

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

Original Application No. 526/2024

Varinder Malik

Applicant

Versus

Ministry of Local Govt. Punjab & Ors.

Respondent(s)

Original Application No. 524 of 2024

Tejasvi Minhas & Others

Applicant

Versus

Central Pollution Control Board and Others

Respondent(s)

Additional report / reply of Environmental Engineer, Regional Office, Kapurthala on behalf of respondent no. 1 i.e Member Secretary, Punjab Pollution Control Board in compliance of order dated 06.12.2024.

RESPECTFULLY SHOWETH

- 1) That briefly submitted the above-mentioned case relating to alleged suffering of the people due to foul smell and polluted air around the area and the garbage dump in Jalandhar is pending before this Hon'ble Tribunal. The Punjab Pollution Control Board being a party respondent has already filed reply dated 20.08.2024 mentioning the relevant facts of the case.
- 2) That after consideration of the case, this Hon'ble Tribunal pleased to pass an order dated 6.12.2024 thereby directing the Punjab Pollution Control Board to file an additional report regarding realization and utilization of Environmental Compensation imposed on Municipal Corporation, Jalandhar.
- 3) That in compliance to the order dated 06.12.2024, it is submitted that the Environmental Compensation amounting to Rs. 4.5 crore has been imposed upon Municipal Corporation, Jalandhar by the Punjab Pollution Control Board for violation of Solid Waste Management Rules, 2016 in compliance to the orders dated 10.01.2020 of the Hon'ble National Green Tribunal passed in OA No. 606 of 2018, for the period of violation from 01.07.2020 upto 31.03.2024, through the Department of Local Government, Punjab.

- 4) That the Government of Punjab, Department of Local Government through the Punjab Municipal Infrastructure Development Company (PMIDC) had deposited Environmental Compensation amounting to Rs. 90.00 Lakh with the office of the Punjab Pollution Control Board and the balance amount to Environmental Compensation of Rs. 3.6 crore is yet to be deposited by the Department of Local Government, Punjab.
- 5) That the officers of Punjab Pollution Control Board had approached the office of Municipal Corporation, Jalandhar many times to deposit the remaining amount of Environmental Compensation with the office of the Board but they stated that the matter has been taken with the Head Office for seeking funds for purpose.
- 6) That the Regional Office-2, of Punjab Pollution Control Board, Jalandhar has written a reminder letter bearing no. 489 dated 28.02.2025 to Commissioner, Municipal Corporation, Jalandhar requesting him to deposit the balance amount of Rs. 3.6 crore towards Environmental Compensation with the office of the Board immediately. A copy of letter no. no. 489 dated 28.02.2025 is enclosed as **Annexure-A**.
- 7) That as far as the utilization of the amount of Environmental Compensation is concerned, it is submitted that the Hon'ble National Green Tribunal vide order dated 21.10.2022 passed in MA No. 74 of 2022 in OA No. 976 of 2019 has issued directions that the recovered compensation may be credited to a separate account under the Chief Secretary and used as per the plans got prepared and executed. This will apply to compensation deposited with the State PCBs/PCCs and also other regulators such as SEIAAs, Water Resource Authorities etc. The utilization plans may be in sync with State/District Environment Plans, in pursuance of order of the Tribunal dated 26.09.2019 passed in OA No. 360/2018, Shree Nath Sharma vs. Union of India & Ors. The process of planning and execution for utilization of such funds was entrusted by the Hon'ble Tribunal to a high-powered Committee of three Additional Chief Secretaries, identified by the Chief Secretary.
- 8) That in compliance the above orders dated 21.10.2022 passed in OA No. 976 of 2019, the Government of Punjab, Department of Science, Technology and Environment with the approval of the Chief Secretary, Punjab has constituted the High-Powered Committee comprising of the following officers vide notification no. 10/01/202-STE2/03 dated 03.01.2023.
 - i) Administrative Secretary, Department of Rural Development and Panchayats.
 - ii) Administrative Secretary, Department of Local Government.
 - iii) Administrative Secretary, Department of Science, Technology and Environment (Convenor)
- 9) That the first meeting of the High Powered Committee constituted vide notification no. 10/01/2023-STE(2)/03 dated 3.1.2023 in compliance of Hon'ble National Green Tribunal order dated 21.10.2022 In O.A No. 976 of 2019 titled as Gurinder Singh and Others v/s

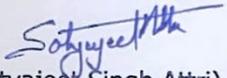
Union of India and Others was held on 5.1.2023 to discuss the utilization of Environmental Compensation funds. The committee perused the list of proposals received from different stakeholder departments and after detailed deliberations based on priority of works proposed, the committee decided to allocate the Environmental Compensation funds amounting to Rs. 12.0 Crores to Punjab Municipal Infrastructure Development Company (PMIDC) for setting up of mechanized MRF Centre at M.C, Jalandhar. The State Apex Committee in its 20th meeting held on 1.3.2023 has endorsed the decision of the High-Powered Committee to release the amount of Rs.12.0 Crores out of the Environmental Compensation funds to PMIDC.

