original
Application No. 481/2022 titled Joginder Singh Thakur V/s UT of Jammu and Kashmir.

Ref:- Your office letter No. 565-73/ARA dated. 20-09-2022.

Sir,

With reference to the above cited subject, it is intimated that the undersigned has already issued verbal directions to the concerned Range Officers of Doda Forest Division to avoid any type of activity which includes throwing of plastics bags, Bottles, wafers etc. coming out of junk food by the people visiting in the Forest areas of the Doda Forest Division and directed to take strict action against the people involved in throwing of plastics waste inside the forest by imposing of penalty to the visitors. It is pertinent to mentioned here that this department has already conducted various derives against the use of plastics based products in different areas of Doda Forest Division and disposed off almost 60 Qtls of plastics waste in different areas in Doda Forest Division.

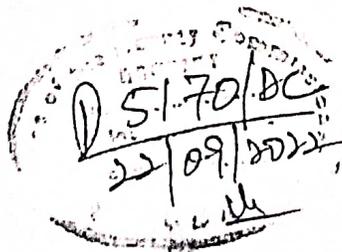
Hence submitted for your kind information and necessary action.

Yours faithfully,


Dr. Jitendra Kumar Singh (IFS)
Divisional Forest Officer
Forest Division Doda

Copy submitted to:-

1. The Conservator of Forests, Chenab Circle Doda for favour of information please.
2. The Range Officer Siraj/Kuntwara/Thakrai/Soil Ranges for information with the directions to conduct derives and dispose off the plastic based product in your respective Ranges as already directions issued by this office.



1340111

Ⓟ

Tel./Fax 01997-244049
Email: ccbdr@hotmnil.com



**UNION TERRITORY OF JAMMU & KASHMIR
OFFICE OF THE CHIEF EXECUTIVE OFFICER,
BHADERWAH DEVELOPMENT AUTHORITY
BHADERWAH, DISTRICT DODA.**



No: BDA/22-23/PS/ 440-43

Dated: 22/9/22

The Deputy Commissioner,
Doda.

Subject:- Implementation of Hon'ble National Green Tribunal order dated 12/8/2022 in original application NO: 481/2022 titled Joginder Singh Thakur V/S UT of Jammu and Kashmir.

Reference:- Assistant Commissioner (Rev) Doda's No: 505-14/ARA, Dated: 06/9/2022.

Sir,

Periodic cleanliness drives are being carried out at all parks, assets and tourist destinations falling within the jurisdiction of Bhadarwah Dev. Authority. Plastic onsite is calculated and disposed off by Bhadarwah Dev. Authority.

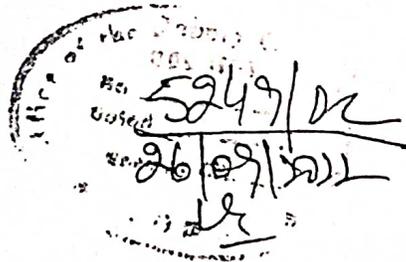
Yours Faithfully,

Sd/-

Chief Executive Officer
Bhadarwah Dev. Authority
Bhadarwah

Copy to the:-

1. Secretary to Government Tourism Department J&K Civil Secretariat Jammu for favour of information.
2. Additional Deputy Commissioner Bhadarwah for information.
3. Assistant Commissioner (Rev) Doda for favour of information.



Smt. J. K.
Accounts Officer
Bhadarwah Dev. Authority
Bhadarwah

Co.

27/09.

1335460

37



OFFICE OF THE MUNICIPAL COUNCIL DODA

The Assistant Commissioner Revenue,
Doda.

No: MC/D/2022/1123

Dated: 24-09-2022

Sub: Implementation of Hon'ble National Green Tribunal order dated: 12-08-2022 in Original Application No: 481/2022 titled Joginder Singh Thakur V/s UT of Jammu and Kashmir.

