

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

Original Application No. 317 of 2023

In the matter of:

Kapil Dev and another

Applicant

V/S

State of Punjab & Ors.


Respondent

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Date: 25/3/2025

Place: PATIALA


(Er. Gurindar Singh Majithia)
Member Secretary
Punjab Pollution Control Board,
Vatavaran Bhawan, Nabha Road,

Patiala
Member Secretary
Punjab Pollution Control Board
Patiala.

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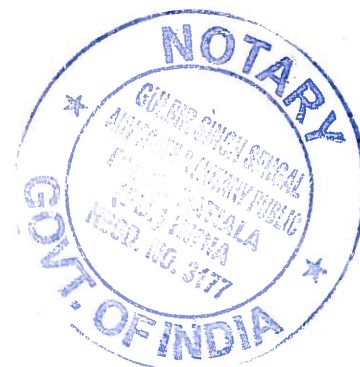
Respondent

Affidavit of Er. Gurindar Singh Majithia, Member Secretary, Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala in compliance to order dated 09.12.2024.

I, the above-named deponent, do hereby solemnly affirm and state as under:

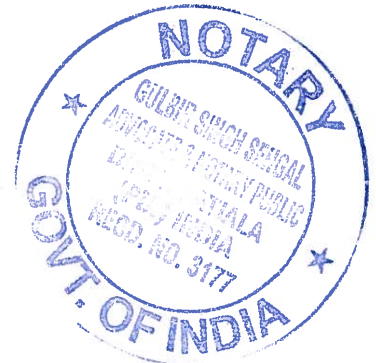
Respectfully showeth

- 1) That the above-mentioned case concerning the allegation of un-scientific handling of solid waste in violation of Solid Waste Management Rules, 2016 at different locations in Ludhiana district is pending before this Hon'ble Tribunal.
- 2) That briefly submitted, after consideration of the Original Application, this Hon'ble Tribunal by passing an order dated 02.05.2023 had constituted a Joint Committee comprising of Punjab State Pollution Control Board (PSPCB), District Magistrate, Ludhiana and Municipal Corporation, Ludhiana verify the facts and furnish a factual and action taken report to the Hon'ble Tribunal. The applicant has alleged un-scientific handling of solid waste at the following locations in Ludhiana District.



- 1) Near Village Gill on both sides of Road Garbage is being dumped into Village Pond and roadsides by MCL, Village Panchayat & Private Hoteliers/Marriage Palace
- 2) Block-C, Model Town Extension - Garbage is being dumped on daily basis into plot of LIT by MCL and put on fire by migrant labours
- 3) Model Town Ext. Block-D Road to ATI Chowk
- 4) Jawahar Nagar Camp
- 5) Near Suffian Chowk
- 6) Budha Nallah near Gaushala Funeral Ground
- 7) Focal Point Road opp. Vishwanath Mandir
- 8) On Main G.T. Road opp. Wholesale vegetable market
- 9) Suffian Chowk (Mistakenly mentioned as Suffian Chowk but the second photograph of Annexure-3 of Original Application pertains to Saidan Chowk and garbage being dumped daily here.
- 10) Near Budha Nallah, Bajwa Nagar
- 11) On 200' bypass near railway lines
- 12) Shaheed Bhagat Singh Nagar, Pakhowal Road, Ludhiana
- 13) Near Lakkar Wala Pul (Old Kacheri area)
- 14) Inner Roads at Bahadur K Road
- 15) Churpur Road
- 16) Garbage dumped on Bank of Budha Nallah near Bachan Singh Marg
- 17) At Leisure Valley Block C, BRS Nagar, Ldh
- 18) In and outside two nearby Parks of Block G, near City Centre, SBS Nagar, Ludhiana
- 19) AT Civil Surgeon Office, Civil Lines Ludhiana
- 20) Model Town near Barista Chowk





