

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

O.A No. 253/2023

Raja Muzaffar Bhat

...Applicant

Versus

Union Territory of Jammu & Kashmir & Ors.

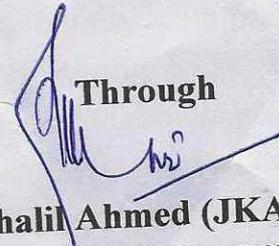
.... Respondents

IN THE MATTER OF: -

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Filed by



**Through
Khalil Ahmed (JKAS)
District Panchayat Officer
Chief Executive Officer (Additional Charge)
Municipal Council, Poonch**

Place: Poonch

Dated:- 08-11-2025

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

O.A No. 253/2023

Raja Muzaffar Bhat

...Applicant

Versus

Union Territory of Jammu & Kashmir & Ors.

.... Respondents

IN THE MATTER OF: Affidavit on behalf of Respondents No.6.

MAY IT PLEASE YOUR LORDSHIPS

The Deponent/answering respondents most respectfully submit as under:

1. That the above mentioned case was listed before the Hon'ble National Green Tribunal Bench, New Delhi on 19-08-2025.
2. That the Hon'ble National Green Tribunal Bench, New Delhi vide order dated 19-08-2025 passed direction to the respondents. The operative part of the order is reproduced as under:

Para 10. "In terms of the above observations, let further report be filed by Municipal Council, Poonch, District Magistrate, Poonch and Member Secretary atleast one week before the next date of hearing."

3. That in the light of aforesaid direction and considering the issue of unscientific handling of solid waste management within the municipal council, Poonch, it is humbly submit that a comprehensive and transparent account of the actions taken by Municipal Council Poonch in establishing a scientific, sustainable, and legally compliant Solid Waste Management (SWM) ecosystem. As district Poonch, owing to its border location, sensitive terrain, limited land availability, and operational constraints unique to near LoC areas, has historically faced significant challenges in achieving SWM compliance at par with other urban local bodies. These challenges were structural in nature and not due to lack of intent or administrative will.


Chief Executive Officer
Municipal Council
Poonch

4. That it is humbly submitted that despite these inherent limitations, the Municipal Council has now achieved decisive progress across all major fronts, including identification of suitable land for the SWM Facility, substantial remediation of legacy waste, strengthening of daily waste management systems, and implementation of wide ranging IEC and segregation initiatives.
5. That it is humbly submitted that the field staff team of the Municipal Council, Poonch has carried out the detailed reconnaissance survey and this report elaborates on each area in detail, demonstrating sustained, serious and good faith. A Comprehensive report in compliance of the Hon'ble court direction is summarized as under: -

A. LAND IDENTIFICATION FOR THE SWM FACILITY

- (i) That for almost six years, the absence of a suitable land parcel has been the single most significant hurdle for Municipal Council Poonch. The district's geopolitical location near the Line of Control, the presence of red and restricted zones, topographical limitations, flood prone belts, and competing land use priorities led to repeated setbacks. Several proposed parcels were rejected either by technical departments, or due to public objections and legal constraints.
- (ii) That the continuous efforts with the allied departments, the long standing bottlenecks in land identification were finally overcome. Rigorous field inspections, sustained inter departmental coordination and close monitoring by the District Administration ultimately enabled the identification of a scientifically viable and environmentally suitable land parcel at Village Kanuiyan, Khasra No. 146/1 min for establishment for scientific handling of solid waste management. The land proposed for the MRF is classified as Gair Mumkin Rohr, which requires specific allotment formalities currently being processed by the District Administration. All requirements from MC Poonch have been completed and submitted to the Deputy Commissioner, Poonch. **The copy of the site is enclosed herewith and marked as Annexure-I.**
- (iii) That the identified site is technically suitable for creating infrastructure, environmentally compliant, free from flood risk, and capable of accommodating the essential components of an integrated SWM Facility.
- (iv) That to ensure full procedural and administrative correctness, Irrigation & Flood Control Department has issued a formal NOC Vide No. IFCP/816 dated 14-08-2025 is enclosed herewith and marked as **Annexure-II** confirming that the land does not fall in any flood zone and poses no drainage or obstruction risk.
- (v) That all revenue documents including khasra details, demarcation records and ownership credentials have been thoroughly authenticated by the Director, Urban Local Bodies Jammu and complete file was formally submitted in the office of the Deputy

Commissioner Poonch vide this office communication number MCP/2025/1583 Dated 4th of November 2024 for issuance of the final land allotment order. The Municipal Council confirms that construction work on the SWM Facility will begin immediately upon receipt of the allotment order.

