

Government of Jammu and Kashmir
J&K Pollution Control Committee
Jammu



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

No. PCB/NGT/127/022 / 852-854

Dt. 27-01-2023.

Sub: - O.A No. 481/2022 order dt. 19-10-2022 before the Hon'ble National Green Tribunal, Principal Bench, New Delhi titled Joginder Singh Thakur versus UT of Jammu and Kashmir.

Ref.:- Hon'ble NGT email Dated: 22-10-2022.

Sir,

In compliance to the Hon'ble National Green Tribunal Order Dated 19-10-2022 in O.A No.481/2022 titled Joginder Singh Thakur versus UT of Jammu and Kashmir, kindly find enclosed herewith the reply/response of Jammu & Kashmir Pollution Control Committee, in this regard.

The reply/response may kindly be taken on record and placed before the Hon'ble NGT for consideration please.

Yours faithfully,

Encl: (As above)

(K. Ramesh Kumar) IFS
Member Secretary
JKPCC, Jammu.

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.
2. PA to Chairperson, J&K PCC for kind information of Chairperson.

Reply/Response of Jammu and Kashmir Pollution Control Committee in compliance to Hon'ble NGT Order Dated 19-10-2022 in O.A No. 481/2022 titled Joginder Singh Thakur Vs. UT of Jammu and Kashmir.

I. Background :

Hon'ble NGT Order Dated 19-10-2022 in O.A No. 481/2022 has directed the respondents to file their response/reply to the Tribunal, the directions thereof is reproduced as under:-

"In view of the observations/recommendations in the report of the Joint Committee, we consider it appropriate to have response of (1) Union Territory of Jammu and Kashmir through Chief Secretary, Union Territory of Jammu and Kashmir, (2) Principal Chief Conservator of Forests (HoFF), Government of Jammu and Kashmir, (3) Municipal Committee, Baderwah (4) Baderwah Development Authority, (5) State PCB, and (6) the District Magistrate, Doda, 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 at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF".

II. Action Taken by Jammu and Kashmir Pollution Control Committee:

The Regional Director, Pollution Control Committee, Jammu has submitted a detailed report w.r.t the Action Taken by J&K Pollution Control Committee in this regard, the summary of detailed report is reproduced as under:-

1. That the yatras in religious places of Baderwah are annual fairs in which devotees gather for short period of hours or day stay at site. The devotees used to bring food/eatables alongwith them as per old traditions and over the period of time many langar committees have been arranging/providing food and water to the devotees which are being regulated by the District Administration / Baderwah Development Authority.
2. Moreover as per the Plastic Waste Management Rules 2016 (as amended in 2021) there is complete ban on manufacturing, import, stocking, distribution and sale of identified Single Use Plastic (SUP) w.e.f. 1st July, 2022 and these rules have been implemented effectively at district level as

well as at UT level. The ban on use of non-biodegradable plastic carry bags **below 120 microns** (as amended vide **MoEF&CC notification G.S.R. 571(E) dated 12th August, 2021**) is also in force and are strictly implemented by the Govt. of Jammu and Kashmir. These rules clearly define responsibility of various organizations such as local bodies (Municipal Committee Baderwah, Baderwah Development Authority), Tourism Department, Forest Department, Panchayati Raj Institutions, religious, social, langar committees and Brand Owner Companies along with their distributors for adhering to said rules.

3. Jammu and Kashmir Government vide Govt. Order No. 13-JK HUDD of 2019, notified a comprehensive Action Plan on Plastic Waste Management including Single Use Plastic and in consonance with this the J&K Government has adopted and notified "Model Plastic Waste Management Bye-Laws 2020" which stands notified/implemented by all the ULBs/Municipal Corporations in Jammu and Kashmir.
4. Jammu and Kashmir Pollution Control Board Order No.: **28-JKPCB of 2020**- stipulates complete ban on open burning of MSW including Plastic waste- all local bodies to ensure implementation- compliance of Hon'ble NGT directions dt. 02-01-2017 in OA 199/2014 & 22-07-2019 in OA 247/2017, and the same is being implemented by all the ULB's.
5. Govt. Order No. **72 JK(HUD) of 2020** : Prohibition of littering of plastic waste in and around at any public place, including historical and religious places is also implemented.
6. All Urban Local Bodies (ULB's) have been directed for setting up of collection, source segregation and disposable system for plastic waste. Some ULB's have set up MRF facilities and many ULB's have initiated the process for setting up of MRF facilities in their respective jurisdiction.
7. The Govt. of Jammu and Kashmir has also authorized a number of departments to implement the ban on Non-biodegradable Material by compounding the offences within their territorial jurisdictions. In this regard, the field authorities from Divisional office, Pollution Control Committee Doda conducts regular market checking in the major towns of Doda district and updated details of seizure made, **till 31st December, 2022**, is given as under:



S. No.	Qty. of banned polythene seized	Qty. of SUP seized	Fine realized (in Rs.)
1	301 kgs	151 kgs	26700/-

8. Further, the J&K Pollution Control Committee conducts regular awareness and sensitization drives by involving students from Eco-clubs of schools and Colleges in the religious places.

III. Suggestions:

- (i) Non-Government Organizations (especially Langar Committees) should be given permission to organize langars in the religious places only if they adhere to Plastic Waste Management Rules in letter and spirit. The plastic waste collected should be disposed of scientifically by the Municipal Committee Bhaderwah and Bhaderwah Development Authority.
- (ii) District Administration, Municipal Committee Bhaderwah and Bhaderwah Development Authority shall conduct awareness drives among the local people and visitors before the start of Yatras and tourist spots to sensitize the devotees on Plastic Waste Management and no usage of SUP's in association with the Pollution Control Committee.
- (iii) District Administration, Bhaderwah Development Authority and Municipal Committee Bhaderwah are required to put in place mechanism for segregation, collection and disposal of plastic waste at all the religious places in Bhaderwah for conservation of these sites.

Hence, the reply/response of Jammu & Kashmir Pollution Control Committee is submitted for information and further necessary action.

