

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

No: JKPC/NGT/OA 241 of 2021/25/1763

Date:- 11-12-2025

Sub:-Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 25-09-2025 passed in OA No. 241 of 2021 titled Raja Muzaffar Bhat vs. Union of India & Ors."

Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order **dated 25-09-2025 passed in OA No. 241 of 2021 titled Raja Muzaffar Bhat vs. Union of India & Ors."**, 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.


(Dr. R. Gopinath) IFS
Member Secretary
J&K PCC

938
Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi

Original Application No. 241 of 2021

IN THE MATTER OF

Raja Muzzafar Bhat V/S Union of India
and Ors.

Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal Order dated 25-09-2025 passed in O.A No. 241-2021 titled "Raja Muzaffar Bhat V/s Union of India and Ors."

Background: -

The Hon'ble National Green Tribunal (NGT) was pleased to pass following directions vide its order dated **25-09-2025** in the O.A No. **241/2021** operative part of which is as under: -

"Member Secretary, J&KPCC has submitted that action for imposition of environmental compensation will be taken against these municipal councils and action taken report will be filed within six weeks".

Status Report:

In compliance to the aforesaid order of Hon'ble National Green Tribunal issued on dt. 25-09-2025 in **OA No. 241 of 2021**, the report of the J&K Pollution Control Committee is as follow:

1. That Deputy Commissioner, Srinagar was requested vide this office No. JKPC/Sc./OA-241/2024/1408-11; dated: 28.10.2025 to get the levied Environmental Compensation by J&K PCC vide order No. 33 JKPC of 2024; dated: 19.10.2024 be recovered

- from the Commissioner Municipal Corporation Srinagar (Copy enclosed as Annexure 1).
2. That Deputy Commissioner Budgam was requested vide this office No. JKPCC/Sc./OA-241/2024/1404-07; dated: 28.10.2025 to get the levied Environmental Compensation by J&K PCC vide order No. 31 JKPCC of 2024; dated: 30.09.2024 be recovered from the Executive Officer, Municipal Council Budgam (Copy enclosed as Annexure 2).
 3. That Deputy Commissioner Budgam was also requested vide this office No. JKPCC/Sc./OA-241/2024/1400-03; dated: 28.10.2025 to get the Environmental Compensation levied by J&K PCC vide order No. 32 JKPCC of 2024; dated: 30.09.2024 be recovered from the Executive Officer, Municipal Committee Chadoora (Copy enclosed as Annexure 3).
 4. That Regional Director J&K PCC Kashmir was requested vide this office No. JKPCC/Sc./OA-241/2024/25/1560; dated: 15.11.2025 to share updated status of Solid Waste Management in Municipal Council Budgam, Municipal Committee Chadoora and Municipal Corporation Srinagar and Environmental Compensation formats for levying of EC in respective local bodies. (Copy enclosed as Annexure 4).
 5. That Regional Director J&K PCC Kashmir submitted its reply vide No. PCC/RDK/LS(NGT)/2025/1340-42; dated: 05.12.2025 (Copy enclosed as Annexure 5).

Highlights of the report are summarized as under:

i. **Status of Solid Waste Management at Achan landfill site Srinagar Municipal Corporation**

- a) Cell No. 1 and 3 were found fully capped while Cell No. 2 is currently in use and is heavily over

burdened. The construction of 4th Cell has been halted due to ongoing bio-mining project.

- b) Leachate generated from the landfill cells is being collected in Leachate ponds at multiple locations. However, the leachate treatment plant is non-functional which can lead to ground water contamination and foul odour.
- c) The composting plant was found non-operational and no waste segregation is being carried out despite installation of segregation plant at the site.
- d) The weighing bridge is operational and is used for weighing vehicles, transporting waste.
- e) Bio-mining project is still under consideration. No mechanical segregation or composting activity is being carried out at the dumping site.

ii. **Status of Solid Waste Management in Municipal Council Budgam**

- a) Waste generated/collected by MC Budgam is being transported to the new dumping site at Pallar Lakhripora which has been put in operation in November 2024.
- b) At the Pallar waste dumping site, composting pits have been constructed and manual sorting is being done.
- c) The requisite machinery, viz., mechanical segregator, shredder and incinerator has been installed but there is no electricity supply as yet.
- d) No Leachate treatment facility has been provided so far.

e) No fencing of acquired site has been done so far.

iii. **Status of Solid Waste Management in Municipal Committee Chadoora**

- a) The waste generated/collected is being transported to the dumping site at Hayatpora Nagam.
 - b) The composting pits and requisite machinery like shredder and mechanical segregator have been installed.
 - c) No Leachate treatment facility has been provided so far.
 - d) No fencing of acquired site has been done so far.
6. That Show cause notice for levying of EC has been issued to the Commissioner SMC vide this Office No. JKPCC/NGT/(OA 241/2021)/2025/355-359; dated: 10.12.2025 **(Copy enclosed as Annexure 6)**.
 7. That Show cause notice for levying of EC has been issued to the Executive Officer, Municipal Committee Chadoora vide this Office No. JKPCC/NGT/(OA 241/2021)/2025/365-369; dated: 10.12.2025 **(Copy enclosed as Annexure 7)**.
 8. That Show cause notice for levying of EC has been issued to the Executive Officer, Municipal Council Budgam vide this Office No. JKPCC/NGT/(OA 241/2021)/2025/360-364; dated: 10.12.2025 **(Copy enclosed as Annexure 8)**.
 9. That Action Taken Report has been submitted by Mission Director (SBM 2.0) vide No. MD/SBM/U/2025-26/1867-68; dated: 09.12.2025 **(Copy enclosed as Annexure 9)**.

Highlights of the Action Taken Report submitted by Mission Director (SBM 2.0) are summarized as under:

Budgam**a) Patawaw Village Dumpsite**

- ULB Budgam does not have any dumpsite at Patawaw village location. Historically, no waste has been disposed at this site by the ULB.

b) Mamath Village Dumpsite

- Dumping of Municipal Solid Waste at this location has been discontinued 3 years ago. The legacy waste has been collected and transported to Municipal Committee Tral for Bioremediation and the site is being redeveloped as a public park at a cost of Rs. 32.92 lakh in near future.
- No leachate discharge is observed at present and proper layering and compaction of the reclaimed site has been carried out.

c) **Boundary wall DPR** has been requested from PWD (R&B). Additionally, DPR amounting to Rs. 2.52 lacs for biofencing has been accorded Administrative Approval.

d) MSW Processing

The entire 6.1 TPD waste generated daily in Budgam is being processed at Pallar, 5 TPD MRF for dry/recyclable waste is operational, 16 composting pits of 3 TPD capacity are functional. There is no accumulation of daily waste of 3TPD in existing 800 MT of legacy waste.

Chadoora

- a) All waste generated at Chadoora is being processed at the existing SWM facility, which has adequate capacity.
- b) DPR for chain-link fencing of the processing site has been prepared and forwarded for tendering.
- c) Source segregation is being promoted through IEC activities and for the operation of compost pits and MRF scientifically, outsourcing to private agency is being done.

Srinagar**a) Leachate Management**

A 300 KLD leachate treatment pond is under construction for treatment by Bio enzymatic method.

b) MRF Operations

The MRF facility has been made operational and tendering for O&M by private players through Srinagar Municipal Corporation has been initiated.

c) Legacy Waste processing

Work on Bioremediation of 11 Lakh tonnes of legacy waste has commenced at the site.

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.


Dr. R. Gopinath, IFS
Member Secretary
J&K PCC

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkpcb@gmail.com
membersecretaryjkpcb@gmail.com

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

Deputy Commissioner,
Srinagar.

No. JKPCC/Sc./OA-241/2024/1408-11

Date: 28-10-2025

Sub: Levying of Environmental Compensation upon Commissioner Srinagar Municipal Corporation.

Ref:- JKPCC/LSJ/NGT/(O.A.241/2021)/137-142 dated 19-10-2024

Sir,

Please refer to the subject and reference referred above. In this connection, I am to convey that Environmental Compensation to the tune of Rs. 41,47,61000/- was imposed upon Commissioner SMC vide Order No. 33 JKPCC of 2024 dated 19-10-2024 for violation of Solid and liquid Waste Management Rules, 2016. A time period of 30 days was provided to SMC for deposition of the said amount in the EC Fund Account No. 00234051000001 of J&K Bank of J&K PCC, but the said amount has not been deposited with J&K PCC, so far even after lapse of the 30 days time period provided for deposition of EC as on 30-10-2024.

In this connection, it is requested to kindly get the levied Environmental Compensation recovered from the Commissioner Municipal Corporation Srinagar, as an Arrears of Land Revenue and get the same deposited in the online Environmental Compensation Fund Account No. 00234051000001 of the J&K Pollution Control Committee with J&K Bank

Yours faithfully,


**(Dr.R.Gopinath) IFS
Member Secretary**

Copy to:-

1. Commissioner/Secretary to Government, Housing & Urban Development Department, Civil Secretariat, Jammu/Srinagar for favour of kind information.
2. Regional Director, Kashmir for information & follow up.
3. Commissioner, Srinagar Municipal Corporation for information and needful action.

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**Jammu and Kashmir
Pollution Control Committee**chairman87jkpcb@gmail.com
membersecretaryjkpcb@gmail.com

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

No. JKPCC/Sc./OA-241/2024/1404-07

Date: 28-10-2025

Sub: Levying of Environmental Compensation to the Executive Officer, Municipal Council, Budgam.**Ref:- JKPCC/LSJ/NGT/(O.A.241/2021)/127-131 dated 30-09-2024**

Sir,

Please refer to the subject and reference referred above. In this connection, I am to convey that Environmental Compensation to the tune of Rs. 372.1761 lakh was imposed upon Executive Officer, Municipal Council, Budgam vide Order No. 31 JKPCC of 2024 dated 30-09-2024 for violation of Solid and liquid Waste Management Rules, 2016. A time period of 30 days was provided to SMC for deposition of the said amount in the EC Fund Account No. 00234051000001 of J&K Bank of J&K PCC, but the said amount has not been deposited with J&K PCC, so far even after lapse of the 30 days time period provided for deposition of EC as on 30-10-2024.

