

Item Nos. 18&19

Court No. 1

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

Original Application No. 526/2024

Varinder Malik

Applicant

Versus

Ministry of Local Government Punjab & Ors.

Respondent(s)

WITH

Original Application No. 524/2024

Tejasvi Minhas

Applicant

Versus

Central Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 27.08.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Varinder Malik, Applicant in Person in OA 526/2024 (Through VC)
Mr. Tejasvi Minhas, Applicant in Person in OA 524/2024 (Through VC)

Respondent: Mr. Amarjeet Bains, Additional Commissioner, Municipal Corporation,
Jalandhar (Through VC)
Mr. Anchit Singla, Adv. for Punjab PCB (Through VC)

ORDER

1. In these Original Applications, the applicants have raised the grievance against illegal garbage dump at back side of Kewal Vihar opposite the cremation ground of Model Town, Jalandhar. As per the allegation, unsegregated mixed solid waste is dumped at the site which is creating health hazard.

2. The Tribunal on 10.05.2024 had issued notice to the respondents. The reply on behalf of the PPCB dated 20.08.2024 has been filed which confirms the grievance of the applicant about dumping of unsegregated waste at the site in question at Model Town.

3. The report of the PPCB in this regard states as under:-

“3) That the dump site of Municipal Corporation, Jalandhar, garbage vulnerable sites of Solid Waste dumping at Model Town, Jalandhar, Choughti Chowk and other prominent locations where waste is being dumped were visited by the officer of the Board on 05.07.2024. It was observed that un-segregated waste is being dumped at the Model Town site, other sites through hand pulled carts and waste is being loaded into the dump trucks without any segregation. No bins or compactors have been provided by the Municipal Corporation, Jalandhar. Apart from the Model Town site, solid waste is dumped in open at various secondary points within the city such as BMC Chowk, 120 ft. Road Near Basti Danish manda and at various points on old G.T. Road.”

4. The report further reflects that the EC of Rs. 4.5 crores has been imposed by the PPCB upon Municipal Corporation, Jalandhar for violation of the Solid Waste Management Rules, 2016. The report mentions the direction of the Chairman of the Board as under:-

“7) That after hearing the officers of the Board, representatives of the Municipal Corporation, Jalandhar and considering the material facts on record, the Chairman of the Board decided as under that:

a) The Municipal Corporation, Jalandhar shall comply with the activities mentioned as per rule 1 to 11 of Solid Waste Management Rules 2016. The Municipal Corporation, Jalandhar shall submit a comprehensive report for point wise compliance (with target dates) of Municipal Solid Waste Management Rules 2016 to the Board within 15 days.

b) The Municipal Corporation, Jalandhar shall submit fresh Bank Guarantee of Rs. 25 lacs as an assurance to comply with the Municipal Solid Waste Rules 2016 within 15-days.

c) The Municipal Corporation, Jalandhar shall also renew earlier Bank Guarantee of Rs. 25 lacs which expired on 30.9.2021 as an assurance to comply with the Municipal Solid Waste Rules 2016 within 15-days.

- d) EPA Branch (HQ-3) of Punjab Pollution Control Board shall prepare and place matter for imposing Environmental Compensation as per the NGT Methodology upto 31.7.2024, within 07-days.*
- e) The Municipal Corporation, Jalandhar / Department of Local Govt. / PMIDC shall submit the balance Environmental Compensation of Rs. 3.6 crore earlier Imposed upto 31.3.2024 alongwith Environmental Compensation till 31.7.2024 within 15-days.*
- f) In case of further non-compliances of Solid Waste Management Rules, 2016, the Board is at liberty to initiate legal proceeding against the Municipal Corporation Jalandhar as well as the officers responsible for the compliance of aforesaid rules*
- g) The proceedings of hearing be forwarded to Principal Secretary, Department of Local Govt. Punjab so as to bring the matter in his notice and about the lackadaisical approach of Municipal Corporation, Jalandhar towards compliance of SWM Rules, 2016. He is also to be requested to direct the concerned officers of Municipal Corporation, Jalandhar and MD, PMIDC for taking immediate necessary measures to comply with the Municipal Solid Waste Rules 2016.”*

5. The Additional Commissioner, Municipal Corporation, Jalandhar appearing on behalf of and under the instruction of the respondent no. 3, Commissioner, Municipal Corporation Jalandhar has informed that 500 TPD of solid waste is generated within the municipal limits of Jalandhar out of which 120 TPD is treated. Meaning thereby, rest 380 TPD is adding to the legacy waste. He has submitted that the legacy waste is transmitted to Haryana Dump Site.

6. The Commissioner, Municipal Corporation, Jalandhar is directed to file the response by way of affidavit disclosing the time bound action plan for achieving the target of zero gap in treating the daily generated waste and also remediating the legacy waste and ensuring that the grievance of the applicant is redressed in respect of the spot in question at Model Town, Jalandhar. In that time bound action plan, he will also disclose the steps which have been taken till now and the source of fund to achieve the target. Let the same be filed within four weeks. Applicant will have

opportunity to file objection to the report, if any, within two weeks thereafter.

7. List on 06.12.2024

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 27, 2024
Original Application No. 526/2024
& Original Application No. 524/2024
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