



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. JKPC/NGT/129/2022/885-888

Dt. 03-11-2022.

Sub: -OA No. 567/2022 order dt. 02-09-2022 before the Hon'ble National Green Tribunal, Principal Bench, New Delhi titled Brinda Mishra V/s Union Territory of J&K.

Ref.: Hon'ble NGT email dt. 06-09-2022.

Sir,

In compliance to the Hon'ble National Green Tribunal order dt.02-09-2022 in OA 567/2022 titled **Brinda Mishra V/s Union Territory of J&K**, kindly find enclosed herewith the Factual report on behalf of Chief Secretary Jammu & Kashmir and J&K Pollution Control Committee in this regard.

The compliance report may kindly be taken on record and placed before the Hon'ble NGT for consideration please.

Yours faithfully,

Encl: (Factual Report
with photographs.)

(K. Ramesh Kumar) IFS
Member Secretary
J&K Pollution Control Committee
Jammu. B

Copy to the: -

1. PS to Chief Secretary J&K for information of worthy Chief Secretary.
2. PS to Commissioner/Secretary to Govt., Forest, Environment and Ecology Department, Civil Secretariat, Jammu/Srinagar for information of the Commissioner/Secretary.
3. PA to Chairperson, J&K PCC for information of Chairperson.

Before the National Green Tribunal, New Delhi
In the matter of O.A. No. 567 of 2022
Brinda Mishra Vs Union Territory of J&K

Reply on behalf of the respondents:

1. Chief Secretary J&K and
2. J&K Pollution Control Committee is as follows:

1. It is true that during Shri Amarnathji Yatra, 2022, on 8th of July 2022, due to flash floods, 15 persons lost their life.
2. The incidence of Flash flood was an Act of God and a natural phenomenon the possibility of which was taken into account & works were initiated, however it is not possible to completely rule out natural calamities which are beyond human control.
3. The annual Shri Amarnathji Yatra is managed by Shri Amarnathji Shrine Board (SASB). The J&K UT Government assists in arrangements.
4. The incidence was an unusual event. Though flood protection measures were taken in the form of protective bunds, crates etc, but it could not cater to sudden flow of huge quantity of water over a naturally declining gradient, despite of elaborate planning. The action will be restrengthened again to cater to any further incidence.
5. Shri Amarnathji Shrine Board had prepared a comprehensive layout plan of camp establishment at Holy cave and all the establishments were erected as per the said approved plan. A thorough examination of the Layout plan (Copy Enclosed) reveals that all the tents and community kitchen were established away from the river bed. It is, therefore, not true that several tents and community kitchens were set on dried river bed.



6. To make better arrangements and to accommodate as many people as possible as per the carrying capacity, the Shrine Board, along with District administration of Anantnag and Ganderbal districts, had made adequate arrangements at all Yatra camps like Panjtarni, Baltal, Nunwan, Sheshnag etc. This year, in the entire UT of Jammu & Kashmir, arrangements were made to accommodate 1.25 lakh pilgrims in comparison to 0.7 lakh in earlier years. However, despite hike in bed capacity for accommodating more pilgrims, the actual carrying capacity at Holy cave was reduced significantly. The number of total permitted tents/shops by Shrine Board were reduced from 430 in 2019 to 250 in 2022 (reduction of 42%) in both Anantnag and Ganderbal. To compensate this, Yatri carrying capacity was enhanced at other camps. This also ensured that there was no assemblage of Yatris beyond the approved limit, at any site/camp. This year, Army was also roped in who erected more than 2000 number of high-quality tents with each tent having capacity of 10-12 persons.
7. This year, Amarnathji Shrine Board also roped in Department of Rural Sanitation for providing sanitation arrangements during the Yatra. Number of toilet seats was enhanced from 4800 in 2019 to more than 8000 in 2022 with proportionate hike in number of sanitation workers. *Swacchagrahis* (Sanitation volunteers) were engaged on voluntary basis by Department of Youth Services for monitoring sanitation. The sanitation arrangements were proportional to enhanced carrying capacity.
8. Based on past experience, flood protection works were commenced at the instant spot. Pahalgam Development Authority (PDA) was tasked to carry out flood protection/mitigation works of the Nallah, which was started in October 2021 itself. Before beginning of this year's Yatra, the PDA had carried out significant flood protection/mitigation works in the form of Crate protection work etc. to the tune of Rs. 30 Lakh.
9. These flood protection works actually mitigated the impact of the disaster. The magnitude of loss of human life and property would have been higher, had the protection bund not been constructed at the site. The work done on the bunds was on the basis of anticipated water volume. However, at the time of incident on



