

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI**

**ORIGINAL APPLICATION NO. 720/2024**

**IN THE MATTER OF: -**

**TRIBUNAL ON ITS OWN MOTION.**

News item titled "Tawi Barrage & Riverfront Projects in river inviting Jammu destroying disaster" appearing in sandrp.in dated 11.05.2024

**V/S**

Jammu Municipal Corporation & Ors.

**IN THE MATTER OF -INDEX**

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**COMMISSIONER, JAMMU MUNICIPAL CORPORATION  
(RESPONDENT NO. 1)**

*Commissioner  
Jammu Municipal Corporation*  
**THROUGH :-**

*MAYANK*

**DATED: -13-9, 2024**

**ADVOCATE J&K&L HIGH COURT  
STANDING COUNSEL  
JAMMU MUNICIPAL CORPORATION  
[7006294362||gptamynk@gmail.com](mailto:7006294362||gptamynk@gmail.com)**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH AT NEW DELHI**

**IN THE MATTER OF: -**

**TRIBUNAL ON ITS OWN MOTION.**

(News item titled "Tawi Barrage & Riverfront Projects in river inviting Jammu destroying disaster" appearing in sandrp.in dated 11.05.2024)

**V/S**

Jammu Municipal Corporation & Ors.

**RESPONSE ON BEHALF OF THE COMMISSIONER, JAMMU  
MUNICIPAL CORPORATION IN COMPLIANCE WITH THE ORDER DATED  
03.07.2024 PASSED BY THE HON'BLE PRINCIPAL BENCH OF THE  
NATIONAL GREEN TRIBUNAL, NEW DELHI IN ORIGINAL APPLICATION  
NO. 720/2024**

*May it please to the Hon'ble Bench:-*

**PRELIMINARY SUBMISSIONS**

- M. Shank*
1. That at the outset, the respondent denies every statement, contention, submission, allegation, and/or averment made in the petition, as well as any statements that are contrary to or inconsistent with the records of the case, except those that are expressly and specifically admitted hereinafter. Any omission to deny any of the averments shall not be construed as an admission on the part of the answering respondent.
  2. That the present Original Application has been initiated suo-motu by the Hon'ble Tribunal based on a news item titled "Tawi Barrage &

*[Signature]*  
Commissioner  
Jammu Municipal Corporation

Riverfront Projects in Jammu Destroying River Inviting Disaster," published on sandrp.in on 11.05.2024 and the Hon'ble Tribunal, by order dated 03.07.2024 in the aforementioned OA No. 720 of 2024, passed an order through which, in Para 10, the following parties were impleaded. The relevant portion of Para 10 is reproduced herein as:

10. Hence, we implead the following as respondents in the matter:

**i. Jammu Municipal Corporation, Through its Commissioner Town Hall Jammu, Jammu and Kashmir 180001**

ii. Jammu Development Authority Vikas Bhawan, Rail Head Complex, Jammu-180004

iii. J&K Pollution Control Committee, Through its Member Secretary 4 Parivesh Bhawan, Forest Complex, Gladni, Narwal, transport Nagar, Jammu, Jammu and Kashmir-180004

iv. Director General, National Mission for Clean Ganga 1st Floor, Major Dhyan Chand National Stadium India Gate, New Delhi - 110002

v. Central Pollution Control Board, Through its Member Secretary Parivesh Bhawan, East Arjun Nagar, Delhi-110032

vi. Regional Office, MoEF & CC, Jammu. WDP Complex, Narwal, Jammu-180010

vii. Deputy Commissioner and District Magistrate, Jammu Wazarat Road, Peer Kho, Pakki Dhaki, Jammu, Jammu and Kashmir 1800013.

Mark


Jammu Municipal Corporation

3. That the answering respondent taken charge as Commissioner, Jammu Municipal Corporation in an officiating capacity on 16.08.2024, and during this brief tenure, has made every effort to compile the submissions presented through this response. The answering respondent respectfully seeks the liberty to make additional submissions or file supplementary affidavits should the need arise during the course of arguments. Furthermore, the respondent requests additional time, if required, to address any queries that may not have been fully covered in this response.
4. That At the outset, it is respectfully submitted that the Tawi River Front Development project is executed by the Jammu Smart City Limited (JSCL), while the Barrage project pertains to the Irrigation and Flood Control Department of the UT of Jammu & Kashmir. Consequently, the Irrigation and Flood Control Department and JSCL are necessary parties and are best positioned to address the majority queries raised by this Hon'ble Bench. Hence, the Irrigation and Flood Control Department and JSCL may kindly be arrayed as the respondents in the above titled matter.

