

Jammu and Kashmir Pollution Control Committee

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Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

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

No: JKPCC/NGT/OA 1199/2024/1527-28

Date:- 10-12-2024

Sub:- Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 30.08.2024 passed in O.A No. 1119 of 2024 News Item titled "Sindh Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19.08.2024.

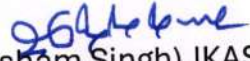
Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 30-08-2024 passed in OA No. **1119 of 2024 News Item titled "Sindh Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19.08.2024**, the Report of the J&K Pollution Control Committee is submitted herewith.

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

Yours faithfully,

Encl:- As Above


(Ghansham Singh) JKAS
Member Secretary 10.12.24
J&K PCC

Copy to the:-

- 1) Sh. G.M Kawoosa, Government Standing Counsel for UT of Jammu and Kashmir, New Delhi for information and necessary action.

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

Original Application No. 1119 of 2024

IN THE MATTER OF

“Sindh Nallah Polluted trout habitat
threatened in Ganderbal”.

Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 30.08.2024 passed in O.A No. 1119 of 2024 News Item titled "Sindh Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19.08.2024.

Background:

That the Hon'ble National Green Tribunal vide Notice dated 30-08-2024 in OA No. 1119 of 2024 directed as follows:-

“The news item relates to rampant pollution in the Sindh nallah in Ganderbal District of Kashmir. As per the article, Sindh nallah was once a pristine source of fresh water and a habitat for trout but is now heavily polluted due to the unchecked garbage dumping from Wayil to Sonamarg. Despite its significance, authorities have shown indifference to the growing pollution problem. The article highlights that the Sindh Nallah is a major tributary of the River Jhelum and plays an essential role in the region, contributing to irrigation, hydropower generation, and supplying drinking water to Srinagar via the Rangil Water Treatment Plant. Yet, despite its significance, the nallah's banks are increasingly tainted by heaps of waste, particularly plastic and other refuse, which remain unattended. The article states that the pollution threatens the trout fish population and the overall water quality, causing irretrievable damage to the habitat. Furthermore, the

25/08/24

river's water is already becoming undrinkable, and the pollution is marring the natural beauty of the area."

"The news item raises substantial issues relating to compliance of environmental norms."

Status Report:

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi on **30-08-2024** in **OA No. 1119 of 2024**, the report of the J&K Pollution Control Committee is submitted as under:-

1. Director Fisheries Department, Jammu & Kashmir was asked to share the factual status report w.r.t extent of effect of pollution on the population & habitat of the trout with J&K PCC vide this office No. JKPCC/Sc./OA1119-2024/24/993; dated 12.09.2024 followed by subsequent reminders (**copy enclosed as Annexure-I**)
2. Regional Director, J&K PCC Kashmir was directed to share the factual status report vide this office No. JKPCC/Sc./OA1119-2024/24/981; dated 10.09.2024 (**copy enclosed as Annexure-II**) w.r.t. following:
 - i) Solid / liquid / plastic waste Management in the vicinity of the Sindh Nallah on both sides from Wayil to Sonamarg.
 - ii) Lab Analysis Report of the water samples collected from Sindh Nallah from Wayil to Sonamarg.
 - iii) Extent / Scale of effect of pollution on the trout fish population and its habitat.
3. Director Fisheries, Department Jammu & Kashmir submitted its response vide No. DOF-TECH/84/2024-05; dated 25.11.2024(**copy enclosed as Annexure-III**).

Highlights of the report are briefed as under:



- a) Water quality parameters of the Sindh nallah from Wayil to Sonamarg were found to exceed the maximum tolerable value for the trout fish as indicated below:

S. No	Water Parameter	Unit	Tolerance Limit	Reference	APC 01	APC 02	APC 03	
1	Total Hardness (As CaCO ₃)	mg/l	80-100	Anadu et al.,1989	133	141	NA	137
2	Coliform (Organism)	MPN	200	Anadu et al.,2019	350	500	NA	425
3	Dissolved Oxygen	mg/l	8.0-9.0	Thurston et al.,1981	6.9	NA	NA	6.9
4	Biological Oxygen demand (BOD)	mg/l	4-5 ppm	Elisa et al.,2020	11	09	02	11
5	Chemical Oxygen Demand (COD)	mg/l	18-20 ppm	Elisa et al.,2020	24.3	21.4	NA	22.85
6	Iron as Fe	mg/l	0.00-0.05	Sayer et al.,1991	0.08	0.08	0.14	0.11

- b) Besides, the chemical Parameters optimum habitat for the fishes is ascertained by the catch per unit effort (CPUE), which has considerably marginalized for the rainbow trout.
- c) Further, there are no traces of the movement of the fishes at Gagangeer region due to excess pollution.
- d) Un-treated Sewage from surrounding hotels and houses along the river banks contribute to the rising pollution leading to high values of fecal coliforms.
4. Regional Director, J&KPCC, Kashmir submitted its reply his reply vide No. PCC/RDK/LS/(NGT)/2024/241-43; dated 28.11.2024 (**copy enclosed as Annexure-IV**).

Highlights of the report are briefed as under:

- a) Solid waste / Plastic waste has been found littered and dumped in open at various spot on the bank of Sindh nallah from Wayil to Sonamarg.

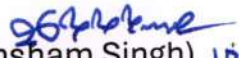
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- b) Solid Waste Management shed has been established at surfaw-gund, but not been used for storage of solid waste.
- c) Legal notices have been issued to Block Development Officers of Gund & Kangan Bloccks of district Ganderbal vide No. JKPCC/ROK/LS/M SW/2024/672-74; dated 14.10.2024 by Regional Office, Kashmir **(copy enclosed as Annexure-V)**.
- d) Water analysis report shows that water quality of all spots of the Sindh nallah from Wayil to Sonamarg qualifies class-B water quality criteria except for few locations, which do not meet class-B criteria for Microbiological parameters.
5. Taking cognizance of the report of Regional Director, J&K PCC and Director, Fisheries Department, J&K, directions have been issued to following stakeholders / departments:-

S. No	Department / Agency	No. & Date	Annexures
1	The Block Development Officer, Kangan, District Ganderbal.	JKPCC/2024/1465-73; dated 04.12.2024.	VI
2	The Block Development Officer, Gund, District Ganderbal.	JKPCC/2024/1474-82; dated 04.12.2024.	VII
3	The Chief Executive Officer, Sonamarg Development Authority, Sonamarg, District Ganderbal.	JKPCC/2024/1483-90; dated 04.12.2024.	VIII

Prayer:

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


 (Ghansham Singh) 10.12.24
 Member Secretary
 J&K PCC

**Jammu and Kashmir
Pollution Control Committee**
chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com
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Parivesh Bhavan, Forest
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Rajbagh, Srinagar, 190 008

**Director,
Fisheries,
Jammu & Kashmir.**

No.: JKPC/Sc./OA 1119-2024/24/ 993

Date: 12-09-2024

Sub: News Item titled "Sindh Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19.08.2024

Ref: Hon'ble NGT order dated 30.08.2024.

Sir,

Please refer to the subject and reference captioned above. In this connection, I am to convey that Hon'ble NGT have pointed out certain observations in its order dated 30.08.2024, which are as follows:


- 1. "The news item relates to rampant pollution in the Sindh nallah in Ganderbal District of Kashmir. As per the article, Sindh nallah was once a pristine source of fresh water and a habitat for trout but is now heavily polluted due to the unchecked garbage dumping from Wayil to Sonamarg."*
- 2. "Despite its significance, authorities have shown indifference to the growing pollution problem. The article highlights that the Sindh Nallah is a major tributary of the River Jhelum and plays an essential role in the region, contributing to irrigation, hydropower generation, and supplying drinking water to Srinagar via the Rangil Water Treatment Plant. Yet, despite its significance, the nallah's banks are increasingly tainted by heaps of waste, particularly plastic and other refuse, which remain unattended."*

20/09/24

3. *"The article states that the pollution threatens the trout fish population and the overall water quality, causing irretrievable damage to the habitat.*

As such, you are requested to share the factual Status Report w.r.t extent of effect of pollution on the population & habitat of the trout with J&K PCC, so as to expedite further course of action in the matter.