- 21) Near MGM School, dugri
 - 22) Fire to organic waste in Park Opp. Jain Mandir, 200' Road
 - 23) DC Office, Ludhiana
 - 24) Bajwa Nagar, GT Road etc.
 - 25) Non utilization of resources
 - 26) Shaheed Bhagat Singh Nagar Ludhiana.
 - 27) Giaspura and old primary dump site at Harnbran Road.
- 3) That in compliance to order dated 02.05.2023, the Joint Committee had submitted report before this Hon'ble Tribunal, to which the applicant has filed objections dated 19.08.2024 disputing the findings of the Joint Committee. In view of the conflicting position, this Hon'ble Tribunal was pleased to pass an order dated 29.08.2024, thereby appointing Local Commissioner to visit the site, ascertain the correct position and submit report.
- 4) That in compliance to order dated 29.08.2024, the Ld. Local Commissioner had submitted the report dated 02.12.2024 disclosing the condition found at various locations as per the objections raised by the applicant.
- 5) That after consideration of the matter, this Hon'ble Tribunal was pleased to pass an order dated 09.12.2024 thereby directing the District Magistrate, Ludhiana; Commissioner, Municipal Corporation, Ludhiana and Member Secretary, Punjab Pollution Control Board to file an affidavit to the report of the Ld. Court Commissioner. The relevant extract of paragraph 7, 8 and 9 of the order dated 09.12.2024 is reproduced below for kind perusal and reference:

"7. Learned Deputy Advocate General (DAG), State of Punjab representing District Magistrate, Ludhiana has sought four weeks' time to file an affidavit of the District Magistrate, Ludhiana responding to the disclosures made in the report of the Learned Local Commissioner.

8. Commissioner, Municipal Corporation, Ludhiana and Member Secretary, PSPCB are also directed to file affidavit in response to the report of the Learned Court Commissioner.





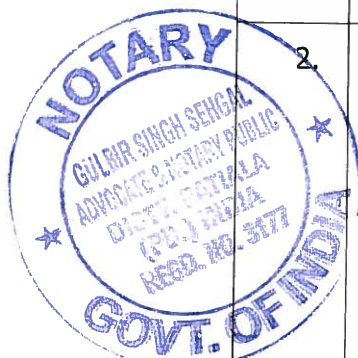
9. It will be open to the applicant also to file response affidavit within the same period."
- 6) That it is relevant to mention here that taking cognizance of the orders dated 09.12.2024 passed by this Hon'ble Tribunal, the District Magistrate, Ludhiana had initiated action by issuing letter no.27066-86 dated 20.12.2024 and held a meeting on 24.12.2024 with the officers of the Municipal Corporation, Ludhiana; District Development and Panchayat Officer, Ludhiana ; Punjab Pollution Control Board, Ludhiana ; Greater Ludhiana Development Authority, Ludhiana ; Improvement Trust, Ludhiana and officers of District Administration, Ludhiana.
- 7) That thereafter, District Magistrate, Ludhiana vide letter no.24399-08/M.A dated 28.12.2024 had constituted a Joint Committee comprising of Sub Divisional Magistrate, Ludhiana (East and West); Joint Commissioner, Municipal Corporation, Ludhiana Zones (1,2,3,4); Environmental Engineer, Punjab Pollution Control Board, Ludhiana; Tehsildar Ludhiana (East, West) with direction to conduct a visit of the site and submit report as per the directions contained in order dated 09.12.2024 of the Hon'ble National Green Tribunal. The Joint Committee comprising of the above officers had submitted reports to District Magistrate, Ludhiana. The Sub Divisional Magistrate, Ludhiana (West) has submitted report vide letter no.369 dated 15.01.2025 and Sub Divisional Magistrate, Ludhiana (East) has submitted the report vide letter no.204 dated 27.01.2025.
- 8) That it is pertinent to mention here that the Environmental Engineer of the Punjab Pollution Control Board, Regional Office-1, Ludhiana was also a member of Joint Committee constituted by the Deputy Commissioner, Ludhiana. The reports submitted by Sub Divisional Magistrate, Ludhiana (West and East) have been complied and the Deputy Commissioner, Ludhiana had already filed an affidavit dated 04.02.2025 before this Hon'ble Tribunal.
- 9) That the reports have been examined and it is brought on record that out of the 27 locations (for which the applicant has alleged unscientific handling of solid waste), the Ld. Local Commissioner appointed by this Hon'ble Tribunal





