

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

O.A No. 594/2022

IN RE:

SYED RIYAZ

...PETITIONER

VERSUS

UNION TERRITORY OF J & K & Ors.

...RESPONDENTS

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RESPONDENT

THROUGH



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Place: New Delhi

Date: 20.05.2024

Action Taken Report in compliance to Hon'ble National Green Tribunal Order dated 8.4.2024, in the O.A No.594/2022, titled Syed Riyaz v/s Union Territory of J&K and Ors.

In compliance to the directions passed by the Hon'ble National Green Tribunal in the matter of O.A No.594/2022 titled Syed Riyaz V/s Union Territory of J&K on 08.04.2024, it is humbly submitted as follows:

- I) That the Hon'ble National Green Tribunal was pleased to pass the following directions *vide* its Order dated 05.10.2023:

".....The grievance in the application is regarding unauthorized operation of near about 200 brick kilns in District Budgam, Union Territory, Jammu & Kashmir in violation of environmental norms.

Action Taken Reports have been filed by J&KPCC vide emails dated 09.01.2023 and 19.04.2023.

In view of the averments made in the application and observations made in the report, we consider it appropriate to seek information from J&KPCC regarding status of compliance with environmental norms by all brick kilns in Union Territory of Jammu & Kashmir. Accordingly, J&KPCC is directed to file an additional report regarding compliance status of all brick kilns in the Union Territory of Jammu & Kashmir.

Report as mentioned above be filed by J&KPCC within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List for further consideration on 04.01.2024.

In the facts and circumstances of the case we also consider presence of the Member Secretary, J&KPCC through VC before this Tribunal on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication on the questions involved in the case. Accordingly, he is directed to remain present before this Tribunal on that date with the relevant record.

A copy of this order be sent to the Member Secretary, J&KPCC by email for requisite compliance".

- II) That, in compliance to the above directions of Hon'ble National Green Tribunal, J&K Pollution Control Committee *vide* reference No.JKPCC/

NGT/130/023/147-149 dated 02-01-2024 filed an additional report regarding Compliance Status of all Brick Kilns in the Union Territory of Jammu & Kashmir before the Hon'ble National Green Tribunal.

III) The case was again listed for hearing on 04.01.2024 and the Hon'ble National Green Tribunal passed the following orders:

“Vide order dated 05.10.2023 J&KPCC was directed to file additional report regarding compliance status of all brick kilns in the Union Territory of Jammu & Kashmir and the Member Secretary, J&K PCC was directed to appear before this Tribunal through VC with relevant record.

In compliance thereof Additional Report has been filed by Mr. K. Ramesh Kumar, IFS, Member Secretary, JKPCCC vide email dated 02.01.2024.

We have gone through the report and find the same not only to be lacking the information sought by this Tribunal but also to be incomplete and self-contradictory.

Mr. K. Ramesh Kumar, IFS, Member Secretary, JKPCCC seeks two weeks' time to file a detailed report with requisite information and also to take appropriate remedial action.

Detailed report by Member Secretary, JKPCCC be filed on or before 23.01.2024 by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

The requisite information regarding brick kilns be also uploaded on the website of the JKPCCC/official website of the Union Territory of J&K as directed vide order dated 05.10.2023 by 23.01.2024.

All concerned District Magistrates and the Superintendents of Police in the UT of Jammu and Kashmir are directed to ensure that no brick kiln is set up and operated without obtaining CTE/CTO from JKPCCC and without due compliance with environmental norms.

List for further consideration on 02.02.2024.

In view of the facts and circumstances of the case we also consider presence of the Member Secretary, J&KPCC through VC before this Tribunal on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case. Accordingly, he is directed to remain present before this Tribunal on that date with the relevant record.

A copy of this order be also sent to the Member Secretary, J&KPCC by email for requisite compliance.”

IV) Accordingly, in compliance to the above directions of Hon'ble National Green Tribunal, J&K Pollution Control Committee vide reference No. JKPCCC/NGT/130/023/2589-90 dated 20-01-2024 again filed the Compliance Status of all Brick Kilns in the Union Territory of Jammu & Kashmir before the

Hon'ble National Green Tribunal.

- V) The case was again listed before the Hon'ble National Green Tribunal on 02.02.2024 and the Hon'ble Tribunal was pleased to pass following directions on 02.02.2024, the operative part of which reads as under:

“Tribunal in the previous proceedings dated 04.01.2024 had recorded that by order dated 05.10.2023, J&KPCC was directed to file additional report regarding compliance status of all brick kilns and the Member Secretary, J&KPCC was directed to appear before the Tribunal through VC with relevant record.

In compliance, thereof, an additional report by Member Secretary, J&KPCC was filed but the same was found to be lacking in the information sought. Hence, Member Secretary, J&KPCC was directed to file a detailed report. On 04.01.2024, interim direction to the following effect was issued:-

“7. All the concerned District Magistrates and the Superintendents of Police in the UT of Jammu and Kashmir are directed to ensure that no brick kiln is set up and operated without obtaining CET/CTO from JKPCC and without due compliance with environmental norms.”

Compliance status of brick kilns in J&K in J&K has been filed by Member Secretary, J&KPCC reflecting the position of brick kilns as under:

“1. The summary of updated compliance status of all Brick Kilns in J&K as on 20-01-2024 is as follows:-

- i) Total No. of Brick Kilns in J&K -570*
- ii) Brick Kilns functional with Consent - 196*
- iii) Brick Kilns without Consent - 132*
- iv) Closure orders issued by J&K Pollution Control Committee - 146.*
- v) Brick Kilns applied for Consent and is under process at various stages for accord of consent- 147.*

The detailed list of compliance status of all Brick Kilns in J&K is appended as Annexure 'A' and list of closure orders issued is appended as Annexure 'B' and list of brick kilns applied for consent is appended as Annexure 'C'.

Above information disclosed in the report reveals that there are at least 132 brick kilns operating without consent.

Law Officer of J&K PCC has appeared virtually and has submitted that Member Secretary, J&K PCC has been transferred and two Regional Officers have also been transferred. Therefore, for want of any competent officer he is appearing virtually representing J&KPCC. This reflect sorry state of affairs showing that there is no responsible officer available in the J&K PCC.

132 brick kilns are operating without consent in contravention of the direction of the Tribunal dated 04.01.2024 wherein concerned officers of J&K PCC were directed to

ensure that no brick kiln is set up and operated without obtaining Consent to Establish(CTE)/Consent to Operate (CTO) from J&KPCC and without due compliance of environmental norms.

In the report dated 20.01.2024 nothing has been disclosed as regards the action which has been taken against 132 brick kilns operating without consent. Hence, we deem it proper to issue notice to Principal Secretary, Department of Environment, J&K requiring him to file response disclosing action taken for proper functioning of J&K PCC and also action taken against the brick kilns which have been set up and are operating without CTE/CTO and without following environmental norms.

