

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI  
(PRINCIPAL BRANCH)**

**Original Application No. 479 of 2023**

**In the matter of**

**Ramesh Mahendru**

**.....Applicant**

**V/s**

**State of Punjab**

**.....Respondent**

Reply of Environmental Engineer, Regional Office-1, Jalandhar on behalf of respondent no. 4 i.e Member Secretary, Punjab Pollution Control Board.

**RESPECTFULLY SHOWETH**

- 1) That briefly submitted one Ramesh Mahendru, President of Alfa Mahendru Foundation has approached the Hon'ble National Green Tribunal by sending a letter via email complaining that huge garbage dump has been built on the PAP flyover near bypass, Jalandhar city, which is emitting foul smell. It was alleged by the applicant that due to the polluted environment, the employees working in the nearby offices and the people travelling through the National Highway are suffering. The applicant has prayed that Municipal Corporation, Jalandhar may be directed to remove the illegally dumped garbage and shown his willingness to cooperate for the same.
- 2) The letter of the applicant was treated as Original Application no. 479 of 2023 "Ramesh Mahendru (Applicant) Vs State of Punjab and considering the grievances, the Hon'ble National Green Tribunal was pleased to pass an order dated 4.8.2023 thereby constituting a Joint Committee comprising of the Central Pollution Control Board (CPCB), Punjab State Pollution Control

*Sandeep Kumar*

Board (PSPCB) and District Magistrate (DM), Jalandhar with a direction to undertake visits to the site, associate and to look into the grievances of the applicant, verify the factual position and to take appropriate remedial action and to submit report. The State PCB was nominated nodal agency for coordination and compliance. In compliance to order dated 4.8.2023, the Joint Committee Report was filed with the Hon'ble Tribunal vide email dated 02.11.2023 and a copy of the Joint Committee Report is enclosed herewith as **Annexure R 4/A**.

- 3) That considering the Joint Committee Report and the averments made in the application, the Hon'ble National Green Tribunal was pleased to call response of the State of Punjab through Chief Secretary, Punjab, District Magistrate, Jalandhar, Commissioner, Municipal Corporation, Jalandhar and Punjab Pollution Control Board, through its Member Secretary who were impleaded as respondents no. 1 to 4 by passing an order dated 20.11.2023.
- 4) That in compliance to the orders passed by the Hon'ble Tribunal, it is respectfully submitted that the Punjab Pollution Control Board, from time to time has taken up the matter with the Municipal Corporation, Jalandhar and given notices with opportunity of personal hearing to the corporation for mandatory compliances of Solid Waste Management Rules 2016. Considering its failure and in compliance to the orders dated 10.1.2020 of the Hon'ble NGT passed in O.A No. 606 of 2018, environmental compensation amounting to Rs. 2.0 Crore was imposed upon Municipal Corporation, Jalandhar by the Punjab Pollution Control Board as **Calculated for non-compliance of Sr. no. 1 to 10 of Rules 22 of SWM Rules 2016 & Sr.No. 11 to Rule 22** with effect from 01.07.2020 to 28.02.2022 through the Department of Local Government, Punjab. The Department of Local Government through Punjab Municipal Infrastructure Development Company (PMIDC) had deposited the environmental compensation amounting to Rs. 90.0 lac on 31.12.2022 with the office of the Punjab Pollution Control Board and the balance amount of

*S. Sandeep Kumar*

Environmental Compensation of Rs. 1.10 Crore is yet to be deposited by the Department of Local Government, Punjab.

- 5) That in view of the violations observed by the Joint Committee constituted by the Hon'ble NGT vide orders dated 04.08.2023 the Punjab Pollution Control Board has issued notice to the Commissioner, Municipal Corporation Jalandhar vide letter no.5023 dated 03.11.2023 u/s 5 of the Environment (Protection) Act, 1986 for violation of Solid Waste Management Rules, 2016 alongwith a notice to impose Environmental Compensation with an opportunity of personal hearing before the Chairman of the Punjab Pollution Control Board on 14.11.2023. A copy of notice no. 5023 dated 03.11.2023 is enclosed herewith as **Annexure R 4/B**.

In reference to the notice issued by the Board, the Joint Commissioner, Municipal Corporation, Jalandhar attended the hearing on 14.11.2023 and informed that the Chougitti area is not a dump site nor collection centre of Municipal Corporation, Jalandhar. However, the private sweepers engaged by the residents of the nearby area & colonies are throwing their Municipal Solid Waste at the said location. Municipal Corporation, Jalandhar requested some time to make the complete compliance of Municipal Solid Waste Rules, 2016.

The Chairman of the Board observed that Municipal Corporation, Jalandhar is not taking adequate measures to manage, treat, re-use and dispose off the solid waste being generated from the area falling under its jurisdiction. No significant progress is achieved despite continuous persuasion, notices and opportunity of personal hearing given to the Corporation / Authorities from time to time. Written reply submitted by the Municipal Corporation, Jalandhar with response to the notice issued was not found satisfactory. The Chairman observed that a comprehensive and scientific approach is required to manage the solid waste being generated from the city and adjoining areas.

*Sandeep Kumar*

After hearing the officers of the Board, representative of the Municipal authority & considering the material facts on record, the Chairman of the Board decided as under that:

- a) The Municipal Corporation, Jalandhar shall not allow the Choughiti by-pass area to be used as a dumping ground for municipal waste as it neither it is a dedicated collection point for municipal waste nor having a scientific arrangement to collect, segregate, treat or shift the municipal waste. It shall stop all such activities and take stern action against anyone whosoever throws Municipal Solid Waste in Choughiti by-pass area with immediate effect and shall arrange alternative arrangements for disposal of Municipal Solid Waste being generated nearby area within 07-days. The Municipal Corporation, Jalandhar shall keep strict vigil to ensure that no Municipal Solid Waste shall be disposed off at or near Choughiti by-pass area. Display boards mentioning prohibition of dumping of waste in the area and hefty penalties to be levied on the violators.
- b) The Municipal Corporation, Jalandhar shall comply with the activities mentioned as per rule 1 to 11 of Solid Waste Management Rules 2016. The Municipal Corporation, Jalandhar shall submit a comprehensive report for point wise compliance (with target dates) of Municipal Solid Waste Management Rules 2016 to the Board within 15-days.
- c) The Municipal Corporation, Jalandhar shall form an Environmental Management Cell and start in-house review by involving all the concerned officers and submit fortnightly progress w.r.t. compliances of Municipal Solid Waste Management Rules 2016 to the Board with copies to the Regional Office / Zonal Office / Chief Office of the Board.

*Sandeep Kumar*

- d) The Municipal Corporation, Jalandhar / Department of Local Govt. / PMIDC shall submit the balance Environmental Compensation of Rs. 110 lacs earlier imposed, within 15-days.
- e) The progress will be reviewed after one month. It was made clear to the representatives of the Municipal Corporation, Jalandhar that in case no tenable progress is achieved, Board will be constrained to initiate legal proceedings against the Municipal Corporation, Jalandhar & concerned officers under the provisions of Environment (Protection) Act, 1986.
- f) The proceedings of hearing be forwarded to Principal Secretary, Department of Local Govt. Punjab for his kind information with request to direct the concerned officers of Municipal Corporation, Jalandhar and MD, PMIDC for taking immediate measures to comply with the Municipal Solid Waste Rules 2016.
- 6) That the proceedings of hearing held on 14.11.2023 before the Chairman of the Punjab Pollution Control Board were conveyed to the Commissioner, Municipal Corporation, Jalandhar vide letter no. 5179 dated 15.11.2023 for compliance and a copy of the letter is enclosed herewith as **Annexure R 4/C**. In compliance to the decisions of the hearing held on 14.11.2023, the proceedings of personal hearing were also conveyed to the Principal Secretary to Government of Punjab, Department of Local Government vide letter no. 28752 dated 21.11.2023 and a copy of the same is enclosed herewith as **Annexure R 4/D**. It was informed to the Principal Secretary that Municipal Corporation, Jalandhar has miserably failed to comply with the provisions of Solid Waste Management Rules, 2016. The Principal Secretary was requested to direct the Municipal Corporation, Jalandhar to make compliance of Solid Waste Management Rules, 2016.

