

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
Principal Bench, New Delhi

Original Application No. 253/2023

Raja Muzaffar Bhat

Applicant

Vs.

The Municipal Corporation
of the City of Pune & Ors.

Respondent(s)

Index

S. No.	Particulars	Page No.
1.	Response on behalf of Respondent No.4 (CPCB) in compliance to the Hon'ble NGT order dated 30.11.2023 in OA No. 253/2023, Raja Muzaffar Bhat Vs. Union Territory of Jammu & Kashmir & Ors.	
2.	Annexure-I: A copy of Hon'ble NGT order dated 30.11.2023 & 07.02.2024	

Divya

(Divya Sinha)

Scientist-F

Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar
Delhi- 110032.

Date: 12.03.2024

Place: Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
Principal Bench, New Delhi**
Original Application No. 253/2023

Raja Muzaffar Bhat

Applicant

Vs.

The Municipal Corporation
of the City of Pune & Ors.

Respondent(s)

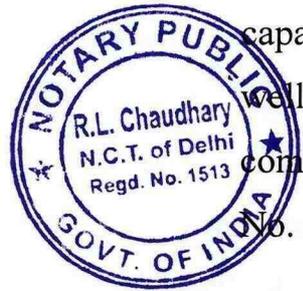
**RESPONSE ON BEHALF OF RESPONDENT NO.4 i.e. CENTRAL
POLLUTION CONTROL BOARD (CPCB).**

MOST RESPECTFULLY SHOWETH

I, Divya Sinha, D/o Late Shri H.P. Sinha, aged about 53 years currently working as Scientist 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, the Respondent No. 4 in the above matter (hereinafter referred to as "CPCB" or "Answering Respondent") do hereby solemnly affirm and declare as under:

1. That I, in capacity of Scientist 'F' of CPCB, have made myself acquainted with the facts and circumstances of the instant case due to the official capacity as mentioned above and on the basis of available records, I am well versed with the facts and circumstances of the matter and as such competent & authorized to affirm this response on behalf of Respondent No. 4.

2. That, I have read and understood the averments made by Applicant in synopsis, list of dates, grounds and annexures enclosed with the Original Application and at the outset it is respectfully submitted that all averments/contentions/ submissions made in the present Application are



denied unless specifically admitted by the answering respondent and are also borne out of available record of the case. Except anything expressly admitted in the instant response, the Answering Respondent denies all contents as well as averments, questions of law raised and grounds taken in the Application and reply all together in the following paragraphs.

PRELIMINARY SUBMISSIONS

3. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and control) Act, 1974. It performs the functions under The Water (Prevention and control) Act, 1974, The Air (Prevention and control) Act, 1981 and The Environment (Protection) Act, 1986.
4. That the Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter referred to as "NGT") in O.A No. 253 of 2023 titled Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors.. has directed to file the response on behalf of Respondents, wherein CPCB is Respondent No. 4.

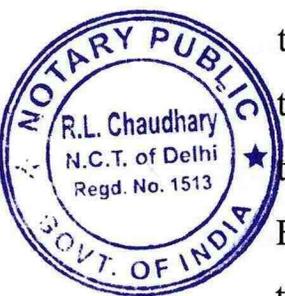
PARAWISE REPLY

5. That, the averments made in Para No. 1 are personal particulars of the applicant, hence need no comments from this answering respondent.
6. That, the averments made in Para No. 2 are related to responsibilities of all respondents. The duties and responsibilities of **Respondent No. 4** (CPCB) is provided under Rule 14 of Solid Waste Management Rules, 2016 and Schedule –III of Bio-Medical Waste Management Rules, 2016
7. That, the averments made in Para No. 3 relate to the provisions of NGT

Act, 2010 which are matter of record, hence need no comments from this answering respondent.