Let response be filed by Principal Secretary, Department of Environment, J&K at least one week before the next date of hearing by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”

VI) It is respectfully submitted that in terms of the above directions of the Hon’ble National Green Tribunal requiring the Principal Secretary to file the response, the JKPCC was requested to furnish the details of the status for fresh compliance. However, as was observed by the Hon’ble National Green Tribunal in its order dated 05.10.2023 and 04.01.2024 and despite repeated instructions and meetings by the Administrative Department, the position as submitted by the J&K Pollution Control Committee, initially on 27.03.2024, 01.04.2024 and 04.04.2024 was again incomplete and contradictory.

a) It is respectfully submitted that in its reply filed before the Hon’ble National Green Tribunal on 20-01-2024, the JKPCC had, *inter alia*, stated:

“.....1. The summary of updated compliance status of all Brick Kilns in J&K, as on 20-01-2024, is as follows:

- i) Total No. of Brick Kilns in J&K - 570
- ii) Brick Kilns functional with Consent - 196
- iii) Brick Kilns without Consent - 132
- iv) Closure orders issued by J&K Pollution Control Committee - 146.
- v) Brick Kilns applied for Consent and is under process at various stages for accord of consent— 147.

The detailed list of compliance status of all Brick Kilns in J&K is appended as Annexure ‘A’ and list of closure orders issued is appended as Annexure ‘B’ and list of brick kilns applied for consent is appended as Annexure ‘C’....”

As would be apparent from the above, only 196 were reported to have Consent out of a total of 570 Brick Kilns in J&K. Clearly, 374 (570-196) Brick Kilns were without consent, and not 132, as stated above at S No (iii). Out of these 374, closure orders were issued to only 146, for reasons not stated. Whether 146 Brick Kilns, against whom closure orders were issued, were closed and not actually operating on ground, was also not reported.

b) The J&K PCC *vide* their communication dated 27.3.2024
(), in response to the Administrative Department's communication for a fresh/complete status, informed:

“(i).... *That the operation of Brick Kilns in the UT of Jammu & Kashmir is being regulated by the District Magistrates and J&K Pollution Control Committee as per the provisions laid out in the following legal enactments and guidelines issued by the Government of India and Government of J&K from time to time.*

1. *Siting criteria for New Brick Kilns 2004.*
2. *Guidelines for regulations of Brick Kilns 2010.*
3. *The Jammu and Kashmir Brick Kilns (Regulation) Act 2010.*
4. *The Jammu and Kashmir Brick Kilns (Regulation) Rules, 2017.*
5. *Operational Guidelines for Brick Kilns in J&K, 2021.*
6. *Environment (Protection) Amendment Rules, 2022 dated 22nd February 2022.*
7. *Environment (Protection) Sixth Amendment Rules, 2023 dated 15th December 2023.*

ii. *That, out of 132 Brick Kilns without Consent, 09 nos of Brick Kilns have been accorded consent to operate and for remaining 123 nos of Brick kilns, closure orders stand issued*

iii. *That the Consent Status of all Brick Kilns of J&K has been uploaded on the website of J&K Pollution Control Committee i.e. <https://jkpcc.nic.net.in> (Scroll on main page and under information >General information>Public notice>Consent Status of Brick Kilns in UT of J&K). The status is regularly updated as & when consent is issued/renewed.*

iv. *That, Directions under Section 31 (A) of Air (Prevention and Control of Pollution) Act, 1981 have been issued to all the District Magistrates (DMs) from time to time to ensure that no Brick Kiln is allowed to set up and operate without obtaining consent from the Pollution Control Committee and those brick kilns found operating without valid licenses from the Licensing Authority and without valid consent from J&K Pollution Control Committee shall be closed immediate forthwith.*

v. *That, a public notice has also been issued in local dailies of J&K for the attention of Brick Kiln owners of J&K to comply strictly with the environmental norms and adhere to the notification GSR 143 (E) Dated 22nd February 2022 issued by MoEF&CC read with notification GSR 895(E) Dated 15th December 2023 which reads as under.*

i) *That, in 10 kms radius of Non-Attainment Cities of Jammu/Srinagar, Brick kilns without Zig-Zag Technology shall not be permitted to operate beyond February 2024.*

ii) *That, in rest of the area (other than Non-attainment Cities) the Brick Kilns shall be directed to convert to Zig-Zag Technology by or before February 2025.*

The J&K PCC, as would be apparent from above, provided information with respect to only 132 brick kilns who have never applied nor obtained Consent

to operate their brick kilns. Out of 132, 09 nos of Brick Kilns have been accorded consent to operate and for the remaining 123 nos of Brick Kilns closure orders stands issued. However, J&K Pollution Control Committee was silent about the status of all other Brick kilns established in the UT of Jammu and Kashmir whether they are functional/non-functional and have consent to operate/establish or not. The J&K PCC was again requested to clarify and submit full details.

c) The J&K PCC vide their communication dated 1.4.2024 informed:

“.....That, the Regional Director’s, Jammu/Kashmir and the concerned Divisional Officers of the Districts have also been directed to ensure that no brick kiln in respect of which closure orders have been issued is allowed to operate in violation of environmental laws and in case of any violation, the Divisional Officers has been directed to report the matter to the District Magistrate, SSP of the District and Member Secretary, J&K PCC. The Divisional Officers have also been asked to ensure filing of complaint against the occupier in the Court of law without any delay (Copy enclosed).

Furthermore, the District Magistrates of the concerned Districts have been again directed to ensure that no brick kiln is allowed to set up and operate without obtaining valid consent from the Pollution Control Committee and those brick kilns found operating without valid licenses from the Licensing Authority and without valid consent from J&K Pollution Control Committee shall be closed immediate forthwith (Copy enclosed)....”

The J&K PCC again failed to provide the full details. Chairman J&K PCC and Member Secretary J&K PCC were called for discussion on 1.4.2024 again and directed to ensure compliance and share full details.

c. J&K Pollution Control Committee vide another reference No.JKPCC/NGT/130/3025 dated 04.04.2024 has furnished the additional information regarding status of brick kilns in UT of Jammu and Kashmir and the same is given as under :-

1.	Total number of the Brick Kilns in J&K	570
2.	Brick Kilns without consent	123 (closure orders issued)
3.	Brick Kilns consented	281
a.	Brick Kilns functional with consent	273
b.	Brick Kilns Consent to Establish (Fresh)	8
4.	Consent refused	5
5.	Brick Kilns whose consent validity has expired	161

a.	Closure orders issued out of 161	135
b.	Application for consent under process on JKOCMS	25
c.	Court case	1

This was again incomplete and contradictory!