*Sandeep Kumar*

- 7) That, it is relevant to mention here that in compliance of the decisions of hearing held on 14.11.2023, Punjab Pollution Control Board has imposed Environmental Compensation for the period of violation from **01.03.2022 to 30.09.2023** upon Municipal Corporation, Jalandhar through the Department of Local Government, Punjab as per following details:
- a). For non-compliance of Sr. no. 1 to 10 of Rules 22 of SWM Rules 2016  
Rs. 95.0 lacs
- b). For non-compliance of Sr. no. 11 of Rules 22 of SWM Rules 2016  
Rs. 95.0 lacs
- 8) That further it is submitted that in compliance to the orders dated 10.1.2020 of the Hon'ble NGT passed in O.A No. 606 of 2018, total environmental compensation **amounting to Rs.3.90 Crore** has been imposed upon Municipal Corporation, Jalandhar by the Punjab Pollution Control Board as **Calculated for non-compliance of Sr. no. 1 to 10 of Rules 22 of SWM Rules 2016 & Sr. No. 11 to Rule 22** with effect from 01.07.2020 to 30.09.2023 through the Department of Local Government, Punjab. The Department of Local Government through Punjab Municipal Infrastructure Development Company (PMIDC) had deposited the environmental compensation amounting to Rs. 90.0 lacs on 31.12.2022 with the office of the Punjab Pollution Control Board and the balance amount of Environmental Compensation of Rs. 3.0 Crore is yet to be deposited by the Department of Local Government, Punjab.
- 9) That Punjab Pollution Control Board is taking appropriate action against Municipal Corporation, Jalandhar from time to time considering the violations in accordance with the provisions of the Solid Waste Management Rules, 2016 and the orders and directions of the Hon'ble National Green Tribunal as explained and described herein above in the reply.

Sandeep Kumar

10) That the present reply is being filed by the Punjab Pollution Control Board in compliance to orders dated 20.11.2023 for kind perusal and consideration of the Hon'ble Tribunal.

Date: 18/01/2024

Place: Jalandhar

*Sandeep Kumar*  
**Environmental Engineer**  
**Punjab Pollution Control Board**  
**Regional Office-1, Jalandhar**

**On behalf of Member Secretary**  
**respondent no.4.**

**Report of Joint Committee****Order dated 04.08.2023 passed by the Hon'ble National Green Tribunal in Original Application no. 479 of 2023 titled as "Ramesh Mahendru Vs State of Punjab"**

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**1.0 Brief Background**

Ramesh Mahendru, President of Alfa Mahendru Foundation has approached the Hon'ble National Green Tribunal by sending a letter via email complaining that huge garbage dump has been built on the PAP flyover near bypass, Jalandhar city, which is emitting foul smell. It is alleged that due to the polluted environment, the employees working in the nearby offices and the people travelling through the National Highway are suffering. The applicant has prayed that Municipal Corporation, Jalandhar may be directed to remove the illegally dumped garbage and shown his willingness to cooperate for the same.

**2.0 Order passed by the Hon'ble National Green Tribunal (04.08.2023)**

The letter of the applicant was treated as Original Application no. 479 of 2023 "Ramesh Mahendru (Applicant) Vs State of Punjab and considering the grievances, the Hon'ble National Green Tribunal was pleased to pass an order dated 4.8.2023 thereby constituting a Joint Committee comprising of the Central Pollution Control Board (CPCB), Punjab State Pollution Control Board (PSPCB) and District Magistrate (DM), Jalandhar with a direction to undertake visits to the site, associate and to look into the grievances of the applicant, verify the factual position and to take appropriate remedial action and to submit report within two months via email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR supported PDF and not in form of image PDF. The State PCB was nominated nodal agency for coordination and compliance. The relevant extract of the order dated 04.08.2023 passed by the Hon'ble National Green Tribunal in O.A No. 479 of 2023 is reproduced herein below for kind perusal and reference:

"In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly,

we constitute a Joint Committee comprising Central Pollution Control Board (CPCB), Punjab State Pollution Control Board (PSPCB) and District Magistrate (DM), Jalandhar and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant, verify the factual position and take appropriate remedial action. The Committee may also ascertain from Jalandhar Municipal Corporation status of compliance with Solid Waste Management Rules, 2016 particularly on waste generated, waste processed and remediation of legacy waste. The State PCB will be the nodal agency for coordination and compliance.

Factual and Action taken report may be submitted within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR supported PDF and not in the form of image PDF."

### **3.0 Compliance of order dated 04.08.2023: Action taken by the Joint Committee**

#### **3.1 Interaction and Discussion:**

In compliance of the order dated 04.08.2023, the meeting of joint committee was held on 16.08.2023 under the Chairmanship of Deputy Commissioner, Jalandhar, wherein the following officers including the applicant were present:

- i) Ms. Gursimranjeet Kaur, Chief Minister Field Officer (CMFO), O/o Deputy Commissioner, Jalandhar.
- ii) Sh. Puneet Sharma, Joint Commissioner, Municipal Corporation, Jalandhar.
- iii) Sh. J.P Meena, Scientist-'D', CPCB, RD, Chandigarh.
- iv) Er. Sandeep Kumar, Environmental Engineer, PPCB, RO-1, Jalandhar.
- v) Er. Rozert Dhamija, Assistant Environmental Engineer, PPCB, RO-1, Jalandhar.
- vi) Sh. Ramesh Mahendru, President, ALFA NGO, Jalandhar.

### 3.2 1<sup>st</sup> Visit by the Joint Committee members

The Joint Committee members visited the site of the complaint located at Choughiti bypass, Jalandhar (Jalandhar to Amritsar Road on right side) on 16.08.2023 alongwith the applicant to check and verify the latest status and during visit detailed discussions were made with the applicant Sh. Ramesh Mehendru. Solid Waste was found dumped at the site unscientifically creating nuisance in the area.

The applicant informed the Joint Committee members that the garbage is dumped at the site for the last few years causing bad odour. The applicant requested to clear the site, process the dump scientifically and to challan the violators who are throwing waste in open at the site.

After detailed deliberations and discussions, the following decisions were taken by the Joint Committee:

- a) The Municipal Corporation, Jalandhar shall provide requisite data to Joint Committee regarding status of waste generated, waste processed and remediation of legacy waste within 10 days.
- b) The Municipal Corporation, Jalandhar shall clear all the garbage dumped at Bye-Pass and shall process it as per Solid Waste Rules 2016 within 10 days.
- c) The photographs of the site are attached herewith as **Annexure-A1**.

### 4.0 2<sup>nd</sup> Visit by the Joint Committee members

In the compliance to the decision taken during the first meeting of the Joint Committee on 16.08.2023, information was sought from Municipal Corporation, Jalandhar vide letter no. 3181 dated 19.09.2023 by the District Administration, Jalandhar. However, no reply was received from Municipal Corporation, Jalandhar.

Accordingly, the follow up meeting was called on 05.10.2023 under the Chairmanship of Deputy Commissioner, Jalandhar to monitor the latest status of action taken by Municipal Corporation, Jalandhar. The following members were present in the Joint Committee meeting:

- i) Sh. Puneet Sharma, Joint Commissioner, Municipal Corporation, Jalandhar.
- ii) Sh. J.P Meena, Scientist-'D', CPCB, RD, Chandigarh.
- iii) Er. Sandeep Kumar, Environmental Engineer, PPCB, RO-1, Jalandhar.
- iv) Er. Varinderjeet, Assistant Environmental Engineer, PPCB, RO-2, Jalandhar.
- v) Dr. Shree Krishan, Health Officer, Municipal Corporation, Jalandhar.

The officials of Municipal Corporation, Jalandhar stated that the waste dumped at Choughiti bypass has been cleared. It was decided that the Joint Committee shall visit the dumping site at Choughiti Bypass, Jalandhar and the Wariana dump site of Municipal Corporation, Jalandhar.