B. LEGACY WASTE REMEDIATION SUBSTANTIAL PROGRESS

- (i) That the Legacy waste had accumulated for a prolonged period due to the absence of an authorized disposal/processing site and the geographical limitations of the district. Recognizing the serious environmental implications, Municipal Council Poonch prioritized scientific treatment of this waste.
- (ii) That the M/s WeVOIS Labs Pvt. Ltd., Jaipur was engaged by tendering process to undertake Scientific Bio-Mining. The agency has processed and cleared 15,000 MT of legacy waste as reported by the then Chief Executive Officer vide No. MC/P/2024-25/1998 dated 23-02-2025, copy of the same is enclosed herewith and marked as **Annexure-III**. This has significantly improved the environmental and public health conditions of the area, reduced foul odour, minimized vector breeding risks, and restored some site to a safer condition. Approximately 9,000+ MT of legacy waste remains. The Directorate of Urban Local Bodies, Jammu, has already floated a fresh tender vide No. ENIT No. 16-DULBJ of 2025 dated 24-09-2025 is enclosed herewith and marked as **Annexure-1V** for this quantity. Work will commence immediately upon finalization of the tender.

C. STRENGTHENING OF DAILY SOLID WASTE MANAGEMENT SYSTEM.

That the Municipal Council, Poonch has also focused on strengthening day to day waste management mechanisms to ensure consistent cleanliness and compliance:

- (i) Ten waste collection vehicles are deployed daily, covering all municipal wards with revised and optimized routing to reduce service gaps.
- (ii) Waste collection is monitored to ensure regularity, even in difficult to reach pockets.
- (iii) Poultry waste, due to its high sanitation risk, is collected separately. A dedicated vehicle has been deployed exclusively for poultry waste collection, preventing mixing with domestic waste and reducing public health hazards in markets and residential clusters, a patch of land is under identification for scientific disposal of the same.

D. SOURCE SEGREGATION & IEC INITIATIVES

- (i) That to institutionalize segregation at source, the Municipal Council has introduced a structured collection system, wherein at the first three days of every week are reserved exclusively for dry waste collection. This systematic model has already improved segregation behavior at the household level and reduced mixed waste generation.

Chief Executive Officer
Municipal Council
Poonch

(ii) A comprehensive district wide IEC campaign has also been launched, covering:

- Door to door engagements
- Demonstrations in schools, markets, and public spaces
- Public announcements through mobile PA systems
- Posters, pamphlets, banners, community meetings
- Social media outreach and street level awareness drives
- Cleanliness rallies, pledges, and collaboration with civil society

The core message emphasizes “Do Not Mix Waste”, aiming to build consistent behavioral change among residents.

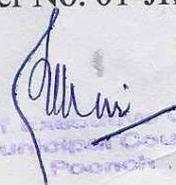
E. CURRENT POSITION: SUMMARY OF PROGRESS

- Viable land for SWM Facility identified at Kanuiyan (Khasra 146/1 min)
- NOC from Irrigation & Flood Control obtained
- Revenue records authenticated by Director, ULB Jammu
- Complete file submitted to DC Poonch on 4 November 2024
- 15,000 MT of legacy waste scientifically processed and cleared
- Tender floated for 9,000+ MT
- Dedicated poultry waste vehicle operational
- First three days of the week designated for dry waste collection
- Expanded IEC campaign active throughout the jurisdiction of MC Poonch
- EC matter pursued with Directorate and reconsideration requested from JKPC

These developments collectively demonstrate serious, systematic and continuous effort toward full compliance.

F. ENVIRONMENTAL COMPENSATION: FINANCIAL REALITY & REPRESENTATIONS SUBMITTED

(i) That the Municipal Council Poonch has been directed to pay Environmental Compensation imposed vide Order No. 06-JKPC of 2023 dated 22.02.2023 and Order No. 01-JKPC of


 Chief Executive Officer
 Municipal Council
 Poonch

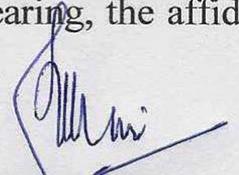
2024 dated 22.05.2024 amounting to ₹162.9 crore. Out of this, the Municipal Council has deposited ₹25 lakh, arranged through own resources.