- d. Thereafter, J&K Pollution Control Committee *vide* another reference No.JKPCC/NGT/130/3027 dated 04.04.2024 furnished the updated status of brick kilns in the UT of Jammu and Kashmir and the same is reproduced as under

1.	Total number of the Brick Kilns in J&K	570
2.	a) Closure orders issued to the Brick Kilns were operating without consent	123
	b) Closure orders issued to Brick Kilns whose validity expired	155
3.	Total closure order issued	278
4.	Brick Kilns consented	292
a)	Brick Kilns functional with Consent to Operate	285
b)	Brick kilns consented for Consent to Establish	7
5.	Court case	1

- e. Finally, J&K Pollution Control Committee *vide* reference No.JKPCC/NGT/130/3030 dated 05.04.2024 furnished the complete status of brick kilns in the UT of Jammu and Kashmir and the same reproduced as under

1.	Total number of Brick Kilns in J&K	570
2.	Brick Kilns consented	
	(i) Brick Kilns Functional with Consent to Operate (CTO)	203
	(ii) Brick Kilns consented for Consent to Establish (CTE)	02
		205

3.	Brick Kilns without Consent to Operate/Establish	
	(i) Brick Kilns without Consent	122
	(ii) Brick Kilns with Expired Consent validity	233
	(iii) Brick Kilns with refused Consent	05
	(iv) Brick Kilns with Expired Consent to Establish	05
	<i>Closure orders issued and appended as annexure</i>	365
	Grand Total	570

Further, it is intimated that out of 365, closure orders issued in respect of the brick kilns which were operating without consent, 326 orders as per the reports of respective Regional Directors and Divisional Officers stands implemented. Remaining 39 brick kilns out of the brick kilns in respect of which closure orders have been issued in the first week of April 2024 are in the process of implementation through the respective District Magistrates. However, it is learnt that no brick kiln is currently functional....”

- f. **In terms of the directions of the Hon’ble National Green Tribunal, it is respectfully submitted that as brought out in the final report of the J&K PCC, out of a total of 570 Brick Kilns in the J&K, 203 have been given Consent to Operate, 2 have been given consent to Establish and closure orders have been issued by the J&K PCC in respect of balance 365, all of which have been reported to be currently non-functional. J&K PCC has been directed to ensure no violation occurs on ground regarding the functioning of the Brick Kilns.**

VII) Action taken for proper functioning of J&K Pollution Control Committee

- a) The Law Officer of the JKPC, while appearing virtually on behalf of the Member Secretary JKPC before the Hon’ble National Green Tribunal on 2-2-2024, had, *inter alia*, stated:

“..... that Member Secretary, J&K PCC has been transferred and two Regional Officers have also been transferred. Therefore, for want of any competent officer he is appearing virtually representing J&KPC.....”

- b) Based on the above submissions of the Law Officer of the JKPC, the Hon’ble National Green Tribunal had observed:

“.....This reflect sorry state of affairs showing that there is no responsible officer available in the J&K PCC.....”

And had accordingly directed:

“..... Principal Secretary, Department of Environment, J&K requiring him to file response disclosing action taken for proper functioning of J&K PCC....”

c) It is respectfully submitted that the above statement of Law Officer of the JK PCC, before the Hon’ble National Green Tribunal on 2.2.2024 is factually incorrect and misleading.

d) While the then Member Secretary, J&K Pollution Control Committee was transferred *vide* Government Order No.31-JK(FST) of 2024 dated 31.01.2024, he handed over the charge of Member Secretary, J&K Pollution Control Committee to the Chairman, JK PCC only on 5/2/2024. Similarly, the two regional directors were also transferred in the same order, and their substitutes provided. They were also available on 2.2.2024, contrary to the submissions of the Law officer. The new Member Secretary, J&K Pollution Control Committee has also joined on 15.3.2024.

e) Therefore on 2.2.2024, when both the Member Secretary, J&K PCC and the Chairman, J&K PCC were available in the J&K PCC HQs, and the two regional directors in the field, the above statement of the Law Officer before the Hon’ble National Green Tribunal is factually incorrect and misleading. The transfer of officers cannot be or was never the reason for non-compliance of the directions of the Hon’ble Tribunal by the J&K PCC, regarding the closure of the non-consented brick kilns. The Chairman, J&K PCC has separately been asked to explain/clarify these submissions of the Law Officer and as why neither the Member Secretary, J&K PCC nor the Chairman, J&K PCC were present before the Hon’ble National Green Tribunal on 2.2.2024, despite its directions. He has also been asked to explain the reasons for the repeated noncompliance and inordinate delay on the part of J&K PCC in complying with the directions of the Hon’ble Tribunal regarding the closure of the non-consented brick kilns

f) As regards the directions of the Hon’ble National Green Tribunal for proper functioning of the J&K PCC it is respectfully submitted that all senior officers/officials of the J&K PCC are in place, as per details given in **Annexure-IX**. Recently, transfers of all senior officers have also been affected in the J&K PCC after a gap of 5 years.

An exercise for reorganization and revision of the Recruitment

Rules of the J&K PCC has also been initiated, about six months back, to professionalize the organization.

VIII) Accordingly, compliance report on the above lines was forwarded to the Consultant Judicial, Hon'ble National Green Tribunal vide letter No. FST-Lit/170/2022(7053120) dated 06.04.2024 with the request to place the same before the Hon'ble Tribunal, for its kind consideration (**Copy attached as Annexure-XI**).

IX) However, the case was subsequently listed for hearing on 08.04.2024 and the Hon'ble National Green Tribunal passed the following orders:

"1. Vide order dated 02.02.2024 notice was issued to the Principal Secretary, Department of Environment, J&K requiring him to file response disclosing action taken for proper functioning of J&K PCC and also action taken against the brick kilns which have been set up and are operating without CTE/CTO and without following environmental norms.

2. No response has been filed by the Principal Secretary, Department of Environment, J&K.

3. Report regarding compliance status of all brick kilns in the UT of J&K has been filed by the Member Secretary, J&KPCC vide email dated 06.04.2024.

4. Mr. Vasu Yadav, Chairman and Mr. Ghanshyam Singh, Member Secretary, JKPC have appeared before this Tribunal through VC and we have interacted with them.

5. Response be filed by the Principal Secretary, Department of Environment, J&K at least on week before the next date of hearing 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.

6. In the eventuality of not filing of such response within the above mentioned period, the Principal Secretary, Department of Environment, J&K shall attend this Tribunal physically on the date hereby fixed to explain the reasons for not filing of such response.

7. List for further consideration on 21.05.2024.

8. In view of the facts and circumstances of the case we also consider presence of the Member Secretary, J&KPCC through VC before this Tribunal on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case. Accordingly he is directed to remain present before this Tribunal on that date with the relevant record.

9. A copy of this order be also sent to the Principal Secretary, Department of Environment, J&K and the Member Secretary, J&KPCC by email for requisite compliance."

X) As already stated above, compliance report on behalf of Principal Secretary to Government, Forest Department was already e-mailed to the Consultant Judicial, Hon'ble NGT on 06.04.2024 i.e., prior to the date of hearing fixed on 08.04.2024, for placing the same before the Hon'ble Tribunal. A copy of e-mail dated 06.04.2024 is enclosed herewith as **Annexure-XII**.

XI) Further, in compliance with the aforesaid direction of the Hon'ble National

Green Tribunal passed on 08.04.2024, Member Secretary, J&K Pollution Control Committee vide reference No. JKPCC/NGT/130/3192 dated 06.05.2024 has furnished a brief note on the status of functioning of J&K Pollution Control Committee **(Copy attached at Annexure-XIII)**

The report is accordingly being placed before the Hon'ble National Green Tribunal, for its kind consideration.