Yours Sincerely,


(GhanSham Singh) JKAS
Member Secretary 12.9.24

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

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

No.: JKPC/Sc./OA 1119-2024/24/981

Date: 10-09-2024

Sub: News Item titled "Sindh Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19.08.2024

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2. *"Despite its significance, authorities have shown indifference to the growing pollution problem. The article highlights that the Sindh Nallah is a major tributary of the River Jhelum and plays an essential role in the region, contributing to irrigation, hydropower generation, and supplying drinking water to Srinagar via the Rangil Water Treatment Plant. Yet, despite its significance, the nallah's banks are increasingly tainted by heaps of waste, particularly plastic and other refuse, which remain unattended."*

3. *"The article states that the pollution threatens the trout fish population and the overall water quality, causing irretrievable damage to the habitat. Furthermore, the river's water is already becoming undrinkable, and the pollution is marring the natural beauty of the area."*

In the light of above, you are requested to share a factual report w.r.t the following:

1. Solid / liquid / plastic waste Management in the vicinity of the Sindh Nallah on both sides from Wayil to Sonamarg.
2. Lab Analysis Report of the water samples collected from Sindh Nallah from Wayil to Sonamarg.
3. Extent / Scale of effect of pollution on the trout fish population and its habitat.

The report should reach this office by or before **25.09.2024**.

Yours Sincerely,

26/09/2024
(GhanSham Singh) JKAS
Member Secretary *25.9.24*

GOVERNMENT OF JAMMU AND KASHMIR
DIRECTORATE OF FISHERIES, J&K

Tourist Reception Centre, Srinagar/Nowabad Canal Road, Jammu
 (Email-jkfdkmr@gmail.com, Phone No. 0194 2500106, 0191-2951670)

The Member Secretary,
 J&K Pollution Control Committee.

File No. DOF-TECH/84/2024-05

Dated: 25 /11/2024

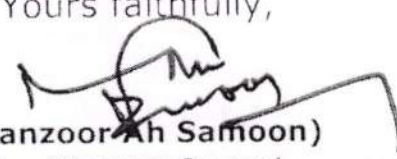
Subject: News Item titled "Sindh Nallah Polluted Trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19.08.2024 – report regarding.

Reference: JKPC/Sc./OA 1119-2024/24/1384 dated 19-11-2024

Sir,

Kindly refer to aforementioned subject and reference. In this context, I am directed to forward herewith the desired detailed report regarding impact of pollution on population and habitat of trout fish as submitted by the committee constituted for the purpose vide Order No. 578-Fisheries of 2024; dated: 13.11.2024. Hence, the same is submitted for favour of information and further necessary action at your end.

Yours faithfully,


 (Manzoor Ah Samoon)
 Dy. Director Central,
 Fisheries, Srinagar

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Copy to the:

1. Chairman, J&K Pollution Control Committee for kind information.
2. Private Secretary to the Principal Secretary to Govt., Agriculture Production Department for information of the Worthy Principal Secretary.
3. P.A to Director Fisheries J&K for information of the Director Fisheries.

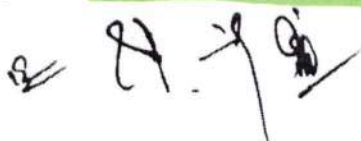
**Committee Report regarding the impact of pollution on population and habitat of
trout fish in Sindh Nallah**

Ref: Order No. 578 Fisheries of 2024, Dated 13-11-2024

The Nallah Sindh once a pristine water stream is passing through a number of hamlets of District Ganderbal and a major Tributary of the Jhelum River. During the recent past due to various developmental works, increasing tourist flow, unscientific disposal of garbages and others factors has witnessed an increase in the pollution level of the river.

In compliance to the order number mentioned supra, the designated committee visited District Ganderbal on 16/11/2024, to take stock of the Nallah from Wayil to Sonamarg. The communique from the Office of the Assistant Director Fisheries, Ganderbal was also taken into account for framing of the report.

The pollution status of any water body is characterized by the water quality parameters, which was witnessed in the records of the ADF office provided by the APCO in connection with some pollution claims from the officer. The water quality parameters were correlated with the maximum tolerable values for the trout, and it was observed that reported **total hardness (173 mg/l)** was more than the tolerance range of 80-100 mg/l for trout. **Coliforms (MPN) was far more larger (425) than the tolerable limits of 200 MPN by the trout.** Coliforms are the bacteria associated with the decomposition of organic matter, which increases ammonical nitrogen, nitrate and nitrite, thereby making the habitat biologically and chemically unsuitable for the trout. The **high nitrate, nitrite and ammonia reduce the oxygen content in water** because of the oxygen consumption by the decaying bacteria, thereby making the habitat unsuitable for the thriving trout, which is an aggressive fish and needs more than 9 ppm of oxygen for its metabolic activity. The **high level of BOD (11 mg/l)** than the tolerance limit of 4-5 mg/l for trout is alarming and a clear proof of the destruction of aquatic habitat. The higher **COD levels (22.85)**, as compared to the tolerance limit of 18-20 ppm also supports the occurrence of higher BOD. **Iron present in water as Fe^{++} is believed to interfere with the oxygen binding capacity by the fishes, higher concentration (0.11 ppm) than the tolerance limit of 0.05 is also alarming and an indicator of industrial pollution.**




S.N	Water Parameter	Unit	Tolerance Limit	Reference	APC O 1	APC O 2	APC O 3	
3.	TDS	mg/l	800-1000	Currie <i>et al.</i> 1998	249	176	187	204
4.	Conductivity	μS/cm	100-300	Ana <i>et al.</i> , 2019	269	287	NA	278
5.	Total Hardness (As CaCO ₃)	mg/l	80-100	Anadu <i>et al.</i> 1989	133	141	NA	137
7.	Chloride (as Cl ⁻)	mg/l	80-100	Ana <i>et al.</i> , 2019	18.3	16.9	NA	17.6
8.	Sulphate (SO ₄)	mg/l	80-100	Ana <i>et al.</i> , 2019	16.9	NA	NA	16.9
9.	Fluoride (as F)	mg/l	2.7-4.7	Ana <i>et al.</i> , 2019	NA	NA	NA	NA
10.	Ammoniacal Nitrogen (NH ₃ N)	mg/l	30-40	Hellawell 1986	NA	NA	NA	NA
11.	Nitrite (NO ₂ ⁻)	mg/l	0-40	Westin, 1974	NA	NA	NA	NA
12.	Total Phosphate (as PO ₄ ⁻)	mg/l	0.8-1.0	Barton, 1996	NA	NA	NA	NA
12.	Coliform (Organisms)	MPN	200	Ana <i>et al.</i> , 2019	350	500	NA	425
13.	Dissolved Oxygen	mg/l	8.0-9.0	Thurston <i>et al.</i> 1981	6.9	NA	NA	6.9
14.	Biological Oxygen Demand (BOD)	mg/l	4-5 ppm	Elisa <i>et al.</i> , 2020	11	09	2	11
15.	Chemical Oxygen Demand (COD)	mg/l	18-20 ppm	Elisa <i>et al.</i> , 2020	24.3	21.4	NA	22.8 5
16.	Iron as Fe	mg/l	0.00-0.05	Sayer <i>et al.</i> 1991	0.08	0.08	0.14	0.11


Besides the chemical parameters, the assessment of the optimum habitat for the fishes is ascertained by the catch per unit effort (CPUE). Since many anglers visit the Sindh river for fishing, it has been found over time that the stretch from **Wayil to Mammar** has considerably got damaged and affected the Trout fish. From Mammar to Kulan to Gagangir there is mixed stock of rainbow and brown trout, with rainbow trout marginating the total catch. The APCO discharge the treated water at Gagangir, which becomes a barrier for the fishes and there is no catch of rainbow or brown trout possible from Gagangir upwards. Pertinent to mention that Kulan area is blessed with some large pools of calm waters from October to January, which helps the trout fish to breed, however, despite having the ability and tendency of the rainbow and brown trout to upwell the stream waters or linearly swimming against the current, there **are no traces of movement due to the beyond**


tolerance pollution strate in Gagangeer region. Hotliers drain the kitchen and bathroom wastes into the river Sindh directly, without any pretreatment. Taking the cognizance, the ADF has fined the hotelliers along the sindh and warned them to treat black and grey water before discharging into the Sindh River.