The joint team visited the affected site located at Choughiti bypass, Jalandhar on 05.10.2023. During visit, it was observed that Police officials were deployed at the site and the waste was being removed from the site. About 150 trucks were pressed into service and around 1500 tons of solid waste has been removed till the time of visit by the Joint Committee.

Thereafter, the joint team visited the dump site of Municipal Corporation, Jalandhar located at Wariana, Kapurthala Road, Jalandhar on 05.10.2023 and it was observed as under:

- a) The dump site falls within the MC limits and is established in an area of about 16.2 acres. The officials of Municipal Corporation, Jalandhar informed that the site is in use for the last about 30 years.
- b) The Municipal Corporation, Jalandhar has provided 30 dump trucks and 43 trollies to carry the solid waste to the dump site.
- c) At the time of visit about 3 trollies and 03 dump trucks reached the site but none of them was covered.
- d) None of the vehicles was compartmentalized. No segregation of waste is being done before sending it to the dump site and no segregation is done at the dump site.
- e) No treatment of fresh waste or legacy waste is being carried out. The unsegregated waste received is dumped as such at the site.

- f) No weigh bridge has been provided at the dump site to ascertain the waste being received at site.
- g) The Municipal Corporation, Jalandhar officials informed that as per a survey carried out in 2019, 08 lacs MT solid waste was present at the dump site and 400-500 MT waste was being received every day at that time. Considering increase in daily waste generation and accumulation of waste since 2019, the total legacy waste lying at the dump site could be to the tune of 15 lacs MT.
- h) No boundary wall or fencing has been provided around the dump site and as such waste was found spread outside the dump site onto the road leading to the site.
- i) The Kala Sanghian drain passes at around 400 mtr away from the dump site. A lot of waste was found dumped along the bank of Kala Sanghian drain adding to the pollution in the drain.
- j) No plantation has been provided around the dump site.
- k) No buffer zone has been left by MC Jalandhar around the dump site.
- l) The piezometers earlier provided for ground water monitoring are buried under the waste and as such sampling of ground water cannot be done. Further, the ground water sampling from piezometers provided near entrance and inside the dump site was earlier carried out by the Board in October 2020 and samples were got analysed from PBTI Lab.
- m) As per analysis report, various parameters were found beyond the prescribed limits as tabulated below:

<b>Sr.No</b>	<b>Parameters</b>	<b>Piezometer inside site</b>	<b>Piezometer at entrance</b>	<b>Maximum permissible limits as per SWM Rules 2016</b>
1.	pH	2.13	6.38	6.5-8.30
2.	TDS	3248	5407	500
3.	Chloride	1499	1750	250
4.	Copper	0.02	0.14	0.05
5.	Iron	0.43	2.6	0.3

6.	Nitrate	7.6	260	45
7.	Phenolic compound	BDL	0.02	0.001
8.	Sulphate	875	1750	200
9.	Hardness	10	190	300
10.	Zinc	0.14	0.10	5
11.	Lead	0.16	0.05	0.05
12.	Chromium	BDL	0.21	0.05
13.	Nickel	BDL	0.05	-

- n) No arrangement of leachate treatment has been provided and the leachate is partially discharged into sewer and is partially stagnated at site.
- o) No onsite or offsite emergency plan has been prepared.
- p) No permanent arrangement for dousing of fires has been provided.
- q) There are about 40-50 houses established right next to the dump site which are prone to damage in case of large-scale fires.
- r) No arrangement is provided for detection of methane gas formation at site.
- s) NO CCTV Cameras have been provided at the site.
- t) The photographs of the dump site as well as other parts of the city are attached herewith as **Annexure-A2**.

## 5.0 Directions issued by the Deputy Commissioner, Jalandhar

After the performance of visits and consideration of the matter, the Deputy Commissioner, Jalandhar directed the officials of Municipal Corporation, Jalandhar as under:

- i) Municipal Corporation, Jalandhar to remove the entire solid waste from chowk site and carry out remediation using lime etc.
- ii) Municipal Corporation, Jalandhar to ensure that no waste is dumped at Chowk site in future and to appoint officials to carry out regular monitoring at site.
- iii) Municipal Corporation, Jalandhar to provide CCTV Cameras at site to identify violators dumping waste at the site and to take punitive action

which may include challaning and imposition of fine and initiation of action as per Municipal laws.

- iv) Municipal Corporation, Jalandhar to take up matter with National Highway Authority of India (NHAI) for fencing/plantation of the site and to explore possibility of development of public parks at the site.
- v) Municipal Corporation, Jalandhar to take all necessary measures for compliance of Solid Waste Management Rules 2016 including remediation of legacy waste and adoption of best practices for Solid Waste Management.

### **6.0 Action taken by Municipal Corporation, Jalandhar for removal of garbage at Choughiti bypass, Jalandhar and overall garbage of Jalandhar City.**

The Municipal Corporation, Jalandhar has taken action for removal of garbage at Choughiti bypass, Jalandhar and overall garbage of Jalandhar City.

#### **6.1 Removal of garbage at Choughiti bypass, Jalandhar**

The Municipal Corporation, Jalandhar has implemented the following actions at site for removal of garbage at Choughiti Bypass, Jalandhar:

- i) Nearly 1500 Ton Garbage has been removed.
- ii) Dedicated Machinery to remove any garbage that is being dumped at the site.
- iii) Dedicated team comprising 1 Police Personnel, 1 Sanitary Inspector and 1 Sanitary Supervisor has been formed to monitor the site 24X7 in three shifts daily.
- iv) Board installed at the site displaying "Dumping of Any Kind of Waste is Criminal Offence. Those who found doing so will be prosecuted accordingly".
- v) Nearly 50 butcher shops in Rama Mandi who were throwing their waste at Choughiti have been restricted and alternate arrangements as per Solid Waste Management Rules 2016 are being explored.

- vi) The informal ragpickers who are throwing garbage at the site have been identified and are being facilitated to transport the waste to MRF/composting unit.

## **6.2 Action taken by Municipal Corporation, Jalandhar for overall garbage of Jalandhar city:**

Following actions have been taken by Municipal Corporation, Jalandhar for overall removal of garbage of Jalandhar city:

- a) Approx. 43.00 Cr has been transferred from Jalandhar smart city to MCJ for solid waste management.
- b) D.P.R of worth Rs 23.00 Cr for transportation machinery has been approved and the procurement is under tender process.
- c) DPR for Machinery for door-to-door collection, worth Rs 20.00 Cr is being prepared.
- d) With respect to secondary collection points (SCP's), the timing of lifting has been fixed by 11.00 am.
- e) A survey of the requirements regarding the repair of four walls, floor and roof has been done.
- f) Important SCPs like Choughiti and Garbage Vulnerable Points (GVP) will be monitored through CCTV cameras.
- g) Additional machinery of 40 tractor trolleys and 6 tippers have been hired to clear SCP's and GVP's.
- h) Proper Monitoring by the team of police, sanitary inspectors and supervisors at important places such as Choughiti.
- i) Approximately 97 challans have been issued for littering and throwing garbage in the public areas.

### **j) Micro-Targeting:**

- a) Identification of Bulk Waste Generator (BWG's), issuing them notices and verification process has been started. 18 BWG's found not complying with Solid Waste Management Rules 2016 have been challaned.

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- b) Coordinating with BWG's to either process their waste on their own or through the agencies empaneled by Municipal Corporation, Jalandhar.
- c) Shops and commercial establishments are being monitored. Those who are throwing their waste in public places are being challaned. For example, nearly 50 butcher shops in Rama Mandi who were throwing their waste at Choughiti have been restrained and alternate arrangements as per SWM Rules 2016 are being explored.

**7.0** The compliance submitted by the Municipal Corporation, Jalandhar to the office of Deputy Commissioner, Jalandhar on 19.10.2023 is attached herewith as **Annexure-A3** for kind perusal of the Hon'ble National Green Tribunal.