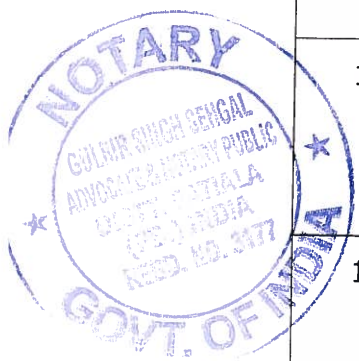
has stated in its report that condition was completely found under control at 11 locations mentioned in the report at serial no. 4, 6, 10, 15, 17, 18, 19, 20, 21, 23 and 24 and that no further objections have been raised by the applicant regarding these sites. These 11 locations are mentioned in a tabular form below:

S.No.	Serial number mentioned in the report	Location	Remarks of the Ld. Court Commissioner
1.	4	Jawahar Nagar Camp	The site was physically visited and assessed the true and correct position of the Jawahar Nagar camp. It is conclusively submitted that no objections have been raised further by the applicant with regard to the site.
2.	6	Budha Nallah near Gaushala Funeral Ground	The Joint Committee submitted the true and correct report the site and at the time of visit no waste was found at the site. The condition is completely under control at the site and no further objections have been raised by the applicant.
3.	10	Near Budha Nallah, Bajwa Nagar	The condition is completely under control at the site and no further objections have been raised by the applicant.
4.	15	Churpur Road	The condition is completely under control at the site and no further objections have been raised by the applicant.
5.	17	At Leisure Valley Block C, BRS Nagar, Ldh	The condition is completely under control at the site and no further



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			objections have been raised by the applicant.
6.	18	In and outside two nearby Parks of Block G, near City Centre, SBS Nagar, Ludhiana	The condition is completely under control at the site and no further objections have been raised by the applicant.
7.	19	AT Civil Surgeon Office, Civil Lines Ludhiana	The condition is completely under control at the site and no further objections have been raised by the applicant.
8.	20	Model Town near Barista Chowk	The condition is completely under control at the site and no further objections have been raised by the applicant.
9.	21	Near MGM School, dugri	The condition is completely under control at the site and no further objections have been raised by the applicant.
10.	23	DC Office, Ludhiana	The condition is completely under control at the site and no further objections have been raised by the applicant.
11.	24	Bajwa Nagar, GT Road etc.	The condition is completely under control at the site and no further objections have been raised by the applicant.



10) That the Joint Committee comprising of the officers above named (including the officer of the Punjab Pollution Control Board) has visited all the sites again and the latest Joint Committee report with regard to the objections raised by the applicant and the Ld. Court Commissioner in its report to remaining 16 sites (in reference to various sites mentioned in the report as site no.1, site no.2, site no.3, site no.5, site no.7, site no.8, site no.9, site no.11, site no.12, site no.13, site no.14, site no.16, site no.22, site no.25, site no.26 and site no.27)

is given in **Annexure-A** enclosed herewith and the same may kindly be perused.

11) That it is relevant to mention here that the Punjab Pollution Control Board is continuously pursuing the case with Municipal Corporation, Ludhiana for making compliance of the provisions of the Solid Waste Management Rules, 2016 and remediation of legacy waste.

12) That the above said factual and action taken report is hereby submitted in compliance to order dated 09.12.2024 for kind consideration of this Hon'ble Tribunal.

It is, therefore, prayed that the Original Application filed by the applicant may kindly be disposed of with appropriate orders in view of the submissions made in the affidavit herein above. Any directions issued by this Hon'ble Tribunal shall be complied in letter and substance.




Deponent

Date: 25/3/2025

Place: PATIALA

(Er. Gurindar Singh Majithia)
Member Secretary
Punjab Pollution Control Board,
Vatavaran Bhawan, Nabha Road,
Patiala
**Member Secretary
Punjab Pollution Control Board
Patiala.**

Verification

Verified that the contents of paragraphs 1 to 12 of the above short reply by way of affidavit of the deponent are true and correct as derived from the official record. No part of the above short reply is false and nothing material has been kept concealed therein.

The Contents of this affidavit document have been read over to the deponent He/She has accepted the true & correct.