In this connection, it is requested to kindly get the levied Environmental Compensation recovered from the Executive Officer, Municipal Council, Budgam, as an Arrears of Land Revenue and get the same deposited in the online Environmental Compensation Fund Account No. 00234051000001 of the J&K Pollution Control Committee with J&K Bank

Yours faithfully,
**(Dr. R. Gopinath) IFS
Member Secretary**

Copy to:-

1. Commissioner/Secretary to Government, Housing & Urban Development Department, Civil Secretariat, Jammu/Srinagar for favour of kind information.
2. Regional Director, Kashmir for information & follow up.
3. Executive Officer, Municipal Committee, Budgam for information & necessary action.

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**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

Deputy Commissioner,
Budgam.

No. JKPC/Sc./OA-241/2024/1400-03

Date: 28-10-2025

Sub: Levying of Environmental Compensation to the Executive Officer, Municipal Council, Chadoora, Budgam.

Ref:- JKPC/LSJ/NGT/(O.A.241/2021)/132-136 dated 30-09-2024

Sir,

Please refer to the subject and reference referred above. In this connection, I am to convey that Environmental Compensation to the tune of Rs. 141.43 lakh was imposed upon Executive Officer, Municipal Council, Chadoora, Budgam vide Order No. 32 JKPC of 2024 dated 30-09-2024 for violation of Solid and liquid Waste Management Rules, 2016. A time period of 30 days was provided to SMC for deposition of the said amount in the EC Fund Account No. 00234051000001 of J&K Bank of J&K PCC, but the said amount has not been deposited with J&K PCC, so far even after lapse of the 30 days time period provided for deposition of EC as on 30-10-2024.

In this connection, it is requested to kindly get the levied Environmental Compensation recovered from the Executive Officer, Municipal Council, Chadoora, Budgam., as an Arrears of Land Revenue and get the same deposited in the online Environmental Compensation Fund Account No. 00234051000001 of the J&K Pollution Control Committee with J&K Bank

Yours faithfully,


(Dr. R. Gopinath) IFS
Member Secretary

Copy to:-

1. Commissioner/Secretary to Government, Housing & Urban Development Department, Civil Secretariat, Jammu/Srinagar for favour of kind information.
2. Regional Director, Kashmir for information & follow up.
3. Executive Officer, Municipal Committee, Chadoor, Budgam for information & necessary action.

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

No.: JKPC/Sc./OA 241-2021/25/1560

Date: 15-11-2025

Sub: O.A No. 241/2021 titled Raja Muzaffar Bhat V/s MoEF.

Ref: Hon'ble NGT order dated 25.09.2025.

Sir,

Please refer to the subject and reference cited above. In this connection, I am directed to convey that Hon'ble NGT has issued following directions in the matter of O.A No. 241/2021 titled "Raja Muzaffar Bhat V/s MoEF."

"Report of the joint committee dated 24.09.2025 clearly mentions the non-compliance of the Solid Waste Management Rules, 2016 and violations by concerned municipal councils.

Member Secretary, J&KPC has submitted that action for imposition of environmental compensation will be taken against these municipal councils and action taken report will be filed within six weeks."

As such, I am directed to request you to share updated status of solid waste management in Municipal Council Chadoora, Municipal Council Budgam and Municipal Corporation Srinagar by or before 25.11.2025. Besides you are also requested to share Environmental Compensation formats along with period of violation after levying of EC in respect of the following Local Bodies.

1. Municipal Council Chadoora- EC Levied vide order No. 32 JKPC of 2024; dated: 30.09.2024.
2. Municipal Council Budgam- EC levied vide order No. 31 JKPC of 2024; dated: 30.09.2024.
3. Municipal Corporation Srinagar- EC levied order No. 33 JKPC of 2024; dated: 19.10.2024

Yours faithfully,

Neelu Sharma
Neelu Sharma 15/11/2025
**Principal Scientific Officer
J&K PCC**

marked

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

Sheikh-ul-Alam Campus, Rajbagh, Near Government Silk Factory, Srinagar-190008
www.jkspcb.in Email: regionaldirectorkmr@gmail.com, Tel/fax 0194-2311842

The Member Secretary,
 J & K PCC, Jammu.

No: PCC/RDK/LS (NGT)/2025/1340-42.

Date:- 05-12-2025.

Subject: - O.A No. 241/2021 titled, "Raja Muzaffar Bhat V/s MoEF."

Reference:- Your letter No. JKPC/Sc./OA-241-2021/25/1560 dated 15-11-2025.

Sir,

Apropos to the subject and reference cited above, the updated status reports of Solid Waste Management in Municipal Corporation Srinagar, Municipal Council Budgam and Municipal Council Chadoora as shared by Divisional Officer, PCC, Srinagar and Divisional Officer, PCC, Budgam along with respective Environmental Compensation formats and site photographs for levying of environmental compensation charges upon SMC, Municipal Council Budgam and Municipal Council Chadoora are annexed hereto as Annexure "A" & Annexure "B" for kind perusal and further course of necessary action required in the matter please.

Yours faithfully,

For (Regional Director),
 Kashmir.

Encls: - 24.

Copy to:-

1. Divisional Officer, PCC, Srinagar for information. This takes reference to the report submitted vide No. JKPC/DO/Sgr/EC-format/25/469 dated 03-12-2025.
2. Divisional Officer, PCC, Budgam for information. This takes reference to the report submitted vide No. JKPC/DO/BUD/2025/499 dated 02-12-2025.

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Annexure - "A"



Jammu & Kashmir Pollution Control Committee
Office of the District Officer, Srinagar-Kashmir
Sheikh-ul-Alam Complex, Rajbagh, near Government Silk Factory, Srinagar-190008

**Regional Director
JKPCC, Kashmir.**

No:- JKPCC/DO/Sgr/EC-format/25/ 469

Dated:- 03-12-25

Subject:-O.A No. 241/2021 titled Raja Muzaffar Bhat V/s MoEF

Reference: (1) Member Secretary letter no:-JKPCC/Sc./OA 241-2021/25/1669
dated:29-11-2025 (2) Your letter no:-PCC/RDK/LS/(NGT)/2025/1306-08,Dated:-20-11-2025

Sir,

With regard to the subject cited above, kindly find enclosed the latest inspection report of the Achan Dumping and **Environmental Compensation Format of the M/S Land Filling Site, SMC, Syed Pora Achan Srinagar** for further necessary action at your end.

Yours faithfully

**District Officer
Srinagar**

Enclosures:- 09(nine)

9/12 NAT

9/12

Inspection Report of M/s Landfill Site – Srinagar Municipal Corporation, Syed Pora, Achan, Srinagar

Following observations were recorded during the inspection:

1. Cell Status

Cell No. 1 was found fully capped at the time of inspection.

Cell No. 2: The cell is uncapped. Current municipal waste from Srinagar is being dumped here. The cell is heavily overburdened with waste (photographs enclosed).

Cell No. 3: As per the site inspection, Cell No. 3 was found fully capped.

2. Construction of 4th Cell

The construction of the 4th cell has been halted due to the ongoing Bio-Mining Project.

3. Leachate Management

Leachate generated from the landfill cells is being collected in leachate ponds at multiple locations. However, the Leachate Treatment Plant (LTP) is non-functional. As a result, no leachate treatment is being carried out at the site. Instead of being treated, the leachate accumulates in the ponds, aggravating environmental risks such as groundwater contamination and foul odor.

4. Composting Plant

At the time of inspection, the composting plant was found non-operational.

5. Waste Segregation

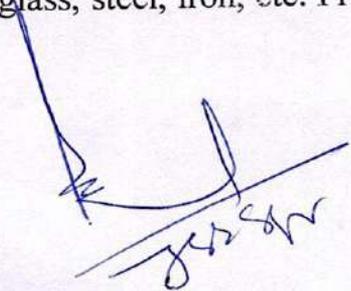
A waste segregation plant has been constructed at the site and machinery has been installed. However, as per inspection observations, waste segregation is not being carried out.

6. Weighing Bridge

The weighing bridge is operational and is used for weighing vehicles transporting waste collected by SMC workers from door-to-door. The system provides accurate records of waste quantities.

7. Bio-Mining Project

The Bio-Mining Project is still under consideration and is proposed to address the accumulated legacy waste at the site. The project involves segregating waste such as plastic, glass, steel, iron, etc. Presently, recyclable waste such as plastic scrap is



being picked up manually by ragpickers. No mechanical segregation or composting activity is being carried out at the dumping site.

8. Energy Plant Rejection

The previously proposed Waste-to-Energy Plant, intended to process waste and generate energy, has been shelved due to funding constraints.

9. Site Area

The Achan Dumping Site spans 600 kanals of land.

Conclusion

Although the Achan Dumping Site is currently a transitional phase. Core components of the waste-management system such as composting and segregation needs to function satisfactorily.

Significant concerns remain regarding the non-functional Leachate Treatment Plant and the severely overburdened, uncapped Cell No. 2. Both issues pose immediate environmental and operational risks. The ongoing Bio-Mining Project is expected to substantially improve waste-management efficiency and support the objective of reducing accumulated waste to zero by 2027.

Recommendations

1. Immediate restoration of the Leachate Treatment Plant is critical to prevent further environmental hazards. The current accumulation of untreated leachate in the ponds is exacerbating contamination risks and must be addressed on priority.
2. Expedite the construction of the 4th cell to relieve the excessive load on Cell No.
3. Closely monitor the Bio-Mining Project to ensure adherence to milestones and timely progress toward meeting the 2027 waste-reduction target.