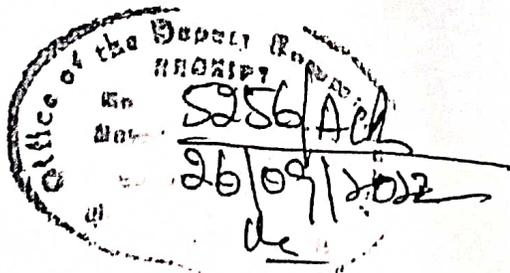
Sir,

With reference to above mentioned subject, I submit that Municipal Council Doda alongwith Pollution Control Board has been conducting regular drives in Municipal Council Doda.

During these inspections, we seized more than 200 kg of illegal polythene and Single Use Plastic and also fined violators alongwith 25 No's court challan.

Yours Faithfully,

Executive Officer,
Municipal Council,
Doda.



Annexure R-8
7

Union Territory of Jammu & Kashmir
OFFICE OF THE ASSISTANT COMMISSIONER PANCHAYAT DODA

The Deputy Commissioner,
Doda.

No: ACP/D/2022-23/NGT/258

Dated: 29.09.2022

Subject: Implementation of Hon'ble Green Tribunal Order dated: 12.08.2022 in Original Application No. 481/2022 titled Joginder Singh Thakur V/S UT of Jammu and Kashmir.

Sir,

Kindly refer to your office letter No. 565-73/ARA dated 20.09.2022 regarding the subject cited above. In this regard it is submitted that Swachh Bharat Mission (Grameen) is under implementation since October 2nd 2014 in rural areas of District Doda. Solid Waste Management is one of the verticals of SBM which is under implementation. The District administration Doda has recently launched a comprehensive Action Plan for Solid Waste Management in rural areas ie; at Panchayat level. In this context General Administration Deptt has recently issued an order No. 986-JK(GAD) of 2022 dated: 30.08.2022 whereby a District Level Committee under the Chairmanship of Deputy Commissioner has been constituted to implement the said programme. In the same order Block Development Officers have been designated as Block Sanitation Officers to implement the said programme at Gram Panchayat Level.

It is apt to mention here that Village Sanitation Committees under the chairmanship of concerned Sarpanch have already been constituted in all the villages of 237 panchayats for carrying on the planning and implementation of SBM at village level. All the panchayats have already been directed to implement the Solid Waste Management Rules, 2016 in letter and spirit. In this regard byelaws have already been framed for all panchayats of district Doda which are to be adopted by the Gram Panchayats in the Maha Gram Sabhas to be held throughout the District on 2nd of October 2022.

Besides, the district administration has launched various special drives for cleanliness of all offices, market places, common places, tourist spot, water bodies etc. As a part of nationwide campaign "Swachhita Hi Seva hai" is undergoing in all panchayats w.e.f. 15th of September to 2nd of October 2022. Recently in the entire district a door to door waste collection campaign was launched in all 237 panchayats in which local self help groups, NGOs, and civil society was engaged. The collected waste mostly single use plastic and other recyclable matter will be taken by the scrap dealers who have been assigned different panchayats. The Rural Development Deptt. is under process of signing of MoU with the three Municipal bodies of District Doda which shall include utilizing of soon to be started MRE of these ULBs for proper disposal of the plastic and other non biodegradable items of the collected waste.

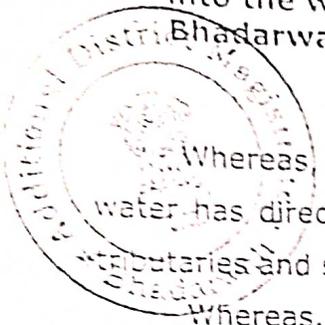
Hence the action taken report is submitted.

Yours faithfully,

Assistant Commissioner Panchayat
Doda

Government of Jammu & Kashmir.
**OFFICE OF THE ADDL. DEPUTY COMMISSIONER/ ADDL. DISTRICT
MAGISTRATE, BHADARWAH.**
Email: adcbhadarwah@gmail.com
Tele/FAX No. 01937-2442

Sub: Ban on the throwing of domestic/commercial waste and sewage into the water bodies in the territorial jurisdiction of Sub Division Bhadarwah.



