

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
AT PRINCIPAL BENCH, NEW DELHI**

In O.A. No. 317 of 2023

**Kapil Dev & anr. Vs. State of Punjab & ors.**

**Affidavit of Kapil Dev (aged 47 years) s/o Sh. Jagdish Chander R/o H. No. 186-E, BRS Nagar, Ludhiana-141012**

**RESPECTFULLY SHOWETH:**

I, the above mentioned deponent do hereby solemnly affirm and declare as under:-

1. That the deponent is Applicant No. 1 (in person) in O.A. No. 317 of 2023 filed with this Hon'ble National Green Tribunal.



That the contents of paras no. 1 to 6 of the accompanying Objections along with annexures PO-1 to PO-10 against reply filed by the Joint Committee are true and correct to best of my knowledge.

Place: Ludhiana

Dated: 29.12.2023

certified that the affidavit SPA/GFA has been readover & explained to the deponent/executant who seemed directly to understand the matter at the writing.

*[Signature]*  
**DEPONENT**

**Verification:**

Verified that the contents of para 1 and 2 of this affidavit are true and correct. No part of it is false, and nothing material has been kept concealed therefrom.

Identified that the deponent has signed before me, him/her personally

Place: Ludhiana

Dated: 29.12.2023

ATTESTED AS IDENTIFIED

NOTARY PUBLIC - LUDHIANA

29 DEC 2023

*[Signature]*  
**DEPONENT**

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL**

**AT PRINCIPAL BENCH, NEW DELHI**

**(In O.A. No. 317 of 2023)**

**In the matter of:**

**Kapil Dev & anr. Vs State of Punjab & ors.**

**Objections to Report dated 08-08-2023 & 10-10-2023 submitted by the Joint Committee in O.A. No. 317 of 2023.**

**Hon'ble sir,**

**Respectfully sheweth**

**The Applicants humbly submit as under:**

**GROUND:**

1. That the Joint Committee (with the District Magistrate as Nodal Officer) has given the false and incorrect report in order to save its own skin as it is responsibility of the District Magistrate to Rejuvenation the Village Ponds of Ludhiana but despite assurance by District Development & Panchayat Officer Ludhiana on 08-08-2023, **the garbage is still being dumped in Village Pond as on date too and village pond is in pathetic condition.** It is further submitted that the Applicant No. 1 himself informed the District Magistrate regarding the incidents of burning of Organic Waste within DC Office premises on 15-03-2023 & news pertaining to same was published by One

leading newspaper Dainik Savera on 16-03-2023 too but in the report, the Joint committee has submitted that no incident of putting organic waste has been notice in DAC Complex. Further, the MCL has submitted in the report that illegal dumps have been closed whereas the fact is, garbage is still being dumped on such places and forcing the Public at large to live in miserable conditions. Further it is humbly submitted that, the staff of MCL itself as well as various Park Management Committees are still indulged in burning of organic waste in UNSCIENTIFIC COMPOST PITS (made with iron mesh & placed on ground). As such pit is not effective to decompose the organic waste and once it is filled, the organic waste is put on fire resulting into major damage to Environment. **Even the Joint Committee never bothered to move out of the office to verify the actual and factual condition of SWM at locations pointed by the Applicants.** There are large number of locations at which Solid Waste is being dumped in unscientific manner as MCL as well as GLADA, both have failed in door to door collection of garbage in Ludhiana. **Further, the Joint Committee has deliberately and intentionally kept silent on Legacy Solid Waste dumped since many years at Giaspura as well as Old Dump Site at Hambran Road resulting into Environment Pollution as well as making lives of Public at large miserable.**

2. It is further pertinent to submit here that the Garbage is dumped in unsegregated manner at various illegal Points and shifted to Main Primary Tajpur Dump i.e. Garbage is not being disposed-off scientifically resulting into increase in legacy waste at Primary Dump by going against the directions of this Hon'ble Tribunal. It

is humbly submitted that the Applicants waited for clearance of various illegal dump sites as well as cleaning of Village Pond till date but the replies submitted by the DC, MCL, GLADA & DDPO of village Gill & Churpur Road were mere an eyewash.

