

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****Original Application No. 04 of 2022****IN THE MATTER OF:**

SANJAY KUMAR

.....APPLICANT

VERSUS

UNION OF INDIA AND OTHERS.

...RESPONDENTS

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New Delhi
21/10/2024

3. That the averments made by the learned counsel of Municipal Corporation, Panchkula before this Hon'ble Tribunal and in Action Taken Report dated 24.04.2024 is totally vague and baseless. The claim with regard to the entire legacy waste which was lying at Jhuriwala site has been cleared is totally false. The huge amount of legacy waste is still lying at Jhuriwala which was tried to be covered with soil. The presence of legacy waste not only shows red tape attitude but it is an attempt of state to mislead this Hon'ble Tribunal. That what adds insult to the injury is the fact that apart from failing to clear the legacy waste the Municipal Corporation, Panchkula in contempt of this Hon'ble Court order and in violation of green laws of the land, is also dumping nearly 200 tons of waste per day at Jhuriwala. This also shows that they are failing to transport the 100% of the solid waste which they are dumping on daily basis. That this act of state instead of clearing the legacy waste is increasing the same by a very high margin day by day.

A true copy of the Photographs showing the legacy waste still lying at Jhuriwala are annexed and marked hereto as Annexure A1/1.

4. That the Municipal Corporation, Panchkula concealed the factum from this Hon'ble Court that the site at Jhuriwala is being used by them as Material Recovery facility Centre and by using the same as MRF Centre, the Municipal Corporation, Panchkula is continuingly damaging the environment as well causing the risk to the human habitation. The Municipal Corporation has disregarded the tribunal's

directives and continued to dump waste, severely affecting forest, wildlife and human habitation.

A true copy of the photograph of a signboard at Jhuriwala site dated 11.05.2023 is annexed and marked hereto as Annexure A1/2.

5. That the Municipal Corporation, Panchkula has tried to play with this Hon'ble Tribunal by covering the Garbage lying at Jhuriwala site with the soil. During this monsoon, due to heavy rainfall the layer of soil washed out, and the Garbage came out from the said area. As such, the garbage is still lying in the Jhuriwala area which was required to be clear in compliance of orders passed by this Hon'ble Court.

A true copy of the photographs of the garbage lying at the Jhuriwala area are annexed and marked hereto as Annexure A1/3.

6. That according to the development plan of Panchkula, this land is still classified as forest land, and the Ministry of Environment and Forests of the Government of India vide letter bearing File no. 9-HRB 159/2006 –CHA /3755 dated 29.04.2011 had approved the establishment of the solid waste management plant in Jhuriwala on the condition that the legal status of the forest land would not change. Even today, the legal status of the land remains that of forest land, as such the site at Jhuriwala cannot be used by Municipal Corporation as MRF centre or for transporting the garbage from entire city to SWM Plant at Patvi, Ambala.

A true copy of the development plan and letter dated 29.04.2011 are annexed and marked hereto as Annexure A1/4.

7. That the Municipal Corporation, Panchkula is in possession of excess land as compared to claimed by them. The Municipal Corporation, Panchkula in violations of orders passed by this Hon'ble Tribunal is expanding towards the dense forest. As a result, on August 4, 2024, around 7:30 AM, a female leopard was killed in a collision with a truck while crossing the road in front of the Jhuriwala dumping ground. Even after this incident, leopards have been spotted in the residential areas around Jhuriwala. Thereafter on 03.09.2024, Python Snake was also seen on National Highway in front of Jhuriwala Road. Moreover, other wildlife animals are also getting effected due to the continuing dumping of garbage in Forest area. The stray cattle's are also dying at Jhuriwala site due to negligence of Municipal Corporation Panchkula.

A true copy of the photographs and the news report showing adverse impact on the environment and wildlife including the death of the leopard are attached annexed and marked hereto as Annexure A1/5.

8. That additionally, the site where the Panchkula Municipal Corporation has established the dumping ground and MRF site is on the route of natural water channel and rainwater flow from the Jhuriwala forest. The dumping has obstructed this water route, causing rainwater to accumulate in Jhuriwala instead of flowing through the Nandna Choe to Ghaggar rivers, which is a cause for

concern as a result the leachate at Jhuriwal site mixed with the storm water. According to the minutes of the meeting of the Expert Appraisal Committee dated June 14, 2022, there was a concern that natural water channels had been blocked with soil. As a result, today, there is waterlogging in various places in Jhuriwala, which has mixed with the dumped garbage and turned into leachate, contaminating the groundwater. The Municipal Corporation Panchkula has failed in handling leachate in proper manner as a result the ground water of nearby sectors has been deteriorated and is not fit for drinking.

True copies of the photographs and news report depicting waterlogging and leachate contamination are annexed and marked hereto as Annexure A1/6.

9. That on 03.09.2024, the Municipal Corporation Panchkula with the purpose to remove the accumulated water at Jhuriwala site has adopted the inappropriate measures. The rainwater containing leachate was released to the Nandana Choe and Nada Choe connecting to the river Ghaggar as such polluting the water of river Ghaggar also.

A true copy of the photographs depicting the pollution in river Ghaggar are annexed and marked hereto as Annexure A1/7.

10. That the claim by Panchkula Municipal Corporation regarding plantation at Jhuriwala site is also completely false and baseless. On September 1, 2024, no efforts for the same were visible in the affected area, and the place is still filled with garbage and leachate. The claim by Panchkula Municipal Corporation that the garbage is

cleared daily is also incorrect. Garbage is not collected for 10-15 days at a time. The Municipal Corporation only removes garbage from Jhuriwala when local residents protest. Despite continuous opposition from local residents, no concrete steps have been taken by the Panchkula Municipal Corporation to shift the MRF site from Jhuriwala.

A True copy of the news reports and the photographs taken on 1.9.2024, showing the absence of any plantation efforts and the continued presence of garbage at the Jhuriwala site are annexed and marked hereto as Annexure A1/8.