(Dheeraj Gupta), IAS
Financial Commissioner (Additional Chief Secretary)



Government of Jammu and Kashmir,
Forest, Ecology & Environment Department
Civil Secretariat, Jammu/Srinagar

Annexure 'XI'

Consultant (Judicial),
Hon'ble National Green Tribunal,
Principal Bench, New Delhi.

No.FST-Lit/170/2022(7053120)

Dated.06-04-2024

Subject: OA. No.594/2022 titled Syed Riyaz V/s Union Territory of J&K.

Sir,

With reference to the subject captioned above, I am to enclose herewith a copy of Action Taken Report in compliance to the directions passed by Hon'ble National Green Tribunal in Order dated 02.02.2024 in OA No.594/2022 titled Syed Riyaz V/s Union Territory of J&K, with the request that the said position may kindly be placed before the Hon'ble Tribunal, for its kind consideration.

Yours faithfully,

(Dheeraj Gupta),IAS
Financial Commissioner
(Additional Chief Secretary)

Encls:As above.

Copy (with enclosures) to the:-

Shri G.M. Kawoosa, Additional Standing Counsel for Government of J&K in Hon'ble National Green Tribunal-Principal Bench, New Delhi, for information and necessary action.

Action Taken Report in compliance to Hon'ble National Green Tribunal Order dated 2.2.2024, in the O.A No.594/2022, titled Syed Riyaz v/s Union Territory of J&K and Ors.

In compliance to the directions passed by the Hon'ble National Green Tribunal in the matter of O.A No.594/2022 titled Syed Riyaz V/s Union Territory of J&K on 02.02.2024, it is humbly submitted as follows:

I) That the Hon'ble National Green Tribunal was pleased to pass the following directions *vide* its Order dated 05.10.2023:

".....The grievance in the application is regarding unauthorized operation of near about 200 brick kilns in District Budgam, Union Territory, Jammu & Kashmir in violation of environmental norms.

Action Taken Reports have been filed by J&KPCC vide emails dated 09.01.2023 and 19.04.2023.

In view of the averments made in the application and observations made in the report, we consider it appropriate to seek information from J&KPCC regarding status of compliance with environmental norms by all brick kilns in Union Territory of Jammu & Kashmir. Accordingly, J&KPCC is directed to file an additional report regarding compliance status of all brick kilns in the Union Territory of Jammu & Kashmir.

Report as mentioned above be filed by J&KPCC within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List for further consideration on 04.01.2024.

In the facts and circumstances of the case we also consider presence of the Member Secretary, J&KPCC through VC before this Tribunal on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication on the questions involved in the case. Accordingly, he is directed to remain present before this Tribunal on that date with the relevant record.

A copy of this order be sent to the Member Secretary, J&KPCC by email for requisite compliance".

II) That, in compliance to the above directions of Hon'ble National Green Tribunal, J&K Pollution Control Committee *vide* reference No.JKPCC/



NGT/130/023/147-149 dated 02-01-2024 filed an additional report regarding Compliance Status of all Brick Kilns in the Union Territory of Jammu & Kashmir before the Hon'ble National Green Tribunal.

III) The case was again listed for hearing on 04.01.2024 and the Hon'ble National Green Tribunal passed the following orders:

“Vide order dated 05.10.2023 J&KPCC was directed to file additional report regarding compliance status of all brick kilns in the Union Territory of Jammu & Kashmir and the Member Secretary, J&K PCC was directed to appear before this Tribunal through VC with relevant record.

In compliance thereof Additional Report has been filed by Mr. K. Ramesh Kumar, IFS, Member Secretary, JKPCCC vide email dated 02.01.2024.

We have gone through the report and find the same not only to be lacking the information sought by this Tribunal but also to be incomplete and self-contradictory.

Mr. K. Ramesh Kumar, IFS, Member Secretary, JKPCCC seeks two weeks' time to file a detailed report with requisite information and also to take appropriate remedial action.

Detailed report by Member Secretary, JKPCCC be filed on or before 23.01.2024 by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

The requisite information regarding brick kilns be also uploaded on the website of the JKPCCC/official website of the Union Territory of J&K as directed vide order dated 05.10.2023 by 23.01.2024.

All concerned District Magistrates and the Superintendents of Police in the UT of Jammu and Kashmir are directed to ensure that no brick kiln is set up and operated without obtaining CTE/CTO from JKPCCC and without due compliance with environmental norms.

List for further consideration on 02.02.2024.

In view of the facts and circumstances of the case we also consider presence of the Member Secretary, J&KPCC through VC before this Tribunal on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case. Accordingly, he is directed to remain present before this Tribunal on that date with the relevant record.

A copy of this order be also sent to the Member Secretary, J&KPCC by email for requisite compliance.”

IV) Accordingly, in compliance to the above directions of Hon'ble National Green Tribunal, J&K Pollution Control Committee vide reference No. JKPCCC/



NGT/130/023/2589-90 dated 20-01-2024 again filed the Compliance Status of all Brick Kilns in the Union Territory of Jammu & Kashmir before the Hon'ble National Green Tribunal.

- V) The case was again listed before the Hon'ble National Green Tribunal on 02.02.2024 and the Hon'ble Tribunal was pleased to pass following directions on 02.02.2024, the operative part of which reads as under:

“Tribunal in the previous proceedings dated 04.01.2024 had recorded that by order dated 05.10.2023, J&KPCC was directed to file additional report regarding compliance status of all brick kilns and the Member Secretary, J&KPCC was directed to appear before the Tribunal through VC with relevant record.

In compliance, thereof, an additional report by Member Secretary, J&KPCC was filed but the same was found to be lacking in the information sought. Hence, Member Secretary, J&KPCC was directed to file a detailed report. On 04.01.2024, interim direction to the following effect was issued:-

“7. All the concerned District Magistrates and the Superintendents of Police in the UT of Jammu and Kashmir are directed to ensure that no brick kiln is set up and operated without obtaining CET/CTO from JKPCC and without due compliance with environmental norms.”

Compliance status of brick kilns in J&K in J&K has been filed by Member Secretary, J&KPCC reflecting the position of brick kilns as under:

“1. The summary of updated compliance status of all Brick Kilns in J&K as on 20-01-2024 is as follows:-

- i) Total No. of Brick Kilns in J&K -570*
- ii) Brick Kilns functional with Consent - 196*
- iii) Brick Kilns without Consent - 132*
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- v) Brick Kilns applied for Consent and is under process at various stages for accord of consent- 147.*

The detailed list of compliance status of all Brick Kilns in J&K is appended as Annexure 'A' and list of closure orders issued is appended as Annexure 'B' and list of brick kilns applied for consent is appended as Annexure 'C'.

Above information disclosed in the report reveals that there are at least 132 brick kilns operating without consent.