ORDER

Whereas, it has been realized that the domestic/commercial waste and sewage water has directly been thrown/ flowing into the water bodies viz. Neeru Nallah, its tributaries and springs thereby creating water hazards and;

Whereas, many NGO's, Research Scholars and general public have also shown concerns over the day by day increasing menace of water pollution which may lead to decline in the number of Tourists in Bhadarwah and the spread of water born diseases etc and;

Whereas, during the Camp of Deputy Commissioner Doda in PWD Dak Bunglow Bhadarwah on 17-09-2022, the public deputations again reiterated the similar crisis being faced in Bhadarwah and;

Whereas, during the tour of Fish Pond and Padri, Deputy Commissioner Doda also observed the aforementioned menaces.

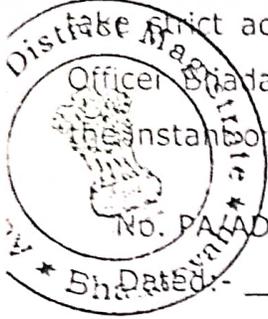
In view of the aforementioned facts, it has been established that a huge quantity of domestic/commercial waste and sewage water flowing from the toilets of a large number of the houses in Bhaderwah Town and its peripheral villages has directly or indirectly been entering into the water bodies of Bhadarwah making the water of these sources unfit for drinking, hazardous for aquatic life and unpleasant/unattractive for the Tourists visiting Bhadarwah round the year and thus creating a public nuisance.

Therefore, I Dil Mir (JKAS), Additional District Magistrate Bhadarwah do hereby impose the ban on throwing of domestic/commercial waste and flow of sewage water from the houses and factories into the water bodies and throwing of the pipes of toilets openly into the lanes, drains and water sources.


22/9.

Executive Engineer Jal Shakti (I & FC) Bhaderwah, Block Development Officer Bhadarwah, Executive Officer Municipal Committee Bhadarwah and Assistant Executive Engineer Jal Shakti Bhadarwah are hereby directed to issue the notices to such persons who are responsible for throwing such waste into the water bodies and the pipes of toilets in open space rather than in their septic tanks and soakage pits.

After the expiry of the period given in these notices the aforementioned officers shall take strict actions under law against the defaulters/offenders. Sub Divisional Police Officer Bhadarwah shall also coordinate with these officers in the implementation of the instant order.



No. PA/ADC/B/22-23/2372-81

Dated:- 22/09/2022.

(Dil Mir) JKASO,
Additional District Magistrate,
Bhaderwah.

Copy to the:-

1. District Magistrate, Doda for favour of kind information.
2. Sr. Supdt. Of Police Doda for favour of kind information.
3. Addl. Supdt. of Police, Bhadarwah for information and n/action.
4. Tehsildar Bhadarwah/Bhalla for favour of information and n/action.
5. Sub Divisional Police Officer, Bhadarwah for information and n/action.
6. Block Development Officer, Bhadarwah for information and n/action.
7. Executive Engineer, Jal Shakti (I&FC) Bhadarwah for information and n/action.
8. Executive Officer, MC Bhadarwah for information and n/action.
9. Station House Officer, Bhadarwah for information and n/action.
10. Assistant Executive Engineer Jal Shakti Bhadarwah for information and n/action.



GOVERNMENT OF JAMMU & KASHMIR
OFFICE OF THE DISTRICT MAGISTRATE, DODA

Ph. No. 01996-233230, 233529 (O)
Fax No. 01996-233231

41

Subject: - Ban on throwing Commercial/ Domestic waste into the water bodies.

ORDER

Whereas, it has been observed that the commercial/domestic waste and the sewage has directly been flowing into the rivers/nallahs/kuhls/streams etc; thereby polluting water bodies and;

Whereas, the public, from time and again have shown concern over the rising water pollution, thereby rendering the water unworthy of its use, inviting disease and;

Whereas, during the visits to the Melas, Block Diwas, Functions etc; various deputations, NGOs and Individuals have reiterated the similar concern and;

Whereas, in the backdrop of this, it has been realized that a large quantity of commercial and domestic waste and sewage from toilets from a large number of houses in Doda town and its peripheral villages have directly or indirectly been entered into the water bodies. Thereby making water bodies toxic for the flora, Fauna and hazardous for the human consumption, creating a nuisance and a very unpleasant and discomforting situation.