11. That there has been no action on the proposal to establish the MRF site in village Alipur dated April 24, 2024. Even after the Lok Sabha elections, no efforts have been made to mature the tender. However, the Municipal Corporation, Panchkula has started construction for a permanent MRF center in Jhuriwala without any approvals, indicating that they are not interested in converting Jhuriwala into a forest area. Considering the deteriorating conditions of the Jhuriwala forest, dumping in this area should be stopped immediately.

A true copy of the Photographs with regard to construction of permanent MRF centre in Jhuriwala are annexed and marked hereto as Annexure A1/9.

12. That since a part of the Jhuriwala land was taken from the Forest Department and exchanged with residential land, the forest land in Jhuriwala should be promptly returned to the Forest

Department so they can restore and convert it back into a forest. As long as the land remains under the Municipal Corporation, it will be misused, causing harm to nature and wildlife. Moreover, the committee constituted vide order dated 15.11.2022 passed by this Hon'ble tribunal has failed to take any action for remedial and recovering land in question. The said committee has also failed to file any compliance report before this Hon'ble Tribunal. Under the said circumstances, the responsibility to restore the forest at Jhuirwala may kindly be given to Department of Forest, Haryana as the Municipal Corporation, Panchkula is continuously destroying the forest area by constructing permanent structure for MRF station. With regard to same one news article was published in Dainik Bhaskar on 26.09.2024 where Sh. Avinash Singla admitted that Municipal Corporation, Panchkula, is constructing MRF Centre at Jhuriwala

A true copy of the news article published in *Dainik Bhaskar* on 26.09.2024 along with related photographs, are annexed and marked hereto as Annexure A1/10.

13. That the process of clearing the Sector-23 dumping ground is ongoing, but at the current rate, even half of the dumping ground has not been cleared yet. The averment regarding removing of garbage from the Sector-23 Panchkula is also totally false. The garbage is still lying in the 60% to 70 % of the dumpsite at Sector-23 Panchkula. The Municipal Corporation has filed the ATR in April 2024, since then four months have been passed but the Municipal Corporation Panchkula has failed to clear the garbage mountains. Additionally, Panchkula

Municipal Corporation has not yet determined a site for the solid waste management plant.

A true copy of the photographs of Sector-23 dumping ground are annexed and marked hereto as Annexure A1/11.

14. That the Panchkula Municipal Corporation continues to jeopardize the nature, wildlife, and the health of local residents. Recently as per the news report in Amar Ujala newspaper dated 04.09.2024, The Haryana State Pollution Control Board has issued show cause notice to Municipal Corporation, Panchkula for not shifting the dumping ground and recommended the Environmental Compensation to the tune of Rs. 20 Crores.

A true copy of the news report published in *Amar Ujala* on 04.09.2024 and the copy of show cause notice are annexed and marked hereto as Annexure A1/12.

15. The Environmental Compensation imposed on the Municipal Corporation, Panchkula and Municipal Committee, Kalka are funded by taxes paid by Panchkula city residents, which is totally unjustified with the residents. The residents are suffering due to misdeeds and negligence of the officials of the Municipal Corporation, Panchkula. The Municipal Corporation and all officers of the Panchkula administration should be held responsible for this negligence, and they should be fined accordingly.

PRAYER

In light of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- a) Direct the Committee constituted by this Hon'ble Tribunal vide its order dated 15.11.2022, as well as the Municipal Corporation, Panchkula, to execute the said order in its true letter and spirit; and
- b) Direct the aforesaid authorities to restore the land at Jhuriwala within the Forest in a time-bound manner, in order to prevent any further damage to the environment and the forest area.
- c) Pass any other or further order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS APPLICANT AS IN DUTYBOUND
SHALL EVER PRAY.