### **8.0 Factual position of the dump site**

The statement of Municipal Corporation, Jalandhar with regard to waste generation, waste processed and legacy waste existing and remediated at the site is summarized and reproduced herein below:

- a) The solid waste dump site of Jalandhar city is located at Wariana, which is about 30 years old and falls within the limits of Municipal Corporation Jalandhar.
- b) The total area of dump site is about 16.25 acres, in which originally about 8.00 lakh MT of legacy waste as the survey got conducted by Municipal Corporation, Jalandhar in the year 2021 was there in form of heaps of 30 meters height.
- c) The work of bio-remediation of legacy waste at the dump site has not been awarded.

### **9.0 Action taken by the Punjab Pollution Control Board against Municipal Corporation, Jalandhar for non-compliance of SWM Rules 2016**

During the meetings of the Joint Committee, the officers of the Punjab Pollution Control Board who is also a member of the Joint Committee apprised the members that the Hon'ble National Green Tribunal in the matter of O.A No. 606 of

2018 In re: Compliance of Compliance of Municipal Solid Waste Management Rules, 2016 vide order dated 10.1.2020, had directed that continued failure of compliance of Solid Waste Management Rules, 2016 after 31.3.2020 will result in liability of every Local Body to pay compensation at the rate of Rs.10.0 lakh per month per Local Body for population of above 10.0 lakhs, Rs. 5.0 lakh per month per Local Body for population between 5.0 Lakhs and 10.0 Lakhs and Rs. 1.0 Lakh per month per other Local Body from 1.4.2020 till compliance is made.

Considering the total population of Jalandhar City @8,62,886 as per census of 2011, environmental compensation @ 5.0 lacs per month was calculated towards non-compliance of Solid Waste Management Rules, 2016. Accordingly, in compliance to the orders dated 10.1.2020 of the Hon'ble NGT passed in O.A No. 606 of 2018, environmental compensation amounting to Rs.2.0 Crore was imposed upon Municipal Corporation, Jalandhar by the Punjab Pollution Control Board as **Calculated for non-compliance of Sr. no. 1 to 10 of Rules 22 of SWM Rules 2016 & Sr.No. 11 to Rule 22** with effect from 01.07.2020 till 28.02.2022 through the Department of Local Government, Punjab. The Department of Local Government through Punjab Municipal Infrastructure Development Company (PMIDC) had deposited the environmental compensation amounting to Rs. 90.0 lacs on 31.12.2022 with the office of the Punjab Pollution Control Board and the balance amount of Environmental Compensation of Rs. 1.10 Crore is yet to be deposited by the Department of Local Government, Punjab.

## **10.0 Recommendations of the Joint Committee:**

### **Measures to be taken by Municipal Corporation, Jalandhar**

Considering the prevalence of the conditions existing at the dump site and after taking into account all the relevant facts and circumstances of the case including the suggestions made by the applicant Sh. Ramesh Mehendru, the Joint Committee hereby recommends the following measures to be taken by Municipal Corporation, Jalandhar in a time bound manner for the prevention of fires at the dump site and the management of solid waste:

- A. Municipal Corporation, Jalandhar shall conduct comprehensive risk assessment studies and accordingly prepare detailed On-site Emergency Plan for its dump site addressing the following issues:
- i) To cover potential risks / emergencies due to fire, obnoxious / flammable emissions, odour, vector borne diseases rodents, bird nuisance, seasonal affects i.e. summer / winter / monsoon (rainy season) and all other potential risks at the dumpsites.
  - ii) To address the worst possible case scenarios preferably using appropriate risk assessment software's covering any or all of the potential emergency issues / scenarios cited above
  - iii) To cover likely affected geographical area including population, flora & fauna in and around the dumpsites.
  - iv) To contain detailed remedial measures both hardware and software based for mitigating various emergency situations, which should finally be available with respective control rooms and on-site emergency notice boards.
- B) Municipal Corporation, Jalandhar shall provide a permanent water hydrant system, which can be used to douse the accidental fire at any time in the year.
- C) Municipal Corporation, Jalandhar shall implement following interim measures till the time onsite / off-site emergency plans are prepared:
- i) Fresh waste not to be disposed at the dump site where bio remediation is being undertaken.
  - ii) Methane gas detectors (on the down side) to be installed at the site so that area with high methane concentration can be identified and preventive actions be undertaken.
  - iii) Arrangement of fire extinguishers to be made especially in the summer seasons.
- D) Municipal Corporation, Jalandhar shall install CCTV cameras at its dump site, provide weigh bridge for proper measurement of waste received at the dump site.

- E) Municipal Corporation, Jalandhar shall install a permanent gate with one security personnel at the main entrance to avoid any unauthorized access to the solid waste site.
- F) Municipal Corporation, Jalandhar shall provide fencing all around the dump site to avoid littering of any waste in any water body.
- G) Municipal Corporation, Jalandhar shall develop the plantation area / green belt around the dump site.
- H) Municipal Corporation, Jalandhar shall provide piezometers on four different locations in order to check the contamination of ground water.
- I) The local administration shall notify the buffer zone to restrict/prohibit the urban growth (residential and commercial) near such dump site.

#### 11.0 Submission of report

The Joint Committee report is hereby submitted in compliance to order dated 04.08.2023 of the Hon'ble National Green Tribunal passed an O.A No. 479 of 2023 for kind consideration and appropriate orders.

*Tagdish*

**Scientist 'D'**  
**Central Pollution Control Board**  
**Regional Director, Chandigarh**

*h*

**Environmental Engineer,**  
**Punjab Pollution Control Board**  
**Regional Office-1, Jalandhar**

*[Signature]*  
**District Magistrate,**  
**Jalandhar**

## Annexure-A-1

**Photographs taken during visit made by the Joint  
Committee on 16.08.2023 at Chaughiti Bye Pass,  
Jalandhar**





**Legacy waste stored at dump site located at Wariana, Kapurthala Road, Jalandhar**



**Unsegregated waste received at dump site located at Wariana, Kapurthala Road, Jalandhar.**



**Solid waste was found dumped along the bank of Kala Sanghian drain.**



**Solid waste dumped at various locations of Jalandhar City.**



**Solid waste dumped at various locations of Jalandhar City.**



**Solid waste dumped at various locations of Jalandhar City.**



**Solid waste dumped at various locations of Jalandhar City.**

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**Municipal Corporation, Jalandhar**

Annexure - A-3

From

Commissioner,

Municipal Corporation Jalandhar

To

Additional Deputy Commissioner (Rural),

Jalandhar.

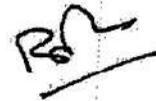
Letter No:- PA/2023/367

Dated:- 19-10-2023

**Subject:- Minutes of meeting w.r.t Original Application no 479/2023 titled as Ramesh Mahendru (Applicant) Vs State of Punjab under the Chairmanship of Worthy Deputy Commissioner, Jalandhar on 16.08.2023 at DC Office, Jalandhar.**

**Ref:- Letter No 3181 dated 19.09.2023.**

In reference to the above, the information sought is provided in the Annexure Attached here with. Please find the attached documents.



Commissioner  
Municipal Corporation, Jalandhar.

Enclosed

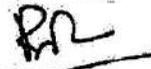
1. MSW status Report
2. Legacy Waste Status Report

Endst No:- PA/2023/368-70

Dated:- 19-10-2023

**A copy of the above is forwarded to the following:-**

1. Worthy Deputy Commissioner, Jalandhar for the information Please
2. The Regional Director, Central Pollution Control Board, BSNL Telephone Exchange, 2<sup>nd</sup> Floor, sector 49-c, Chandigarh 160047 for information.
3. Environmental Engineer, Punjab Pollution Control Board, Regional Office-1, Jalandhar for information.



Commissioner  
Municipal Corporation, Jalandhar.

