

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.
OA No. 138/2025**

IN THE MATTER OF :

Sohan Lal & Ors

....Applicant

Versus

State of Haryana & Or

...Respondents

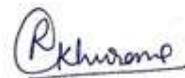
INDEX

S.NO.	PARTICULARS	PAGE NO.
1.	REPLY ON BEHALF OF RESPONDENT NO.1 AND 5 THROUGH SH. SUMIT MALIK, EXECUTIVE ENGINEER-SBM, MUNICIPAL CORPORATION, PANCHKULA	1-4
2.	Annexure R-1 Google Images	5
3.	Annexure-R/2 Request letter dated 13.12.2024 sent to the Regional Officer, HSPCB, Panchkula	6
4.	Annexure-R/3 Site photographs	7-8

Delhi

Dated 22.05.2025

Filed by



**Rahul Khurana Adv
Counsel for Respondent no. 1 and 5
rkhuranalegal@Gmail.com
9811894060.**

IN THE MATTER OF

Sohan Lal & Ors.

.....Applicant(s)

VERSUS

State of Haryana & Ors.

....Respondent(s)

REPLY ON BEHALF OF RESPONDENT NO.1 AND 5 THROUGH SH.
SUMIT MALIK, EXECUTIVE ENGINEER-SBM, MUNICIPAL
CORPORATION, PANCHKULA

MOST RESPECTFULLY SHOWEWITH:

1. That present OA has been filed alleging establishment of MRF in violation of EIA Notification 2006, Solid Waste Management Rules 2016, CPCB Guidelines and Judgments passed by Hon'ble Apex Court. It is humbly submitted that allegations made in the OA are beyond reality and denied in toto. It is humbly submitted that averments made in the OA may be treated as denied unless admitted specifically hereunder.
2. That present reply is being filed by Sh. Sumit Malik, Executive Engineer-SBM, Municipal Corporation, Panchkula who is authorized and competent to file the same on behalf of answering respondents.
3. That it is respectfully submitted that the Municipal Corporation, Panchkula is in the process of developing and constructing a Material Recovery Facility (MRF) Centre on a parcel of land measuring approximately 1.2 acres situated near Kami Village Road, in Village Alipur, Ward No. 20 in accordance with all applicable environmental norms and the provisions of the Solid Waste Management Rules, 2016 (hereinafter referred to as 'SWM Rules, 2016'). The land in question is under ownership of the MC, Panchkula.
4. That it is respectfully submitted that MRF site in question is situated at a significant distance about 295m from the residential area of Village Alipur and 520m from industrial area located on other side of Highway as appears from google images annexed as **Annexure-R/1**. The green lines shows the boundary location of MRF site. It is noteworthy that No siting criteria is

establishment of MRF. Therefore, it is humbly submitted that the respondent has not violated any clause 5 (I) of the guideline prescribed by the Central Pollution Control Board issued in terms of SWM Rule, 2016 vide O.M dated 15.04.2019 as the site will be used as Transit cum Transfer Station and not for any processing or disposal purpose.

- 5. That it is respectfully submitted that under rule 15(y) of the SWM Rules, 2016, stipulates that local bodies are required to make an application for authorization for setting up of waste processing, treatment or disposal facilities only when the volume of waste exceeds 5 MTPD and the nature of activity involves processing. However, as stated, the present site is solely intended for handling and transfer of segregated waste and does not entail any treatment or disposal activity on-site. Therefore, the said rule is not attracted in this instance and authorization is not required. However, to avoid any legal impediment and as abundant caution, answering respondent submitted request letter dated 13.12.2024 to the Regional Officer, HSPCB, Panchkula seeking NOC/permission for Development of MRF. This request letter was followed up vide further communications. However, HSPCB did not consider the NOC/permission as pre-requisite for establishment of MRF. Copy of Request letter dated 13.12.2024 sent to the Regional Officer, HSPCB, Panchkula is annexed herewith as **Annexure-R/2**.

- 6. That Municipal Corporation, Panchkula resolved to commence construction of the said MRF Centre on a priority basis, in light of ongoing proceedings before the Hon'ble National Green Tribunal, Principal Bench, New Delhi, in OA No. 04/2022, wherein the Respondent has already submitted an Action Taken Report indicating the proposal for establishing the MRF Centre at Village Alipur.