DRAWN AND FILED BY

Gaurav Kumar Bansal
Advocate

For

Applicant

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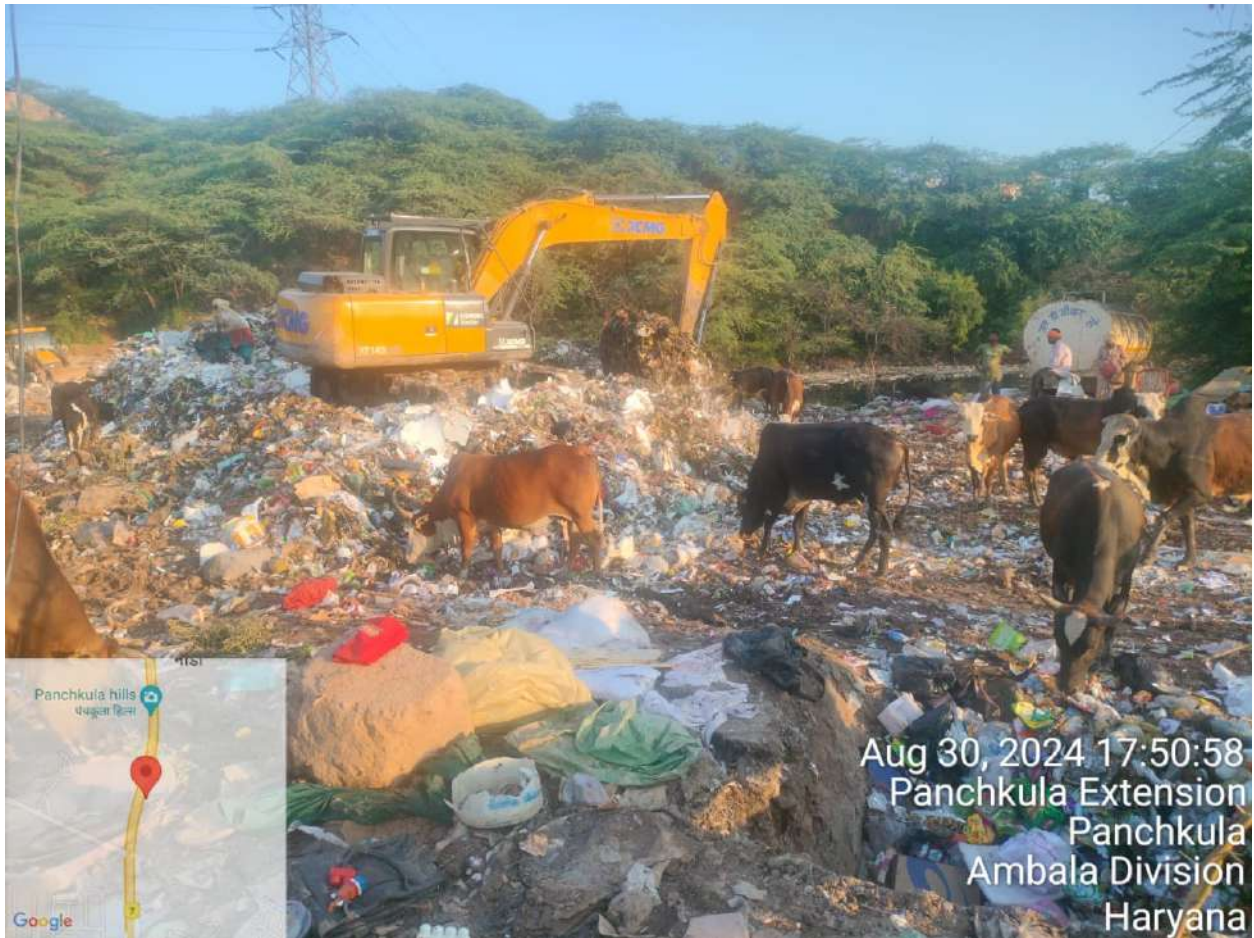
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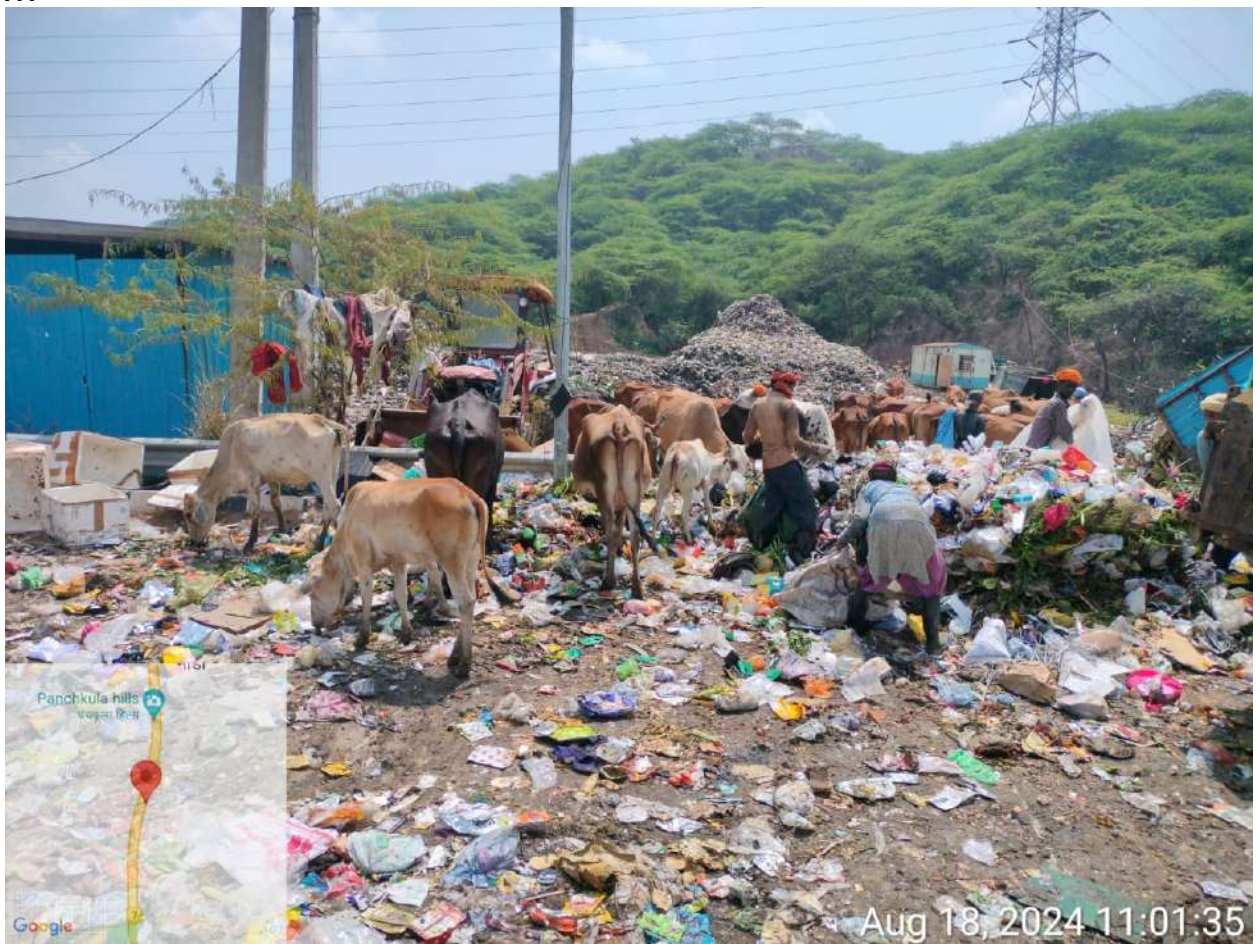
New Delhi
21/10/2024



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भारत सरकार
पर्यावरण एवं वन मंत्रालय
उत्तर क्षेत्रीय कार्यालय

2011
Annex P-12 B

बेज नम्बर 24-25
वशिष्ट मार्ग
सेक्टर 31 ई
ग्रण्डीगढ़ 160030
दिनांक 29.04.2011

फाईल नम्बर-9-HRB139/2006-CHA / 3755

सेवा में,

विलायुक्त एवं सचिव (वन),
हरियाणा सरकार, वन विभाग,
लघु सचिवालय, सेक्टर-17
ग्रण्डीगढ़।

विषय:- Diversion of 5.35 hac. of forest land for solid waste management at village Jhuriwala under section 4 & 5 of PLPA 1980, under Forest Division Morni Pinjore and Distt. Panchkula, Haryana.