# Status report for MSW

Name of City: Jalandhar

1.	Population	862675 as per census 2011
2.	Solid waste generation (MT/d)	500 MTD
3.	Solid waste Collection (MT/d)	500MTD
4.	Gap	NIL
5.	Reason for gap	N/A
6.	MSW Facility exist	NO
7.	Name of facility	N/A
8.	Location	N/A
9.	Operated by	N/A
10.	Contact person	N/A
11.	Contact detail	N/A
12.	Period of commencement	N/A
13.	Number of employees	N/A
A	Managerial	N/A
B	Operations / Support staff	N/A
14.	Processing Capacity (MT/d)	N/A
15.	Capacity utilization (Actual Qty of waste received, MT/d)	N/A
16.	Area of the Project Site (Enclose copy of facility lay-out)	N/A

17.	Scope of Work	
18	Door to door waste collection	YES
A	Total number of wards in the city	85
B	Number of wards catered	85
19.	Legacy waste exists	Yes approx quantity is 8 lakh MT
A	Plans for processing legacy waste	Enclosed copy of plan
20.	Secondary waste collection	YES
A	Total number of transfer stations (PCTS) established in the city	25
B	Number of PCTS operational	25
21.	<u>Transportation of MSW</u>	
A	Exclusively by the facility(MT/d)	N/A
B	By Municipal Corporation(MT/d)	500MTD ( directly plus through outsource machinery)
C	Number of facility owned by vehicles	NIL
D	GPS enabled	NO
E	Number of other vehicles (Municipal Authorities)	N/A
F	GPS enabled	NO
22	Gravity/Size screening	
A	No. of trammels	N/A
B	Nos operational	N/A
C	No of Ballast separators	NOT AVAILABLE
D	Nos operational	N/A

23	<u>Composting</u>	
A	Separate composting platform	NOT AVAILABLE
B	Compost Cycle (period)	NON OPERATIONAL
C	Compost Quality Checked (with reference to FCO)	Yes
D	Compost quality report	Satisfactory
E	Quantity generated	10 MT since pits have been commissioned
F	Quantity Sold/Lifted	Compost has been used In MCJ nursery and parks.
G	Details of Users	MCJ
24.	<u>Resource Derived Fuel(RDF)</u>	
A	Quantity of RDF generated	NO DATA AVAILABLE
B	RDF quantity used/sold	NIL
C	Details of RDF users(if sold)	NIL
25.	<u>Waste to Energy Plant</u>	
A	Plant exists/ Not Exists/Prposed (If proposed, mention expected date of Installation)	NOT EXISTS
B	Capacity	N/A
C	Operational Status	N/A

D	Air pollution control measures	N/A	
E	Stack height	N/A	
F	Monitoring platform exists	N/A	
G	Stack Emission monitoring report	Attached copy of latest report	
H	Power purchase agreement	Available/Not Available If Available, dt of signing.....	
I	Cost of Units levied/Paid		
26	Effluent treatment Plant(ETP)		
A	Capacity	NIL	
B	Treatment Technology	NIL	
C	Unit Details	NIL	
D	Status of Operation	NIL	
E	Treated Effluent Characteristics	NIL	
F	Disposal of untreated effluent	NIL	
27	<u>Landfill Facility</u> NOT AVAILABLE		
A	Area/Size	NIL	
B	Liner Details	NIL	
C	Leachate management	NIL	
28.	<u>Status of Consent and Authorization</u>		
A	Consent	NIL	
B	Consent Validity	NIL	

C	Authorization	N/A
D	Authorization	N/A
29	Tipping Fee	N/A
A	Fee Fixation criterion	N/A
B	Unit Charge (per MT)	N/A
C	Status of dues if any	N/A

### 30. Future Plans

1. approx. 43.00 Cr has been transferred from Jalandhar smart city to MCI for solid waste management.
2. D.P.R of worth Rs 23.00 Cr for transportation machinery has been approved and the procurement is under tender process.
3. DPR for Machinery for door to door collection, worth Rs 20.00 Cr is being prepared

4. With respect to secondary collection points (SCP's), the timing of lifting has been fixed by 11.00 am
5. A survey of the requirements regarding the repair of four walls, floor and roof has been done.
6. Important SCPs like Chogiti and Garbage Vulnerable Points (GVP) will be monitored through CCTV cameras.
7. Additional machinery 40 tractor trolleys and 6 tippers have been hired to clear SCP's and GVP's.
8. Proper Monitoring by the team of police, sanitary inspectors and supervisors at important places such as Chogiti
9. Approximately 97 challans have been issued for littering and throwing garbage in the public areas.

#### 10. Micro-Targeting:

- A. Identification of Bulk waste generator (BWG's), issuing them notices and verification process has been started. 18 BWG's who have not been complying with Solid Waste Management Rules 2016 have been challaned.
- B. Coordinating with BWG's to either process their waste on their own or through the agencies empaneled by MCI's
- C. Shops and commercial establishments are being monitored. Those who are throwing their waste in public places are being challaned. For example, nearly 50 butcher shops in Rama Mandi they were throwing their waste at Chogitti . They have been stopped and alternate arrangements as per SWM Rules 2016 are being explored.

11. Monitoring of waste being transported will be monitored through Weighing Scale.
12. Machinery and manpower tender for MRF/ composting plants will be opened on 30.10.2023.
13. 2.5 TPD composting unit pilot has been approved and is under tender process.
14. Ward wise nodal officers have been appointed to closely monitor solid waste management and sanitation related complaints in respective wards. Their daily report will be compiled and monitored daily by Commissioner Corporation.
15. Two road sweeping machines are available. These will be monitored through GPS and dedicated sanitary inspector. Night sweeping is also been planned.
16. 100 TPD wet waste to bio-CNG plant is also being set up by EIL in Jalandhar
17. 240 TPD Cow dung plus wet waste to compressed bio-gas plant is also being set up.
18. 10 TPD wet waste and 35TPD dry waste processing plant at Pholriwal-DPR submitted for approval. It comprises drum composting and making tiles from multi-layer plastic.
19. Another Mechanical composting and MRF unit is being planned at Dhakoa.

#### Challenges:

1. Door to Door collection is being done by informal ragpickers since atleast 20 years. It has been planned to integrate them as per SWM Rules 2016.
2. Old and outdated machinery.
3. Shortage of Manpower and skilled labour for example at composting and MRF sites.

#### Specific Action Related to Chogitti by pass Point

1. Nearly 1500 Ton Garbage has been removed.
2. Dedicated Machinery to remove any garbage that is being dumped at the site
3. Dedicated team comprising 1 police personnel, 1 Sanitary Inspector and 1 sanitary Supervisor has been formed to monitor the site 24X7 in three shifts daily.
4. Board displaying "Dumping of Any Kind of Waste is Criminal Offence. Those who found doing so will be prosecuted accordingly".
5. Nearly 50 butcher shops in Rama Mandi they were throwing their waste at Chogitti . They have been stopped and alternate arrangements as per SWM Rules 2016 are being explored.
6. The informal ragpickers who are throwing garbage here at the site have been identified and are being facilitated to transport the waste to MRF/composting unit.

Legacy Waste Status Report

65

Name of Dumpsite	Waryana Dumpsite, Kapurthala Road, Jalandhar
Co-ordinates of Dumpsite	Lat: 31o20'55.58"N, Long: 75o31'53.62"E
Distance from the town	Within 10 km
Area of dumpsite:	16.2 Acres (though it is mapped over 15m from drone survey)
Height of Dump	Over 8mtrs
Start date of dumpsite	Approximately 50 years ago (exact date unknown)
Category Uncontrolled	solid waste disposal facility
Incoming waste quantity	420MT/ Day (As per collection efficiency of ULB)
Accumulated waste quantity	593598m3 as per Drone Survey Report in year 2019
Utilities at site	Electricity facility is available.
Weighbridge available at dumpsite	No
Access road	Available
Leachate management system	Absent

**Important Point**

The work of Bio-Mining to process the legacy waste had already being awarded to a contractor who had defaulted therefore after imposing penalties previous contact was terminated in Mar 2023.

A fresh tender was called and technical bids were open on 09.06.2023, which have been pending at head office level.

Once the work is allotted as per rules, it is expected that the legacy waste will be processed within two years.



# Punjab Pollution Control Board

Zonal office, Near PSIEC, Water Tank, Focal Point, Jalandhar

Phone No. 0181-2601612

[www.ppcb.gov.in](http://www.ppcb.gov.in)

Email ID - [secppcbjal@ppmnl.com](mailto:secppcbjal@ppmnl.com)



14/11/23 Mr. COB

No \_\_\_\_\_ (Regd.)  
To \_\_\_\_\_

Date	29.2.20
File No.	14/11/23

The Commissioner,  
Municipal Corporation,  
Jalandhar.

