

Raja Muzaffar Bhat

V/s

Union Territory of J&K & Ors.

In the matter of: -

Index

S. No.	Particulars	Page No.
1.	Action Taken Report	1-3
2.	Annexure-I	4-5
3.	Annexure-II	6
4.	Annexure-III	7-8

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

Place: Poonch
Date: 14.08.2025

Raja Muzaffar Bhat

V/s

Union Territory of J&K & Ors.

In the matter of: - Action Taken Report in compliance with the directions of the Hon'ble Tribunal regarding recovery of Environmental Compensation from Municipal Council Poonch.

May it please your Lordships: -

The action taken report is most respectfully submitted as under:

1. That the answering respondent is a law-abiding citizen and a responsible Government Officer, holding the highest regard and reverence for the majesty of this Hon'ble Tribunal. The answering respondent deems it a bounden duty to implement the orders of the Hon'ble Tribunal in letter and spirit. It is submitted that even in times of extraordinary hardship, such as during "Operation Sindoor," when District Poonch was under sustained and unprecedented cross-border shelling, disrupting normal life and administrative functioning, the answering respondent continued to prioritise compliance with judicial directions to the maximum extent possible under prevailing circumstances.
2. That in pursuance to the directions of this Hon'ble Tribunal in O.A No. 253/2023, the J&K Pollution Control Committee (JKPCC) vide its order dated 22.05.2024 imposed Environmental Compensation of Rs. 162.90 lakhs upon the Municipal Council Poonch for violation of Solid Waste Management Rules, 2016, with a direction to deposit the amount in the Environmental Compensation Fund within 45 days.
3. That the Municipal Council Poonch, has failed to deposit Environmental Compensation to the tune of Rs. 162.90 lakhs levied by the J&K Pollution Control Committee (JKPCC) within a stipulated period.
4. That in view of non-payment, the JKPCC requested the undersigned to recover the Environmental Compensation as arrears of land revenue. Consequently, vide this office communication No. DCP/ARA/2024-25/144-46 dated 22.03.2025 the Assistant Collector 1st Class (Tehsildar Haveli) was directed to initiate recovery proceedings.

Deputy
District Magistrate
Poonch
(J&K)

471

5. That the Assistant Collector 1st Class (Tehsildar Haveli) in terms of Section 62 of the J&K Land Revenue Act, issued Writ of Demand No. TH/OQ/47 dated 08.04.2025 followed by Final Recovery Notice No. TH/OQ/742 dated 16.06.2025 to the Chief Executive Officer, Municipal Council Poonch.
6. That despite these recovery notices, the outstanding amount remained unpaid except for the earlier deposit of Rs. 25.00 lakhs. Accordingly, Assistant Collector 1st Class (Tehsildar Haveli) recommended vide No. TH/OQ/914 dated 04.08.2025 for attachment of an identified immovable property of the Municipal Council Poonch.
7. That after examining the proposal, the answering respondent in exercise of powers under Section 71 of the J&K Land Revenue Act, 1996 Bikrami, passed Attachment Order No. DCP/SQ/2025-26/708-11 dated 13.08.2025, attaching the following property for recovery of the outstanding Rs. 137.90 lakhs:
 - (i) Owner: Municipal Council Poonch
 - (ii) Location: Ward No. 17, Sheesh Mahal, Poonch
 - (iii) Area: 02 Kanals 01 Marla
 - (iv) Estimated Value: Rs. 1,61,05,352/- (Land: Rs. 79.23 lakhs, Structure: Rs. 81.76 lakhs).

The Copy of the Order is enclosed here with and marked as **Annexure-I**.

8. That simultaneously, a formal Notice vide No. DCP/SQ/2025-26/752-55 dated 13.08.2025 was served upon the Executive Officer, Municipal Council Poonch directing deposit of the outstanding amount of Rs. 137.90 lakhs in the Environmental Compensation Fund within 30 days, failing which the attached property shall be auctioned in accordance with law. The Copy of the Notice is enclosed here with and marked as **Annexure-II**.
9. That the attachment order has been duly communicated to all concerned authorities and pasted at the main entrance of the Municipal Office and on the attached property in compliance with statutory requirements. The geo-tagged photos of the same are enclosed herewith and marked as **Annexure -III**.
10. That all further steps including auction of the attached property if payment is not made within the specified period shall be undertaken strictly in accordance with law and subsequent compliance reports will be filed before the Hon'ble Tribunal.
11. That the delay in compliance was solely due to the extraordinary and unavoidable circumstances arising from "Operation Sindoor," wherein District Poonch was the epicentre of intense Pakistani shelling across the Line of Control. This hostile activity caused widespread disruption, serious

District Magistrate
Poonch
(J&K)

472
threats to civilian safety, and damage to public infrastructure, severely impairing the normal functioning of the District Administration. In these conditions, urgent disaster management, relief, and evacuation operations necessarily took precedence over all other administrative tasks including the immediate recovery process. Notwithstanding these disruptions, the answering respondent has remained steadfast in ensuring that the directions of the Hon'ble Tribunal are fully implemented at the earliest possible time.

