

OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal in
Original Application no. OA No.606 of 2018
(Official Address: Tower No.5, 4th Floor, Forest Complex,
Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: ceccswm606@gmail.com

To

The Registrar,
Hon'ble National Green Tribunal,
Faridkot House, Copernicus Marg,
Near India Gate,
New Delhi, Delhi 110001

No.CMC/2020/1582
Dated: 16.2.2021

Subject: **Compliance of order dated 8.9.2020 in OA no. 191 of 2020 in the matter of Gurinderpreet Singh & Ors Vs State of Punjab & Ors.**

It is submitted that the Hon'ble National Green Tribunal vide its order dated 8.9.2020 in OA no. 191 of 2020 in the matter of Gurinderpreet Singh & Ors Vs State of Punjab & Ors (copy enclosed as per **Annexure-1**) has passed detailed order, the operating para of which, relating to the Monitoring Committee is mentioned as under.

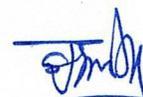
"Let the State PCB and the District Magistrate, Ludhiana, verify the facts and furnish a factual and action taken report to this Tribunal within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF /OCR Support PDF and not in the form of Image PDF.

A copy of this order also be forwarded to Justice Jasbir Singh, Former Judge of Punjab and Haryana High Court who is heading a Committee to look into certain environmental issues in the State of Punjab by e-mail for compliance.

The next date of hearing before the Hon'ble National Green Tribunal is on 26.2.2021.

Therefore, in compliance of order dated 8.9.2020 of Hon'ble National Green Tribunal, the Monitoring Committee has prepared its own recommendations based on the report submitted by the Committee constituted by the Deputy Commissioner, Ludhiana, which is annexed as per **Annexure-2**.

The report is being sent through email at judicial-ngt@gov.in in the form of searchable PDF/OCR Support PDF for consideration of the Hon'ble Tribunal.



(Justice Jasbir Singh)
Former Judge,
Punjab & Haryana High Court
now as Chairman of the
Monitoring Committee
Constituted by the
Hon'ble National Green Tribunal

Annexure-1

Item No. 06

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 191/2020

Gurinderpreet Singh & Ors.

Applicant(s)

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 08.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant(s): Mr. Gurinderpreet Singh, in person

ORDER

Grievance in this application is against location of a garbage dump at Bhai Chattar Singh Park, Model Town, Ludhiana in the vicinity of the habitation and its improper maintenance, adversely affecting the health of the inhabitants.

Let the State PCB and the District Magistrate, Ludhiana, verify the facts and furnish a factual and action taken report to this Tribunal within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

A copy of this order be forwarded to State PCB and the District Magistrate, Ludhiana by e-mail for compliance.

A copy of this order also be forwarded to Justice Jasbir Singh, former Judge of Punjab and Haryana High Court who is heading a

Committee to look into certain environmental issues in the State of Punjab¹ by e-mail for compliance.

The applicant may furnish a set of papers to State PCB and the District Magistrate, Ludhiana and file an affidavit of service within one week.

List for further consideration on 14.12.2020.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 08, 2020
Original Application No. 191/2020
DV

¹ Vide order dated 01.10.2019, O.A. No. 138/2016 (TNHRC), *Stench Grips Mansa's Sacred Ghaggar River* and subsequent orders

Annexure-2

Compliance of order dated 8.9.2020 in OA no. 191 of 2020 in the matter of Gurinderpreet Singh & Ors Vs State of Punjab & Ors.

1.0 Background

The Hon'ble National Green Tribunal vide its order dated 8.9.2020 in OA no. 191 of 2020 in the matter of Gurinderpreet Singh & Ors Vs State of Punjab & Ors. has considered the grievances made in the application by Shri Gurinderpreet Singh & others stating location of garbage dumping at Bhai Chattar Singh park, Model Town Ludhiana in the vicinity of habitation and its improper maintenance, adversely affecting the health of the inhabitants and directed as under.

Let the State PCB and the District Magistrate, Ludhiana, verify the facts and furnish a factual and action taken report to this Tribunal within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF /OCR Support PDF and not in the form of Image PDF.

A copy of this order also be forwarded to Justice Jasbir Singh, Former Judge of Punjab and Haryana High Court who is heading a Committee to look into certain environmental issues in the State of Punjab by e-mail for compliance.

The next date of hearing before the Hon'ble National Green Tribunal is on 26.2.2021.

2.0 Action taken by District Magistrate Ludhiana and Punjab Pollution Control Board

On persuasion by the Monitoring Committee, Deputy Commissioner vide its letter no. 161/LFA dated 1.2.2021 has submitted the action taken report along with recommendations, which are reproduced as under:

In reference to above, it is intimated that in the OA No. 191 of 2020 titled as Gurinderpreet Singh and Ors Vs State of Punjab and Ors regarding illegal garbage dumping near Bhai Chattar Singh Park Model Town Ludhiana, a committee of following officers was constituted by District Magistrate, Ludhiana to visit the site and submit action taken report within a week.

