

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH NEW DELHI

O.A No.176/2023

Rohit Padha

(Applicant)

Versus

Union Territory of Jammu and Kashmir

(Respondent)**IN THE MATTER OF:**

Compliance report in terms of order dated 16.05.2024.

MAY IT PLEASE YOUR HONOUR :-

The answering respondent most respectfully submit as under:-

That at the very outset, it is submitted that the answering respondent has highest regards for the orders passed by the Hon'ble NGT and is always duty bound to carry out the directions issued by the Hon'ble NGT in letter and spirit. The respondent firmly believe in upholding the supremacy of law by demonstrating the highest respect and compliance to the orders passed by the Hon'ble Tribunal and answering respondent cannot even imagine of violating the orders passed by the Hon'ble Tribunal.

That the answering respondent is responsible functionary of the Union Territory of J&K, having highest regard and respect for the law and orders of the Hon'ble National Green Tribunal and as such cannot conceive of committing any disregard whatsoever.

That it is respectfully submitted that the Hon'ble National Green Tribunal has been pleased to pass order dated 16.05.2024, the relevant part whereof is reproduced here as under:-

“Hence, we require the CEO, Municipal Council, Udhampur to file a fresh report clearly reflecting the time bound action plan along with the timeline showing end time point for each stage and final date when the problem will be remediated. Let the same be filed within four weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF”.

That, at the outset it is most respectfully submitted that in terms of solid waste management rules, 2016 and pursuant to the direction of the Hon'ble National Green Tribunal passed from time to time, the answering respondent had already took various initiatives for Establishment of Waste Management Facility at Sui Chakkar Udhampur and 5TPD Dry waste and 2.5TPD wet waste processing facility is already created and is operational on daily basis. Besides the legacy waste accumulated near Sui site is also remediated through open tender and the small quantity of remaining legacy waste at a particular point which could not be remediated earlier because of the high tension electric wires has also been remediated and cleared as per the directions of the Hon'ble Tribunal and after shifting the high tension electric wires. Moreover 25 kanals of additional land has been identified adjoining to the existing land.

Due to the enforcement of the Model Code of conduct in the UT of the J&K, The time lines are subjected to the exemptions from the ECI, Moreover this office had made an communication for the exemption regarding the opening of the tenders . That it is humbly submitted that in addition to above, a comprehensive Action Plan along with the timelines fixed for implementing the same is submitted as under,


Chief Executive Officer
Municipal Council
Udhampur

	ACTION PLAN	TIMELINES (IF GET EXEMPTION FROM EC)	TIMELINES (IF DONOT GET EXEMPTION FROM EC)	BRIEF ACTION PLAN
1.	Bioremediation at MRF Site Sui.	Completed	Completed	<ul style="list-style-type: none"> The bio-remediation work at MRF site sui has been completed as also detailed above.
2.	Bioremediation of daily waste of MC Udampur and disposed at Mand	Tender opening date:- 03-09-2024 Work completion date:-by 30th April 2025	Tender opening date:- 05-10-2024 Work completion date: by 31st May 2025	<ul style="list-style-type: none"> The Tender for the remediation of legacy waste lying at Mand has been floated on JK tenders on 07/08/2024 and work will be completed by march 2025, Subject to smooth tendering & allotment to the successful bidder. Because of enforcement of the MCC in the UT of Jammu and Kashmir tendering opening has been delayed, but this is our utmost priority to finalize the tender after upliftment of the MCC.
3.	Development of 15 MT wet waste processing facility at Sui.	Tender opening date: 07th Sep 2024 Work completion date: by 28th Feb 2025	Tender opening date: 5th Oct 2025 Work completion date: by 31st Mar 2025	<ul style="list-style-type: none"> 25 kanals of land adjoining to existing MRF site has been identified for further extension of Solid Waste Processing Unit. Simultaneously, the tender has been floated to establish 30 TDP solid waste processing unit at Sui on 16-08-2024 on the available existing land at site. As mentioned above all the tendering processes and subsequent allotment has been effected because of enforcement of the MCC due to legislative assembly elections in the UT of J&K. But the whole process of establishing 30 TDP processing plant will be completed by May, 2025.
4.	Development of Construction and Demolition waste at Roun Udampur	Not applicable	Not applicable	<ul style="list-style-type: none"> As per SBM 2.0 operational Guidelines C&D waste processing action plan is only for 154 non-complying NCAP cities and 5 Lakh size ULB's. Municipal Council Udampur is not falling under this category while the MC is coordinating the Jammu Building Centre to process the C&D waste generated with in the jurisdictions of Municipal Council.

It is humbly submitted for kind appreciation of the Hon'ble Tribunal that the timelines given is subject to the allotment and providing possession of land by the competent authority and the council is committed to meet the deadlines and to put all its strength and efforts to complete the same in a time bound manner or at an earlier possible.

That in addition to above, the answering respondent carves the liberty of Hon'ble Tribunal to submit the various initiatives and steps taken by the council to tackle the issues of municipal solid waste management and to provide best sanitation services to the residents of Udampur are under.

waste from each household, commercial areas and from institutes following a predetermined timeline. These vehicles are equipped with Global positioning system and public awareness system.

Segregated Waste Collection:

Efforts are ongoing to achieve 100% household-level segregation of waste. Currently, 60% segregation has been accomplished through compartmentalized D2D Hooper's across all Municipal Wards, with a target of achieving 100% segregation by April, 2025. Moreover 5 new vehicles have been procured for segregated waste collection.

Regular Cleanliness Drives:

The Municipal Council conducts frequent cleanliness drives in all the municipal wards to uphold cleanliness standards and ecological balance. These drives serve to combat pollution and preserve the natural beauty of the water body, public places, tourist attraction points etc.