J&K Pollution Control Committee		
Environmental Compensation Format		
(For violations under SWM Rules, 2016)		
(As per Hon'ble National Green Tribunal's Order dated 28/08/2019, in the matter of D.A.593 2017 and O.A no. 606 of 2018 regarding Implementation of SWM Rules 2016)		
Part-A		
1	Name of the Municipal Committee/Council Corporation and District	M/S Land Fill Site [Cell 3rd] Srinagar Municipal Corporation, Srinagar
2	Name of the concerned Officer	Nazir Ahmad Baba
3	Correspondence Address/Contact no. /Email ID	SWN Officer ,9797935000 ,Nazarbaba@yahoo.com
4	Details of Authorization granted under SMW Rules, 2016 (Applied not-applied)	As per record available Not Applied Yet. However, CTE(F) issued vide no:-SPCB/416 of 20217 Dt:-30-06-2017 valid up to one year from date of issue.
5	Whether site for setting up of Processing Material Recovery Facility for Solid Waste Management as per Hon'ble NCT directions in O.A. 606/2015 dr. 16.01.2019 in identified/established.	Processing/Material Recovery Facility is non-functional
Part-B		
Demography of the Area under MC Corporation		Details
a) Number of households in the city /town		1.78 Lacs (as per Census- 2011)
b) Number of election/ administrative wards in the city / Town		Project Current House holds 2.30 Lacs
c) Class of Town		Class -1
d) Population as per census		11.47 Lacs (as per Census- 2011)
e) Projected Population in 2020		15.50 Lacs (Projected Current Population) As per Annual Report -IV Latest (2022-23)
2	Total Quantity of Solid Waste generation per day as per Manual of MSW issued by CPHEEO/EC guidelines issued by CPCB	520 MTPD
3	Total quantity of Solid Waste Generation as per Annual Report as submitted by MC on Form-IV	520 MTPD As per (Annual Report -IV Latest (2022-23)

4	Whether Solid Waste generated is being disposed as per SWM Rules, 2016 or not, give description along with photographs. Attach detail as Annexure.	As per observation on Spot, Solid Waste generated is not disposed as per SWM Rules, 2016
5	No. of days of violation as per EC guidelines i.e. No. of days from the direction issued by JKPCB till the required capacity system of provided by the concerned authority	1080 days + 265 days = 2070 Days.
6	i) Legal Action Taken in the matter since the violations took place/direction of JKPCB ii) Provide detail of violations and also enclose copies of the legal notices served/action	Legal Action has been taken and notice has been issued Vide no:-SPCB/ROK/LS/19/22-23, Dt:-14-01-2019 Legal Notice and other Corresponding letter Copies is enclosed
7	Recommendation of DO concerned	<i>Recommended for further E.C.</i>
8	Endorsement and Recommendation of Regional Director	

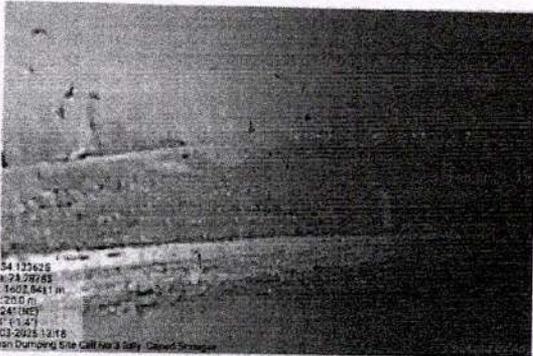
Note:- As per letter no JKPCC/LSJ/2025/Achan-Dumping Site/2210-2213 Dated:-15-03-2025, endorsed by Member Secretary, TAC Constituted By JKPCB, which recommended levying of E.C. for a Period of 1805 days w.e.f. 01-04-2020 to 10-03-2025 amounting to Rs 1262.07/- Lakhs. Since from 11-03-2025 to 30-11-2025, the total number of 265 days, SMC has again Violated for non-Compliance of the EC.

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Er. Bilal Basheer

Today at 3:28 pm

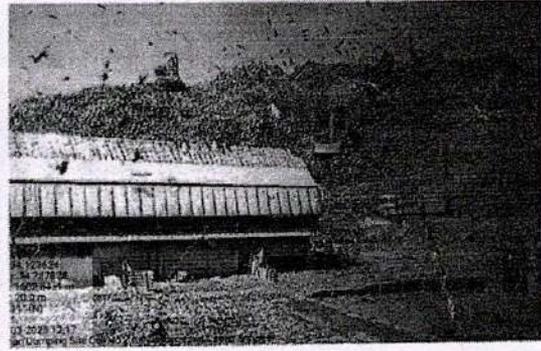
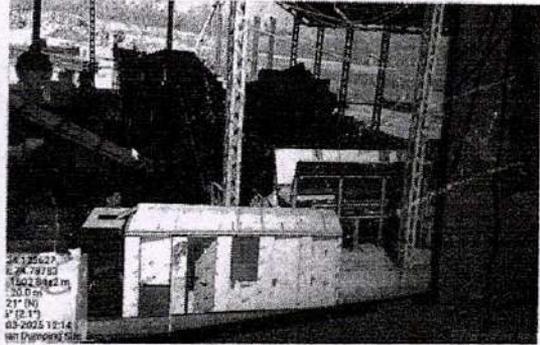


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Handwritten signature in blue ink



Er. Bilal Basheer
Today at 3:28 pm



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Handwritten signature in blue ink



Winter office: November-April
Parivesh Bhawan, Gladni,
Transport Nagar, Narwal,
Jammu (J&K) 180006.
Ph./Fax. 0191-2476925
Ph./Fax. 0194-2311165.

956
Government of Jammu and Kashmir
JK Pollution Control Committee
Jammu

Summer Office: May-October
Sheikh-ul-Ala Campus,
Behind Govt. Silk Factory,
Rajbagh, Srinagar (J&K) 190008

email: membersecretaryjkpcb@gmail.com

The Commissioner,
Srinagar Municipal Corporation (SMC),
Karan Nagar, Srinagar.

No.: JKPCCT/T/C/Srg/SMC/2023/ 309-10

Dated: 24-04-2023.

Sub.: **Consent to Operate (Fresh) case of M/s Landfill Site, Srinagar Municipal Corporation, Syedpora, Achan, Srinagar.**

Ref.: **SMC's Online Application no. 539399 Dated 27.01.2021.**

Sir,

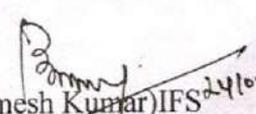
Apropos to the subject cited above, it is to convey that CTO (F) case of M/s Landfill Site, Srinagar Municipal Corporation, Syedpora Srinagar, which is an Integrated Solid Waste Management Plant with 350 TPD Segregation Plant, 200 Meter RDF & Material Recover Plant and 200 TPD Compost Plant was examined and found deficient for various reasons, as enumerated below :-

The plant was inspected by the inspection team of J&K Pollution Control Committee, Kashmir on 31.03.2021 and found functional with capacity of 350 TPD. Segregation Plant was functioning only for 100 TPD against an input of 450 TPD of Solid Waste. 350 TPD of Solid Waste were filled in Cell No. 02 without segregation. The Material Recovery Plant was found functional but Leachate Treatment Plant was found defunct, which was being managed by J&K ERA.

1. Inspection team issued necessary on-spot instructions to officers of SMC for rectification of the same and to run the plant as per Solid Waste Management Rules, 2016 and instructions issued by the Hon'ble National Green Tribunal in OA 606/2014 in Compliance of **Municipal Solid Waste Management Rules, 2016.**
2. The plant was further inspected on 31.08.2021 by the inspection team of Pollution Control Committee, Kashmir and no considerable steps were taken for improvement / rectifications of the discrepancies highlighted during the previous inspection conducted on 31.03.2021.
3. Regional Director, PCC, Kashmir vide letter dt. 14.11.2021, sensitized the SMC about the matter, however, no response has been received from your side till date.
4. It has been observed that plant is being operated upon in violation of the Municipal Solid Waste Management Rules, 2016, which is an offence and attracts the legal action prescribed in Solid Waste Management Rules, 2016, which lead to levying of Environment Compensation as per the formula devised by Hon'ble NGT.

In view of above, it is enjoined to do the needful at an earliest and re-submit the case, so that plant is again inspected and case is decided for CTO (F) on merits.

Yours Sincerely,


(K. Ramesh Kumar) IFS
Member Secretary,
JK PCC, Jammu.

Copy to: PA to the Chairman. J&K PCC for kind information of the Chairman.



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Government of Jammu & Kashmir
J&K State Pollution Control Board
Office of the Regional Director Kashmir
Sheikh-ul-Kalam Complex, Rajbagh, near Government Silk Factory, Srinagar-190008
www.jkspcb.nic.in (email: regionaldirectorjkmr@gmail.com) (Tel 0194-2135911/telefax 2311842)

Commissioner,
Srinagar Municipal Corporation,
Karan Nagar, Srinagar.

LEGAL NOTICE

No: SPCB/ROK/LS/19/22-23

Dated: 14/07/19

Subject: Legal Notice for Initiating legal action under environmental laws.

Whereas, every municipal dumping site is to be maintained as per provisions of Solid Waste Management Rules 2016.

Whereas, it is mandatory for Srinagar Municipal Corporation to take adequate measures for control of pollution at landfill site in Achan.

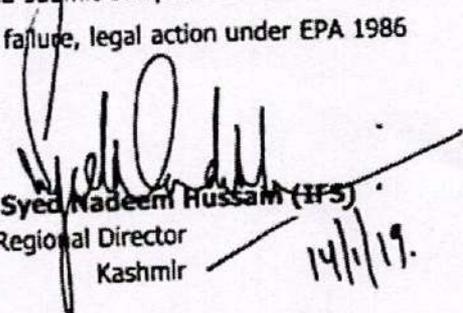
Whereas, you have applied for CTO (F) in this Board for the landfill site at Achan.

Whereas, during the inspection of the landfill site by the officers of the Board, it has been observed that the Leachate Treatment Plant is not functional.

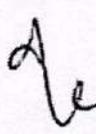
Whereas, your case for CTO (F) cannot be processed with this status.

Whereas, operation of the Landfill Site with this status is violation of Solid Waste Management Rules 2016 and Water (Prevention and Control of Pollution) Act 1974, punishable under Section 15 of Environment Protection Act 1986 which states: "Whosoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall be punishable with imprisonment for upto five years or with fine upto one lakh Rupees, or with both." (Read with Rule 17 (1) (2) of Environment Protection Act 1986).