08.07.2022, the flow of volume of water was much higher than the expected calculations. The discharge and high degree of slope resulted in high-speed discharge and gushing of water. The speed, with which the water with boulders and debris flowed, was actually the main reason for the loss of human life.

10. Various measures as under were taken considering past experience:
 - i. Flood protection measures along the substantial length of nallah which actually prevented the spillover of water to the main holding area of pilgrims.
 - ii. Keeping in view the altitude, weather fluctuation and abrupt fall in night temperature, overnight stay of pilgrim is discouraged at holy cave camp and it is minimized by means of reduction in number of accommodation facility tents and shops in holy cave area.
 - iii. To compensate this, stay facility was enhanced at Panjtarni by 10,000.
11. It is pertinent to mention here that Shri Amarnathji Shrine Board along with Govt. of India, Army, J&K Police, Central Armed Police Forces, Various departments of UT of J&K, including J&K Pollution Control Committee, Civil Society and NGOs has made best possible arrangements to make the pilgrimage comfortable for the Yatris.
12. Since 2012, the facilities for Amarnathji Yatris have been increased multifold; be it accommodation, sanitation, langars, medical facility, security arrangements, condition of tracks, infrastructure, drinking water facility, power supply, etc., and all these arrangements are made in best possible manner, in spite of harsh climatic conditions, high altitude and availability of very narrow working season because of occurrence of heavy snow.
13. During Yatra 2022, Shri Amarnathji Shrine Board launched and implemented the Radio Frequency based Identification (RFID) tagging of yatris and service providers which helped in real time tracking of Yatris and Service providers. This technology proved a great step forward in tracing of pilgrims during the flash flood.



14. It is submitted to the Hon'ble National Green Tribunal that both the Government of UT of Jammu & Kashmir and Shri Amarnathji Shrine Board are working for the betterment of the pilgrimage and significant progress has been achieved in this regard in last few years.
15. Since past few years, a number of steps have been taken towards safety of environment to make the yatra clean and more hygienic. Some of the notable steps are as follows:
- i. About 175 % increase in number of Toilets (more than 8000) with systematic disposal of sewage through Sewage Treatment Plant.
 - ii. In 2018-19, a new STP on Moving Bed Bio-reactor technology (MBBR) with 300 KLD capacity was installed at Nunwan base camp, Pahalgam. Due to these efforts, the Yatra is now ODF.
 - iii. In the yatra 2022, total ban on single use plastic was ensured. More than 2500 no's of eco-friendly (Jute & cotton) Bags were distributed by the J&K Pollution Control Committee to the yatris in various camps.
 - iv. The community kitchen service providers also used only biodegradable material.
 - v. Color coded dustbins were put in the whole Yatra area to segregate biodegradable, non-biodegradable and medical wastes.
 - vi. Bio-bins installed at various sites for organic decomposition of the wastes.
 - vii. About 200 % increase in RO water purifier to discourage use of plastic bottles.
 - viii. For the first-time, Battery-operated Cars were used in 2022 yatra between Baltal to Domel to promote eco friendly concepts of transport.
 - ix. An underground and 24 hours cabled, 3-phased power supply from Baltal to Holy cave has been established, which phased out the use of Gen-sets in the Baltal axis. This reduced the harmful gaseous emissions from Gen-sets.
 - x. Information, Education & Communication (IEC) activities organized to create awareness and disseminate information among the yatris to keep Yatra tracks clean.
 - xi. In all municipal areas, twin bins (1116 in number) & Liner bags (236159 in number) were installed.