IEC Campaigning:

Continual efforts in information, education, and communication (IEC) are actively underway within the municipal area, aimed at fostering awareness and behavioral change regarding the Nallah's cleanliness. Notable progress has been witnessed, with residents now actively participating by responsibly disposing of waste through doorstep collection by Safaikaramcharies, thereby refraining from littering the Nallah. These IEC initiatives persistently engage the community through various channels, including regular announcements through Public awareness system mounted on door to door collection vehicles and by organizing and conducting the various brainstorming sessions/campaigns in this regards within the locality.

Anti-Polythene Campaigns :

To combat plastic pollution, the council has started various Anti-Polythene Campaign. These campaigns aim to raise awareness about responsible waste disposal and the adverse effects of plastic pollution and educate the residents to say no to Single Use Plastic.

It is therefore, humbly submitted that the report submitted by the MC Udhampur may kindly be accepted and taken in records.


Respondent
Chief Executive Officer
MC Udhampur.


Chief Executive Officer
Municipal Council
Udhampur

**Government of Jammu and Kashmir,
Directorate of Urban Local Bodies, Jammu.**

(Mail ID: dibjammu@gmail.com)
(Website: www.ulbjammu.org)

No: DULBJ/2022/ 7584

Dated: 31-12-2022

LETTER OF AWARD (LoA)

To,
Dezy Services
Sunil Guest House 2nd Floor Near Sheela Bypass
Rohtak Haryana-124001
Mobile No- 9813755746
Email: dezyseices999@gmail.com

Sub: Letter of Award (LoA) for the assignment "Selection of Agency for undertaking Dumpsite/ Landfill Remediation through Biomining of Legacy Waste In Udhampur and Samba ULBs of Jammu Division."

Ref: 1 Tender no: DULBJ/eNIT/07/2022-23 dated 21.12.2022
2. Technical Evaluation dated 28.12.2022
3. Financial bid opening dated 30.12.2022

Dear Sir/Madam,

This is to notify that your proposal dated 27th December 2022 consisting of the Technical and Financial Proposals for Selection of Agency for undertaking Dumpsite/ Landfill Remediation work through Biomining of Legacy Waste in Udhampur and Samba ULBs of Jammu Division is accepted. In provision of RFP, your financial bid being the lowest amongst all bidders, you have been declared as L1 bidder and therefore this Letter of Award (LOA) is being issued to you for undertaking the captioned subject work in provisions of RFP, within stipulated timelines and price mentioned hereunder

Sl. No	ULB	Total quantity (MT)	Quoted Rate/ MT in INR	Amount in INR
1.	Udhampur	16,500	717.00	1,18,30,500.00
2.	Samba	18,000	717.00	1,29,06,000.00
	Total	34,500	717.00	2,47,36,500.00

Note: Rates are inclusive of all taxes and above-mentioned quantity may vary by ± 10%



**Chief Executive Officer
Municipal Council
Udhampur**

The total Contract Price for the assignment including all taxes is 2,47,36,500/- (Rupees Two Crore, Forty-Seven Lakh Thirty Six Thousand Five Hundred Only/-) and work should be completed within 8 months from the Letter of Award.

You are required to adhere to all the terms and conditions of the RFP and Contract Agreement which is to be signed with the Directorate Urban Local Bodies, Jammu/ Municipal Council, Udhampur & Samba within 10 days of issuance of this Letter of Award (LoA). Kindly furnish unconditional and irrevocable Performance Bank Guarantee of an amount of 12,36,825/- (Rupees Twelve Lakh Thirty-Six Thousand Eight Hundred Twenty Five only) valid for a period of 12 Months beyond the stipulated date of completion of services within 7 days from the date of issue of this letter and sign the Contract Agreement within stipulated timelines.

You are also requested to bring non-judicial stamp paper of Rs 100/- (issued in Jammu, Jammu and Kashmir) and Company Seal for signing the Agreement. The Agreement will be signed by your authorized representative who has signed the RFP document. A fresh letter of authorization is required while signing the agreement.

The company shall be liable to comply with all the instructions prescribed in the Scope of Work mentioned in the RFP documents and shall also comply with terms and conditions of Agreement. Noncompliance of instructions/ poor performance shall lead to the termination of Contract.

Kindly acknowledge the receipt of this letter and send your acceptance with copy through email at dlbjammu@gmail.com.



Director
Urban Local Bodies,
Jammu

Chief Executive Officer
Municipal Council
Udhampur

OFFICE OF THE MUNICIPAL COUNCIL UDHAMPUR

Commissioner/Secretary
Housing and Urban Development Department
J&K

NO:MCU/2024-25/1446

Dated:22-08-2024


SUB: PERMISSSION FOR OPENING OF TENDERS (BIOMINING OF LEGACY WASTE AT MAND AND PROPOSAL FOR SETTING UP 30 TPD SOLID WASTE PROCESSING UNIT AT SUI UDHAMPUR.

Respected Madam,

Apropos to the subject cited above, it is submitted that this office had floated the tenders for Biomining of Legacy Waste at Mand and Proposal for Setting up 30 TPD Solid Waste Processing Unit at Sui for Udhampur Municipal Council Udhampur through JK Tender portal vide Tender ID: [2024_HAUDD_255750_1 and [2024_HAUDD_2557580_1. However due to the enforcement of model code of Conduct, this office is unable to proceed with the opening of the tenders.

In light of the critical nature of these projects and potential consequences of delay, I respectfully request you to take up the matter with the MCC exemption committee so that the approval can be sought from ECI through CEO Office.

Yours Faithfully


**Chief Executive Officer
Municipal Council
Udhampur**


**Administrator
Municipal Council
Udhampur**


**Chief Executive Officer
Municipal Council
Udhampur**