Therefore I Sanjeev Kumar, Additional District Magistrate Doda do hereby impose the ban on throwing of commercial/Domestic waste, flow of sewage water from factories and business establishments into the water bodies. The ban is further imposed on throwing toilet outlets directly into the lanes and drains.

Executive Officer Municipal Committee Doda is hereby directed to issue notices to every such person who violates the order and initiate action.

No. 1392-94/DM/DODA

DATE 27/09/2022.


(Sanjeev Kumar) JKAS
Addl. District Magistrate
Doda

Copy to The :-

1. Deputy Commissioner Doda for information.
2. Senior Superintendent of Police Doda for information and necessary action
3. Executive Officer Municipal Committee Doda for information and necessary action.



UNION TERRITORY OF JAMMU & KASHMIR
OFFICE OF THE DISTRICT MAGISTRATE, DODA
 Ph. No. 01996-233230, 233529 (O)
 Fax No. 01996-233231

Annexure R-11

B

Sub:- Restrictlons / Ban on single use plastic in District Doda.

Whereas, one Joginder, Singh Thakur Advocate J&K High Court Jammu representaed the office of Addl. Deputy Commissioner, Bhadarwah vide his reference NO. 216/2022 dated 10/04/2022 and projected the following issues:-

1. That in the month of April, there are various Mela's and events in the entire Chenab Valley more particularly Bhadarwah organized by local people especially in Nag Deities/Nag Devtas.



That owing to the shortage of drinking water in upper meadows of Bhadarwah, local people donate thousands of water bottles but these bottles, being single use plastic, are thrown away and there is no authority who can take the responsibility to collect these used plastic bottles and dispose these as per the guidance issued from time to time and law governing the same.

3. That from last few years, we have seen unprecedented trend of throwing these bottles on green meadows and these being harmful for the cattle, belonging to the local people as well as the nomadic people who come to upper meadows of Bhadarwah during summers. It is worthwhile to mention that it cause serious threat to environment as well.
4. That Hon'ble Supreme Court and National Green Tribunal of India have held in catena of judgment that the responsibility of State Authorities including the Pollution Control Board and District Administration owe the liability to curb the use of plastic along with the private players who contribute to the excessive use of plastic.

Whereas, Hon'ble National Green Tribunal Principal Bench on 12-08-2022 has order to issue the notices in this behalf to the Chief Secretary Union Territory of Jammu and Kashmir, Jammu and Kashmir Pollution Control Board, Divisional Forest Officer, (DFO) Doda and Deputy Commissioner, Doda requiring to file the response/reply to the allegation made in the application particularly with reference to the implementation of the notification dated 12-08-2021 issued by MoEF and CC in the Union Territory of Jammu and Kashmir within two months.

Whereas, Divisional Officer, Pollution Control Committee Doda in his letter to Regional Director PCC Jammu in compliance to the order of National Green Tribunal has agreed that the complaint of the complainant is based on the facts and there is no agency taking the responsibility of the collection of the plastic and other wastes emerging out of the religious meals and;

Whereas, according to the Plastic Waste Management rule 2017 and amended there of clearly define the responsibility of various organizations such as Local Bodies, Tourism, Forest, PRI's, Religious, Social and Langer Organization and Brand owner companies along with their distributers for adhering such rules.

Whereas, various special drives for cleanness of all common places, tourist spot, water bodies etc. as a part of nationwide campaign "Swachhta Hi Seva hai" is undergoing in all panchayats. Recently in the entire district a door to door waste collection campaign was launched in all 237 panchayats in which local self help groups, NGOs and civil society was engaged. The collected waste mostly single use plastic and other recyclable will be taken by the scrap dealers who have been assigned different panchayats.

