

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, DELHI

O.A. No. 317 OF 2023

IN THE MATTER OF:

KAPIL DEV &amp; ANR

...APPLICANT

VERSUS

STATE OF PUNJAB &amp; ORS

....RESPONDENT

REPLY TO THE OBSERVATION MADE BY Ld. COURT  
COMMISSIONER IN COMPLIANCE TO ORDER DATED 09.12.2024.

It is most respectfully showeth:

1. That the matter titled Kapil Dev & Anr Vs State of Punjab & Ors bearing OA No. 317 of 2023 is pending adjudication before this hon'ble Tribunal and is coming up for hearing on 28.03.2025.
2. That the undersigned is posted as Commissioner, Municipal Corporation, Ludhiana and is thus filing the present reply as directed by this hon'ble tribunal.
3. That this Hon'ble Tribunal vide order dated 09.12.2024 directed the Municipal Corporation Ludhiana to file affidavit in response to the report of Ld. Court Commissioner. The Relevant para is reproduced hereunder for the ready reference of this Hon'ble Tribunal-

*"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."*

4. That in compliance to order dated 09.12.2024 the undersigned herein submits the each and every averment made in the report of the Ld. Court Commissioner which is misconceived and thus denied.



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SITE WISE REPLY TO THE OBSERVATION MADE BY Ld.  
COURT COMMISSIONER

The sites which come under the ambit of maintenance by Municipal Corporation Ludhiana are only dealt with hereunder.

1. SITE 02- BLOCK-C, MODEL TOWN EXTENSION

It is respectfully submitted that the observations made in the report of the Ld. Court Commissioner are not entirely reflective of the actual ground reality and do not take into account the remedial steps continuously taken by the Municipal Corporation, Ludhiana. The allegations regarding inaction and environmental harm are misconceived and contrary to the factual position on-site.

Reply to specific observations:-

1. Operational status of compactors- There are four compactors fully operational where segregated waste is compacted and disposed off scientifically. Photographs of working compactors are Annexed at Annexure- A1

2. Waste present at around the area- It is submitted that continuous drives and campaigns are conducted by Municipal Corporation, Ludhiana and police officials to enforce regulations and deter informal waste pickers from using this site. Now, daily segregated waste is being compacted at fully functional Dugri Compactor. Further, as this plot is 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.



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II. SITE 03 - MODEL TOWN EXTENTION BLOCK-D ROAD  
TO ATI CHOWK

At the outset, it is respectfully submitted that the observations made in the report of the Ld. Court Commissioner are not entirely reflective of the actual ground reality and do not take into account the remedial steps already undertaken by the Municipal Corporation, Ludhiana. The allegations regarding inaction and environmental harm are misconceived and contrary to the factual position on-site.

Reply to Specific Observations

- i) Operational Status of Compactors: The claim that compactors are non-operational is incorrect. Four portable compactors (two for wet waste and two for dry waste) are fully functional, ensuring efficient waste management.
- ii) Waste Segregation: Contrary to the report, waste segregation is being implemented as per regulations. Attached photographs confirm a clean and well-maintained site with no unauthorized waste handling.
- iii) Environmental Compliance: The assertion that no work has been done is baseless. Regular waste collection and monitoring are in place, ensuring compliance with environmental norms. The site is properly managed, and there is no presence of rag-pickers as alleged.



The photographs of the Site 03- Model Town Extension Block-D Road to ATI Chowk is enclosed herewith and marked as ANNEXURE A2.

III. SITE 04- JAWAHAR NAGAR CAMP

It is respectfully submitted that the observations recorded by the Court Commissioner accurately reflect the present status of the site.

The Municipal Corporation, Ludhiana, has ensured that the compactors are fully functional and no waste is dumped at the site.

Reply to specific observations-

i) Correct Assessment by Joint Committee: The acknowledgment by the Court Commissioner that the Joint Committee's report correctly represents the site status is noted. There is presently no waste at the site.

ii) Site Condition Completely Under Control: As observed, the site is fully under control, and no further objections have been raised by the applicants.

IV. SITE 05- NEAR SUFFIAN CHOWK

It is respectfully submitted that the observations recorded by the Court Commissioner do not accurately reflect the present status of the site. The Municipal Corporation, Ludhiana, has undertaken necessary measures for waste management, and the operations have been duly relocated from Suffian Chowk to Cheema Chowk. This development was well apprised to the Court Commissioner at the time of the visit, and all prescribed norms under the Solid Waste Management Rules, 2016, are being followed.

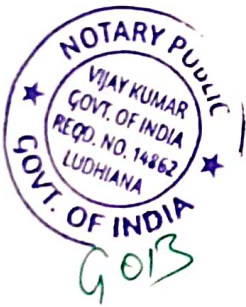


Reply to Specific Observations

i) Partially Correct Report by Joint Committee: The observation that the Joint Committee's report is only partially

correct is misplaced. The Suffian Chowk site has been completely closed and cleared, and all waste has been shifted. The waste management operations have been relocated to the Cheema Chowk site, where systematic segregation and disposal are being conducted. The claim that segregation is not being carried out is incorrect, as the new site has dedicated segregation mechanisms in place.

- ii) Rag-pickers Seen at the Time of Visit: The presence of rag-pickers at Suffian Chowk is not relevant, as the site is no longer operational. At Cheema Chowk, four portable compactors (two blue for wet waste and two green for dry waste) are fully functional, ensuring proper waste segregation and disposal. The assertion that garbage is not being properly segregated is incorrect, as waste treatment and processing are actively ongoing at the new site.



The photographs of the Site 05- Near Suffian Chowk and site of Cheema Chowk are enclosed herewith and marked as ANNEXURE A3.

V. SITE 06- BUDHA NALLAH NEAR GAUSHALA FUNERAL GROUND

It is respectfully submitted that the observations recorded by the Court Commissioner accurately reflect the present status of the site. The Municipal Corporation, Ludhiana, has ensured that the secondary collection point at Budha Nallah near Gaushala Funeral Ground has been completely closed, and no waste is being collected or disposed of at this location.

## Reply to Specific Observations

- i) Correct Assessment by Joint Committee: The acknowledgment by the Court Commissioner that the Joint Committee's report correctly represents the site status is noted. The site has been permanently closed, and no waste is present.
- ii) Site Condition Completely Under Control: As observed, the site is fully under control, and no further objections have been raised by the applicants.

The photographs of the SITE 06- Budha Nallah near Gaushala Funeral ground is enclosed herewith and marked as ANNEXURE A4.

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VI. SITE 07- FOCAL POINT ROAD OPPOSITE  
VISHWANATH MANDIR



It is respectfully submitted that the observations recorded by the Court Commissioner do not reflect the present ground reality. The Focal Point Road site (opposite Vishwanath Mandir) has been completely closed and cleared and all garbage has been systematically shifted to the two compactor sites located at Metro Road site and 100 Foota Road site, both of which are fully operational and functioning optimally.

## Reply to Specific Observations

Incorrect Assessment in the Report of the Joint Committee: The assessment that no work has been done at the site is misplaced, as the site has already been closed and cleared. The waste management operations have been relocated to the designated operational sites, which were duly apprised to the Court Commissioner.