Law Officer of J&K PCC has appeared virtually and has submitted that Member Secretary, J&K PCC has been transferred and two Regional Officers have also been transferred. Therefore, for want of any competent officer he is appearing virtually



representing J&KPCC. This reflect sorry state of affairs showing that there is no responsible officer available in the J&K PCC.

132 brick kilns are operating without consent in contravention of the direction of the Tribunal dated 04.01.2024 wherein concerned officers of J&K PCC were directed to ensure that no brick kiln is set up and operated without obtaining Consent to Establish(CTE)/Consent to Operate (CTO) from J&KPCC and without due compliance of environmental norms.

In the report dated 20.01.2024 nothing has been disclosed as regards the action which has been taken against 132 brick kilns operating without consent. Hence, we deem it proper to issue notice to Principal Secretary, Department of Environment, J&K requiring him to file response disclosing action taken for proper functioning of J&K PCC and also action taken against the brick kilns which have been set up and are operating without CTE/CTO and without following environmental norms.

Let response be filed by Principal Secretary, Department of Environment, J&K at least one week before the next date of hearing by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”

VI) It is respectfully submitted that in terms of the above directions of the Hon’ble National Green Tribunal requiring the Principal Secretary to file the response, the JKPCC was requested to furnish the details of the status for fresh compliance. However, as was observed by the Hon’ble National Green Tribunal in its order dated 05.10.2023 and 04.01.2024 and despite repeated instructions and meetings by the Administrative Department, the position as submitted by the J&K Pollution Control Committee, initially on 27.03.2024, 01.04.2024 and 04.04.2024 was again incomplete and contradictory.

a) It is respectfully submitted that in its reply filed before the Hon’ble National Green Tribunal on 20-01-2024, the JKPCC had, *inter alia*, stated:

“.....1. The summary of updated compliance status of all Brick Kilns in J&K, as on 20-01-2024, is as follows:

- i) Total No. of Brick Kilns in J&K -570
- ii) Brick Kilns functional with Consent - 196
- iii) Brick Kilns without Consent - 132
- iv) Closure orders issued by J&K Pollution Control Committee - 146.
- v) Brick Kilns applied for Consent and is under process at various stages for accord of consent-- 147.

The detailed list of compliance status of all Brick Kilns in J&K is appended as Annexure ‘A’ and list of closure orders issued is appended as Annexure ‘B’ and list of brick kilns applied for consent is appended as Annexure ‘C’....”



As would be apparent from the above, only 196 were reported to have Consent out of a total of 570 Brick Kilns in J&K. Clearly, 374 (570-196) Brick Kilns were without consent, and not 132, as stated above at S No (iii). Out of these 374, closure orders were issued to only 146, for reasons not stated. Whether 146 Brick Kilns, against whom closure orders were issued, were closed and not actually operating on ground, was also not reported.

b) The J&K PCC *vide* their communication dated 27.3.2024 (copy attached as **Annexure-I**), in response to the Administrative Department's communication for a fresh/complete status, informed:

“(i).... *That the operation of Brick Kilns in the UT of Jammu & Kashmir is being regulated by the District Magistrates and J&K Pollution Control Committee as per the provisions laid out in the following legal enactments and guidelines issued by the Government of India and Government of J&K from time to time.*

1. *Siting criteria for New Brick Kilns 2004.*
2. *Guidelines for regulations of Brick Kilns 2010.*
3. *The Jammu and Kashmir Brick Kilns (Regulation) Act 2010.*
4. *The Jammu and Kashmir Brick Kilns (Regulation) Rules, 2017.*
5. *Operational Guidelines for Brick Kilns in J&K, 2021.*
6. *Environment (Protection) Amendment Rules, 2022 dated 22nd February 2022.*
7. *Environment (Protection) Sixth Amendment Rules, 2023 dated 15th December 2023.*

ii. *That, out of 132 Brick Kilns without Consent, 09 nos of Brick Kilns have been accorded consent to operate and for remaining 123 nos of Brick kilns, closure orders stand issued (Copies are attached herewith as Annexure 'A').*

iii. *That the Consent Status of all Brick Kilns of J&K has been uploaded on the website of J&K Pollution Control Committee i.e. <https://jkpcc.nic.net.in> (Scroll on main page and under information >General information>Public notice>Consent Status of Brick Kilns in UT of J&K). The status is regularly updated as & when consent is issued/renewed.*

iv. *That, Directions under Section 31 (A) of Air (Prevention and Control of Pollution) Act, 1981 have been issued to all the District Magistrates (DMs) from time to time to ensure that no Brick Kiln is allowed to set up and operate without obtaining consent from the Pollution Control Committee and those brick kilns found operating without valid licenses from the Licensing Authority and without valid consent from J&K Pollution Control Committee shall be closed immediate forthwith. (Copies are attached herewith as Annexure 'B').*

v. *That, a public notice has also been issued in local dailies of J&K for the attention of Brick Kiln owners of J&K to comply strictly with the environmental norms and adhere to the notification GSR 143 (E) Dated 22nd February 2022 issued by MoEF&CC read with*



notification GSR 895(E) Dated 15th December 2023 which reads as under. (Copy is attached herewith as Annexure 'C').

- i) That, in 10 kms radius of Non-Attainment Cities of Jammu/Srinagar, Brick kilns without Zig-Zag Technology shall not be permitted to operate beyond February 2024.*
- ii) That, in rest of the area (other than Non-attainment Cities) the Brick Kilns shall be directed to convert to Zig-Zag Technology by or before February 2025.*

The J&K PCC, as would be apparent from above, provided information with respect to only 132 brick kilns who have never applied nor obtained Consent to operate their brick kilns. Out of 132, 09 nos of Brick Kilns have been accorded consent to operate and for the remaining 123 nos of Brick Kilns closure orders stands issued. However, J&K Pollution Control Committee was silent about the status of all other Brick kilns established in the UT of Jammu and Kashmir whether they are functional/non-functional and have consent to operate/establish or not. The J&K PCC was again requested to clarify and submit full details.

c) The J&K PCC *vide* their communication dated 1.4.2024 (copy attached as **Annexure-II**) informed:

".....That, the Regional Director's, Jammu/Kashmir and the concerned Divisional Officers of the Districts have also been directed to ensure that no brick kiln in respect of which closure orders have been issued is allowed to operate in violation of environmental laws and in case of any violation, the Divisional Officers has been directed to report the matter to the District Magistrate, SSP of the District and Member Secretary, J&K PCC. The Divisional Officers have also been asked to ensure filing of complaint against the occupier in the Court of law without any delay (Copy enclosed).

Furthermore, the District Magistrates of the concerned Districts have been again directed to ensure that no brick kiln is allowed to set up and operate without obtaining valid consent from the Pollution Control Committee and those brick kilns found operating without valid licenses from the Licensing Authority and without valid consent from J&K Pollution Control Committee shall be closed immediate forthwith (Copy enclosed)...."