- (ii) That it is humbly respectfully submitted that MC Poonch is not financially self sustaining. and does not generate sufficient internal revenue to meet even basic municipal obligations beyond essential services. It depends entirely on grants from the Directorate and the Administrative Department for operational, developmental, and statutory functions. In this financial framework, payment of such an extraordinarily high Environmental Compensation is beyond the capacity of the Municipal Council.
- (iii) That it is humbly respectfully submitted that this office has already taken up the matter with the Directorate through multiple formal communications vide No.MC/P/2025/916-17 dated 19-08-2025 and MC/P/2025/1223-24 dated 10-10-2025 are enclosed herewith and marked as **Annexure-V**, requesting release of funds for meeting EC obligations. The Municipal Council has also formally approached JKPCC with a request vide No. MC/P/MC/P/2024-25/936-39 dated 05-09-2024 and MC/P/2024-25/1260-64 dated 11-10-2024 are enclosed herewith and marked as **Annexure-VI** to reconsider the quantum of Environmental Compensation in view of the unique challenges faced by Poonch as a border district and also due to its constraints are structural and not willful or negligent. The district's border context requires recognition while assessing liabilities beyond local financial capacity. These developments collectively demonstrate serious, systematic, and continuous effort towards full compliance by the answering respondent in compliance of the Hon'ble NGT direction.
6. That it is humbly submitted that the Municipal Council Poonch has made substantial progress in all essential aspects of Solid Waste Management including long pending land identification, major legacy waste remediation, strengthening of operational systems, and transformation of public behavior through IEC efforts.
7. That it is humbly submitted that the land allotment now in the final stage, Municipal Council Poonch stands ready to initiate development of the SWM Facility immediately upon issuance of the allotment order by the District Magistrate Poonch.
8. That it is humbly submitted that the Municipal Council reaffirms its commitment to environmental compliance and continued compliance with the Hon'ble NGT directions.


Chief Executive Officer
Municipal Council
Poonch

IN THE PREMISES,

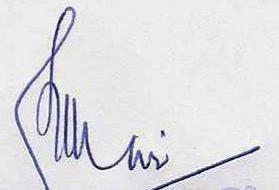
Therefore, keeping in view of the aforementioned submissions, it is respectfully prayed that the averments made herein above may kindly be entertained on behalf of the Respondent No 06 and those to be urged at the time of hearing, the affidavit may kindly be taken on record and considered in the interest of justice.



DEPONENT
Chief Executive Officer
Municipal Council
Poonch

VERIFICATION:

I, Khalil Ahmed Banday, KAS age 39 years presently posted as District Panchayat Officer, Poonch having additional charge of Chief Executive Officer, Municipal Council Poonch District Poonch, Jammu & Kashmir (UT) do hereby state on oath/solemn affirmation do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.



DEPONENT
Chief Executive Officer
Municipal Council
Poonch

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

Original application No. 253/2023

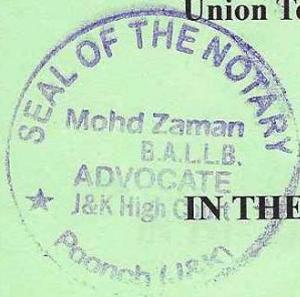
Raja Muzaffar Bhat

Applicant

Versus

Union Territory of Jammu and Kashmir & Ors

Respondents



IN THE MATTER OF: Affidavit in support of Statement of facts.

I, Khalil Ahmed (JKAS) Age 39 years, District Panchayat Officer having Additional Charge of Chief Executive Officer, Municipal Council, Poonch do hereby state on oath/Solemn affirmation that contents of Statement of facts have been read over and explained to me and the contents of the Para No. 1 to 8 of the same are true and correct as per the records and nothing has been concealed therein.

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

~~Subscribed that the contents of this Affidavit are true and correct~~
Who is Identified By: Khalid, Anmeel (Deput)
and Witnessed By: Saif Khogoria
Saif Khogoria Deputy Chief Executive Officer
Municipal Council Poonch
dated this Affidavit on
Today: 8th Nov. 2023 at 10:13 P.M. Poonch
Administered on Oath to him
Solemnly and Affirmed
the Contents of this Affidavit

[Signature]
28/11/2023

[Signature]
Khogoria

[Signature]
Deponent.

Annexure - I

Government of Jammu and Kashmir (UT)
Department of Urban Local Bodies
Office of the Municipal Council Poonch
Email:- copoonch-ik@nic.in

The Deputy Commissioner,
Poonch.

Dated:- 04-11-2025

No:- MC/P/2025/1583

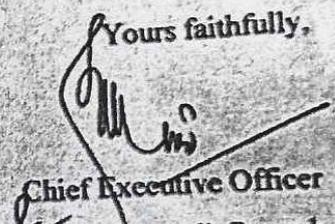
Sub: Request for transfer/allotment of State land for construction of Material Recovery Facility (MRF) in favour of Municipal Council Poonch

Sir,

Kindly refer to the subject cited above. It is submitted that the revenue papers of the State land measuring 06 Kanals, 01 Marla and 03 Sarsai under Khasra No.146/1 min earmarked for the establishment of Material Recovery Facility (MRF), have been duly authenticated by the Director, Urban Local Bodies, Jammu.

Therefore, it is requested to kindly transfer/allot the said land in favour of Municipal Council Poonch so that the work could be executed at the earliest.