**Sub: Notice u/s 5 of the Environment (Protection) Act, 1986 for violation of Solid Waste Management Rules, 2016 - Municipal Corporation, Jalandhar.**

Whereas, the Ministry of Environment & Forests, Government of India, New Delhi in exercise of the powers conferred under the Environment (Protection) Act, 1986 has notified the Solid Waste Management Rules, 2016, wherein the Municipal Authority is responsible for implementation of the provisions of the Solid Waste Management Rules, 2016, including infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid waste, and the preparation of action plan for management of solid waste.

And whereas, timelines for compliance of various activities laid down in Solid Waste Management Rules, 2016, as well as extended times fixed by the Hon'ble National Green Tribunal have already lapsed.

And whereas, in O.A No. 606 of 2018 titled as "Compliance of Municipal Solid Waste Management Rules, 2016" came up for hearing before the Hon'ble National Green Tribunal on 10.01.2020, wherein the Hon'ble National Green Tribunal issued certain directions regarding imposition of Environmental Compensation as mentioned in the orders therein.

And whereas, Municipal Corporation, Jalandhar to ensure the compliance of the timelines of all the activities mentioned in Rule 22 of the Solid Waste Management Rules, 2016, as well as other directions of the Hon'ble National Green Tribunal, New Delhi from time to time and in case of failure to comply with the above-mentioned timelines, Environmental Compensation as mentioned in the order dated 10.01.2020 passed by the Hon'ble National Green Tribunal in O.A No. 606 of 2018 shall be levied w.e.f 01.04.2020 till compliance.

And whereas, a complaint was received in National Human Rights Commission, New Delhi regarding un-scientific disposal of Municipal Solid Waste Rules 2016 by Municipal Corporation, Jalandhar. The Municipal Corporation Jalandhar was given personal hearing before Chairman of the Board on 30.05.2019 and it was directed to take corrective measures to comply with Solid Waste Management Rules 2016 Rules & Bank Guarantee of Rs. 50 lac was imposed as an assurance to comply above said rules.

And whereas, the Municipal Corporation did not take corrective measures and hearing was given before Chairman of the Board on 02.12.2019, wherein Municipal Corporation was again directed to take necessary measures.

And whereas, the Solid waste dump site at Waryana, Kapurthala Road, Jalandhar was visited by the Monitoring Committee constituted by Hon'ble National Green Tribunal (NGT) New Delhi on 03.12.2019, and Municipal Corporation, Jalandhar was found violating provisions of Solid Waste Management Rules 2016.

And whereas, the Monitoring Committee constituted by NGT directed Municipal Corporation, Jalandhar to take corrective measures to comply with Solid Waste Management Rules 2016 Rules, within two months. Thereafter, the Waryana dump site was visited by officers of the Board on 12.02.2020 and it was found that Municipal Corporation, Jalandhar had not made any compliance w.r.t to Solid Waste Management Rules 2016 Rules and was given personal hearing was given before Chairman of the Board on 12.03.2020 wherein it was decided to en-cash Rs. 25 lacs out of Bank Guarantee of Rs. 50 lacs submitted by it. As such, Rs. 25 lacs was en-cashed by the Board on 25.06.2020 and balance Rs. 25 lacs Bank Guarantee was valid upto 30.09.2021. The Municipal Corporation, Jalandhar has not renewed the Bank Guarantee till date.

And whereas, Waryana dump site was again visited by officer of the Board on 29.06.2020 and no improvement was observed. The Municipal Corporation was again given personal hearing before Chairman of the Board on 06.10.2020 and it was decided as under:-

- 1) The Municipal Corporation, Jalandhar shall get prepared Environment Site Assessment (ESA) Study report from the institute of repute within 1 month to assess the ground water pollution as well as soil pollution from the dump site at Waryana.
- 2) The Municipal Corporation, Jalandhar shall float tenders for treatment of legacy waste by 15/10/2020.
- 3) The Municipal Corporation, Jalandhar shall start the work for providing proper boundary wall / fencing alongwith gate, all around the dumping site at Waryana within 02-months.
- 4) The Municipal Corporation, Jalandhar shall develop green belt around the dump site alongwith construction of boundary wall / fencing around the dump site.
- 5) The Municipal Corporation, Jalandhar shall complete all the required processes for installation of proper effluent treatment plant for leachate generating from dump site within 01-month.
- 6) The Municipal Corporation, Jalandhar shall start the work for management of legacy waste by Bio-mining technology by 31/12/2020.
- 7) The Municipal Corporation, Jalandhar shall ensure to achieve targets as per time lines of the Action Plan of the Waste Management submitted to the Board & submit monthly progress report in this regard.
- 8) The Municipal Corporation, Jalandhar is bound to comply with orders of Hon'ble National Human Right Commission, New Delhi in case no. 1163/19/08/2014 (in complaint of Advocate Harvinder Singh) and submit compliance report in this regard to the Board.

And whereas, the Municipal Corporation has not submitted any compliance to the above said decisions of personal hearing to Board.

And whereas, Sh. Ramesh Mahendru, President of Alfa Mahendru Foundation has sent the present letter petition by e-mail complaining that huge garbage dump has been built on the PAP flyover near Chogitti bypass, Jalandhar city. The garbage dumped is emitting foul smell. Due to the polluted environment, the employees working in the nearby offices and the people travelling through the National Highway are suffering. The applicant has prayed that Municipal Corporation, Jalandhar may be directed to remove the illegally dumped garbage and the applicant is also ready to cooperate for the same.

And whereas, the Hon'ble NGT vide orders dated 04.08.2023 has directed in the OA no. 479/2023 titled as Ramesh Mahendru (Applicant) Vs State of Punjab as under:-

***"In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising Central Pollution Control Board (Central Pollution Control Board), Punjab State Pollution Control Board (PSPCB) and District Magistrate (DM), Jalandhar and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant, verify the factual position and take appropriate remedial action. The Committee may also ascertain from Jalandhar Municipal Corporation status of compliance with Solid Waste Management Rules, 2016 particularly on waste generated, waste processed and remediation of legacy waste. The State PCB will be the nodal agency for coordination and compliance".***

And whereas, the Hon'ble NGT New Delhi directed to submit the factual and action taken report within 02 months. The above case is now listed for further consideration on 20.11.2023.

And whereas, the complaint site was visited by Joint Committee on 16.08.2023 alongwith the applicant to check the latest status and detailed discussion were made with

the applicant. The applicant informed that the garbage is dumped at the site for the last few years causing bad odour. He requested to clear the site, process the dump scientifically and challaning may be done against the violators who through waste in open at site. Thereafter, MC Jalandhar was requested to provide requisite data to Joint Committee regarding status of waste generated, waste processed and remediation of legacy waste within 10 days and to clear and process all the garbage dumped at Chogitti Bye-Pass within 10 days as per Solid Waste Rules 2016.

And whereas, the compliance of the action taken during the previous meeting was sought from MC Jalandhar vide letter no. 3181 dated 19.09.2023, however no reply was received. Accordingly the follow up meeting was called to monitor the status of action taken by MC Jalandhar. The officials of MC Jalandhar stated that the waste dumped at Chogitti Bye pass has been cleared. It was decided that the ADC (D) to visit the dump site of MC Jalandhar and dumping site at Chogitti Bye pass, Jalandhar.

