

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
ORIGINAL APPLICATION No. 413 OF 2021

IN THE MATTER OF:

BIKRAMJEET SINGH SHERGILL

...APPLICANT

VERSUS

STATE OF PUNJAB

...RESPONDENT

REPLY ON BEHALF OF MUNICIPAL CORPORATION, BATHINDA IN
COMPLIANCE OF ORDER DATED 17.11.2022

IT IS MOST RESPECTFULLY SHOWETH:

1. That I Sandeep Gupta is filing this reply on behalf of Municipal Corporation, Bathinda, Punjab.

2. That this Hon'ble Tribunal vide order dated 20.12.2023 had directed:

In compliance of order dated 07.11.2023 Mr. Rahul, Commissioner, Municipal Corporation, Bhatinda has appeared through VC and Mr. Vijender Luthra General Manager, M/S JITF waste plant, Bhatinda has appeared in person before this Tribunal and we have interacted with them.

In the course of interaction they have assured to ensure compliance with Solid Waste Management Rules, 2016 by them and to take appropriate remedial measures.

6. Reply/response on behalf of respondent no.1-State of Punjab, respondent no.2-Municipal Corporation, Bathinda and respondent no.3-JITF Urban Waste Management (Bathinda) Ltd. be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

3. That the Grievance of the applicant is regarding a fire incident on 06.06.2021 at M/s JITF waste plant, Bhatinda, Punjab. The applicant had submitted that the fire erupted from the large quantity of inflammable material lying in the open space at dumpsite which shows that M/s JITF is not processing the city waste as per agreement.



Hon'ble Tribunal
Supervisor

Bathinda Pg 7C

Surinder Kumar
Advocate

Handwritten signature/initials

4. The dumpsite area has been given on lease to M/s JITF Urban Waste Management (Bathinda) Limited; (Concessionaire) by Municipal Corporation, Bathinda on 01.02.2012 to setup an Integrated Municipal Solid Waste Management project. The said agreement was terminated by M/s JITF Urban Waste Management (Bathinda) Ltd. in December, 2018, but the decision of the management company was challenged by Municipal Corporation, Bathinda by filing a petition u/s 9 of the Arbitration and Conciliation Act, 1986 before the Court of District Judge, Bathinda and the Court of Additional District Judge, Bathinda vide order 15.1.2019 had directed both the parties to continue to perform their respective obligation under the said agreement, till further directions or until arbitral award is published without prejudice day to their rights to make adjustments in accordance of said award. In compliance to the said orders dated 15.1.2019 of Additional District Judge, Bathinda, the facility is continuing with its operation at site. At present, approximately 110 Ton Per Day of solid waste is being processed by M/s JITF Urban Waste Management (Bathinda) Ltd., Bathinda.
5. It is submitted that Municipal Corporation, Bathinda is fully committed to comply with the provisions of Solid Waste Management Rules, 2016 and protection & conservation of environment. All efforts are being made for scientific management of solid legacy waste. It is also submitted that the Municipal Corporation, Bathinda are striving hard with all our efforts to ensure that the problem related to management of solid waste are sorted at the earliest in a time bound manner.
6. It is pertinent to mention herein that the suggestions and observations of the Joint Committee in their report dated 24.08.2022 are already being dealt with by the Municipal Corporation, Bathinda which are as follows:

[Handwritten signature]

- a. That a work order for the ~~Block~~mediation of Legacy Waste at Municipal Solid Waste dumpsite (Mansa Road) Bathinda had already been issued by way of tender to Ecostan Infra Pvt Ltd vide allotment letter dated 23.12.2022 to complete the work up to 31.12.2023. However, as per the request of Ecostan Infra Pvt Ltd, the said work order was extended up to 31.03.2023 (extra two months for disposal of RDF only i.e., up to 31.05.2024) vide letter dated 18.12.2024 along with direction to deploy more resources and increase working time in order to ensure completion of the work by 31.03.2024. Copy of the extension letter dated 18.12.2023 is annexed herewith as **ANNEXURE A1**.
- b. That the work for laying pipeline for utilization of treated waste water at the dumpsite has already been completed to avoid any incidence of fire at the dumpsite.
- c. That the Municipal Corporation, Bathinda have permanently placed one Fire Tender at the dumpsite to avoid any further instance of fire at the dumpsite apart from construction of a storage tank as well as laying of pipeline from STP to dumpsite. It is also pertinent to mention herein that in order to avoid any such fire incident at dump site, the Municipal Corporation Bhatinda is in process of construction of one Sub Fire station within a proximity of 1.5 km from the dumpsite for quick action incase of any unfortunate incident for which work order was issued by Municipal Corporation, Bhatinda vie letter dated 06.07.2023. The construction process has been completed by 90% and the said station will be made functional by 31.03.2024. Fire Tenders and Staff for this Sub Fire Station are already available with Municipal Corporation, Bathinda. Copy of work order dated 06.07.2023 and Photographs of the mini fire brigade station are annexed herewith as **ANNEXURE A2**.

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- d. That the boundary wall has already been constructed around the dump site by the Municipal Corporation, Bathinda.
 - e. That a green belt of approximately 15 meters width has already been developed around the dumpsite to avoid the smell being spread around the area.
7. That Municipal Corporation, Bathinda has always been diligent and committed to comply with provisions of Solid Waste Management Rules, 2016 and protection and conservation of Environment. It is also submitted that all necessary steps are being taken by the applicant for upkeeping the scientific management of waste being produced. It is also submitted that Municipal Corporation, Bathinda has always been complaint to the orders and directions issued by the Hon'ble Supreme Court and the Hon'ble Tribunal.