Yours faithfully,


Chief Executive Officer
Municipal Council, Poonch

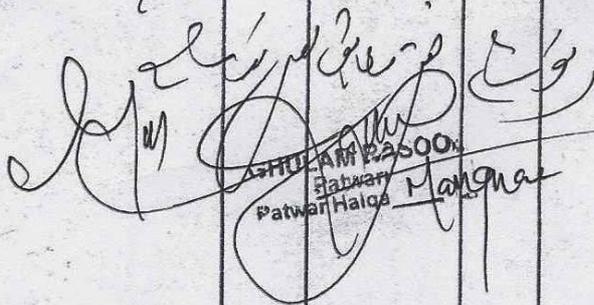
Annexure - I

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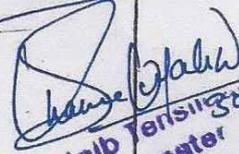
تحصیل جوہا

نقل خسرہ گرداوری بابت موضع کڑی پالی

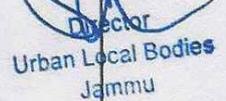
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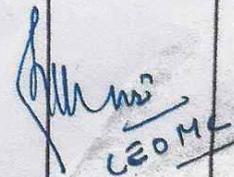

 Ashu Ram Pasoo
 Patwar Halqa Mangra

attested


 Naib Tehsil Officer
 30-09-25
 Khanateer

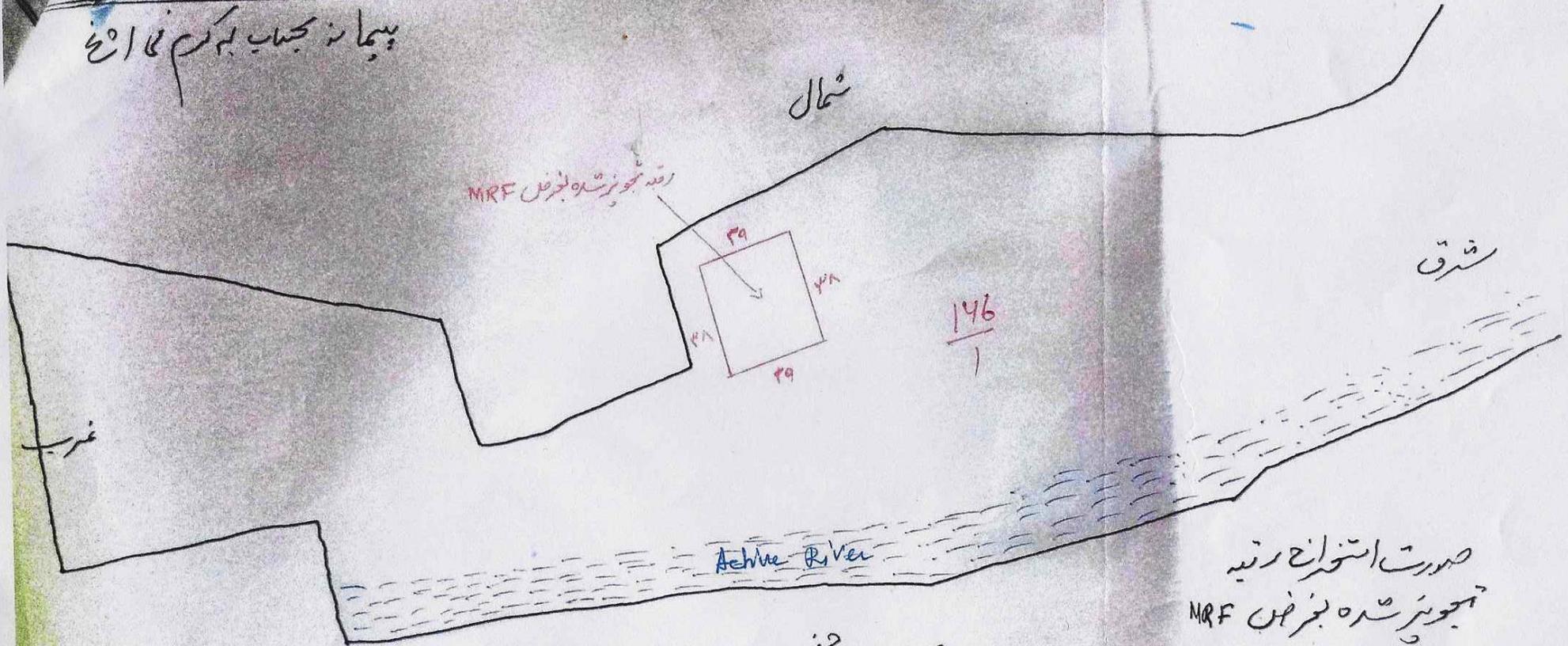
File


 Director
 Urban Local Bodies
 Jammu


 Ashu Ram Pasoo

نقل و حرکت شدہ زمینوں کی تفصیلات
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صورت استوار رتبه
تجویز شدہ زمینوں MRF

$$\frac{49 \times 48}{1} = 2352$$

جنوب

دستخط

SHULAKHAR SOO
Patwar
Patwar Halqa

attested

Nail Handwritten: 16-10-25

Khandlar

CEO-MC

Urban Local B...

