

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****OA No. 04 of 2022****IN THE MATTER OF****SANJAY KUMAR****.....APPLICANT****VERSUS****UNION OF INDIA AND OTHERS****.....RESPONDENTS****REPLY ON BEHALF OF MUNICIPAL
CORPORATION PANCHKULA TO THE
OBJECTIONS FILED BY APPLICANT.****MOST RESPECTFULLY SHOWEWITH:**

1. That answering respondent filed its action taken report on dated 24.04.2024 against which applicant herein has filed objections dated 21.10.2024.
2. That it is humbly submitted that there is no legacy waste at Jhuriwala site and the processing of legacy waste at second site of Sector 23 is still in progress.
3. That contents of para no.3 of the objections are wrong and denied. It is vehemently denied that any statement made was vague or false. It is most respectfully submitted that statement made during course of hearing on 26.04.2024 regarding clearing of legacy at Jhuriwala site was correct. It is pertinent to submit that the daily collected waste of quantity approximately 200 MT is brought at part land of Jhuriwala site and the site is cleared on the same very date and the waste is transported from Jhuriwala site to Patvi site in Ambala District for processing. Relevant record regarding processing of waste at Patvi site, Ambala can be produced as and when required by this Hon'ble Tribunal. It is most respectfully submitted that rainy day may affect the efficacy of daily lifting but best efforts are made to ensure that daily waste is lifted and transported same day. The latest photographs captured on dated 17th April 2025 of Jhuriwala site along with current location are annexed as **Annexure R-1/1** which clearly shows that the Jhuriwala site is totally cleared and no legacy waste is lying.
4. That in reply to para no.4 of the objections filed by the applicant it is humbly submitted that these photographs annexed with objections as Annexure A-

1/2 are stated to be of last to last year i.e., of 11.05.2023. It is submitted that the Jhuriwala site is not being used as Material Recovery Facility Center by the Municipal Corporation, Panchkula and is not damaging the environment as well as not causing the risk to the human habitation. As stated in the above para also, the daily collected waste of quantity approximately 200 MT is brought at part land of Jhuriwala site and the site is cleared on the same very date and the waste is transported from Jhuriwala site to Patvi site in Ambala District for processing.

5. That contents of para No.5 of the objections are wrong and incorrect. It is humbly submitted that photos annexed as Annexure A-1/3 with objections don't suggest any presence of legacy waste. The applicant is trying to create confusion with distant drone photos. Infact, land parcel in these photos had small keekar(s)/vegetation.
6. That in response to para no.6 of the objections, it is humbly submitted that as per Forest Diversion letter dated 29.04.2011, land can be diverted, land can be utilized for solid waste management. Thus, it is correct to state that part land of site cannot be used as activities carried out by MC, Panchkula at present.
7. That in regard to para No.7 of the objections filed by the applicant it is humbly submitted that Municipal Corporation, Panchkula is using approximately 3 Kanal of land at Jhuriwala site and further it is submitted that the daily waste is brought at part land of Jhuriwala site and the site is cleared on the same very date and the waste is transported from Jhuriwala site to Patvi site in Ambala District for processing. As far as the incident of female leopard was killed in a collision with a truck is concerned that was an accident involved with an unidentified vehicle near Bandarghati, approximately half a km from the Jhuriwala transit site and this incidence has no relevancy with the legacy waste management activities being carried out by Municipal Corporation, Panchkula. No incident of finding Python Snake in and around land parcel in question has ever noticed by the answering respondent.
8. That in reply to para No.8 of the objections, it is humbly submitted that the daily waste is brought at part land of Jhuriwala site and the site is cleared on the same very date and the waste is transported from Jhuriwala site to Patvi site in Ambala District for processing. No natural flow of water has been obstructed by Municipal Corporation, Panchkula. Water logging at this point was due to blockage of drains under National Highway which was opened by Municipal Corporation, Panchkula after putting great efforts (Photographs

- are annexed at Annexure- R-1/2). While opening the drains, only mud was found rather any waste material. Current photographs of the site in question have already been annexed with present reply.
9. That in reply para No.9 of objections filed by the applicant it is humbly submitted that the Municipal Corporation, Panchkula has cleaned the R.C.C. Nala/Pipe which was constructed by National Highway Authority of India under road (Panchkula-Yamunanagar Highway).
 10. That in reply to objections of para No.10 filed by the applicant it is humbly submitted that the Municipal Corporation Panchkula has also conducted plantation drives in order to increase greenery around the site in question, keeping in view health aspects of people. Last plantation drive was conducted on 26th April 2024 (photographs annexed as **Annexure R-1/3**). Moreover, Further, the door to door waste is brought at small part land of Jhuriwala site daily but the site is cleared on daily basis and the Municipal corporation has also taken the initiative for planting around 800 plants at the Jhuriwala site. In respect of which, the estimate for the work of digging, stacking, plantation of trees at village Jhuriwala waste has also been prepared by Municipal Corporation, Panchkula. Additionally, the Municipal Corporation, Panchkula has also initiated activities with Non-Governmental Organization (NGO) regarding the plantation of trees at the same site. It is further submitted that Municipal Corporation, Panchkula has not established any MRF Center at Jhuriwala site wherein it is pertinent to mention that a small part of Jhuriwala site is only used as transfer cum transition point.
 11. That in reply to objections of this para filed by the applicant it is humbly submitted that the Municipal Corporation, Panchkula has issued work order for MRF Center in Village Alipur, ward no. 20 Panchkula vide no. HEWP/AL-73627 dated 13.12.2024 for Development of the material recovery facilities center (MRF), situated near towards Kami Village road at Village Alipur. Work has also been started at site (**Work Order Copy and site photographs attached as Annexure R-1/4**
 12. That in reply to objections of this para filed by the applicant it is humbly submitted that the Municipal Corporation, Panchkula is not destroying the forest at Jhuriwala site and the Municipal Corporation, Panchkula is in process of starting the work of MRF Center at Alipur. Meanwhile, the temporary arrangements has been done to avoid the attraction of stray cattle at this point & no MRF center is proposed at Jhuriwala site. The land in question was taken by answering respondent from the Haryana Shahri Vikas

Pradhikaran (HSVP) and any transfer/exchange from Forest Department is denied in absence of any such document in records. Current photographs have already been annexed with present reply.

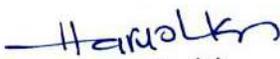
13. In reply to the objection of para No. 13 filed by the applicant, it is humbly submitted that the work of processing legacy waste at sector-23 MC Panchkula was allotted to M/s Pooja Consultation by Municipal Corporation, Panchkula vide office work order memo no. EE-I/MCPKL/6304 dated 26.05.2023 upto the quantity 3,04,654.63 MT of legacy waste and the same work was enhanced for further quantity of 70,000 MT cumulating to a total net quantity of 3,74,654.63 MT by Municipal Corporation, Panchkula office vide work order memo no- EE/SBM/MCP/2024/957 dated 15.03.2024. The said total quantity is completely processed and disposed off from Sector-23 site on 25.01.2025. After that, the quantum of waste has been re-evaluated again by the MC Panchkula through Punjab Engineering College Professor, Sh. SK Sharma and the balance quantity that has come out for phase-1 is 1,71,994.00 MT which is to be processed in respect of which the government has once again approved the enhancement of same work for qty. 1,71,994 MT making the quantity from 3,74,645.63 MT to 5,46,639.630 MT. Revised work order for processing the enhanced quantity i.e. 1,71,994 MT has been issued to the agency vide Memo No. 4893/XEN-SBM dated 27.03.2025. Processing and disposal of this quantity is also started at site **(Work Order Copy and site photographs attached as Annexure R-1/5).**

14. That in reply to objections of this para filed by the applicant it is humbly submitted that the Municipal Corporation, Panchkula is working very hard to process and dispose off the legacy waste for quantity of 1,71,994 MT by 31.08.2025.

15. That it is humbly submitted that the officials/ officers of Municipal Corporation, Panchkula are performing their duties with utmost sincerity and hence should not be held responsible for any negligence or fine.

Hence, keeping in view of the above the aforesaid reply to the objections may kindly be allowed to be placed on record before this Hon'ble Tribunal.