PRAYER:

In view of the above, it is most respectfully prayed that this Action Taken Report may kindly be taken on record, and such further orders as this Hon'ble Tribunal deems fit in the interest of justice may be passed.


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

Place: Poonch
Date: 14.08.2025

473



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

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

Subject: OA No. 253/2023 titled Raja Muzaffar Bhat Vs UT of J&K & Ors. -Attachment and auction proceedings against Municipal Council Poonch thereof.

ORDER

Whereas, Mr. Raja Muzaffar Bhat filed OA No. 253/2023 titled Raja Muzaffar Bhat Vs UT of J&K & Ors. before Hon'ble National Green Tribunal, New Delhi seeking directions against unscientific dumping of Solid waste and Bio-medical waste near Sher-e-Kashmir Bridge Poonch; and

Whereas, the Hon'ble National Green Tribunal vide order dated 13.04.2023 directed JKPC to furnish a report in the matter after verifying facts and take remedial action within two months; and

Whereas, JKPC submitted its report before the Hon'ble National Green Tribunal and informed that vide its Order dated 22.05.2024, the Environmental Compensation to the tune of Rs. 162.9 lacs have been imposed upon Municipal Council Poonch for violation of Municipal Solid Waste Rules, 2016 and directed Chief Executive Officer, Municipal Council Poonch to deposit the said Environmental Compensation in the Environmental Compensation Fund within 45 days for the illegal act of disposing off the Solid Waste in an unscientific manner; and

Whereas, Chief Executive Officer, Municipal Council Poonch failed to deposit the Environmental Compensation to the tune of Rs. 162.9 lakhs levied by the JKPC within a stipulated period; and

Whereas, JKPC requested this office to get the Environmental Compensation recovered from the Chief Executive Officer, Municipal Council Poonch as an Arrears of Land Revenue and get the same deposited in the Environmental Compensation Fund of J&K Pollution Control Committee; and

Whereas, the Assistant Collector 1st Class (Tehsildar Haveli) was directed vide this office No. DCP/ARA/2024-25/144-46 dated 22.03.2025 to initiate proceedings for recovery of Environmental Compensation imposed by JKPC to the tune of Rs. 162.9 lakhs from the Chief Executive Officer, Municipal Council Poonch as arrears of land revenue; and

Whereas, in terms of Section 62 of the Jammu and Kashmir Land Revenue Act, 1939, a Writ of Demand vide No. TH/OQ/47 dated 08.04.2025 was duly issued against the Chief Executive Officer, Municipal Council Poonch by the Assistant Collector 1st Class (Tehsildar Haveli); and

Whereas, despite issuance of a final recovery notice vide No. TH/OQ/742 dated 16.06.2025 by the Assistant Collector 1st Class (Tehsildar Haveli), the Municipal Council Poonch has failed to deposit the full compensation amount and deposited only Rs. 25 lakhs till date and thereafter no substantial steps have been taken to clear the remaining amount of Rs. 137.9 lakhs; and

Whereas, the Assistant Collector 1st Class (Tehsildar Haveli) vide No. TH/OQ/914 dated 04.08.2025 has submitted the case for attachment of property alongwith identified attachable assets of the Municipal Council Poonch for a recovery of remaining compensation amount to the tune of Rs. 137.9 lakhs in the form of a built-up property on land measuring 02 Kanals and 01 Marla, located within Municipal limits, the assumed value of property is as under: -

- (i) Land Value (as per stamp duty rate): Rs. 79.23 lakhs
- (ii) Structure Value (PWD Assessment): Rs. 81.76 lakhs
- (iii) Total Value of Property Identified: Rs. 1,61,05,352/-

Now, therefore, in exercise of powers vested in me under Section 71 of the J&K Land Revenue Act 1996 Bikarmi, I, Ashok Kumar Sharma, District Collector Poonch hereby order the following: -

1. Attachment of following immovable property (details below) belonging to the Municipal Council Poonch for the recovery of pending Environmental Compensation amounting to Rs. 137.9 lakhs (One Crore Thirty-Seven Lakhs and Ninety Thousand Only): -