Now, therefore, you are hereby informed to direct the concerned to make the LTP functional so as to meet the prescribed standards and submit compliance within 15 days from the issuance of this notice. In the event of any failure, legal action under EPA 1986 as proposed shall be initiated against the concerned.


Dr. Syed Nadeem Hussain (IFS)
Regional Director
Kashmir
14/7/19.

Copy to:

1. Member Secretary J&K SPCB for information.
- 

**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

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

No.: JKPCC/Sc./OA 241-2021/25/1669

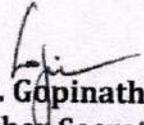
Date: 29-11-2025

Sub: O.A No. 241/2021 titled Raja Muzaffar Bhat V/s MoEF.
Ref: JKPCC/Sc./OA241-2021/25/1560; Date: 15.11.2025.

Sir,

With reference to the subject cited above, you are again requested to share updated status of solid waste management in Municipal Council Chadoora, Municipal Council Budgam and Municipal Corporation Srinagar and also to share Environmental Compensation formats by or before 03.12.2025.

Yours sincerely,


**Dr. R. Gopinath, IFS
Member Secretary,**



Government of Jammu & Kashmir

J&K POLLUTION CONTROL COMMITTEE, BUDGAM

Sidco complex Ompora, Budgam, near National Institute of Fashion Technology-191111
Email: dospcb Budgam@gmail.com,

Regional Director
Pollution Control Committee
Kashmir.

No:-JKPCC/DO/BUD/2025/

499

Dated 2-12-2025

Subject:- O.A No.241/2021 titled Raja Muzaffar Bhat V/s. MoEF.

Sir,

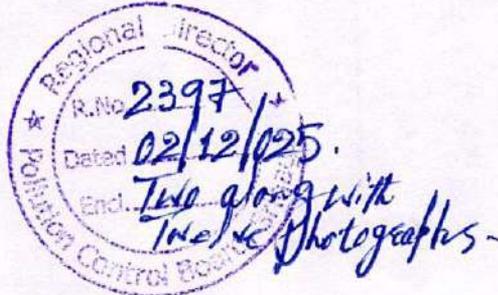
In compliance to the above referred letter an on spot inspection of MC Budgam and MC Chadoora was conducted on 23-07-2025 that reveals the following observations.

The waste generated/collected by Municipal council Budgam is being transported to the new dumping site at Pallar Lakhripora which has been put in operation in November 2024. At the dumping site at Pallar wet waste pits are constructed and manual sorting is being done. The machinery viz mechanical segregator, shredder and incinerator has been installed, but electricity supply has not yet been connected to the machines and only four labours were seen sorting the waste of 6TPD . No leachate treatment facility has been provided so far. No fencing of acquired site and no entry gates have been provided so far.

The waste generated/collected by Municipal Committee Chadoora is now being transported to dumping site at Hayatpora Nagam where all the machinery like Shredders, Mechanical segregator are in place and wet pits have been constructed vermi composting sieve machine has been installed, vermi compost fertilizer bags were found stacked there .However, No leachate treatment facility has been provided so far. No fencing of acquired site is provided so far.

Enclosures:- .

1. Environmental compensation of Municipal council Budgam
2. Environmental compensation of Municipal Committee, Chadoora
3. Geo Tagged Photographs.



Yours Faithfully.

District Officer
JKPCC, Budgam.

**Environment Compensation to be levied for improper and unscientific management of MSW by
Municipal Council, Budgam (J&K) as per MSW Rules, 2016.**

As per approved formula for levying Environmental compensation under Polluter pays' principal OA.NO593/2017 by the Hon'ble NGT Order dated 28.8.2019, in a case titled Paryavaran Suraksha samiti & Anr union of India & Ors, the details are given as below:-

$\begin{aligned} \text{Environment compensation} &= 2.4 \text{ (waste generation-waste disposal as per Rule)} \\ &+ 0.02 \text{ (Waste generation-waste disposal as per Rule)} \times N \\ &+ \text{Marginal cost of Env. Externality} \times (\text{waste generation-waste disposal as} \\ &\text{Rules}) \times N \end{aligned}$
--

Where waste quality is in tons per day (TPD)

The status of MSW generation and violation committed by Municipal Council **Budgam** as per different reports is as under-

	Population of Budgam town	12,773 as per censuses of 2011
A)	a) Number of households in the city/town b) Number of election/administrative wards in the city/town c) Class of Town	=3204 =13 No's = C
B)	Quantity of Solid waste generation (As per report of D.O Budgam)	6.2 TPD as per annual report submitted by Municipal Council Budgam
C)	Quantity of waste disposed as per SWM Rules,2016	Nil Illegal, unscientific and untreated disposal of Solid waste from 13 wards by Municipal council Budgam
D)	No of days of violation (N)	515, days (from 20-06-2024 to 30-11-2025)
E)	Marginal cost of Environment externality	0.01 (Minimum as per Hon'ble NGT, approved guide lines)
F)	Total Environmental compensation	Rs.110.67 Lacs $E.C = 2.4(6.2-0) + 0.02 (6.2-0) \times 515 + 0.01(6.2-0) \times 515$ =Rs.110.67 Lacs.

**Environment Compensation to be levied for improper and unscientific management of MSW by
Municipal committee Chadoora (J&K) as per MSW Rules, 2016.**

As per approved formula for levying Environmental compensation under Polluter pays' principal OA.NO593/2017 by the Hon'ble NGT Order dated 28.8.2019, in a case titled Paryavaran Suraksha samiti & Anr union of India & Ors, the details are given as below:-

Environment compensation=	2.4 (waste generation-waste disposal as per Rule)
	+0.02 (Waste generation-waste disposal as per Rule)xN
	+ Marginal cost of Env. Externality x(waste generation-waste disposal as Rules)xN

Where waste quality is in tons per day (TPD)

The status of MSW generation and violation committed by Municipal Committee **Chadoora** as per different reports is as under-

	Population of Budgam town	6422 as per census 2011
A)	a) Number of households in the city/town b) Number of election/administrative wards in the city/town c) Class of Town	= 947 = 13 No's = C
B)	Quantity of Solid waste generation (As per report of D.O Budgam)	0.5 TPD as per annual report submitted by Municipal committee Chadoora
C)	Quantity of waste disposed as per SWM Rules,2016	Nil. Illegal, unscientific and untreated disposal of solid waste generated from 13 wards by the Municipality Chadoora, Budgam is being disposed alongside of Doodh Ganga in violation to SWM Rules, 2016
D)	No of days of violation (N)	515 days, (from 20.6.2024 to 30.11.2025)
E)	Marginal cost of Environment externality	0.01(Minimum as per Hon'ble NGT, approved guide lines.)
F)	Total Environmental compensation	Rs.19.225 Lacs. E.C= 2.4(0.5-0)+0.02x1.5x515+0.01(0.5-0)x515 =Rs.19.225 Lacs.

Dr. [Signature]

962



Khan Mohalla Rd, , 191111,
Lat 34.025082° Long 74.705505°
Saturday, 22/11/2025 11:58 AM GMT +05:30

GPS Map Camera

Dumping site (waste processing unit) at Pallas

4.

3.

963

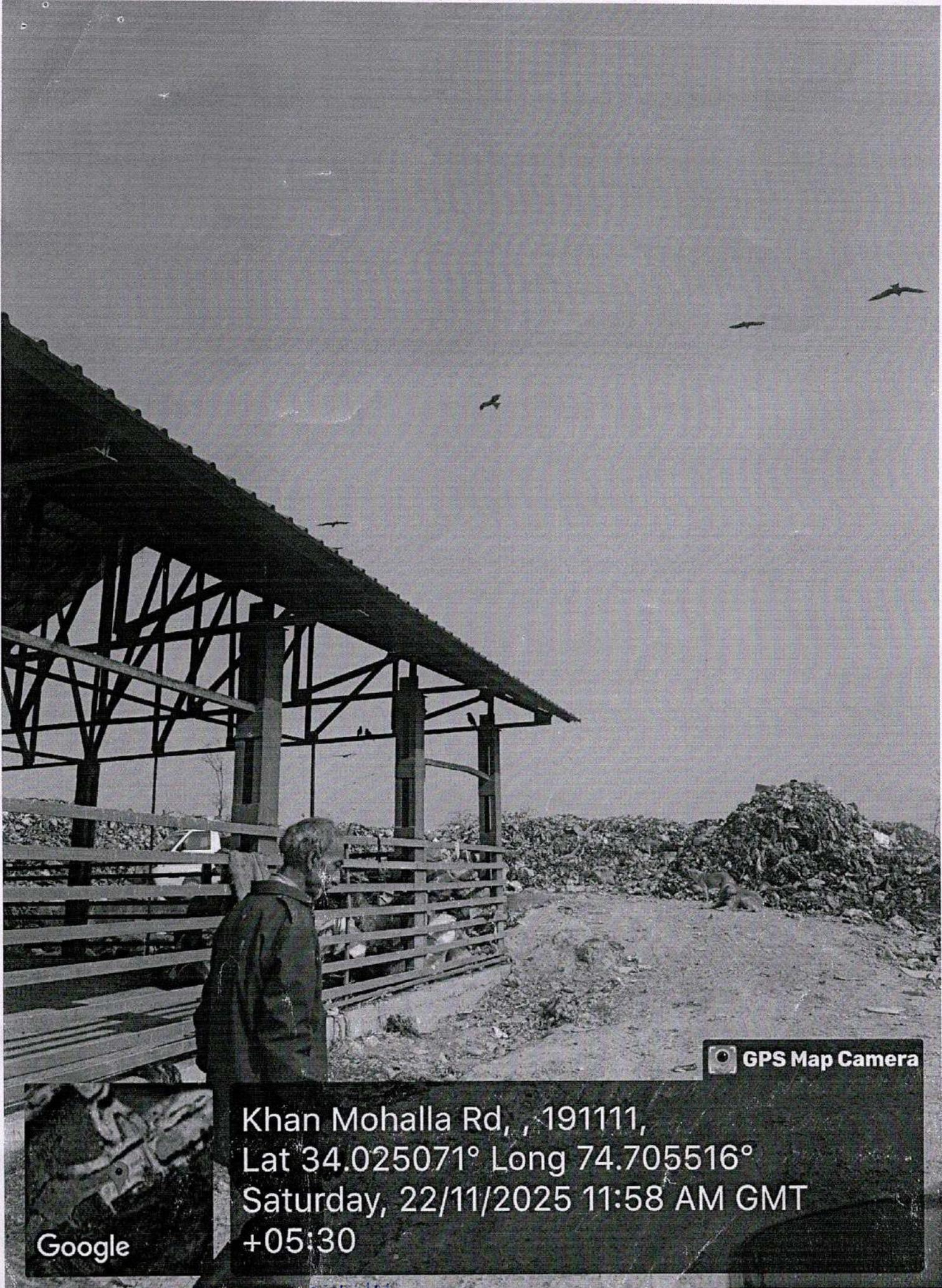
Google

GPS Map Camera

Khan Mohalla Rd, , 191111,
Lat 34.025079° Long 74.705514°
Saturday, 22/11/2025 11:58 AM GMT +05:30