**REPLY TO MERITS**

**As per the directions of the Hon'ble Bench vide order dated 03.07.2024, the present respondent submits and answers the queries which pertains to the answering respondent -**

As per Para 2 of the order of the Hon'ble Bench, the issue of solid and liquid waste pollution has been raised to which the Jammu Municipal Corporation is identified as one of the responsible bodies. Through this response, the answering respondent seeks to highlight the various projects

Commissioner  
Jammu Municipal Corporation  


*Mark*

and initiatives undertaken by the Corporation's officials to address these concerns -

- a) The answering respondent respectfully submits that the allegations of a continual rise in solid and liquid waste pollution have been denied. Instead of contributing to increased pollution, efforts have been made to prevent waste from various nallahs from flowing directly into the river. This effluent is one of the primary sources of river pollution. Besides being injurious for aquatic life, this is also a primary source of water pollution and contamination which makes it unfit for irrigation purposes as well. It is submitted that instead of increasing the solid and liquid waste pollution flowing into the river, the waste generated in various nallahs has been prevented from flowing directly into the river. At present all the nallahs on the left bank and right bank discharge effluent directly into the river.

The Nallahs which falls on the left bank are listed as -

- Mayank.*
- a) *Gorkha Nagar Nallah*
  - b) *Rajiv Nagar Nallah*
  - c) *Rajiv Basti Nallah*
  - d) *Bikram Chowk Nallah*
  - e) *Harki pori Nallah*
  - f) *Warehouse Nallah*

The Nallahs which falls on the right bank are listed as -

- a) *Dhounthly Nallah*
- b) *Jhullakha Mohallah Nallah*
- c) *Peerkho-1 Nallah*
- d) *Peerkho Main Nallah*
- e) *Gujjar Nagar Nallah*

*Commissioner*  
*Muni Municipal Corporation*

- f) Jogi Gate Nallah
- g) Prem Nagar Nallah
- h) Christian Colony Nallah
- i) Qasim Nagar Nallah
- j) Rehari Nallah
- k) Krishna Nagar Nallah
- l) Rajinder Nagar Nallah

b) That it is humbly submitted the Sewerage & Drainage Department of UEED has undertaken measures to divert the nallahs upstream of the project area by constructing Intermediate Pumping Stations (IPSS) These IPSS pump the effluent into the main trunk sewer, carrying it directly to the Sewage Treatment Plants (STPs) on the left and right banks.

The details of the activities undertaken by the Sewerage and Drainage Department are provided below for the kind consideration of the Hon'ble Tribunal -

**Details of Nallah's on Left bank of River Tawi**

1. Gorkha Nagar Nallah
2. Rajiv Nagar Nallah
3. Rajiv Basti Nallah
4. Bikram Chowk Nallah
5. Harki pori Nallah
6. Warehouse Nallah

Regarding the treatment of wastewater in Nallah's, the sewage flowing directly into these Nallah's has been connected to 4 MLD (**millions of litre per day**) Sewage Treatment Plan (**hereinafter as STP**) constructed at

*M. Singh*  
Commissioner  
Jammu Municipal Corporation

Belichirana. The plant is functional and processing sewage waste into the manure and treated water is pumped back into Tawi.

**Details of Nallah on Right bank covered in 2 packages and out of which in Package-1 of Interception and Diversion of Nallahs, generating 273.04 lps (Litres per Second) of Wastewater, the areas which will be covered under the project are Gujjar Nagar, Jogi gate, Prem Nagar, Residency Road and adjoining areas**

1. Gujjar Nagar Nallah
2. Jogi Gate Nallah
3. Prem Nagar Nallah
4. Christian Colony Nallah
5. Qasim Nagar Nallah

Allotted cost of work 9.30 crore. 80% of civil Work for these nallahs has been completed and remaining shall be completed by the end of 2024.

The wastewater of these Nallahs will be collected into Intermediate Sewer pumping stations and then shall be pumped to 30 MLD Sewerage Treatment Plant for treatment at Bhagwati Nagar through 600 mm dia.