The construction of hotels along the bank of river discharge grey and black water immensely into the river Sindh, which increases the pollution strata to the subtle regions of the river and gets added to the river habitat slowly, giving rise to the bacterial load. Moreover, the houses constructed along the river banks contribute to the kitchen waste, domestic sewage, animal wastes and human faecal matter of the river Sindh, which is an important contributor to the pollution status of the river, by higher MPN of coliform and faecal coliforms. Such pollutants primarily destroy the aquatic habitat and make the fishes prone to infections because of the deterioration in water quality parameters and invasion of bacteria through the primary and secondary immune barriers. The open defecation evident on the banks of the river is also the cause of the pollution, making river Sindh more vulnerable to the anthropogenic pressures. Mining in various parts of the river destroys the feeding and breeding grounds of the trout, which compels trout to migrate to the safer zones with optimum water quality parameters. The garbage dumping in the river not only adds to the pollution strata to the river, but also increases the biological degradation of organic deposits, which finally becomes reservoirs of bacteria, fungi and viruses, making the habitat completely adverse for the aquatic inhabitants.

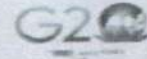
Report is hereby submitted with the remarks that concrete steps need to be taken by the administration for safeguarding the natural habitat of trout in Sindh River, by collaborative efforts of different Departments. Pertinent to mention that the report has been framed after consultation with various stakeholders and for the scientific confirmation about the destruction of trout life in River Sindh should be mandated to the faculty of fisheries, SKUAST (K), Rangil Ganderbal, which is equipped with latest provisions for estimation of pollution, diseases and population dynamics of trout in river Sindh.


Dr. Salman Raut of Chalkoo
Assistant Director Fisheries
Kupwara


Showkat Ahmad Bhat
Assistant Director Fisheries
Baramullah


Mohd. Aslam Bhat
Assistant Director Fisheries
Ganderbal


Gh. Jeelani Pandith
Chief Project Officer
NFSI, Manasbal



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

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www.jkspcb.in Email: regionaldirectorjkmr@gmail.com, Tel/fax 0194-2311842

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

No: PCC/RDK/LS (NGT)/2024/ 241-43

Date:- 28/11/24.

Subject: - News Item titled, "Sind Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19-08-2024.

Reference: - Your letter No. JKPC/Sc./OA-1119-2024/24/1383 dated 19-11-2024.

Sir,

Apropos to the subject and reference cited above, it is to inform that the respective reports with regard to solid/liquid/plastic waste management in vicinity of the Sindh nallah and the test analysis results of water samples collected from this nallah from Wayil to Sonamarg has been submitted by the Divisional Officer, PCC, Ganderbal and the Lab Coordinator, PCC, Srinagar and thus required to be reads as under:-

1. With regard to solid/liquid/plastic waste management, it is said that solid waste/plastic waste has been found un-attended, scattered and dumped in open at various spots in proximity and even on the banks of Sind nallah from Wayil to Sonamarg. The Rural Development Department though has provided a solid waste Management shed at Surfraw-Gund, Ganderbal but this shed is exclusively used for storage of furniture/dustbins/compaction machines as such, solid waste remains dumped and scattered in open within its premises. There is no solid waste treatment and disposal facility neither any Common Sewerage Treatment Plant (CSTP) anywhere in the specified area and the liquid waste is disposed of through soakage pit system. More so, stand of the Divisional Officer, PCC, Ganderbal is that a detailed report on solid waste/plastic waste pollution in Ganderbal district has already been submitted in **OA No. 1046/2024 titled News item appearing in India.com dated 27-07-2024** and legal notices were issued to concerned Block Development Officers and the matter has been sent to the concerned District Magistrate, Ganderbal vide No. PCC/DO/Gbl/plastic waste/2024/251-254 dated 19-08-2024 for remedial action to mitigate solid/plastic waste pollution in the whole Ganderbal District. Corroborative documents, notices along with photographs as submitted by the DO concerned are also enclosed for reference.
2. With regard to Lab analysis reports (copies whereof as submitted by the Lab Coordinator, PCC, Srinagar are enclosed hereto) of the water samples collected from Sind nallah from Wayil to Sonamarg, the test analysis results in respect of physico-chemical parameters (outdoor bathing) shows that water quality of all spots of Sind nallah from Wayil to Sonamarg qualifies to Class-B water quality criteria and few locations does not meet Class-B water quality criteria for Microbiological parameters.
3. With regard to the extent/scale of effect of pollution on the trout fish population and its habitat, the DO, PCC, Ganderbal submits that the matter has been taken up with the Department of Fisheries and a letter bearing No. PCC/DO/Gbl/NGT/2024/308-10 dated 11-11-2024 (copy whereof enclosed) has been send to the Assistant Director, Fisheries Department, Ganderbal to submit the report in the matter, which is still awaited has not been furnished by the Fisheries Department.
Hence, submitted for kind perusal and further course of action required in the matter please.

Encls: - (10)

Copy to:-

1. Divisional Officer, PCC, Ganderbal for information. This takes referende to the report submitted vide No. PCC/DO/GBL/2024/316 dated 22-11-2024.
2. Lab Coordinator, PCC, Srinagar for information. This takes reference to the report submitted vide No. PCC/ROK/Lab-Coord/NGT-Sindh/24-25/73-74 dated 31-10-2024.

Regional Director,
Kasbmr.



Jammu & Kashmir Pollution Control Committee
District Office Ganderbal-Kashmir
Beehama Chowk near J&K Bank Ltd

Regional Director,
Pollution Control Committee,
Kashmir

No. PCC/DO/GBL/News Item/2024/316

Date. 22/11/2024.

Subject: News item titled "Sindh Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19-08-2024.

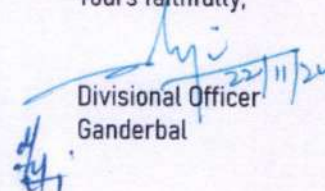
Reference: No. PCC/RDK/LS(NGT)/2024/218-19 dated 20-11-2024.

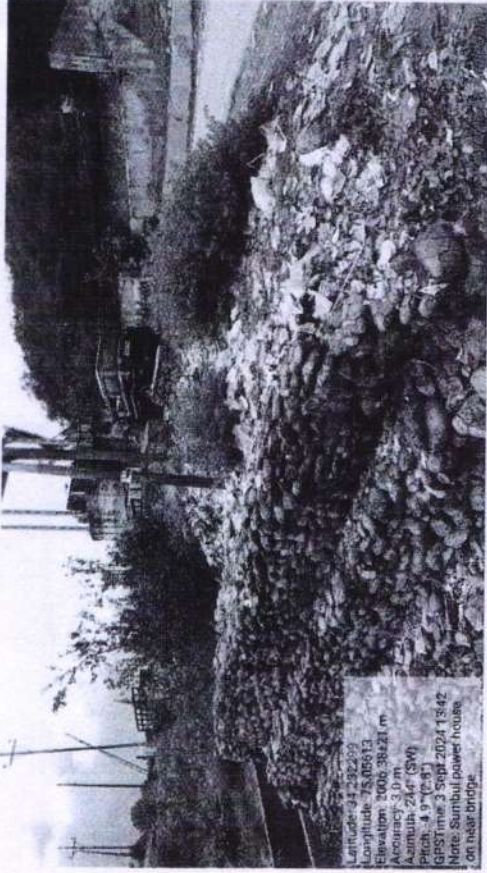
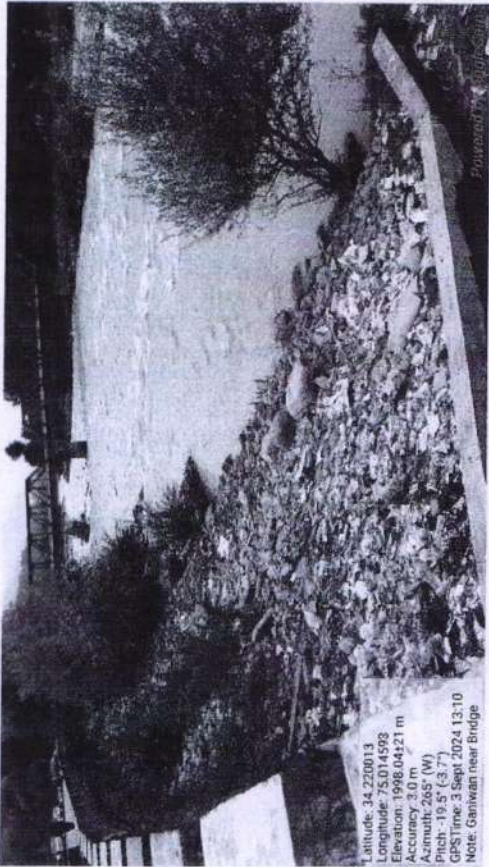
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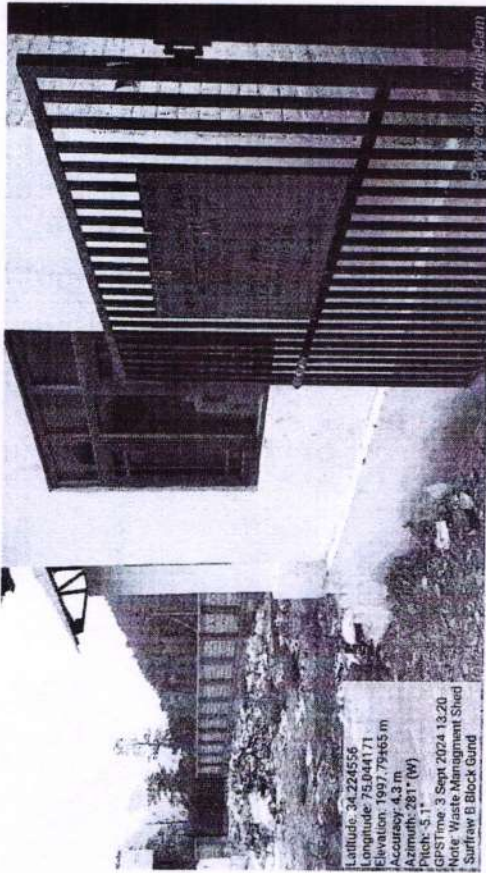
Apropos to the subject and reference cited above, it is submitted that a team of JKPCG Ganderbal visited the various spots in vicinity of Sindh Nallah and the solid waste/Plastic waste scattered at various places was found un attended even on the bank of Sindh Nallah at few spots. The Rural Development Department (RDD) has constructed a solid waste management shed at Surfraw Gund Ganderbal and the shed was being used as storage of furniture/dustbins/compactions machines and the solid waste was found dumped within the premises scattered in open without any treatment and safe disposal. At another place in the surfraw area, unattended solid waste found dumped alongside near Ganiwan Bridge on the banks of Sindh Nallah. (Photograph enclosed). It is pertinent to mention here that this office has already submitted a detailed report on solid/ plastic waste pollution in District Ganderbal in O.A No. 1046/2024 titled news item appearing in india.com dated 27-07-2024 and legal notices issued to Block Development officer, Gund/Kangan vide no. JKPCG/ROK/LS/MSW/2024/672-74 dated 14-10-2024 & no. JKPCG/ROK/LS/MSW/2024/675-77 dated 14-10-2024 (copy enclosed). The matter has also been highlighted with the Addl. Deputy Commissioner, Ganderbal vide no. PCC/DO/Gbl/plastic waste/2024/251-254 dated 19-08-2024. (Copy enclosed). The liquid waste is mainly disposed through soakage pits as no common sewerage treatment plant (CSTP) exists in the area.