- i) **Compactor Non-Operational:** The site in question no longer houses the portable compactor, as operations have been fully shifted. The observation regarding non-functionality is irrelevant, as waste management is now being carried out effectively at the operational sites.
- ii) **Burning of Garbage Observed:** The burning spots observed at the location were not related to the Municipal Corporation but were the result of vagabonds and rag-pickers. This activity has since been stopped and cleared, ensuring compliance with waste management norms.

The photographs of the Site 07- Focal Point Road Opposite Vishwanath Mandir and compactor situated at Metro road and 100 feet road are enclosed herewith and marked as ANNEXURE A5.

VII. SITE 08- MAIN G.T. ROAD OPPOSITE WHOLESALE VEGETABLE MARKET

It is respectfully submitted that the observations recorded by the Court Commissioner do not reflect the present status of the site. The Main G.T. Road site (opposite Wholesale Vegetable Market) has been cleared, and waste management measures have been effectively implemented.

Reply to Specific Observations

- i) **Incorrect Assessment by the Joint Committee:** While certain observations were made during the site visit, the current ground reality is significantly different. The waste at the site



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has been cleared, and four portable compactors (2 blue for wet waste and 2 green for dry waste) have been deployed, ensuring proper waste segregation and disposal.

- ii) Garbage Lying in Open Environment: The issue of garbage accumulation has been effectively addressed. The site is now maintained in a clean and controlled manner, with proper waste disposal systems in place. The deployment of compactors ensures no open dumping, thereby mitigating environmental and public health concerns.

The photographs of the Site 08- Main G.T. Road Opposite Wholesale Vegetable Market and cleared site are enclosed herewith and marked as ANNEXURE A6.

## VIII. SITE 09- SUFFIAN CHOWK

It is respectfully submitted that the contents of the reply to the observations made for Site 05 may kindly be read as part and parcel of the present reply for Site 09, as both pertain to the same location.



## IX. SITE 10- NEAR BUDHA NALLAH, BAJWA NAGAR

It is respectfully submitted that the Portable Compactor Transfer Station at Bajwa Nagar is fully functional and operating efficiently as per SWM Rules, ensuring proper waste management and disposal in accordance with regulatory standards. The same observation was made by Ld. Court Commissioner.



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The photographs of the Site 10- Near Budha Nallah, Bajwa Nagar is enclosed herewith and marked as ANNEXURE A7.

X. SITE 13- NEAR LAKKAR WALA PUL (OLD KACHERI AREA)

It is submitted that the Joint Committee Report correctly states that the open collection point at the site has been permanently closed. Furthermore, all necessary steps have been taken to ensure the proper functioning of waste management systems in compliance with the Solid Waste Management Rules.

## Reply to specific Observation

- i) Incorrect assessment by the Joint Committee: The assessment by the Joint Committee correctly stated that the open collection point was closed. However, any perceived discrepancies at the time of visit have been fully addressed, and the site is now being efficiently managed.
- ii) Compactor installed but not in use: It is submitted that the Portable Compactor at this site is now fully operational. The issue of open dumping has been resolved, and the compactor is actively processing and segregating waste in accordance with prescribed guidelines.
- iii) Burning marks at the site: There was no instance of waste burning by the municipal authorities. The burn marks observed at the site were remnants of small fires made by vagabonds and homeless individuals residing under the bridge. Since the open site has been completely closed and secured, such activities have ceased.



The photographs of the Site 13- Near Lakkar Wala Pul (Old Kacheri Area) is enclosed herewith and marked as ANNEXURE A8.

XI. SITE 14- INNER ROADS AT BAHADUR K ROAD

It is respectfully submitted that the Municipal Corporation, Ludhiana, has successfully implemented corrective actions, ensuring that waste disposal at the site has been completely stopped, and all related activities have been relocated to SITE 08 - Main G.T. Road Opposite Wholesale Vegetable Market

Reply to Specific Observations by the Ld. Court Commissioner:

- i) Incorrect position asserted by the Joint Committee: It is submitted that while the Court Commissioner may have observed garbage at the site during their visit, the site has since been completely cleared and permanently closed. There is no longer any waste dumping occurring at the location, and all waste management activities have been shifted to SITE 08 - Main G.T. Road Opposite Wholesale Vegetable Market. Photographs have already been annexed at Annexure-A6.
- ii) Progress in the installation of Compactor: In light of the site closure, waste disposal operations have been relocated to a more suitable and fully operational facility at SITE 08.
- iii) Residents pleaded for help: It is submitted that the grievances of the residents were duly acknowledged. The site has been entirely cleared, and with the closure of the site the problem of open dumping has been resolved.



XII. SITE 15- CHURPUR ROAD

It is submitted that Ld. Court commissioner as well has observed the present site as completely under control.

XIII. SITE 17- AT LEISURE VALLEY BLOCK C, BRS NAGAR,  
LUDHIANA

It is submitted that Ld. Court commissioner as well has observed the present site as completely under control.

XIV. SITE 19- AT CIVIL SURGEON OFFICE, CIVIL LINES  
LUDHIANA

It is submitted that Ld. Court commissioner as well has observed the present site as completely under control.

XV. SITE 20- MODEL TOWN NEAR BARISTA CHOWK

It is submitted that Ld. Court commissioner as well has observed the present site as completely under control.

XVI. SITE 21- NEAR MGM SCHOOL, DUGRI

It is submitted that Ld. Court commissioner as well has observed the present site as completely under control, however there were some burning spots in the area, which was due to small fires made by vagabonds and homeless individuals residing nearby, those spots have also now been cleared.

XVII. SITE 23- DC OFFICE, LUDHIANA

It is submitted that Ld. Court commissioner as well has observed the present site as completely under control.

XVIII. SITE 24- BAJWA NAGAR, GT ROAD ETC

It is submitted that the present site is same as SITE 10- NEAR BUDHA NALLAH, BAJWA NAGAR and the Ld. Court Commissioner as well has observed the present site as completely under control.



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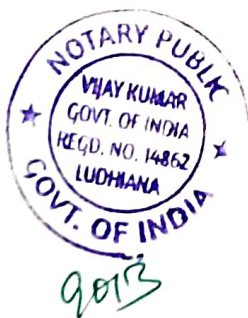
XIX. SITE 25- NON-UTILIZATION OF RESOURCES

It is respectfully submitted that the Municipal Corporation, Ludhiana, has ensured the optimum utilization of resources for waste collection and management. A structured system has been put in place to achieve efficiency in Solid Waste Management (SWM), with a combination of mechanized and manpower-driven solutions.

Reply to Observations by the Court Commissioner:

- i) Informal Sector involved: It is submitted that while a significant portion of door-to-door waste collection is carried out by the informal sector, the process is systematically regulated and efficiently managed. A fleet of 350 E-Rickshaws has been deployed to conduct door-to-door waste collection across the city, ensuring that waste is gathered in an organized manner.

