



Government of Jammu & Kashmir
OFFICE OF THE DEPUTY COMMISSIONER, GANDERBAL
(MINI SECRETARIAT, DUDERHAMA)

The Worthy Registrar General,
Hon'ble National Green Tribunal
New Delhi.

No:- DCG/ARA/527

Dated: 08-07-2025

Subject:- Submission of Report in Compliance with the Order dated 25.04.2025 of Hon'ble National Green Tribunal, New Delhi

Sir/Madam,

Kindly find enclosed herewith the report in compliance with the directions contained in the order dated 25.04.2025 passed by the Hon'ble National Green Tribunal, New Delhi, in the matter of Mrs Nighat Mir V/s UT of J&K and others bearing case no. Original Application No.182/2025

The report has been prepared in accordance with the observations and instructions issued by the Hon'ble Tribunal, and includes the necessary details for kind perusal.

It is therefore requested to take the same on record.

Enclosed: 05 leaves

Yours Faithfully

Jatin Kishore
Jatin Kishore (IAS)
Deputy Commissioner
Ganderbal



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

In the case titled: Mrs Nighat Mir

V/s

UT of J&K and others.

In the matter of: Compliance report of order dated 25.04.2025 in the above titled case (Case No. OA/182/2025).

May it please be Honour,

1. That this Hon'ble Tribunal passed an order dated 25.04.2025 in the above titled case wherein, a joint Committee comprising Deputy Commissioner, Ganderbal and J&KPCC was constituted and it was directed by the Hon'ble Tribunal that the said Committee shall visit the site, examine the issues raised in the letter petition in question sent by the complainant and find out whether the alleged dumping is being carried out by Rural Development Department along with Municipal Committee, Ganderbal at the site in question and if so whether the same activity is under any valid authorization or in violation of any statutory rules framed under the environmental Statutes. Further, it was instructed that if Committee finds that solid waste is being dumped at the land in question in violation of statutory rules framed under environmental Statutes, it shall take effective, preventive, prohibitive, punitive and remedial action which may also include imposition of environmental compensation upon the violator by applying the principle of 'Polluter Pays'.
2. That the aforesaid order passed by this Hon'ble Tribunal was received on 02.05.2025 by this office and was taken up with the District Officer Pollution Control Board, Ganderbal, Assistant Commissioner Development Ganderbal, Assistant Commissioner Panchayats Ganderbal, Tehsildar Tulumulla and Chief Executive Officer, Municipal Council Ganderbal vide letter no.ADM/GBL/PS/2025/366-13672 Dated 16.05.2025 for taking necessary action in the matter.
3. That pursuant to the directions of this Hon'ble Tribunal, the Deputy Commissioner Ganderbal and District Officer PCC Ganderbal personally proceeded on spot on 23.05.2025 and conducted a joint inspection of the site

Divisional Officer
Pollution Control Committee

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near Tulmulla Wetland, District Ganderbal. The inspection committee was accompanied by Officers/Officials from District Administration, Rural Development Department, PCC, Tehsil Administration. The observations made by the team are as under:-

- i) Site Condition:** The inspected area, including land adjacent to the complainant's property was found to be free of solid waste and garbage. No evidence of recent dumping activities was observed. The entry to the complainant's land was unobstructed, and the approach road was clear. No stray dogs were present in the immediate vicinity, and the nearby sports stadium appeared accessible.

The officers from concerned departments, present on spot asserted that solid waste has never been dumped by the Rural Development Department (RDD) in the area. They acknowledged that some waste might have been previously deposited by unknown individuals during odd hours and they further stated that they had proactively undertaken the removal of any previously accumulated waste from the area.

ii) Directions Issued:

- a) On spot, the concerned departments were directed to regularly monitor the area within their respective Jurisdiction to prevent unauthorized dumping of waste, sensitize the local populace regarding proper waste disposal and to undertake an immediate cleanliness and sanitation drive, so as to avoid any accumulation of waste.
- b) The concerned Block Development Officer (BDO) was further directed to initiate a comprehensive sanitation drive in the area and to take necessary measures to prevent any dumping of waste therein.

iii) Waste Management Shed: A waste management shed, already constructed by the Rural Development Department (RDD), was found not operational at that time. The BDO concerned was impressed upon to take immediate remedial measures for:-

- a) Obtaining necessary No Objection Certificates (NOCs) from the Environment and Remote Sensing Department, Wildlife Department, and J&KPCC before any activities commence within the shed.
- b) On the spot, directions were issued to ensure the immediate operationalisation of the Waste Management Shed.