महोदय,

कृपया उपर्युक्त विषय से सम्बन्धित आपके पत्र संख्या 594-wa-4-2006/2016 दिनांक 09.02.2006 एवं नोडल अधिकार हरियाणा सरकार के पत्र संख्या प्रशा-डी-तीन-2219/357 दिनांक 21.04.2011 का अवलोकन करें, जिसमें वन (नियंत्रण) अधिनियम, 1980 की धारा-2 के अधीन केन्द्रीय सरकार की अनुमति मांगी गई है।

राज्य सरकार के प्रस्ताव का ध्यानपूर्वक अध्ययन करने के पश्चात् उपर्युक्त उद्देश्य हेतु 5.35 hac. वन भूमि के उपयोग के लिए सक्षम प्राधिकारी की स्वीकृति निम्नलिखित शर्तों पूरी करने पर प्रदान की जाती है:-

1. वन भूमि की द्रिधिक परिस्थिति बदली नहीं जाएगी।
2. कम से कम दूध/पीछे कटवाये जायेंगे एवं कटे जाने वाले दूध/पीछे की संख्या प्रस्तावानुसार 1782 दूधों से अधिक नहीं होगी।
3. प्रतिपूर्ति पौधारोपण प्रस्ताव के अनुसार 5.35 hac. नैसर्गिकी भूमि पर प्रयोक्ता एजेंसी से प्राप्त 12,65,000/- रुपये (रुपये बारह लाख पैंसठ हजार) की राशि से 5350 पौधे लगकर किया जायेगा। प्रतिपूर्ति पौधारोपण इस पत्र के जारी होने की तिथि से एक वर्ष के अन्दर हो जाना चाहिए।
4. भारत सरकार पत्र संख्या S-2/2006-FC दिनांक 20.05.2006 के तहत दिये गये अनुदेशों के अनुसार NPV तथा दूसरी सभी निधिगत प्रतिपूर्ति पौधारोपण निधि प्रबंधन तथा योजना प्राधिकार के तदर्थ निकस के लेखा संख्या CA-1590, कारपोरेशन बैंक (भारत सरकार का उपक्रम), ब्लाक-11 भूतल सी.जी.ओ.कम्प्लेक्स, फेज-1 लोधी रोड, नई दिल्ली-110003 या लेखा संख्या 344901010070128 भारतीय यूनियन बैंक, सुंदरनगर, नई दिल्ली में जमा करवाई जाये।
5. वन भूमि का प्रयोग प्रस्ताव में दर्शाये उद्देश्य के अलावा अन्य किसी उद्देश्य के लिये नहीं किया जायेगा।
6. प्रतिपूर्ति पौधारोपण स्थल को आरक्षित/ सुरक्षित वन घोषित किया जाये।
7. यदि कोई अन्य संबंधित अधिनियम/अनुच्छेद/नियम/न्यायालय आदेश/अनुदेश आदि इस प्रस्ताव पर लागू होते हैं तो उनके अधीन जरूरी अनुमति लेना राज्य सरकार की जिम्मेवारी होगी।

मन्त्रालय इस स्वीकृति को स्थगित/रद्द कर सकता है यदि उपरोक्त शर्तों में से किसी भी शर्त का कार्यान्वयन संतोषजनक नहीं है। राज्य सरकार वन विभाग के माध्यम से इन शर्तों का मालम सुनिश्चित करेगा।

21/9/11

भवदीय

(श्रीकृष्ण सहरावत)

ICआपर प्रधान, मुख्य वन संरक्षक (केन्द्रीय)

Government of India
Ministry of Environment & Forests
Northern Regional Office

Annexure P-12 B

Bays No. 24-25
South Marg
Sector-31A
Chandigarh

197

File No. 9 HRB/159/2006-CHA/3756

Dated 29.4.2011

To

Financial Commissioner and Secretary (Forests)
Government of Haryana, Forest Department,
Mini Secretariat, Sector-17,
Chandigarh.

Subject :- Diversion of 5.35 hectare of forest land for solid waste management at village Jhuriwala under Section 4 & 5 of PLPA 1960 under Pinjore Forest Division, District-Panchkula Haryana.

Sir,

On the subject cited above and in reference to your letter No. 594-4-2006/2016 dated 9.2.2008 and Nodal Officer, Haryana Government office letter No., Admn. D-Three-2219/357 dated 21.4.2011 vide which permission has been sought under Section 2 of the Forest Protection Act, 1980 of the Centre government.

After careful consideration of the proposal of the State Government, permission of the competent authority in principle is hereby granted for diversion of 5.35 hectare of forest land on the following conditions:

1. Status of the forest land will not be changed.
2. Minimum number of trees / plants will be cut and the number of trees and plants which are to be cut will not be more than 1782 as proposed.
3. As per the proposal for compensatory afforestation, 5350 trees will be planted on 5.35 hectare of non forest land out of the amount of Rs. 12,65,000/- received from the user agency. compensatory afforestation should be completed within one year of issue of this letter.

