

Item No. 01

Court No. 1

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

(By Video Conferencing)

Appeal No. 33/2020  
(I.A. No. 321/2020, I.A. No. 322/2020& I.A. No. 323/2020)

Executive Officer Municipal Committee  
Ramban, UT of J & K

Appellant(s)

Versus

Jammu and Kashmir Pollution Control Board

Respondent(s)

Date of hearing: 22.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Appellant(s): Ms. Shashi Juneja, Advocate

**ORDER**

This appeal has been preferred against order dated 08.07.2020 passed by the Jammu & Kashmir Pollution Control Board (State PCB) assessing compensation on polluter pays principle for violation of environmental norms. The appellant is Municipal Committee, Ramban and it is alleged that it did not take necessary steps to prevent unscientific dumping of waste, resulting in damage to the environment. It is undisputed that damage to the environment has taken place in violation of constitutional duty of the local body to take preventive measures in the matter. However, having regard to the plea of Pandemic and financial resources raised by the Committee, we are of the view that the amount be reduced to 50% which may be paid within six months in

two installments, subject to the Committee maintaining due vigil in maintaining environmental norms.

The appeal is partly allowed.

We have not issued notice to the State PCB but it will be open to the State PCB to move this Tribunal, if aggrieved by the above order.

In view of the order passed in main matter, no further order is required in I.A. Nos. 321/2020, 322/2020 and 323/2020 which stand disposed of.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 22, 2020  
Appeal No. 33/2020  
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