4. That, in the instant matter, the Assistant Commissioner Panchayat Ganderbal vide

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communication No. ACP/GBL/NGT/1349-52 Dated 28.05.2025 endorsed the report of Block Development

Officer Ganderbal wherein it has been communicated as under:-

I. Plastic Waste Management Unit Constructed:

A plastic waste management unit has been constructed at Tulmulla with the aim of ensuring scientific disposal of plastic and non-biodegradable waste. While the unit is presently not functional, necessary arrangements are being made, and it is expected to become operational shortly.

II. No Open Dumping is Taking Place:

Field inspection confirms that no open dumping of waste is occurring at the site. The location remains free from any uncontrolled waste disposal activity, and all waste is currently being handled in compliance with interim safety and sanitation norms.

III. Site Selected Away from Wetlands:

The waste management unit has been set up at a safe distance from the designated boundary of the Tulmulla wetlands, ensuring there is no encroachment or ecological disruption. Proper environmental safeguards are in place to protect the integrity of the wetland ecosystem.

IV. Environmental Compliance and Monitoring:

Even in its current pre-operational phase, the site is being regularly monitored to ensure no environmental harm is caused. Once functional, the unit will adhere strictly to CPCB guidelines and the Solid Waste Management Rules, 2016.

V. Misinterpretation of Waste Handling Activity:

It appears that the complaint may have arisen due to a misinterpretation of temporary storage or movement of material related to the construction and setup of the unit. There is no evidence of sustained or intentional dumping activity at the site.

VI. Community and Panchayat Involvement:

The local panchayat has been engaged and briefed on the importance of maintaining environmental safeguards, particularly in proximity to the

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wetlands. They are cooperating fully to ensure proper waste handling and public awareness.

VII. Future of safeguards

Once the unit is functional, strict protocols will be followed for segregation, processing, and transportation of waste using covered vehicles and designated collection methods, minimizing any environmental risks.

5. That Chief Executive Officer Municipal Council Ganderbal vide letter no. MC/Gbl/2025/2650-52 Dated 18.06.2025 has reported that the Municipal Council Ganderbal has its own Solid Waste Management Plant where all the garbage (wet/dry) collected from town is taken and disposed off scientifically at SWM Plant. Dumping of garbage at the site mentioned in the complaint or anywhere else has been totally denied by the Municipal Council Ganderbal and narrating the complaint untrue and false.
6. That the Tehsildar Tulmulla has reported vide office communication No.242/OQ/TUL Dated 10.06.2025 that the land measuring 04 Kanals under Survey No. 221 min, situated at Estate Sehpora, is recorded in the name of Mrs. Nighat W/o Showkat Ahmad Khanyari. The said land has been transferred in her favour through Mutation No. 173 (Sale Deed). It has further been reported that the complainant is utilizing the same pathway for ingress and egress as is being used by other Zamindars of the area and on spot, a pathway has been found developed on Khacharie land under survey no.4615(shamilat sec-4) in estate Tulmulla which leads towards the Solid Waste Management Shed constructed by RDD Block. Additionally, it has been reported that no garbage has been dumped on the proprietary land of the complainant, and that there is no encroachment on her land and neither ingress nor egress blocked.
7. That the Block Development Officer has also submitted a report vide Letter No. BDO/Gbl/2484-86 dated 26.06.2025, stating that a sanitation drive was recently conducted in and around the Plastic Waste Management Unit (PWMU) at Tulmulla. The drive was initiated in response to the unauthorized dumping of waste by certain unidentified individuals. The area has since been cleared of all such waste, and cleanliness has been restored. It is further reported that continuous surveillance is being maintained to monitor and deter such activities in the future. Efforts are also being intensified to make the PWMU fully functional at the earliest. Additionally, steps are underway to strengthen the fencing around the unit to prevent any recurrence of such unauthorized dumping.

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 Divisional Officer
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8. That it is respectfully submitted that the order passed by this Hon'ble Tribunal has been duly complied with by the answering respondents as submitted herein above. No violations of environmental statutes have been observed at site. Necessary preventive and corrective measures are being actively pursued by the respective Departments/Offices to ensure continued compliance with applicable regulations.

In the premises, it is respectfully submitted that the compliance report be taken on board on behalf of Deputy Commissioner Ganderbal and District Officer, PCC Ganderbal.

[Signature]
 District Officer (PCC)
 Ganderbal
 Pollution Control Committee
 District Ganderbal

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 Ganderbal
 Deputy Commissioner (Nodal Officer),
 Ganderbal