

# Jammu and Kashmir Pollution Control Committee

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Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008  
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**The Consultant Judicial,  
Hon'ble National Green Tribunal,  
Principal Bench,  
New Delhi.**

No: JKPCC/NGT/OA 41/334-335

Date:- 13-07-2024

**Sub:- Report on behalf of Jammu and Kashmir Pollution Control Committee  
pursuant to Hon'ble National Green Tribunal Order dated 09-05-2024  
passed in OA No. 41/2024 titled "Nadeem Ahmad Dar V/s Union Territory  
of J&K & Ors."**

Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 09-05-2024 in OA No. 41/2024 titled Nadeem Ahmad Dar V/s Union Territory of J&K & Ors. The Status Report of the J&K Pollution Control Committee is enclosed herewith.

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

Your faithfully,

**Encl:- As Above**

  
(Ghanshyam Singh) JKAS  
Member Secretary 13.7.24.  
J&K PCC

Copy to the:-

- 1) Sh. Parth Awasthi, 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. 41 of 2024

**IN THE MATTER OF**

**“Nadeem Ahmad Dar V/s Union  
Territory of J&K & Ors”.**

**Report on behalf of Jammu and Kashmir Pollution Control Committee  
pursuant to Hon'ble National Green Tribunal Order dated 09-05-2024  
passed in OA No. 41 of 2024 titled “Nadeem Ahmad Dar V/s Union  
Territory of J&K & Ors”**

**Background:**

That the Hon'ble National Green Tribunal vide Order dated **09-05-2024** in **OA No. 41 of 2024** issued following directions:-

*“In view of the observations made in the report we also consider it appropriate to have response of (1) Union Territory of Jammu and Kashmir through Chief Secretary, Government of Jammu and Kashmir, (2) State Wetland Authority, (3) District Magistrate, Pulwama, (4) EO, Municipal Committee Pampore, (5) Chief Warden, Wild Life Department, J&K and (6) J&KPCC who stand impleaded as respondents no. 1 to 6. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 6 requiring them to file their reply/response within two months”*

**Status Report:**

In compliance to the aforesaid orders of the Hon'ble NGT, the Regional Director, PCC, Kashmir was directed to have the samples of the water including Microbiological parameters of wetlands namely 1) Wetland Fashkooori 2) Wetland Chatlam 3) Wetland Manibugh and 4) Wetland Krantchoo get collected and analyzed and submit the *water quality analysis report*. Besides, he was also directed to inspect the sites and furnish a comprehensive reports, highlighting issues involved in the conservation of these wetlands and furnish recommendations. The Regional Director, PCC, Kashmir has submitted a report along with water quality analysis report of all these four wetlands vide his office letter No. PCC/RDK/PS/2024/364-365 dated 22-05-2024 (copy of the report enclosed herewith as **Annexure 'A'**).

*The wetland-wise current status, water quality status, issues involved in conservation and recommendations are submitted as under: -*

- I) **Fashkooori Wetland:** Fashkooori wetland spread over an area of 305 kanals 14 Marlas is being maintained by Wildlife Department land falls in the jurisdiction of Municipal Committee, Pampore, District Pulwama. The domestic sewage of the area is discharged into this wetland without any treatment and have deteriorated quality of water and as such can be harmful for the animals, plants, aquatic life, flora and fauna. The colour of the water of the wetland is *light blackish* and
- II) No treatment system like CSTP for domestic sewage have been provided by the concerned department i.e MC, Pampore.
- III) At some points, traps have been installed by the J&K Wildlife Department for retention of the polythene / pet bottles / solid waste, but this trapped waste is not removed regularly resulting thereby accumulation of the waste.
- IV) No segregation bins for solid waste collection have been put in place in and around the wetland area.

V) Protective measures to prevent human interference are required.

**2) Chatlam Wetland:** Spread over an area of 852 kanals 17 marlas has been taken up by the J&K Wildlife Department after 2014 devastating floods and since then being maintained by the same department. The wildlife department have also kept watch and ward at the site.

- a) A few openings of domestic drainage is discharged into the wetland as also the domestic solid waste. The water quality is comparatively better.
- b) The area falls outside the limit of MC Pampore and therefore, responsibility of solid waste and liquid waste management lies on the J&K Govt., Rural Development Department.

**3) Manibugh Wetland:** Spread an over area of 106 kanals 19 marlas has also been taken over by the J&K Wildlife Department after devastating 2014 floods and since the same is being maintained by the Wildlife Department.

- a) No Solid Waste was found in and around the Wetland.
- b) The quality of the water of this wetland is comparatively better than the quality of water of Fashkoori Wetland.

The area falls outside the jurisdictions of Municipal Committee, Pampore and therefore, responsibility of Solid Waste and Liquid Waste Management lies on the Rural Development Department.

**4. Krentchoo Wetland:** Spread over an area 128 kanals and 19 marlas has also been taken over by the J&K Wildlife Department after 2014, devastating floods and since then this wetland is also maintained by the Wildlife Department. The Wildlife Department has also kept proper watch and ward of the site.

- a) The Wetland is not being properly maintained and do not have protective measures in place to prevent human / livestock interference.



- b) Solid Waste is dumped by the locals in the wetland and garbage is not lifted from the site on regular basis thereby, harming the wetland and its water quality by leaching. The water of this wetland is harmful for consumption for human, animals and birds.
- c) The area falls outside the limit of Municipal Committee, Pampore and therefore, responsibility for Solid and Liquid Waste Management lies on the J&K Govt., Rural Development Department.

### **Water Quality Status of Wetlands:**

The *Water Quality Testing Laboratory* of J&K Pollution Control Committee, Kashmir at Srinagar collected water samples from all these wetlands on 16-05-2024 from different spots and samples collected from these wetlands were analysed for various Physico-chemical parameters at *Water Quality Testing Laboratory* of J&K Pollution Control Committee, Srinagar. However, the microbiological analysis in terms of **Faecal Coliform** and **Total Coliform** was got conducted by the Lake Conservation and Management Authority Srinagar. In order to ascertain the overall water quality of the wetlands, water quality index of each wetland was determined by calculating the basic parameters like pH, BoD (mg/l), DO (mg/l to 0%) and Faecal Coliform (Cfu/100ml).