Ann Singh Rawat
2017.04.25 12:15
This is scanned copy of the
original
File No. 159/2006-CHA/3756

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पंचकूला: सड़क क्रॉस करते हुए वाहन की चपेट में आने से तेंदुए की हुई मौत

सिटी रिपोर्टर | पंचकूला

रविवार शाम पंचकूला-यमुनानगर हाईवे पर झूरीवाला डंपिंग ग्राउंड के सामने सड़क क्रॉस करते हुए वाहन की चपेट में आने से मादा तेंदुए की मौत हो गई। शव वाइल्ड लाइफ हॉस्पिटल में रखवा दिया गया है। सोमवार को पोस्टमार्टम के लिए डॉक्टरों की टीम गठित की जाएगी और उसके बाद तेंदुए के शव का पोस्टमार्टम होगा।

घटना रविवार देर शाम 7:30 बजे की है, जब मादा तेंदुआ अपने पौने दो साल की शावक के साथ सड़क को क्रॉस करने की कोशिश कर रही थी। शावक आगे और उसकी मां पीछे थी। सड़क पर तेज वाहन की चपेट में शावक तेंदुए के आते ही उसकी मां जंगल की तरफ भाग गई। मौके पर लोगों की भीड़ जमा हो गई और वे वीडियो बनाने लगे। लोगों ने मामले की सूचना पुलिस व वाइल्ड लाइफ डिपार्टमेंट को दी। वाइल्ड लाइफ की टीम तेंदुए का शव गाड़ी में



जंगल में काफी देर तक तेंदुए की आवाज सुनाई देती रही...

मौके पर मौजूद चश्मदीद की मानें तो करीब 15 मिनट तक जंगल से जोर-जोर से तेंदुए की आवाज आती रही। वाइल्ड लाइफ डिपार्टमेंट के अधिकारी की मानें तो मां बार-बार अपने बच्चे को तलाशने की कोशिश कर रही थी। करीब 15 मिनट बाद जंगल से तेंदुए की आवाज आनी बंद हो गई।

डालकर उसे वाइल्ड लाइफ डिपार्टमेंट के अस्पताल में लेकर गई।





पंचकूला भास्कर 08-08-2024

झूरीवाला डंपिंग ग्राउंड से कचरे के ढेर तो खत्म हो गए लेकिन लोगों की समस्या नहीं डंपिंग ग्राउंड में बने गड्ढों में भरा गंदा पानी, आसपास के सेक्टरों में बदबू के साथ मक्खियों-मच्छरों की भरमार

सिटीरिपोर्टर | पंचकूला

झूरीवाला डंपिंग ग्राउंड में लगे कचरे के ढेर चाहे खत्म हो गए हों लेकिन आसपास रहने वाले सेक्टरों के निवासियों की समस्या का पूरी तरह समाधान नहीं हुआ है। इन दिनों डंपिंग ग्राउंड में हुए गड्ढों से बने मिनी तलाब में खड़ा गंदा पानी लोगों के लिए सिरदर्द बना हुआ है। इस गंदे पानी से उठने वाली बदबू हवा चलने पर आसपास के सेक्टरों में फैल जाती है। यह पानी मक्खियों, मच्छरों का ब्रीडिंग सेंटर भी बना हुआ है। इस एरिया में गंदगी के चलते मक्खियों और मच्छरों की तादाद काफी बढ़ गई है। सेक्टर-23 के डंपिंग ग्राउंड में कचरे के ढेर लगने पर सात-आठ साल पहले पंचकूला नगर निगम ने झूरीवाला में खाली पड़ी जगह पर कचरा फैकना शुरू कर दिया था। यहां भी कचरे के ढेर लगने लगे। आसपास बसे सेक्टर-24 और 25 के लोग डंपिंग ग्राउंड से निकलने वाली बदबू से परेशान हो गए। उन्होंने यहां से डंपिंग ग्राउंड शिफ्ट कराने की मांग को लेकर लड़ाई प्रशासन के अधिकारियों से लेकर हाईकोर्ट तक लड़ी। आखिरकार फैसला हुआ कि यहां गिराया गया कचरा हटवाया जाएगा। अब शहर से निकलने वाला कचरा रोजाना ट्रैक्टर, ट्रॉलियों में झूरीवाला में लाया जाता है और यहां



तीन माह से रुका है पानी, ग्राउंड वाटर भी दूषित हो रहा है

कचरा हटाए जाने के बाद एरिया में काफी बड़ा गड्ढा हो गया है। यह गड्ढा किसी तालाब से कम नहीं है। यह पानी पिछले तीन माह से खड़ा है जोकि गंदगी के कारण काला हो चुका है। इससे ग्राउंड वाटर भी दूषित हो रहा है। इस एरिया में पहले ही पांच ट्यूबवैलों का पानी दूषित होने के कारण पीने के लायक नहीं रहा है। इस वजह से इन ट्यूबवैलों को बंद किया जा चुका है। हवा भी इतनी दूषित हो चुकी है कि आसपास के सेक्टरों में भी हवा चलने पर बाहर खड़ा होना मुश्किल हो जाता है। लोगों का कहना है कि बदबू के कारण बाहर खड़े होना तो दूर घर का दरवाजा भी ज्यादा देर तक खुला नहीं छोड़ते।

से गीला और सूखा कचरा अलग कर इसे अंबाला के नजदीक पटवी में भेजा जाता है। लोगों का कहना है कि अगर उनके घरों में कूलर या गमलों में पानी भरा हुआ हो तो प्रशासन की टीम इससे मच्छरों का लारवा उत्पन्न होने की बात कहकर चालान काट देती है, लेकिन झूरीवाला में बने मिनी तालाब में भरे पानी की निकासी के लिए कोई व्यवस्था नहीं की जा रही है।

■ लोगों को झूरीवाला में डंपिंग ग्राउंड से परेशानी थी। यहां लगे कचरे के ढेर को हटवा दिया गया है। अब यहां आने वाला कचरा रोजाना प्रोसेसिंग के लिए भेजा जा रहा है। अगर यहां हुए गड्ढों में गंदा पानी भरा है तो इसे जल्द ही पम्प की मदद से निकलवा दिया जाएगा। अविनाश सिंगला, चीफ सेनेटरी इंस्पेक्टर, पंचकूला नगर निगम





ANNEXURE A1/7







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Protest erupts over dumping of waste at Jhuriwala ground



Protesters throw garbage outside the main entrance to the Municipal Corporation's office in Panchkula on Friday. RAVI KUMAR

PANCHKULA, AUGUST 23
Annoyed over Panchkula Municipal Corporation's failure to completely clear the Jhuriwala dumping ground of waste, residents of the city, especially those from the trans-ghaggar areas held a march and dumped garbage outside the MC office at Sector 14 today as a mark of their protest. The residents held a candle march from Sector 26 Community Centre to Sector 25 in the evening.