Dumping site (waste processing unit) at Pakka

964



GPS Map Camera

Khan Mohalla Rd, , 191111,
Lat 34.025071° Long 74.705516°
Saturday, 22/11/2025 11:58 AM GMT
+05:30

Google

Dumping site photo

965



 **GPS Map Camera**



Google

Khan Mohalla Rd, , 191111,
Lat 34.02513° Long 74.70522°
Saturday, 22/11/2025 12:01 PM GMT
+05:30

Dumping site pakas

2

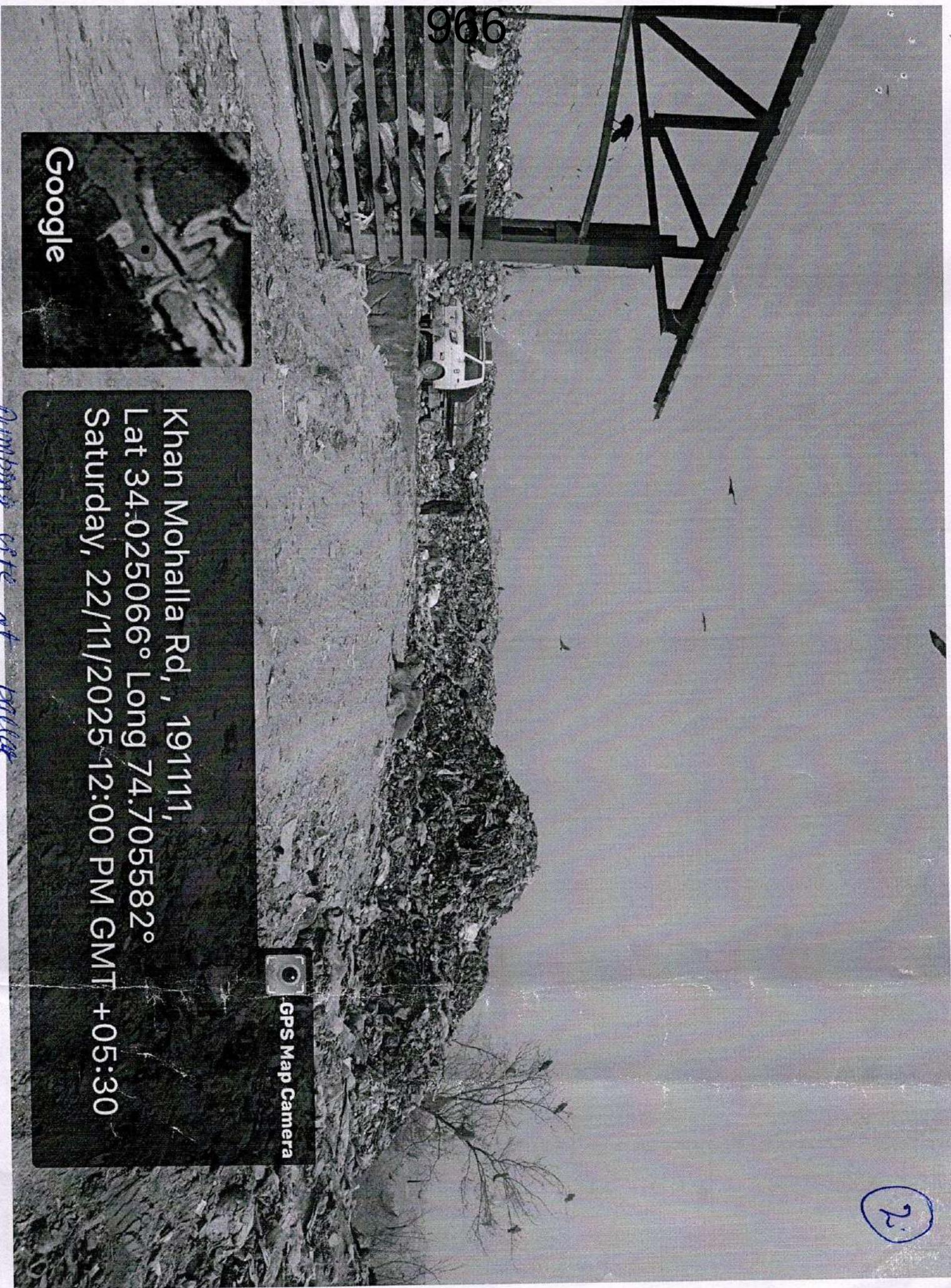
966



GPS Map Camera

Khan Mohalla Rd, , 191111,
Lat 34.025066° Long 74.705582°
Saturday, 22/11/2025 12:00 PM GMT +05:30

Dumping site at Palle





GPS Map Camera

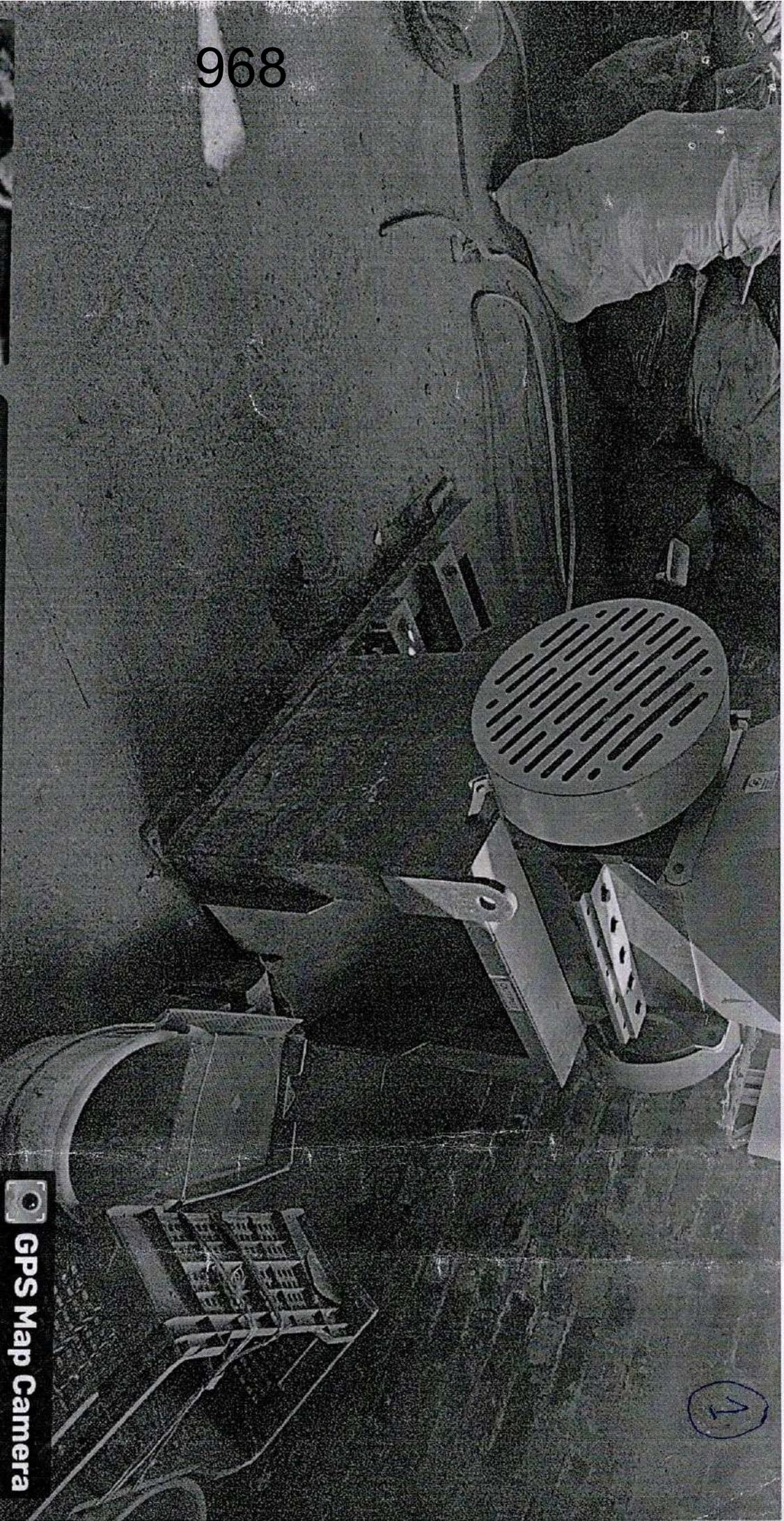


Khan Mohalla Rd, , 191111,
Lat 34.025056° Long 74.705189°
Saturday, 22/11/2025 12:01 PM GMT
+05:30

Dumping site pallar (waste processing unit)