**Details of Nallah on Right bank covered in Package-2 of Interception and Diversion of Nallahs, generating 277.70 lps of wastewater, the areas which will be covered under the project are**

1. Dhounthly Nallah
2. Jhullakha Mohallah Nallah
3. Peerkho-1 Nallah
4. Peerkho Main Nallah

Allotted cost of work 21.47 crore. Survey and Design is in progress and the work shall be completed by the end of 2025. The wastewater of these Nallahs under UEED will be collected through RCC pipe network and

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 Municipal Corporation

collected in proposed equalization tank of 10 MLD capacity, and the same shall be pumped to 30 MLD Sewerage Treatment Plant for treatment at Bhagwati Nagar through 500/600mm dia.

- c) That it is further submitted that an adequate provision for the construction of interceptor drains for intercepting the nallahs listed below has been made in Riverfront Project by JSCL. The interceptor drains are being constructed for carrying the sewage laden effluent directly to the STPs on left bank and right bank, thereby preventing the nallahs from directly debouching into the proposed lake. This single step shall eliminate any chance of pollution and contamination of river water and keep the lake pristine. The nallahs in the project reach that are being intercepted through interceptor drains and prevented from flowing into the river are as follows:

**Right Bank**

- i) Rehari Nallah  
ii) Krishna Nagar Nallah  
iii) Rajinder Nagar Nallah

**Left Bank**

- i) Warehouse Nallah  
ii) Bikram Chowk Nallah

Furthermore, it is submitted that for facilitating the execution of the Tawi River Front Project , area lying between the Tawi Bridge and the Bhagwati Nagar Bridge, Near Warehouse, huge quantities of legacy waste dumped on the riverbanks over the decades, was removed by the answering respondent during the period from March - 2022 to October - 2022 by deploying machinery including in the form of i.e. Track Excavator and Big

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[Signature]

Mayank

Tippers (9-10 cum capacity) and approximately = 17110 MT of garbage & silt was disposed-off from the above said area.


**Therefore, the above response on the behalf of the impleaded Respondent No. 1, Jammu Municipal Corporation is submitted before this Hon'ble Tribunal for the perusal and kind consideration.**

Furthermore, an alternate prayer is made that the respondent may be granted additional time, if required, to address any queries that may not have been fully covered in this response

and

Department of the Irrigation and Flood Control Department of UT of Jammu and Kashmir and Jammu Smart City Ltd. may kindly be arrayed as the respondents in the above titled matter for the proper adjudication of the matter.

***Supported Documents Are Enclosed Along With The Response and collectively marked as Annexure - I***

  
COMMISSIONER, JAMMU MUNICIPAL CORPORATION  
(RESPONDENT NO. 1)

  
THROUGH:-

DATED: -13-9 ,2024

MAYANK GUPTA  
ADVOCATE J&K&L HIGH COURT  
STANDING COUNSEL  
JAMMU MUNICIPAL CORPORATION  
[7006294362||gptamynk@gmail.com](mailto:gptamynk@gmail.com)

**VERIFICATION**

I, Dr. Devansh Yadav, Aged - 34 years, at present working as Commissioner, Jammu Municipal Corporation do hereby verify and declare that the facts stated above are true upon information received from the records as well are true upon legal advice received by me which I believe to be true. The documents submitted are photocopies of the Originals.

  
Commissioner  
Jammu Municipal Corporation  
**RESPONDENT NO.1**



OFFICE OF THE SUPERINTENDING ENGINEER,  
SEWERAGE & DRAINAGE CIRCLE, JAMMU.  
e-Mail: [seueedjmu@gmail.com](mailto:seueedjmu@gmail.com)



The Commissioner,  
Municipal Corporation,  
Jammu.

No.SDJ/W/2824-26  
Dated: 11-09-2024

**Subject:** News item titled "Tawi Barrage & River front Project in Jammu destroying river front disaster" appearing in sandrap in dated 11.05.2024.

**Ref:** Hon'ble NGTs Order No. 720/224

Sir,

Regarding the subject cited above and order under reference it is submitted that Jammu Smart City is constructing artificial lake on river Tawi, to keeping lake clean all the natural nallah on left and right bank falling in to river Tawi were taken up in hand to avoid the sewer water flowing directly into river Tawi. The details of activity taken by Sewerage and Drainage Division UEED Jammu in hand is as detailed below.