And whereas, the dump site of MC Jalandhar at Wariana Jalandhar was visited by the joint committee and it was observed as under:

1. The dump site is established an area of about 16.25 acres. The officials of MC Jalandhar informed that the site is in use for the last about 30 years.
2. The MCJ has provided 30 dump trucks and 43 trollies to carry the solid waste to the dump site.
3. At the time of visit about 3 trollies and 03 dump trucks reach the site but none of them was covered.
4. None of the vehicles is compartmentalized. No segregation waste is being done before sending it to the dump site and no segregation is done at dump site.
5. No treatment of fresh waste or legacy waste is being carried out. The unsegregated waste received is dumped as such at the site.
6. No weigh bridge has been provided at the dump site to ascertain the waste being received at site.
7. The MCJ officials informed that as per a survey carried out in 2019, 8 lacs MT solid waste was present at the dump site and 400-500 MT waste was being received every day at that time. Considering increase in daily waste generation and accumulation of waste since 2019, the total legacy waste lying at the dump site could to the tune of 15 lacs MT.
8. No boundary wall or fencing has been provided around the dump site and as such waste was found spread outside the dump site onto the road leading to the site.
9. The Kala Sanghian drain passes around 400 mtr away from the dump site. A lot of waste was found dumped along the bank of Kala Sanghian drain adding to the pollution in the drain.
10. No plantation has been provided around the dump site.
11. No buffer zone has been left by MC Jalandhar around the dump site.
12. The piezometers earlier provided for ground water monitoring are buried under the waste and as such sampling of ground water cannot be done.
13. No arrangement of leachate treatment has been provided and the leachate is partially discharged into sewer and is partially stagnated at site.
14. No onsite or offsite emergency plan has been prepared.
15. No permanent arrangement for dousing of fires has been provided.
16. There are about 40-50 houses established right next to the dump site which are prone to damage in case of large scale fires.
17. No arrangement is provided for detection of methane gas formation at site.
18. No CCTV Cameras have been provided at the site.
19. The team thereafter visited the site at affected site at Chogitti chowk, Jalandhar. During visit, it was found that the waste was being removed from the site. Police officials were deployed at the site.
20. About 150 trucks i.e around 1500 tons of Solid waste has been removed till the time of visit.

And whereas, the Municipal Corporation, Jalandhar is not taking up the matter regarding management of municipal solid waste in a holistic manner. The Municipal Corporation, Jalandhar has not taken adequate measures to treat and dispose of legacy

waste already generated & accumulated, nor handling, managing, treating & disposing the Municipal Solid Waste from the Jalandhar City. The Municipal Corporation, Jalandhar has not obtained valid authorization under Solid Waste Management Rules 2016. Hence, the Municipal Corporation, Jalandhar is in total violation of the provisions of the Solid Waste Management Rules, 2016.

And whereas, the matter was considered by the Competent Authority and it was decided to give notice u/s 5 of the Environment (Protection) Act, 1986 for violation of Solid Waste Management Rules, 2016 alongwith opportunity of personal hearing before Chairman of the Board to Municipal Corporation, Jalandhar for above mentioned violations under the Solid Waste Management Rules, 2016.

As such, you are, hereby, given an opportunity to file objections, if any, on the proposed actions before the Chairman of the Board on 14/11/2023 at 11:00 AM in his office at Vatavaran Bhawan, Punjab Pollution Control Board, Nabha Road, Head Office, Patiala, failing which the action as deemed fit in the matter as per the provision of in Environmental (Protection) Act, 1986 will be taken without any further notice/ opportunity.

This issues with prior approval of Chairman of the Board

Sd/-  
For & on behalf of  
Punjab Pollution Control Board

Endst. No. 5024 .....

Dated 03/11/2023

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office- 2, Jalandhar for information & necessary action. He is requested to inform the Municipal Corporation, Jalandhar regarding date of hearing and ensure the presence of Municipal Corporation, Jalandhar during the hearing.

  
For & on behalf of  
Punjab Pollution Control Board



# Punjab Pollution Control Board

Zonal office, Near PSIEC, Water Tank, Focal Point, Jalandhar

Phone No. 0181-2601612

[www.ppcb.gov.in](http://www.ppcb.gov.in)

Email ID - [scppcbjal@gmail.com](mailto:scppcbjal@gmail.com)



*Take action verify latest status of complaint by files*

No	(Regd)	Date
To	The Commissioner, Municipal Corporation, Jalandhar	20/11/2023

**Subject:** Proceedings of the personal hearing before Chairman of the Board on 14.11.2023 at Head Office, Patiala u/s 5 of the Environment (Protection) Act, 1986 for violation of Solid Waste Management Rules, 2016 alongwith notice to impose Environmental Compensation to The Commissioner, Municipal Corporation, Jalandhar.

Following were present

On behalf of Board

1. Er. G.S Majithia, Member Secretary
2. Er. R.K. Ratra, SEE, Jalandhar
3. Sh. Amrik Singh, SLO, HO, Patiala
4. Er. Hardeep Kaur, EE, HO, Patiala.

On behalf of M.C Jalandhar

1. Sh. Puneet Sharma, PCS, Joint Commissioner, M.C. Jalandhar.
2. Dr. Shri Krishan, Asstt. Health Officer.

The officers brought out that a complaint was received in National Human Rights Commission, New Delhi regarding un-scientific disposal of Municipal Solid Waste Rules 2016 by Municipal Corporation, Jalandhar. The Municipal Corporation Jalandhar was given personal hearing before Chairman of the Board on 30.05.2019 and it was directed to take corrective measures to comply with Solid Waste Management Rules 2016 Rules & Bank Guarantee of Rs. 50 lac was imposed as an assurance to comply above said rules. The Municipal Corporation did not take corrective measures and hearing was given before Chairman of the Board on 02.12.2019, wherein Municipal Corporation was again directed to take necessary measures.

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6. No weigh bridge has been provided at the dump site to ascertain the waste being received at site.
7. The MCJ officials informed that as per a survey carried out in 2019, 8 lacs MT solid waste was present at the dump site and 400-500 MT waste was being received every day at that time.

- Considering increase in daily waste generation and accumulation of waste since 2019, the total legacy waste lying at the dump site could be to the tune of 15 lacs MT.
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  19. The team thereafter visited the site at affected site at Chogitti chowk, Jalandhar. During visit, it was found that the waste was being removed from the site. Police officials were deployed at the site.
  20. About 150 trucks i.e around 1500 tons of Solid waste has been removed till the time of visit.

The Municipal Corporation, Jalandhar is not taking up the matter regarding management of municipal solid waste in a holistic manner. The Municipal Corporation, Jalandhar has not taken adequate measures to treat and dispose of legacy waste already generated & accumulated, nor handling, managing, treating & disposing the Municipal Solid Waste from the Jalandhar City. The Municipal Corporation, Jalandhar has not obtained valid authorization under Solid Waste Management Rules 2016. Hence, the Municipal Corporation, Jalandhar is in total violation of the provisions of the Solid Waste Management Rules, 2016.

The Environmental Engineer, Head Quarter informed that the Municipal Corporation, Jalandhar (through PMDIC) has been imposed Environmental Compensation of Rs.2.0 crores and the Municipal Corporation, Jalandhar has deposited Environmental Compensation amounting Rs. 90 lacs to the Board. The detail of Environmental Compensation imposed is as under.

Period	Environmental Compensation For non-compliance of activities mentioned at Sr. No. 1 to 10 of SWM Rules, 2016 (in lacs)	Environmental Compensation For non-compliance of activities mentioned at Sr. No. 11 of SWM Rules, 2016. (in lacs)	Total E.C imposed (in lacs)	Total deposited (in lacs)	E.C
1.7.2020 to 31.3.2021	45	45	90	90 (balance to be deposited 110 lacs)	
1.4.2021 to 28.2.2022	55	55	110		
Total			200		

The representative of the authority during hearing submitted written reply which was taken on record. It has been stated the point wise action taken report on the decisions of personal hearing before Chairman of the Board on 6.10.2020 as under:

Sr. No.	Decision taken	Action taken report
1.	Regarding ESA(environment site assessment) study After adopting due by institute of repute within 1 month	After adopting due procedure, IIT Ropar was given this work and Rs. 27 lakhs was deposited by MC Jalandhar as was demanded by IIT Ropar in the month of June 2021
2.	MC Jalandhar shall float tender by 15/10/20 for legacy waste.	For Blomining tender was floated and contract was, given to the selected contractor but contract was terminated by imposing penalty in the month of March 23 due to default by the contractor. Procedure for allotment of new- contract has been started by calling fresh tender.