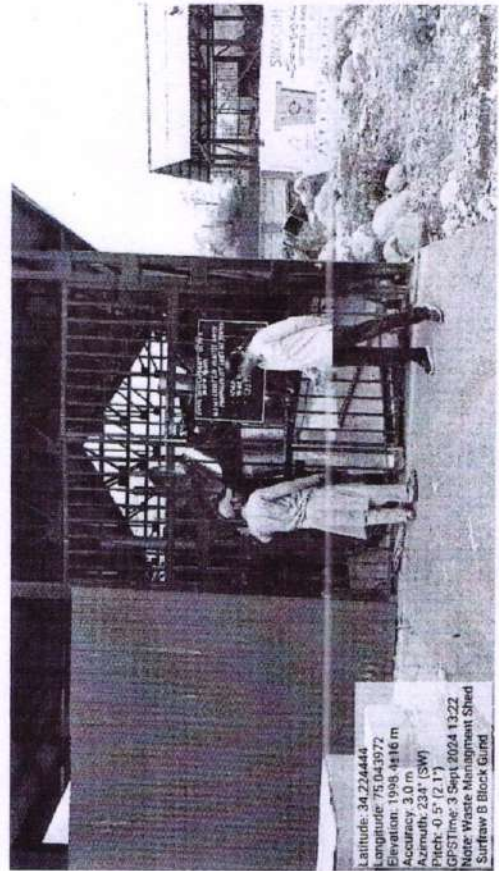
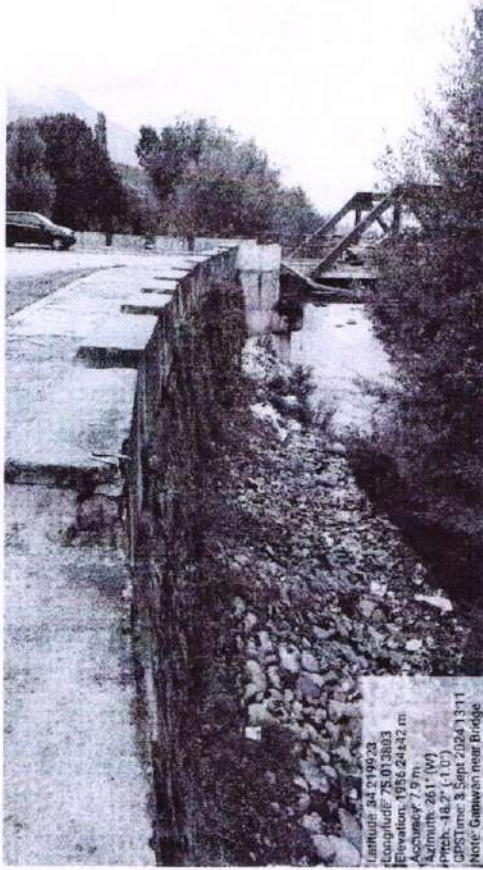
Regarding the extent/scale of effect of pollution on the trout fish population and its habitat a letter vide no. PCC/DO/Gbl/NGT/2024/308-10 dated 11-11-2024 addressed to Assistant Director Fisheries, Department Ganderbal for the report on the matter is still waited on despite continue follow-up by this office.

Yours faithfully,


Divisional Officer
Ganderbal









Jammu & Kashmir Pollution Control Committee
 District Office Ganderbal-Kashmir
Beehama Chowk near J&K Bank Ltd

Assistant Director Fisheries,
 Department of Fisheries, J&K
 Ganderbal.

No. PCC/DO/461/NGT/2024/308-10

Date: 11/11/2024.

Subject: News item titled "Sindh Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19-08-2024.

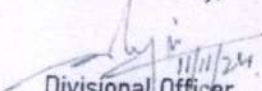
Reference: Hon'ble National Green Tribunal (NGT) order dated 30-08-2024.

Sir,

Apropos to the subject and reference cited above, your kind attention is requested to the news item titled "Sindh Nallah Polluted trout habitat threatened in Ganderbal" appearing in Greater Kashmir dated 19-08-2024. Accordingly, it is requested to furnish a report to the "extent/scale of effect of pollution on the trout fish population and its habitat" for further needful action.

Encl: (News paper cutting).

Yours faithfully,


 11/11/24
 Divisional Officer
 Ganderbal

Copy to the:

1. Regional Director, JKPCCC Kashmir for information and necessary action pl.
2. Assistant Commissioner, Ganderbal for information and necessary action please.

J&K POLLUTION CONTROL COMMITTEE
OFFICE OF THE REGIONAL DIRECTOR - KASHMIR
Sheikh-ul-Alam Campus, Rajbagh, Near Government Silk Factory, Srinagar-190008
www.jkpsc.jkg.net.in Email: regionaldirectorkmr@qmcil.com, Tel/fax 0194-2311842

Block Development Officer,
 Gund/Kangan,
 Ganderbal Kashmir.

Legal Notice
 (By Regtd. Post)

No:- JKPC/ROK/LS/MSW/2024/675-77

Dated:- 14-10-24,

Subject:- Notice for initiating legal action under Environmental Laws

- Whereas, Municipal Solid Waste is to be collected, transported and disposed of in accordance with Solid Waste (Management & Handling) Rules, 2016 framed by the Government in exercise of powers conferred under Environment (Protection) Act, 1986.
- Whereas, the JK Pollution Control Committee Ganderbal was conducted a joint inspection, and on sport verification at the site, the report submitted by the District Officer, Pollution Control Committee, Ganderbal has revealed that the Solid Waste Management shed constructed by Rural Development Department at Surfraw-B Block Gund Kangan, but during inspection the solid waste was found scattered in the premises without any treatment and safe disposal. The shed constructed for treatment purpose are being used as stores for waste bins and furniture. Further at Ganiwan, Block Gund Kangan dumps of unsanitary and illegal solid waste found on the banks of River Sindh near Bridge, which is detrimental and harmful to the environment, the human life and the water body as well.
- Whereas, this practice of unsanitary/unscientific dumping and disposal of solid waste onto the specified areas is in contravention to the Municipal Solid Waste Management Rules, 2016 and directions of the Hon'ble National Green Tribunal (NGT) besides being violation of the relevant environmental laws as referred hereinbefore, which is an offence and attracts the legal action prescribed in the Environment (Protection) Act, 1986.