**Details of Nallah on Right bank covered in Package-1 of Interception and Diversion of Nallahs, generating 273.04lps of waste water, the areas which will be covered under the project are Gujjar nagar, Jogi gate , Prem Nagar, Residency Road and adjoining areas**

1. Gujjar Nagar Nallah
2. Jogi Gate Nallah
3. Prem Nagar Nallah
4. Christian Colony Nallah
5. Qasim Nagar Nallah

Allotted cost of work 9.30 crore. 80% of civil Work for these nallahs has been completed and remaining shall be completed by the end of this year i.e, 2024. The waste water of these Nallahs will be collected into Intermediate Sewer pumping stations and then shall be pumped to 30 MLD Sewerage Treatment Plant for treatment at Bhagwati Nagar through 600mm dia. Sewerage network.

**Details of Nallah on Right bank covered in Package-2 of Interception and Diversion of Nallahs, generating 277.70 lps of waste water, the areas which will be covered under the project are**

1. Dhounthly Nallah
2. Jhullakha Mohallah Nallah
3. Peerkho-1 Nallah
4. Peerkho Main Nallah

Allotted cost of work 21.47 crore. Survey and Design is in progress and the work shall be completed by the end of December 2025. The waste water of these Nallah's will be collected through RCC pipe network and collected in proposed equalization tank of 10 MLD capacity , and the same shall be pumped to 30 MLD Sewerage Treatment Plant for treatment at Bhagwati Nagar through 500/600mm dia. Sewerage network.

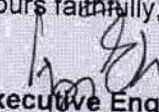
**Details of Nallah's on Left bank of River Tawi**

1. Gorkha Nagar Nallah
2. Rajiv Nagar Nallah
3. Rajiv Basti Nallah
4. Bikram Chowk Nallah
5. Harki pori Nallah

Regarding the treatment of waste water of above five Nallah's, the sewage flowing directly into these Nallah's has been connected to 4 MLD STP constructed at Belichirana through Sewer Network of 4000 mtr of main trunk sewer, 39000 mtr of Laterals and 3 no Intermediate Pumping Stations. The plant is functional and processing sewage waste into treated water & manure and treated water is disposed off to the nearby waterbody.

Submitted please.

Yours faithfully,

  
Executive Engineer  
Sewerage & Drainage Div. (West)  
Jammu.

**Copy to the:**

1. Chief Engineer, J&K UEED Jammu for information please.
2. Superintending Engineer S&D Circle UEED Jammu, for information please.



*Picture showing waste dumped on Left Bank prior to the construction of project*



*Picture showing waste prior to the construction of project*

Handwritten signature or mark.



Photo 3:



Photo 4. Depicting existing state of water pollution due to nallah entering Tawi river posing threat to its aquatic life



Picture showing stagnated cesspool resulting from the flowing of nallah directly into the river prior to the construction of project