Further, 32 designated waste management sites have been established, where several Portable Compactors have been installed and are functioning optimally to process and manage waste effectively. Additionally, a workforce of 500 employees is actively engaged in achieving the set objectives of waste collection, transportation, and processing in accordance with Solid Waste Management Rules.



XX. SITE 27- GIASPURA AND OLD PRIMARY DUMP SITE AT HAMBRAN ROAD.

It is respectfully submitted that the Municipal Corporation, Ludhiana, is actively addressing waste management at both

Giaspura and Hambran Road sites. The Corporation has taken concrete steps, including the deployment of compactors, initiation of legacy waste remediation, and continuous monitoring of waste management efforts.

Reply to Specific Observations Ld. Court Commissioner:

- i) Incorrect position asserted by Joint Committee: It is submitted that at Giaspura, a total of five Portable Compactors have been deployed, and they are fully operational. The site is now actively processing waste through these compactors, ensuring efficient management of collected waste. The photographs of the Site 27- Giaspura is enclosed herewith and marked as ANNEXURE A9.

With regard to Hambran Road, it is clarified that legacy waste remediation has already commenced at the site. The work has been allocated to the M/s Alliance waste management limited on 15-10-2024 and is being closely monitored by the Ludhiana Municipal Corporation. The process involves the proper remediation of different waste categories, including Refuse-Derived Fuel (RDF), hazardous waste, and bio-soil, which requires specialized handling and processing in accordance with the prescribed environmental standards. The pictures of legacy site are attached herewith at Annexure A10.



- ii) Government Residencies present in the area: It is submitted that the issue of adjacent waste near government residencies

is being addressed through systematic waste remediation efforts. The ongoing process aims to eliminate hazardous waste and improve the surrounding environment for residents.

iii) Camps of Below Poverty Line (BPL) observed: It is submitted that the Municipal Corporation is fully aware of the vulnerabilities of BPL residents in the area and is taking necessary steps to ensure proper sanitation, safety, and environmental improvements in the region. The legacy waste remediation process is crucial to improving the conditions in and around these settlements, and the Corporation is committed to completing the work in a timely manner.

iv) WORST site visited by the undersigned: It is respectfully submitted that the remediation of legacy waste is a complex process that is already underway at the Hambran Road site. The Municipal Corporation is not misleading the Hon'ble Tribunal but is actively working on waste removal, processing, and site rehabilitation. The situation is being closely monitored, and progressive steps are being taken to ensure a sustainable resolution to the waste accumulation issue at this location.



5. The undersigned has taken cognizance of the suggestions proposed by the Court Commissioner and is integrating all suggestions within the implementable framework of Municipal Corporation, Ludhiana.

- 6. The undersigned has followed the instruction passed earlier by Hon'ble National Green Tribunal. Any instructions passed by the Hon'ble Tribunal shall be complied in letter and spirit.
- 7. It is, therefore, prayed that the Original Application No 317 of 2023 may kindly be disposed off with appropriate order.

Submitted by

Aaditya Dachalwal, IAS

Commissioner, Municipal Corporation Ludhiana

Commissioner  
Municipal Corporation  
Ludhiana

VERIFICATION

Verified that the deponent has signed before me I know him/her personally

Verified that the contents of abovementioned paras of the above reply are true and correct to the best of my knowledge as derived from the official record. No part of the above reply is false and nothing material has been concealed therein.

Dated:

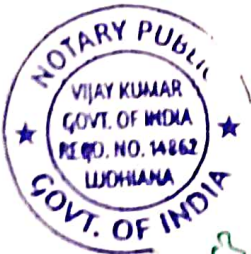
Place: Ludhiana

Certified that the affidavit SPA/GPA has been readover & explained to the deponent/exccutant who seemed directly to understand the matter at the writing

Aaditya Dachalwal, IAS

Commissioner, Municipal Corporation Ludhiana

Commissioner  
Municipal Corporation  
Ludhiana



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ATTESTED AS IDENTIFIED

NOTARY PUBLIC, LUDHIANA (PR)

20 MAR 2025

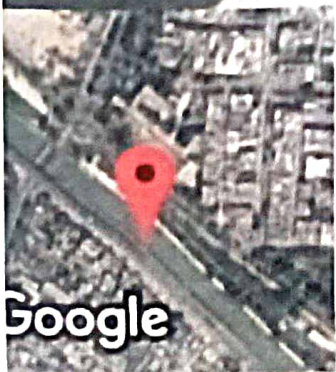
709



*Annexure A-I*



GPS Map Camera



Google

Ludhiana, Punjab, India  
Vrgw+pvm, Ishmeet Singh Marg, D-block, Atam Nagar,  
Model Town, Ludhiana, Punjab 141002, India  
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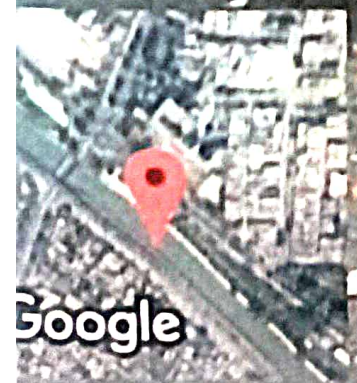
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Annexure A-1.



GPS Map Cam

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Google

711

Annexure - A2



GPS Map Camera

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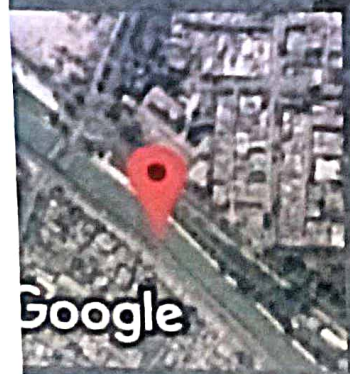
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*Annexure A-2.*