[Signature]

DEPONENT

VERIFICATION

Verified at _____ of the _____ day of _____, 2024 that the contents of the above reply in so far as they relate to factual position are true upon the information derived from the official record and in so far as they relate to the legal submissions are true upon the advice received and believed by me to be true. Rest is by way of submissions before this Hon'ble Tribunal.

[Signature]

DEPONENT

DATE:

PLACE:

ATTESTED
[Signature]
SURINDER KUMAR
 Advocate & Notary
 Distt. Courts, Bathinda
 Mob. 97809-43722

11/3/24

Entered in my Notarial Register
 at Sr. No. 27 Register No. 3
 Dated 11/03/2024

CEPHINDIA

**Municipal Corporation Bathinda**

Near Railway Station, Bathinda Punjab 151001, Tel.No. 0164-2252812,

No. 3487E-mail :- cmcbathinda@gmail.comDate: 18/12/23

To,

Ecostan infra Pvt. Ltd.,
9060A, 9th floor, I-Thum Tower A,
Plot No. 40, sec-62,
Noida (UP)

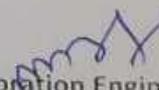
Subject: Regarding the work of Bio Remediation of Legacy Waste at Municipal Solid Waste dumpsite (Mansa Road), Bathinda.

Ref:- Your office letter letter No. EIPL/1.0024/2023-24/492 dated 08/12/2023.

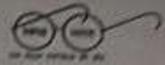
With reference to the subject cited above, your request for extension of time limit for the above said works is considered by this office. The time line of this work is extended upto 31.03.2024 (extra 2 months for disposal of RDF only i.e upto 31.05.2024)

You are hereby directed to deploy more resources and increase working time to compete the project by 31.03.2024 as no further time extension will be granted beyond this stipulated deadline considering the importance of the work as per NGT/PPCB guidelines.

No extra payment will be made beyond contract.


Corporation Engineer,
Municipal Corporation,
Bathinda.

18/12/23



No. 30/2

Date..... 6/7/23

ਵੱਲ,

The National
Co. op L/c Soc
ltd.

ਵਿਸ਼ਾ:-

ਵਰਕ ਆਰਡਰ ਬਾਬਤ ਕੰਮ Const. of Building for
Fire Brigade at Maina Road Bathinda.
City

ਤਖਮੀਨਾ ਲਾਗਤ:- 49.95 lac

ਟੈਂਡਰ ਰਕਮ:- 4077418

ਸਮਾਂ:- 4 Month

F&CC ਕਮੇਟੀ/ਕਮਿਸ਼ਨਰ ਨਗਰ ਨਿਗਮ ਬਠਿੰਡਾ ਨੇ ਆਪਣੇ ਹੁਕਮ/ਮਤਾ

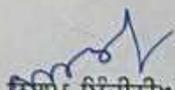
492

ਮਿਤੀ 27/6/23 ਤਹਿਤ ਤੁਹਾਡਾ ਕੰਮ ਪ੍ਰਵਾਨ ਕਰ ਲਿਆ ਹੈ। ਤੁਹਾਡੇ ਹੇਠ ਲਿਖੇ ਟੈਂਡਰ ਰੇਟ ਹਨ:-

Over all less 18.37.1. On estimate
Amount.

1. ਇਸ ਲਈ ਆਪ ਨੂੰ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਨਗਰ ਨਿਗਮ ਦੇ ਦਫਤਰ ਪਹੁੰਚ ਕੇ ਇਸ ਵਰਕ ਆਰਡਰ ਮਿਲਣ ਤੇ 7 ਦਿਨਾਂ ਦੇ ਅੰਦਰ-2 ਐਗਰੀਮੈਂਟ ਕੀਤਾ ਜਾਵੇ।
2. ਆਪਣੀ ਜੇ.ਈ. ਨੂੰ ਮਿਲਕੇ ਤਖਮੀਨੇ ਅਨੁਸਾਰ ਕੰਮ ਸ਼ੁਰੂ ਕੀਤਾ ਜਾਵੇ।
3. ਇਸ ਕੰਮ ਦਾ ਟੈਂਡਰ ਲਾਗਤ 4077418 ਰੁਪਏ ਹੈ। ਇਸ ਲਈ ਇਹ ਕੰਮ ਇੰਨੀ ਰਕਮ ਵਿੱਚ ਹੀ ਖਤਮ ਕੀਤਾ ਜਾਵੇ। ਜੇਕਰ ਟੈਂਡਰ ਲਾਗਤ ਤੋਂ ਕੰਮ ਵਾਧੂ ਹੋ ਜਾਂਦਾ ਹੈ ਤਾਂ ਬਿਨਾਂ ਮੰਨਜ਼ੂਰੀ ਕੰਮ ਨਾ ਕੀਤਾ ਜਾਵੇ।

ਇਹਨਾਂ ਦੀ ਇੰਨ-ਬਿੰਨ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ।


ਨਿਯਮਿਤ ਇੰਜੀਨੀਅਰ,
ਨਗਰ ਨਿਗਮ, ਬਠਿੰਡਾ।