3. That the Poor Management & mishandling of Solid Waste as well as non-seriousness of MCL can be assessed from this that the buildings for Static Compactors were completed two years back but MCL has failed to procure and install the Static Compactors till date resulting into damage to Environment due to dumping of Garbage on Roadside & outside these buildings.

**Objections in detail depicting wrong & false facts & information produced by Joint Committee:**

4. It is humbly submitted that the Joint Committee, based on own information as well as information provided by MCL, GLADA and other offices, has submitted point wise reply which is incorrect, false and misleading. The Applicant No. 1 visited the location after 11-10-2023 and counter reply/objections are produced as under in the table form:

<b>S. No.</b>	<b>Particulars as per Original Application</b>	<b><u>Joint Committee Report</u></b>	<b><u>OBJECTIONS BY APPLICANT</u></b>
<b>1</b>	<b>Near Village Gill on both sides of Road Garbage is being</b>	DDPO Ludhiana-I wide Letter No. 3492 Dated 08-08-2023 has reported that Sarpanch and Panchayat	<b>The condition of Village Pond has worsened since August 2023 as huge quantity of garbage is found</b>

	<p><b>dumped into Village Pond and roadsides by MCL, Village Panchayat &amp; Private Hoteliers/Marriage Palaces</b></p>	<p>Secretary, Gram Panchayat Gill have assured through written statement that garbage around the Village Pond, roads, Pvt. Hotels, Marriage Palaces shall be removed Immediately. Boards shall be displayed to make people aware and relevant arrangements shall be made .....</p>	<p><b>to be dumped in it resulting into major contamination of Pond Water. Further, construction waste along with garbage is found to be dumped towards left side of Road and it seems that it was also part of Pond and now garbage, Construction Demolition waste has been filled (with depth of more than 12'0") in it. Six Photographs clicked on 28-12-2023 depicting the POOR CONDITION of POND are produced herewith as Annexure PO-1.</b></p>
2	<p><b>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</b></p>	<p>As per Joint Committee Report based on reply submitted by MCL, the temporary point has been closed Permanently.</p>	<p><b><u>The Joint committee has tried to save MCL by submitting false statement as the Garbage is not being dumped here whereas the Site still contains huge quantity of unsegregated garbage being dumped over it regularly</u> and incident of burning of garbage are very common at this place. Even the Joint Committee never bothered to move out of the office to verify the actual and factual condition of SWM. Two Photographs depicting garbage dumped at this Point are produced herewith as Annexure PO-2.</b></p>

3	<b>Model Town Ext. Block-D Road to ATI Chowk</b>	The Hook Loader and compactor were installed in 2015 at this site. Now the compactor site has become defunct and Tender for replacement of the said machinery has already been floated. Machinery shall be replaced once the work order is executed. But in the interim- MC Ludhiana ensures twice a day collection of garbage so that the garbage doesn't get accumulated at site – Reply by MC, Ludhiana	<b>The Static Compactor installed at this site had stopped working since more than two years and garbage is being handled in unscientific way. However, despite highlighting the issue by Applicants and many other social activists, the Garbage is dumped on Road sides by MC Staff resulting into unhygienic conditions especially during Summer and monsoon season. One Photograph depicting garbage dumped at this Point is produced herewith as Annexure PO-3.</b>
4	<b>Jawahar Nagar Camp</b>	Portable Compactor Transfer Station has been operational at this site – MCL Reply	<b>The Joint Committee has wrongly mentioned that the Static Compactor is working efficiently whereas it never worked efficiently and garbage is being handled in unscientific way by dumping and lifting on road side by MC Staff. One Photograph depicting garbage dumped outside static compactor building is produced herewith as Annexure PO-4.</b>
5	<b>Near Suffian Chowk</b>	MC Ludhiana has completed the civil work at this site to install the Potable Compactor .....	<b>The building was completed more than two year back and MCL has failed to install the static compactor</b>