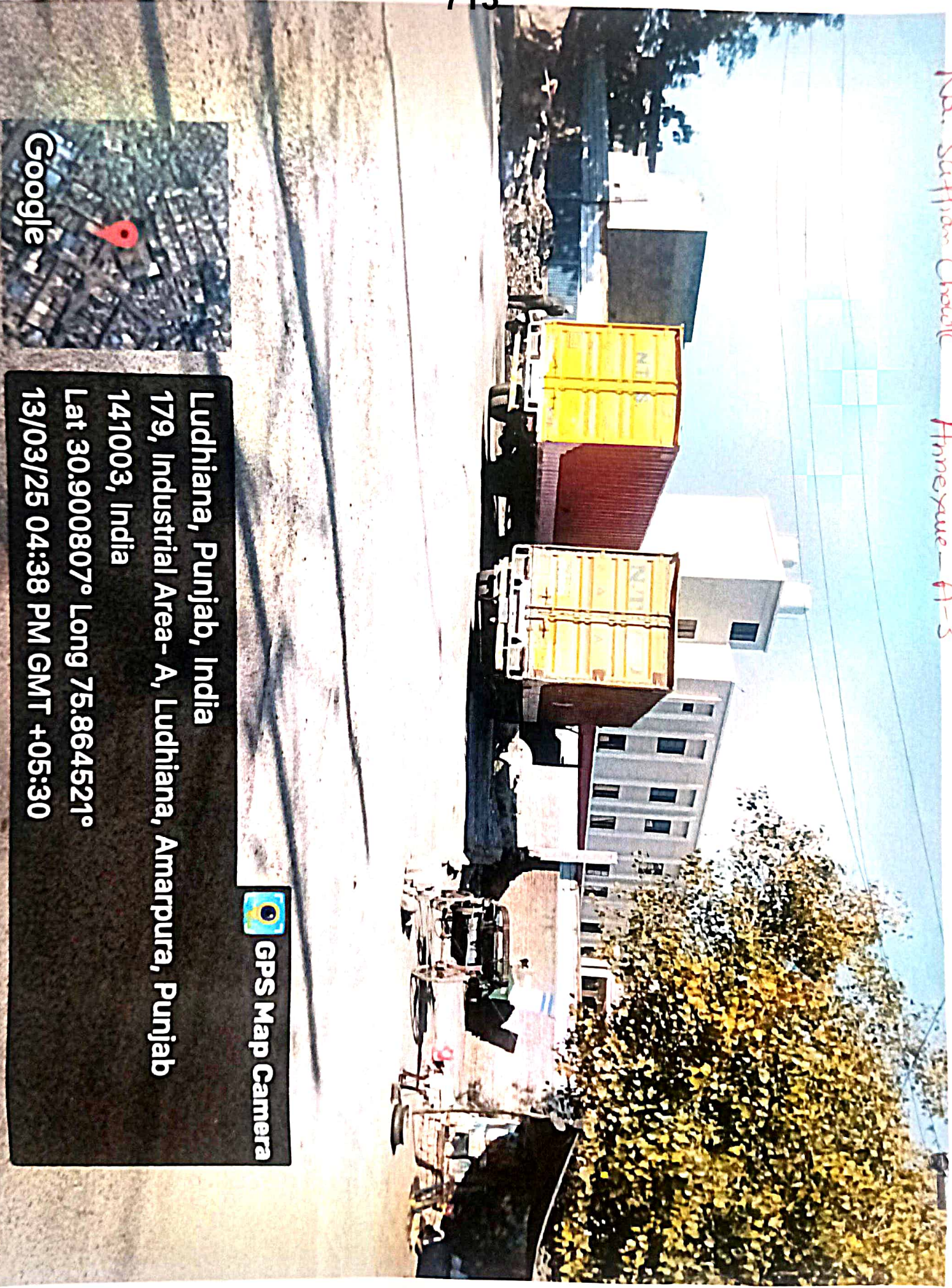
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Ms. Sufian Chavak Annexure - A-3

713



**Ludhiana, Punjab, India**  
**179, Industrial Area - A, Ludhiana, Amarpura, Punjab**  
**141003, India**  
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**13/03/25 04:38 PM GMT +05:30**

 **GPS Map Camera**

714



*Chemna Chauk*

*Amara A-3*



**Address:** Dholewal Flyover Janakpuri Ludhiana  
Punjab 141003 India

**Latitude:** 30.897932988080033

**Longitude:** 75.87194378974282

**12/03/2025 - 12:44:43**

715

Budha Nallah near Gaushtala Fumeral

Annexure A-4



Google

GPS Map Camera

Ludhiana, Punjab, भारत

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Nagar, Ludhiana, Punjab 141008, भारत

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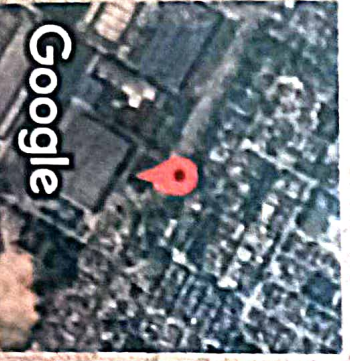
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Focal Point (Near Vishnu kaith Mandir)

Annexure - A-5



716



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100 feet Road

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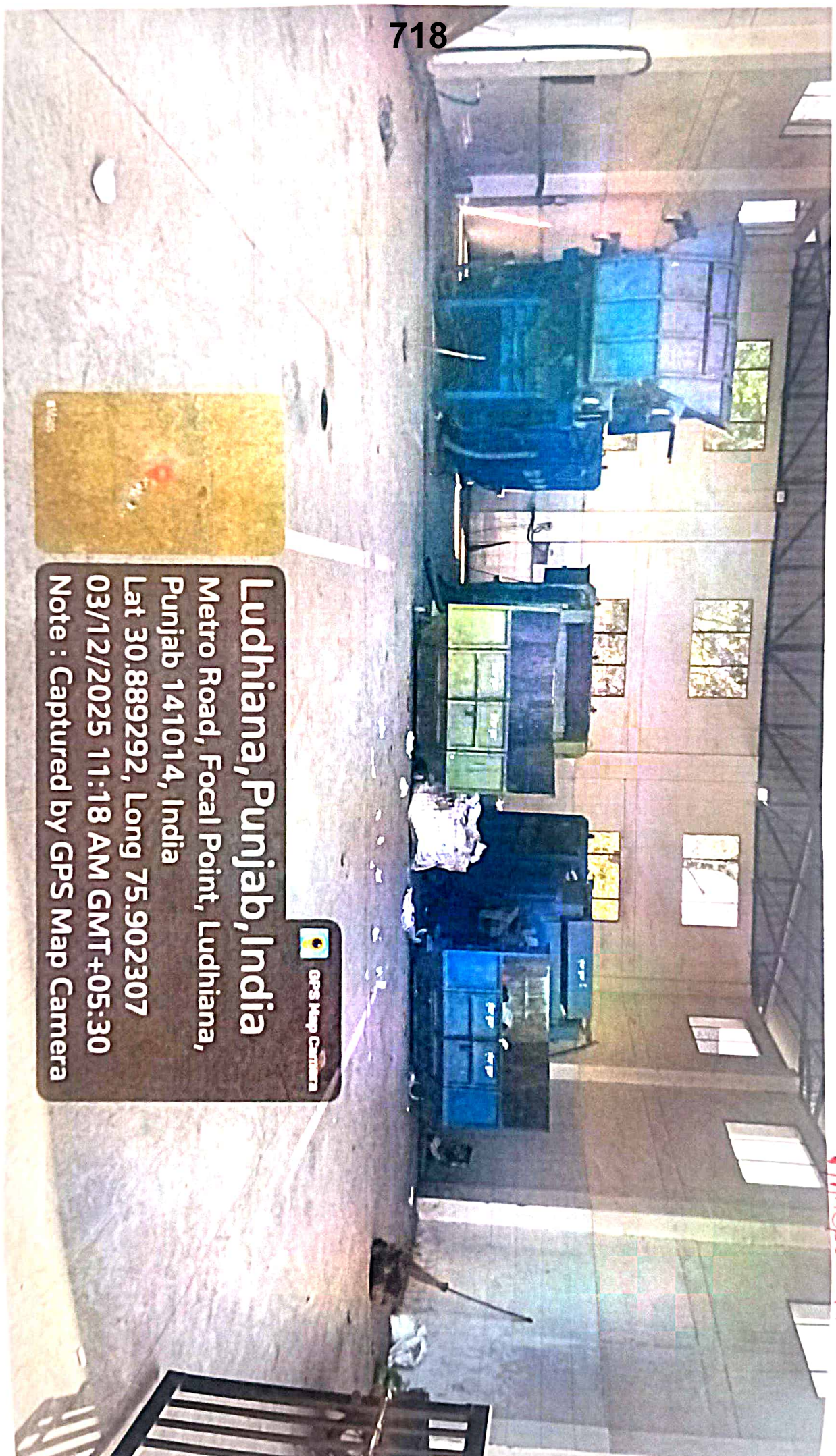
Annexure A-5