Anneure - I

نقل جمعیت کی چار سالہ بابت خراب اربعہ ۱۹۸۱-۸۲ سے باموضع لوہاں نمبر جد بست و تحصیل لھن ضلع جی

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Signature
 Sub Division Officer
 Pabwar
 Pabwar Halqa

Signature
 Naib Tehsildar
 Khanatar
 15-10-25

Annexure - II

UNION TERRITORY OF JAMMU AND KASHMIR
Office of the Executive Engineer Irrigation & Flood Control Division, Poonch

No: IFCP/816
Dated: 14-08-2025

The District Development Commissioner,
Poonch.

Subject: No Objection Certificate regarding suitability of State Land for
Construction of Material Recovery Facility (MRF) in favour of Municipal Council
Poonch.

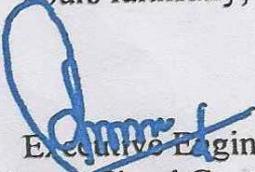
Reference:- Your Office letter No. DCP/LA/03-04 dated 11/08/2025.

Sir,

In reference to the subject cited above, NOC is issued for the proposed construction of
Material Recovery Facility (MRF), subject to the following conditions:

1. Adequate flood protection measures (such as crate work/embankments/retaining walls) must be provided around the site to prevent inundation.
2. The plinth level of the proposed structure shall be kept at least 1.0 metre above the Highest Flood Level (HFL) recorded in the area.
3. Natural drainage shall not be obstructed and appropriate drainage channels shall be maintained around the facility.
4. Any construction shall be undertaken strictly in accordance with the approved technical designs vetted by the competent engineering authority.
5. The executing agency will be solely responsible for any loss/damage arising from flooding or other natural calamities.

Yours faithfully,


Executive Engineer
Irrigation & Flood Control Division
Poonch

Annexure - III

Office of the Municipal Council Poonch

The Director,
Urban Local Bodies,
Jammu.

No. MCP/2024-25/1998

dated: 23.02.2025

Subject: - Biomining of legacy waste of Municipal Council Poonch.

Sir,

Kindly refer the subject cited above, in this connection, it is submitted that the work dumpsite/landfill remediation through bio mining of legacy waste of Poonch District was allotted to M/s WeVOIS Labs Private Limited, and as per contract the agency have to remediate 15,000 MT of legacy waste. The agency has completed 90% (approx.) of the allotted work. As per the report of agency as recorded in the certificate of legacy waste, waste at the dump yard is recorded as approximately 34160 metric tons. The agency has the contract to remediate 15000 MTs and remaining 19160 MTs is laying at site which needs to be remediate so that the site may be cleared for development of park.

Therefore, it is requested to kindly take appropriate necessary action in the matter for initiating the process for remediation of the remaining waste at site.

Yours faithfully


Chief Executive Officer,
Municipal Council Poonch

Annexure - IV

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

(Near Railhead Complex Opposite Petrol Pump, Jammu.)
(Ph/Fax: 0191-2470050) (Mail ID: dulb-jammu@jk.gov.in)
(Website: <https://ulbjammu.jk.gov.in/>)

NOTICE INVITING TENDERS

Enit No 16-DULBJ of 2025 dated 24/09/2025

1. Director, Urban Local Bodies, Jammu (DULBJ) invites online bids for the following works:

Name of Project/ Work(s)	Bid Security/ (Earnest Money) (Rs.)	Cost of Document/ Tender Fee (Rs.)	Contract Period
Request for proposal for Selection of Agency for undertaking Dumpsite/ Landfill Remediation through Biomining of 95,124 MT Legacy Waste in 17 Urban Local Bodies in the Jammu Division, covering ULBs - Akhnoor, Basholi, Lakhanpur, Hirangar, Katra, Reasi, Thathri, Poonch, Surankote, Bari Brahmana, Ramgarh, Ramnagar, Chenani, Kishtwar, Ramban, Rajouri and Sunderbani.	INR 10.50 Lakh (INR Ten Lakh Fifty Thousand only)	Rs.5000/- (Rupees Five Thousand)	12 Months

2. Important critical dates are mentioned below:-

S.No.	Particulars	Schedule Date & Time
1.	Bid document download Start Date & Time	24/09/2025 at 6.00 PM
2.	Pre bid meeting date & time	03/10/2025 at 11.30 AM
3.	Bid submission start date & time	25/09/2025 at 10.00 AM
4.	Bid submission end date & time	14/10/2025 upto 6.00 PM
5.	Technical bids opening date & time	15/10/2025 after 11.30 AM
6.	Financial bids opening date & time	To be intimated separately.