Deponent

Date: 25/3/2025

Place: PATIALA

(Er. Gurindar Singh Majithia)
Member Secretary
Punjab Pollution Control Board,
Vatavaran Bhawan, Nabha Road,
Patiala
**Member Secretary
Punjab Pollution Control Board
Patiala.**

This Document has been registered
at Serial No. 118
this day of 25 MAR 2025

Attested As Identified

NOTARY PUBLIC
PATIALA INDIA

25 MAR 2025

Annexure-A

Latest report of the Joint Committee in respect to the sites where objections have been raised by the applicant and in the report of Ld. Court Commissioner

S.No.	Site number mentioned in the report of Ld. Court Commissioner	Particulars of the Location	Latest report of the Joint Committee
1.	1	Near Village Gill on both sides of Road	On the instructions of the Deputy Commissioner Ludhiana. Joint Committee constituted by the Deputy Commissioner inspected the site on December 31, 2024. DDPO Ludhiana officials said that the removal of garbage has been started at the site and alternate land has been identified in gram panchayat gill for solid waste management project for dumping garbage and the work on ground has been started.
2.	2	Block-C, Model Town Extension	On the instructions of the Deputy Commissioner Ludhiana. Joint Committee constituted by the Deputy Commissioner inspected the site on December 31, 2024. MC Official said Previously, the site served as a temporary garbage collection point and has since been permanently closed. However, nearby residents continue to dispose of garbage there at night. As this Plot is the property of the Ludhiana Improvement Trust (LIT), it is essential to direct LIT to clear the debris and construct a boundary wall to prevent further littering. Meanwhile, Corporation the Municipal Ludhiana has launched an awareness campaign in the surrounding area deployed Corporation and Police officials to enforce regulations and deter informal waste pickers from using the site. Notably, the daily segregated waste is now being Shifted to the nearby fully operational Dugri Compactor Site
3.	3	Model Town Ext. Block-D Road to ATI Chowk	On the instructions of the Deputy Commissioner Ludhiana Joint Committee inspected the site on December 31, 2024 During the site inspection, the nearby Dugri Portable Compactor Site was found to be fully operational, with waste fully segregated. The segregated waste was transported to the dumpsite, and notably, no garbage was observed outside the compactor site.
4.	5	Near Suffian Chowk	On the directions of Deputy Commissioner Ludhiana, the site was inspected. Inspector Nishu Ghai was present at the site. There were 4 compactors in operation at the site. Out of which Segregated dry waste was present in one compactor. No records were maintained regarding the entry and exit of the garbage vehicles at the respective site.


Environmental Engineer
PCB, ROJ, Ludhiana

			In this regard, the attending inspector was directed to maintain register. Register was found maintained during re-visit.
5.	7	Focal Point Road opp. Vishwanath Mandir	On the directions of Deputy Commissioner, Ludhiana the site was inspected. Inspector Naveen Kumar and, Operator Karan were present at the site. A total of 3 compactors were installed at the site. Out of which 2 compactors were in operational condition. No Garbage was observed outside compacter site. No records were maintained regarding the entry and exit of Garbage vehicles at this site. In this regard, the attending inspector was directed to maintain Register. Register was found maintained during re-visit,
6.	8	On Main G.T. Road opp. Wholesale vegetable market	Upon inspecting the site, The Joint Committee observed that the civil is work has been completed and the electricity transformer has been installed. M.C Officials said it will be operational within 10 days. Once operational, this site will effectively address the garbage disposal issues of the Mandi Board and Outside sabzi mandi.
7.	9	Suffian Chowk (Mistakenly mentioned as Suffian Chowk but the second photograph of Annexure-3 of Original Application pertains to Saidan Chowk and garbage being dumped daily here	As per the report of Court Commissioner. It is submitted here observations made at this site are similar to site no. 5 mentioned in this report above.
8.	11	On 200' bye-pass near railway lines	The Joint committee visited the site and GLADA officials stated that garbage is being cleared from 200 feet bypass on regular basis. It is mentioned here that these sites on 200' road near railway lines are plots which belongs to private owners and garbage adjoining/nearby nagars and villages is dumped by unknown persons in odd hours. GLADA officials also stated that they only maintain Urban Estates constructed by GLADA
9.	12	Shaheed Bhagat Singh Nagar, Pakhowal Road, Ludhiana	It is submitted that the Secondary – collection point in Shaheed Bhagat Singh Nagar Scheme of Ludhiana. Improvement Trust has been closed permanently and the collection of site has been shifted to Portable Compactor Point at Lodhi club road, Ludhiana. Now the above said old dumped site has already been cleared from all types