"For the past 20-25 years, residents of sectors 23, 24, 25, 26, 27, 28, and Moginand and Madanpur villages have been harried due to the Sector 23 and Jhuriwala dumping grounds. Therefore, today we demonstrated our dissatisfaction by dumping our household waste outside the MC office," the protesters said.

"Despite numerous requests to the Haryana Government, local legislators and

the MC, there has been no progress in shifting the dumping ground," they said.

Rachna Ram Pal, a protester, said the MC claimed the dumping ground was being cleared. "The office was even reprimanded by the NGT over the issue, but they have still been dumping waste at Jhuriwala," she said. Nitesh Mittal, convenor, Sangram Jhuriwala Dumping Ground Committee, said the MC was using the site as a Material Recovery Facility (MRF) site for the entire city. "The Municipal Corporation has failed to find an alternative site for this purpose for over two years. Additionally, its proposal to create six MRF sites in 2023 due to stuck in bureaucratic delays," he added. The protesters warned of intensifying their protest and said they would not allow any party's candidate to enter their areas in the upcoming elections. — TNS

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The Tribune
THIS DAY, THAT YEAR
BIRTH OF SHIVARAM HARI RAJGURU (1908-1931)

Vexed by piling waste, residents dump garbage outside Panchkula MC office

HT Correspondent

chandigarh@hindustantimes.com

PANCHKULA: Irked by the civic body's failure to clear the Jhuriwala and Section 23, Panchkula garbage dump sites, residents of Trans Ghaggar sector on Friday dumped garbage outside the municipal corporation office, Sector 14.

They also warned of larger protest in case the waste dumping continues at Jhuriwala and no candidate will be allowed to enter the area for the upcoming elections.

The residents alleged that for the past 20-25 years, residents of Sector 23, 24, 25, 26, 27, 28 and Moganand and Madanpur villages are facing issues owing to the Sector 23 and Jhuriwala dumping grounds.

"For several years, the entire city's waste has been dumped in the Trans Ghaggar sectors causing local residents to face issues like foul smell, polluted water and other problems. Despite numerous requests to the Haryana government, local



Residents protesting in front of Panchkula MC office over waste piling at Jhuriwala dumping ground.

SANT ARORA/HT

legislators, and the municipal corporation, there has been no progress in shifting the dumping ground from the area," said a resident Mohit Gupta.

It may be mentioned that MC in April this year had submitted before the National Green Tribunal (NGT) that 100% of daily generated waste is remediated and that the legacy waste, which was lying at Jhuriwala site, has been cleared and the legacy

waste lying at the Sector 23 site is yet to be cleared.

Advocate Nitesh Mittal, convenor of the Sangram Jhuriwala dumping ground committee, Panchkula, stated that despite strong objections from local residents and orders from the NGT in November 2022, the Panchkula MC continued dumping at Jhuriwala by making it the only Material Recovery Facility (MRF) site for the entire city.

"The MC has failed to find an alternative site for dumping over the past two to two and a half years. Additionally, the civic body's proposal to create 6 MRF sites in 2023 remains stuck in bureaucratic processes," added Mittal.

"Residents of this area are forced to live in polluted air and drink contaminated water, which poses a serious threat to their health. The MC has disappointed the public with false claims and broken promises. Moreover, the MC has also failed to provide other basic amenities to the local residents," said Sanjeev Goyal, president of resident welfare association (RWA), Sector 25, Panchkula.

Despite hours of protest, no senior official or the mayor came to address the people's grievances. Though municipal corporation's deputy municipal commissioner Apoorva Chaudhary assured the residents that a meeting with the MC will be held next Friday to resolve the issue.

Meet over Jhuriwala site offers little help

Locals Have Threatened Poll Boycott

Arvind.Bishnoi
@timesofindia.com

Panchkula: Following warning by Trans Ghaggar sector residents to boycott Haryana assembly elections over continued dumping of waste at Jhuriwala, Panchkula MC commissioner Sachin Gupta called a meeting with residents at MC office in Sector-14 on Thursday.

Panchkula MC commissioner Sachin Gupta, MC joint commissioner Simranjeet Kaur, chief sanitary inspector Avinash Singla, XEN Harish, along with other officers and Trans-Ghaggar residents, were present at the meeting.

Residents, including Nitesh Mittal, Mohit Gupta, Zile Singh, Sanjeev Goyal and Yuvneet Dhakal, who attended the meeting said the status of Jhu-



File photo

People, in the past, organised several protests against dumping of waste at Jhuriwala

riwala dumping ground was discussed during the meeting.

The Panchkula MC team reported that the stagnant water at the dumping ground had been largely cleared, and daily collected garbage was being cleared on the same day. Soon, some areas of Jhuriwala will be fenced, which will solve the problem of foul smell.

The team proposed the decentralisation of material recovery facility (MRF) centres and requested Resident Welfare Associations (RWAs) and councillors to identify vacant sites in their respective wards for the same. Letters will be is-

sued in the next few days to formalise this request. As per the proposal, it is being planned to set up one MRF centre in each of the 20 wards in Panchkula, from where the garbage will be segregated and sent directly to Ambala Pattvi. Until then, the garbage will be sent from Jhuriwala to Pattvi.

Residents expressed dissatisfaction with the pace and progress of ongoing works and questioned the feasibility of the proposed decentralisation of MRF centres. Sangram Jhuriwala Dumping Ground Committee coordinator Nitesh Mittal said the MC had earlier planned to set up seven MRF centres in 2019, and then six MRF centres in 2022, but nothing has happened on the ground yet. The plan to set up 20 MRF centres in Panchkula city is just an eyewash and impossible to implement.

Sector residents said they were completely dissatisfied with this meeting and plan. They decided that considering the attitude of the MC, they would again approach the National Green Tribunal.