		Work order to install the Static Compactor is being issued by 20-08-2023 & after due process, the portable compactor will be installed at this site.	<b>till date and garbage is being dumped on roadside at this location causing inconvenience to Public at large. <u>Further, despite work order claimed to be issued by 20-08-2023, the MCL has failed to install Static Compactor till date.</u> One Photograph depicting garbage dumped outside static compactor is produced herewith as Annexure PO-5.</b>
6	<b>Budha Nallah near Gaushala Funeral Ground</b>	<b>This is a Secondary Collection Point and has been closed permanently. Waste is no longer collected or disposed-off at this point.</b>	<b>The garbage is not being dumped here because the MCL is laying pipes for handling of Sewerage. <u>Now the garbage must be dumped daily at some different location as MCL has not installed any Static Compactor near this location.</u> The Joint Committee has relied upon the reply given by MCL only but has not visited the location personally to verify the facts.</b>
7	<b>Focal Point Road opp. Vishwanath Mandir</b>	<b>MCL is planning to install Portable Compactor Transfer Station neaby at 100 feet Road ..... Reply by MC, Ludhiana</b>	<b>The MCL, instead of handling the Domestic Garbage scientifically, is continuing to dump on road sides resulting into miserable conditions for passer-bys and nearby</b>

			<p>inhabitants. Instead of segregating at source and decomposing scientifically, the unsegregated waste is being collected at this illegal point and sent to Tajpur Primary dump resulting into increase in legacy waste. Further, there seems to be no vision to construct the building for Static Compactor as no progress is found to be done by MCL till date.</p>
8	<p><b>On Main G.T. Road opp. Wholesale vegetable market</b></p>	<p>The temporary collection site has been closed and collection was shifted to some other sites. In lieu of this site, Portable Compactor Transfer Station will be installed at nearby place .....</p>	<p><b>The MCL has failed to mention the details of other collection point as there is no Static Compactor installed at nearby Station. From such vague reply, it is clear that instead of this location, MCL has started dumping the Solid Waste at other place in unscientific manner and Joint Committee, without going into the facts, has relied upon the reply given by MCL.</b></p>
9	<p><b>Suffian Chowk (Mistakenly mentioned as Suffian Chowk but the second photograph of Annexure-3 of</b></p>	<p><b>It is repetition of above Point No. 5. The reply has already been submitted in the above point No. 5.</b></p>	<p><b>The building was completed more than two year back and MCL has failed to install the static compactor till date and garbage is being dumped on roadside at this location causing</b></p>

	Original Application pertains to Saidan Chowk and garbage being dumped daily here		inconvenience to Public at large. <u>Further, despite work order claimed to be issued by 20-08-2023, the MCL has failed to install Static Compactor till date.</u>
10	Near Budha Nallah, Bajwa Nagar	There is secondary Collection Point far way from shops and .....	The Joint Committee has wrongly mentioned that this Secondary dump is far away from shops whereas the garbage is dumped in front of the shops & exactly on road and it is clear from Annexure-3 of main petition. It is pertinent to submit here that this illegal dump location was inspected the NGT Monitoring Committee in the year 2022 too and MCL had ensured that it will be closed immediately. <u>Now Joint committee has given false and wrong submission by mentioning in the report that this Point has been closed permanently whereas huge quantity of Garbage is being dumped daily at this location resulting into pathetic conditions for passer-bys and inhabitants of nearby locality. One Photograph depicting dumping of Solid Waste at this point is produced</u>

			<b>herewith as Annexure PO-6.</b>
11	On 200' bypass near railway lines	The Site was cleared as soon as it was noticed- reply by GLADA	<b>From the reply of GLADA, it is clear that the Garbage was being dumped on roadsides but GLADA never tried to clear the same until the matter was raised by the Applicants before this Hon'ble Tribunal</b>
12	<b>Shaheed Bhagat Singh Nagar, Pakhowal Road, Ludhiana</b>	The Secondary Collection Point has already been closed permanently and the collection of site has been shifted to portable compactor transfer station at Lodhi Club Road – Reply by MC, Ludhiana	<b>The garbage is being dumped at this location and put on fire on routine basis. Two Photographs clicked on 26-11-2023 &amp; later depicting dumping of Garbage and Smoke coming from <u>burning of garbage</u> is produced herewith as Annexure PO-7.</b>
13	<b>Near Lakkar Wala Pul (Old Kacheri area)</b>	Open Collection Point at this site has been permanently closed. Portable Compactor is to be installed .....	<b>The Garbage is being dumped outside Static Compactor Building daily in huge quantity and being handled unscientific way. It is than shifted to Tajpur Primary Dump using Tippers resulting into increase in legacy waste at Primary dump.</b>
14	<b>Inner Roads at Bahadur K Road</b>	<b>To avoid dumping of Garbage in the open plots, the MCL has started door to door garbage collection drive and deployed e-rickshaw ..... MCL has planned to install</b>	<b>The Planning to construct building for Static Compactor at Sabji Mandi Site is going on since last more than Eight Months and no further development is seen. Thus, the reply by</b>