3. For additional details such as important date, detailed scope of work, qualification and eligibility criteria, visit website <https://jktenders.gov.in> for downloading of RFP.
4. For participating in the above e-tender, the bidders shall have to get them registered with <https://jktenders.gov.in> and get user ID, password, digital signatures Certificate (DSC) is mandatory to participate in the e-tendering process. For any clarification/ difficulty/ regarding e-tendering process bidders can contact on the given phone number 0191-2470050.
5. Pre-bid meeting is schedule online on **03/10/2025 at 11.30 AM**. through link:
6. The bidders should keep checking the website for any addenda/ corrigenda and the bidder should incorporate the same in their bid documents. No addenda/ corrigenda shall be published in the newspaper.

Sd/-

Director

Urban Local Bodies,
Jammu

No: DULBJ/2025/3221-23

Date: 24/09/2025

Copy to the:-

- Commissioner/ Secretary to the Government, Housing & Urban Development Department Civil Secretariat Jammu for information.
- Joint Director Information for information with the request to publish enit in leading daily newspaper National and Local for wide publicity.
- Chief Executive Officer/ Executive Officer, Municipal Council/ Committee concerned for information and necessary action.
- Office record file.

OFFICE OF THE MUNICIPAL COUNCIL POONCH
(Email: eopoonch-jk@nic.in)

P-17
Annexure-V

The Director,
Urban Local Bodies,
Jammu.

Dated:- 19-8-2025

No:- MC/P/2025/16-17

Subject: Request for release of Environmental Compensation amount
to prevent auction of Municipal Council property.

Sir,

Kindly refer to Order issued by the District Collector, Poonch vide No. DCP/SQ/2025-26/708-11 dated 03.08.2025 regarding attachment and proposed auction proceedings against the property of Municipal Council Poonch on account of non-payment of Environmental Compensation amounting to Rs. 162.9 lakhs imposed by the J&K Pollution Control Committee. (Copy enclosed).

The District Collector, Poonch has ordered attachment of the Council's immovable property situated at Ward No. 13, Sheesh Mahal, Poonch valuing Rs. 1.61 crores and further directed that, in case of non-payment within 30 days, the said property shall be put to public auction.

Since the Municipal Council Poonch is a Civic Body with limited resources and wholly dependent upon government grants, it is not possible to deposit such a huge amount. The said property is also the main source of income for the Council, being regularly used for marriage parties and other functions.

This office has already deposited an amount of Rs. 25.00 lakhs as part payment towards the Environmental Compensation. However, it is not feasible for the Council to arrange the remaining balance due to its limited resources.

In view of the above, and considering the seriousness of the matter, it is earnestly requested that the balance Environmental Compensation amount of Rs. 137.90 lakhs may kindly be released in favour of Municipal Council Poonch at the earliest. This will enable the Council to comply with the directives of the District Collector and prevent the auction of its revenue-generating property.

Encl:- 3 leaves.

Yours faithfully,


Chief Executive Officer
Municipal Council, Poonch.

Copy to:

1. Deputy Commissioner, Poonch for kind information.

...OKEN SC

P-18
Annexure-V

Government of Jammu and Kashmir (UT)
Department of Urban Local Bodies
Office of the Municipal Council Poonch
Email:- copoonch-jk@nic.in

The Director,
Urban Local Bodies,
Jammu.

No.: MC/P/2025/1223-24

Dated: 10-10-2025

Subject: Request for release of Environmental Compensation amount to prevent auction of Municipal Council property.

In continuation to this office communication No. MC/P/2025/916-17 dated 19.08.2025 regarding the release of Environmental Compensation in favour of Municipal Council, Poonch, it is submitted that the District Collector, Poonch has ordered the attachment of the Council's immovable property located at Ward No. 13, Sheesh Mahal, Poonch, valued at Rs. 1.61 crores. It has further been directed that, in the event of non-payment within 30 days, the said property shall be put to public auction.

This property is a vital revenue-generating asset for the Municipal Council, regularly rented out for marriage functions and community events. Its potential auction would critically impair the Council's ability to mobilize internal revenues and adversely affect its capacity to deliver essential civic services.

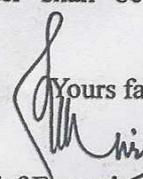
As a local civic body with limited financial resources and heavily reliant on government grants, the Municipal Council is not in a position to independently arrange the remaining compensation amount. It may be noted that this office has already deposited Rs. 25.00 lakhs as part payment towards the Environmental Compensation.

This office had earlier requested the Deputy Commissioner, Poonch, for an extension of time with respect to the proposed attachment of the Community Hall vide this office letter No. MC/P/2025/1010-11 dated 08-09-2025. Consequently, a one-month extension was granted vide Order No. DCP/SQ/2025-26/1061-65 dated 26.09.2025. However, the time limit of the said order expired on 26.10.2025.