1. Commissioner, Municipal Corporation Ludhiana
2. Senior Environmental Engineer, Punjab Pollution Control Board Zonal Office-2, Ludhiana
3. Ms Swati Tiwana, Joint Commissioner, Municipal Corporation Ludhiana.
4. Sh. Paramjit Singh, Environmental Engineer, PPCB, Regional Office-3, Ludhiana

The Committee visited the site on 25.01.2021 along with the complainant Sh. Gurinderpreet Singh who was informed to be present at site.(vide letter no 53/JC/S/B/D Dated 23.01.2021). The complainant informed that Bhai Chattar Singh Park Model Town Ludhiana has been named after martyr Bhai Chattar Singh and Municipal Corporation Ludhiana is dumping the garbage illegally at that site under the Bus Stand Flyover adjoining the Park causing nuisance in the area. They further complained that the Municipal Corporation is encroaching the park area meant for welfare of nearby residents into a garbage dumping site. They requested to remove the garbage dumping at the said location. The complainant also objected the proposal of

installation of Portable Compactor. He also informed that he has therefore filed PIL in the Punjab and Haryana High Court and also filed an application in the NGT to remove the Garbage dumping at Bhai Chattar Singh Park.

It was observed by the Committee that the Municipal Solid waste collection center is being operated near Chattar Singh Park under the railway over bridge (ROB), near scooter market from more than 30 years. The slip road alongside the ROB is unutilized. No Municipal Solid Waste was found stored in the park during visit. The point is under ROB. There is a proposal of transfer station and for that the Municipal Corporation, Ludhiana has provided metallic boundary by way of sheets adjoining Chattar Singh Park. Municipal Solid waste is being lifted on daily basis. The officials of Municipal Corporation, Ludhiana informed that the Secondary collection Point at Bhai Chattar Singh Park is being operated at the said location from more than 30 years.

As mentioned by the complainant it is not a dumping site. The true fact is that in exercise of the powers conferred under section 278 of the Punjab Municipal Corporation Act of 1976 which authorizes the Commissioner of Municipal Corporation to appoint places in the city for public receptacles and depots of temporary deposit of rubbish, filth etc, a garbage collection point was set up.

The Municipal Solid waste from adjoining wards is being collected at the said collection point. The Municipal Solid waste is lifted from collection point on daily basis and lifting frequency will be increased to address the grievances of complainant.

There is a proposal to install a transfer station (portable compactor). Municipal Corporation, Ludhiana is installing 42 Portable Compactors at or near the existing Collection Points for scientific management of Municipal Solid Waste. 02 Portable Compactors are successfully being operated at Sarabha Nagar and Rishi Nagar. On installation of Portable Compactors, there will be no foul smell and the point will no more be an eye sore.

It was also observed that there are no residences/dwellings nearby. Complainant's own residence is more than 100ft away from the said site. The entry and exit points of the park are unobstructed due to the collection point and cause no public inconvenience. Rather this point serves larger public good and once the portable compactor is installed it will also be in sync with solid waste management rules and will be absolutely away from the public eye. The officials of Municipal Corporation requested the complainants to visit the existing Portable compactor sites at Sarabha Nagar and Rishi Nagar.

In view of above facts and verification at site, the Committee recommended as under:-

1. The lifting frequency of municipal solid waste be increased, in order to remove the grievances of the complainant.
2. The Portable Municipal Solid waste compactor be installed at Bhai Chattar Singh Park within six months.

3.0 Recommendations of the Monitoring Committee

Based on the observations and recommendations of the Committee, constituted by Deputy Commissioner, Ludhiana, the Monitoring Committee has made its own recommendations to make it environmentally compatible, which are mentioned as under:

- i. Compartmentalized portable municipal solid waste compactor for temporary storage of wet waste, dry waste and domestic hazardous waste may be set up at Bhai Chattar Singh Park within 3 months.**
- ii. Municipal Corporation, Ludhiana shall increase the frequency of lifting of solid waste twice in a day to remove the segregated solid waste from the said location and the same may be transported to the solid waste management site and hazardous waste management site.**
- iii. A boundary wall of suitable material with its one gate for entry & exist of vehicles may be provided around the solid waste collection centre within 01 month.**
- iv. A green belt of suitable width to attenuate obnoxious odour from the site may be developed within 01 month.**


Dr Babu Ram

S.C Agrawal


Justice Jasbir Singh,
Former Judge Punjab and Haryana High
Court and now as Chairman of the
Monitoring Committee

Committee Report

Sub:-Hon'ble National Green Tribunal application no. 191 of 2020 titled as Gurinderpreet Singh and Ors Vs State of Punjab and Ors regarding illegal garbage dumping near Bhai Chattar Singh Park Model Town Ludhiana.