		<p><b>Portable Collection Transfer Station in the premises of Sabzi Mandi soon.</b></p>	<p><b>MCL to Joint committee is mere an eyewash as no concrete and immediate steps are being taken in this regard till date.</b></p>
15	Churpur Road	<p><b>There is no specific site mentioned on Churpur Road. Hence nearby villages of Churpur .....</b></p>	<p><b>The GLADA &amp; MCL have deliberately not highlighted that there are large number of colonies which have developed along Churpur Road in active connivance with corrupt officials of GLADA &amp; MCL. However, despite the facts, GLADA as well as MCL, both have kept silent and even the Joint Committee has failed to visit the location and relied upon the reply given by DDPO, Ludhiana. There is no Static Compactor installed near this locality and Garbage can be easily seen dumped in open plots in the locality majorly coming under GLADA. DDPO, Ludhiana has just tried to get rid of its own duty by mentioning that "No specific points have been mentioned", whereas such locations can be seen on main approach road of various localities. Further non of the departments including Joint Committee has not</b></p>

			tried to contact the Applicants to get information regarding such locations. It is pertinent to submit here that GLADA has not procured any vehicles to lift and shift domestic garbage from residential localities coming under it.
16	<b>Garbage dumped on Bank of Budha Nallah near Bachan Singh Marg</b>	Instructions have been issued to MCL & Executive Engineer, drainage to ensure that the banks of Budha Nallah near Bachan Singh Marg be maintained and no garbage collection point be made to establish over the site.	<b>Construction Demolition Waste is now being removed from site as on 29-12-2023.</b>
<b>FEW ISSUE OF ORGANIC WASTE PUT ON FIRE ON ROUTINE BASIS</b>			
17	<b>At Leisure Valley Block C, BRS Nagar, Ldh</b>	<b>As per report</b>	<b>The Organic Waste is being dumped in pit again but no procedure to decompose the same is being adopted by MCL.</b>
18	<b>In and outside two nearby Parks of Block-G, near City Centre, SBS Nagar, Ludhiana</b>	<b>As per report</b>	<b>Though the organic waste is not being put on fire but no adequate steps have been taken by LIT to decompose the same.</b>
19	<b>AT Civil Surgeon Office, Civil Lines Ludhiana</b>	<b>As per report</b>	<b>No objection</b>
20	<b>Model Town near Barista</b>	<b>As per report</b>	<b>The marks of burning of organic waste are very easy to</b>

	<b>Chowk</b>		locate but MCL in order to save its own skin, has deliberately not tried to locate the same. Further, the matter pertains to organic waste which is accumulated and burnt on roadsides.
<b>21</b>	<b>Near MGM School, dugri</b>	<b>As per report</b>	<b>The MC Sweeper (having auto rickshaw with MCL painted on it) had put the organic waste on fire and incident of same was recorded by Applicant No. 1 and complaint was sent to MCL. The incident of burning of garbage is till common at this point but MCL has failed to act on it.</b>
<b>22</b>	<b>Fire to organic waste in Park Opp. Jain Mandir, 200' Road</b>	<b>As per report</b>	<b>GLADA has not provided any provision to decompose the organic waste in scientific manner. The incident of burning of organic waste can only be stopped when the waste is handled properly from time to time.</b>
<b>23</b>	<b>DC Office, Ludhiana</b>	<b>As per report</b>	<b>The Applicant No. 1 himself informed the District Magistrate regarding the incidents of burning of Organic Waste within DC Office premises on 15-03-2023 &amp; news pertaining to same was published by One leading newspaper Dainik Savera on 16-03-2023 but in the report, the Joint committee has submitted</b>

			that no incident of putting organic waste has been notice in DAC Complex. One Photograph & news published by Dainik Savera depicting burning of Organic Waste at DAC is produced herewith as Annexure PO-8
--	--	--	--