The water quality index has been calculated using the formula prescribed by National Sanitation Foundation (NSF) and the relative weights modified by the CPCB. The water quality index of these wetland is as under: -

- 1) **Chatlam Wetland**: The average water quality index of this wetland is 51.25 i.e. Class B ranging from Medium to good.
- 2) **Krentchoo Wetland**: The average water quality index of this wetland is 52.0 i.e. Class B ranging from Medium to good.
- 3) **Manibugh Wetland**: The average water quality index of this wetland is 55.5 i.e. Class B ranging from Medium to good.

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- 4) **Fashkoori Wetland:** The average water quality index of this wetland is 25.5 i.e. heavily polluted. (copy to the report of RD Kashmir alongwith quarter quality analysis report are enclosed herewith as, **A1, A2, A3** and **A4** respectively).

**Action Taken by the J&K PCC:-**

1. After receipt of the report of the Regional Director, PCC Kashmir as also water quality analysis report of these four wetlands, the Executive Officer, Municipal Committee, Pampore was directed to:
  - 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 Jammu & Kashmir Non-Biodegradable Material (Management, Handling and Disposal) Act, 2007.
  - ii) Enforce performance of duties by the waste generators as prescribed under Rule 4 of the Solid Waste Management Rules, 2016.
  - iii) Submit a list of officials of Pampore Municipal Committee responsible for continuous violations of the Solid Waste Management Rules, 2016 for their prosecution under the Environmental (Protection) Act, 1986.
  - iv) Submit present status of Solid Waste and Plastic Waste observed near Fashkoori Wetland and Action Plan along with the timelines for its removal.
  - v) Submit present status of discharge of untreated domestic sewage observed into Fashkoori Wetland and Action Plan along with timelines for its diversion to a sewage treatment plant vide this office No. JKPCC/NGT/41-202/114-124 dated 10-06-2024 enclosed as **Annexure 'B'**.
2. Similarly, Assistant Development Commissioner, Pulwama has also been directed to: -
  - i) ensure that Solid Waste is collected processed, treated and disposed off in accordance with the Solid Waste Management Rules, 2016,



Plastic Waste Management Rules, 2016 and Jammu & Kashmir Non-Biodegradable Material (Management, Handling and Disposal) Act, 2007.

- ii) Enforce performance of duties by the waste generators as prescribed under Rule 4 of the Solid Waste Management Rules, 2016.
- iii) Submit a list of officials of Rural Development Department of Block Pampore responsible for continuous violations of the Solid Waste Management Rules, 2016 for their prosecution under the Environmental (Protection) Act, 1986.
- iv) Submit present status of Solid Waste and Plastic Waste observed near **Chatlam** and **Krentchoo** Wetland and Action Plan along with the timelines for its removal.
- v) Submit present status of discharge of untreated domestic sewage observed into **Chatlam** and **Krentchoo** Wetland and Action Plan along with timelines for its diversion to a sewage treatment plant vide this office No. JKPCC/NGT/125-135 dated 10-06-2024 (copy enclosed as **Annexure 'C'**).

**Recommendations:** -

1. Protective measures around these wetlands are required to prevent encroachment, illegal dumping of Solid Waste and unwarranted human / livestock interference.
2. For treatment of Liquid Waste generated from the area near Fashkooori Wetland, there is immediate need to install Sewerage Treatment Plant (STP) of desired capacity by the Municipal Committee, Pampore.
3. Demarcation of the wetlands using the latest technologies.
4. Municipal Committee, Pampore and Rural Development Department must ensure proper Segregation, Collection, transportation, disposal and treatment of Municipal Solid Waste must be in accordance with provisions of Solid Waste Management Rules, 2016 in their respective jurisdictions.

# 15

5. Dumping of Solid Waste or discharge of untreated waste and effluent of industrial waste should strictly be prohibited in wetlands or its zone of influence.
6. Awareness programmes about the importance of wetlands and their roles in maintaining the ecological balance.

Accordingly, a status report in the matter is being submitted for consideration of Hon'ble NGT.

**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) 13.7.24  
Member Secretary  
J&K PCC



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](http://www.jkspcb.in) Email: [regionaldirectorkmr@gmail.com](mailto:regionaldirectorkmr@gmail.com), Tel/fax 0194-2311842

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Member Secretary  
JK, Pollution Control Committee  
Jammu

No:- PCC/RDK/PS/2024/ 364-365

Dated:- 22 -05-2024

Subject:- Compliance Report in compliance to Hon'ble NGT order dated 06-03-2024 in OA No. 41/2024 titled Nadeem Ahmad Dar Vs Union Territory of Jammu and Kashmir.

Sir,

In compliance of your directions vide your office JKPCC/NGT/OA 41/24/154/485 dated 14-05-2024 it is submitted that the site was re-inspected by District Officer, PCC Pulwama alongwith Scientist 'A' Sh Shabir Ahmad, I/C Water Lab. The water samples were collected for analysis including microbiology parameters and the status of Solid Waste Management in and around the said wetlands. The detailed observations physiochemical and biological analysis and remedial measures required for its conservation and maintenance are enclosed in the status report enclosed as Annexure 'A'.

Hence submitted for necessary action please.

Yours faithfully

(Abhijeet Joshi)SES  
Regional Director, PCC  
Kashmir

Copy to the :-

1. PA to Chairman, JK PCC Jammu for information of the worthy Chairman.

## STATUS REPORT OF VARIOUS WETLANDS OF PAMPORE DISTRICT PULWAMA

Wet lands are among the most productive eco-systems supporting diverse flora and fauna however, they face significant threats from human activities such as Drainage, Garbage/solid waste and habitat destruction. Conservation efforts are essential to safe guard these vital eco systems and the services they provide to both humans and the environment

In compliance to directions vide letter No JKPCC/NGT/24/154/720-23 dated 30-03-2024 regarding submission of report regarding 04 Wetlands, all the wetlands were inspected to ascertain factual position on ground w.r.t dumping of Solid waste & Drainage of local area drained in to these water bodies and Remedial Measures to be taken for safeguard of such natural assets.