Place: Panchkula
Dated: 21.04.2025


Executive Engineer
Municipal Corporation, Panchkula



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 04 of 2022

IN THE MATTER OF

SANJAY KUMAR

.....APPLICANT

VERSUS

UNION OF INDIA AND OTHERS

....RESPONDENTS

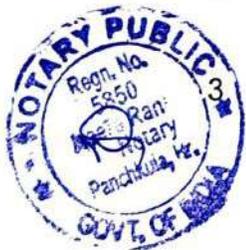
AFFIDAVIT

I, Harish Kumar Executive Engineer, Municipal Corporation, Panchkula, do hereby solemnly affirm and state as follows:

1. That I am the authorized representative of the respondent No. 7 in present case. I am well conversant with the facts and circumstances of the case; therefore, I am competent to swear this affidavit.

2. That I have read the contents of the accompanying reply, which has been drafted under my instructions.

That the annexure are a true copy of their originals.



22 APR 2025

Harish Kumar
DEPONENT

VERIFICATION

Verified that the contents of the above affidavit are true and correct to my knowledge and on the basis of information derived from the Official record, which I believe to be true, and no material fact has been concealed therein.

S. Anand
22 APR 2025

ATTESTED
[Signature]
NOTARY PUBLIC
Panchkula, Haryana

Harish Kumar
DEPONENT

1830

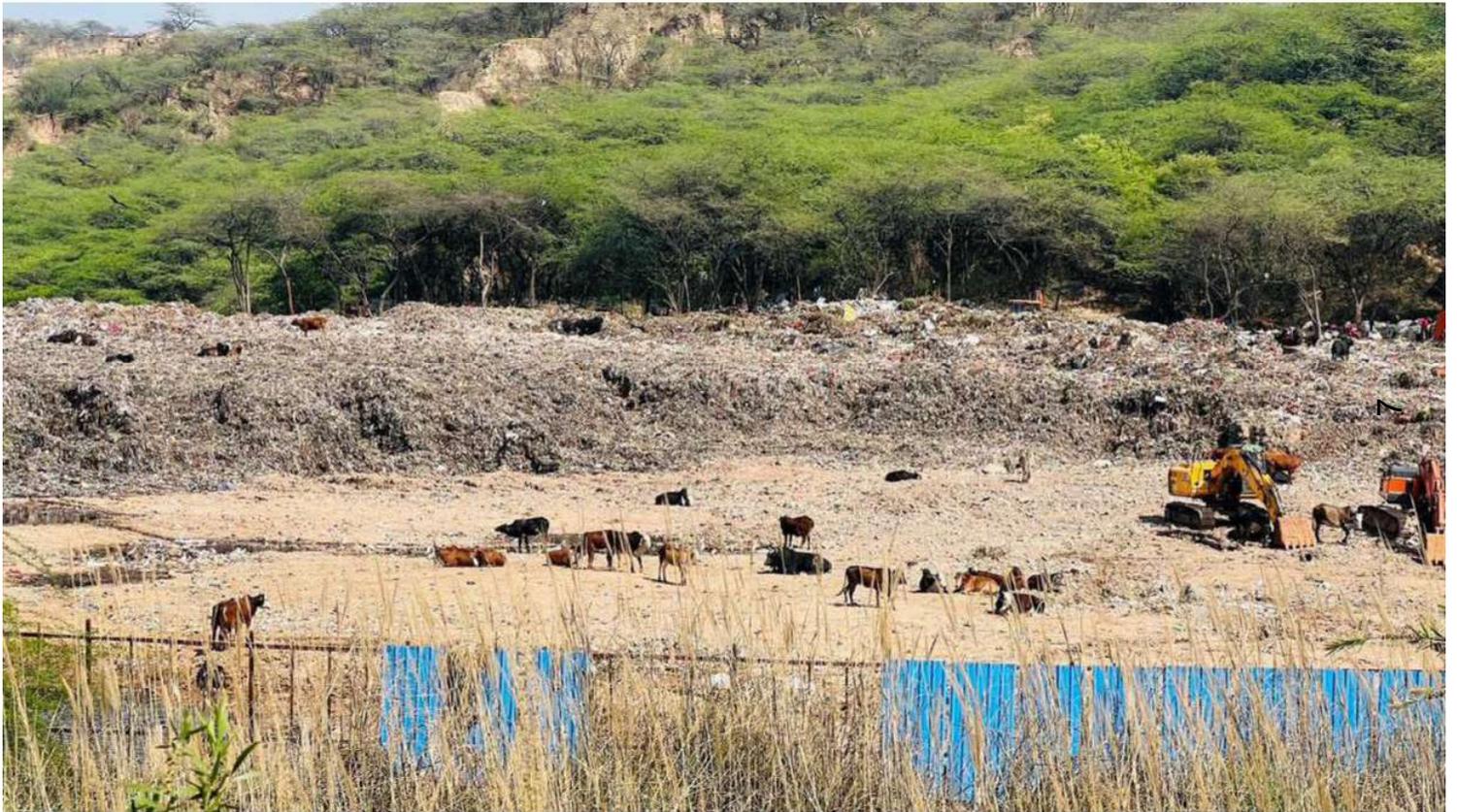
22/4/2025

Harsh Kumar

me - Bk

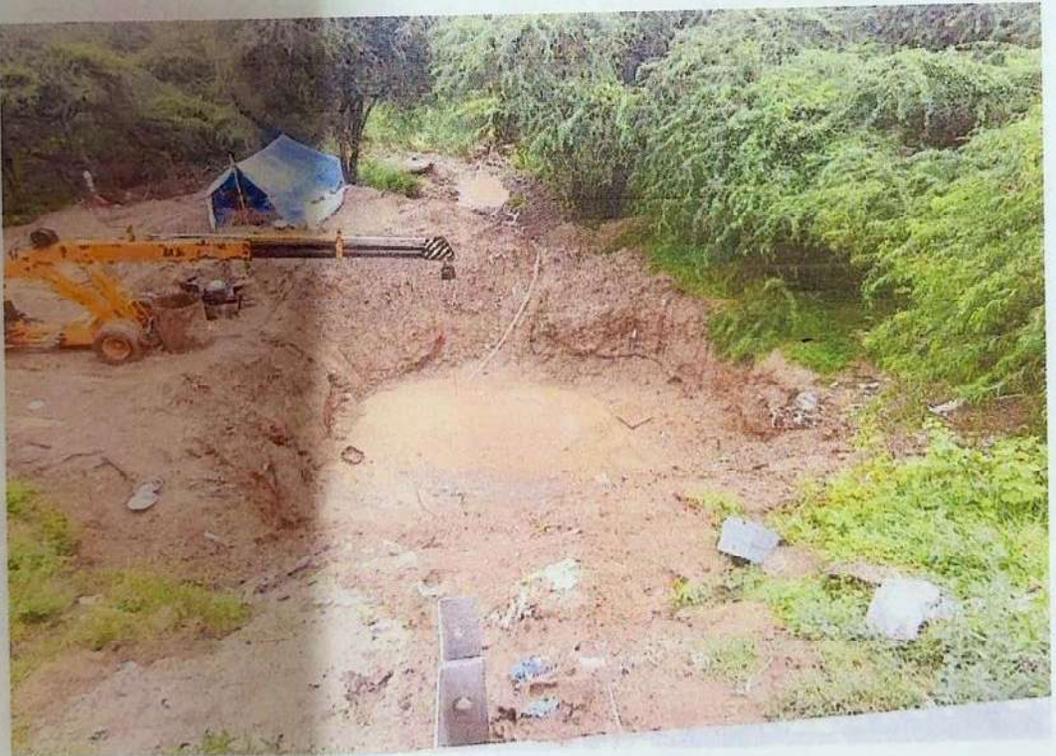
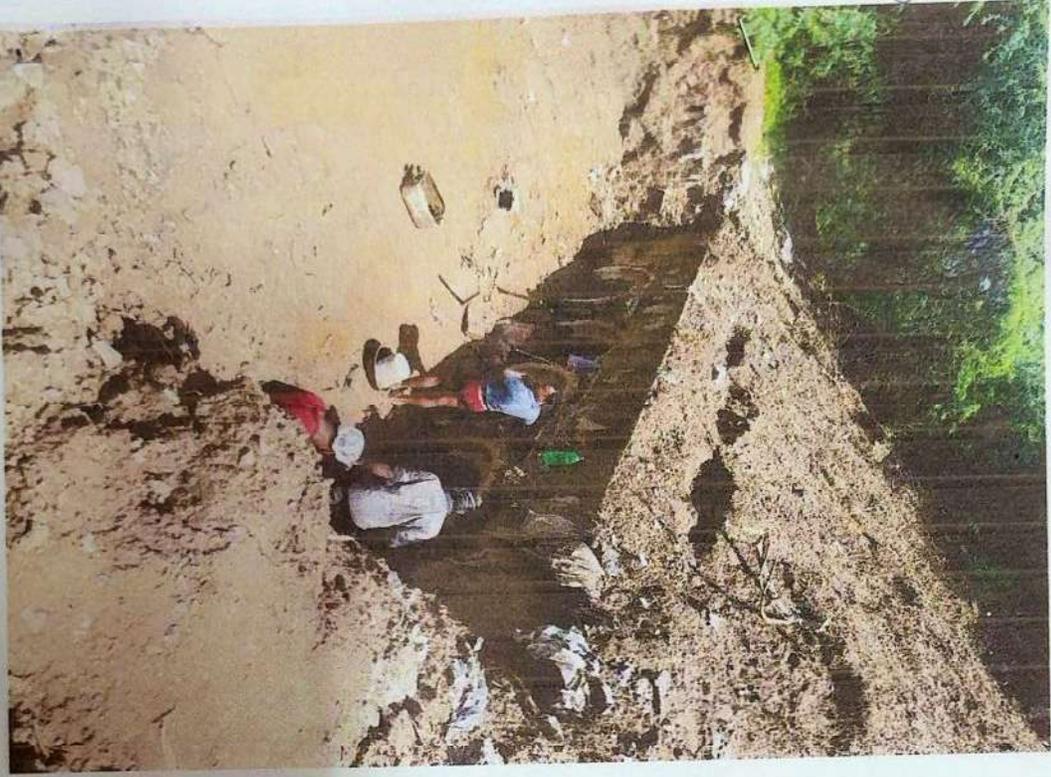
Stamp Vendor
Distt. Court Panchkula