- 7. That it is respectfully submitted that, as already stated in Paragraph No. 2, the Municipal Corporation, Panchkula, is in the process of developing a Material Recovery Facility (MRF) Centre on a parcel of land measuring approximately 1.2 acres, situated at Village Alipur. The said facility shall be utilized as a transit-cum-transfer station for municipal solid waste collected from various sectors and villages within the jurisdiction of Panchkula. The waste will be temporarily placed at the MRF site at Village Alipur and thereafter, will be transported to the Patvi site in Ambala District for its processing and final disposal. It is further submitted that the MRF Centre will handle all municipal solid waste generated within the Panchkula City, which shall be transported to

the Patvi site for further handling of waste with the help of trommel machines. It is most humbly submitted that no accumulation or formation of garbage heaps shall be permitted at the MRF site.

8. That approximately 85% of the construction work at the site has been completed as of today. Site photographs evidencing the status of construction are annexed herewith as **Annexure-R/3**. The waste shall be placed under specifically constructed sheds, thereby ensuring protection from rain and adverse weather conditions. Moreover, all necessary precautionary and safety measures will be duly implemented at the MRF cum transfer site, upon commencement of its operations.
9. That answering respondent craves liberty to file additional reply on the points required to be clarified, if need arise during course of hearing, with the permission of this Hon'ble Tribunal.

It is further submitted that the Respondent has not violated any statutory provisions and has duly complied with all applicable environmental norms and procedural requirements prior to initiating the said activity. The plantation shall be carried out at periphery of the MRF site in coming monsoon. It is undertaken to comply with the directions passed by this Hon'ble Tribunal including precautionary measures directed to be adopted at MRF site in question.

Place: Panchkula
Dated: 22.05.2025


Executive Engineer-SBM
Municipal Corporation, Panchkula

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AFFIDAVIT

I, Sumit Malik, Executive Engineer-SBM, Municipal Corporation, Panchkula aged about 37 years do hereby solemnly affirm and state as under:-

1. That in the aforesaid official capacity, I am well conversant with the facts and circumstances of the case, therefore, I am competent to file accompanying reply and to swear this affidavit.
2. That I have gone through the contents of accompanying reply which has been drafted under my instructions.