8. That, the averments made in Para No. 4 are allegations levelled by the applicant regarding dumping of municipal solid waste and bio- medical waste in Poonch River. In this regard it is humbly submitted that action against violations, if any, of provisions laid down under the Solid Waste Management Rules, 2016 and Bio-Medical Waste Management (BMWM) Rules, 2016, is to be taken by the concerned authority prescribed under the said Rules. The following relevant provisions of SWM Rules & BMWM Rules are humbly submitted:

- As per Rule 15 (v) of SWM Rules, The local authorities and Panchayats shall 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-
 - a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - b) 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;
- As per 16(1) (a) of SWM Rules 2016, The State Pollution Control Board or Pollution Control Committee shall, enforce these rules in their State



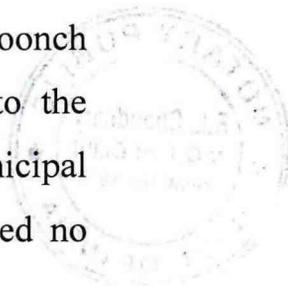
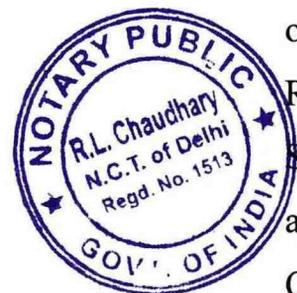
through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department

- As per Rule 9(1) of BMW Rules 2016, The prescribed authority for implementation of the provisions of these rules shall be the State Pollution Control Boards in respect of States and Pollution Control Committees in respect of Union territories.

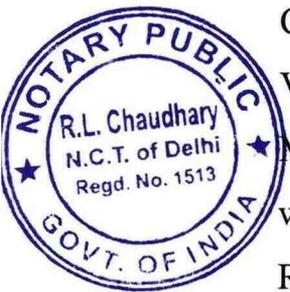
9. That, the averments made in Para No. 5 are related to origin and route map of River Poonch, which is a matter of record and hence, need no comments from this answering respondent.

10. That, in the averments made at Para No. 6 and 7, the applicant has referred various sections and rules of the Water (Prevention and control of pollution) Act, 1974 (hereinafter referred as Water Act, 1974), SWM Rules, 2016, BMW Rules, 2016 and Municipal Council, Poonch Solid Waste Management Bye-Laws, 2019, which according to the applicant have allegedly been violated by Respondent No. 6, Municipal Council, Poonch. The same are matter of records and hence need no comments from this answering Respondent.

11. That, the averments made in Para No. 8 & 9 relate to allegations regarding pollution in River Poonch due to various reasons with specific reference to the dumping of municipal solid waste and bio- medical waste on the banks of River Poonch due to lack of segregation/ treatment of domestic solid waste and bio-medical waste, lack of a landfill site in the Poonch area, leading to dumping of waste on the banks of Poonch River and dumping of bio-medical waste on the banks of River Poonch. The applicant has also alleged that the solid and bio-



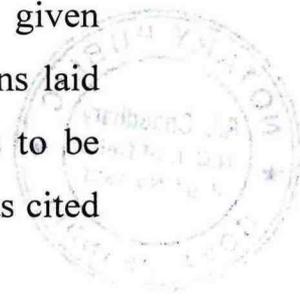
medical waste together flows into the river after the end of winters, with the melting of ice and causes contamination of the river water and also that the waste is being dumped into the water of Poonch River upstream and the same is lifted by the Jal Shakti (PHE) Department of Jammu & Kashmir and is provided as drinking water downstream. In this regard with respect to dumping of biomedical waste by District Government Hospital and other hospitals, it is humbly submitted that as per BMW Rules, 2016, it is the duty of occupier to take all necessary steps to ensure that bio- medical waste is handled without any adverse effect to human health and the environment and in accordance with the rules. BMW Rules, 2016 also stipulates that biomedical waste generated by the occupiers should be treated and disposed off through Common Biomedical Waste Treatment Facility (hereafter will be referred as CBWTF) in line with BMW Rules, 2016. It is also to humbly submit that as per Annual Report information regarding biomedical waste management for year 2022 submitted by J & K Pollution Control Committee, there are three CBWTFs namely M/s Anmol Health Care Village, Samba, M/s Clean City Management Company, Lasjan and M/s Kashmir Health Care System, Pulwama, operational in the UT which covers districts namely Jammu, Samba, Kathua, Udhampur, Reasi, Rajouri, Poonch, Doda, Ramban, Kishtwar, Srinagar, Budgam, Ganderbal, Kupwara, Baramulla, Pulwama, Kulgam, Shopia, Anantnga and Bandipora.



12. That, the averments made in Para No. 10 are related to the visits of the applicant to the site on multiple occasions and the violations observed by him with regard to Water Act, 1974, SWM Rules, 2016 and BMW Rules, 2016 referring to various photographs taken by him. Action against violations, if any, of provisions laid down under the SWM Rules, 2016 and BMW Rules, 2016, is to be taken by the concerned authority

prescribed under the said Rules as cited at Para 8 of this response.

