

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,PRINCIPAL BENCH, NEW DELHI

Original Application No.04/2022

IN THE MATTER OF

Sanjay Kumar

Applicant

Versus

Union of India &amp;Ors.

Respondents

Action taken report of Sachin Gupta, Commissioner, Municipal Corporation, Panchkula in compliance of order dated 03 May 2023 passed by this Hon'ble Tribunal.

RESPECTFULLY SHOWETH: -

1. That this haible Tribunal while hearing the aforesaid O.A. on 03May 2023 has issued certain directions that are to be complied with by the Municipal Corporation, Panchkula. The relevant part of the order dated 03May 2023 is reproduced hereunder for kind perusal: -

*"5. We have heard learned Counsel for the appearing parties and find that the progress depicted in the status report can hardly be accepted assatisfactory by any standard. No accountability is being fixed for gross failures and continuing damage to the environment and public health. There is practically no progress in remediation of legacy waste at Jhuriwala or Sector 23. It is surprising that Municipal Corporations, Panchkula and Kalka Pinjore are transporting waste to Ambala which cannot be sustainable on long term basis and may lead tomismanagement. Reclaimed land at Jhuriwala or Sector 23 should beutilized for dense plantation as directed by the Tribunal vide orderdated 20.04.2023 in O.A. No. 606/2018 (in respect of Haryana) passed in the presence of Chief Secretary, Haryana. Situation needs to be handled in mission mode in view of continuing failures so far. Only two meetings appear to have been held in the last six months and notangible steps have been taken. The joint Committee has not beenable to achieve even the minimum. We, thus, direct that the ChiefSecretary, Haryana to review the progress personally to bring abouteffective road map in the interest of environment and public health Action Taken Report showing tangible*

*progress in execution of remediation of legacy, including functioning of Waste to Energy Plant. The report may be filed after approval by the Chief Secretary within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCRSupport PDF and not in the form of Image PDF.*

2. That in compliance of the aforesaid order, a review meeting was held under the chairmanship of Chief Secretary, Haryana on 26 July 2023. During the meeting, it was observed that a suitable processing site should be identified nearby Panchkula which fulfils all the criteria for obtaining 'Environmental Clearance' (EC) as transportation of the daily generated solid waste will increase the project cost substantially. Therefore, the Chief Secretary directed that there is an urgent need to identify another piece of suitable land for setting up of a processing plant for processing of daily generated waste and the same should be completed by MC, Panchkula within 15 days, positively, with all sincere efforts.
3. That in compliance of the above directions, MC Panchkula has constituted a committee vide Endst. No 7761-65/CMC dated 26 July 2023 comprising of 4 members, i.e., The Deputy Municipal Commissioner, Executive Engineer, Naib Tehsildar and Chief Sanitary Inspector of the Municipal Corporation, Panchkula and a separate Committee for Municipal Council Kalka vide Endst. No. 7766-71 dated 26 July 2023 comprising of the Deputy Municipal Commissioner, Panchkula as Chairman, Executive Engineer, Executive Officer, Municipal Engineer and Chief Sanitary Inspector, Municipal Council, Kalka as members for identifying land for setting up of Integrated Solid Waste Management Plant.

The Municipal Corporation Panchkula has also taken steps to comply with the requirement of land identification for the establishment of a solid waste management plant. A 4-member committee was constituted by Commissioner, Municipal Corporation Panchkula, as evidenced by Endst. no. 7761-65/CMC dated 26.07.2023 (**attached as Flag 'A'**). The committee's objective is to identify suitable land based on the criteria and guidelines outlined in the Solid Waste Management Rules-2016 (SWM-2016) and the Central Public Health and Environmental Organisation (CPHEEO). Guidelines for solid waste management projects. Subsequently, the committee initiated its work and held a meeting with the Planning Branch to explore the availability of land that conforms to the SWM-2016 criteria and CPHEEO guidelines. Following this meeting, the Planning Branch presented a drawing indicating potential land for the establishment of solid waste management plant. To ensure the feasibility of the identified land, a joint inspection was conducted by committee members on 11 August 2023. During the inspection, it was observed that only two pockets of land are available in the

revenue area of Village Jalouli and Village Khatouli. Based on records and site visits, it was determined that the land in Village Jalouli is not suitable due to ongoing mining operations conducted by the Haryana Mining Department. Similarly, the land of Village Khatouli was found to be unsuitable due to its classification as 'choe land' (Gair Mumkin Nadi land).

Additionally, a formal request letter was sent to the Deputy Commissioner, Panchkula seeking necessary intervention in the matter or the acquisition of private land from private owners through the E-Bhoomi portal for the identification of land in other parts of the Panchkula district, outside the MC Panchkula limits. The possibilities are also being explored regarding selection of existing site at Jhuriwala for the establishment of a solid waste management plant. This decision can be implemented after the completion of the ongoing legacy project and obtaining the necessary clearances from the Environment Department and other relevant authorities as the Environmental Clearance for the Jhuriwala site was obtained earlier also.

It is further respectfully submitted that MC, Panchkula has finalized the tender process for bio-remediation of legacy waste lying at Sector-23 dumping ground Panchkula (3.03 Lakh MT) and Village-Jhuriwala site (90,000 MT) and issued work order vide the memo No. 6304/EE-I/MCPKL dated 26 May 2023 and 6317/EE-I/MCPKL dated 30 May 2023 respectively. The legacy waste lying at Sector-23 & Jhuriwala will be remediated by 24 March 2024 and 27 February 2024 respectively. Agency has installed trommel machines for processing at both Sector-23 & Jhuriwala sites for processing the legacy waste. The work at Sector-23 site started after its inauguration on 12 September 2023, and a weekly progress report is (**attached as Flag 'B'**). It is noted that the progress of work has been affected due to the monsoon season, but MC Panchkula is committed to achieve the daily processing capacity of 2000.00 MT as stipulated in the work order.

4. That it has been further decided that a separate Executive Engineer will be deputed to streamline and expedite the process of Bio-remediation of legacy waste lying at Sector-23 and Jhuriwala sites so that the orders of Hon'ble Tribunal can be complied with, in letter and spirit. Further, monthly targets for remediation of legacy waste at Sector-23 & Jhuriwala site have been fixed at 2000 MT per day and 1500 MT per day respectively and further action for remediation will be taken in a time bound manner. In light of the above directions, Sh. Sumit Malik, Executive Engineer, has been allocated a separate charge of Solid Waste Management. Municipal Corporation, Panchkula has issued the office order as per the direction vide Endst. no. 7634-44/CMC dated 24 July 2023.

5. That the Municipal Corporation, Panchkula and Municipal Council, Kalka-Pinjore is taking sincere and effective steps to comply with the directions of Hon'ble Tribunal. However, slight delay has occurred due to some unavoidable circumstances and the deponent regrets the same and also assures this Hon'ble Tribunal that the answering respondents are committed to remove all the legacy waste as well as scientific disposal of fresh waste well within the committed time period.
6. That the aforesaid status report may kindly be allowed to be placed on record of this Hon'ble National Green Tribunal in compliance of order dated 03 May 2023 passed by this Tribunal.

Place: Panchkula  
Dated: 10/10/2023 .

  
(Sachin Gupta)  
Commissioner Municipal Corporation,  
Panchkula