Now, therefore, in light of the above, you are hereby directed to remove this unsanitary solid waste/ legacy waste from the specified locations and dispose of the same in the scientific landfill site consented by the J & K Pollution Control Committee as per the Municipal Solid Waste Management Rules and ensure zero waste as well as stoppage of throwing of legacy waste with a complete ban on illegal dumping of waste onto the banks of rivers and submit compliance within 15-days from date of issuance of the present notice. In the event of your failure to do the needful within notice period, action shall become obvious in the matter and JK Pollution Control Committee is at liberty to proceed further as per Hon'ble National Green Tribunal (NGT) directions and the Municipal Solid Waste (Management & Handling) Rules, 2016.



Copy to:

1. I/c Solid Waste Management, JKPC Srinagar for information.
2. District Officer, PCC, Ganderbal, for information and submit follow up report within notice period.

Regional Director,
 Kashmir.

F.I.A.C.
for follow up &
sent. 14/10/24



J&K POLLUTION CONTROL COMMITTEE
OFFICE OF THE REGIONAL DIRECTOR - KASHMIR
Sheikh-ul-Alam Campus, Rajbagh, Near Government Silk Factory, Srinagar-190008
www.jkpcc.jkg.net.in Email: regionaldirectorkmr@gmail.com, Tel/fax 0194-2311842

Block Development Officer,
Gund/Kangan,
Ganderbal Kashmir.

Legal Notice
(By Regtd. Post)

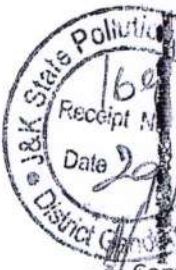
No:- JKPCC/ROK/LS/MSW/2024/672-74

Dated:- 14-10-24

Subject:- Notice for initiating legal action under Environmental Laws

- Whereas, Municipal Solid Waste is to be collected, transported and disposed of in accordance with Solid Waste (Management & Handling) Rules, 2016 framed by the Government in exercise of powers conferred under Environment (Protection) Act, 1986.
- Whereas, the JK Pollution Control Committee Ganderbal was conducted a joint inspection, and on sport verification at the site ; the report submitted by the District Officer, Pollution Control Committee, Ganderbal has revealed that the Solid Waste Managment shed constructed by Rural Development Department at Surfraw-B Block Gund Kangan , but during inspection the solid waste was found scattered in the premises without any treatment and safe disposal. The shed constructed for treatment purpose are being used as stores for waste bins and furniture. Further at Ganiwan, Block Gund Kangan dumps of unsanitary and illegal solid waste found on the banks of River Sindh near Bridge, which is detrimental and harmful to the environment, the human life and the water body as well.
- Whereas, this practice of unsanitary/unscientific dumping and disposal of solid waste onto the specified areas is in contravention to the Municipal Solid Waste Management Rules, 2016 and directions of the Hon'ble National Green Tribunal (NGT) besides being violation of the relevant environmental laws as referred hereinbefore, which is an offence and attracts the legal action prescribed in the Environment (Protection) Act, 1986.

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F.I (AC)
for follow up by
unit. 1/4
29/10/24

Regional Director,
 Kashmir

- Copy to
1. Jc Solid Waste Managent, JKPCC Srinagar for information.
 2. District Officer, PCC, Ganderbal, for information and submit follow up report within notice period.



Jammu & Kashmir Pollution Control Committee
 District Office Ganderbal-Kashmir
 Beehama Chowk near J&K Bank Ltd

Addl. Deputy Commissioner
 Ganderbal

No. PCC/DO/GBL/Plastic waste/2024/251-254

Date: 19/08/2024.

Subject: Urgent request for addressing Plastic Waste Pollution in the District Ganderbal.
 Reference: This office earlier letter No. JKPCC/DO/Gbl/24/65, dated 18-04-2024.

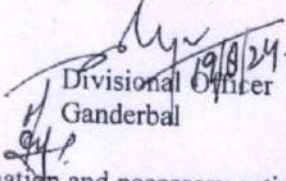
Sir,

Apropos to the subject and reference cited above, your kind attention is requested to an ongoing issue of plastic waste pollution within our District, which has been a concern that has been previously highlighted. Today's local newspaper (Greater Kashmir) has featured an alarming news item titled "Sindh Nallah polluted, trout habitat threatened in Ganderbal" regarding the worsening situation of plastic waste in various parts of the District. The news item outlines significant environmental and health impacts caused by the proliferation of plastic waste, including its detrimental effects on local water bodies, soil quality, and wildlife.

In light of this urgent matter, it is respectfully requested your esteemed office to take cognizance of the report and direct the concerned officers (MCs/ULBs) under your jurisdiction to take cognizance of this issue and initiate measures to mitigate the effects of plastic waste pollution in the whole District. Addressing this issue with the urgency it demands, will not only improve the environmental health of our District but also enhance the quality of life.

Encl: (News paper cutting).

Yours faithfully,


 19/08/24
 Divisional Officer
 Ganderbal

Copy to the:

1. Regional Director, JKPCC Kashmir for information and necessary action pl.
2. Assistant Commissioner, Development, Ganderbal for information and necessary action please.
3. CEO, MC Ganderbal for information & necessary action.

J&K POLLUTION CONTROL COMMITTEE
 OFFICE OF THE REGIONAL DIRECTOR KASHMIR
 Sheikh-ul-Alam Campus, Rajbagh, Near Government Silk Factory, Srinagar-190008
 www.jkpccl.jkg.net.in Email: regionaldirectorkmr@gm.ii.com, Tel/fax 0194-2311842

Block Development Officer,
 Gund/Kangan,
 Ganderbal Kashmir.

Legal Notice
 (By Regtd. Post)

No:- JKPCCL/ROK/LS/MSW/2024/675-77

Dated:- 14-10-24

Subject:- Notice for initiating legal action under Environmental Laws

- Whereas, Municipal Solid Waste is to be collected, transported and disposed of in accordance with Solid Waste (Management & Handling) Rules, 2016 framed by the Government in exercise of powers conferred under Environment (Protection) Act, 1986.
- Whereas, the JK Pollution Control Committee Ganderbal was conducted a joint inspection, and on spot verification at the site, the report submitted by the District Officer, Pollution Control Committee, Ganderbal has revealed that the Solid Waste Management shed constructed by Rural Development Department at Surfraw-B Block Gund Kangan, but during inspection the solid waste was found scattered in the premises without any treatment and safe disposal. The shed constructed for treatment purpose are being used as stores for waste bins and furniture. Further at Ganiwan, Block Gund Kangan dumps of unsanitary and illegal solid waste found on the banks of River Sindh near Bridge, which is detrimental and harmful to the environment, the human life and the water body as well.
- Whereas, this practice of unsanitary/unscientific dumping and disposal of solid waste onto the specified areas is in contravention to the Municipal Solid Waste Management Rules, 2016 and directions of the Hon'ble National Green Tribunal (NGT) besides being violation of the relevant environmental laws as referred hereinbefore, which is an offence and attracts the legal action prescribed in the Environment (Protection) Act, 1986.

Now, therefore, in light of the above, you are hereby directed to remove this unsanitary solid waste/legacy waste from the specified locations and dispose of the same in the scientific landfill site consented by the J & K Pollution Control Committee as per the Municipal Solid Waste Management Rules and ensure zero waste as well as stoppage of throwing of legacy waste with a complete ban on illegal dumping of waste onto the banks of rivers and submit compliance within 15-days from date of issuance of the present notice. In the event of your failure to do the needful within notice period, action shall become obvious in the matter and JK Pollution Control Committee is at liberty to proceed further as per Hon'ble National Green Tribunal (NGT) directions and the Municipal Solid Waste (Management & Handling) Rules, 2016.



Copied to:

1. J&K Solid Waste Management, JKPCCL Srinagar for information.
2. District Officer, PCC, Ganderbal, for information and submit follow-up report within notice period.

*P.I (R)
 for follow up &
 sent. id
 19/10/24*

Regional Director,
 Kashmir.