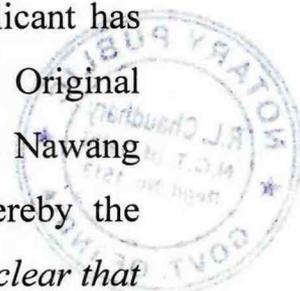
13. That, the averments made in Para No.11 and 12 are related to Section 24 of the Water Act, 1974 that prohibits the use of stream for dumping of polluting matter and Section 43 of the Water Act, 1974 which provides for punishment when provisions of Section 24 are contravened. Being a matter of record, no comments are offered from this answering respondent.
14. That, the averments made in Para No. 13, the order passed by Hon'ble NGT regarding taking cognizance of dumping of solid waste in the matter of *Manoj Mishra v. Union of India & Ors. (Original Application No. 06 of 2012)* has been referred to. This is a matter of record and hence, needs no comments from this answering respondent.
15. That, the averments made in Para No. 14 to Para 17 are allegations related to Dumping of municipal solid waste at the banks of River Poonch in violation of the provisions of SWM Rules, 2016, wherein the applicant has referred to various provisions and responsibilities given under the said rules. Action against violations, if any, of provisions laid down under the SWM Rules, 2016 and BMWM Rules, 2016, is to be taken by the concerned authority prescribed under the said Rules as cited at Para 8 of this response.
16. That, the averments made in Para No. 18 to 20 are allegations regarding setting up of Sanitary Land fill site citing SWM Rules, 2016 which provide timeline of one year from the date of notification of Rules to set-up a sanitary landfill site and has also alleged that "Poonch town lacks a proper solid waste processing and disposal facility i.e. sanitary landfill site due to which the waste is being dumped indiscriminately; that as per Para 22 of the SWM Rules, 2016, identification of landfill sites has to be



Rule 13(1) The Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory shall have the same duties as the Secretary-in-charge, Urban Development in the States and Union territories, for the areas which are covered under these rules and are under their jurisdictions.

17. That, the averments made in Para No. 21 to 32 are allegations regarding lack of effective solid waste disposal and processing facilities and landfill sites in Poonch Town, lack of proper waste disposition centres, non-compliance of SWM Rules, 2016 and duties as envisaged in SWM Rules, 2016. In this regard it is humbly submitted that action against violations, if any, of provisions laid down under the SWM Rules, 2016 and BMWM Rules, 2016, is to be taken by the concerned authority prescribed under the said Rules as cited at Para 8 of this response.

18. That, as per averments made in Para No. 33 to 35, the applicant has cited reference of Hon'ble NGT Order dated 05.09.2017 in Original Application No. 277 of 2013 (Irfan Ahmad & Ors. Vs. Mr. Nawang Rigzin Jora & Ors.) and also order dated 20.09.2017, whereby the Hon'ble Tribunal issued the following directions: *"We make it clear that if the final decision is not taken by the State Government before the next date of hearing, it will be liable to pay exemplary cost for taking unjustifiable adjournment before us in a matter which is of great public importance, as it is the first Waste to Energy Plant to be established in the State of Jammu & Kashmir. The plant is to be located in the city of Srinagar which is generating huge quantity of municipal and other wastes. The wastes collected is not only the one generated in the city of Srinagar, but even from the surrounding areas' and it is being dumped at*



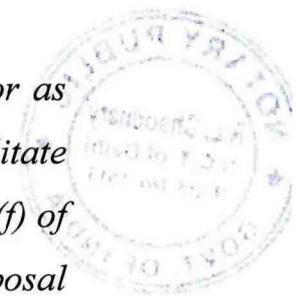
done within a time period of one year from the date of notification of the Rules, which has not been done for Poonch Town; thereby the Municipal Corporation, Poonch has failed in its responsibility of operation and maintenance of sanitary landfill as per Schedule I of the SWM Rules, 2016.” In this regard the relevant rules of SWM Rules, 2016 are reproduced hereunder:-

Rule 11. Duties of Secretary-In-charge, Urban Development in the state and Union Territories – 1. The Secretary, Urban Development Department in the state and Union Territory through the Commissioner or Director of Municipal Administration or Director of Local Bodies shall,

Clause (F) “ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and disposal facilities for Solid Wastes and Incorporate them in the master plans (land use plan) of the state or as the case may be, cities through metropolitan and district planning committees or town and country planning department”.