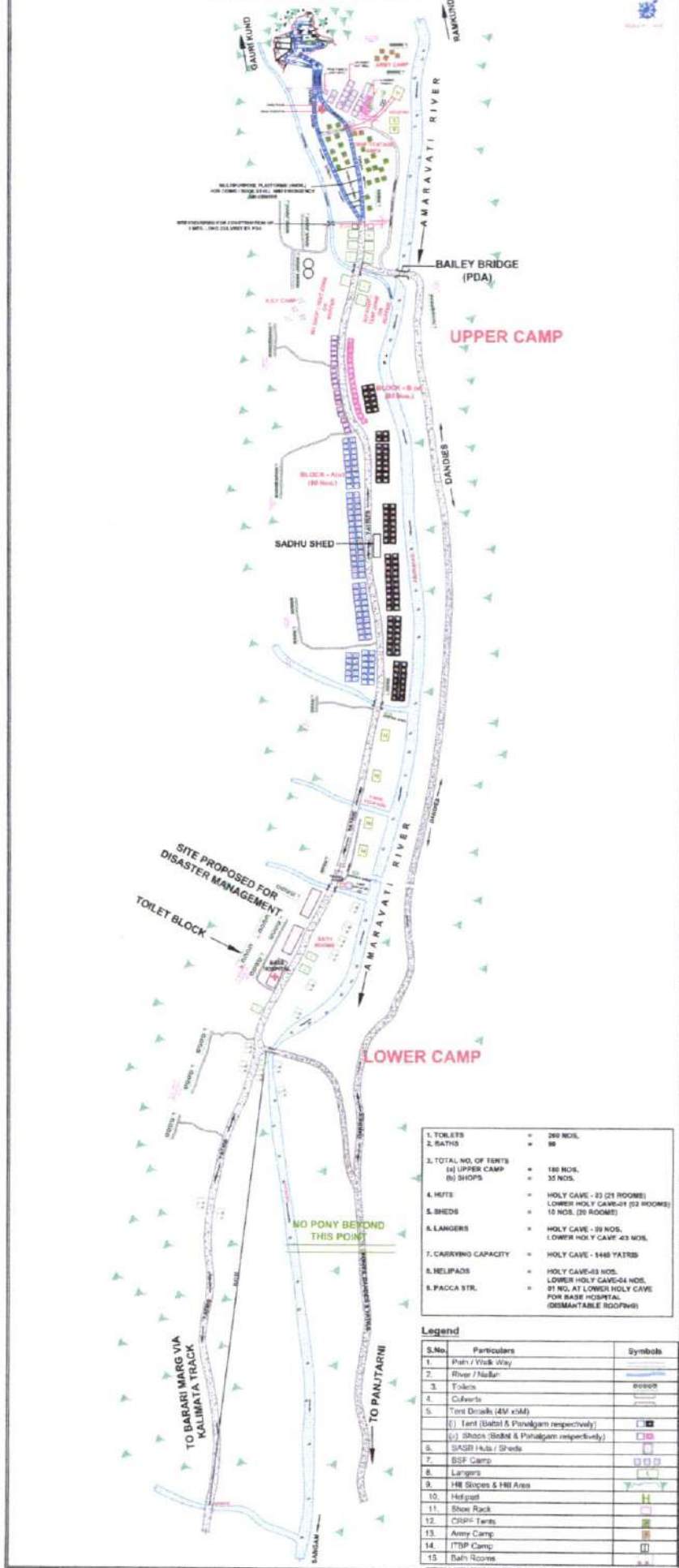


- xii. Dedicated Organic Waste Converters have been procured and installed.
 - xiii. Audio spots on Swachhta broadcasted through social media, FM, public information systems etc., by various departments.
 - xiv. To ensure that use of polythene and SUPs is avoided, Plastic Entry points were identified at Lakhapur, Railway Stations, Airports, Pahalgam & Ganderbal. All Yatris were sensitized not to use Single Use Plastic Items. Kiosks with the help of SHGs were installed (at Plastic Entry Points) to ensure availability of Eco-friendly alternatives.
16. That the incident that happened on 08.07.2022 was a natural disaster and beyond the control of humanly efforts. Adequate arrangements were done in direction of flood protection/mitigation and there was no lapse on part of either the Government or the Shrine Board.
17. However, taking lessons from the incidence, the Shrine Board has already taken up with Surveyor General of India for making Contour Maps of the upper reaches of the Holy cave and catchment areas of the water ways. The action will be re strengthened again to cater to any future incidence.
18. It is submitted that No Environmental Clearance is required for setting up of Tents & Langars along the tracks of Amarnathji Shrine. This is all a temporary infrastructure which is established to cater to the basic needs of pilgrims. And no specific violation of Environmental norms has been done.
19. It is further submitted before the Hon'ble Tribunal that Shri Amarnathji Yatra 2022 has got 93% Positive Feedback on Rapid Assessment System (RAS) by public and the pilgrims.
20. The Government of Jammu & Kashmir is committed to make the Yatra environmental friendly and is bound to always comply with the environmental norms & is committed to ensure that such disasters are never repeated in future.

It is, therefore, requested to dispose of the present O.A.



SITE PLAN OF HOLY CAVE