*Picture showing Interceptor Drain On Left Bank*



*Picture showing Interceptor Drain On Right Bank*



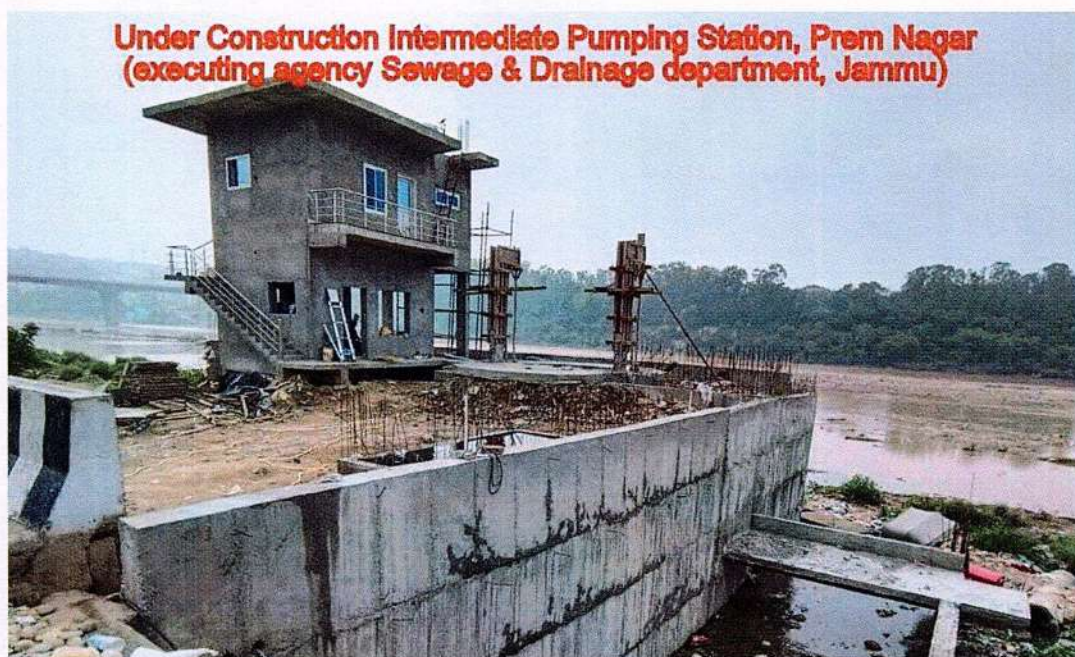
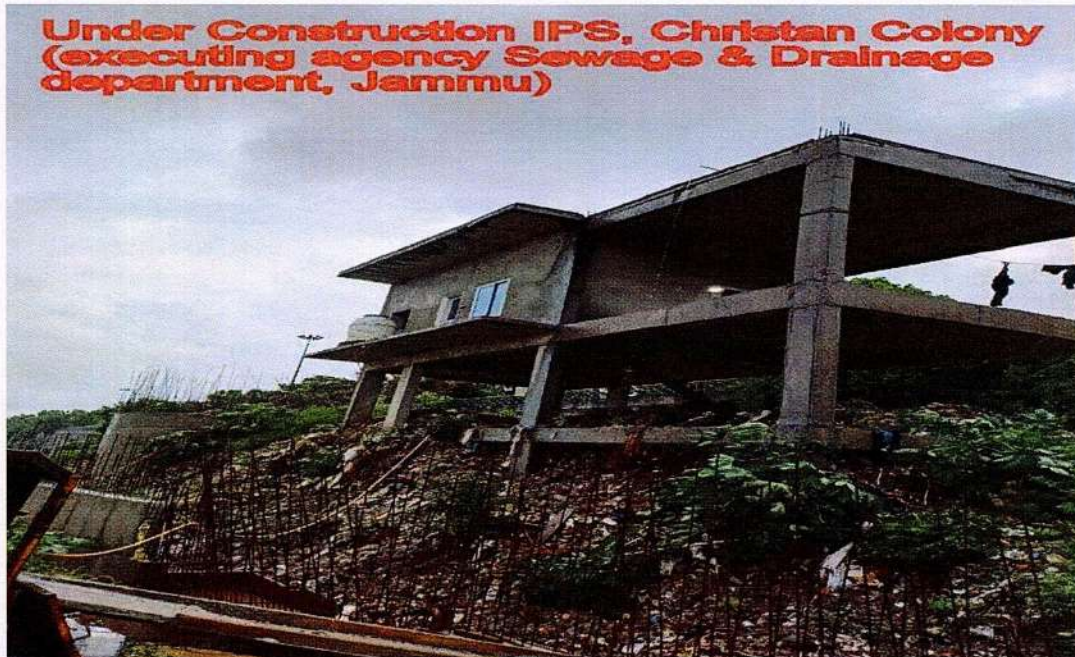
*Picture showing Interceptor Drain On Right Bank*