Rule 12(a) The District Magistrate or District Collector or as the case may be, the Deputy Commissioner shall facilitate identification and allocation of suitable lands per clause (f) of rules 11 for setting up solid waste processing and disposal facilities to local authorities in his district in close coordination with the Secretary- in-charge of State Urban Development Department within one year from the date of notification of these rules.

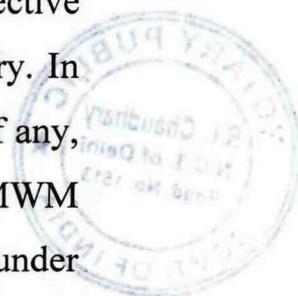


a place which is causing serious environmental pollution, pollution to groundwater by leachates and water bodies like Dal Lake and its various segments.” The applicant has also alleged that as per the information available, no waste to energy plant has yet been set- up in the Union Territory of Jammu & Kashmir citing newspaper article. This is a matter of record and hence, need no comments from this answering respondent.

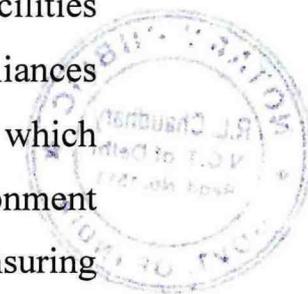
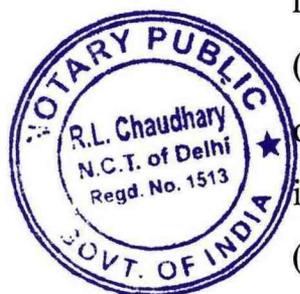
19. That, the averments made in Para No. 36 to 38 are allegations regarding Violation of Municipal Council, Poonch Solid Waste Management Bye-Laws, 2019. In this regard it is humbly submitted that action against violations, if any, of provisions laid down under the SWM Rules, 2016 and BMWM Rules, 2016, is to be taken by the concerned authority prescribed under the said Rules as cited at Para 8 of this response.

20. That, the averments made in Para No. 39 to 41 are allegations regarding violation of the Action Plan for Municipal Solid Waste Management, Jammu & Kashmir, 2018 which requires effective management of solid waste in Jammu & Kashmir Union Territory. In this regard it is humbly submitted that action against violations, if any, of provisions laid down under the SWM Rules, 2016 and BMWM Rules, 2016, is to be taken by the concerned authority prescribed under the said Rules as cited at Para 8 of this response.

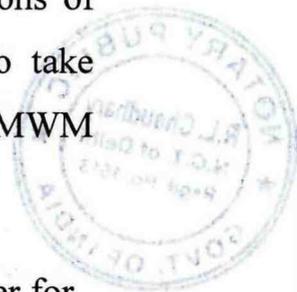
21. That, the averment made in Para No. 42 and 46, the Applicant has alleged that District Government Hospital and other hospital are dumping biomedical waste in the bank of Poonch river due to lack of Common Biomedical Waste Treatment Facility. In this regard, the reply made at Para 11 of this response are re-iterated.



22. That, in the averment made under Para No. 43, 44, 45 and 47, the applicant has reproduced various provisions of BMWM Rules, 2016. The same are matter of record and hence, no comments are offered by this answering respondent.
23. That, in the averment made under Para No. 48, the applicant has reproduced an order dated 22.01.2020 passed by Hon'ble NGT in the matter of Original Application No. 710 of 2017 (*Shailesh Singh v. Sheela Hospital & Trauma Center, Shahjahanpur & Ors.*) which is a matter of record. Hence, need no comments from this answering respondent.
24. That in the averment made under Para No. 49 and 53, the Applicant has mentioned the duty of authorities under BMWM Rules, 2016 and has also alleged that the authorities therein have violated BMWM Rules, 2016. In this regard, it is humbly submitted that as per BMWM Rules, 2016, it is the duty of CPCB to carry out random inspection or monitoring of health care facilities and CBWTF. Accordingly, CPCB has randomly inspected 73 CBWTFs, 15 Health Care Facilities (HCFs), during 2018-2024 and based on the non-compliances observed during inspections actions has been taken by CPCB which includes issuance of directions under section 5 of the Environment (Protection) Act, 1986 to 33 CBWTFs and 14 HCFs for ensuring compliance to BMWM Rules, 2016.
25. That, in the averment made under Para No. 50 to 53, the Applicant has provided for formulation of Environmental compensation on health care facilities under Original Application No. 710 of 2017 (*Shailesh Singh v. Sheela Hospital & Trauma Center, Shahjahanpur & Ors.*). It is also stated by the applicant to accordingly impose environmental compensation on hospitals of Poonch Town for violating BMWM Rules,