In light of the urgency and seriousness of the matter, it is once again requested that the balance amount of Rs. 137.90 lakhs be released at the earliest in favour of the Municipal Council, Poonch. This will enable the Council to comply with the orders of the District Collector and safeguard its critical public asset from being auctioned.

Your kind and immediate intervention in the matter shall be highly appreciated.

Yours faithfully,


Chief Executive Officer
Municipal Council Poonch
10/10/25

Copy to the:-
1. Deputy Commissioner, Poonch for kind information.

Office of the Municipal Council Poonch *****

The Member Secretary,
J&K Pollution Control Committee,
J&K, Jammu.

No. MCP/2024-25/ 936-39

Dated 25.09.2024

Subject: - Request to waive off the Environmental Compensation levying upon the Chief Executive Officer, Municipal Council Poonch for violation of Solid Waste Management Rules, 2016.

Sir,

With reference to the subject cited above and in reference to Order No. 06-JK PCC of 2023 dated. 22.02.2023 and Order No. 01-JKPCC of 2024 dated 22.05.2024 whereby an Environmental Compensation levy upon the Chief Executive Officer, Municipal Council Poonch it is submitted as under:

- i. That despite several approaches made by the Municipal Council Poonch no feasible site for setting up of solid waste management unit can be finalized due to hilly topography of the area and cross boarder issues.
- ii. That a piece of state land was transferred to Municipal Council Poonch at Khasra No. 371 measuring 47 Kanal at village Kossallian Tehsil Haveli, tendering was floated and allotted for:-
 - a. Construction of tractor road to solid waste management site, work allotted vide No. LB/Tech/J-I/2019-20/5842-45 dated 31/01/2020 and;
 - b. Construction of fencing by means of RCC posts of Solid waste management site, work allotted vide No. LB/Tech/J-I/2019-20/5846-49 dated 31.01.2020, and
 - c. Construction of Material Recovery Facility at Kasollian Poonch, allotted vide No. R&B/CC/17994-99 dated 24-12-2021.

The work was not started except 50% of the construction of tractor road due to non-feasibility of the site as the executing agency has submitted the estimation amounting to Rs. 125.59 lacs for only levelling of the site. PW(R&B) Department Division Poonch is the executing agency for execution of all civil works of Municipal Council Poonch.

Moreover, the local Panchayats and the DDC members has passed resolution for change of site for setting up of solid waste management site and accordingly same was rejected by the District Administration Poonch.

- iii. In the year 2020, Administrative Approval was accorded by the District Development Commissioner Poonch vide Order No. 69 DDCP of 2020 dated 06.10.2020 for Installation of Kill Waste Advanced Fuel Free Soil Waste Incinerator Project at village Kossallian Tehsil Haveli District Poonch and accordingly work was allotted vide dated 13/10/2020.
- IV. In the year 2023, an alternate land was transfer/allotment by the Deputy Commissioner Poonch vide Order No. 14 of 2023 dated 08.09.2023 for construction of Solid Waste Management Plant at village Kanuyian, Tehsil Haveli, District Poonch. accordingly, Municipal Council Poonch has initiated work for:-
- i. Fencing of Material Recovery Facility at village Kunuyian Poonch, allotted vide No. PWD/D.B/11231-36 dated 12.12.2023, and;
 - ii. Administrative Approval was accorded for "Construction of Material Recovery Facility and Compost Pad with shed at village Kanuyian Poonch against an estimated cost of Rs. 196.24.
 - iii. Preparation of estimation for electrification :63 KVA S/Stn. At MRF Site MC Poonch amounting to Rs. 9.00 lacs.
Funds has been released by the Directorate of Urban Local Bodies Jammu but again site has been cancelled by the District Administration Poonch due to disputes and red zone and another site at village Degwar have been identified and the allotment is awaited with Revenue Department.
- V. Municipal Council Poonch has made every efforts and manage required funds for establishment of the Solid Waste Management Plant for processing of solid waste in a scientific way but due to non-availability of suitable land the same could not be established.
- VI. That Municipal Council Poonch has started the work to recover-redeveloped the dumping site, 70% of the site was developed by way of capping and plantation drives was conducted, and the site have been developed as green area.
- VII. That Legacy waste action plan has been approved on 11th NARC meeting held on 05-01-2024. Tender was awarded to M/S WeVOIS Labs Private Limited, Jaipur Rajasthan, Letter of Award was issued vide No. DULBJ/2024/2970-72 dated 14.08.2024 for undertaking ~~dumpsite/landfill remediation~~ through Bio mining of Legacy Waste in Poonch against value of work Rs. 82.20 lacs, the agency has started the work.

viii. That at present the waste of the town is collected by Municipal Council Poonch on daily basis by engaging 15 waste collection vehicle and till the suitable land is not transferred for the establishment of Solid Waste Processing facility MC Poonch is processing wet waste on a 4 TPD windrow composting facility and the dry waste is picked up by the registered rag pickers on daily basis the untreated waste is stored on the HDPE liner & covered with tarpaulin sheet, so this waste will be treated with the legacy waste.

ix. That the department has made a budgetary provision of Rs. 82.20 lacs for legacy waste remediation, 30 lacs for site development/green area, 2.00 crore for establishment of MRF and Compost pad and another 30 to 40 lacs for installation of Machinery, Transformers and other items.