METRO ROAD KI NO. 26

Ameexure A-5

718

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Main S. T. Road off. Whole 719 market

Annexure A-6



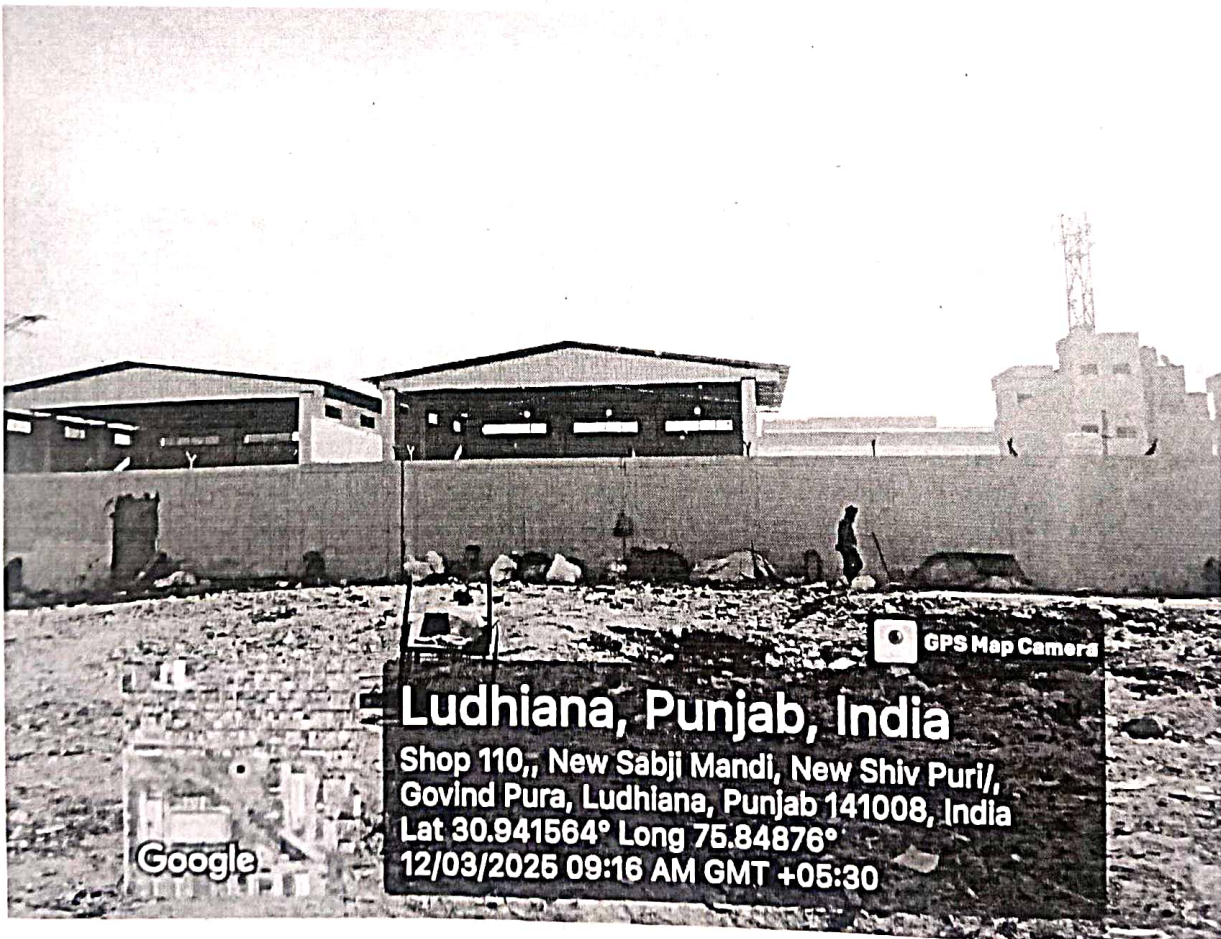
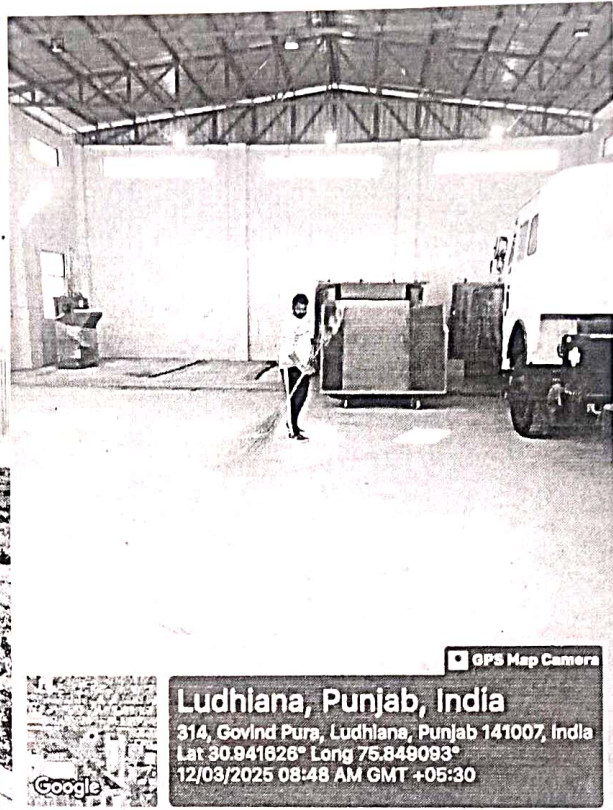
Main G.T Road opp. Wholesale Market