**Jammu and Kashmir Pollution
Control Committee**
chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com
0191 - 2472881, 2476925



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

**The Block Development Officer,
Kangan, District Ganderbal.**

No: JKPC/2024/ 1465-73

Date: 4 -12- 2024

**Subject: Violation of Solid Waste Management Rules, 2016 by Rural
Development Department.**

1. **Whereas**, disposal of Solid Waste is primarily regulated under the following Rules / Act:
 - a. Solid Waste Management Rules, 2016
 - b. Plastic Waste Management Rules, 2016
 - c. J&K Non-biodegradable Material (Management, Handling and Disposal) Act, 2007
2. **Whereas**, Rule 15 of the Solid Waste Management Rules, 2016 prescribes the duties and responsibilities of the local authorities and village Panchayats of census towns and urban agglomerations, which are reproduced below:

Rule 15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations. - The local authorities and Panchayats shall, -

- (a) prepare a Solid Waste Management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door-to-door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;

- (d) facilitate formation of Self-Help Groups, provide identity cards and thereafter, encourage integration in solid waste management including door to door collection of waste;
- (e) frame byelaws incorporating the provisions of these Rules within one year from the date of notification of these Rules and ensure timely implementation;
- (f) prescribe from time-to-time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, water bodies and to segregate the waste at source as prescribed under these Rules and hand over the segregated waste to authorised waste pickers or waste collectors authorised by the local body;
- (h) setup Material Recovery Facilities (MRF) or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from Material Recovery Facilities (MRF); Bins for storage of bio-degradable wastes shall be painted **green**, those for storage of recyclable wastes shall be printed **blue** and those for storage of other wastes shall be printed **black**;
- (i) Establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at these centres for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometres or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;



- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day-to-day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending upon the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for onsite processing of such waste;
- (r) transport non-bio-degradable waste to the respective processing facility or Material Recovery Facilities (MRF) or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility;
- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives



may be provided to recycling initiatives by informal waste recycling sector.

- (v) Facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste, adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
 - i) Bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - ii) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste-based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these Rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these Rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tonnes per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;



- (za) prepare and submit Annual Report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the Annual Report shall then be sent to the Secretary -in-Charge of the State Housing and Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- (zc) educate workers including contract workers and supervisors for door-to-door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;
- (ze) ensure that provisions for setting up of centres for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these Rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and
- (zg) create public awareness through **information, education and communication** (IEC) activities/campaign and educate the waste generators on the following; namely: -
- (i) not to litter;
 - (ii) minimise generation of waste;
 - (iii) reuse the waste to the extent possible;
 - (iv) practice segregation of waste into bio-degradable, non-biodegradable, recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
 - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
 - (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable

- wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
- (vii) storage of segregated waste at source in different bins;
 - (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
 - (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
- (zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 22 for setting up and operationalisation of sanitary landfill is over;
- (zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;
- (zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of biomining and bioremediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;
- (zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.
- (zl) collect and transport biodegradable, non-biodegradable, and domestic hazardous waste from households including slums and informal settlements, commercial, institutional and other non-residential premises, multi-story buildings, large commercial complexes, malls, housing complexes and the like in compartmentalised and covered vehicle to the respective processing facilities.
3. **Whereas**, Rule 22 of the Solid Waste Management Rules, 2016 prescribes the time frame for implementation of the said Rules, which is reproduced below:

Rule 22. Time frame for implementation: -Necessary infrastructure for implementation of these Rules shall be created by the local

bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

#	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	Identification of suitable sites for setting up of Solid Waste processing facilities	1 year
2.	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or standalone sanitary landfill facilities by all local authorities having a population of 0.5 million or more	1 year
3.	Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	Enforcing waste generators to practice segregation of biodegradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source	2 years
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities	2 years
6.	Ensure separate storage, collection and transportation of construction and demolition wastes	2 years
7.	Setting up Solid Waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population	3 years
9	Setting up common or standalone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years

10.	Setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3years
11.	Bio-remediation or capping of old and abandoned dump sites	5years

4. **Whereas**, section 9 of the Jammu and Kashmir, Non-biodegradable Material (Management, Handling and Disposal) Act, 2007 provides as follows:

Section 9 – Prohibition to throw biodegradable and non-biodegradable garbage in public drains, natural or manmade lakes, wetlands.-

(1) No person, by himself or through another, shall knowingly or otherwise, throw or cause to be thrown, in any drain, ventilation, shaft, pipe and fittings, connected with the private or public drainage works, natural or manmade lakes, wetlands any non-biodegradable garbage or construction debris or any biodegradable garbage by placing in a non-biodegradable bag or container likely to-

- i. injure the drainage and sewage system;
- ii. interfere with the free flow or affect the treatment and disposal of drainage and sewage contents;
- iii. be dangerous or cause nuisance or be prejudicial to the public health; and
- iv. damage the lakes, rivers or wetlands.

(2) No person shall, knowingly or otherwise, place or permit to be placed, except in accordance with such procedure and after complying with such safeguards as may be prescribed, any biodegradable or non-biodegradable garbage in any public place open to public view unless-

- (a) the garbage is placed in any receptacle; or
- (b) the garbage is deposited in a location designated by local authority having jurisdiction in the area for the disposal of such garbage; and

5. **Whereas**, the Block Development Officer Kangan has been found to be in breach of the Water (Prevention & Control of Pollution) Act, 1974, Waste Management Rules referred above. Inspection Report of concerned Divisional Officer Ganderbal and Director Fisheries along with photographs reveals:

- i) Unscientific dumping of solid waste observed along the banks as well as in Sindh Nallah;
- ii) Material Recovery facility not in operational mode.

6. **Whereas**, contravention of provisions of the Environmental (Protection) Act, 1986, Rules, orders and directions issued thereunder is punishable under the

said Act and this includes contraventions by Government Departments as well.

Now therefore, in view of the aforesaid Rule position and law, the deficiencies that persist in the implementation of the Water (Prevention & Control of Pollution) Act, 1974, the Solid Waste Management Rules 2016 and in exercise of powers vested to J&K PCC under Section 5 of the Environment (Protection) Act 1986, Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and 31-A of Air (Prevention & Control of Pollution) Act, 1981, the following directions are hereby issued:

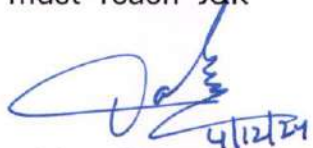
The Block Development Officer, Kangan shall: -

1. Ensure that solid waste is collected, processed, treated and disposed of in accordance with the Solid Waste Management Rules 2016, Plastic Waste Management Rules 2016 and the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
2. Ensure that no waste, whether bio-degradable or non-biodegradable, from domestic or commercial establishments is dumped on the banks of Sind Nallah or in any water body or in the open areas, (as observed being dumped around the Material Recovery Facility, as per enclosed photographs), in violation of the Water (Prevention and Control of Pollution) Act, 1974 and section 9 of the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
3. Notify the waste collection schedule and method of collection for segregated bio-degradable and non-biodegradable waste and collect waste in accordance with the schedule and method so notified.
4. Enforce performance of duties by the waste generators as prescribed under Rule 4 of the Solid Waste Management Rules, 2016.
5. Direct waste generators not to litter i.e throw or dispose of any waste such as paper, bottles, cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, water bodies and to segregate the waste at source as prescribed under these Rules and hand over the segregated waste to authorised waste pickers or waste collectors, authorised by the local body.
6. Submit a list of officials of Rural Development Department who are responsible for continuous violation of Solid Waste Management Rules, for their prosecution under the Environmental (Protection) Act, 1986.
7. Submit the present status of Solid Waste observed near the block Kangan and Action Plan along with the timeline for its removal from the above-mentioned points.

8. Furnish the quantity of solid waste generated in jurisdiction of Block Kangan.
9. Furnish the quantity of solid waste processed daily in Jurisdiction of Block Kangan and disposal thereof.
10. Furnish the Action Plan and timeline regarding processing of Legacy Waste lying at open dumping sites, as reflected in the inspection report of J&K PCC dated ~~19-11~~ 20-11-2024.

The response of Block Development Officer, Kangan, must reach J&K Pollution Control Committee by or before **15th December, 2024**.

Encl: Inspection Report.