### 1. Solid Waste Management Scenario

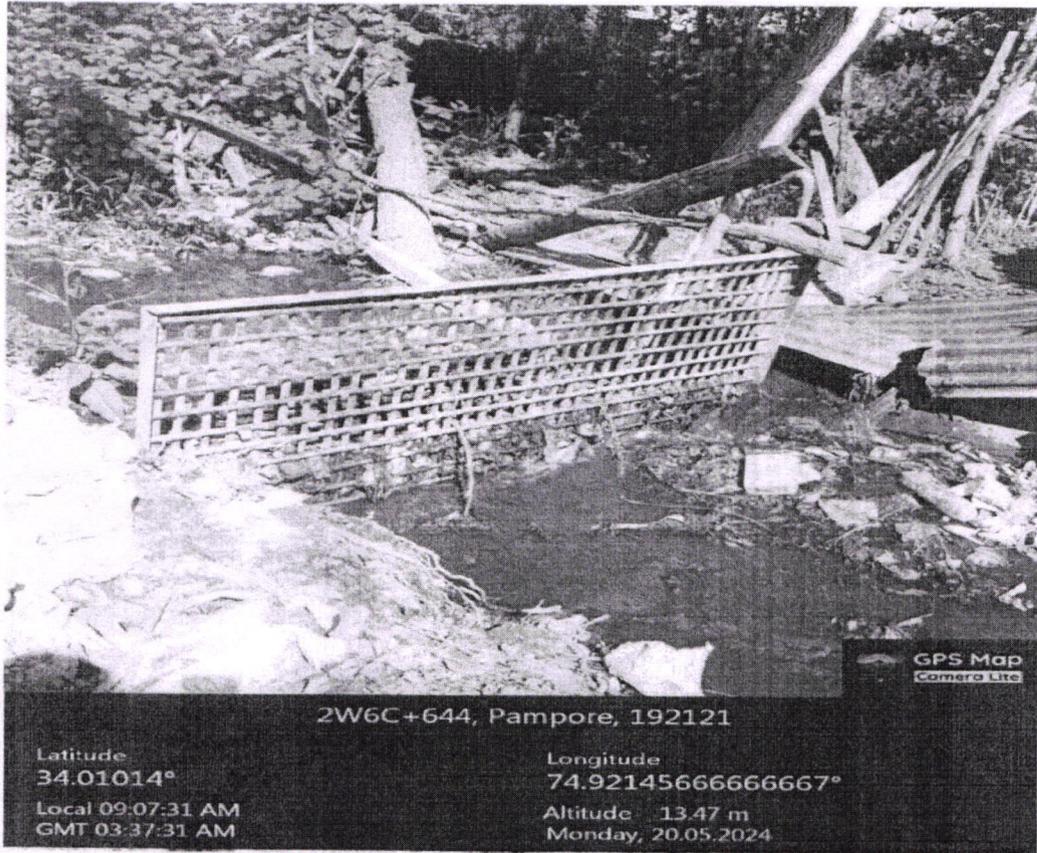
#### i Fashkoori Wet land

Fashkoori wet land spreads over an area of 305 kanals and 14 marlas as per records provided by Wild life Department, the site is being maintained by Wild Life Department and constant vigil is being kept by the same department, with a proper watch & ward of the site.

While inspecting the site it was observed that:-

- a) The domestic sewage is discharged into Fashkoori wetland without any treatment, which has deteriorated the quality of water and can be harmful for the animals, plants, aquatic life, Flora and fauna. The water in the wetland was found light blackish in color. No treatment system like (CSTP) for domestic sewage has been provided by the concerned Departments.
- b) At some points the Traps to retain the polythene/Pet Bottles/Solid waste have been provided by the Wildlife Department however, regular removal of this trapped waste is not carried out regularly, as can be observed in the Photographs.

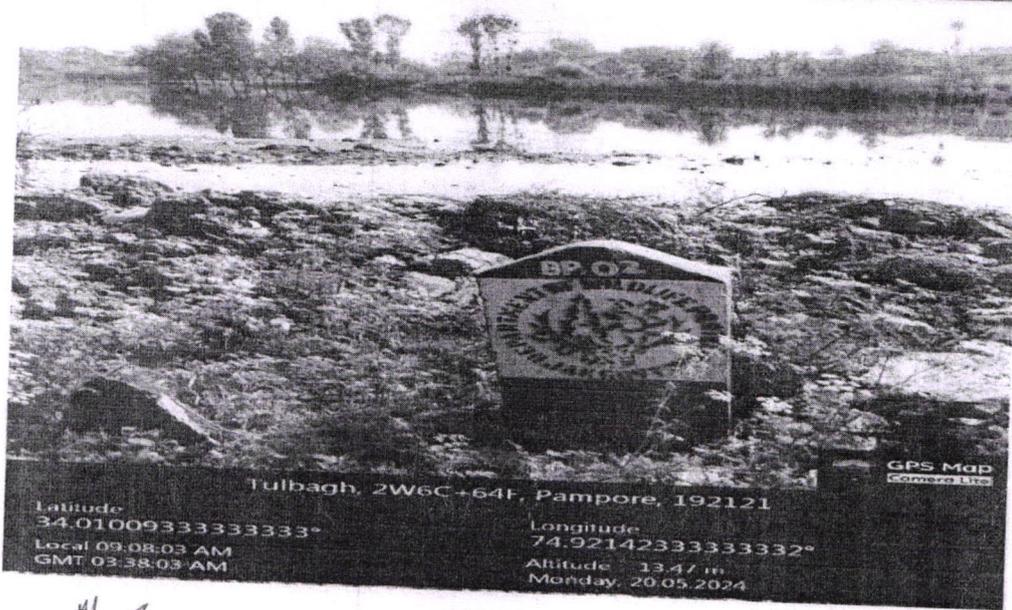
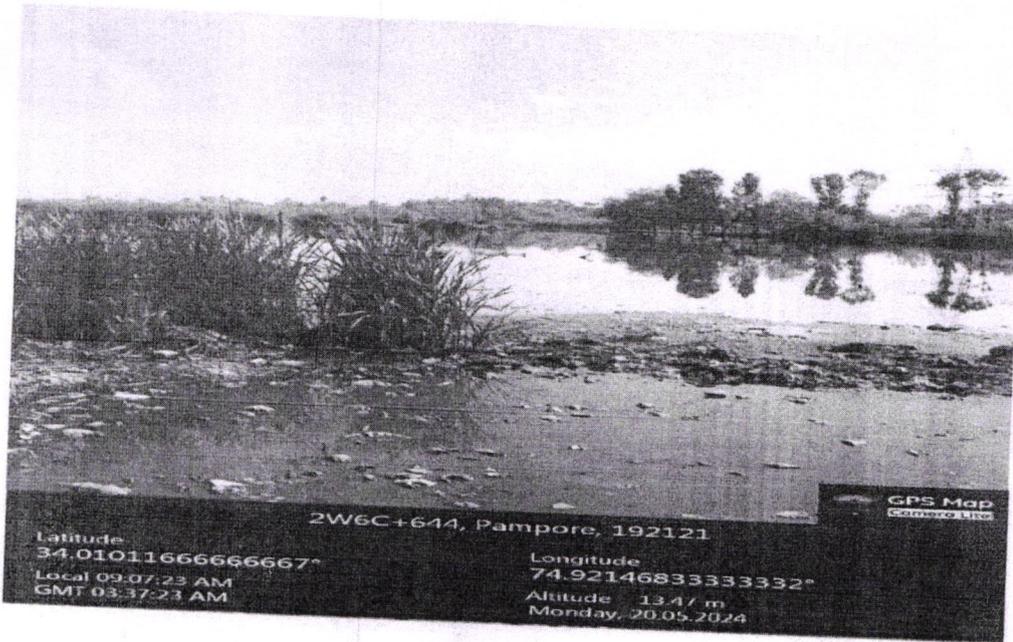
 