**Under Construction Intermediate Pumping Station, Tawi Riverfront-Left Bank (executing agency JSCL)**

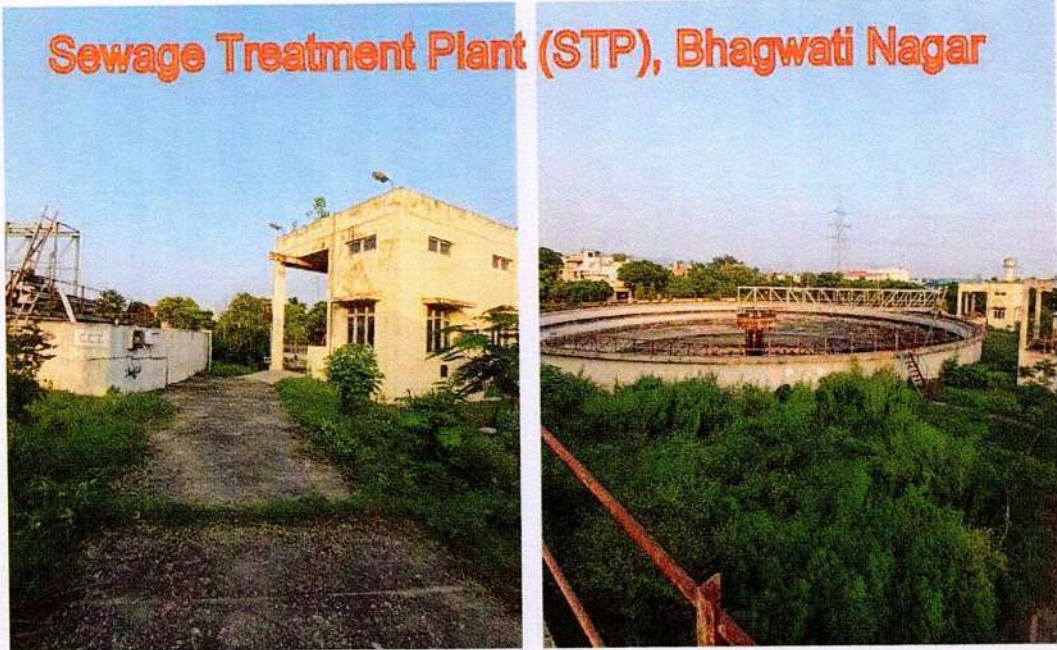


**Under Construction Intermediate Pumping Station, Gujjar Nagar (executing agency Sewage & Drainage department, Jammu)**





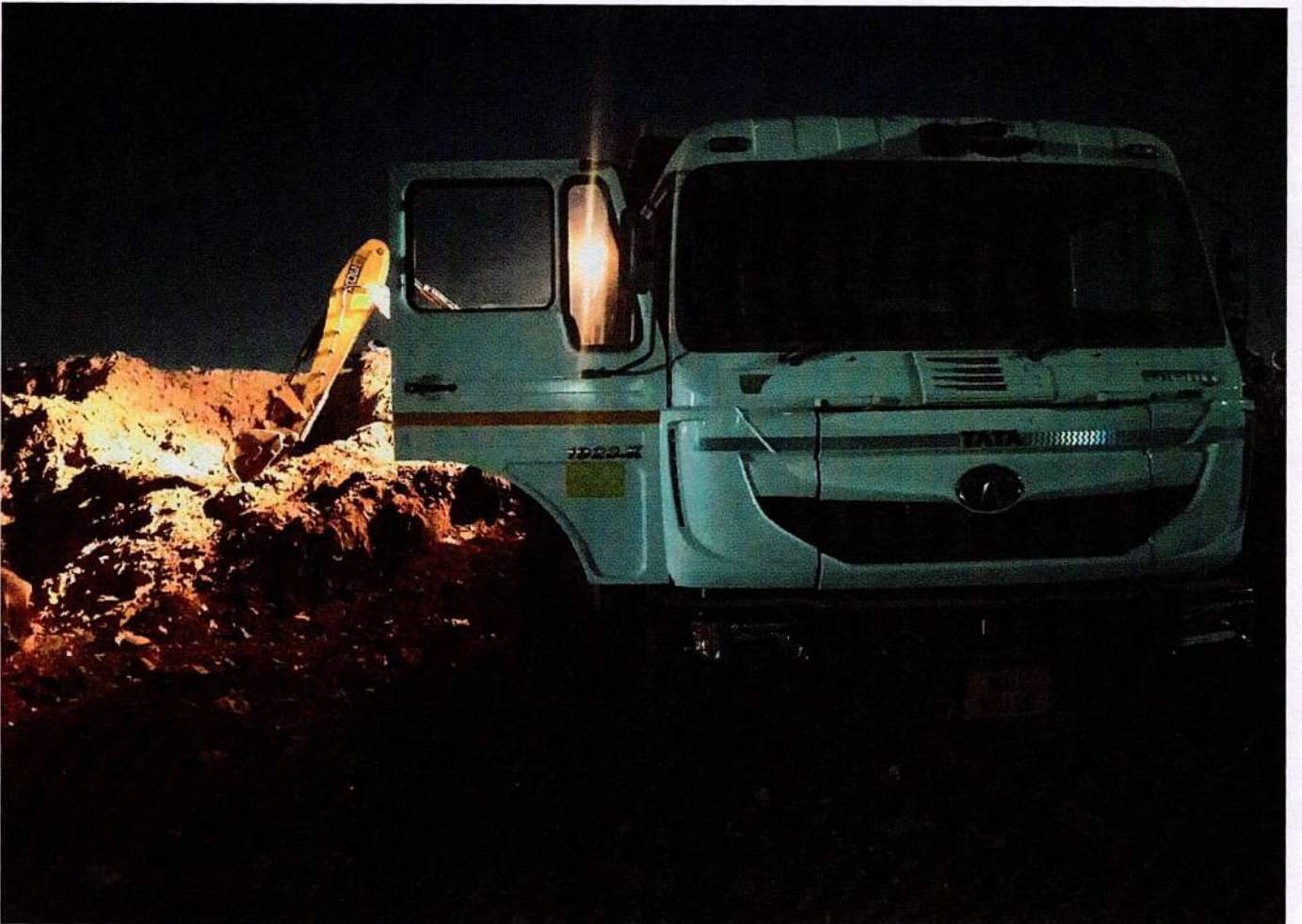




INITIATIVES TO KEEP 55 MAINTAIN CLEANLINESS







58

22





**JAMMU MUNICIPAL CORPORATION**  
**TOWN HALL, JAMMU.**

The Commissioner,  
Municipal Corporation,  
Jammu.

No: - JMC/TPT/ 700-2

Dated: 11-09-2024

**Sub: News item titled "Tawi Barrage & Riverfront Project in Jammu destroying river inviting disaster" appearing in sandrap in dated 11.05.2024.**

**Ref: Before the Hon'ble National Green Tribunal Principal Bench, New Delhi. O-A No: - 720/2024**

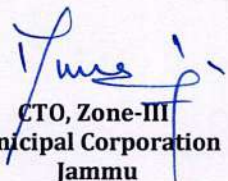
Respected Sir,

In reference to subject cited above, it is submitted that for smoothly taking up the execution of the **Tawi River Front Project** area lying between the Tawi Bridge and the Bhagwati Nagar Bridge, Near Ware House, garbage was lifted from the above said area by the Jammu Municipal Corporation by deploying machinery i.e. Track Excavator and Big Tippers (9-10 cum capacity) from March -2022 to October -2022 and approximately = 17110 MT of garbage was disposed-off from the above said area to Municipal garbage dumping sites. The brief detail of the said work, as per the record available with the office of undersigned is as under.

S.No.	No. of vehicles deployed Big Tipper Capacity (9-10) Cum	Durations	Garbage disposed off (in MT)