ANNEXURE A1/9







पंचकूला भास्कर 26-09-2024

विरोध के बावजूद झूरीवाला में एमआरएफ सेंटर के लिए स्ट्रक्चर का निर्माण हुआ शुरू

लोग रेजिडेंशियल एरिया से दूर एमआरएफ सेंटर बनाने की कर रहे मांग

सिटीरिपोर्टर | पंचकूला

नगर निगम ने झूरीवाला में मेटेोरियल रिकवरी फेसिलिटी सेंटर (एमआरएफ) बनाने का प्रोसेस शुरू कर दिया है। इसके लिए पक्का स्ट्रक्चर बनाया जा रहा है। नगर निगम ने विधानसभा चुनाव के लिए कोड ऑफ कंडक्ट लगाने से पहले ही एमआरएफ सेंटर बनाने का टेंडर अलॉट कर दिया था। ठेकेदार ने चंद दिन पहले निर्माण कार्य शुरू कर दिया है।

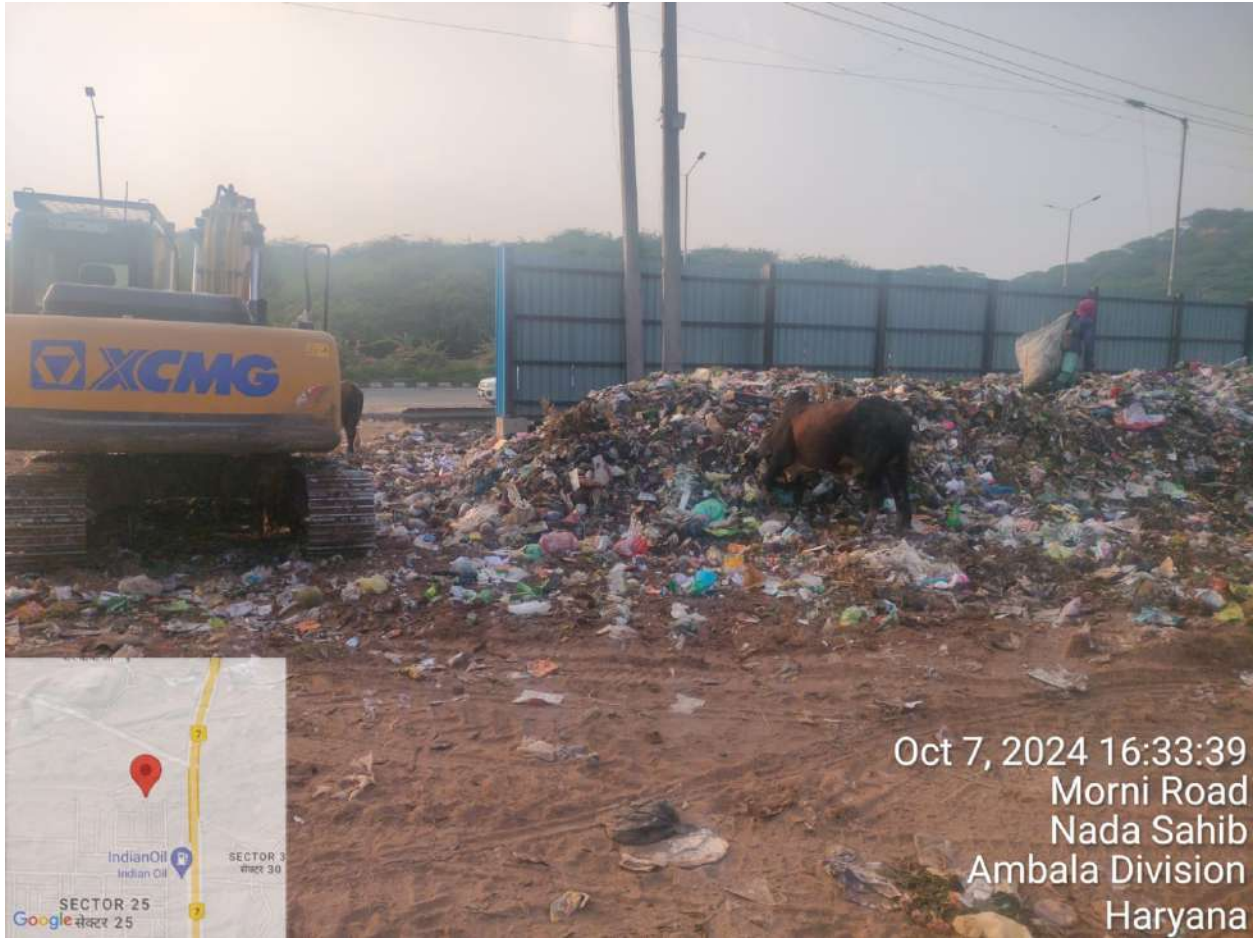
नगर निगम में चीफ सेनेटरी इंस्पेक्टर अविनाश सिंगला का कहना है कि सेक्टर- 23 के डम्पिंग ग्राउंड में कचरा गिराना बंद कर झूरीवाला में कचरा गिराना शुरू किया गया था। यहां कचरे के ढेर लग गए थे। निगम ने यहां से कचरे के ढेर हटाने का ठेका दिया था। अब यहां से कचरे के ढेर को पूरी तरह से हटाया जा चुका है। अब रोजाना यहां कचरा आता है और गीला व सूखा कचरा अलग-अलग कर आगे पटवी में भेज दिया जाता है। यहां अब 24 घंटे से ज्यादा कचरा नहीं रहता है। आसपास के सेक्टरों के निवासी यहां कचरा



गिराए जाने का विरोध कर रहे थे। अब यहां एमआरएफ सेंटर बनाया जा रहा है जोकि चारों तरफ से कवर होगा। बरसात के दिनों में कचरा गीला होने से आसपास के एरिया में कई दिनों तक बदबू रहती थी। अब इसके कवर होने से एरिया में बदबू नहीं रहेगी। कचरे के ढेर भी नहीं लगेगे। रोजाना आने वाला कचरा रोजाना आगे प्रोसेसिंग के लिए भेजा जाएगा।

