

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

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Filed Through



NAGINDER BENIPAL
ADVOCATE

D/1625/2009

9999329299

Naginder.benipal@gmail.com

E-358, LGF, GREATER KAILASH-1,
NEW DELHI-110048

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IN THE MATTER OF:

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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 02.02.2022 had directed:

"Having regard to the seriousness of the allegations, it appears necessary to ascertain the factual position in the matter through a Joint Committee of the CPCB, State PCB, Municipal Commissioner-Bathinda (Punjab) and the District Magistrate-Bathinda (Punjab). The State PCB will be the Nodal agency for coordination and compliance. The Joint Committee may meet within four weeks and undertake site visit and look into the grievance of the applicant. Factual and action taken report may be furnished within three months by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

3. That the Hon'ble Tribunal vide order dated 26.08.2022 after considering the Report dated 24.08.2022 filed by the Joint Committee directed:

"4. Notices alongwith copies of the application and report of the Joint Committee be issued to the M/s JITF Waste Plant, Bathinda, Punjab and the Commissioner, Municipal Corporation of Bathinda through E-mail requiring them to file their response/reply to the allegations made in the application and observations /recommendations made in the report of the Joint Committee within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF."

4. That the Grievance of the applicant is regarding a fire incident on 06.06.2021 at M/s JITF waste plant, Bathinda, 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.

Sandeep Gupta



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:

a. That a work order for the Bio-remediation of Legacy Waste at Municipal Solid Waste dumpsite (Mansa Road) Bathinda has already been issued by way of tender to Ecostan Infra Pvt Ltd vide allotment letter dated 23.12.2022 wherein they have been granted and the same is under progress and is to completed by 31.12.2023. Copy of the allotment letter dated 23.12.2022 is annexed herewith as ANNEXURE A1.

b. It is also submitted that the work for storage tank of treated waste water to be established at the legacy waste has already been completed and the same is under use. Photographs of the storage tank of treated waste water are annexed herewith as ANNEXURE A2.

c. 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. Photographs of the water pipeline from STP are annexed herewith as ANNEXURE A3.

d. It is also pertinent to mention herein that the installation of Weight Bridge for measuring of fresh mixed waste being dumped at the dumpsite is also under progress as the same is to be installed under the work order issued to Ecostan Infra Pvt Ltd.

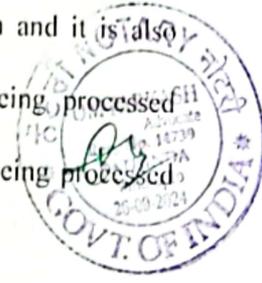
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- c. That Municipal Corporation Bathinda has been disposing of the RDF waste through M/s Indian Pollution Control Association and it is also pertinent to mention herein that manure/compost is being processed separately. Photographs of the RDF waste and manure being processed separately are annexed herewith as ANNEXURE A4.
- f. It is submitted that out of total 353192cum legacy waste lying at the Municipal Solid Waste dumpsite (Mansa Road) Bathinda approximately 35000 MT waste has already been processed till date and the same shall be completely processed by 31.12.2023 as per the time granted by the Punjab Pollution Control Board. The Local monitoring committee of NGT has been intimated about the dead line for completion of bio Remediation of Legacy waste.
- g. That the Municipal Corporation, Bathinda have also permanently placed one Fire Brigade at the dumpsite to avoid any further instance of fire at the dumpsite apart from storage tank as well as STP pipeline. Photograph of the fire brigade placed at the dumpsite is annexed herewith as ANNEXURE A5.
- h. That the boundary wall has already been installed around the dump site by the Municipal Corporation, Bathinda. Photographs of the said boundary wall are annexed herewith as ANNEXURE A6.
- i. That a green belt of 15meters width has already been developed around the dumpsite to avoid the smell being spread around the area. Photographs of the green belt are annexed herewith as ANNEXURE A7.
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 up keeping the scientific management of waste being produced. It is also submitted that

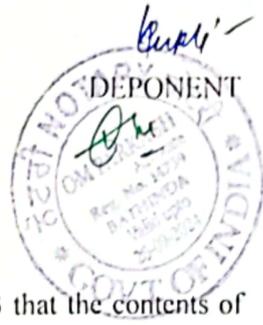


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Municipal Corporation, Bathinda has always been complaint to the orders and directions issued by the Hon'ble Supreme Court and the Hon'ble Tribunal.

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VERIFICATION

Verified at Bathinda of the 01 day of March, 2023 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.

I Identify the Deponent
M.C. Bathinda

ATTESTED Om

OM PARKASH DEPONENT

Notary
Distt. Courts Bathinda
Mob. 92562-18859

DATE: 01/03/2023

PLACE: Bathinda.

01 MAR 2023

Entered in my Notarial Register
at Sr. No. 348 Register No. 07
Dated 01/03/2023

Om



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MUNICIPAL CORPORATION BATHINDA
 Near Railway station, Bathinda Punjab 151001 Tel No 0164-2252812
 Email- cmcbathinda@gmail.com



No. 1192/J

Date 23-12-2022

ALLOTMENT LETTER

To

Ecoston Infra Pvt. Ltd.
 906A, 9th Floor, 1-Thum Tower A,
 Plot No. 40, Sec-62,
 Noida (UP)

Name of work: Bio-remediation of Legacy Waste at Municipal Solid Waste dumpsite (Mansa Road) Bathinda.

Reference:- 1. Tender No. MCB/2022-23/009 Dated 3.11.2022.
 2. Your negotiated rates vide your letter no. EIP/L/Legacy/2022-23/229 dated 17.11.2022 received by email dated 23.11.2022

Estimate Cost – Rs.5,66,91,786/- (Excluding the cost of electricity to be paid by MCB)
 Allotted Rates – Rs. 235.12/- per cum (Rs. 103/- per cum operational cost excluding capital work)
 Tender Amount – Rs. 6,52,51,716/-
 Time Limit –12 Months (2 Months extra time will be provided only for the disposal of RDF)

It is to inform you that the competent Authority of Municipal Corporation, Bathinda has approved the allotment of above mentioned work in your favor with the following terms and conditions:-

Terms and Conditions:-

1. All terms and conditions of printed tender from, additional conditions, technical specification as per approved DNIT, Tender Notice, Tender Document should be strictly applicable.
2. The agency will provide weighbridge, temporary shed, labour room, other structure of trammel etc. in this cost during operational period.
3. All the taxes such as Income Tax, Labour Cess, GST and any other tax levied by the Govt. will be deducted from the each running bills at the rate fixed by the Govt. from time to time.
4. The work will be executed strictly as per MoRTH/PWD/ISI specification and latest amendment up to date will be applicable.
5. Contactor will be responsible to deposit the EPF and ESI and any other liability arises from the Govt. time to time to the concerned department.
6. The agency will be solely responsible for any kind of accident / miss happening during the execution of work.
7. The Scope of work can be increased or decreased as per actual requirement at site.
8. No material will be issued by MCB.
9. No interest will be paid in case of delayed payment due to any reason.
10. The conditions will be applicable issued by Chief Engineer, Local Govt. Department Punjab vide letter no. CE/2022/50892 dated 16.12.2022 (Copy enclosed)

Note: Any omission/error, if noticed, in the allotment letter the same shall be dealt as per approved DNIT/Original tender document of this work and subsequent under taking.

You are requested sign the contract agreement within 7 days from the issuance of this letter and deposit the performance security and start the work under the direction of concerned engineer-in-charge immediately.


 Corporation Engineer,
 Municipal Corporation,
 Bathinda