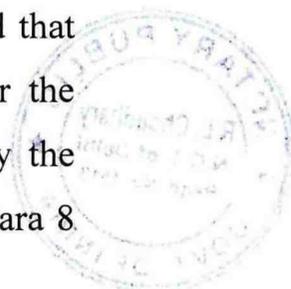
2016. The applicant has also reproduced Rule 18 of the Bio-Medical Waste Management Rules, 2016, whereby applicant has alleged that it also “provides for liability upon the occupier (person in control) of the waste generating unit, in case damage is caused to the environment or human health due to mishandling of bio-medical waste”. In this regard, it is humbly submitted that as per Hon’ble NGT Order dated 12.03.2019 in the matter of ibid Original Application No. 710 of 2017, CPCB has prepared guidelines for Imposition of Environmental Compensation Charges against Healthcare Facilities and Common Biomedical Waste Treatment Facilities and has filed the same before Hon’ble NGT (PB) on 12.04.2019. Additionally, the copy of same has been uploaded on CPCB website on 21.06.2019 for information to all concerned. It is also humbly submitted that as per BMW Rules, 2016, State Pollution Control Board/ Pollution Control Committee is the prescribed authority for monitoring of compliance of various provisions and conditions of authorisation under BMW Rules, 2016 and are prescribed to take action against health care facilities or CBWTFs for violation of BMW Rules, 2016.



26. That, the averments made in Para No. 54 relate to use of river water for drinking purposes, wherein applicant has alleged that *“the river water from River Poonch is used for the purposes of drinking water and the same is lifted by the Jal Shakti (Public Health Engineering) Department of Jammu & Kashmir and is provided as drinking water to the people of Poonch town and the population living downstream.* In this regard it is humbly submitted that action against violations, if any, of provisions laid down under SWM Rules, 2016 and BMW Rules, 2016 and other relevant statutory provisions is to be taken by the concerned authority prescribed under the said Rules as cited at Para 8

of this response.

27. That, the averments made in Para No. 55 and 56 relate to a letter addressed to Respondent No.7. The applicant has also alleged that No action has been taken by the authorities on the letter sent by the Chairperson, District Development Council to Deputy Commissioner, Poonch. Hence, no comments are offered by this answering Respondent.
28. That the averments made in Para No. 57 are regarding complaints submitted by the applicant. In this regard, it is humbly submitted that the representation submitted by the appellant to this Answering Respondent has been forwarded to the concerned authority i.e Jammu and Kashmir PCC vide email dated 11/03/2024 for taking necessary action.
29. That, the averments made in Para No. 58 of the instant Application are statements of the applicant. In this regard it is humbly submitted that action against violations, if any, of provisions laid down under the SWM Rules, 2016 and BMWM Rules, 2016, is to be taken by the concerned authority prescribed under the said Rules as cited at Para 8 of this response.
30. That, in the averments made at Para No. 59, Sub-Paras 'A' to 'V', the applicant has submitted the grounds for filing this Original Application, wherein provisions of Water Act, 1974, SWM Rules, 2016, BMWM Rules, 2016, The Municipal Council, Poonch Solid Waste Management Bye-Laws, 2019 and various NGT Orders have been referred. In this regard it is humbly submitted that Hon'ble Tribunal may adjudicate the matter keeping in view the submissions made by this Answering Respondent in preceding Para's of this response.



31. That, on the basis of the above submissions, it is humbly submitted this Answering Respondent will abide by the order / directions of this Hon'ble Tribunal in the instant OA.



द्वारा जारी किया गया है।
दस्तावेज़ पर हस्ताक्षर
केन्द्रिय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(एनएच, एन एच रोड, कानपुर, उत्तर प्रदेश)
Ministry of Environment, Forest & Climate Change, Govt. of India
द्वारा जारी किया गया है।
दस्तावेज़ पर हस्ताक्षर
केन्द्रिय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(एनएच, एन एच रोड, कानपुर, उत्तर प्रदेश)
Ministry of Environment, Forest & Climate Change, Govt. of India



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**Principal Bench, New Delhi**

Original Application No. 253/2023

Raja Muzaffar Bhat

Applicant

Vs.