5. It is humbly submitted that the Joint Committee comprised of Municipal Commissioner of Ludhiana and reply on behalf of MCL has also been given by the Municipal Commissioner. It is pertinent to humbly submit here that all such illegally activities are going on due to **Non-compliance of directions of this Hon'ble Tribunal issued vide orders dated 04-03-2021 in O.A. No. 191 of 2020 regarding installation of Static Compactor at Chattar Singh Park & submission of MCL regarding proposal to install 42 Static compactors at various locations in Ludhiana** – No compliance done till date by MCL. It is pertinent to humbly submit here that this Hon'ble Tribunal had directed the MCL **(based on recommendations made by committee formed by this Hon'ble Tribunal in which the Municipal Commissioner of Ludhiana was also one of the member) to install the Static Compactor within SIX MONTHS** of orders, however the Static Compactor has not been installed at location till date and Garbage is being dumped on roadsides and under the flyover as on date too. Two photographs clicked on 27-12-2023 depicting dumping of garbage on roadsides near Chattar Singh Park are produced herewith as **Annexure PO-9**. The copy of orders dated

04-03-2021 of this Hon'ble Tribunal are produced herewith as **Annexure PO-10**.

6. Thus, the Joint Committee has just tried to save the skin of all the department i.e. DC Office, MCL, GLADA, DDPO and LIT by replying upon the reply of concerned departments only whereas the conditions at almost all location is still very poor and Garbage is still being dumped over there. The Joint committee prepared the report without any physical inspection i.e. without any visit to any site. The Photographs clicked after 11-10-2023 by the Applicants depicts the actual and factual condition of Solid Waste Mismanagement by MCL, GLADA, LIT and other respondents. **Further, the Applicants No. 1 has filed more complaints with MCL regarding burning of Organic Waste by Staff of MCL and Park Management Committees but MCL has kept mum on such incidents.**

**PRAYER:**

Keeping in view of the facts submitted above, the report prepared by the Joint committee is WRONG and FALSE and far away from actual and factual conditions of Solid Waste Management in Ludhiana and has been prepared in order to save the skin of concerned officials of Respondents responsible, thus liable to be rejected by this Hon'ble Tribunal. The Applicants humbly prays to this Hon'ble Tribunal as under:

- i. Kindly reject the Incorrect & false report submitted by the Joint Committee & humble request to takes lawful action against the Joint Committee such an act (as deemed to be fit by this Hon'ble Tribunal).
- ii. Kindly accept our prayer and impose Environment Penalty on all the concerned departments for their illegal act of damaging the Environment again and again.
- iii. Kindly accept our prayer as submitted in the Original Application & issue directions to the Respondents.
- iv. Any other as deemed to be fit by this Hon'ble Tribunal.

Date: 29-12-2023

Place: Ludhiana



Er. Kapil Dev

(Applicant No. 1- in person)

ANNEXURE PO-1  
CONDITION OF VILLAGE GILL POND – PHOTOGRAPHS CLICKED ON 28-12-2023  
GARBAGE INCREASED AFTER FILING OF PETITION AND DEMOLITION WASTE HAS  
ALSO BEEN DUMPED AT LOCATION:







ANNEXURE PO-2

MODEL TOWN EXTENTION – PHOTGORAPHS CLICKED ON 22-11-2023



## ANNEXURE PO-3

STATIC COMPACTOR NEAR DUGRI ROAD – PHOTOGRAPH DATED 28-12-2023



## ANNEXURE PO-4

STATIC COMPACTOR AT JAWAHAR NAGAR CAMP – PHOTOGRAPH DATED 28-12-2023

GARBAGE WAS LIFTED FROM ROADSIDE IN THE MORNING HOURS



## ANNEXURE PO-5

**SAIDAN CHOWK – GARBAGE BEING DUMPED DAILY AT THIS LOCATION ON  
ROADSIDE – PHOTOGRAPH CLICKED ON 29-12-2023**



## ANNEXURE PO-6

GARBAGE DAILY DUMPED ON ROAD OUTSIDE SHOPS – PHOTOGRAPH DATED  
13-11-2023



ANNEXURE PO-7

SHAHEED BHAGAT SINGH NAGAR – PHOTOGRAPH DATED 26-11-2023 & LATER





## डी.सी. दफ्तर में नियमों को ताक पर रख पत्तों को लगाई जा रही है आग

**पेड़ों से गिरे पत्तों को सफाई सेवक एक जगह एकत्रित करके लगा रहे हैं आग**

**सवेरा न्यूज/भट्ट**

लुधियाना, 14 मार्च: जिला प्रशासकीय काम्प्लैक्स में लगे पेड़ों से इन दिनों बड़ी मात्रा में पत्ते गिर रहे हैं। जिला प्रशासकीय काम्प्लैक्स का कैम्प साफ सुथरा दिखे, इसलिए सफाई सेवक दिन में तीन से चार बार झाड़ू लगाकर पत्तों को एकत्रित करके टायलेट ब्लॉक के पीछे जमा कर रहे हैं। पत्ते जब ज्यदा हो रहे हैं तो नियमों को ताक पर रखकर उनको आग लगा रहे हैं, जिसे पूरे कैम्प में घुआ फैल रहा है। ख्यासबात यह है कि जिला प्रशासकीय काम्प्लैक्स में बैठे किसी भी अधिकारी ने पत्तों को आग लगाने से नहीं रोका है। पिछले दो-तीन दिन से लगातार पत्तों को आग लगाई जा रही है। अब सवाल यह उठता



डी.सी. दफ्तर में पत्तों को लगाई आग।

(विशाल)

है कि सिधवा नहर में सफाई करने के बाद जमा किए गए कचरे को आग लगाने पर स्कूल प्रिंसीपल का चालान काटने वाले नगर निगम अफसरों की नजर क्या डीसी दफ्तर में जलाए जा रहे पत्तों पर भी पड़ेगी और क्या निगम अफसर जिला प्रशासकीय काम्प्लैक्स में बैठने वाले सबसे सीनियर अधिकारी यानि डिप्टी कमिश्नर का भी चालान करेंगे?

नैशनल ग्रीन ट्रिब्यूनल के आदेशों के अनुसार कूड़े व होर्टिकल्चर वेस्ट को आग लगाने पर प्रतिबंध है और नगर निगम कूड़े को आग लगाने वालों के चालान काटने की शक्तियां दी गई हैं। नियमों के अनुसार पेड़ों से गिरी पत्तियों को आग के हवाल करने के बजाए उनकी खाद बनाई जानी चाहिए। जिला प्रशासकीय काम्प्लैक्स में बड़ी

गिनती में पेड़ हैं लेकिन वहां पर एक भी कंपोस्ट प्लांट नहीं बनाया गया जहां पर इन पत्तों से खाद बनाई जा सके। गौरतलब है कि कुछ माह पहले सिधवा नहर में सफाई करने गए स्कूली बच्चों ने जब कूड़े को आग लगाई थी तो नगर निगम ने स्कूल प्रिंसीपल को 25 हजार रुपये का चालान थमा दिया था।

## ANNEXURE PO-9

OUTSIDE CHATTAR SINGH PARK – ON ROAD AND UNDER FLYOVER –  
PHOTOGRAPH CLICKED ON 28-12-2023 – GARBAGE BEING DUMPED DAILY



ANNEXURE PO-10

Item No. 06

Court No. 1

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

Original Application No. 191/2020  
(I.A. No. 23/2021)

Gurinderpreet Singh &amp; Ors.

Applicant(s)

Versus

State of Punjab &amp; Ors.

Respondent(s)

Date of hearing: 04.03.2021

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

Respondent: Ms. Harithi Kambiri, Advocate for PPCB

**ORDER**

1. Vide order dated 08.09.2020 a factual and action taken report was sought from the State PCB and the District Magistrate, Ludhiana with reference to the grievance against location of garbage dump at Bhai Chattar Singh Park, Model Town, Ludhiana in the vicinity of the habitation and its improper maintenance, adversely affecting the health of the inhabitants.