Whereas, the notification of Ministry of Environment, Forest and Climate Change vide No.G.S.R 57(E) dated 12-08-2021 has clearly and elaborately defined the prohibition on septum specification of the plastic items from time to time.

From the perusal, of the above, it has been established that the certain plastic articles viz the bags, wrappers, empty water bottles etc cause damage to the environment particularly the Green Meadows, Forest and water resources which is a public nuisance.

Now, therefore, in view of the above, I Dr. R. K Bharti, JKAS, Addl. District Magistrate, Doda in exercise of the powers conferred upon me U/S 144 Cr.PC, do hereby order that there will be complete ban of plastic articles viz bag (75 microns) wrappers, empty water bottles etc in the Green Meadow areas, Forest areas and in and around water resources of the entire District Doda.

Any violation in this behalf shall be dealt under the relevant provisions of law.

Senior Superintendent of Police, Doda Divisional Forest Officer Doda/Bhaderwah/Batote, Assistant Commissioner Panchayat Doda and Divisional Officer Pollution Control Committee Doda shall ensure the implementation of this order in letter & spirit.

No:- 1448-58/DM/Doda.

Date:- 01.09.2022.


Addl. District Magistrate,
Doda

Copy to the:-

1. Divisional Commissioner Jammu for kind information.
2. District Magistrate Doda for information.
3. Senior Superintendent of Police Doda for information and implementation of the order.
4. Addl. District Magistrate Bhaderwah for information and necessary action.
5. Chief Executive Officer, BDA for information and necessary action.
6. ASPs (All) for information and necessary action.
7. Assistant Commissioner Revenue Doda for information and necessary action.
8. Sub-Divisional Magistrate Assar/Thathri/Gandoh for information and necessary action.
9. DFO Doda/Bhaderwah/Batote for information and necessary action.
10. Tehsildar (All) for information and necessary action.
11. Divisional Officer Pollution Control Committee Doda for information and necessary action.
12. EO MC Doda/ Bhaderwah/Thathri for information and necessary action.

SUBJECT:- ORDER U/S 133 CR.PC



No:- 2101-13 /DM/Doda
Date:- 18.11.2022.

ORDER

1. Whereas, the public of District Doda has brought to the notice of this office the issue of dirt in the district and after random checks by the Magistrates, it has been observed that heaps of garbage are dumped on roadsides, highways, public paths and main drainage in rural as well as urban areas of District; and
2. Whereas, various Public spirited citizens time and again approached this office regarding the nuisance caused by dumping of garbage on the roadsides, Mohallas, streets, market places etc; and
3. Whereas, dumped garbage is a breeding place for mosquitoes and many other disease carrying vectors which is a cause of great concern as they may spread many communicable and non- communicable diseases; and
4. Whereas, dumping of garbage alongside the roads and in the drains result in blockage of the drainage system causing nuisance and hindrance to the smooth movement of Public; and
5. Whereas, in view of the aforementioned facts and circumstances I am convinced that dumping of garbage, littering at public places is a constant source of nuisance and a threat to public health.

District Magistrate
Doda (J&K)
18/11/2022

Therefore, I, Vishesh Paul Mahajan, JKAS, District Magistrate, Doda, by virtue of powers vested in me Under Section 133 Cr.PC, do hereby order all the residents of the District to remove garbage/avoid dumping of garbage on any Public place viz streets, roads, roadsides, open grounds, nallahs, river/riverside or any other place covered under the definition of public place and ensure to dump the garbage only at places specified by the concerned Municipal bodies or Block Sanitation Officers/Panchayats or handover the garbage to the door to door collectors only .

Any violation in this behalf shall be dealt under the relevant section of law.



Maha/aw
18/11/2022
District Magistrate
(Vishesh Paul Mahajan) JKAS,
District Magistrate,
Doda.