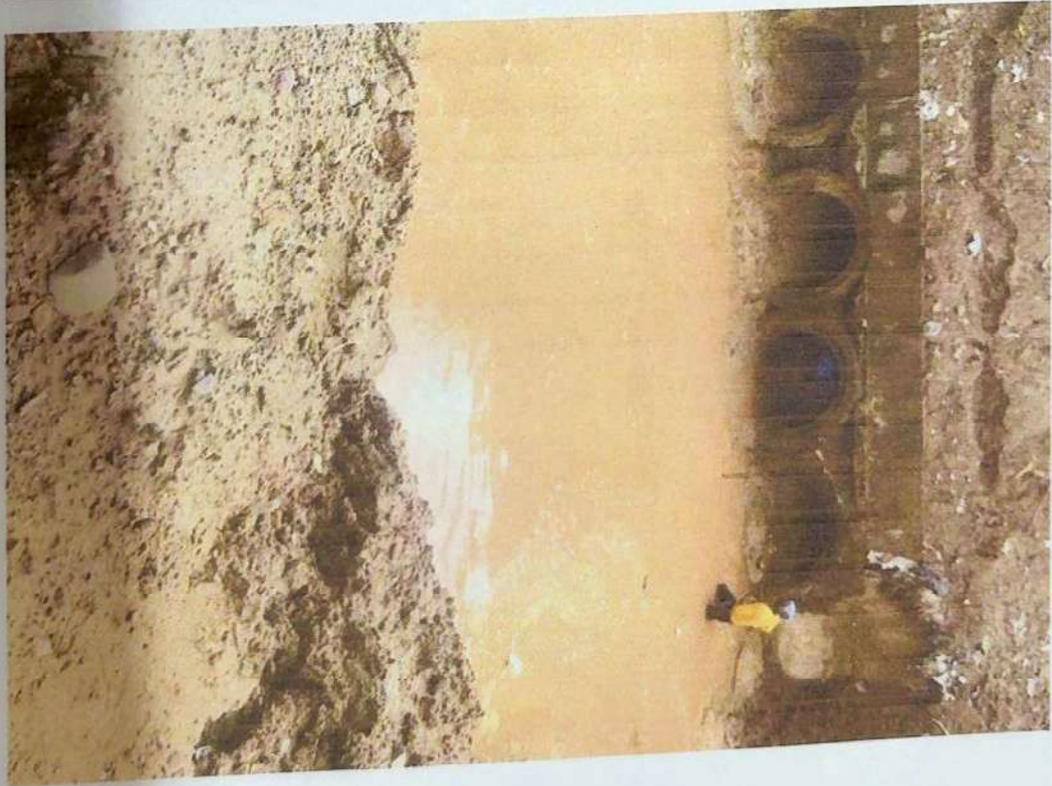
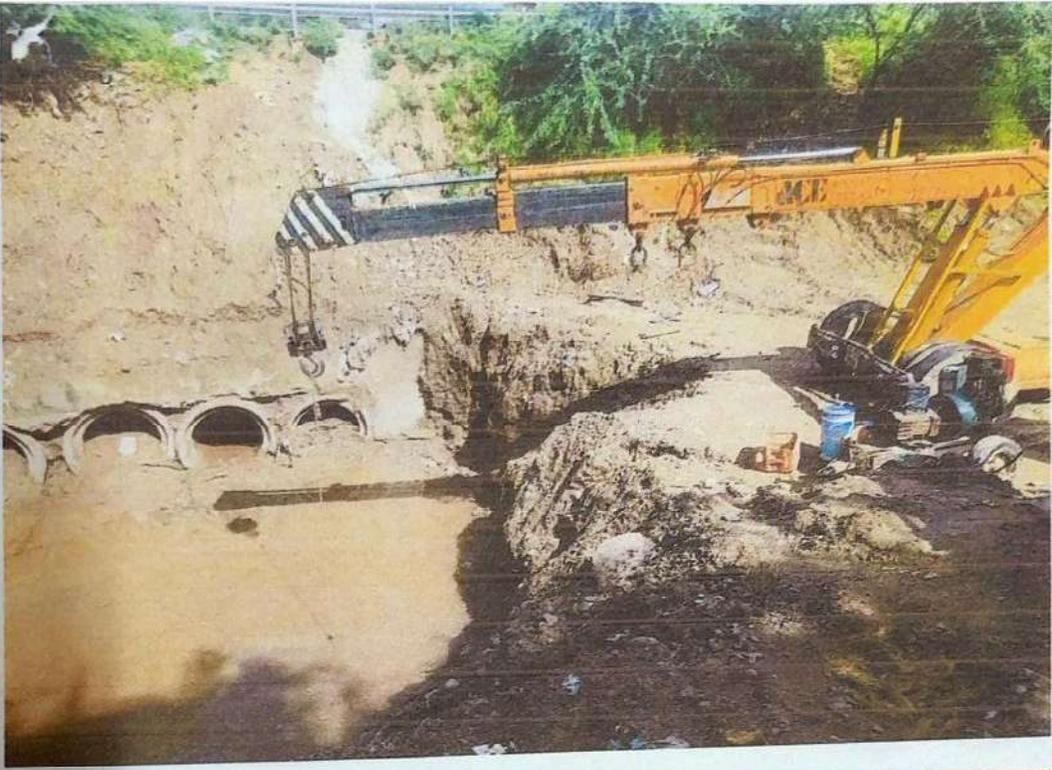
Annexure R-1/1
Before