- c) No Segregation bins for solid waste collection have been provided in and around the Wetland Area.
- d) It was observed that no Retaining walls and protective walls have been provided at the wet land site and has not been protected by mesh fencing around, to protect human interference.

The site comes under the Jurisdiction of Municipal Council Pampore with regard to Solid waste Management and Wildlife department for its protection and management.

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## 2. Chatlam wet land.

Chatlum wetland spreads over an area of 852 kanals and 17 marlas as per Wild life records , the site has been taken over by Wildlife Department after 2014 floods, and since then it is being maintained by The Wild Life Department, The constant vigil is being kept by the same department, who have kept a proper watch & ward of the site. While inspecting the site it was observed that

- The Wet land site is maintained and is fenced with mesh fencing partially,
- A few openings of Domestic drainage are drained into wet land Also domestic waste thrown by the locals was witnessed at the outer surface of the Wetland. The site comes under RDD Department for its road maintenance.
- The water quality apparently seems good however sampling carried by Regional Office Lab. to ascertain the quality of water at JKPCCL Srinagar Lab. The report is attached for reference.

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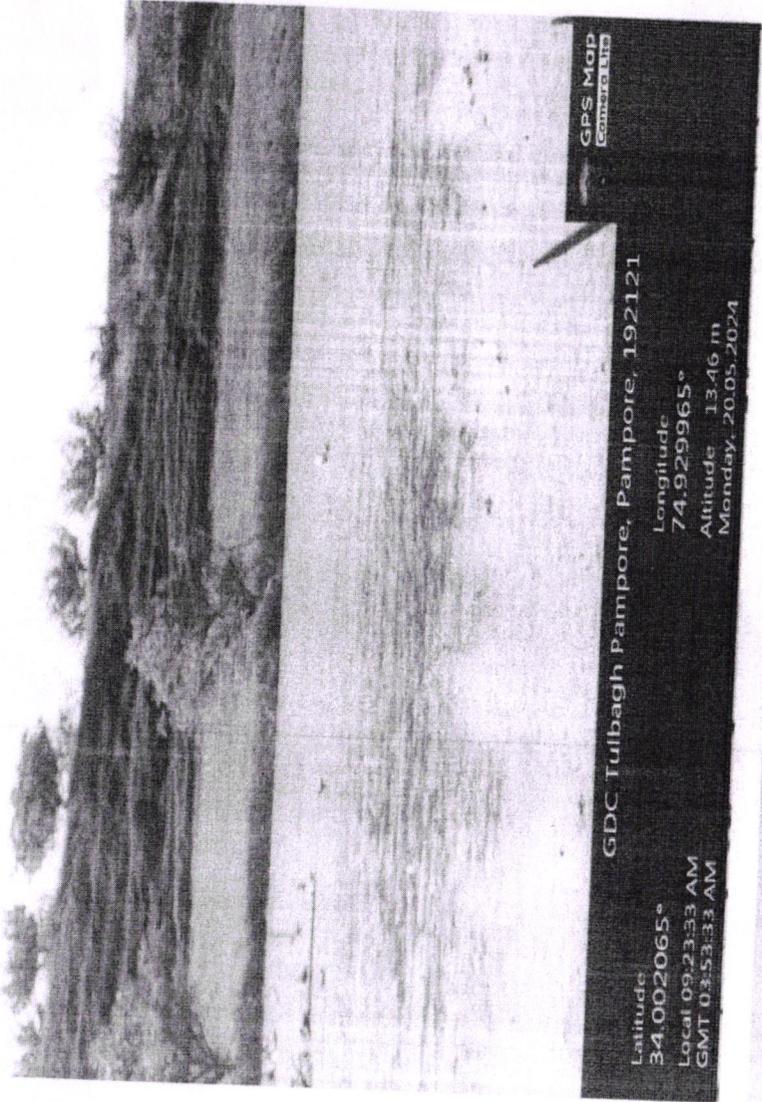


### 3. Manibugh Wetland.

Manibugh Wetland spreads over an area of 106 kanals and 19 marlas as per Wild life records the site has been taken over after 2014 floods by the Wildlife Department and since then is being maintained by The Wild Life Department, and constant vigil is being kept by the same department. While inspecting the site it was observed that

- a) The Wet land is maintained however not fenced / protected Demarcation boundary has been laid.
- b) The water quality seems apparently good.
- c) During the inspection no Solid Waste was witnessed in and around the Wet Land.