लोग बोले- एमआरएफ सेंटर का निर्माण गलत

घग्गर पार के सेक्टरों के निवासी यहां एमआरएफ सेंटर बनाए जाने के भी खिलाफ हैं। उनका कहना है कि वह रेजिडेंशियल एरिया से दूर डम्पिंग ग्राउंड शिफ्ट करने के लिए बीते कई सालों से संघर्ष कर रहे हैं। एमआरएफ सेंटर का निर्माण भी यहां गलत है। संग्राम झूरीवाला डम्पिंग ग्राउंड समिति के संयोजक नीतेश मित्तल का कहना है कि लोगों के विरोध के बावजूद नगर निगम पंचकूला झूरीवाला फॉरेस्ट एरिया को स्थाई डंपिंग ग्राउंड/गारबेज प्वाइंट बनाने में लगा हुआ है। हाल ही में 22 सितम्बर को संग्राम झूरीवाला डंपिंग ग्राउंड समिति की ओर से विधानसभा चुनाव के सभी उम्मीदवारों को झूरीवाला डंपिंग ग्राउंड आमंत्रित किया गया था व उनसे झूरीवाला में कूड़ा बंद करने को लेकर सुझाव लिए गए थे। इसमें उपस्थित सभी उम्मीदवारों ने झूरीवाला में कूड़ा गिराने को गलत बताया था और यहां से कूड़ा हटाने व यहां कूड़ा गिराने को बंद करने को लेकर आश्वासन भी दिया था।



NO PLANTATION AT JHURIWALA SITE



SECTOR-23 DUMPING GROUND ON 05.09.2024







**Regional Office,
Haryana State Pollution Control Board**

SCO-115-116, 1st Floor, Sector-25, Panchkula
Email: hspcbprkl@gmail.com

HSPCB/PKL/2024/ 1195

Dated: 23/8/2024

To

Executive Engineer, Municipal Corporation, Panchkula
(for Municipal Solid Waste Management dumping site
at Village- Jhuriwala adjacent to Wildlife Sanctuary).

Sub: Show cause notice for prosecution and imposition of Environmental Compensation for violating the provisions of MSW Rules, 2016 and Hon'ble NGT direction passed in O.A No. 04/2022.

Whereas the Ministry of Environment Forest and Climate Change, Government of India, in exercise of the powers conferred under section 3, 6, and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, has notified the Solid Waste Management Rules, 2016. As per Rule 15 of Solid Waste Management Rules, the role of local body has been specified for the implementation of solid waste management in the respective local bodies;

Whereas you are responsible and engaged in the activities of collection, transportation, segregation and processing of municipal solid waste generating within the jurisdiction of Municipal Corporation, Panchkula and for day to day operation & maintenance of Municipal solid waste dumping site at Village- Jhuriwala adjacent to Wildlife Sanctuary;

Whereas you are engaged in the activities of collection, transportation and segregation of municipal solid waste at the above mentioned site and a complaint received in this office regarding Village- Jhuriwala dumping site from the inhabitants of nearby vicinity therefore, your site was visited by the field officer of this office and it was found that Specifications laid down for Sanctuary Landfills under **Schedule I** of Solid Waste Management Rules, 2016 are not being followed at Solid Waste Dumping Site situated in Village- Jhuriwala close to the Wildlife Sanctuary and in OA No. 04/2022 titles as Sanjay Kumar versus Union of India and Ors the Hon'ble NGT directed to close down the site and remove already dumped waste from the site in scientific manner but you are not complying the Hon'ble NGT directions and dumping the garbage at the site on your own risk.

Whereas, you have not developed any infrastructure at the above mentioned site to prevent the further damage to the Environment i.e.

1. Not created the boundary wall so that stray animals could not enter into the dumping site.
2. Not provided any cover/sheet on the legacy waste.
3. The arrangement has not been made to prevent leachate runoff from land fill area entering any drain, stream, river, lake or pond.
4. Not provided dedicated metalled road for vehicular movement at the site.

Whereas, standing water is mixing with the legacy waste at the jhuriwala site, which poses a risk of spreading diseases in the nearby area and you have not completely disposed off the legacy waste quantity in time as per directions of the Hon'ble NGT, thus for the above said violations you are liable to pay the Environmental Compensation for the days the violations persists and rendering yourself liable for Imposition of Penalty under Section-15 of Environment Protection Act, 1986 along with Municipal Solid Waste (Management & Handling) Rules 2016, along with imposition of Environmental Compensation as per HSPCB Environmental Compensation Policy issued vide HSPCB/PLG/2021/2343-2350 dated 22.12.2021 and Hon'ble NGT directions in OA No. 606/2018 and OA No. 04/2022;

Whereas Hon'ble NGT has also directed State Pollution Control Boards time

to time to assess and recover Environmental Compensation from urban local body for non-compliance of Solid Waste Management Rules, 2016.

In view of above, you are hereby issued Show Cause Notice for 15 days to reply as to why prosecution action may not be taken against you for the violations of MSW Rules, 2016 as mentioned above. Beside this, why environmental compensation may not be imposed on you as per provisions of HSPCB orders issued vide no. HSPCB/PLG/2019/6073 dated 29/04/2019.

In case, you fail to reply/comply to the deficiencies mentioned above within the mentioned stipulated time period, it will be presumed that you have nothing to say in this regard and accept the status above, which will result in prosecution action under the provisions of relevant Act/Rule without any further notice, besides imposition of Environment Compensation as per policy of the Board (HSPCB) issued vide no. HSPCB/PLG/2019/6073 dated 29/04/2019 due to non compliance as mentioned above.

**Regional Officer, HSPCB
Panchkula Region**

Endst No. HSPCB/PKL/2024 1196-1198

Dated: 23/5/2024

A copy of the above is forwarded to the following for information and consideration please:-

1. Chairman, HSPCB, HQ, Sec-6, Panchkula.
2. Deputy Commissioner, Panchkula.
3. Commissioner, Municipal Corporation, Panchkula.


**Regional Officer, HSPCB
Panchkula Region**