Environmental Engineer
PPCB, RO I, Ludhiana

			of garbage and other waste. It is also mentioned that no such incidence of fire has come to our notice
10.	13	Near Lakkar Wala Pul (Old Kacheri area)	On the directions of Deputy Commissioner Ludhiana, the site was inspected. Dr. Vipul Malhotra was present at the site. A total of 8 compactors were installed at the respective site, which were Operational. During the visit, it was noticed that there was a heap of sand and garbage at the adjacent site. As this place is owned by Glada, therefore a letter was issued to E.O Glada in this regard through letter No. 15/Reader dated 07.01.2025 to take immediate action.
11.	14	Inner Roads at Bahadur K Road	Upon inspecting the site, The Joint Committee observed that the civil work has been completed and the electricity transformer has been installed. Directions should be issued to MCL officials to operationalize the compactor site. Once operational, this site will effectively address the garbage disposal issues of the Mandi Board and Outside sabzi mandi.
12.	16	Garbage dumped on Bank of Budha Nallah near Bachan Singh Marg	The Joint committee visited the site and GLADA officials stated that this site and road does not belong/constructed by GLADA. GLADA officials mentioned that this solid waste is coming from various Nagars/ Colonies in and outside Municipal Corporation limit. There are some colonies adjoining Bachan Singh Marg, which are approved by GLADA. GLADA officials mentioned that waste water and solid waste management in these colonies is to be maintained by the colonizer/ Resident Welfare Association and are liable to follow/obey PPCB Environmental Laws/ Rules. The coloniser is required to submit NOC and Consent to Operate from PPCB for waste management before the approval from Competent Authority, GLADA Ludhiana. PUDA/ GLADA do not maintain any private colony and only maintain Urban Estates constructed by PUDA/GLADA itself
13.	22	Fire to organic waste in Park Opp. Jain Mandir, 200' Road	The Joint committee visited the site and GLADA officials stated that fire incident took place in May 2022. On investigating the matter it was found that the fire was set by some unknown person in the evening after the working hours i.e. after 5:00pm. After that no such incident of fire happened in any park under GLADA. GLADA officials are taking proactive steps to prevent any such occurrences in future by increased surveillance of the areas and educating people about environmental hazards associated with burning. For disposal of organic waste of Parks, pits have been made in the vacant pockets of the area. GLADA officials also mentioned here that no such fire incident


Environmental Engineer
PPCB, ROI, Ludhiana

14.	25	Non utilization of resources	Information regarding this has been provided to the Local Government.
15.	26	Shaheed Bhagat Singh Nagar Ludhiana	It is submitted that No such incident has come to our notice. But still judging the seriousness of the issue strict warning and instructions has been issued to of both the Contractor as well as the Labourers to not burn the collected waste under any circumstances.
16.	27	Giaspura and old primary dump site at Harnbran Road	<p>Upon inspecting the site, The Joint Committee visited two portable compactor transfer stations site.</p> <p>One site was fully operational, while the other had completed civil work but remained non-operational. M.C Officials said it will be operational within 10 days. No fresh garbage was observed outside the compactor site.</p> <p>MC Officials have stated that Municipal Corporation Ludhiana has floated the tender of Bio remediation of 2.19 Lac for jainpur Dumpsite. Technical Bid Opened Date: 05-09-2024</p> <p>Financial Bid Opened: 12-09-2024</p> <p>LOA issued to M/s Alliance Waste Management Limited on Dated 15-10-2024.</p> <p>The committee has visited the site and observed that Work I started at the site by the concessionaire. Work is in Progress</p>


 Environmental Engineer
 PPCB, ROI, Ludhiana