The J&K PCC again failed to provide the full details. Chairman J&K PCC and Member Secretary J&K PCC were called for discussion on 1.4.2024 again and directed to ensure compliance and share full details.

c. J&K Pollution Control Committee *vide* another reference No.JKPCC/NGT/130/3025 dated 04.04.2024 has furnished the additional



information regarding status of brick kilns in UT of Jammu and Kashmir and the same is given as under (copy attached as **Annexure-III**):-

1.	Total number of the Brick Kilns in J&K	570
2.	Brick Kilns without consent	123 (closure orders issued)
3.	Brick Kilns consented	281
a.	Brick Kilns functional with consent	273
b.	Brick Kilns Consent to Establish (Fresh)	8
4.	Consent refused	5
5.	Brick Kilns whose consent validity has expired	161
a.	Closure orders issued out of 161	135
b.	Application for consent under process on JKOCMS	25
c.	Court case	1

This was again incomplete and contradictory!

- d. Thereafter, J&K Pollution Control Committee *vide* another reference No.JKPCC/NGT/130/3027 dated 04.04.2024 furnished the updated status of brick kilns in the UT of Jammu and Kashmir and the same is reproduced as under (copy attached as **Annexure-IV**):-

1.	Total number of the Brick Kilns in J&K	570
2.	a) Closure orders issued to the Brick Kilns were operating without consent	123
	b) Closure orders issued to Brick Kilns whose validity expired	155
3.	Total closure order issued	278
4.	Brick Kilns consented	292
a)	Brick Kilns functional with Consent to Operate	285
b)	Brick kilns consented for Consent to Establish	7
5.	Court case	1



- e. Finally, J&K Pollution Control Committee *vide* reference No.JKPCC/NGT/130/3030 dated 05.04.2024 has furnished the complete status of brick kilns in the UT of Jammu and Kashmir and the same is reproduced as under (copy attached as **Annexure-V**):-

1.	Total number of Brick Kilns in J&K	570
2.	Brick Kilns consented	
	(i) Brick Kilns Functional with Consent to Operate (CTO)	203
	(ii) Brick Kilns consented for Consent to Establish (CTE)	02
		205
3.	Brick Kilns without Consent to Operate/Establish	
	(i) Brick Kilns without Consent	122
	(ii) Brick Kilns with Expired Consent validity	233
	(iii) Brick Kilns with refused Consent	05
	(iv) Brick Kilns with Expired Consent to Establish	05
	<i>Closure orders issued and appended as annexure</i>	365
	Grand Total	570

Further, it is intimated that out of 365, closure orders issued in respect of the brick kilns which were operating without consent, 326 orders as per the reports of respective Regional Directors and Divisional Officers stands implemented. Remaining 39 brick kilns out of the brick kilns in respect of which closure orders have been issued in the first week of April 2024 are in the process of implementation through the respective District Magistrates. However, it is learnt that no brick kiln is currently functional....”

- f. **In terms of the directions of the Hon’ble National Green Tribunal, it is respectfully submitted that as brought out in the final report of the J&K PCC, out of a total of 570 Brick Kilns in the J&K, 203 have been given Consent to Operate, 2 have been given consent to Establish and closure orders have been issued by the J&K PCC in respect of balance 365, all of which have been reported to be currently non-functional. J&K PCC has been directed to**



ensure no violation occurs on ground regarding the functioning of the Brick Kilns.

VII Action taken for proper functioning of J&K Pollution Control Committee

a) The Law Officer of the JKPC, while appearing virtually on behalf of the Member Secretary JKPC before the Hon'ble National Green Tribunal on 2-2-2024, had, *inter alia*, stated:

"..... that Member Secretary, J&K PCC has been transferred and two Regional Officers have also been transferred. Therefore, for want of any competent officer he is appearing virtually representing J&KPCC....."

b) Based on the above submissions of the Law Officer of the JKPC, the Hon'ble National Green Tribunal had observed:

".....This reflect sorry state of affairs showing that there is no responsible officer available in the J&K PCC....."

And had accordingly directed:

"..... Principal Secretary, Department of Environment, J&K requiring him to file response disclosing action taken for proper functioning of J&K PCC...."

c) It is respectfully submitted that the above statement of Law Officer of the JKPC, before the Hon'ble National Green Tribunal on 2.2.2024 is factually incorrect and misleading.

d) While the then Member Secretary, J&K Pollution Control Committee was transferred *vide* Government Order No.31-JK(FST) of 2024 dated 31.01.2024 (copy attached as **Annexure-VI**), he handed over the charge of Member Secretary, J&K Pollution Control Committee to the Chairman, JKPC only on 5/2/2024 (copy attached as **Annexure-VII**). Similarly, the two regional directors were also transferred in the same order, and their substitutes provided. They were also available on 2.2.2024, contrary to the submissions of the Law officer. The new Member Secretary, J&K Pollution Control Committee has also joined on 15.3.2024.



e) Therefore on 2.2.2024, when both the Member Secretary, J&K PCC and the Chairman, J&K PCC were available in the J&K PCC HQs, and the two regional directors in the field, the above statement of the Law Officer before the Hon'ble National Green Tribunal is factually incorrect and misleading. The transfer of officers cannot be or was never the reason for non-compliance of the directions of the Hon'ble Tribunal by the J&K PCC, regarding the closure of the non-consented brick kilns. The Chairman, J&K PCC has separately been asked to explain/clarify these submissions of the Law Officer and as why neither the Member Secretary, J&K PCC nor the Chairman, J&K PCC were present before the Hon'ble National Green Tribunal on 2.2.2024, despite its directions. He has also been asked to explain the reasons for the repeated noncompliance and inordinate delay on the part of J&K PCC in complying with the directions of the Hon'ble Tribunal regarding the closure of the non-consented brick kilns (copy attached as **Annexure-VIII**)

f) As regards the directions of the Hon'ble National Green Tribunal for proper functioning of the J&K PCC it is respectfully submitted that all senior officers/officials of the J&K PCC are in place, as per details given in **Annexure-IX**. Recently, transfers of all senior officers have also been affected in the J&K PCC after a gap of 5 years. A copy of the order is attached at **Annexure-X**. An exercise for reorganization and revision of the Recruitment Rules of the J&K PCC has also been initiated, about six months back, to professionalize the organization.

The report is accordingly being placed before the Hon'ble National Green Tribunal for kind consideration.



(Dheeraj Gupta), IAS
Financial Commissioner (Additional Chief Secretary)



Additional Chief Secretary Forest <csforestjk@gmail.com>

OA No.594/2022 titled Syed Riyaz V/s Union Territory of J&K & Ors.

2 messages

Additional Chief Secretary Forest <csforestjk@gmail.com>

Sat, Apr 6, 2024 at 5:22 PM

To: judicial-ngt@gov.in, gmkawoosa@yahoo.com, Dheeraj Gupta <dheerajjk@gmail.com>, Ravneet singh <singhravneet1981@gmail.com>

 Annexure 'X'.pdf

 Annexure 'I'.pdf

 Annexure 'II'.pdf

 Annexure 'III'.pdf

 Annexure 'IV'.pdf

R/Sir,

Kindly find attached herewith a copy of ATR along with enclosures in respect of O.A No.594/2022 titled Syed Riyaz V/s Union Territory of J&K & Ors for kind consideration please.