968

Google



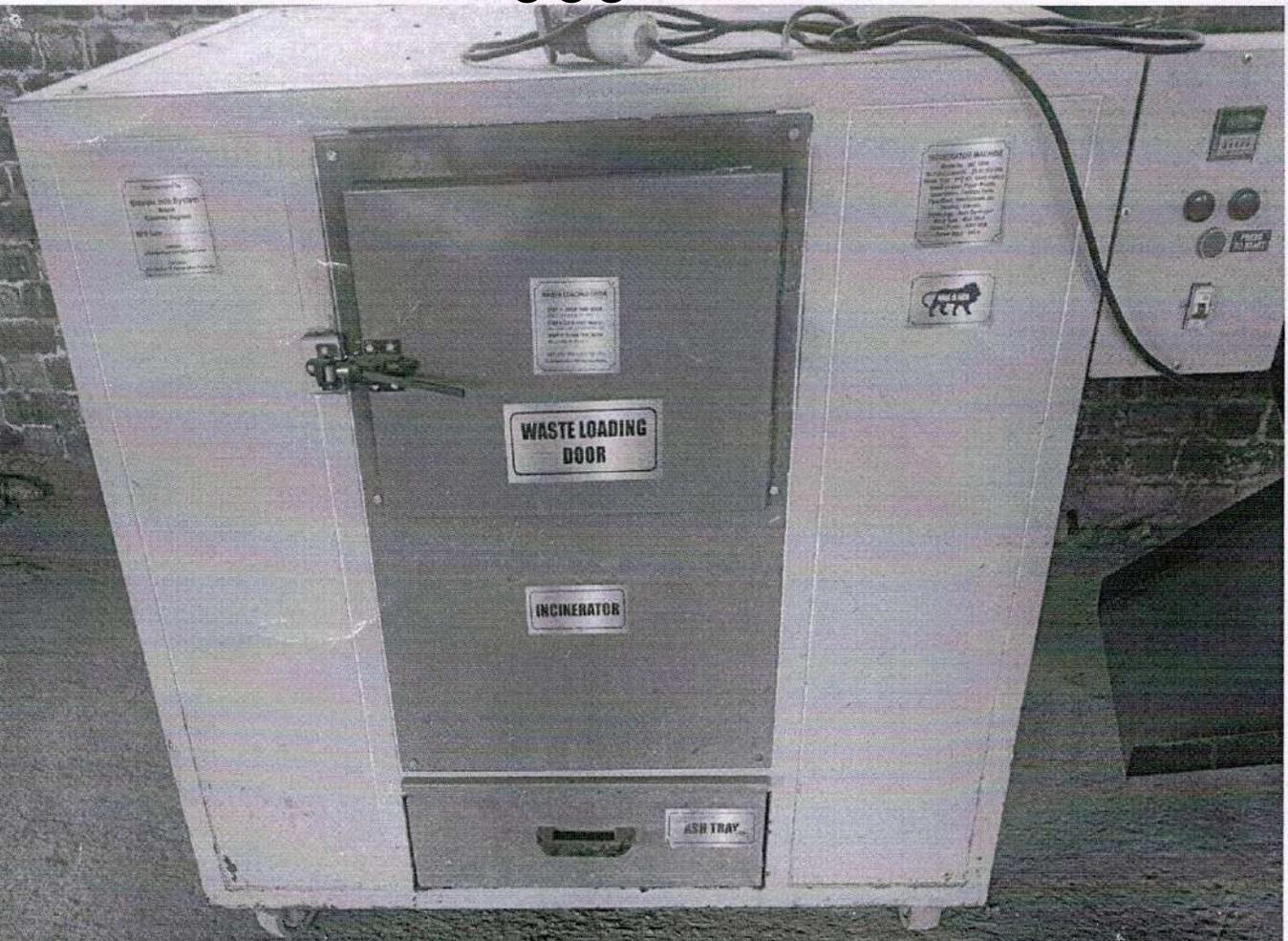
①

 GPS Map Camera

Khan Mohalla Rd, , 191111,
Lat 34.025014° Long 74.70522°
Saturday, 22/11/2025 12:01 PM GMT
+05:30

Dumping site at power house premises (M&S)

969



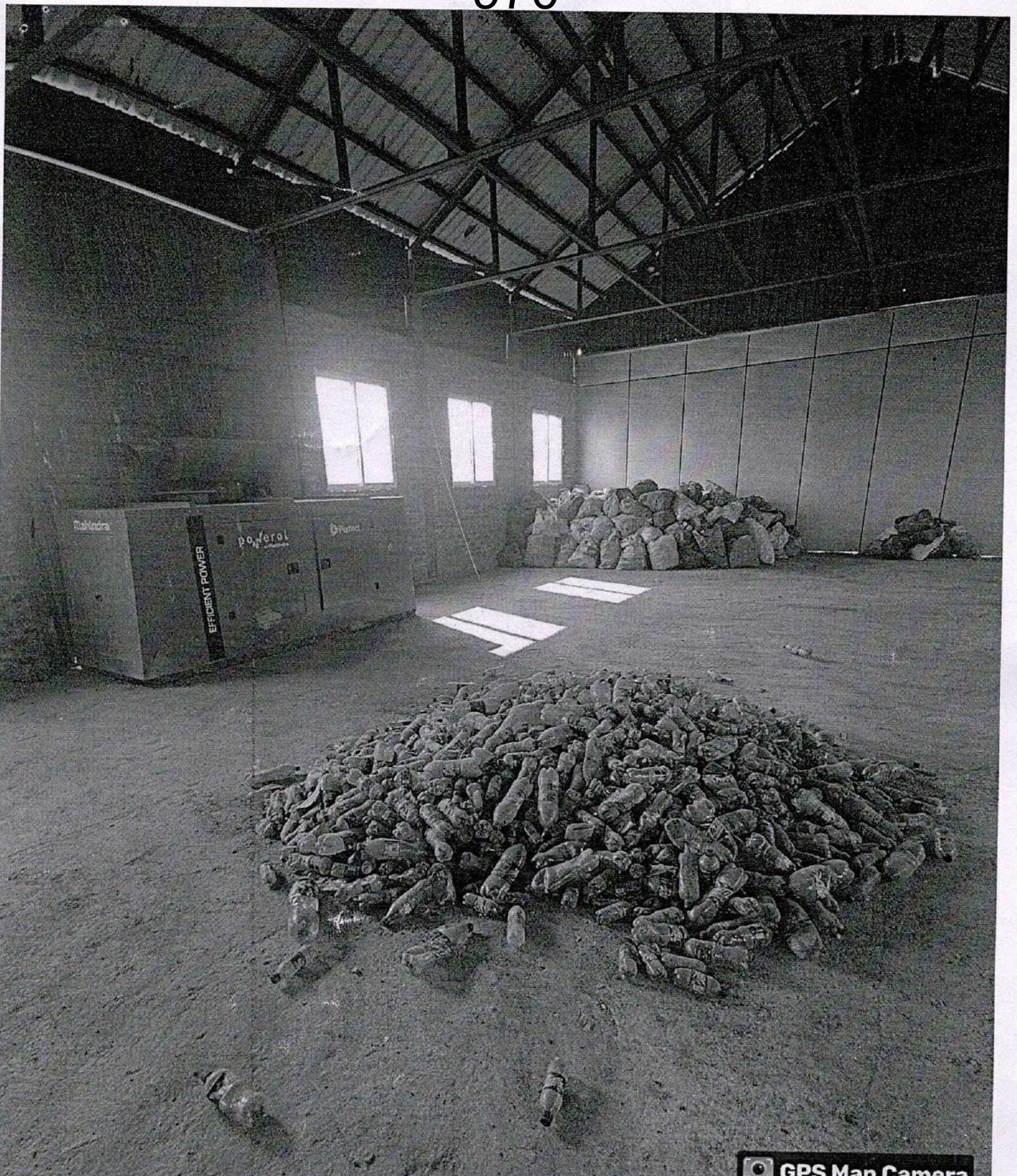
GPS Map Camera



Khan Mohalla Rd, , 191111,
Lat 34.025005° Long 74.70514°
Saturday, 22/11/2025 12:02 PM GMT
+05:30

Dumping site at pallar (waste processing unit)

970



 GPS Map Camera

Khan Mohalla Rd, , 191111,
Lat 34.025043° Long 74.705111°
Saturday, 22/11/2025 12:03 PM GMT +05:30

Dumping site/waste processing plant

971



 **GPS Map Camera**

Khan Mohalla Rd, , 191111,
Lat 34.025093° Long 74.7052°
Saturday, 22/11/2025 12:04 PM GMT +05:30

waste processing hall

972



GPS Map Camera

Khan Mohalla Rd, , 191111,
Lat 34.025092° Long 74.705239°
Saturday, 22/11/2025 12:04 PM GMT +05:30

waste processing pits at pallas

973

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
 Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
 Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

**The Commissioner,
 Srinagar Municipal Corporation,
 Srinagar.**

No. JKPC/NGT/(OA 241/2021)/2025/355-359 Dated: 10-12-2025

**Subject Notice for Levying of Environmental Compensation for violation of
 Municipal Solid Waste Rules, 2016.**

Whereas, on account of persistent reports about illegal, unscientific and untreated handling and disposal of the solid waste generated from the Srinagar City at Achan Syedpora land fill site by Srinagar Municipal Corporation, Srinagar is being disposed off in violation to Solid Waste Management Rules, 2016 and;

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241/2021 titled Raja Muzaffar Bhat Versus Ministry of Environment & Forest (MoEF) & Ors. and;

Whereas, you have applied for Consent to Establish (Fresh) CTE (F) for the landfill site at Achan of the Jammu and Kashmir Pollution Control Committee, as warranted under Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981; and

Whereas, fresh inspection was conducted by the Divisional Officer, Pollution Control Committee, Srinagar at landfill site, reported that Srinagar Municipal Corporation is presently in operation without consent from the Jammu and Kashmir Pollution Control Committee, besides also reported that the Leachate Treatment Plant installed by the Srinagar Municipal Corporation, Srinagar at the land fill site was found non functional and forwarded the report along with EC format to Regional Director, PCC Kashmir for levying of Environmental Compensation vide letter No. JKPC/DO/Sgr/EC-format/25/4698 dated 03-12-2025; and;

Whereas, Regional Director, Pollution Control Committee, Kashmir endorsed the recommendations of the Divisional Officer, Pollution Control Committee Srinagar and submit the Environmental Compensation Format, and accordingly recommended for levying of Environmental Compensation to Srinagar Municipal Corporation, Srinagar vide letter No. PCC / RDK / LS(NGT) / 2025/1340-42 dated 05-12-2025 and;

Whereas, accordingly case was forwarded to Technical Advisory Committee (TAC) constituted by the JK Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation in respect of **125 TPD** of solid waste for a period of **264 days** (w.e.f. **11-03-2025** to **30-11-2025** i.e the date of submission of EC format by the Divisional Officer Pollution Control Committee, Srinagar) amounting to **Rs.351.96/= lakhs (Rupees Three Crore Fifty One Lacs and Ninety Six Thousand only)**, as worked out in accordance with the guidelines framed in this behalf.