1. Principal Secretary to Govt. Housing and Urban Development Department, J&K for kind information.
2. Commissioner/Secretary to Govt. RDD & PR for kind information.
3. Divisional Commissioner, Jammu for kind information.
4. Sr. Superintendent of Police, Doda for information and with the request to direct all SHO's to take action U/S 36 Police Act for violations if any.
5. Addl. Deputy Commissioner Doda / Bhaderwah for information and necessary action.
6. Assistant Commissioner Revenue, Doda for information and necessary action.
7. Sub-Divisional Magistrates Gandoh / Assar / Thathri for information and necessary action.
8. Chief Medical Officer, Doda for information and necessary action.
9. District Information Officer and n/a.
10. Medical Superintendent GMC, Doda for information and necessary action.
11. Tehsildars (All) for information and necessary action.
12. Block Development Officers (All) for information and necessary action.
13. Executive Officer, MC, Doda / Bhaderwah / Thathri for information and n/a.



1388186
12/10
Government of Jammu & Kashmir
OFFICE OF THE DIVISIONAL FOREST OFFICER
FOREST DIVISION, BHADERWAH
Tele/Fax No. 01997 211158 Email: dfobhaderwah1@gmail.com



The Assistant Commissioner (Rev),
Doda.

No:- DFO/Bhad/ 3648-50

Date: 11/10/2022

Sub:- Implementation of Hon'ble National Green Tribunal order dated 12-08-2022 in Original Application No. 481/2022 titled Joginder Singh Thakur V/S UT of Jammu & Kashmir.

Ref:- Your office letter No. 505-14/ARA dated 06-09-2022.

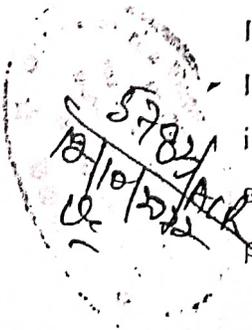
Sir,

On the subject matter, it is to submit that no doubt the issue raised by the applicant is very sensitive and requires immediate attention to keep the meadows as well as religious places plastic free.

As pointed out by the applicant, it is a fact that people while visiting for outings with their families/children to various picnic spots viz Jai, Padhri, Guldanda (Meadows), Khellani Park etc and the devotees to various pilgrim sites which are located in forest as well as non-forest to pay obeisance to local deities, do carry plastic material like water bottles, polythene bags and different kind of food containers which poses threat to the environment and gave an ugly look to the meadows/religious places.

In this regard, following Forest division Bhadarwah has undertaken following steps to check the menace of plastic.

- All the field staff including Range Forest Officers, Block Forest Officers and Beat Guards have been advised and directed to conduct cleanliness drives in forest areas under the vision plastic free forests. Following the directions a number of such drives have been conducted in different Ranges of Bhadarwah Forest Division on routine basis. (Photographs enclosed).
- Cleanliness drives have been conducted in Jai, Padhri, Guldanda (Meadows) & Khellani Park etc in collaboration with Bhadarwah Development Authority, Municipal Committee, NGOs, Students and PRIs.
- In such one recent initiative, two temporary plastic check posts were installed at enroute ROSHIRA MATA TEMPLE by the Forest Department in assistance with J&K Police and local administration during which all the plastic items including plastic water bottles were seized from the devotees



and other peoples visiting the local religious site and were collected at entry point of Jai area to ensure that no plastic is taken into forest areas.

It is further to submit that in future, this office is committed to organize below detailed programmes/measures, so that use of plastic items at Meadows/religious places is brought to an end or disposed of properly:

- To organize awareness rallies by involving College/School children with collaboration with Education Department authorities.
- To organize awareness among the general masses at Panchayat level with the help of PRIs.
- To organize cleanliness drives to make the meadows/religious places plastic free.
- To notify Plastic Check Post at Jai and Padri both of which are very famous tourist destinations in Bhadarwah.