3.	MC Jalandhar shall start the work of proper boundary wall/fencing with gate all around the dump site within 2 months	Tender for this work was called and work was allotted to the contractor. Contractor started the work and work was completed on the back side area partially as the other areas' boundaries were being objected by some neighbour areas farmers, After resolving the ownership claims issue boundary will be completed all around the dumpsite.
4.	MC Jalandhar shall develop a green belt all around the dumpsite.	After completing the work of Boundary wall, green belt will be completed
5.	MC Jalandhar shall start all processes for installation Project for leachate of proper ETP within one month	Project for leachate treatment had been rejected at the head office level. Alternative arrangements being looked into.
6.	MC Jalandhar shall start the work of legacy waste by Biomoming technology by 31/12/20	As per point no. 2
7.	MC Jalandhar shall ensure to achieve all timelines as per action plan	Work to achieve the targets as per DEP is in progress.

MC further submitted that:

1. Approx. Rs 43 Crores has been transferred from Jalandhar Smart city Project to MC Jalandhar for Solid Waste management,
2. DPR of Rs 23 Crores has been approved by the Govt. and procurement of machinery is under process by tender cell.
3. DPR of Rs 20 Crores is under preparation for purchase of Door to Door Machinery.
4. Survey has been started for boundary wall, flooring gate and beautification of all SCPs B&R branch has been instructed to complete this work within 3 months of timeline. Sign Boards with Information of timings of tippers will be displayed at all SCPS.
5. Strict monitoring has been started by area supervisors, SIs of Important SCPs to control dumping of waste by BWGs and commercials
6. Chougittidumpsite on the service lane of NHAI has been completely transformed. Now It is completely clear with strict monitoring by area Si, Supervisor and by with the help of police.
7. 189 pits and 5 sheds for MRFs has been constructed where 4 shredders, 4 balling machines, phtka machines, weighing machines will be installed at DAKOHA, BRINGH, PHOLRIWAL and BASTI SHIEKH. Purchase for these machines is under tender process by tender cell Tenders have already been opened on 30th October 23.
8. 1 DPR for automatic MRF with the cost of Rs 12 Crores is under process at Head Office.
9. 100 TPD BioCNG plant is also being set up by EIL company authorized by GOI at Municipal Corporation, Jalandhar
10. 2.5 TPD Organic Waste Converter machine is being set up as a model pilot project for which tender has been called which will be opened within 2 days. No.
11. Procedure has been started to procure tarpaulins for all MC vehicles carrying Municipal solid waste.

The representatives submitted that the Chogitte area is not a dump site nor collection centre of Municipal Corporation, Jalandhar. However, the private sweepers engaged by the residents of the nearby area & colonies are throwing their Municipal Solid Waste at the said location. They also requested some time to make the complete compliance of Municipal Solid Waste Rules, 2016.

The Chairman of the Board observed that Municipal Corporation, Jalandhar is not taking adequate measures to manage, treat, re-use and dispose off the solid waste being generated from the area falling under its jurisdiction. No significant progress is achieved despite continuous persuasion, notices and opportunity of personal hearing given to the Corporation / Authorities from time to time. Written reply submitted by the Municipal Corporation, Jalandhar with response to the notice issued is not satisfactory. A comprehensive and scientific approach is required to manage the solid waste being generated from the city and adjoining areas.

After hearing the officers of the Board, representative of the authority & considering the material facts on record, the Chairman of the Board decided that:

- 1) The Municipal Corporation, Jalandhar shall not allow the Chogitte by-pass area to be used as a dumping ground for municipal waste as it neither it is a dedicated collection point for municipal waste nor having a scientific arrangement to collect, segregate, treat or shift the

municipal waste. It shall stop all such activities and take stern action against anyone whosoever throws Municipal Solid Waste in Chogitteeby-pass area with immediate effect and shall arrange alternative arrangements for disposal of Municipal Solid Waste being generated nearby area within 07-days. The Municipal Corporation, Jalandhar shall keep strict vigil to ensure that no Municipal Solid Waste shall be disposed off at or near Chogittee by-pass area. Display boards mentioning prohibition of dumping of waste in the area and hefty penalties to be levied on the violators.

- 2) The Municipal Corporation, Jalandhar shall comply with the activities mentioned as per rule 1 to 11 of Solid Waste Management Rules 2016. The Municipal Corporation, Jalandhar shall submit a comprehensive report for point wise compliance (with target dates) of Municipal Solid Waste Management Rules 2016 to the Board within 15-days.
- 3) The Municipal Corporation, Jalandhar shall form an Environmental Management Cell and start in-house review by involving all the concerned officers and submit fortnightly progress w.r.t. compliances of Municipal Solid Waste Management Rules 2016 to the Board with copies to the Regional Office / Zonal Office / Chief Office of the Board.
- 4) The Municipal Corporation, Jalandhar / Department of Local Govt. / PMDC shall submit the balance Environmental Compensation of Rs. 110 lacs earlier imposed, within 15-days.
- 5) The concerned branch (HQ-3) of Punjab Pollution Control Board shall impose Environmental Compensation as per the NGT Methodology from 01.03.2022 onwards, within 15-days.
- 6) The progress will be reviewed after one month. It was made clear to the representatives of the Municipal Corporation, Jalandhar that in case no tenable progress is achieved, Board will be constrained to initiate legal proceedings against the Municipal Corporation, Jalandhar & concerned officers under the provisions of Environment (Protection) Act, 1986.
- 7) The proceedings of hearing be forwarded to Principal Secretary, Department of Local Govt. Punjab for his kind information with request to direct the concerned officers of Municipal Corporation, Jalandhar and MD, PMDC for taking immediate measures to comply with the Municipal Solid Waste Rules 2016.
- 8) The Environmental Engineer, Regional Office-2, Jalandhar shall visit the dump site after one month, verify the compliance made by the Municipal Corporation, Jalandhar and send complete compliance within 45-days.

sd/-  
For Senior Environmental Engineer

Endst. No.....

Dated.....

A copy of the above is forwarded to Senior Environmental Engineer, Punjab Pollution Control Board, HQ-3, Head Office, Patiala for information. He is requested to impose Environmental Compensation to Municipal Corporation, Jalandhar as per the NGT Methodology from 01.03.2022 onwards, within 15-days.

sd/-  
For Senior Environmental Engineer

Endst. No. 5181-82

Dated..15.11.2023

A copy of the above is forwarded to Environmental Engineer, Punjab Pollution Control Board, Regional Office-1/2, Jalandhar for information and necessary action as per the above decision.

sd/-  
For Senior Environmental Engineer

Dated. 21/11/23

To

The Principal Secretary to Govt. of Punjab,  
Department of Local Govt.  
Chandigarh.

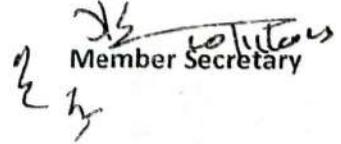
Subject:

Proceedings of the personal hearing before Chairman of the Board on 14.11.2023 at Head Office, Patiala u/s 5 of the Environment (Protection) Act, 1986 for violation of Solid Waste Management Rules, 2016 alongwith notice to impose Environmental Compensation to The Commissioner, Municipal Corporation, Jalandhar.

It is intimated that the Municipal Corporation, Jalandhar is miserably failed to comply with the provisions of Solid Waste Management Rules, 2016. Earlier, there were complaints and directions issued by the National Human Rights Commission to the MC, Jalandhar to take necessary corrective measures for solid waste management, but it failed to do so. Now, an application (OA no. 479/2023) has been filed before the Hon'ble National Green Tribunal due to the non-compliance of Solid Waste Management Rules, 2016 by MC, Jalandhar.

Accordingly, the authority was issued notice with opportunity of personal hearing before Chairman of the Board on 14.11.2023 u/s 5 of the Environment (Protection) Act, 1986. The copy of proceedings of the hearing are attached with request to direct the concerned officers of Municipal Corporation, Jalandhar and Punjab Municipal Infrastructure Development Company (PMIDC) for taking immediate measures to comply with the Solid Waste Management Rules 2016, please.

DA: As above


  
Member Secretary

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ - 147001

Vatavaran Bhawan, Nabha Road, Patiala - 147001

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