

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 Consultant (Judicial)
Hon'ble National Green Tribunal (P.B)
New Delhi.

No. JKPCC/NGT/137/STP-S20

Dt. 12-03-2024.

Sub: - Hon'ble NGT Order dt. 07-02-2024 in O.A No. 253/2023 titled Raja Muzaffar Bhat v/s Union Territory of Jammu and Kashmir & Ors.

Ref.: Hon'ble National Green Tribunal order dated **07-02-2024**.

Sir,

In compliance to **Hon'ble National Green Tribunal Order dt. 07-02-2024 in O.A No. 253/2023 titled Raja Muzaffar Bhat v/s Union Territory of Jammu and Kashmir & Ors.**, kindly find enclosed the Status Report of J&K Pollution Control Committee.

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

Yours faithfully,

Encl: (As above).


(J.N. Sharma)

Environmental Engineer

Copy to the: -

1. Sh. G.M. Kawoosa, Additional Standing Counsel for J&K Govt. in Hon'ble NGT matters in New Delhi, for information and necessary action. This is in reference to Govt. of J&K Order No. 8495-JK(LD) of 2022 Dated 12-10-2022.

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

Original Application No. 253 of 2023

IN THE MATTER OF

**Raja Muzaffar Bhat v/s Union Territory of
Jammu and Kashmir & Ors**

**Reply/Response of Jammu and Kashmir Pollution Control Committee
to the directions of Hon'ble NGT Order dt. 07-02-2024 in O.A No. 253/2023
titled Raja Muzaffar Bhat v/s Union Territory of Jammu and Kashmir & Ors.**

Background:

That the Hon'ble National Green Tribunal vide order dated **07-02-2024** in **O.A No. 253/2023** directed as follows: -

- "1. This Original Application involves the grievance of unscientific dumping of solid waste and bio-medical waste in the area falling between Sher-E-Kashmir Bridge (NG 144A) and the confluence of Poonch River and Belar Nala, near Poonch Town of Jammu & Kashmir. The Tribunal in the previous order had considered the report at the instance of the joint Committee and had noted that environmental compensation of Rs. 81 lakhs was imposed for violation of the norms and Rules of 2016 upon the Local Body, Municipal Council Poonch and there was no disclosure about the realization of the said compensation amount.*
- 2. In the said background, the Tribunal had issued notice to all the respondents in the matter. Learned Counsel for the applicant referring to affidavit of service has submitted that all the respondents are served.*

3. Awaiting appearance on behalf of the respondents. The OA is adjourned”.

Status Report:

1. That the Divisional Officer, J&K Pollution Control Committee, Poonch in his report submitted vide no. JKPCC/Div/P/2024/21 dated 06-02-2024 has stated that the present status in the matter remains same as was reported earlier on 13-07-2023. It is further submitted that the Municipal Council, Poonch has not deposited the Environmental Compensation of Rs. 81.00 lacs till date that was levied for violation of Solid Waste Management Rules, 2016.
2. It is also to submit that the Municipal Council Poonch has not finalized any site yet for developing Solid Waste Processing/Material Recovery Facility (MRF).
3. The matter has been taken up with the Deputy Commissioner Poonch vide communication No. JKPCC/LSJ/786/473-476 dated 02-03-2024 for recovery of Environmental Compensation levied against Executive Officer Municipal Council Poonch, copy of which is appended as **Annexure 'A'**.

Prayer:

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


(J.N. Sharma)
Environmental Engineer
J&K PCC

Jammu and Kashmir Pollution Control Committee

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The Deputy Commissioner
Poonch

No:- JKPCC/LSJ/876/ 473 -76

Dated: 2 -03-2024.

Sub:- Recovery of Environmental Compensation to the tune of Rs.81.00 Lacs levied on Executive Officer, Municipal Council Poonch for violation of Solid Waste Management Rules 2016.

Ref.:- J&K PCC Order No. 06-JKPCC of 2023 dated 22-02-2023.

Sir,

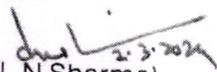
With reference to subject cited above, I am directed to draw your attention to the Environmental Compensation to the tune of Rs.81.00 Lacs which was imposed on Executive Officer, Municipal Council Poonch vide order No. 06 – JK PCC of 2023 dated 22-02-2023 for violation of Solid Waste Management Rules 2016 and the directions of Hon'ble National Green Tribunal. A time period of 45 days was provided to the Executive Officer MC Poonch for deposition of the said amount in the online bank account No. 0023040510000001 of J&K Bank of the Committee and on lapse of above said period interest of 12% on the compensation amount has accrued.

It is to mention here that the said amount has not been deposited by the Municipal Committee, Poonch with the J&K PCC so far. The Environmental Compensation have become due as the time period of 45 days provided for deposition of the EC has already been lapsed on 07-04-2023.

Now, therefore, I am request you to recover the Environmental Compensation with interest @12% from Executive Officer, Municipal Council Poonch.

This Issues with the approval of Competent Authority.

Yours faithfully


(J. N Sharma)

Environmental Engineer

Copy to the:-

1. Regional Director, Pollution Control Committee, Jammu for information.
2. Executive Officer, Municipal Council, Poonch for information and compliance.
3. Divisional Officer, PCC Poonch for information and follow up action.