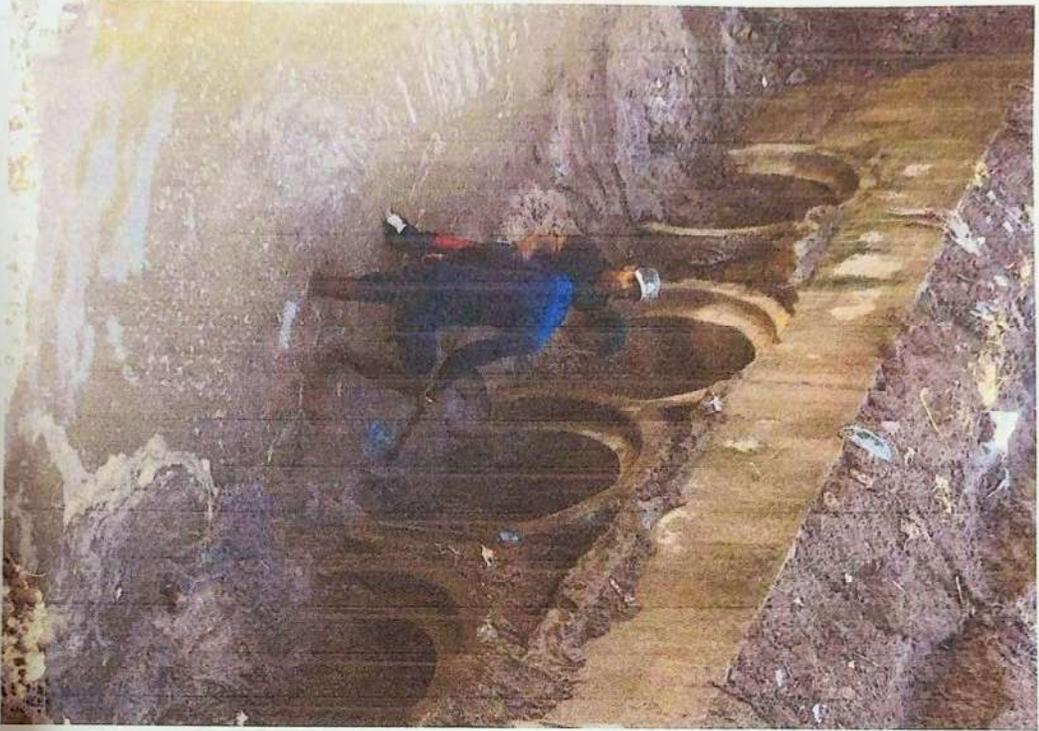


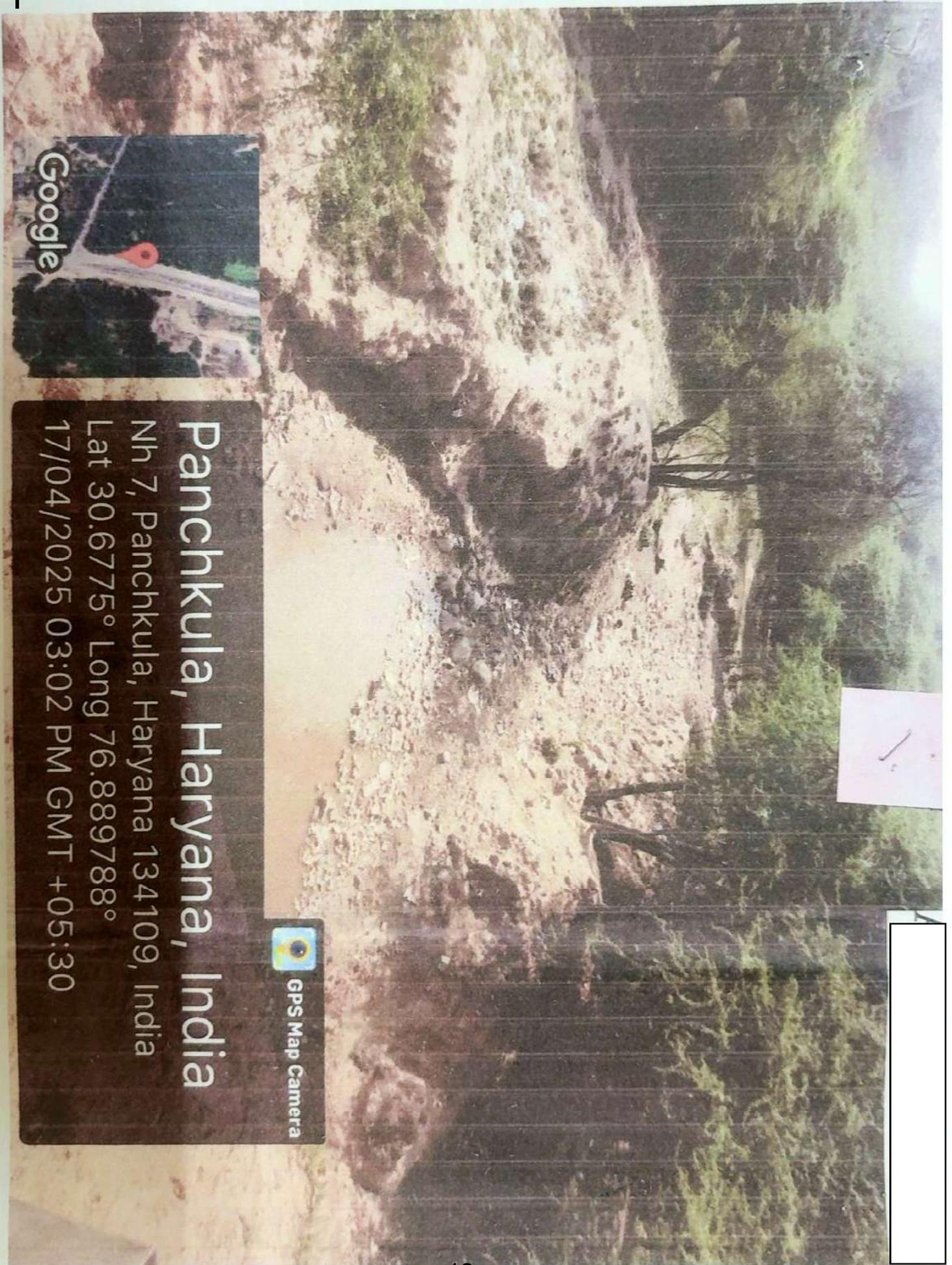
Annexure R-1/1
After











Google

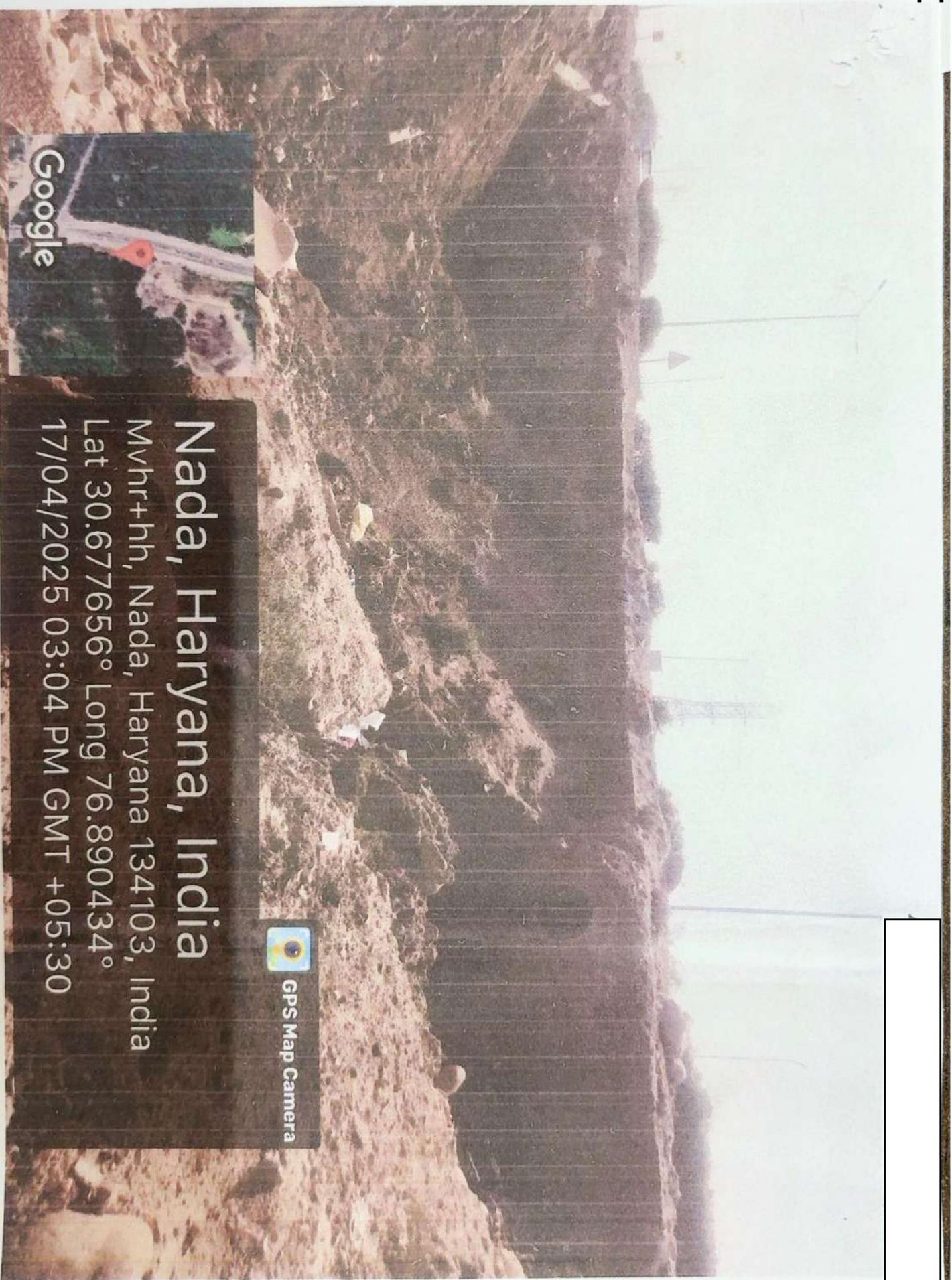


Panchkula, Haryana, India

Nh 7, Panchkula, Haryana 134109, India

Lat 30.6775° Long 76.889788°

17/04/2025 03:02 PM GMT +05:30



Google



GPS Map Camera

Nada, Haryana, India

Mvhr+hh, Nada, Haryana 134103, India
Lat 30.677656° Long 76.890434°
17/04/2025 03:04 PM GMT +05:30