2. Accordingly, the State PCB has filed its report dated 12.02.2021. The Monitoring Committee constituted by this Tribunal, headed by Justice Jasbir Singh, former Judge of Punjab and Haryana High Court has also filed its report on 17.02.2021. It will suffice to refer to the last of the two reports which is as follows:-

*“The Committee visited the site on 25.01.2021 along with the complainant Sh. Gurinderpreet Singh who was informed to be*

present at site. (vide letter no 53/JC/S/B/D Dated 23.01.2021). The complainant informed that Bhai Chattar Singh Park Model Town Ludhiana has been named after martyr Bhai Chattar Singh and Municipal Corporation Ludhiana is dumping the garbage illegally at that site under the Bus Stand Flyover adjoining the Park causing nuisance in the area. They further complained that the Municipal Corporation is encroaching the park area meant for welfare of nearby residents into a garbage dumping site. They requested to remove the garbage dumping at the said location. The complainant also objected the proposal of installation of Portable Compactor. He also informed that he has therefore filed PIL in the Punjab and Haryana High Court and also filed an application in the NGT to remove the Garbage dumping at Bhai Chattar Singh Park.

**It was observed by the Committee that the Municipal Solid waste collection center is being operated near Chattar Singh Park under the railway over bridge (ROB), near scooter market from more than 30 years.** The slip road alongside the ROB is unutilized. No Municipal Solid Waste was found stored in the park during visit. The point is under ROB. **There is a proposal of transfer station and for that the Municipal Corporation, Ludhiana has provided metallic boundary by way of sheets adjoining Chattar Singh Park. Municipal Solid waste is being lifted on daily basis. The officials of Municipal Corporation, Ludhiana informed that the Secondary collection Point at Bhai Chattar Singh Park is being operated at the said location from more than 30 years.**

**As mentioned by the complainant it is not a dumping site. The true fact is that in exercise of the powers conferred under section 278 of the Punjab Municipal Corporation Act of 1976 which authorizes the Commissioner of Municipal Corporation to appoint places in the city for public receptacles and depots of temporary deposit of rubbish, filth etc, a garbage collection point was set up.**

The Municipal Solid waste from adjoining wards is being collected at the said collection point. The Municipal Solid waste is lifted from collection point on daily basis and **lifting frequency will be increased to address the grievances of complainant.**

There is a proposal to install a transfer station (portable compactor). **Municipal Corporation, Ludhiana is installing 42 Portable Compactors at or near the existing Collection Points for scientific management of Municipal Solid Waste. 02 Portable Compactors are successfully being operated at Sarabha Nagar and Rishi Nagar. On installation of Portable Compactors, there will be no foul smell and the point will no more be an eye sore.**

It was also observed that there are no residences/dwellings nearby. **Complaint's own residence is more than 100ft away from the said site.** The entry and exit points of the park are unobstructed due to the collection point and cause no public inconvenience. Rather this point serves larger public good and once the portable compactor is installed it will also be in sync

*with solid waste management rules and will be absolutely away from the public eye. The officials of Municipal Corporation requested the complainants to visit the existing Portable compactor sites at Sarabha Nagar and Rishi Nagar.*

*In view of above facts and verification at site, the Committee recommended as under:-*

- 1. The lifting frequency of municipal solid waste be increased, in order to remove the grievances of the complainant.**
- 2. The Portable Municipal Solid waste compactor be installed at Bhai Chattar Singh Park within six months.**

### **3.0 Recommendations of the Monitoring Committee**

*Based on the observations and recommendations of the Committee, constituted by Deputy Commissioner, Ludhiana, the Monitoring Committee has made its own recommendations to make it environmentally compatible, which are mentioned as under:*

- i. Compartmentalized portable municipal solid waste compactor for temporary storage of wet waste, dry waste and domestic hazardous waste may be set up at Bhai Chattar Singh Park within 3 months.**
- ii. Municipal Corporation, Ludhiana shall increase the frequency of lifting of solid waste twice in a day to remove the segregated solid waste from the said location and the same may be transported to the solid waste management site and hazardous waste management site.**
- iii. A boundary wall of suitable material with its one gate for entry & exist of vehicles may be provided around the solid waste collection centre within 01 month.**
- iv. A green belt of suitable width to attenuate obnoxious odour from the site may be developed within 01 month.”**

3. Though the applicant has filed written arguments seeking further direction, in view of the report of the Committee, no further direction is necessary except that the Municipal Corporation Ludhiana may take steps in terms of the above recommendations.

The application is disposed of.

In view of order in the main matter, I.A. No. 23/2021 also stands disposed of.

A copy of this order be forwarded to Municipal Corporation Ludhiana by e-mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

March 04, 2021  
Original Application No. 191/2020  
A