It is further submitted that there is no deliberate or intentional lapse on the part of Municipal Council Poonch in following the procedures, but due to non-availability of suitable land the establishment of solid waste management unit is under process.

That it will be in the interest of justice if the compensation levied upon the Municipal Council Poonch will be reviewed. Municipal Council Poonch is unable to pay the compensation levied as there is no funds available with municipality in its own resources. Municipal Council Poonch is managed its day to day affairs with a meager amount, the higher authorities are approached for providing of funds.

Therefore, it is respectfully prayed that in view of the submissions made above the environmental compensation levied upon the Municipal Council Poonch may kindly be waive off in the interest of natural justice.

Yours faithfully


Chief Executive Officer,
Municipal Council Poonch.

Copy to the:-

1. Administrator Municipal Council Poonch for kind information.
2. Director Urban Local Bodies Jammu for kind information.
3. Divisional Officer PCB Poonch for favour of information.

Government of Jammu and Kashmir (UT)
Department of Urban Local Bodies

Office of the Municipal Council Poonch

Email:- copoonch-jk@nic.in

The Member Secretary,
J&K Pollution Control Committee,
J&K, Jammu.

No. MCP/2024-25/1260-64

Dated: 11.09.2024

Subject: Request to waive off the Environmental Compensation levied upon the Chief Executive Officer, Municipal Council Poonch for violation of Solid Waste Management Rules, 2016.

Sir,

In continuation of this office communication No. MCP/2024-25/936-39 dated 05.09.2024, wherein detailed submissions were made requesting waives of the Environmental Compensation imposed vide Order No. 06-JKPCC of 2023 dated 22.02.2023 and Order No. 01-JKPCC of 2024 dated 22.05.2024 upon the Chief Executive Officer, Municipal Council Poonch for non establishment of Solid Waste Management facilities. It is once again respectfully submitted that the delay in establishment of a Solid Waste Management Plant at Poonch is neither deliberate nor due to any negligence on part of this Council but primarily due to non availability of suitable land for the project owing to the hilly terrain, security sensitivities and cross border issues of this border district. Despite these genuine constraints, continuous efforts have been made by this Council as detailed below:

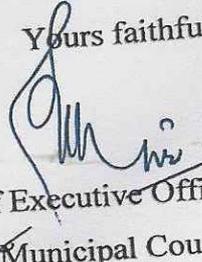
1. Multiple sites including at Kasallian, Degwar Maldiyalan and Kanuyian were identified, and administrative approvals/tendering processes were completed; however, these sites were subsequently cancelled by the District Administration due to feasibility and red zone issues.
2. The Council has initiated redevelopment of the legacy waste dumpsite, where about 50% capping and plantation has already been completed to develop it as a green area.
3. Legacy Waste Remediation Project has been sanctioned under the approved Action Plan; work of biomining has commenced through M/s WeVOIS Labs Pvt. Ltd., Jaipur against a value of ₹82.20 lakhs.
4. At present, 10 waste collection vehicles are engaged daily; wet waste is processed at the existing 4 TPD composting facility, while dry waste is segregated and handled by registered rag pickers. Pertinently to mention that Municipal Council Poonch is a small civic body with limited resources and operating in a border town having total

Annexure VI
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population of 26,854 as per census 2011. Its financial resources are so meagre that is barely sufficient to meet its day-to-day civic obligations. The payment of the exorbitant amount imposed as Environmental Compensation is beyond the means of this Council, which is already dependent on higher authorities for basic infrastructural funding. In view of the above factual position, it is once again earnestly requested that the matter may kindly be reconsidered, and the Environmental Compensation either waived off or substantially remitted,

keeping in view the bona fide efforts, genuine constraints, and financial limitations of this civic body. This request is made in the larger interest of justice, equity, and public service.

Yours faithfully,


Chief Executive Officer,
Municipal Council,
Poonch

Copy to:

1. Commissioner Secretary, Housing & Urban Dev. Deptt. Civil Sectt. J&K for kind information.
2. Deputy Commissioner Poonch for favour of Information please.
2. The Director, Urban Local Bodies, Jammu for kind information.
2. The Divisional Officer, JKPC, Poonch for information.