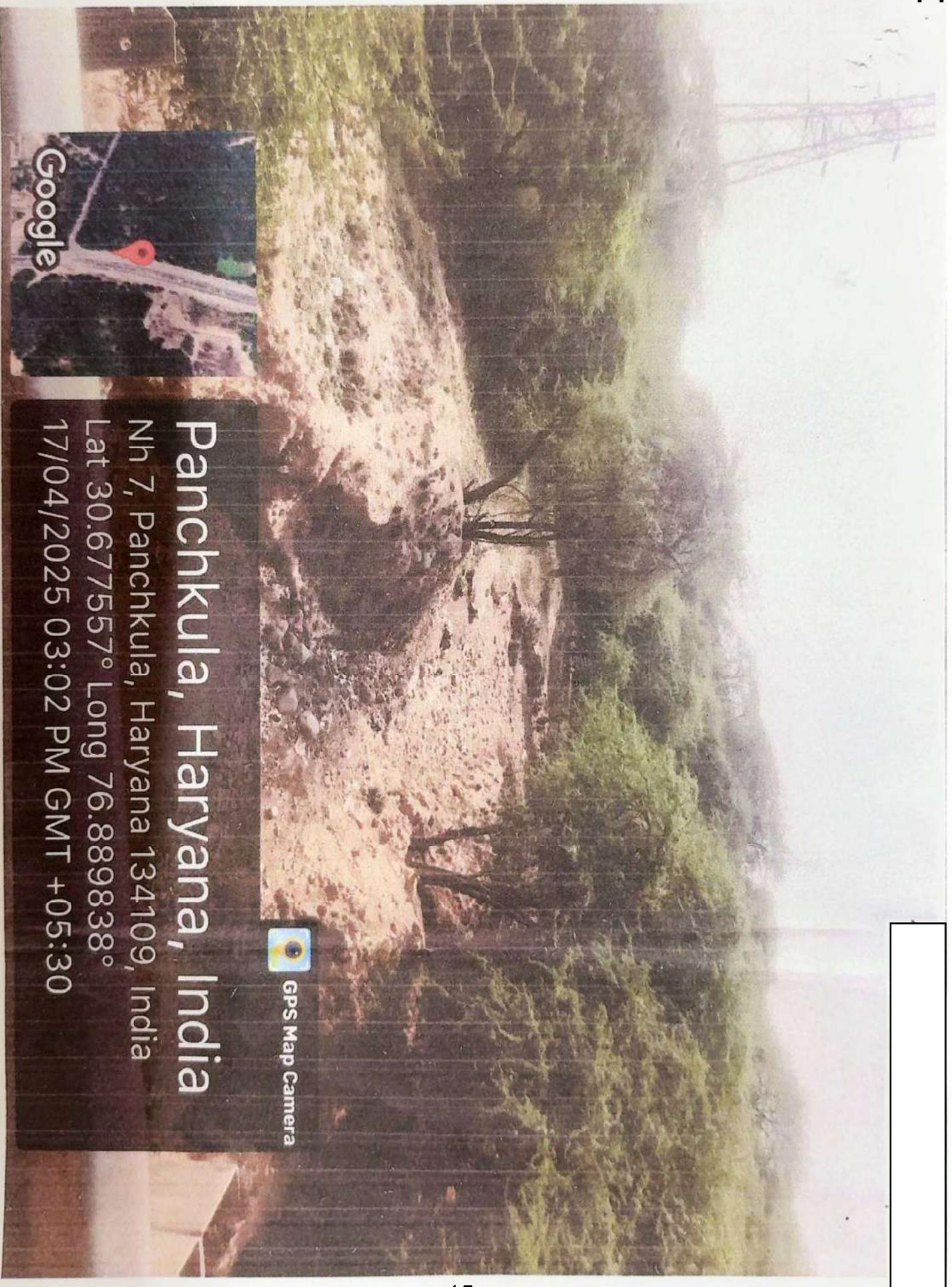
Google



GPS Map Camera

Panchkula, Haryana, India

Nh 7, Panchkula, Haryana 134109, India
Lat 30.677661° Long 76.890334°
17/04/2025 03:04 PM GMT +05:30