(Vasu Yadav)
Chairman

Copy to the: -

1. Principal Secretary to Government, Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
2. Secretary to Government, Department of Rural Development & Panchayati Raj, Civil Secretariat, Jammu / Kashmir.
3. Divisional Commissioner, Kashmir.
4. Deputy Commissioner/District Magistrate, Ganderbal.
5. Regional Director, J&K PCC, Kashmir.
6. Director, Urban Local Bodies, Kashmir.
7. Divisional Officer, PCC, Ganderbal.
8. Scientist 'B' In charge MSW, J&K PCC.

**Jammu and Kashmir Pollution
Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com
0191 - 2472881, 2476925



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

**The Block Development Officer,
Gund, District Ganderbal.**

No: JKPCC/2024/ 1474-82

Date: 4 -12- 2024

**Subject: Violation of Solid Waste Management Rules, 2016 by Rural
Development Department.**

1. **Whereas**, disposal of Solid Waste is primarily regulated under the following Rules / Act:
 - a. Solid Waste Management Rules, 2016
 - b. Plastic Waste Management Rules, 2016
 - c. J&K Non-biodegradable Material (Management, Handling and Disposal) Act, 2007
2. **Whereas**, Rule 15 of the Solid Waste Management Rules, 2016 prescribes the duties and responsibilities of the local authorities and village Panchayats of census towns and urban agglomerations, which are reproduced below:

Rule 15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations. - The local authorities and Panchayats shall, -

- (a) prepare a Solid Waste Management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door-to-door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors

- to facilitate their participation in solid waste management including door to door collection of waste;
- (d) facilitate formation of Self-Help Groups, provide identity cards and thereafter, encourage integration in solid waste management including door to door collection of waste;
 - (e) frame byelaws incorporating the provisions of these Rules within one year from the date of notification of these Rules and ensure timely implementation;
 - (f) prescribe from time-to-time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
 - (g) direct waste generators not to litter i.e. throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, water bodies and to segregate the waste at source as prescribed under these Rules and hand over the segregated waste to authorised waste pickers or waste collectors authorised by the local body;
 - (h) setup Material Recovery Facilities (MRF) or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from Material Recovery Facilities (MRF); Bins for storage of bio-degradable wastes shall be painted **green**, those for storage of recyclable wastes shall be printed **blue** and those for storage of other wastes shall be printed **black**;
 - (i) Establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at these centres for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometres or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
 - (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed



by the State Pollution Control Board or the Pollution Control Committee;

- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day-to-day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending upon the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for onsite processing of such waste;
- (r) transport non-bio-degradable waste to the respective processing facility or Material Recovery Facilities (MRF) or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste

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at community level, subject to control of odour and maintenance of hygienic conditions around the facility;

- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- (v) Facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste, adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
 - i) Bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - ii) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste-based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these Rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these Rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tonnes per day including sanitary

landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;

- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;
- (za) prepare and submit Annual Report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the Annual Report shall then be sent to the Secretary -in-Charge of the State Housing and Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- (zc) educate workers including contract workers and supervisors for door-to-door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;
- (ze) ensure that provisions for setting up of centres for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these Rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and
- (zg) create public awareness through **information, education and communication** (IEC) activities/campaign and educate the waste generators on the following; namely: -
 - (i) not to litter;
 - (ii) minimise generation of waste;
 - (iii) reuse the waste to the extent possible;

- (iv) practice segregation of waste into bio-degradable, non-biodegradable, recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
 - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
 - (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
 - (vii) storage of segregated waste at source in different bins;
 - (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
 - (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
- (zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 22 for setting up and operationalisation of sanitary landfill is over;
- (zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;
- (zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of biomining and bioremediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;
- (zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.
- (zl) collect and transport biodegradable, non-biodegradable, and domestic hazardous waste from households including slums and informal settlements, commercial, institutional and other non-residential premises, multi-story buildings, large commercial

complexes, malls, housing complexes and the like in compartmentalised and covered vehicle to the respective processing facilities.

3. **Whereas**, Rule 22 of the Solid Waste Management Rules, 2016 prescribes the time frame for implementation of the said Rules, which is reproduced below:

Rule 22. Time frame for implementation: - Necessary infrastructure for implementation of these Rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

#	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	Identification of suitable sites for setting up of Solid Waste processing facilities	1 year
2.	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or standalone sanitary landfill facilities by all local authorities having a population of 0.5 million or more	1 year
3.	Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	Enforcing waste generators to practice segregation of biodegradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source	2 years
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities	2 years
6.	Ensure separate storage, collection and transportation of construction and demolition wastes	2 years

7.	Setting up Solid Waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population	3 years
9	Setting up common or standalone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years
10.	Setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3years
11.	Bio-remediation or capping of old and abandoned dump sites	5years

4. **Whereas**, section 9 of the Jammu and Kashmir, Non-biodegradable Material (Management, Handling and Disposal) Act, 2007 provides as follows:

Section 9 – Prohibition to throw biodegradable and non-biodegradable garbage in public drains, natural or manmade lakes, wetlands.- (1) No person, by himself or through another, shall knowingly or otherwise, throw or cause to be thrown, in any drain, ventilation, shaft, pipe and fittings, connected with the private or public drainage works, natural or manmade lakes, wetlands any non-biodegradable garbage or construction debris or any biodegradable garbage by placing in a non-biodegradable bag or container likely to-

- i. injure the drainage and sewage system;
- ii. interfere with the free flow or affect the treatment and disposal of drainage and sewage contents;
- iii. be dangerous or cause nuisance or be prejudicial to the public health; and
- iv. damage the lakes, rivers or wetlands.

(2) No person shall, knowingly or otherwise, place or permit to be placed, except in accordance with such procedure and after complying with such safeguards as may be prescribed, any biodegradable or non-biodegradable garbage in any public place open to public view unless-

- (a) the garbage is placed in any receptacle; or

- (b) the garbage is deposited in a location designated by local authority having jurisdiction in the area for the disposal of such garbage; and
5. **Whereas**, the Block Development Officer Gund has been found to be in breach of the Water (Prevention & Control of Pollution) Act, 1974, Waste Management Rules referred above. Inspection Report of concerned Divisional Officer Ganderbal and Director Fisheries along with photographs reveals:
- i) Unscientific dumping of solid waste observed along the banks as well as in Sindh Nallah;
 - ii) Material Recovery facility not in operational mode.
6. **Whereas**, contravention of provisions of the Environmental (Protection) Act, 1986, Rules, orders and directions issued thereunder is punishable under the said Act and this includes contraventions by Government Departments as well.

Now, therefore, in view of the aforesaid Rule position and law, the deficiencies that persist in the implementation of the Water (Prevention & Control of Pollution) Act, 1974, the Solid Waste Management Rules 2016 and in exercise of powers vested to J&K PCC under Section 5 of the Environment (Protection) Act 1986, Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and 31-A of Air (Prevention & Control of Pollution) Act, 1981, the following directions are hereby issued:

The **Block Development Officer, Gund** shall: -


1. Ensure that solid waste is collected, processed, treated and disposed of in accordance with the Solid Waste Management Rules 2016, Plastic Waste Management Rules 2016 and the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
2. Ensure that no waste, whether bio-degradable or non-biodegradable, from domestic or commercial establishments is dumped on the banks of Sind Nallah or in any water body or in the open areas, (as observed being dumped around the Material Recovery Facility, as per enclosed photographs), in violation of the Water (Prevention and Control of Pollution) Act, 1974 and section 9 of the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
3. Notify the waste collection schedule and method of collection for segregated bio-degradable and non-biodegradable waste and collect waste in accordance with the schedule and method so notified.



4. Enforce performance of duties by the waste generators as prescribed under Rule 4 of the Solid Waste Management Rules, 2016.
5. Direct waste generators not to litter i.e. throw or dispose of any waste such as paper, bottles, cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, water bodies and to segregate the waste at source as prescribed under these Rules and hand over the segregated waste to authorised waste pickers or waste collectors, authorised by the local body.
6. Submit a list of officials of Rural Development Department who are responsible for continuous violation of Solid Waste Management Rules, for their prosecution under the Environmental (Protection) Act, 1986.
7. Submit the present status of Solid Waste observed near the block Gund and Action Plan along with the timeline for its removal from the above-mentioned points.
8. Furnish the quantity of solid waste generated in jurisdiction of Block Gund.
9. Furnish the quantity of solid waste processed daily in Jurisdiction of Block Gund and disposal thereof.
10. Furnish the Action Plan and timeline regarding processing of Legacy Waste lying at open dumping sites, as reflected in the inspection report of J&K PCC dated 10-11-2024.

The response of Block Development Officer, Gund, must reach J&K Pollution Control Committee by or before **15th December, 2024**.