1.	5 Nos.	25/03/2022 to 08/04/2022 (15 days)	1350 MT
2.	6 Nos	20/06/2022 to 20/07/2022 (30 days)	3240 MT
3.	10 Nos	21/07/2022 to 20/08/2022 (30 days)	5400 MT
4.	14 Nos.	06/09/2022 to 20/09/2022 (15 days)	3780 MT
5.	06 Nos.	01/10/2022 to 31/10/2022 (31 days)	3340 MT
		<b>Total</b>	<b>17110 MT</b>

Submitted for your kind information.

Yours faithfully,

  
 CTO, Zone-III  
 Municipal Corporation  
 Jammu

Copy to the information of:

1. The Joint Commissioner (H&S), Jammu Municipal Corporation for information Pls.
2. Sr. Law Officer, Jammu Municipal Corporation for information Pls.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH AT NEW DELHI**

Original Application No. 720/2024

**IN THE MATTER OF: -**

**TRIBUNAL ON ITS OWN MOTION.**

(News item titled "Tawi Barrage & Riverfront Projects in river inviting Jammu destroying disaster" appearing in sandrp.in dated 11.05.2024)

...Applicant

*Versus*

Jammu Municipal Corporation & Ors

... Respondents

**AFFIDAVIT IN SUPPORT OF RESPONSE FILED**

I, I, Dr. Devansh Yadav, Aged – 34 years, at present working as Commissioner, Jammu Municipal Corporation, do hereby state on oath/solemn affirmation that I have read the contents of the objections/ the objections have been read over and explained to me, that the above contents are true upon information received from the records as well are true upon legal advice received by me which I believe to be true.

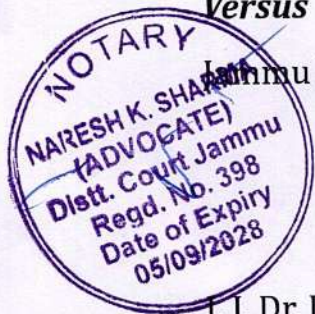
I solemnly swear/affirm that this affidavit is true, no part of this is false and nothing has been concealed.