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Latitude: 34.002065°  
Local 09:23:33 AM  
GMT 03:53:33 AM

GDC Tulbagh Pampore, Pampore, 192121

Longitude: 74.929965°  
Altitude: 13.46 m  
Monday, 20.05.2024

GPS Map  
Satellite



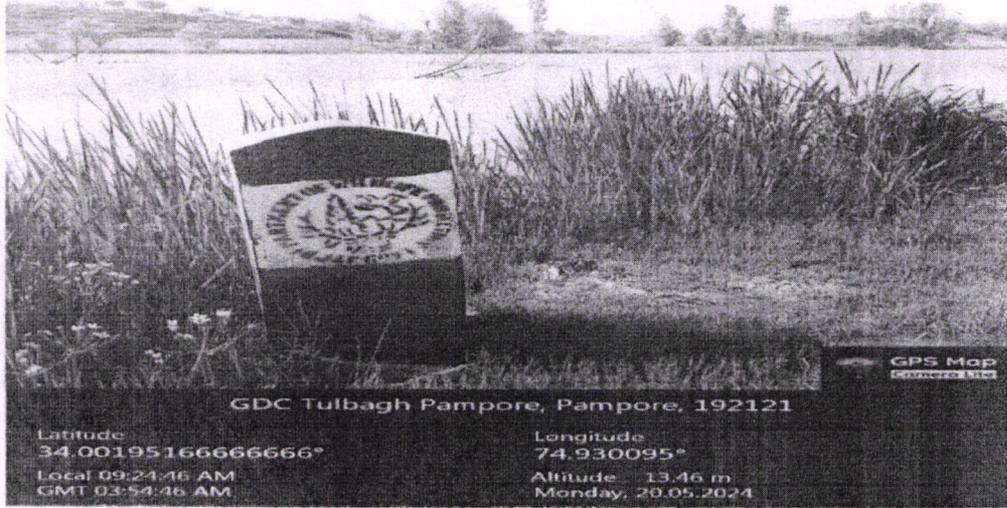
Latitude: 34.00207°  
Local 09:23:38 AM  
GMT 03:53:38 AM

GDC Tulbagh Pampore, Pampore, 192121

Longitude: 74.929955°  
Altitude: 15.89 m  
Monday, 20.05.2024

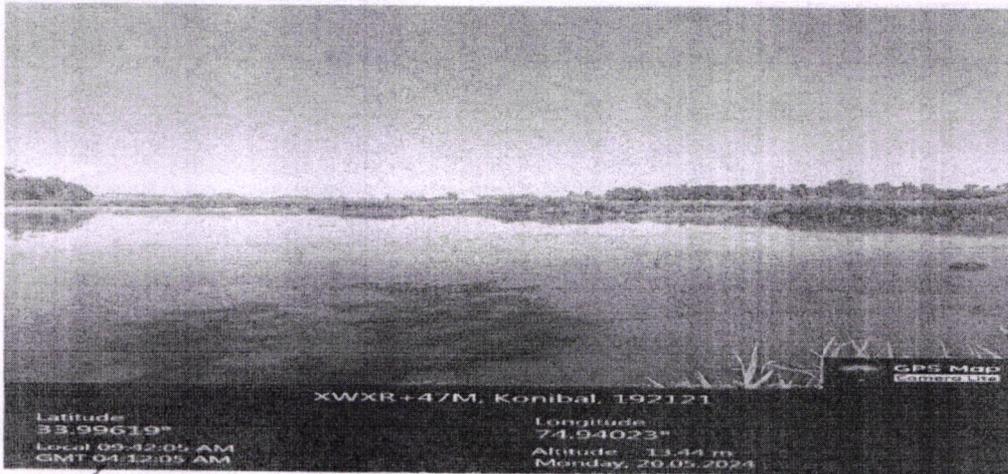
GPS Map  
Satellite

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4. Krentchoo Wetland,

Krentchoo Wetlad site spread over an area of 128 kanals and 19 marlas as per Wild life records, the site has been taken over after 2014 floods by the Wildlife Department and since then is being maintained by The Wild Life Department ,



12/14  
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A constant vigil is being kept by the same department, who has kept a proper watch & ward of the site while inspecting the site it was observed that the Wet land is not properly maintained and is not fenced/ protected.

a) Solid waste is dumped by the locals of the vicinity however the site comes under RDD Department for Solid Waste Collection Segregation and final disposal. It was found that the garbage is not lifted from the site on regular basis, with the result due to heavy rains and flash floods there is every possibility that the waste dumped can harm the Wet land water quality by leaching. Waste dumping becomes the attraction for the Dogs which can be very dangerous for the humans and animal life. Therefore regular monitoring needs to be increased with proper watch and ward.

### Water Quality Monitoring of wetlands

#### 2. WATER QUALITY STATUS OF WETLANDS

J&K Regional lab Kashmir collected water samples from all four Wetlands namely Chatllum, Krentchoo, Manibugh and Fashkoori wetlands, on 16/05/2024 at different spots. The samples collected from these wetlands were analyzed for various Physico Chemical parameters at water lab of JKPCCA Srinagar. However, microbiological analysis in terms of Fecal Coliform and Total Coliform was conducted by Lake Conservation and Management Authority. In order to ascertain the overall water quality of the wetlands, Water Quality Index for each wetland was determined

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by calculating the basic parameters like p H, BOD (mg/l), DO (mg/l to %) and Fecal Coliform (Cfu/100ml). The Water Quality Index has been calculated using the formula prescribed by National Sanitation Foundation (NSF) and the relative weights modified by CPCB.

**Chatlum Wetland:-**

Samples from this wetland were collected at four different locations viz. Inlet near Eidgah, Inlet road side, Centre ,Outlet The average water quality index of this wetland is **51.25 i.e. Class B- ranging from Medium to good.** . The test analysis report is annexed as Annexure I.