Encl: Inspection Report.


 (Vasu Yadav)
 Chairman

Copy to the: -

1. Principal Secretary to Government Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
2. Secretary to Government, Department of Rural Development & Panchayati Raj, Civil Secretariat, Jammu / Srinagar.
3. Divisional Commissioner, Kashmir.
4. Deputy Commissioner/District Magistrate, Ganderbal.
5. Regional Director, J&K PCC, Kashmir.
6. Director, Urban Local Bodies, Kashmir.
7. Divisional Officer, PCC, Ganderbal.
8. Scientist 'B' In charge MSW, J&K PCC

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

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Annex - VIII

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**The Chief Executive Officer
Sonamarg Development Authority,
Sonamarg, District Ganderbal.**

No: JKPCC/NGT/Misc-Compliant / 1483-90

Date: 4-12-2024

**Subject: Violation of Solid Waste Management Rules, 2016 by Sonamarg
Development Authority, Ganderbal.**

Ref: *Complaint received dated 29.06.2024.*

1. Whereas, disposal of Solid Waste is primarily regulated under the following Rules / Act:

- a. Solid Waste Management Rules, 2016
- b. Plastic Waste Management Rules, 2016
- c. J&K Non-biodegradable Material (Management, Handling and Disposal) Act, 2007

2. Whereas, Rule 15 of the Solid Waste Management Rules, 2016 prescribes the duties and responsibilities of the local authorities and village Panchayats of census towns and urban agglomerations, which are reproduced below:

Rule 15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations. - The local authorities and Panchayats shall, -

- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door-to-door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for

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integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;

- (d) facilitate formation of Self-Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;
- (e) frame byelaws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;
- (f) prescribe from time-to-time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e. throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, water bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed blue and those for storage of other wastes shall be printed black;
- (i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometres or part thereof and notify the timings of receiving domestic hazardous waste at such centres;

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- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;
- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day-to-day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for onsite processing of such waste;
- (r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility;
- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible

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in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.

- (v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste, adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
 - i) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - ii) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste-based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tonnes per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;

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- (za) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- (zc) educate workers including contract workers and supervisors for door-to-door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;
- (ze) ensure that provisions for setting up of centres for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and
- (zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely: -
 - (i) not to litter;
 - (ii) minimise generation of waste;
 - (iii) reuse the waste to the extent possible;
 - (iv) practice segregation of waste into bio-degradable, non-biodegradable recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
 - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;



- (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
 - (vii) storage of segregated waste at source in different bins;
 - (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
 - (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
- (zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 22 for setting up and operationalisation of sanitary landfill is over;
- (zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;
- (zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of biomining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;
- (zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.
- (zl) collect and transport biodegradable, non-biodegradable, and domestic hazardous waste from households including slums and informal settlements, commercial, institutional and other non-residential premises, multi-story buildings, large commercial complexes, malls, housing complexes and the like in compartmentalised and covered vehicle to the respective processing facility.
3. **Whereas**, Rule 22 of the Solid Waste Management Rules, 2016 prescribes the time frame for implementation of the said rules which is reproduced below:



Rule 22. Time frame for implementation: -Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

#	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	Identification of suitable sites for setting up solid waste processing facilities	1 year
2.	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or standalone sanitary landfill facilities by all local authorities having a population of 0.5 million or more	1 year
3.	Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	Enforcing waste generators to practice segregation of biodegradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source	2 years
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities	2 years
6.	Ensure separate storage, collection and transportation of construction and demolition wastes	2 years
7.	Setting up solid waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population	3 years



9	Setting up common or standalone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years
10.	Setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3years
11.	Bioremediation or capping of old and abandoned dump sites	5years

4. **Whereas**, section 9 of the Jammu and Kashmir, Non-biodegradable Material (Management, Handling and Disposal) Act, 2007 provides as follows:

Section 9 – Prohibition to throw biodegradable and non-biodegradable garbage in public drains, natural or manmade lakes, wetlands.- (1) No person, by himself or through another, shall knowingly or otherwise, throw or cause to be thrown, in any drain, ventilation, shaft, pipe and fittings, connected with the private or public drainage works, natural or manmade lakes, wetlands any non-biodegradable garbage or construction debris or any biodegradable garbage by placing in a non-biodegradable bag or container likely to-

- i. injure the drainage and sewage system;
- ii. interfere with the free flow or affect the treatment and disposal of drainage and sewage contents;
- iii. be dangerous or cause nuisance or be prejudicial to the public health; and
- iv. damage the lakes, rivers or wetlands.

(2) No person shall, knowingly or otherwise, place or permit to be placed, except in accordance with such procedure and after complying with such safeguards as may be prescribed, any biodegradable or non-biodegradable garbage in any public place open to public view unless-

- (a) the garbage is placed in any receptacle; or
- (b) the garbage is deposited in a location designated by local authority having jurisdiction in the area for the disposal of such garbage.

5. **Whereas**, the Sonamarg Development Authority, Ganderbal has been found to be in breach of the Water (Prevention & Control of Pollution) Act, 1974, Waste Management Rules referred above. Inspection Report of concerned Divisional

JK

Officer Ganderbal and report from Director Fisheries Department along with photographs of unscientific dumping of solid waste observed near Sindh Nallah Ganderbal in this regard are enclosed and;

6. **Whereas**, the matter of pollution in Sindh Nallah Ganderbal is also being heard by the Hon'ble National Green Tribunal in OA 1119/2024 and the order passed on 30.08.2024 in the matter is enclosed and;
7. **Whereas**, contravention of provisions of the Environmental (Protection) Act, 1986, rules, orders and directions issued thereunder is punishable under the said Act and this includes contraventions by Government Departments as well.

Now therefore, in view of the above position of law, the deficiencies that persist in the implementation of the Water (Prevention & Control of Pollution) Act, 1974, the Solid Waste Management Rules 2016 and in exercise of powers under Section 5 of the Environment (Protection) Act 1986, Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and 31-A of Air (Prevention & Control of Pollution) Act, 1981, the following directions are hereby issued:

The Chief Executive Officer, Sonamarg Development Authority, shall: -

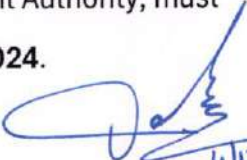
- i. Ensure that solid waste is collected, processed, treated and disposed of in accordance with the Solid Waste Management Rules 2016, Plastic Waste Management Rules 2016 and the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
- ii. Ensure that no waste, whether bio-degradable or non-biodegradable, from domestic or commercial establishments is dumped near Sindh Nallah in violation of the Water (Prevention and Control of Pollution) Act, 1974 and section 9 of the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
- iii. Notify the waste collection schedule and method of collection for segregated bio-degradable and non-biodegradable waste and collect waste in accordance with the schedule and method so notified.
- iv. Enforce performance of duties by the waste generators as prescribed under rule 4 of the Solid Waste Management Rules, 2016.
- v. Direct waste generators not to litter i.e. throw or dispose of any waste such as paper, bottles, cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, water bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised waste pickers or waste collectors, authorised by the local body.
- vi. Submit a list of officials of Sonamarg Development Authority, who are responsible for continuous violation of Solid Waste Management Rules, for their prosecution under the Environmental (Protection) Act, 1986.



- vii. Submit the present status of Solid Waste observed at Sindh Nallah Ganderbal and action plan along with the timeline for its removal from the above-mentioned area.
- viii. Furnish the quantity of solid waste generated in Sonamarg Development Authority Jurisdiction.
- ix. Furnish the quantity of solid waste processed daily in Sonamarg Development Authority Jurisdiction and disposal thereof.
- x. Furnish the Action Plan and timeline regarding processing of Legacy Waste lying at open dumping sites, as reflected in the inspection report of J&K PCC dated 28-11-2024.

The response of Chief Executive Officer, Sonamarg Development Authority, must reach J&K Pollution Control Committee by or before **15th December, 2024**.

Encl: leaves.


4/12/24
(Vasu Yadav)
Chairman

Copy to the: -

1. Principal Secretary to Government, Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
2. Secretary to Government Tourism Department, Civil Secretariat, Jammu / Srinagar.
3. Divisional Commissioner, Kashmir.
4. Deputy Commissioner/District Magistrate, Ganderbal.
5. Regional Director, J&K PCC, Kashmir.
6. Scientist 'B' In charge MSW, J&K PCC, Srinagar.
7. Divisional Officer, PCC, Ganderbal.