720

Annexure A-6




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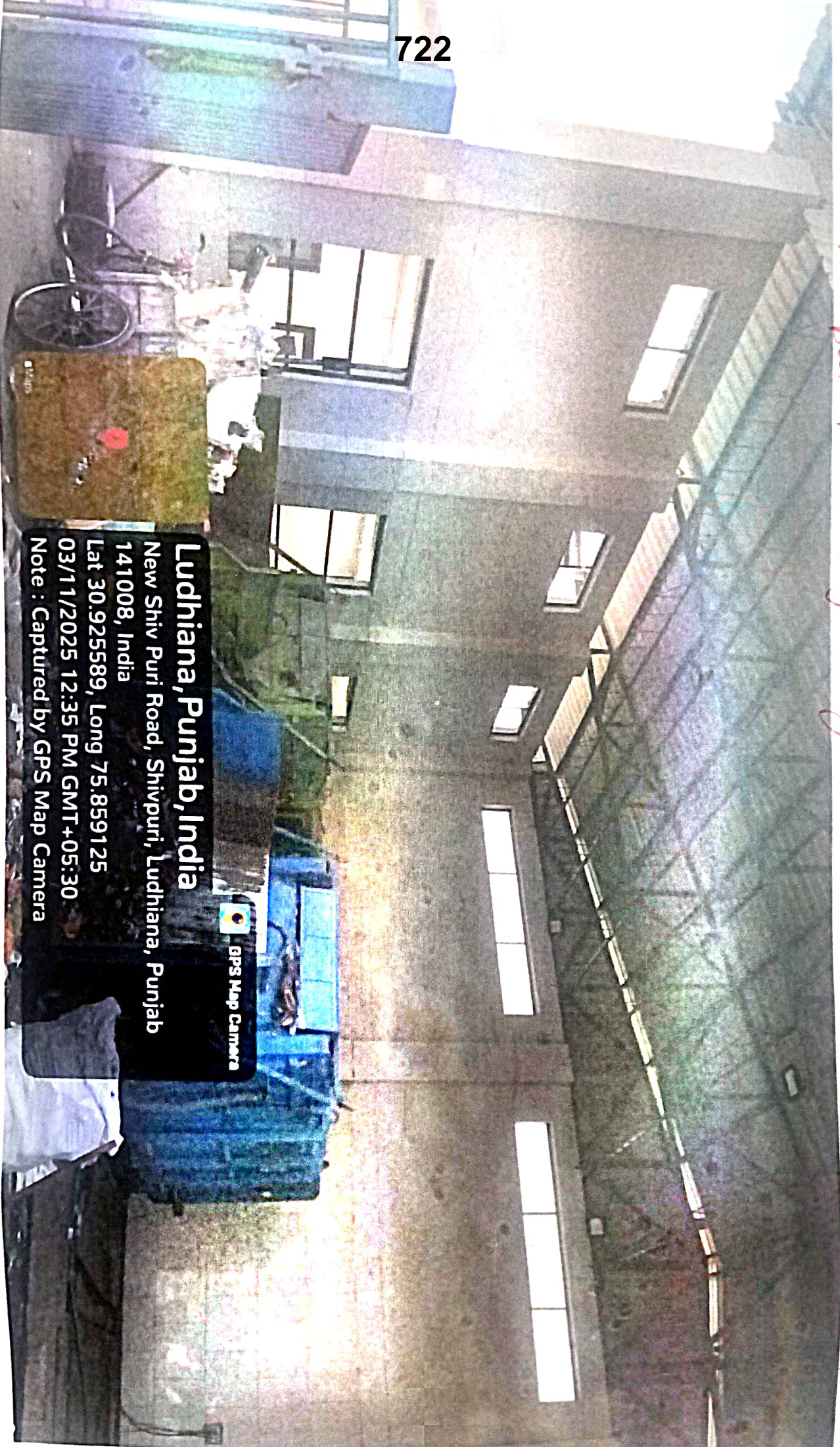


722

Near Badha Nallah Rajwa Nagar

Amexau A-7

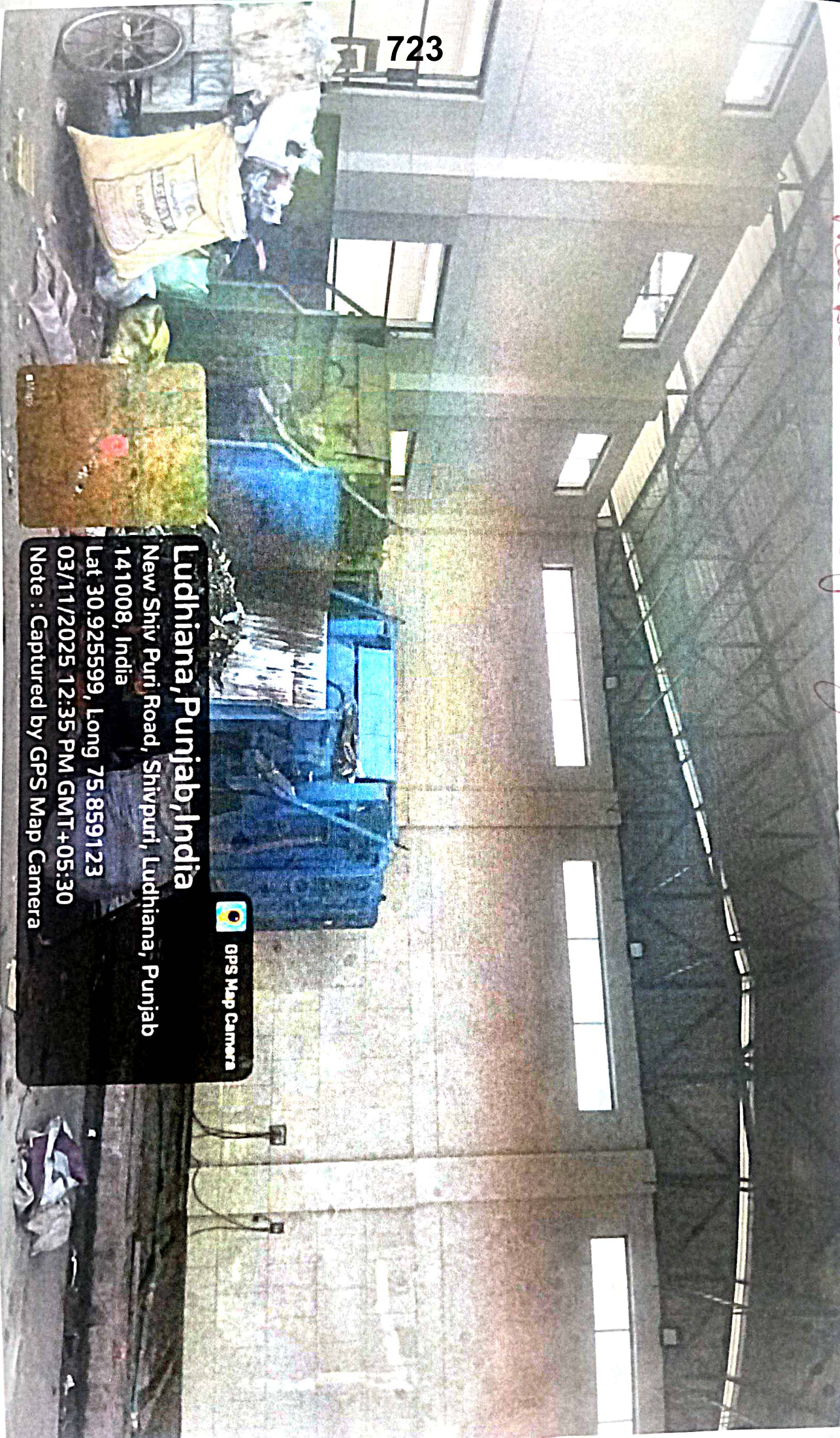
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723