Whereas, in terms of Hon'ble NGT directions and rules governing the subject, it is proposed to proceed legally against you and impose Environmental Compensation as per the guidelines of Central Pollution Control Board, Government of India, duly approved by Hon'ble National Green Tribunal for such violations.

Now, therefore, take this notice and show cause within **15 days** from its issuance as to why:

- i). Environmental Compensation proposed and recommended by the Technical Advisory Committee of J&K Pollution Control Committee amounting to **Rs.351.96/= lakhs (Rupees Three Crore Fifty One Lacs and Ninety Six Thousand only)** on the basis of Polluter Pays' Principle (PPP) in terms of directions of the Hon'ble National Green Tribunal be not levied upon you.
- ii). You may not be prosecuted under Environment (Protection) Act 1986 for violation of Solid Waste (Management) Rules 2016.

In the event, no tenable response is received within the notice period, the order for levying of Environmental Compensation as per prescribed guidelines will become imperative along with initiation of prosecution proceedings in court of law against you without further notice.

As Approved by the Competent Authority.

(Dr. R Gopinath), IFS
Member Secretary,
J&K PCC.

Encl: EC Calculation Sheet
Copy to the:-

- i). Deputy Commissioner/District Magistrate, Srinagar for information .
- ii) Regional Director, Pollution Control Committee, Kashmir for information and follow up action.
- iv) I/c Nodal Officer, NGT, J&K Pollution Control Committee, Jammu for information.
- v) Divisional Officer, Pollution Control Committee, Srinagar for information and necessary action.

**Environmental Compensation to be levied for improper and unscientific management of MSW
by Srinagar Municipal Corporation (J&K) as per MSW Rules, 2016**

As per approved formula for levying Environmental Compensation under Polluter Pays' Principle in O.A. No. 593/2017 by the Hon'ble NGT order dt. 28/08/2019, in a case titled Paryavaran Suraksha Samiti & Anr. V/s Union of India & Ors., the details are given as below:-

$$\text{Environmental Compensation} = \text{Capital Cost Factor} \times \text{Marginal Average Cost for Waste Management} \times (\text{Per day waste generation} - \text{Per day waste disposed as per the Rules}) + \text{O\&M Cost Factor} \times \text{Marginal Average O\&M Cost} \times (\text{Per day waste generation} - \text{Per day waste disposed as per the Rules}) \times \text{Number of days violation took place} + \text{Environmental Externality} \times N$$

Where; waste quantity is in Tons Per Day (TPD)

(LANDFILL SITE)

The status of MSW generation and violation committed by Srinagar Municipal Corporation y.r. to waste management as per different reports is as under: -

A)	Population of Srinagar City	11.93Lacs, as per census 2011.
	a) Class of the City	Million-plus city
	b) Current estimated Population	15.50 Lacs
B)	Quantity of Solid waste generation	520 TPD (As per Annual report of SMC, Srinagar)
C)	Quantity of Waste disposed as per SWM Rules, 2016.	125 TPD (As per report of Joint Committee constituted by Hon'ble National Green Tribunal vide order dated 15-05-2024 in OA no. 543 of 2024)
D)	No. of days of violation (N)	264 days (With effect from 11.03.2025* to 30.11.2025 i.e. the date of submission of EC format by D.O. PCC, Srinagar)
E)	Capital Cost Factor	0.1 (As per "Report of the CPCB in-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund")
F)	O&M Cost Factor	1.0 (As per "Report of the CPCB in-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund")
G)	Marginal Average Cost for Waste Management	6.13 (calculated in the instant case, as per "Report of the CPCB in-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund")
H)	Marginal Average O&M Cost	0.0008 (calculated in the instant case, as per "Report of the CPCB in-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund")
I)	Environmental externality	0.1 (As per "Report of the CPCB in-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund")
Environmental Compensation (Lacs Rs.)		$= 0.1 \times 6.13 \times (520 - 125) + 1.0 \times 0.0008 \times (520 - 125) \times 264 + 0.10 \times 264$ = 351.96 Lacs

(Member TAC)

(Member TAC)

(Member TAC)

(Member TAC)

(Convener TAC)

(Head TAC)

08/12/2025.

976

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
 Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
 Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

**The Executive Officer,
 Municipal Committee Chadoora,
 District-Budgam.**

No. JKPCC/NGT/(O.A 241/2021)/2025/365-369 Dated: 10-12-25

**Subject Notice for Levying of Environmental Compensation for violation of
 Municipal Solid Waste Rules, 2016.**

Whereas, on account of persistent reports about illegal, unscientific and untreated handling and disposal of the solid waste generated from 13 Wards and transported to dump site at Hayatpora Nagam by the Municipal Committee, Chadoora-District Budgam is being disposed off in violation to Solid Waste Management Rules, 2016 and;

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241/2021 titled Raja Muzaffar Bhat Versus Ministry of Environment & Forest (MoEF) & Ors. and;

Whereas, fresh inspection was conducted by the Divisional Officer, Pollution Control Committee, Budgam, reported that neither Municipal Committee, Chadoora District Budgam has applied for Authorization granted under Solid waste Management Rules, 2016 from the J&K Pollution Control Committee nor installed the Leachate Treatment facility at the dump site of *Hayatpora Nagam*, and forwarded the report along with EC format to the Regional Director, PCC Kashmir for levying of Environmental Compensation vide letter No. JKPCC/DO/Bid/2025/499 dated 02-12-2025; and;

Whereas, Regional Director, Pollution Control Committee, Kashmir endorsed the recommendations of the Divisional Officer, Pollution Control Committee Budgam and submit the Environmental Compensation Format, alongwith recommendation for levying of Environmental Compensation to Municipal Committee Chadoora -District Budgam vide letter No. PCC / RDK / LS(NGT) / 2025/1340-42 dated 05-12-2025 and;

Whereas, accordingly case was forwarded to Technical Advisory Committee (TAC) constituted by the JK Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental

compensation in respect of **0.5 TPD** of solid waste for a period of **528 days** (w.e.f. **20-06-2024** i.e, date of issuance of first legal notice on 30-11-2025 upto the date of submission of EC format by Divisional Officer Pollution Control Committee Budgam) amounting to **Rs.9.12/= lakhs (Rupees Nine Lacs Twelve Thousand only)**, as worked out in accordance with the guidelines framed in this behalf.

Whereas, in terms of Hon'ble NGT directions and rules governing the subject, it is proposed to proceed legally against you and impose Environmental Compensation as per the guidelines of Central Pollution Control Board, Government of India, duly approved by Hon'ble National Green Tribunal for such violations.

Now, therefore, take this notice and show cause within **15 days** from its issuance as to why:

- i). Environmental Compensation proposed and recommended by the Technical Advisory Committee of J&K Pollution Control Committee amounting to **Rs.9.12/= lakhs (Rupees Nine Lacs Twelve Thousand only)** on the basis of Polluter Pays' Principle (PPP) in terms of directions of the Hon'ble National Green Tribunal be not levied upon you.
- ii). You may not be prosecuted under Environment (Protection) Act 1986 for violation of Solid Waste (Management) Rules 2016.

In the event, no tenable response is received within the notice period, the order for levying of Environmental Compensation as per prescribed guidelines will become imperative along with initiation of prosecution proceedings in court of law against you without further notice.

As Approved by the Competent Authority.

Encl: EC Calculation Sheet

(Dr. R. R. Gopinath), IFS
Member Secretary,
JKPCC.

Copy to the:-

- i). Deputy Commissioner/District Magistrate, Budgam for information .
- ii). Regional Director, Pollution Control Committee, Kashmir for information and follow up action.
- iii) I/c Nodal Officer, NGT, J&K Pollution Control Committee, Jammu for information.
- iv) Divisional Officer, Pollution Control Committee, Chadoora, Budgam-District Budgam for information and necessary action.