The Municipal Corporation
of the City of Pune & Ors.

Respondent(s)

AFFIDAVIT

I, Divya Sinha, Working As Scientist 'F' In Central Pollution Control Board, Office at Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, Delhi- 110032, do hereby solemnly affirm and declare as under:

1. That I am fully conversant with the facts of the case and hence, competent and authorized to depose and swear the present affidavit in my official capacity.
2. That the contents of the annexed reply have been drafted by me and the contents of the same are true and correct on the basis of the record of the case as maintained in the day-to-day affairs of the CPCB and the contents of the short reply may kindly be treated part of this affidavit and the same are not repeated herein for the sake of brevity.



Divya
DEPONENT
 दिव्या सिन्हा / Divya Sinha
 वैज्ञानिक 'एफ' / Scientist 'F'
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (Mo Environment, Forest & Climate Change, Govt. of India)
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

112 MAR 2024
 Verified at Nee Delhi on this day of March, 2024 that the contents of the above reply affidavit are correct and true on the basis of the record of the case as maintained in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Divy.
DEPONENT

दिव्या सिन्हा / Divya Sinha
 वैज्ञानिक 'एफ' / Scientist 'F'
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (Mo Environment, Forest & Climate Change, Govt. of India)
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

ATTESTED
[Signature]
 NOTARY PUBLIC
 GOVT. OF INDIA

12 MAR 2024



Item No. 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 253/2023

Raja Muzaffar Bhat

Applicant

Versus

Union Territory of Jammu & Kashmir & Ors.

Respondent(s)

Date of hearing: 30.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Rahul Choudhary & Ms. Sruthi K. Advs. for Applicant

ORDER

1. The grievance in this original application is in respect of unscientific dumping of solid waste and bio medical waste in the area falling between Sher-E-Kashmir Bridge (NH-144 A) and the confluence of Poonch River and Belar Nala, near Poonch Town of Jammu and Kashmir.
2. The Tribunal vide order dated 13.04.2023 had constituted a Joint Committee and called for a Joint Report from J & K PCC and District Magistrate Poonch.
3. The report on behalf of District Magistrate, Poonch dated 11.07.2023 has been filed stating that representative of J & K PCC had refused to file joint report. The report states that the Municipal Council Poonch was directed to resolve the issue of disposal of municipal solid waste in an environmental friendly and scientific manner and such

remedial measures were taken. No detailed information in respect of the extent of problem and its remediation has been disclosed in the report.

4. A separate report on behalf of J & K PCC has been filed which clearly reveals the open dumping, unscientific dumping and disposal of municipal solid waste on the bank of Suran River near Sher-e-Kashmir at Poonch as for that violation environmental compensation of Rs. 81.00 lacs (Rs. Eighty One Lacs) was levied for violation of Solid Waste Management Rules, 2016. There is no disclosure about realization of the environmental compensation. It has also been pointed that action for levy of environmental compensation was taken prior to filing of original application but subsequently there is no action by the competent authority.

5. In view of the above let notice be issued to the respondents. Applicant is directed to serve the respondents and file affidavit of service before the next date of hearing. Let the response on behalf of the respondents be filed at least one week before next date of hearing.

6. List this matter on 7th February, 2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

November 30, 2023
Original Application No. 253/2023
HB

Item No. 12

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 253/2023

Raja Muzaffar Bhat

Applicant

Versus

Union Territory of Jammu & Kashmir & Ors.

Respondent(s)

Date of hearing: 07.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Rahul Choudhary & Ms. Itisha Awasthi, Advs. for Applicant

ORDER

1. This Original Application involves the grievance of unscientific dumping of solid waste and bio-medical waste in the area falling between Sher-E-Kashmir Bridge (NG 144A) and the confluence of Poonch River and Belar Nala, near Poonch Town of Jammu & Kashmir. The Tribunal in the previous order had considered the report at the instance of the joint Committee and had noted that environmental compensation of Rs. 81 lakhs was imposed for violation of the norms and Rules of 2016 upon the Local Body, Municipal Council Poonch and there was no disclosure about the realization of the said compensation amount.

2. In the said background, the Tribunal had issued notice to all the respondents in the matter. Learned Counsel for the applicant referring to affidavit of service has submitted that all the respondents are served.

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

4. List on 13.03.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

February 07, 2024
Original Application No. 253/2023
SN.