22 MAY 2025

Deponent
Executive Engineer-SBM
Municipal Corporation
Panchkula

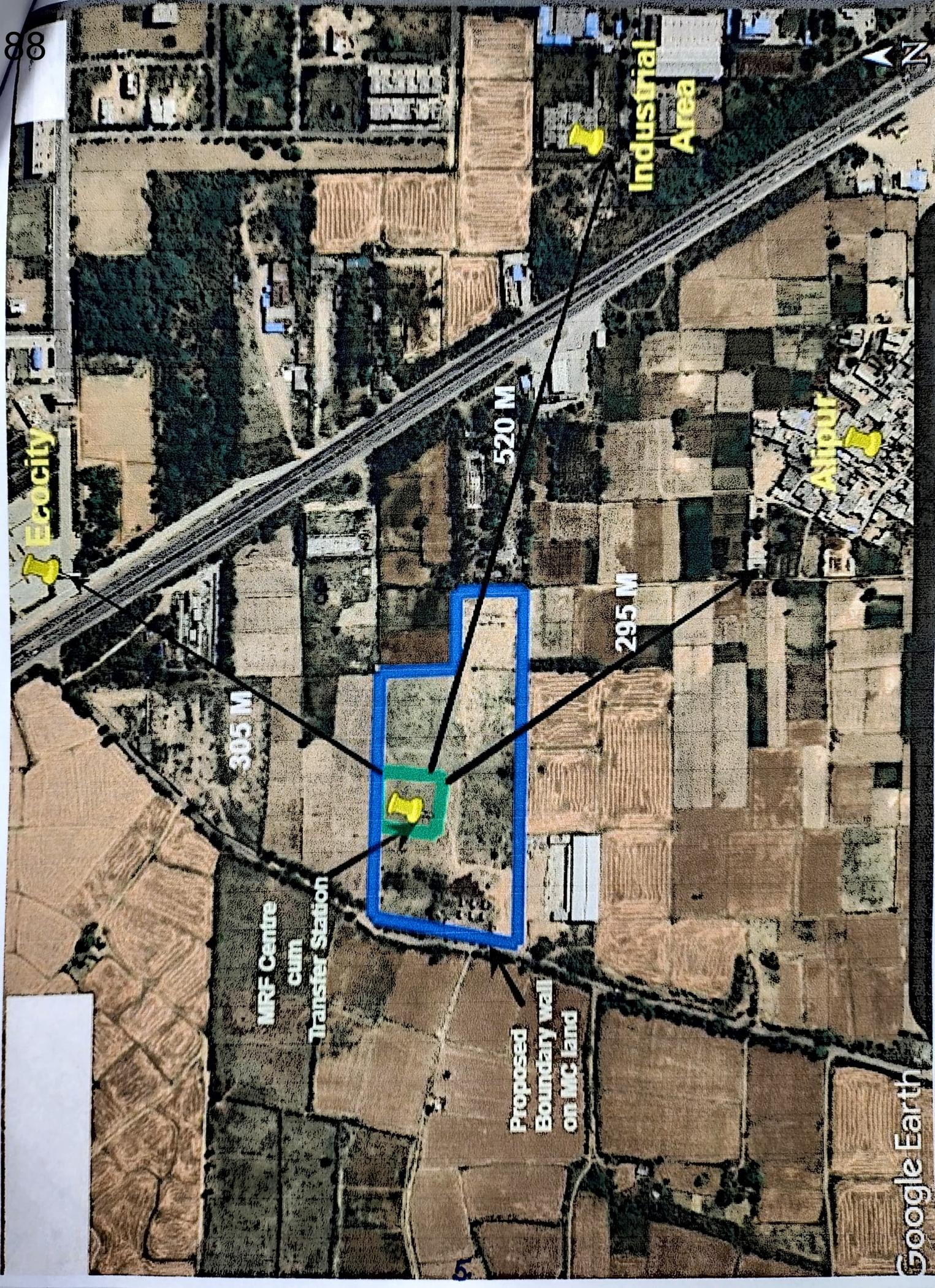
Verification:

Verified at Panchkula of 22nd of May, 2025 that the contents of 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.

22 MAY 2025

ATTESTED
APS CHAHAL No. 11451
NOTARY PANCHKULA

Deponent
Executive Engineer-SBM
Municipal Corporation
Panchkula



Ecocity

Industrial Area

Alibor

305 M

520 M

295 M

MRF Centre
cum
Transfer Station

Proposed
Boundary wall
on MC land



Municipal Corporation Panchkula

Community Center, Sector - 12-A, Panchkula

E-Mail:- xen2mcpkl@gmail.com



To

The Regional Officer,
Haryana State Pollution Control Board,
Sector-25, Panchkula.
Email Id: hspcbropkl@gmail.com

Memo No.: - EE-II/MCPKL/2024/3356

Dated: 13.12.2024

Subject: - Request NOC for Development of the material recovery facilities center (MRF) situated near towards Kami Village road at village Alipur Ward No. 20, Panchkula.

In reference to subject cited above, it is submitted that the work has been allotted to B & P Infratech vide work order no. HEWP/AL-73627 dated 13.12.2024 (Copy attached).

Therefore, it is requested to provide no objection certificate (NOC)/Permission to execute the said work at site, keeping in view the environmental & health aspects as per Solid Waste Management (SWM) Rules, 2016 . In view of above, your kind attention is requested to take necessary action in this matter at the earliest and provide N.O.C as the matter is in Hon'ble National Green Tribunal Court.


Executive Engineer-II
Municipal Corporation
Panchkula

Endst. No. EE-II/MCPKL/2024/3357-3358

Dated: 13.12.2024

A copy of the above is forwarded to the following for information please.

1. W/Commissioner, Municipal Corporation, Panchkula.
2. Superintending Engineer, Municipal Corporation, Panchkula.


Executive Engineer-II
Municipal Corporation
Panchkula