6 attachments

 **Final ATR.pdf**
1329K

 **Annexure 'VII'.pdf**
511K

-  **Annexure 'VIII'.pdf**
582K
-  **Annexure 'VI'.pdf**
1676K
-  **Annexure 'V'.pdf**
9803K
-  **Annexure 'IX'.pdf**
10343K

Additional Chief Secretary Forest <csforestjk@gmail.com>
To: judicial-ngt@gov.in

Sat, Apr 6, 2024 at 5:25 PM

R/Sir,

Kindly find attached herewith a copy of ATR along with enclosures in respect of O.A No.594/2022 titled Syed Riyaz V/s Union Territory of J&K & Ors.

[Quoted text hidden]

6 attachments

-  **Final ATR.pdf**
1329K
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1676K
-  **Annexure 'V'.pdf**
9803K
-  **Annexure 'IX'.pdf**
10343K

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 – 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

**The Financial Commissioner (Additional Chief Secretary),
Department of Forests, Ecology and Environment,
Civil Secretariat,
Jammu/Srinagar.**

Annexure 'XIII'

No.:- JKPCC/NGT/130/3192

Dated:- 06-05-2024.

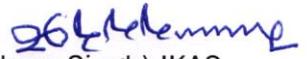
Sub:- O.A No. 594/2022 titled Syed Riyaz Vs UT of Jammu and Kashmir & Ors.

Sir,

Kindly refer to the subject cited above, wherein, the Hon'ble National Green Tribunal vide its Order dated 08-04-2024 in O.A NO. **594/2022** titled **Syed Riyaz Vs UT of J&K & Others** have sought response from the Principal Secretary, Department of Forest, Ecology and Environment, J&K and the case is listed for hearing before the Hon'ble NGT on 21-05-2024.

In this connection, I am directed to enclose herewith a brief note on the status of functioning of J&K Pollution Control Committee.

Yours faithfully,


(Ghansham Singh) JKAS
Member Secretary 6.5.24

Brief Report on functioning of J&K Pollution Control Committee

1. The Jammu and Kashmir Pollution Control Board (now Jammu and Kashmir Pollution Control Committee-JKPCC) was created in the year 1987 vide Govt. Order No. 34 of 1987 dated 30-08-1987 in pursuance of sub-section (1) of section 4 of the Water (Prevention & Control) of Pollution Act 1974. J&K PCC is a Statutory Body entrusted with enforcement of environmental laws within the territorial jurisdiction of UT of J&K. The Central Pollution Control Board, in exercise of powers conferred by Section 4, clause (4) of the Water (Prevention and Control of Pollution) Act, 1974, and section 6 of the Air (Prevention and Control of Pollution) Act, 1981 has delegated all its powers vested under the said acts in respect of the UT of J&K to the Jammu and Kashmir Pollution Control Committee, in terms of notification dated 25 March 2021.
2. Senior most IFS Officer of the Rank of PCCF is posted as Chairman, J&K SPCB / J&K PCC with rich experience in the field of Environmental Conservation, Administration & Enforcement of Laws. Similarly, officers with considerable experience in handling Administrative and legal matters at field level are posted as Member Secretary.
3. **Constitution of Board:** Board / Committee includes representatives from different fields as under:
 - a) Forest, Ecology & Environment.

- b) Industries & Commerce Department.
- c) Housing & Urban Development.
- d) Transport Department.
- e) Health & Medical Education Department.
- f) Local Authorities.
- g) Ministry of Environment, Forest and Climate Change, Jammu, or his/her Nominee.
- h) Wildlife.
- i) Academics.
- j) Central Pollution Control Board or his / her Nominee.

Constitution Appended as Annexure - 'A'

4. There are 22 Divisional Offices, in UT of J&K one in each district, except Jammu & Samba where there are two Divisional Offices each. These Divisional Offices are under administrative control of respective Regional Director, Jammu & Regional Director, Kashmir.
5. **Laboratories:** Both Jammu & Kashmir regions have a parallel set up of Air, Water and Microbiology laboratories along with staff.

In addition to the above, J&K PCC has entered into MoU with Central University of Jammu for establishment of the Himalayan Aerosol Research Instrumentation

Facility (**HARI**). Aerosol sampling, gravimetric analysis and chemical analysis for elements and carbonaceous fraction can be carried out in HARI facility.

6. Availability of manpower and steps taken to strengthen J&K PCC:

- a) The J&K SPCB was created in 1987 with meager staff strength of 38 posts with subsequent addition of 407 posts in 1996, thereby, increasing total sanctioned strengthened to 445, as on date J&K SPCB (now on J&KPCC) is operating with 239 posts and 206 posts are lying vacant on existing strength. **(Copy of the vacancy position is enclosed as Annexure 'B')**
- b) 131 vacant posts under direct recruitment quota stands referred to J&K Government for recruitment through J&K Service Selection Board. So far 41 appointments have been made on the recommendation of J&K Service Selection Board. The details is as follows:-

#	Name of the post	Selection / appointments made
1)	Junior Environmental Engineer	05
2)	Junior Scale Stenographer	01
3)	Junior Assistant	10
4)	Orderly	06
5)	Laboratory Attendant	05
6)	Field Inspector	14
	Total	41

- c) The process for recruitment of other posts that have been referred to J&K Service Selection Board has also been initiated.

d) The proposal of J&K PCC for restructuring of its cadre is also under consideration with the Government.

7) **Funds:-** J&K Pollution Control Committee was provided an amount of Rs. 1.50 Crores under CAPEX Budget for the year 2023-24 and Rs. 1.50 Crores has been approved for the Financial Year 2024-25 as well. In addition, the government allocated Rs. 26.94 Crores to J&K Pollution Control committee under non-plan and a provision of Rs. 28.03 Crores has been kept for the year 2024-25. J&K Pollution Committee also utilizes the consent budget available with it, and it utilized an amount of Rs. 3.48 Crores for meeting its operational expenses in 2023-24.

- | | |
|---|--------------|
| 6. प्रशासनिक सचिव, स्वास्थ्य एवं चिकित्सा शिक्षा विभाग,
संघ राज्य क्षेत्र जम्मू और कश्मीर | - सदस्य |
| 7. आयुक्त, नगर निगम, जम्मू | - सदस्य |
| 8. चिकित्सा अधीक्षक, राजकीय चिकित्सा महाविद्यालय, जम्मू | - सदस्य |
| 9. क्षेत्रीय अधिकारी, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, जम्मू या उनके नामिती | - सदस्य |
| 10. डॉ. पंकज चंदन, निदेशक, प्रकृति, वन्यजीव और जलवायु परिवर्तन,
राष्ट्रीय विकास प्रतिष्ठान (एनडीएफ), जम्मू | - सदस्य |
| 11. प्रोफेसर अनिल के. रैना, पर्यावरणीय विज्ञान विभाग, जम्मू विश्वविद्यालय | - सदस्य |
| 12. सदस्य सचिव, केंद्रीय प्रदूषण नियंत्रण बोर्ड या उनके नामिती | - सदस्य |
| 13. प्रबंध निदेशक, लघु उद्योग निगम, जम्मू और कश्मीर | - सदस्य |
| 14. सदस्य सचिव, जम्मू और कश्मीर प्रदूषण नियंत्रण समिति | - सदस्य सचिव |

और,

- (i) इस समिति को जम्मू और कश्मीर प्रदूषण नियंत्रण समिति कहा जाएगा।
(ii) यह अधिसूचना तत्काल प्रभाव से लागू होगी।

शिव दास मीना, अध्यक्ष, के.प्र.नि.बो.