Near Budha Mallah Rajiv Nagar

Annexure A-7



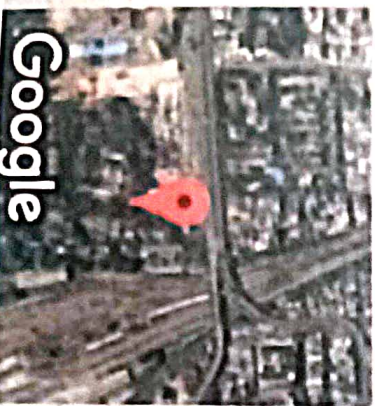
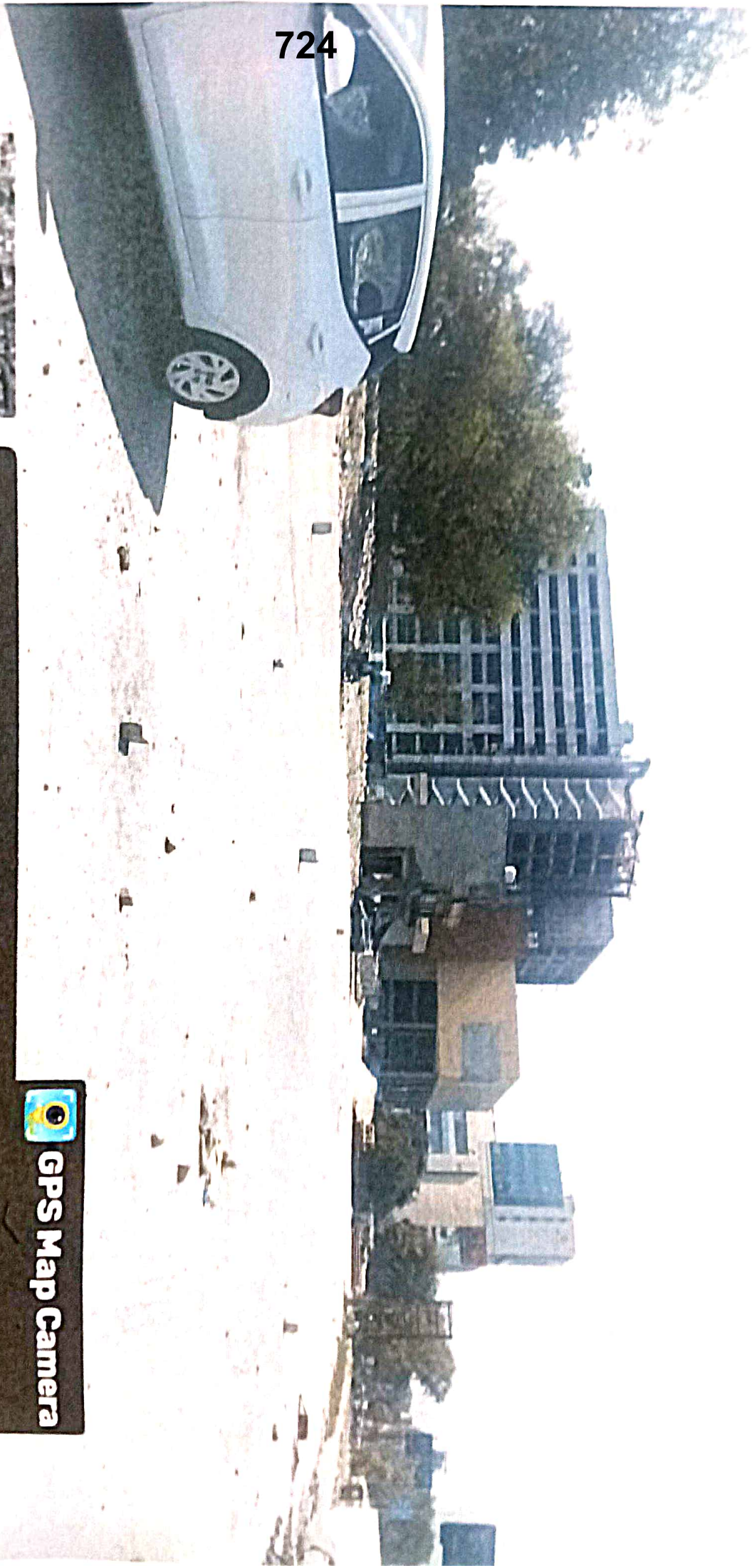
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Note : Captured by GPS Map Camera



near lakkhiana jail civil kachari area

Annexure - 8

724



Google

**Ludhiana, Punjab, India**  
130-4, Iqbal Nursing House Rd, Gandhi Nagar, Civil Lines,  
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 **GPS Map Camera**