Ref:-DC Office Letter no 105-108/LFA Dated 22.01.2021

In reference to above, it is intimated that in the OA application 191 of 2020 titled as Gurinderpreet Singh and Ors Vs State of Punjab and Ors regarding illegal garbage dumping near Bhai Chattar Singh Park Model Town Ludhiana, a committee of following officers was constituted by District Magistrate, Ludhiana to visit the site and submit action taken report within a week.

1. *Commissioner, Municipal Corporation Ludhiana*
2. *Senior Environmental Engineer, Punjab Pollution Control Board Zonal Office-2, Ludhiana*
3. *Ms Swati Tiwana, Joint Commissioner, Municipal Corporation Ludhiana.*
4. *Sh. Paramjit Singh, Environmental Engineer, PPCB, Regional Office-3, Ludhiana*

The Committee visited the site on 25.01.2021 along with the complainant Sh. Gurinderpreet Singh who was informed to be present at site. (vide letter no 53/JC/S/B/D Dated 23.01.2021) The complainant informed that Bhai Chattar Singh Park Model Town Ludhiana has been named after martyr Bhai Chattar Singh and Municipal Corporation Ludhiana is dumping the garbage illegally at that site under the Bus Stand Flyover adjoining the Park causing nuisance in the area. They further complained that the Municipal Corporation is encroaching the park area meant for welfare of nearby residents into a garbage dumping site. They requested to remove the garbage dumping at the said location. The complainant also objected the proposal of installation of Portable Compactor. He also informed that he has therefore filed PIL in the Punjab and Haryana High Court and also filed

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an application in the NGT to remove the Garbage dumping at Bhai Chattar Singh Park.

It was observed by the Committee that the Municipal Solid waste collection center is being operated near Chattar Singh Park under the railway over bridge (ROB), near scooter market from more than 30 years. The slip road alongside the ROB is unutilized. No Municipal Solid Waste was found stored in the park during visit. The point is under ROB. There is a proposal of transfer station and for that the Municipal Corporation, Ludhiana has provided metallic boundary by way of sheets adjoining Chattar Singh Park. Municipal Solid waste is being lifted on daily basis. The officials of Municipal Corporation, Ludhiana informed that the Secondary Collection Point at Bhai Chattar Singh Park is being operated at the said location from more than 30 years.

As mentioned by the complainant it is NOT a dumping site. The true fact is that in exercise of the powers conferred under section 278 of the Punjab Municipal Corporation Act of 1976 which authorizes the Commissioner of Municipal Corporation to appoint places in the city for public receptacles and depots of temporary deposit of rubbish, filth etc, a garbage collection point was set up.

The Municipal Solid waste from adjoining wards is being collected at the said collection point. The Municipal Solid waste is lifted from collection point on daily basis and lifting frequency will be increased to address the grievances of complainant.

There is a proposal to install a transfer station (portable compactor). Municipal Corporation, Ludhiana is installing 42 Portable Compactors at or near the existing Collection Points for scientific management of Municipal Solid Waste. Two Portable Compactors are successfully being operated at Sarabha Nagar and Rishi Nagar. On installation of Portable Compactors there will be no foul smell and the point will no more be an eye sore.

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It was also observed that there are no residences/dwellings nearby. Complaint's own residence is more than 100ft away from the said site. The entry and exit points of the park are unobstructed due to the collection point and cause no public inconvenience. Rather this point serves larger public good and once the portable compactor is installed it will also be in sync with solid waste management rules and will be absolutely away from the public eye. The officials of Municipal Corporation requested the complainants to visit the existing Portable compactor sites at Sarabha Nagar and Rishi Nagar.

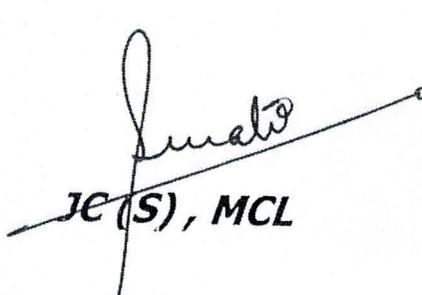
In view of above facts and verification at site, the Committee recommends as under:-

1. The lifting frequency of municipal solid waste be increased, in order to remove the grievances of the complainant.
2. The Portable Municipal Solid waste compactor be installed at Bhai Chattar Singh Park within six months.


SE, PPCB

25/1/2021
Environmental Engineer, PPCB


**Commissioner
MCL**


JE (S), MCL