**Krentchoo Wetland:-**

Samples from this wetland were collected at three different locations. The average water quality index of this wetland is **52.0 i.e. Class B ranging from Medium to good.** The test analysis report is annexed as Annexure II

**Manibugh Wetland:**

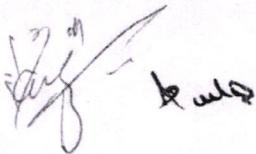
Samples from this wetland were collected at two different locations. The average water quality index of this wetland is 55.5 i.e. Class B ranging from Medium to good. The test analysis report is annexed as **Annexure III.**

**Fashkooori Wetland:-**

Samples from this wetland were collected at two different locations. The average water quality index of this wetland is **25.5 i.e. heavily polluted.** The main factor responsible for deterioration of water quality is unabated flow of sewage from the surrounding residential area. The test analysis report is enclosed as **Annexure IV.**

**Conclusion**

Out of four Wetlands namely Freshkooori which is located within Pampore Town is Polluted in respect of the water quality and Solid Waste Management. Municipal Committee Pampore Should take all corrective measures to tackle Solid Waste Generated from The Town as per Solid waste( Management and Handling)Rules 2016. In other three Wetlands the overall condition with respect to Water Quality and Solid Waste Management is Comparatively Good, but requires

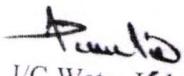


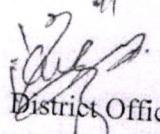
the intervention of Rural Development Department and Wild Life Department for Solid Waste Management under MSW Rules 2016.

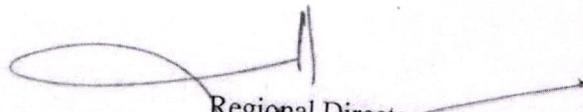
**Recommendations:-**

- Collection, segregation, transportation, disposal and treatment of municipal solid wastes generated from the areas must be in accordance with the provisions of the Solid Waste Management Rules, 2016 by RDD through ACD and BDOs concerned.
- For treatment of liquid waste generated from the area near Freshkooori wetland, there is immediate need to install sewage treatment plant of desired capacity.
- Fencing the boundary of wetlands must be undertaken on priority basis to avoid encroachments and illegal dumping of solid waste
- The wetlands must be strictly monitored by Wildlife Department.
- Wildlife Department should evolve a proper mechanism of continuous watch and ward of wetlands within their jurisdiction.
- Demarcation of wetland using latest technology, proper enforcement of law and stringent punishment for violators will help conservation of Wetlands.
- Dumping of solid wastes or discharge of untreated wastes and effluent of industrial waste and any human supplement should strictly be prohibited in wetlands or its zone of influence.
- Adoption of sustainable land use practice will minimize the impact of human activities on Wetlands. This can include use of environmental friendly farming method reducing the use of pesticides and fertilizers and minimizing the disturbance of wetlands.
- In order to improve the health of wetland ecosystem there is need to regulate the flow of water in to and out of Wetland through timely cleaning and maintaining the inlet/outlet
- There is need to organize awareness programmes about importance of Wetlands and their role in maintaining the ecological balance.

Hence submitted.

  
I/C Water Lab  
JKPCC Srinagar

<sup>41</sup>  
  
District Officer  
PCC Pulwama

  
Regional Director  
JKPCC Kashmir.



J&K Pollution Control committee  
Office of The Regional Director – Kashmir  
Shiekh-ul-Alam Complex Rajbagh Kashmir

**Analysis Report**

**Water Quality Report of Chatlam wetland Pampore**

Date of Sampling:-16/05/2024						
S.no	Parameter	Inlet near Eidgah	Inlet (Road side)	Centre	Outlet	Average
1	Air Temp. °C	28.7	29.5	29.5	30.0	29.4
2	Water Temp. °C	18.3	22.7	24.1	20.8	21.5
3	pH	8.70	7.50	8.68	7.76	8.2
4	Conductivity µs/cm	860.0	449.0	822.0	531.0	665.5
5	T.D.S	445.0	240.0	432.0	281.0	349.5
6	D.O	5.4	4.4	3.3	3.0	4.0
7	C.O.D	88.00	40.00	48.00	48.00	56.0
8	B.O.D	8.40	3.90	5.4	4.3	5.5
9	Phosphate	0.073	0.0500	0.051	0.039	0.053
10	Ammonical Nitrogen	1.1	0.84	0.936	0.834	0.928
11	Sulphate	13.33	11.21	10.30	9.69	11.1
12	Hardness	344.00	200.0	338.0	266.0	287.0
13	Calcium	58.51	46.5	61.7	50.5	54.3
14	Magnesium	48.11	20.41	44.7	34.0	36.8
15	T. Alkalinity	P=6 M=730 Total=736	213.0	P=9 M=344 Total=353	250.0	231.5
16	Chloride	66.0	32.0	72.0	20.0	47.5
17	Turbidity NTU	13.0	12.3	10.0	5.0	10.1
18*	*Total Coliforms after 24hrs of Incubation at 37°C	70.0	75.0	80.0	375	150.0
19	*Faecal coliforms after 24hrs of Incubation at 45°C	37.0	55.0	46.0	260.0	99.5
WATER QUALITY INDEX		<b>51</b>	<b>60</b>	<b>46</b>	<b>48.0</b>	
AVERAGE WATER QUALITY INDEX			<b>51.25 (Class B) Medium to Good</b>			

→All Values are in mg/l except pH, turbidity & Temperature.

Microbiological Analysis done by LCMA(Lake Conservation and Management Authority)

Samples collected by

*[Signature]*

Analyzed by

*[Signature]*

I/C Water lab

*[Signature]*



J&K Pollution Control committee  
Office of The Regional Director - Kashmir  
Shiekh-ul-Alam Complex Rajbagh Kashmir

Analysis Report

Water Quality Report of Kranchoo wetland Pampore

Date of Sampling: -16/05/2024

S.no	Parameter	Inlet	Centre	Outlet	Average
1	Air Temp. °C	30.0	29.1	28.4	29.2
2	Water Temp. °C	26.6	23.4	20.4	23.5
3	pH	8.01	9.30	7.81	8.4
4	Conductivity $\mu\text{s/cm}$	558.0	412.0	558.0	509.3
5	T.D.S	295.0	208.0	302.0	268.3
6	D.O	3.7	4.5	4.0	4.1
7	C.O.D	64.00	72.00	40.00	58.7
8	B.O.D	4.5	6.8	4.70	5.3
9	Phosphate	0.128	0.062	0.075	0.088
10	Ammonical Nitrogen	1.722	1.104	1.164	1.330
11	Sulphate	6.36	5.15	6.81	6.11
12	Hardness	262.0	230.0	248.0	246.7
13	Calcium	46.5	49.7	52.1	49.4
14	Magnesium	35.5	25.75	28.67	30.0
15	T. Alkalinity	272.0	P=23M=210 Total=233	288.0	280.0
16	Chloride	24.0	28.0	38.0	30.0
17	Turbidity NTU	10.0	6.0	18.0	11.3
18	*Total Coliforms after 24hrs of Incubation at 37°C	110.0	95.0	100.0	101.7
19	*Faecal coliforms after 24hrs of Incubation at 45°C	80.0	72.0	65.0	72.3
WATER QUALITY INDEX		54	46	56	
AVERAGE WATER QUALITY INDEX			52 (Class B) Medium to Good		

→All Values are in mg/l except pH, turbidity & Temperature.