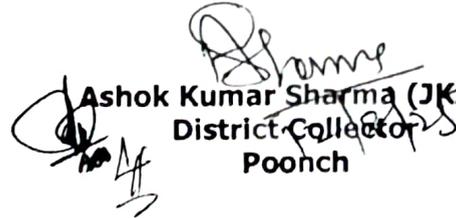
Property Details for Attachment

- (i) Owner: Municipal Council Poonch
- (ii) Type: Built-up Property
- (iii) Location: Ward No. 17 Sheesh Mahal, Poonch
- (iv) Area: 02 Kanals and 01 Marla
- (v) Land Value (Stamp Rate): Rs. 79.23 Lakhs
- (vi) Structure Value (PWD Assessment): Rs. 81.76 Lakhs
- (vii) Total Estimated Value: Rs. 1,61,05,352/-

2. In the event of non-payment of the pending Environmental Compensation amount within 30 days from the date of this order, the attached property shall be put to public auction, in accordance with the procedure laid down in the said Act, and proceedings shall be appropriated towards recovery of arrears.
3. This order shall be served upon the Chief Executive Officer, Municipal Council Poonch and also pasted at the main entrance of the Municipal Office and at a conspicuous place on the attached property besides, proper entry to be made in the revenue records accordingly.

Tehsildar Haveli is directed to ensure strict compliance and initiate all necessary further action as per law.

No: DCP/SQ/2025-26/708-11
Date: 13.08.2025


Ashok Kumar Sharma (JKAS)
District Collector
Poonch

Copy to the: -

1. Divisional Commissioner, Jammu for information.
2. Director Urban Local Bodies, Jammu for information.
3. Executive Officer, Municipal Council Poonch for information.
4. Tehsildar Haveli for implementation of the attachment proceedings in accordance with law.

475



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

Tel. No. 01965 220333 Fax No. 01965 222363 e-mail: dcpoonch@gmail.com

Executive Officer
Municipal Council
Poonch

Subject: OA No. 253/2023 titled Raja Muzaffar Bhat Vs UT of J&K & Ors. -Attachment and auction proceedings against Municipal Council Poonch thereof.

NOTICE

Whereas, in compliance with the directions of the Hon'ble National Green Tribunal in OA No. 253/2023, the J&K Pollution Control Committee vide order dated 22.05.2024 imposed Environmental Compensation of Rs. 162.90 lakhs upon the Municipal Council Poonch; and

Whereas, only Rs. 25.00 lakhs have been deposited till date, leaving Rs. 137.90 lakhs outstanding; and

Whereas, recovery proceedings have been initiated as arrears of land revenue through the Assistant Collector 1st Class (Tehsildar Haveli); and

Whereas, vide Order No. DCP/SQ/2025-26/708-11 dated 13.08.2025, the property of Municipal Council Poonch situated at Ward No. 17, Sheesh Mahal, Poonch measuring 02 Kanals 01 Marla has been attached for recovery of the outstanding amount.

In view of the above, you are hereby directed to deposit the outstanding amount of Rs. 137.90 lakhs in the Environmental Compensation Fund of J&K Pollution Control Committee, Jammu within **30 days** from the date of this notice, failing which the attached property shall be put to public auction in accordance with law, without further notice. This notice may also be treated as an intimation of attachment in terms of the provisions of the J&K Land Revenue Act.

Encl: A/A

No: DCP/SQ/2025-26/752-SS

Date: 13.08.2025

Copy to:

1. Commissioner/Secretary to the Government, Housing & Urban Development Department, J&K – for information.
2. Divisional Commissioner, Jammu – for information.
3. Director, Urban Local Bodies, Jammu – for information.
4. Tehsildar Haveli – for information and necessary action.


Ashok Kumar Sharma (JKAS)
District Collector
Poonch

INDIAN TERRITORY OF JAMMU AND KASHMIR
OFFICE OF THE DISTRICT COLLECTOR, POONCH

Subject: GA No. 253/2023 titled Raja Hussain Bhat Vs UT of J&K S. Ord. - Attachment and auction proceedings against Municipal Council Poonch Market.

ORDER

Whereas, Mr. Raja Hussain Bhat filed GA No. 253/2023 titled Raja Hussain Bhat Vs UT of J&K S. Ord. before Hon'ble National Green Tribunal New Delhi seeking directions against unscientific dumping of Solid waste and Bio-medical waste near Sher-e-Kashmir Bridge Poonch, and

Whereas, the Hon'ble National Green Tribunal vide order dated 13.04.2023 directed JKPC to furnish a report in the matter after verifying facts and take remedial action within two months, and

Whereas, JKPC submitted its report before the Hon'ble National Green Tribunal and informed that vide its Order dated 22.05.2024, the Environmental Compensation to the tune of Rs. 152.9 lacs have been imposed upon Municipal Council Poonch for violation of Municipal Solid Waste Rules, 2016 and directed Chief Executive Officer, Municipal Council Poonch to deposit the said Environmental Compensation in the Environmental Compensation Fund within 45 days for the illegal act of disposing off the Solid Waste in an unscientific manner, and