[विज्ञापन III/4/असा./560/20-2021]

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION

New Delhi, the 25th March, 2021

F.No. C-603/J&K PCC/Legal-2021.—In exercise of the power conferred by Section 4, clause (4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No. 6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No. 14 of 1981), the Central Pollution Control Board (CPCB) delegates all its powers vested under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981, in respect of the Union Territory of Jammu & Kashmir to the under mentioned committee specified by the Central Government:

- | | |
|---|------------|
| 1. Chairman, Jammu & Kashmir Pollution Control Committee | - Chairman |
| 2. Additional Secretary, Forest, Ecology & Environment Department, Union Territory of Jammu & Kashmir | - Member |
| 3. Administrative Secretary, Industries & Commerce Department, Union Territory of Jammu & Kashmir | - Member |
| 4. Administrative Secretary, Housing & Urban Development Department, Union Territory of Jammu & Kashmir | - Member |
| 5. Administrative Secretary, Transport Department, Union Territory of Jammu & Kashmir | - Member |
| 6. Administrative Secretary, Health & Medical Education Department, Union Territory of Jammu & Kashmir | - Member |

7. Commissioner, Municipal Corporation, Jammu - Member
8. Medical Superintendent, Government Medical College, Jammu - Member
9. Regional Officer, Ministry of Environment, Forest and Climate Change, Jammu, or his/her Nominee - Member
10. Dr. Pankaj Chandan, Director, Nature, Wildlife & Climate Change, National Development Foundation (NDF), Jammu - Member
11. Professor Anil K. Raina, Department of Environmental Science, University of Jammu - Member
12. Member Secretary, Central Pollution Control Board or his/her Nominee - Member
13. Managing Director, Small Industrial Corporation, Jammu & Kashmir - Member
14. Member Secretary, Jammu & Kashmir Pollution Control Committee - Member Secretary

And,

- (i) This Committee may be called as Jammu & Kashmir Pollution Control Committee.
- (ii) The Notification shall come into force with immediate effect.

SHIV DAS MEENA, Chairman, CPCB

[Advt-III/4/Exty/560/20-2021]

Staff Strength of J&K Pollution Control Committee

S.No	Designation	Pay level	Level	No. of posts	In position	Vacant
1.	Chairman	Level 17	225000	01	1	-
2.	Member Secretary	Level 14	(205400-224400)	01	1	-
3.	Regional Director	Level 12	(78800-209200)	02	2	-
4.	Financial Advisor	Level 12	(78800-209200)	01	1	-
5.	Legal Advisor	Level 11	(67700-208700)	01	-	1
6.	Environmental Engineer	Level 11	(67700-208700)	01	1	-
7.	Scientist "C"	Level 11	(67700-208700)	02	-	2
8.	Principal Scientific Officer	Level 11	(67700-208700)	01	1	-
9.	Scientist "B"	Level 8 A	(50700-160600)	06	3	3
10.	Sr. Scientific Officer	Level 8 A	(50700-160600)	01	1	-
11.	Scientific Officer	Level 8 A	(50700-160600)	01	-	1
12.	Asstt.Env.Engineer.	Level 8 A	(50700-160600)	11	8	3
13.	Administrative Officer	Level 8	(47600-151100)	01	1	-
14.	Assistant Director(P&S)	Level 8	(47600-151100)	01	1	-
15.	Assistant Director (M & M)	Level 8	(47600-151100)	01	-	1
16.	Vigilance Officer(AEE)	Level 8	(47600-151100)	01	-	1
17.	Accounts Officer	Level 8	(47600-151100)	01	1	-
18.	Asstt. Accounts Officer	Level 7	(44900-142400)	02	2	-
19.	Section Officer	Level 7	(44900-142400)	04	-	4
20.	Statistical Officer.	Level 7	(44900-142400)	02	2	-
21.	Information Officer	Level 7	(44900-142400)	02	-	2
22.	Sr.Scale Stenographer	Level 7	(44900-142400)	01	1	-
23.	Senior Lecturer	Level 6 F	(40800-129200)	01	-	1
24.	Liaison Officer	Level 6 F	(40800-129200)	01	-	1
25.	Scientist "A"	Level 6 E	(35900-113500)	18	14	4
26.	Estate Officer	Level 6 E	(35900-113500)	01	-	1
27.	Computer Analyst.	Level 6 E	(35900-113500)	02	2	-

28	Law Officer	Level 6 E	(15200-113100)	01	-	1
29	Jr. Env. Engineer	Level 6 D	(35800-113200)	26		
30	Jr. Engineer.	Level 6 D	(35800-113200)	02	19	9
31	Head Assistant	Level 6 B	(35600-112800)	06	3	3
32	Accountant	Level 6 B	(35600-112800)	04	2	2
33	Statistical Assistant	Level 6 B	(35600-112800)	08	4	4
34	Junior Scale Stenographer	Level 6 B	(35600-112800)	03	3	-
35	Draftsman	Level 6 A	(35500-112600)	13	11	2
36	Research Asstt.	Level 6	(35400-112400)	17	7	10
37	Field Inspector.	Level 6	(35400-112400)	32	19	16
38	Field Inspector.	Level 6	(35400-112400)	03		
39	Computer Assistant	Level 6	(35400-112400)	05	5	-
40	Asstt.Law Officer.	Level 6	(35400-112400)	02	1	1
41	Jr.Scientific Asstt.	Level 6	(35400-112400)	11	-	11
42	Laboratory Assistant	Level 6	(35400-112400)	21	2	19
43	Asstt. Information Officer	Level 6	(35400-112400)	02	1	1
44	Senior Assistant	Level 5	(29200-92300)	24	15	9
45	Jr.Sts. Asstt.	Level 5	(29200-92300)	04	4	-
46	Accounts Asstt.	Level 5	(29200-92300)	06	2	4
47	Junior Assistant.	Level 4	(25500-81100)	48	38	10
48	Field Assistant	Level 4	(25500-81100)	30	8	22
49	Data Operator	Level 2	(19900-63200)	04	1	3
50	Driver	Level 2	(19900-63200)	25	6	19
51	Orderly	Level SL 1	(14800-47100)	48	34	14
52	Lab. Attendant	Level SL 1	(14800-47100)	32	11	21
Total				445	239	206