\* Microbiological Analysis done by LCMA(Lake Conservation and Management

Samples collected by

Analyzed by

I/C Water Lab

BET

*[Signature]*

*[Signature]*



J&K Pollution Control committee  
Office of The Regional Director – Kashmir  
Shiekh-ul-Alam Complex Rajbagh Kashmir

**Analysis Report**

**Water Quality Report of Manibugh wetland Pampore**

Date of Sampling:-16/05/2024

S.no	Parameter	Centre	Outlet
1	Air Temp. °C	28.9	28.5
2	Water Temp. °C	23.0	21.0
3	pH	8.66	8.03
4	Conductivity µs/cm	782.0	736.0
5	T.D.S	416.0	390.0
6	D.O	6.6	4.7
7	C.O.D	64.00	72.00
8	B.O.D	5.30	5.7
9	Phosphate	0.051	0.078
10	Ammonical Nitrogen	1.32	1.590
11	Sulphate	3.780	7.270
12	Hardness	348.0	246.0
13	Calcium	64.9	55.3
14	Magnesium	45.2	26.2
15	T. Alkalinity	P=5M=426 Total=431	388.0
16	Chloride	32.0	36.0
17	Turbidity NTU	8.0	10.0
18*	*Total Coliforms after 24hrs of Incubation at 37°C	125.0	625.0
19	*Faecal coliforms after 24hrs of Incubation at 45°C	90.0	400.0
WATER QUALITY INDEX		60	51
AVERAGE WATER QUALITY INDEX			55.5 (Class B) Medium to Good

→All Values are in mg/l except pH, turbidity & Temperature.

\* Microbiological Analysis done by LCMA(Lake Conservation and Management Authority)

Samples collected by

*[Signature]*

Analyzed by

*[Signature]*

*[Signature]*  
I/C Water lab



J&K Pollution Control committee  
Office of The Regional Director – Kashmir  
Shiekh-ul-Alam Complex Rajbagh Kashmir

**Analysis Report**

**Water Quality Report of Freshkooori wetland Pampore**

Date of Sampling:-16/05/2024

S.no	Parameter	Centre	Outlet
1	Air Temp. °C	30.0	29.8
2	Water Temp. °C	22.3	25.5
3	pH	10.33	9.35
4	Conductivity µs/cm	493.0	552.0
5	T.D.S	259.0	296.0
6	D.O	4.5	3.1
7	C.O.D	120.00	152.00
8	B.O.D	22.10	26.50
9	Phosphate	0.107	0.132
10	Ammonical Nitrogen	1.152	1.218
11	Sulphate	37.26	41.20
12	Hardness	192.0	200.0
13	Calcium	37.67	35.27
14	Magnesium	23.81	27.21
15	T. Alkalinity	P=24 M=166 Total=190	P=19M=170 Total=189
16	Chloride	74.0	76.0
17	Turbidity NTU	16.0	34.0
18*	*Total Coliforms after 24hrs of Incubation at 37°C	326.0	390.0
19	*Faecal coliforms after 24hrs of Incubation at 45°C	235.0	310.0
WATER QUALITY INDEX		25	26
AVERAGE WATER QUALITY INDEX			<b>25.5 (Heavily Polluted)</b>

→All Values are in mg/l except pH, turbidity & Temperature.

\* Microbiological Analysis done by LCMA(Lake Conservation and Management Authority)

Samples collected by

Analyzed by

I/C Water lab

*[Signature]*

*[Signature]*

*[Signature]*

## 32 Jammu and Kashmir Pollution Control Committee



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



**The Executive Officer,  
Municipal Committee,  
Pampore.**

No: JKPCC/NGT/41-2024/114-124

Dt: 10-06-2024

**Subject:** Violation of Solid Waste Management Rules, 2016 by Municipal Committee Pampore.

**Ref:** O.A No. 41 of 2024 titled "Nadeem Ahmad Dar V/s Union Territory of J&K and Ors.

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:
  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 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;

- (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 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 30<sup>th</sup> 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 23 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:

**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	1 year

	standalone sanitary landfill facilities by all local authorities having a population of 0.5 million or more	
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
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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 Municipal Committee, Pampore has been found to be in breach of Waste Management Rules/ Act referred to above and;
6. **Whereas**, Freshkori wetland was recently inspected by a team constituted by J&K PCC and the following observations made :-
- a) Mesh/Traps to retain solid/plastic waste are not being cleaned on regular basis,
  - b) No bins/ receptacles for collection of solid waste were found around the wetland area.

c) Untreated domestic sewage is discharged directly into the wetland deteriorating the quality of water, which is falling under the category "Heavily Polluted"(copy enclosed).