**Environmental Compensation to be levied for improper and unscientific management of Solid Waste
by Municipal Committee Chadoora (J&K) in violation of Solid Waste Management Rules, 2016**

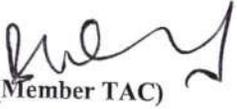
The approved formula for levying Environmental Compensation under 'Polluter Pays' Principle in O.A. No. 593/2017 by the Hon'ble NGT order dt. 28/08/2019, in a case titled Paryavaran Suraksha Samiti & Anr. V/s Union of India & Ors., is as given below:-

$$\text{Environmental Compensation (Lacs Rs.)} = 2.4 (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) + 0.02 (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) \times N + \text{Marginal Cost of Environmental Externality} \times (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) \times N$$

Where; waste quantity is in Tons Per Day (TPD)
N is no. of days of violation from the date of issuance of first notice

The status of MSW generation and violation committed by Municipal Committee Chadoora(J & K) with regard to improper and unscientific waste management, as per different reports is as under: -

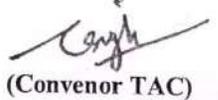
A)	Population of Chadoora Town	6422 (as per census of India 2011)
	Class of the City/ Town/ Block	Class V Town
B)	Quantity of Solid waste generation	0.5 TPD (As per Annual Report submitted by Municipal Committee, Chadoora)
C)	Quantity of Waste disposed as per SWM Rules, 2016.	0 TPD (As per EC format submitted by D.O. PCC, Budgam)
D)	Solid Waste Management Capacity Gap (TPD)	0.5 TPD
E)	No. of days of violation (N)	528 days (With effect from 20.06.2024 i.e. date of issuance of first legal notice to 30-11-2025 i.e. the date of submission of EC format by D.O. PCC Budgam)
F)	Calculated Marginal Cost of Environmental Externality (Lacs Rs. Per Day)	0.000075
G)	Minimum Value of Environmental Externality (Lacs Rs. Per Day)	0.01 (As per "Report of the CPCB in-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund")
Environmental Compensation (Lacs Rs.)		$= 2.4 (0.5 - 0) + 0.02 (0.5 - 0) \times 528 + 0.01 \times (0.5 - 0) \times 528$ $= 1.2 + 5.28 + 2.64$ $= 9.12 \text{ Lacs}$

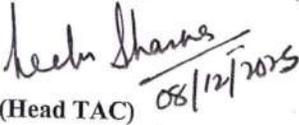

(Member TAC)

(Member TAC)

- Sd.
(Member TAC)


(Member TAC)


(Convenor TAC)


(Head TAC) 08/12/2025

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

**The Executive Officer,
Municipal Council Budgam,
District Budgam.**

No. JKPCCC/NGT/(OA 241/2021)/2025 /360-864 Dated: 10-12-25

**Subject Notice for Levying of Environmental Compensation for violation of
Municipal Solid Waste Rules, 2016.**

Whereas, on account of persistent reports about illegal, unscientific and untreated handling and disposal of the solid waste generated from 13 Wards and transported to new dump site at Pallar Lakripora- District Budgam by the Municipal Council Budgam is being disposed off in violation to Solid Waste Management Rules, 2016 and;

Whereas, the unscientific and illegal dumping of municipal solid waste is in blatant violations of laws and in brazen defiance of the directions of the Hon'ble NGT in O.A. No. 241/2021 titled Raja Muzaffar Bhat Versus Ministry of Environment & Forest (MoEF) & Ors. and;

Whereas, fresh inspection was conducted by the Divisional Officer, Pollution Control Committee, Budgam, reported that neither Municipal Council, Budgam has applied for Authorization granted under Solid waste Management Rules, 2016 from the J&K Pollution Control Committee nor installed the Leachate Treatment facility at the new dump site of Pallar Lakripora - District Budgam and forwarded the report along with EC format to the Regional Director, PCC Kashmir for levying of Environmental Compensation vide letter No. JKPCCC/DO/Bid/2025/499 dated 02-12-2025; and;

Whereas, Regional Director, Pollution Control Committee, Kashmir endorsed the recommendations of the Divisional Officer, Pollution Control Committee Budgam and submit the Environmental Compensation Format, alongwith recommendation for levying of Environmental Compensation to Municipal Council Budgam vide letter No. PCC / RDK / LS(NGT) / 2025/1340-42 dated 05-12-2025 and;

Whereas, accordingly case was forwarded to Technical Advisory Committee (TAC) constituted by the JK Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation in respect of **6.2 TPD** of solid waste for a period of **528 days** (w.e.f. **20-06-2024** i.e, date of issuance of first legal notice on 30-11-2025 upto the date of submission of EC format by Divisional Officer Pollution Control

Committee Budgam) amounting to **Rs.113.09/= lakhs (Rupees One Crore Thirteen lac and Nine Thousand only)**, as worked out in accordance with the guidelines framed in this behalf.

Whereas, in terms of Hon'ble NGT directions and rules governing the subject, it is proposed to proceed legally against you and impose Environmental Compensation as per the guidelines of Central Pollution Control Board, Government of India, duly approved by Hon'ble National Green Tribunal for such violations.

Now, therefore, take this notice and show cause within **15 days** from its issuance as to why:

- i). Environmental Compensation proposed and recommended by the Technical Advisory Committee of J&K Pollution Control Committee amounting to **Rs.113.09/= lakhs (Rupees One Crore Thirteen lac and Nine Thousand only)** on the basis of Polluter Pays' Principle (PPP) in terms of directions of the Hon'ble National Green Tribunal be not levied upon you.
- ii). You may not be prosecuted under Environment (Protection) Act 1986 for violation of Solid Waste (Management) Rules 2016.

In the event, no tenable response is received within the notice period, the order for levying of Environmental Compensation as per prescribed guidelines will become imperative along with initiation of prosecution proceedings in court of law against you without further notice.

As Approved by the Competent Authority.

Encl: EC Calculation Sheet

(Dr. R Gopinath), IFS
Member Secretary,

JKPCC.

Copy to the:-

- i). Deputy Commissioner/District Magistrate, Budgam for information .
- ii) Regional Director, Pollution Control Committee, Kashmir for information and follow up action.
- iv) I/c Nodal Officer, NGT, J&K Pollution Control Committee, Jammu for information.
- v) Divisional Officer, Pollution Control Committee, Budgam for information and necessary action.

Environmental Compensation to be levied for improper and unscientific management of Solid Waste by Municipal Council Budgam(J&K) in violation of Solid Waste Management Rules, 2016

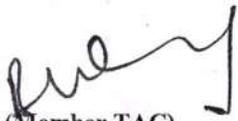
The approved formula for levying Environmental Compensation under 'Polluter Pays' Principle in O.A. No. 593/2017 by the Hon'ble NGT order dt. 28/08/2019, in a case titled Paryavaran Suraksha Samiti & Anr. V/s Union of India & Ors., is as given below:-

$$\text{Environmental Compensation (Lacs Rs.)} = 2.4 (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) + 0.02 (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) \times N + \text{Marginal Cost of Environmental Externality} \times (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) \times N$$

Where; waste quantity is in Tons Per Day (TPD)
N is no. of days of violation from the date of issuance of first notice

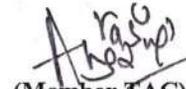
The status of MSW generation and violation committed by Municipal Council Budgam(J & K) with regard to improper and unscientific waste management, as per different reports is as under: -

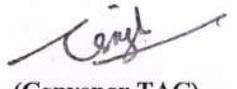
A)	Population of Budgam Town	12,773 (as per census of India 2011)
	Class of the City/ Town/ Block	Class IV Town
B)	Quantity of Solid waste generation	6.2 TPD (As per Annual Report submitted by Municipal Council, Budgam)
C)	Quantity of Waste disposed as per SWM Rules, 2016.	0 TPD (As per EC format submitted by D.O. PCC, Budgam)
D)	Solid Waste Management Capacity Gap (TPD)	6.2 TPD
E)	No. of days of violation (N)	528 days (With effect from 20.06.2024 i.e. date of issuance of first legal notice to 30-11-2025 i.e. the date of submission of EC format by D.O. PCC Budgam)
F)	Calculated Marginal Cost of Environmental Externality (Lacs Rs. Per Day)	0.00093
G)	Minimum Value of Environmental Externality (Lacs Rs. Per Day)	0.01 (As per "Report of the CPCB in-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund")
Environmental Compensation (Lacs Rs.)		$= 2.4 (6.2 - 0) + 0.02 (6.2 - 0) \times 528 + 0.01 \times (6.2 - 0) \times 528$ $= 14.88 + 65.47 + 32.74$ $= 113.09 \text{ Lacs}$

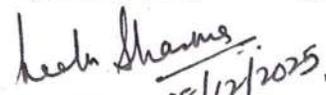

(Member TAC)

(Member TAC)

- sd .
(Member TAC)


(Member TAC)


(Convenor TAC)


(Head TAC) 08/12/2025.

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Government of Jammu and Kashmir
Housing and Urban Development Department
Office of Mission Director, SBM-U, 2.0

The Chairman,
Jammu & Kashmir Pollution Control Committee (JKPCC)
Jammu.

**Subject: Submission of Updated Status Report for Compliance in
NGT Case No. 241/2021**

Sir,

In continuation to the ongoing compliance requirements related to NGT Case No. 241/2021 whose Date of Hearing was on 25.09.2025, the latest status report of Municipal Committee Budgam, Municipal Committee Chadoora and Srinagar Municipal Corporation is submitted herewith for your kind information.

Budgam

a. Patawaw Village Dumpsite

- ULB Budgam does not have any dumpsite at Patawaw village location. Historically, no waste has been disposed at this site by the ULB.

b. Mamath Village Dumpsite

- Dumping of Municipal Solid Waste at this location has been discontinued 3 years ago. The legacy waste has been collected and transported to Municipal Committee Tral for Bioremediation and the site is being redeveloped as a public park at a cost of ₹32.92 lakh in near future.
- No leachate discharge is observed at present and proper layering and compaction of the reclaimed site has been carried out.

c. Boundary wall DPR has been requested from PWD (R&B). Additionally, DPR amounting to ₹2.52 lacs for biofencing has been accorded Administrative Approval.

d. MSW Processing

The entire 6.1 TPD waste generated daily in Budgam is being processed at Pallar, 5 TPD MRF for dry/recyclable waste is operational, 16 composting pits of 3 TPD capacity are functional. There is no accumulation of daily waste of 3TPD in existing 800 MT of legacy waste.

Chadoora

All waste generated daily at Chadoora is being processed at the existing SWM facility, which has adequate capacity.

- b. DPR for chain-link fencing of the processing site has been prepared and forwarded for tendering.
- c. Source segregation is being promoted through IEC activities and for the operation of compost pits and MRF scientifically, outsourcing to private agency is being done

Srinagar

a. Leachate Management

A 300 KLD leachate treatment pond is under construction for treatment by Bio enzymatic method.

b. MRF Operations

The MRF facility has been made operational and tendering for O&M by private players through Srinagar Municipal Corporation has been initiated.

c. Legacy Waste Processing

Work on Bioremediation of 11 lakh tonnes of legacy waste has commenced at the site.

No:- MB/EBM/0/2025-26/1867-68
dt:- 09-12-2025



Dr. Devansh Yadav (IAS)
Mission Director
Swachh Bharat Mission (U)-2.0
J&K

Copy to the:-

1. Commissioner/Secretary to Govt. H&UDD, Civil Sectt, J&K for favour of inf.