Yours faithfully



(Chander Shekhar)
Divisional Forest Officer
Forest Division Bhadarwah

Copy Submitted for the information of:

1. The Conservator of Forests, Chenab Circle, Doda
2. The District Magistrate, Doda.

✓

OFFICE OF THE MUNICIPAL COMMITTEE BHADERWAH

To
The Assistant Commissioner (Revenue)
Doda,

Subject: Implementation of Hon'ble National Green Tribunal Order dated 12-08-2022 in original Application No 481/2022 titled Joginder Singh Thakur V/s UT of Jammu & Kashmir

Sir,

With reference to your letter no 565-73/ARA Dated 20-09-2022, the reply is as below

1. Sanitation team of Municipal Committee Bhaderwah has got dedicated team & vehicles for door to door collection of garbage from majority of residential & market areas where garbage collected is sent to solid waste management plant for final disposal. It's done twice a day in the morning & in afternoon.
2. If there is any plastic or waste on road side within municipality when it comes in the notice of municipality it is removed by the sanitation team immediately & sent to SWM Plant for its secondary disposal.
3. The area which the applicant is talking about falls outside the jurisdiction of municipal committee Bhaderwah.
4. Public notice regarding strict enforcement of ban on use of single use plastic & polythene carry bags and other form of polythene has been issued by the office of the undersigned in newspaper (copy enclosed)
5. Regular fines & penalty under SWM bye laws & Plastic Waste Management Bye-Laws are imposed on those who violate rules or throw or litter garbage on the roads.
6. Special sanitation/enforcement team has been constituted to check all the wards and market areas regarding enforcement of Ban on Single us Plastic & seizure of the single us plastic is done on the regular basis from the market.
7. Regular awareness regarding ban on use of single use of plastic is done through various mediums like social media, nukkad natak, announcement through vehicles, newspaper etc

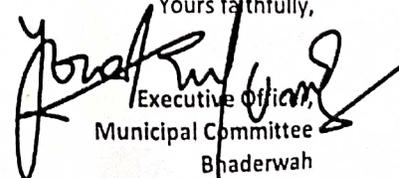
No: MC/B/22-23/903

Date: 09-01-2023

Copy:

1. PA to Deputy Commissioner Doda, for information to Worthy Deputy Commissioner, Doda.
2. Addl Deputy Commissioner, for necessary information.

Yours faithfully,


Executive Officer,
Municipal Committee
Bhaderwah

OFFICE OF THE MUNICIPAL COMMITTEE BHADERWAH.

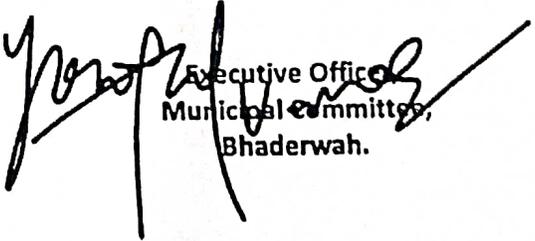
Subject:-Strict enforcement if ban on use of polythene carry bags and other form of polythene.

Public Notice

- A) There is a ban on manufacturing, stocking, distribution, sale and use of polythene carry bags, plastic sheets or like, cover made of plastic sheet, plastic packaging and multilayered packaging of less than 75 microns in thickness in the UT of J&K.
- B) The polythene is hazardous to human life and it deteriorates the soil quality,
- C) Under J&K Non Biodegradable Material (Management Handling and Disposal) Act, 2007 any violation of the ban shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to Rs.5000/ or with both.
- D) The repeat offence is punishable with Imprisonment for a term which may extend up to two month and shall also be liable to fine which may extend up to 10,000/-
- E) Whoever in any manner aids abets or assists in the commission of an offence under the act shall on conviction be punished with imprisonment prescribed for the offence.
- F) Vehicle owners/ traders/dealers/shopkeepers are accordingly hereby informed not to carry any such business of banned of banned polythene with municipal Committee Bhaderwah
- G) Any violation by any person will invite heave penalty under Law as stipulated hereinabove.
- H) Co-operated in enforcing ban on use of polythene is the interest of every one.

Issued in Public Interest by undersigned

No:-MC/B/21-22/1023
Dated:-18/02/2022


Executive Officer
Municipal Committee,
Bhaderwah.