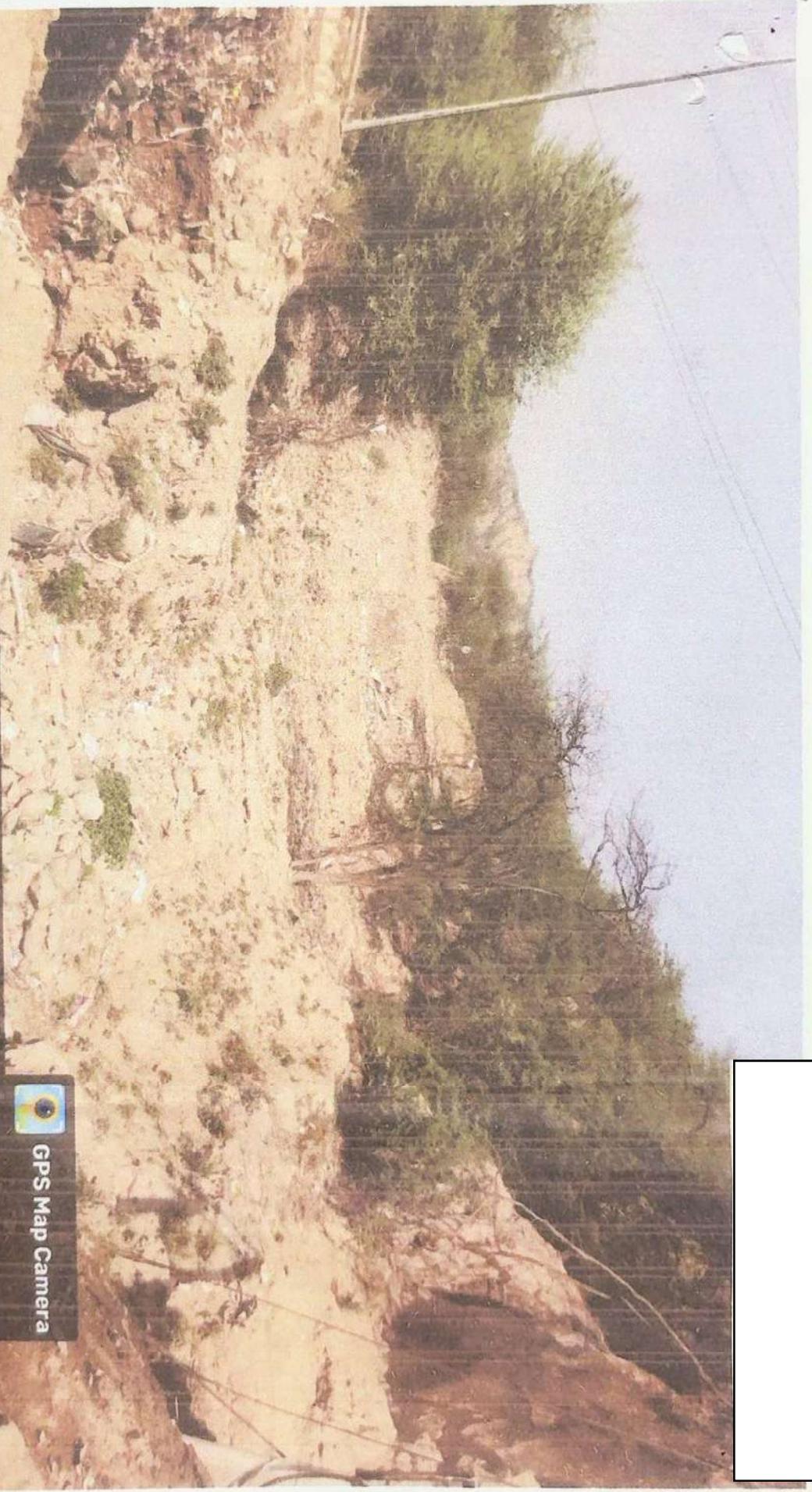
GPS Map Camera

Panchkula, Haryana, India

Nh 7, Panchkula, Haryana 134109, India

Lat 30.677557° Long 76.889838°

17/04/2025 03:02 PM GMT +05:30



GPS Map Camera

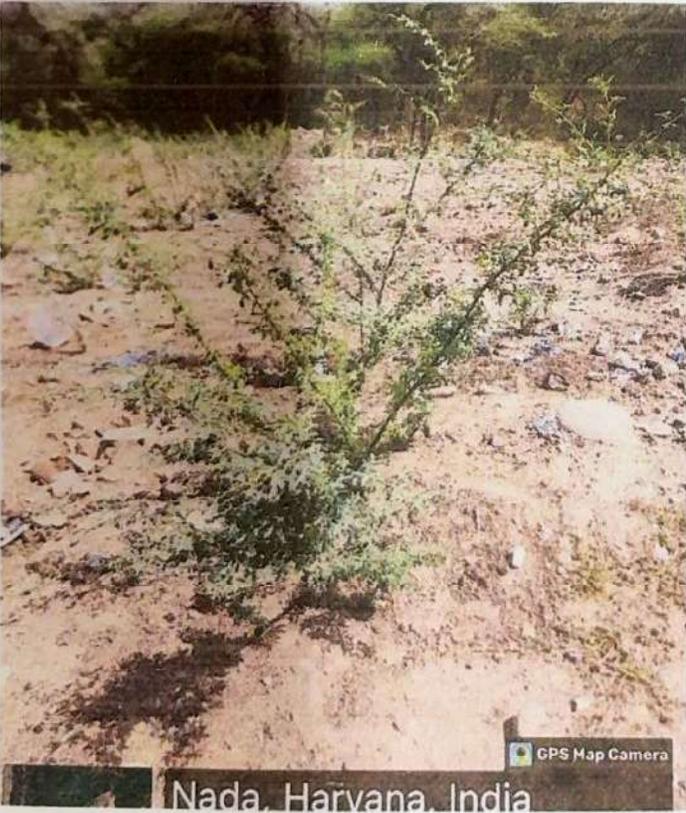
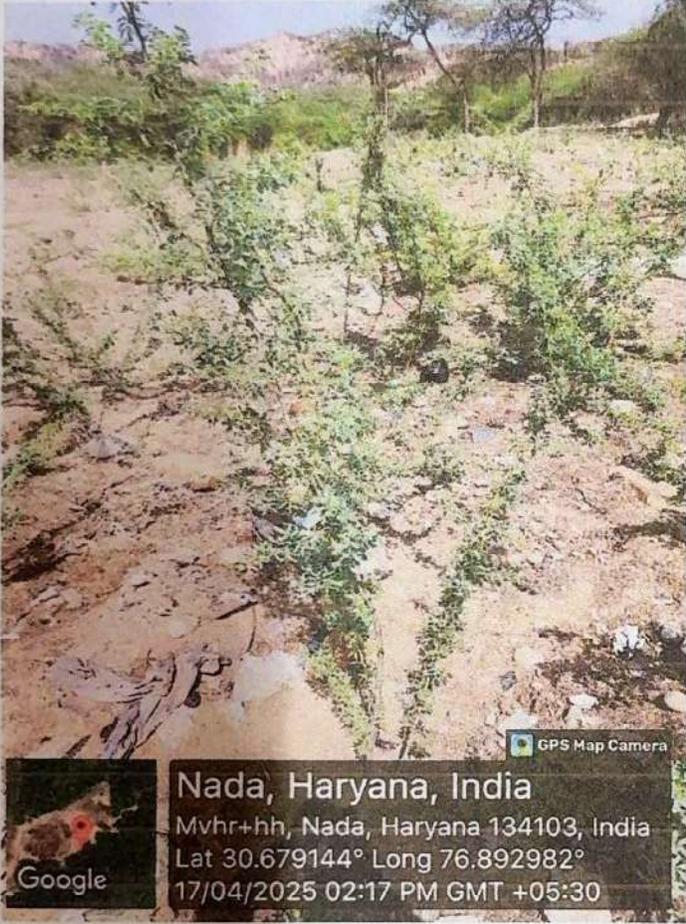
Panchkula, Haryana, India

Nh 7, Panchkula, Haryana 134109, India

Lat 30.677532° Long 76.890304°

17/04/2025 03:05 PM GMT +05:30







MUNICIPAL CORPORATION PANCHKULA
MUNICIPAL CORPORATION/URBAN LOCAL BODIES



ISSUE OF NOTICE TO PROCEED WITH THE WORK

To

B and P INFRATECH
 F 602, HETITAGE MAX, SECTOR 102, GURUGRAM, 122001 [2021R2060]
 E-mail- bpinfratech2@gmail.com
 Contact No.- 9812310938

Memo No.- HEWP/AL-73627 Dated: 13/12/2024

Subject:- Development of the material recovery facilities center (MRF) situated near towards Kami Village road at village Alipur, Ward no.20 MC Panchkula... **Chargeable to:** Development of the material recovery facilities center (MRF) situated near towards Kami Village road at village Alipur, Ward no.20 MC Panchkula[246.97].....(**Tender id : 2024_HRY_375926_1**)

Agreement Amount (Rs.) 2,00,82,405/-	
Agreement Number	ULB/FY2024-25/061613
Construction Amount (Rs.)	2,00,82,405/-
Operation & Maintenance Amount (Rs.)	0/-

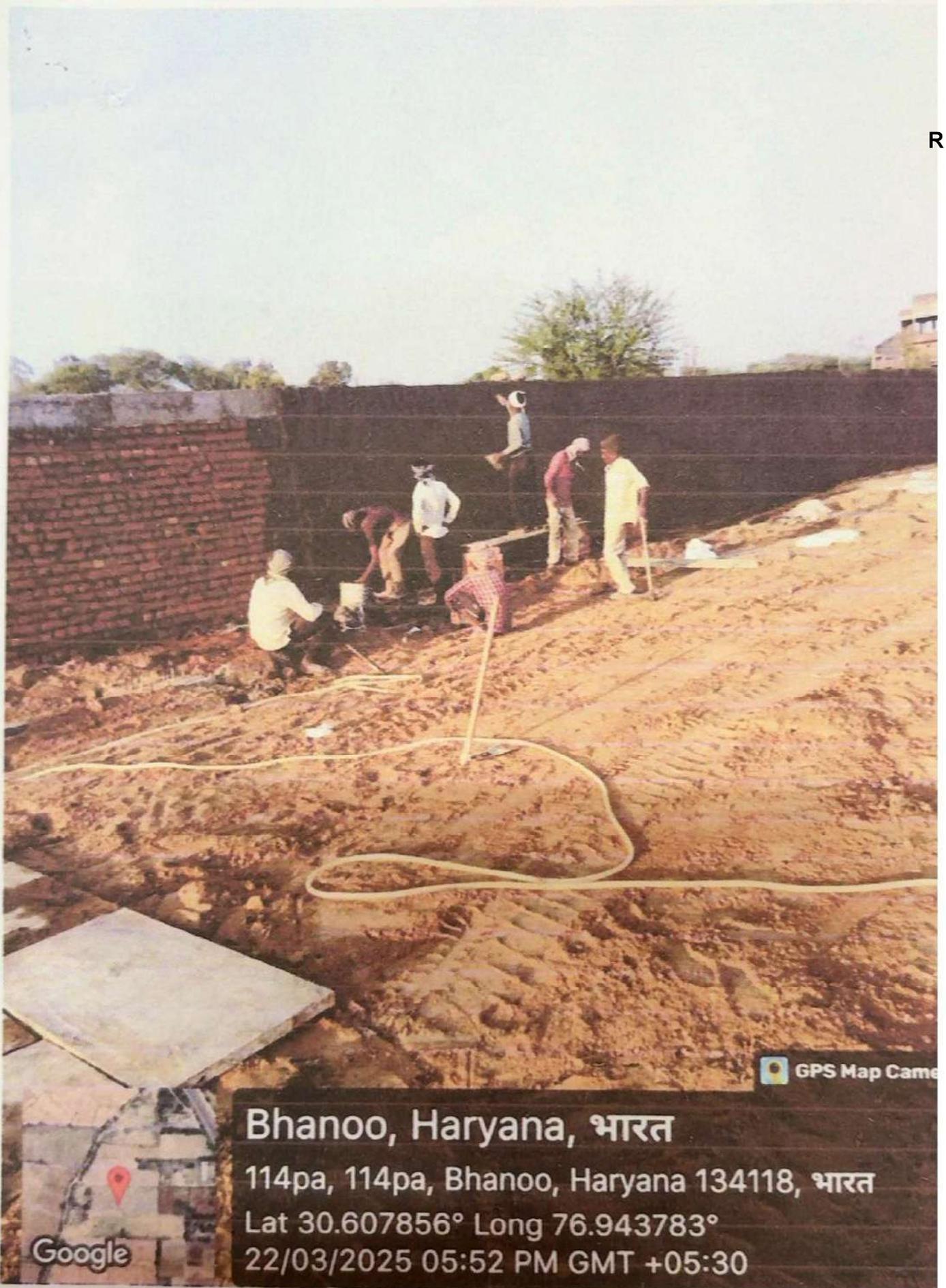
Pursuant to your furnishing the requisite Performance Security as stipulated in ITB Clause 34 and signing of the Contract for the work of "Development of the material recovery facilities center (MRF) situated near towards Kami Village road at village Alipur, Ward no.20 MC Panchkula..." at a bid price of Rs.2,00,82,405/-.