725

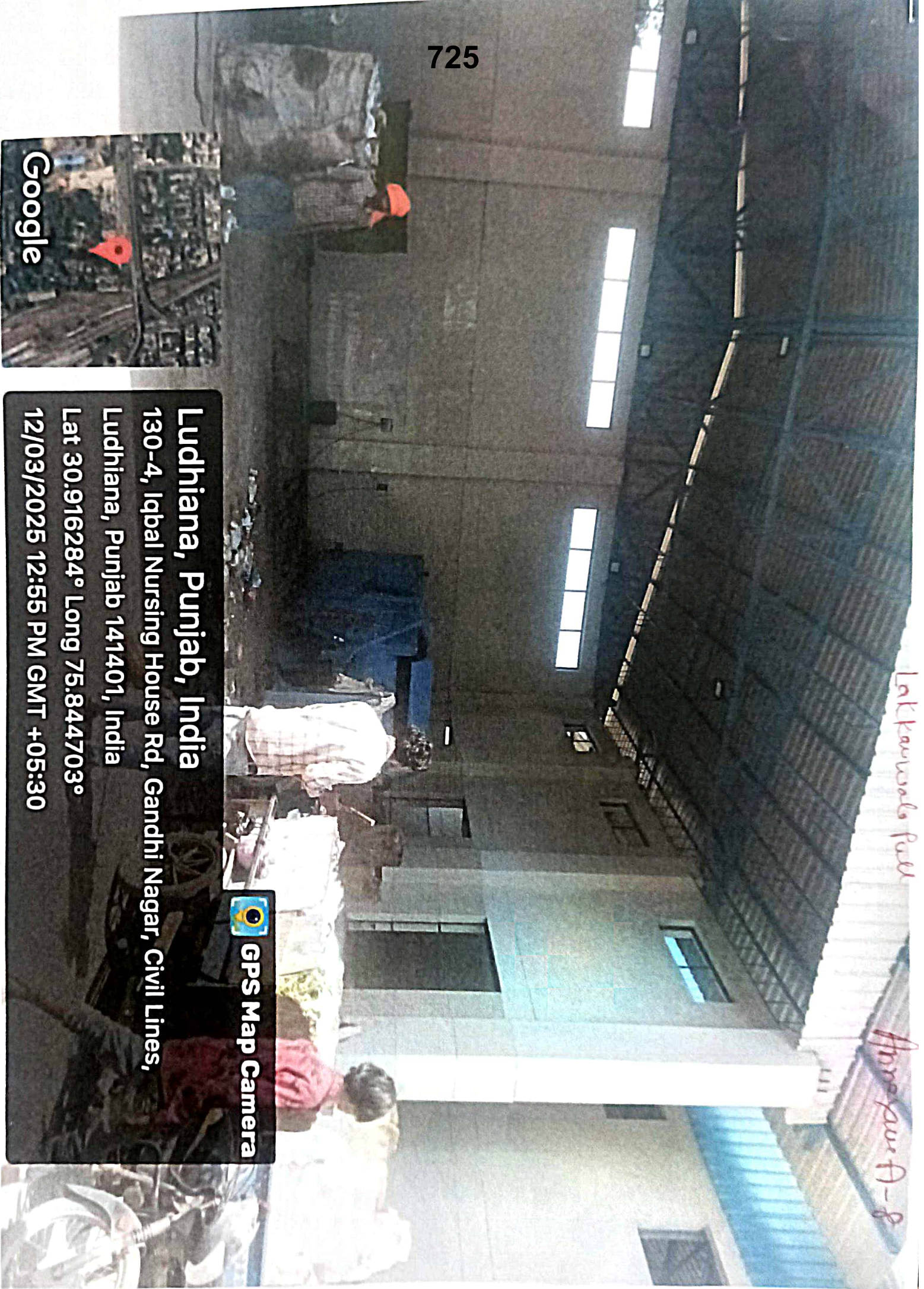


Google

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**GPS Map Camera**

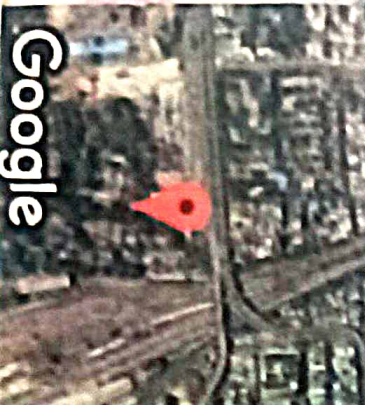


*Lakkarwala Full*

*Phase A-8*

Lakshya Vaish

Annexure A-8



Google

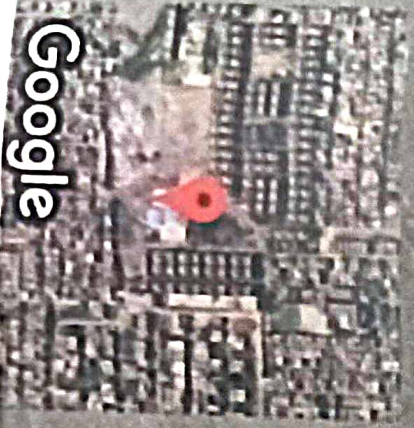
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 **GPS Map Camera**

*Giaphone site*

*Amexue - A-9*

727



Google

**Ludhiana, Punjab, India**  
1632-2128, Shimlapuri, Ludhiana, Punjab 141014,  
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**GPS Map Camera**



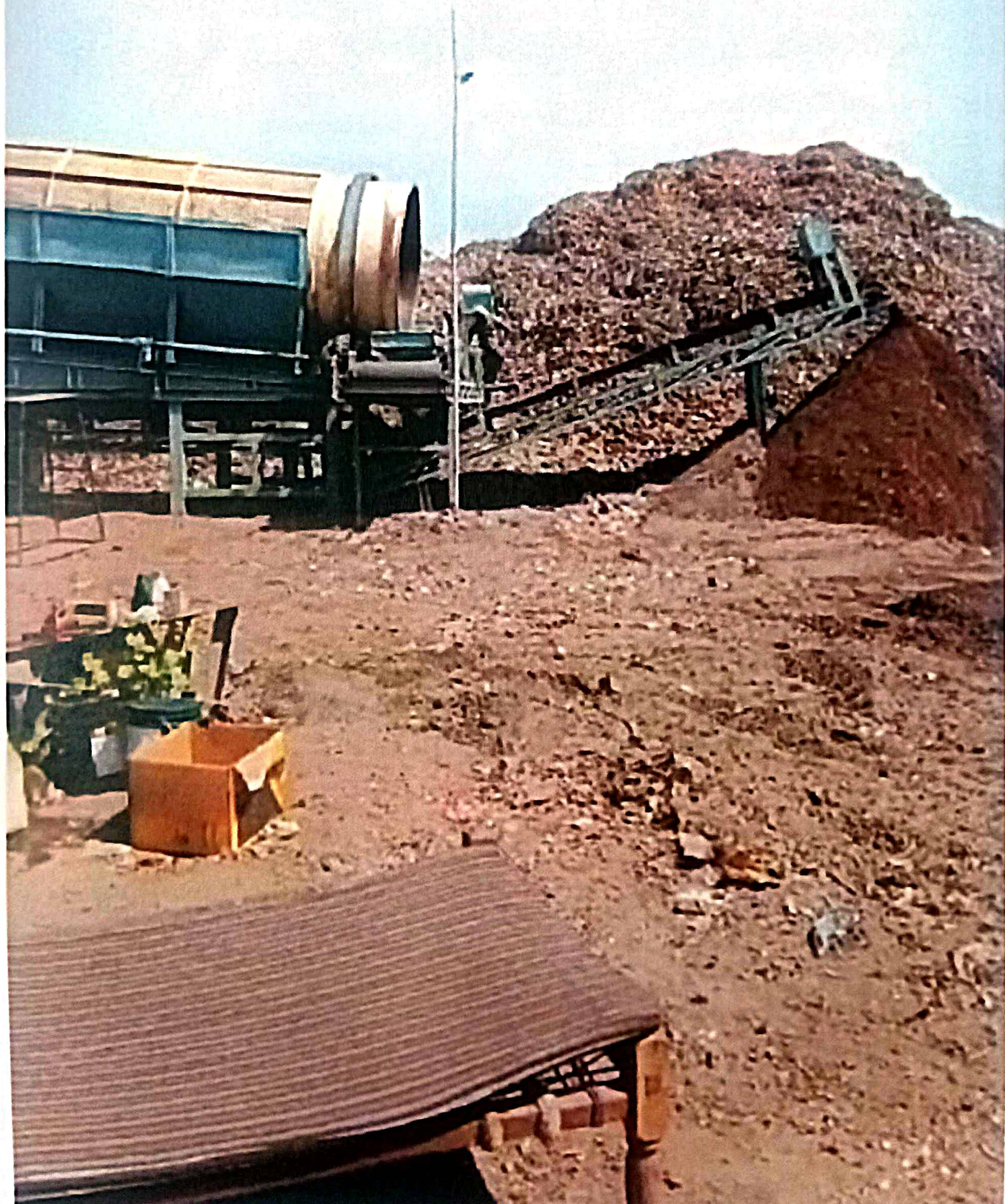
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 **GPS Map Camera**

Legacy Waste Site

729

Annexure A-10



Legacy Wash Site 730

Ameyane A-10



Legacy West Site

731

Almeida - 4-1-0