Whereas, Chief Executive Officer, Municipal Council Poonch failed to deposit the Environmental Compensation to the tune of Rs. 152.9 lacs levied by the JKPC within a stipulated period, and

Whereas, JKPC requested this office to get the Environmental Compensation recovered from the Chief Executive Officer, Municipal Council Poonch as an Arrears of Land Revenue and get the same deposited in the Environmental Compensation Fund of J&K Pollution Control Commission; and

Whereas, the Assistant Collector 1st Class (Tehsildar Haveli) was directed vide this office No. DCP/RA/2024-25/144-46 dated 22.03.2025 to initiate proceedings for recovery of Environmental Compensation imposed by JKPC to the tune of Rs. 152.9 lacs from the Chief Executive Officer, Municipal Council Poonch as arrears of land revenue, and

Whereas, in terms of Section 62 of the Jammu and Kashmir Land Revenue Act, 1978, a Writ of Demand vide No. TH/00/47 dated 08/04/2025 was duly issued against the Chief Executive Officer, Municipal Council Poonch by the Assistant Collector 1st Class (Tehsildar Haveli); and

Whereas, despite issuance of a final recovery notice vide No. TH/00/74 dated 16/06/2025 by the Assistant Collector 1st Class (Tehsildar Haveli), the Municipal Council Poonch has failed to deposit the full compensation amount and deposited only Rs. 25 lakhs till date and thereafter no substantial steps have been taken to clear the remaining amount of Rs. 137.9 lacs, and

Whereas, the Assistant Collector 1st Class (Tehsildar Haveli) vide No. TH/00/918 dated 04.08.2023 has submitted the case for attachment of property although identified attachable assets of the Municipal Council Poonch for a recovery of remaining compensation amount to the tune of Rs. 137.9 lacs in the form of a built-up property on land measuring 52 Kanals and 01 Marla, located within Municipal limits, the assessed value of property is as under:-

- (i) Land Value (as per Stamp duty act): Rs. 79.23 lakhs
- (ii) Structure Value (PWD Assessment): Rs. 81.76 lakhs
- (iii) Total Value of Property Identified: Rs. 1,61,05,352/-

Now, therefore, in exercise of powers vested in me under Section 71 of the J&K Land Revenue Act 1996 (Kanshi, I. Ashok Kumar Sharma, District Collector Poonch hereby order the following:-

1. Attachment of following immovable property (details below) belonging to the Municipal Council Poonch for the recovery of pending Environmental Compensation amounting to Rs. 137.9 lacs (One Crore Thirty Seven Lacs and ninety Thousand Only).

Property Details for Attachment

- (i) Owner: Municipal Council Poonch
- (ii) Type: Built-up Property
- (iii) Location: Ward No. 17 Sheesh Mahal, Poonch
- (iv) Area: 52 Kanals and 01 Marla
- (v) Land Value (Stamp Act): Rs. 79.23 Lakhs
- (vi) Structure Value (PWD Assessment): Rs. 81.76 Lakhs
- (vii) Total Estimated value: Rs. 1,61,05,352/-

2. In the event of non-payment of the pending Environmental Compensation amount within 30 days from the date of this order, the attached property shall be put to public auction in accordance with the procedure laid down in the said Act, and proceedings shall be appropriated towards recovery of arrears.

3. This order shall be served upon the Chief Executive Officer, Municipal Council Poonch and also posted at the main entrance of the Municipal Office and at a conspicuous place on the attached property besides, proper entry to be made in the revenue records accordingly.

Tehsildar Haveli is directed to ensure strict compliance and initiate all necessary further action as per law.

No. DCP/NQ/2025-26/748-//
Date: 13/08/2025

Ashok Kumar Sharma, I (IAS)
District Collector, Poonch

Copy to the:-

1. Divisional Commissioner, Jammu for information.
2. Director Urban Local Bodies, Jammu for information.
3. Executive Officer, Municipal Council Poonch for information.
4. Tehsildar Haveli for implementation of the attachment proceedings in accordance with law.



Poonch

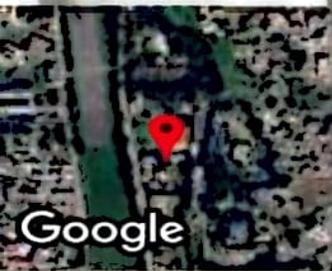
Q39m+8pv Children's Park, Poonch, 185101,
Lat 33.768363° Long 74.084453°
13/08/2025 05:12 PM GMT +05:30



GPS Map Camera

Poonch

Q39m+9w2, Poonch, 185101,
Lat 33.768384° Long 74.084581°
13/08/2025 05:14 PM GMT +05:30



Google