Time Period for Construction	Date of Start: -	20/12/2024
	Date of Completion: -	18/06/2025

You are hereby instructed to proceed with the execution of the said works in accordance with the contract documents.

Harish kumar
 Executive Engineer
 Municipal Corporation Panchkula
 Municipal Corporation/Urban Local Bodies

Disclaimer - This is a computer-generated document. No signature is required.

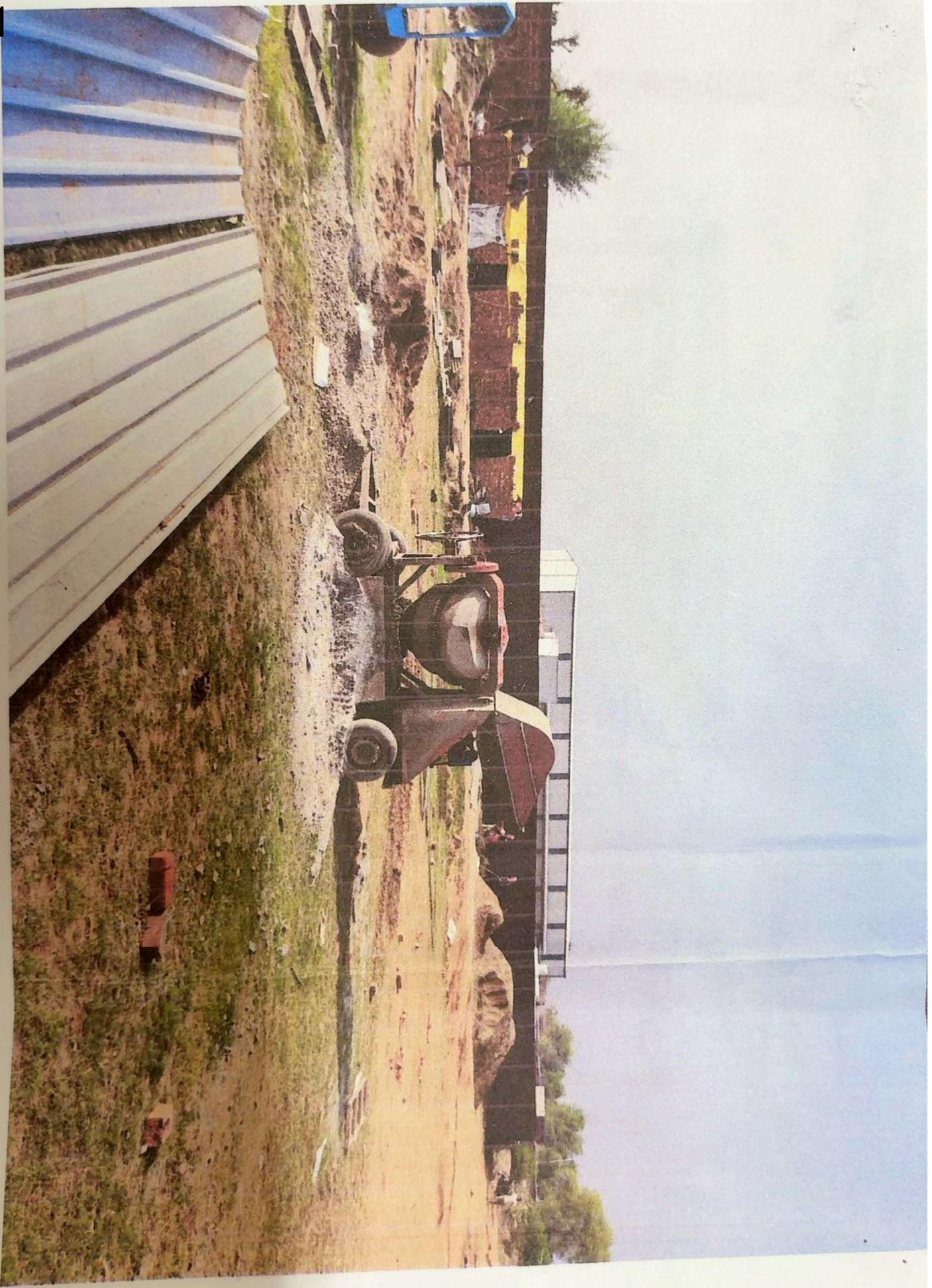




GPS Map Camera



Bhanoo, Haryana, भारत
114pa, 114pa, Bhanoo, Haryana 134118, भारत
Lat 30.607855° Long 76.944064°
22/03/2025 05:52 PM GMT +05:30



421





Municipal Corporation Panchkula

Community Center, Sector-4, Panchkula

E-mail:- Mcpanchkula@gmail.com Phone:- 0172-2585065

To

M/s Pooja Consultation Company
#198, Sector 13, opposite Civil Hospital
Sonapat(Haryana)-131001
E-mail: raj कुमार hooda2011@gmail.com

Memo no. 4893/XE10-SBM

Dated 27/3/25

Subject :-

Revised Work Order.

Name of work :-

Selection of Contractor for Reclamation of Existing Dumpsite at Sector 23, Panchkula.

The work of processing of legacy waste at sector-23, MC, PANCHKULA was allotted to M/s Pooja Consultation via Executive Engineer-1, Municipal Corporation, Panchkula office work order memo no. EE-1/MCPKL/6304 dated 26.05.2023 upto the quantity 3,04,654.63 MT of legacy waste. Also, the subject cited work was enhanced vide Executive Engineer-SBM, Municipal Corporation, Panchkula office work order memo no. EE-SBM/MCP/2024/957 dated 15.03.2024 upto a total quantity of 3,74,654.630 MT.

The Government has once again approved the enhancement of above work for qty. 3,74,654.630 MT to 5,46,639.630 MT for original agreement amounting to Rs. 20.41 Cr. to Revised Restricted amounting to Rs. 36.62 Cr. vide Executive Engineer-IV for Director General Urban Local Bodies Panchkula vide memo no. SNT/DULB/2025/189 dated 22.02.2025 on the rates mentioned below subject to the same Terms and Conditions as of already issued work order vide work order no. 6304/EE-1/MCPKL dated 26.05.2023 as mentioned above.