- 1. TOILETS = 260 NOS.
- 2. BATHS = 98
- 3. TOTAL NO. OF TENTS
 - (a) UPPER CAMP = 180 NOS.
 - (b) SHOPS = 35 NOS.
- 4. HUTS = HOLY CAVE - 23 (21 ROOMS)
LOWER HOLY CAVE-01 (22 ROOMS)
- 5. SHEDS = 10 NOS. (20 ROOMS)
- 6. LANGERS = HOLY CAVE - 39 NOS.
LOWER HOLY CAVE 43 NOS.
- 7. CARRYING CAPACITY = HOLY CAVE - 1448 YATRS
- 8. HELIPADS = HOLY CAVE-03 NOS.
LOWER HOLY CAVE-04 NOS.
- 9. PACCA STR. = 01 NO. AT LOWER HOLY CAVE FOR BASE HOSPITAL (DESMANTABLE ROOFING)

Legend

S.No.	Particulars	Symbols
1.	Path / Walk Way	—
2.	River / Nalla	~~~~~
3.	Toilet	□□□□
4.	Cuberts	□□□□
5.	Tent Details (4M x3M)	□□□□
	(i) Tent (Batali & Panalgam respectively)	□□□□
	(ii) Sheds (Batali & Panalgam respectively)	□□□□
6.	SADHU Huts / Sheds	□□□□
7.	BSF Camp	□□□□
8.	Langers	□□□□
9.	Hill Slopes & Hill Area	▲▲▲▲
10.	Helipad	□□□□
11.	Show Rack	□□□□
12.	CHOP Tents	□□□□
13.	Army Camp	□□□□
14.	ITBP Camp	□□□□
15.	Bath Rooms	□□□□

**Sanitation measures taken during Shri Amarnathji Yatra 2022 by
J&K UT Administration and Shri Amarnath Shrine Board**



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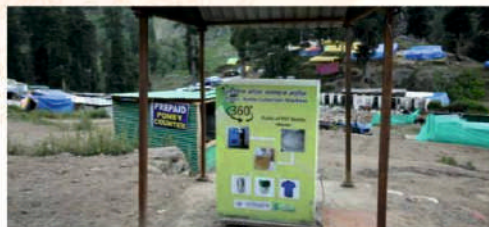
A Sewerage Treatment Plant on MBBR (Moving Bed Bio Reactor) technology installed at Nunwan Base Camp for effective treatment of sewerage generated at Nunwan Camp. Shrine Board accords high level of importance to environment, cleanliness & hygiene.



Biobins for collection and treatment of organic wastes



Solid waste management plant at Serbal, Pahalgam.



Reverse Vending Machine installed by Shrine Board at Chandanwari for shredding and disposal of waste plastic bottles.

**Sanitation measures taken during Shri Amarnathji Yatra 2022 by
J&K UT Administration and Shri Amarnath Shrine Board**



Cloth bags distributed to Shri Amranathji Yatris by J&K Pollution Control Committee



Cloth bags distributed to Shri Amranathji Yatris by J&K Pollution Control Committee



Bund Protection measures taken by Shri Amarnathji Shrine Board