- 10) That the Punjab Pollution Control Board vide letter no. 6406 dated 13.03.2023 has transferred funds amounting to Rs. 8,40,00,000/- (70% of total funds allocated @ Rs. 12.0 crore) vide draft number 045562 dated 10.03.2023 in favour of Punjab Municipal Infrastructure Development Company, Chandigarh for setting up of mechanized MRF center at MC, Jalandhar. A copy of letter no. no. 6406 dated 13.03.2023 is enclosed as **Annexure-B**.
- 11) That the additional reply / report is hereby submitted on behalf of Punjab Pollution Control Board (respondent no.1) in compliance of order dated 6.12.2024 for kind consideration of the Hon'ble National Green Tribunal.

Submitted by

Date: 28-3-2025

Place: Jalandhar


(Satyajeet Singh Attri)
Environmental Engineer
Punjab Pollution Control Board
Regional Office, Kapurthala.

(On behalf of respondent no.1
i.e. Punjab Pollution Control Board)



PUNJAB POLLUTION CONTROL BOARD

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

Regional Office-II

2nd Floor, Midland Finance Centre, Opp. King's Hotel, Near Bus Stand, Jalandhar



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No. 489

Dated: - 28/02/25

To

The Commissioner,
Municipal Corporation,
Jalandhar.

Subject:- Environmental Compensation imposed upon Municipal Corporation, Jalandhar as per Hon'ble NGT order in original application number 606 of 2018.

It is intimated that the Environmental Compensation of Rs. 4.5 crores has been imposed upon Municipal Corporation, Jalandhar for violations of Solid Waste Management Rules, 2016 upto the period of 31.03.2024. The Municipal Corporation, Jalandhar has deposited only Rs. 90 lac out of the total amount till date. Rs. 3.6 crores are still pending to be deposited to Punjab Pollution Control Board.

Keeping the above in view, it is requested that the Environmental Compensation of Rs. 3.6 crore be deposited to Punjab Pollution Control Board please.


Environmental Engineer,
Regional Office-2, Jalandhar





ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 6406

Recd.

Dated: 15-3-23

to

The Chief Executive Officer,
Punjab Municipal Infrastructure Development Company,
5th floor, Punjab Municipal Bhawan,
Plot No. 3, Sector 35A, Dakshin Marg,
Chandigarh.

subject: - Release of Environmental Compensation funds to Punjab Municipal Infrastructure Development Company (PMIDC) in compliance to the decision taken by the High Powered Committee in its meeting held on 05.01.2023.

ref: Office order no. 98 dated 09.03.2023 of Punjab Pollution Control Board.

Please refer to office order no. 98 dated 9.3.2023 of Punjab Pollution Control Board on the subject cited above.

2) The Punjab Pollution Control Board has transferred funds amounting to Rs. 8,40,00,000/- (80% of total funds allocated @ Rs. 12.0 Crores) vide draft no. 045562 dated 10.03.2023 in favour of Punjab Municipal Infrastructure Development Company, Chandigarh for setting up of mechanized MRF Centre at M.C. Jalandhar.

1) The amount released is subject to the conditions of office order no. 98 dated 09.03.2023 including the terms and conditions mentioned below:

- The funds shall be spent as per the State Financial Rules, which are to be audited as per statutory provisions.
- The grant will be payable in accordance with funding norms on submission of Utilization Certificate (UC), Expenditure statement and progress reports.
- The EC fund shall not be used for any other purpose except for the purpose for which the funds have been allocated.

1) Bank Draft

Encl No. 6406-14

Member Secretary

Dated 15-3-23

A copy of the above is forwarded to the following for information and necessary action please:

- The Principal Secretary to Government of Punjab, Department of Local Govt., Municipal Bhawan, Plot no. 3, Dakshin Marg, Sector 35-A, Chandigarh.
- The Principal Secretary to Government of Punjab, Department of Science, Technology and Environment, Mini Secretariat, Punjab, Chandigarh.
- The Director, Directorate of Environment and Climate Change, Institutional Area, Sector-26, Chandigarh.
- The OSD to Chief Secretary, Punjab, Punjab Civil Secretariat, Chandigarh.
- The Commissioner, Municipal Corporation, Jalandhar.
- The Chief Environmental Engineer, Punjab Pollution Control Board, Zonal Office, Jalandhar.
- The Senior Environmental Engineer, Punjab Pollution Control Board, Regional Office-1, Jalandhar.
- The Environmental Engineer, Punjab Pollution Control Board, Regional Office-1, Jalandhar.

Member Secretary

VATAVARAN BHAWAN, NABHA ROAD, PATIALA

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ

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