Rate :-

Sr no.	Description	Approx. Qty.	Rate/Unit	Total Project Cost in Rs.
1.	Selection of Contractor for reclamation of existing Dumpsite at Sector 23 Panchkula.	304645.63 MT	@670 per tone	20,41,12,572.00
2.	1 st Enhancement	70000 MT	@670 per tone	4,69,00,000.00
3.	2 nd Enhancement	1,71,994 MT	@670 per tone	11,52,35,980.00
	Total cost after Enhancement	5,46,639.630 MT	-----	36,62,48,552.00

Under the authority of Worthy Commissioner, Municipal Corporation, Panchkula and approval of enhancement from High Power Works Committee (HPWC) the completion period of the work order will be from 01.09.2024 to 31.08.2025 i.e. 365 days or allotment of new work order, whichever is earlier. Your firm is further directed to submit a Performance Security (i.e. 5% of enhanced amount) in the form of Bank Guarantee amounting to Rs. 57,61,799/- valid up to 11.04.2025 in favour of Commissioner, Municipal Corporation Panchkula and make a fresh agreement with Municipal Corporation Panchkula within 7 days positively.

Executive Engineer-SBM
For Commissioner
Municipal Corporation
Panchkula
Dated 27/3/25

Endst No. 4894-4900/XE10-SBM

A copy of the above is forwarded to the followings for information and necessary action please.

1. Worthy Commissioner, Municipal Corporation, Panchkula
2. Joint Commissioner, Municipal Corporation Panchkula
3. Deputy Municipal Commissioner, Municipal Corporation Panchkula
4. Superintending Engineer, Municipal Corporation Panchkula
5. Executive Engineer-II, Municipal Corporation Panchkula
6. Assistant Engineer-IV, Municipal Corporation Panchkula
7. Junior Engineer SBM, Municipal Corporation Panchkula

Executive Engineer-SBM
For Commissioner
Municipal Corporation
Panchkula



GPS Map Cam



Nada, Haryana, India
Mvjj+pw6, Nada, Haryana 134109, India
Lat 30.681358° Long 76.881803°
18/04/2025 11:51 AM GMT +05:30



Panchkula, Haryana, India
Sector 23, Panchkula, Haryana
134109, India
Lat 30.681358, Long 76.881652
04/19/2025 10:35 AM GMT+05:30
Note : Captured by GPS Map Camera

GPS Map Camera

जागरण सिटी पंचकुला

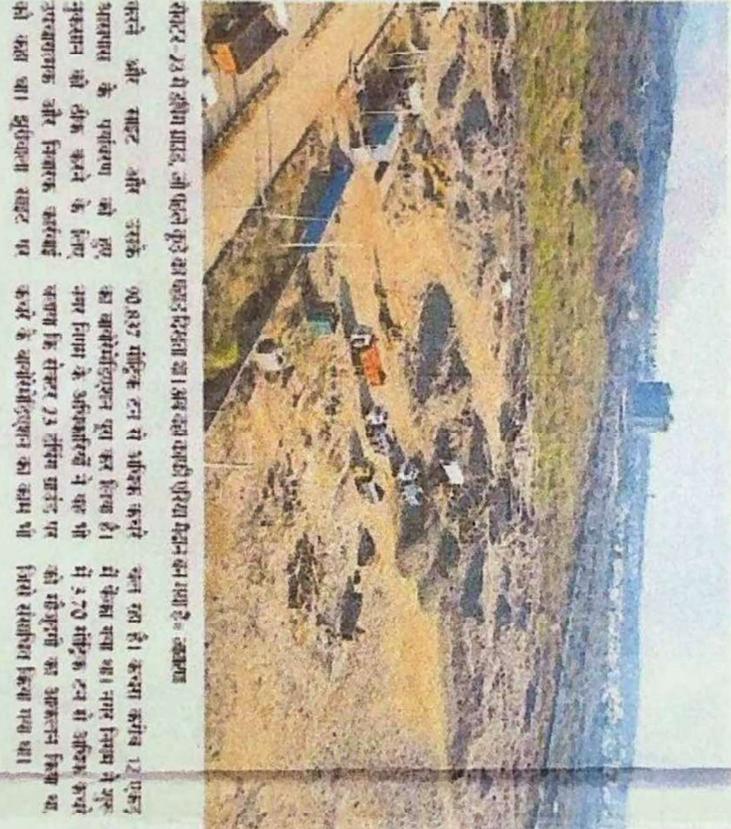
डंपिंग ग्राउंड सेक्टर-23 से उठा 3.70 लाख टन कूड़ा, पहाड़ दिखने लगा मैदान

उत्तराखण्ड • देहरादून

पंचकुला : सेक्टर-23 में बने डंपिंग ग्राउंड से 3.70 लाख टन कूड़ा उखाड़ा जा चुका है। अब आगे से ज्यादा ग्राउंड खाली दिखने लगा है। इस स्थान पर वर्ष 2001 से लेकर 2020 तक नगर पौरिक और नगर निगम कर्मों के बाद कूड़ा गिराया गया है। पूजा कुमारीवाला कर्मों आरंभ होने के अनुसार अब तक 3.70 लाख टन कूड़ा उखाड़ा गया है।

यहां पर कुछ आरंभिक बचाव प्रकल्प है, उसे उठाने का कार्य चल रहा है। नगर निगम ने गला ही में बसनेवाले कूड़े का सर्वे करवाने के बाद कलकत्ता पहुंचे कूड़े को उठाने के लिए प्रस्ताव पेशा है। 1.80 लाख टन कूड़ा उठाने का पहाड़ को भीगी भीगी दिखाने के बाद यह डंपिंग ग्राउंड पूरी तरह खाली होने की संभावना है। इस डंपिंग ग्राउंड में लगभग 16 वर्ष तक संभाला जा रहा है। कूड़ा गिराया जा रहा था।

- 1.80 लाख टन कूड़ा और उठाने के लिए लगेगा ट्रैक्टर
- 16 वर्ष तक सेक्टर-23 डंपिंग ग्राउंड में गिराया गया कूड़ा
- कलकत्ता कूड़ा उठाने के बाद प्रभावित क्षेत्रों में खेती बढ़ेगी



पंचकुला-बरनाली रोड पर बने एक डंपिंग ग्राउंड पर अब पेंड-पीके लगाकर खाली बरनाली जा रहा है।

नये रास्ते से निगम करवाना प्रसंस्कृत संघर्ष के कर्मों को भी प्रभावित रहने में पीछे होने वाले कर्मों को सेक्टर-23 डंपिंग ग्राउंड पर डंग कर रहा था। निजीकरण को और से आरंभित जाणा जल्द के बाद नगर निगम ने डंपिंग ग्राउंड में कचरा डंग करने का फैसला किया था। इसके बाद यह ग्राउंड राष्ट्रीय जीवन अधिकारण (एनएचटी) के संकेतन में लागू गया।

निगमने पंचकुला की संरक्षण प्रकल्पों के लिए पुरानी को फटाकार लागू और नवंबर 2022 में ही करीब 25 लाख रुपए का बजट में सेक्टर को खाली करने और साइट और उत्तरे के 90 सत्र मीट्रिक टन से अधिक कचरे को उखाड़ने का कार्य शुरू किया है। नगर निगम ने शुरू में केला गया था। नगर निगम ने शुरू में 3.70 मीट्रिक टन से अधिक कचरे को उखाड़ने का आह्वान किया था।

नगर निगम ने डंपिंग ग्राउंड में सेक्टर 23 डंपिंग ग्राउंड पर कचरे के बर्बादी प्रमाण का काम भी निरत संस्थागत किया गया था।

सेक्टर-23 के डंपिंग ग्राउंड से 3.70 लाख मीट्रिक टन कूड़ा उखाड़ा जा चुका है। कचरा कर्मों 12 फुट गहराई के पुराने कर्मों का बर्बादी प्रमाण पूरा कर दिया है। नगर निगम ने शुरू में 3.70 मीट्रिक टन से अधिक कचरे को उखाड़ने का आह्वान किया था।

उठाने का काम पूरा आरंभित होगा।

कुलभूषण सेक्टर, उत्तराखण्ड

जुगाध में उठा जा मूला

इस डंपिंग ग्राउंड का पूरा इन्फ्रास्ट्रक्चर डंग कर दिया गया है। नगर निगम ने डंपिंग ग्राउंड को खाली करने के लिए प्रस्ताव पेशा है। 1.80 लाख टन कूड़ा उठाने का पहाड़ को भीगी भीगी दिखाने के बाद यह डंपिंग ग्राउंड पूरी तरह खाली होने की संभावना है। इस डंपिंग ग्राउंड में लगभग 16 वर्ष तक संभाला जा रहा है। कूड़ा गिराया जा रहा था।