**IDENTIFIED BY**

*Manoj K. Gupta*  
*Advocate*  
*High Court of J&K,*  
*Jammu*

*Devansh Yadav*  
Commissioner  
Jammu Municipal Corporation  
**DEPONENT**

Solemnly Affirmed And Declared  
Before Me  
*[Signature]*  
**NOTARY, JAMMU**  
*13/05/2024*





सत्यमेव जयते

## INDIA NON JUDICIAL

## Government of Jammu and Kashmir

₹10

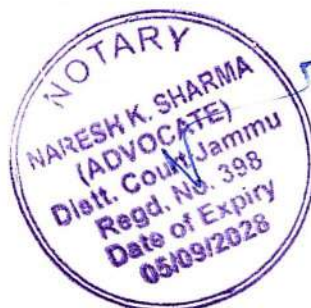
e-Stamp

<b>Certificate No.</b>	: IN-JK16498153990240W
<b>Certificate Issued Date</b>	: 13-Sep-2024 10:23 AM
<b>Account Reference</b>	: NEWIMPACC (SV)/ jk12553704/ JANIPUR/ JK-JM
<b>Unique Doc. Reference</b>	: SUBIN-JKJK1255370421338945870794W
<b>Purchased by</b>	: Devansh Yadav
<b>Description of Document</b>	: Article 4 Affidavit
<b>Property Description</b>	: Not Applicable
<b>Consideration Price (Rs.)</b>	: 0 (Zero)
<b>First Party</b>	: Devansh Yadav
<b>Second Party</b>	: Not Applicable
<b>Stamp Duty Paid By</b>	: Devansh Yadav
<b>Stamp Duty Amount(Rs.)</b>	: 10 (Ten only)



Please write or type below this line

Sh. RAJESH K. SHARMA  
(STAMP NO. 2304)  
Licence No. 398  
HIGH COURT ROAD, JAMMU.



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2. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
3. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

**VAKALATNAMA****BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI***TRIBUNAL ON ITS OWN MOTION (News item titled "Tawi Barrage & Riverfront Projects in river inviting Jammu destroying disaster" appearing in sandrp.in dated 11.05.2024)**V/S**Jammu Municipal Corporation & Ors.*

KNOW ALL to whom these presents shall come that I/we Devansh Yadav A/p Commissioner, Jammu Municipal Corporation do hereby constitute, appoint, engage and nominate.

**ADVOCATE MAYANK GUPTA (JK-692/2017)**

(hereinafter called the advocate) to be my/our Advocate in the above noted cause and authorize him:-

To act, appear and plead in above noted case in this Court or in any other Court in which the same may be tried or heard and in the appellate courts also.

To sign, file and present pleading; appeals, cross objections, or petitions of execution, review, revision, restoration, withdrawals, compromise or other petitions; replies, objections or affidavits or any other document(s) as may be deemed necessary or proper for the prosecution of the said case at all its stages.

To file and take back documents.

To withdraw or compromise the said case/cause or submit to arbitration any difference of disputes that may arise touching or in any manner relating to the said case.

To take out execution proceedings.

To deposit, draw and receive moneys and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Advocate authorizing him to execute the powers and authorities and authorities and authorities hereby conferred upon the Advocate whenever he may think fit to do so.

AND

I/we undersigned, do hereby agree to ratify and confirm all acts as if done by me/us for all intents and purposes; and

I/we undertake that I/we or my/our duly authorized agent would appear in the court on all hearings; and  
I/we undersigned, do hereby agree that in the event of the above case/cause be taken up on tour, I/we shall pay extra fee; and

I/we undersigned, do hereby agreement to hold the Advocates or his substitute, responsible for the result of the said case/cause in consequence of his absence from the court when the said case/cause is called up for hearing or for any negligence of the Advocate or his substitute; and

I/we undersigned, do hereby agree that I/we shall intimate the advocate well in advance as to the dates on which the advocate shall have to appear on any behalf; and

I/we undersigned do hereby agree to ratify and confirm all such acts, as if done by me/us for all intents and purposes. I/we do hereby set our hand/s to the presents the contents of which have been understood by me/us on this

13<sup>th</sup> day of September, 2024

Accepted.

*[Signature]*  
Commissioner  
Jammu Municipal Corporation  
CLIENT'S SIGNATURE

*[Signature]*  
(ADVOCATE'S SIGN)

CONTACT INFO  
7006294362||gptamynk@gmail.com