7. **Whereas**, the matter of pollution in wetlands is also being heard by the Hon'ble National Green Tribunal in OA 41 / 2024 and the orders passed on 09-05-2024 & 06-03-2024 in the matter are enclosed. The next date of hearing in the case is on 06-09-2024 and;
8. **Whereas**, contravention of provisions of the Environmental Protection Act, 1986, rules, orders and directions issued there under 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, 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 Executive Officer, Municipal Committee Pampore shall:-

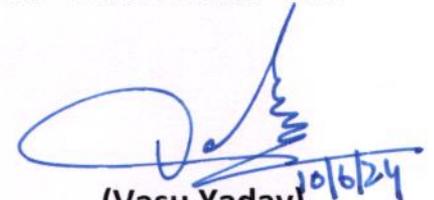
- i. Ensure that solid waste is collected, processed, treated and disposed of in accordance with the Solid Waste Management Rules 2016, Plastic Waste Management Rules 2016 and the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
- ii. Ensure that no waste, whether bio-degradable or non-biodegradable, from domestic or commercial establishments is dumped on the banks of Freshkori Wetland, 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 Pampore Municipal Committee, who are responsible for continuous violation of Solid Waste Management Rules, for their prosecution under the Environmental (Protection) Act, 1986.
- vii. Furnish quantity of solid waste generated in Pampore Municipal Committee Jurisdiction.
- viii. Furnish the quantity of solid waste processed daily in Pampore Municipal Committee Jurisdiction and disposal thereof.
- ix. Submit the present status of Solid Waste and Plastic Waste observed near Freshkori Wetland and action plan along with the timeline for its removal.
- x. Submit the present status of discharge of untreated domestic sewage observed into Freshkori Wetland and action plan along with the time line for its diversion to a sewage treatment plant.
- xi. Further, the Executive Officer, Municipal Committee Pampore, shall acknowledge the receipt of these directions within one week of their issuance.

The response of Municipal Committee Pampore must reach J&K Pollution Control Committee by or before 6<sup>th</sup> July 2024.

- Encl: i) Water Quality report of Freshkori Wetland  
ii) Hon'ble NGT Order dt. 09-05-2024.  
iii) Hon'ble NGT Order dt. 06-03-2024.

(Vasu Yadav)  
Chairman

Copy to:

1. Financial Commissioner (Addl. Chief Secretary), Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
2. Divisional Commissioner, Kashmir.
3. Commissioner/Secretary to Govt; Housing and Urban Development Department, Civil Secretariat, Jammu / Srinagar.
4. Deputy Commissioner/District Magistrate, Pulwama.
5. Regional Director, J&K PCC, Kashmir.
6. Director, Urban Local Bodies, Kashmir.
7. State Wetland Authority, Jammu and Kashmir.
8. Wild Life Warden (Wetlands), Jammu & Kashmir
9. Scientist 'B' In charge MSW, J&K PCC.
10. Divisional Officer, PCC, Pulwama.

# 43 Jammu and Kashmir Pollution Control Committee



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



**Assistant Commissioner, Development  
District Pulwama.**

No: JKPCC/NGT/ 185-135

Dt: 16-06-2024

**Subject: Violation of Solid Waste Management Rules, 2016.**

**Ref:** O.A No. 41 of 2024 titled "Nadeem Ahmad Dar V/s Union Territory of J&K and Ors.

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:
  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 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;

- (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 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 30<sup>th</sup> 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 23 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:

**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**, Jammu and Kashmir Pollution Control Committee assessed the current status of Wetlands of Pulwama ;
6. **Whereas**, the concerned Authority is in breach of Waste Management Rules/ Act referred to above.
7. **Whereas**, the matter of Wetlands of Pulwama is being heard by the Hon'ble National Green Tribunal in O.A No. 41 of 2024 titled "Nadeem Ahmad Dar V/s Union Territory of J&K and Ors and the orders passed on 09-05-2024 & 06-03-2024 in the matter are enclosed. The next date of hearing in the case is on 06-09-2024.
8. **Whereas**, the dumping of Bio-degradable or Non Bio-degradable Solid Waste, around the wetlands is in contravention of provisions of the

Environmental (Protection) Act, 1986, Rules, orders and directions issued there under and is punishable under the said Act and this includes contraventions by Government Departments as well.

9. **Whereas**, dumping of solid waste and discharge of untreated domestic sewage at Chatlam Wetland and Kranchoo Wetland was observed during recently conducted inspection and the details are as under :-

**i) Chatlam Wetland:**

- a) Solid waste observed around the wetland.
- b) Untreated domestic sewage found discharged directly into the wetland.

**ii) Kranchoo Wetland :**

- a) Solid Waste dumped near the wetland.
- b) Lifting of Solid Waste is not done on regular basis.

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:

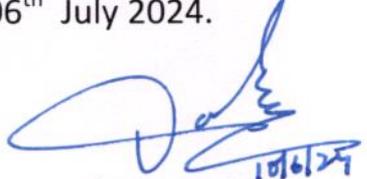
The Assistant Commissioner, Development, Pulwama shall:-

- 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 on the banks of Chatlam & Kranchoo Wetlands, 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 Development Authority Pulwama, who are responsible for continuous violation of Solid Waste Management Rules, for their prosecution under the Environmental (Protection) Act, 1986.
  - vii. Furnish the quantity of solid waste generated in your Jurisdiction.
  - viii. Furnish the quantity of solid waste processed daily in your Jurisdiction and disposal thereof.
  - ix. Submit the present status of Solid Waste observed near Chatlam and Kranchoo Wetlands and action plan along with the timeline for its removal.
  - x. Submit the present status of discharge of untreated domestic sewage observed into Chatlam and Kranchoo Wetlands and action plan along with the timeline for its diversion to a treatment plant.
  - xi. Further, the Assistant Commissioner, Development, Pulwama, shall acknowledge the receipt of these directions within one week of their issuance.

The response of the Assistant Commissioner, Development, Pulwama must reach J&K Pollution Control Committee by or before 06<sup>th</sup> July 2024.

- Encl: i) Hon'ble NGT Order dt. 09-05-2024  
ii) Hon'ble NGT Order dt. 06-03-2024

  
(Vasu Yadav)  
Chairman



Copy to:

1. Financial Commissioner (Addl. Chief Secretary), Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
2. Divisional Commissioner, Kashmir.
3. Director General, Rural Sanitation, Jammu and Kashmir.
4. Deputy Commissioner/District Magistrate, Pulwama.
5. Director Rural Development, Kashmir.
6. Regional Director, J&K PCC, Kashmir.
7. State Wetland Authority, Jammu and Kashmir.
8. Wild Life Warden (Wetlands), Jammu & Kashmir
9. Scientist 'B' In charge MSW, J&K PCC.
10. Divisional Officer, PCC, Pulwama.