

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

OA No.810 of 2024

IN THE MATTER OF:

Ashish ... Applicant

Versus

State of Haryana ... Respondent

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Dated:11.10.2024  
Place: Panipat

  
Regional Officer, HSPCB  
Panipat Region

Through

**Rahul Khurana, Advocate**  
A-174, 3<sup>rd</sup> Floor, Defence Colony  
New Delhi,09811894060  
[rkhuranalegal@gmail.com](mailto:rkhuranalegal@gmail.com)

**Status Report by the Joint Committee in Original Application No. 810 of 2024 titled as Ashish V/s State of Haryana.**

**1. Background;**

The Original Application No.810 of 2024 was fixed before the Hon'ble Tribunal on 27.08.2024. The grievance in the said application raised by the complainant that M/s JBM Environment Management Private Limited has been given contract for handling, management and disposal of solid waste by Nagar Nigam, Panipat under service contract, but the agency instead of scientific disposal of solid waste, discharging it between two rivers, which are at a distance of about 50 feet and sometimes partially burnt the garbage and unbrunt garbage is thrown in canal causing contamination of drinking water at some local area.

In view of the grievance raised by the complainant in his application Hon'ble NGT constituted a Joint Committee comprising of District Magistrate, Panipat and Haryana State Pollution Control Board as per order dated 27/08/2024. As per said order District Magistrate, Panipat shall be the Nodal Agency for coordination and compliance of the said order. Copy of order dated 27.08.2024 is attached as **Annexure-R/1**.

In compliance of Hon'ble NGT orders dated 27/08/2024, Deputy commissioner Panipat nominate Sh. Braham Prakash, HCS, Sub-Divisional Magistrate, Panipat on his behalf vide order dated 27.09.2024. Copy of order dated 27/09/2024 is attached as **Annexure-R/2**.

**2. Inspection of Solid Waste Site;**

The joint committee constituted by Hon'ble NGT consisting of Sh. Braham Prakash, HCS, Sub-Divisional Magistrate, Panipat and Sh. Bhupinder Singh, Regional Officer, HSPCB, Panipat visited the site where solid waste was dumped by M/s JBM Environment Management Private Limited (herein after called as 'Concessionaire') was inspected on 07/10/2024 in presence of Sh. Jitender Narwal, Chief Sanitary Inspector, Municipal Corporation, Panipat and Sh. Ajit Tiwari, representative of the Concessionaire.

During inspection, it was found that the solid waste site was located on the land of Village-Mehrana and lying between the two canals carrying fresh water i.e. Delhi Parallel Branch and Carrier link channel. The dumping of solid waste at said site was started in the month of July, 2023 and dumping has been stopped w.e.f. February, 2024. The contract for management of solid waste generated in municipal limits of MC, Panipat is given to the Concessionaire.

The mixed solid waste was found dumped in open at the above referred site. No boundary wall was done of the solid waste dumping site. Open burning of solid waste was also found during the time of inspection by the Joint Committee. However, no discharge of solid waste was found in the canals as mentioned in the complaint. A ground water sample from the adjoining area to the solid waste site has been collected by the joint committee to analyze the quality of ground water. Representative of Municipal Corporation, Panipat informed to the Joint Committee that presently no fresh dumping of any solid waste is being done at said site w.e.f. February, 2024 as new site near New Sugar Mill, Village-Dahar has been identified as secondary collection point for dumping of solid waste of Municipal Corporation, Panipat before final disposal to Waste to Energy Plant operating at Village-Murthal, Sonapat.

### 3. Observation of the Committee:-

- I. The legacy waste has been found on the site located at Village-Mehrana, Panipat. Quantity was stated to be approx. 360 MT by MC, Panipat.
- II. No segregation of solid waste was done by the Concessionaire.
- III. No boundary wall of the site was done by the Concessionaire.
- IV. The waste is dumped in pervious open land and solid waste is causing damage to the upper soil and leachate percolate through soil thus contaminating ground water.
- V. No fresh dumping of solid waste is being done at the site and has been stopped w.e.f. February, 2024.

**4. Action Taken:-****7**

A show cause notice for 15 days has been issued by HSPCB vide office letter No.HSPCB/PR/2024/1401 dated 10/10/2024 for imposition of Environment Compensation for improper handling and unscientific dumping of solid waste at site located at Village Mehrana in violation of Solid Waste Management Rules, 2016. Copy of Show Notice is attached as **Annexure-R/3**.

**5. Recommendation of the Committee:-**

- I. The legacy waste should be disposed of, from the site in question, at earliest in scientific manner and Action Plan be submitted in this regard by the Concessionaire.
- II. Steps be taken to prevent the burning of solid waste at site.

  
Bhupinder Singh  
Regional Officer,  
Panipat

  
Braham Parkash, HCS  
Sub Divisional Magistrate,  
Panipat

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

Original Application No.810/2024

Ashish

Applicant

Versus

State of Rajasthan

Respondent

Date of hearing: 27.08.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant(s): None

**ORDER**

1. This Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been registered in exercise of suo-moto jurisdiction in view of law laid down by Supreme Court in *Municipal Corporation of Greater Mumbai Versus Ankita Sinha and Others, (2022) 13 SSC 401* on a letter petition dated 02.11.2023, sent by Ashish son of Satpal resident of village UgraKhedi, Tehsil and District Panipat.

2. Complainant has said that M/s JBM Enviro Group has been given contract for handling, management and disposal of solid waste, by Nagar Nigam, Panipat under the service contract but said agency instead of scientific disposal of solid waste is discharging it between two rivers which are at a distance of about 50 feet and sometimes partially burnt

garabage and unburnt garabage is through in canal causing contamination of drinking water source to the local area.

3. In our view, allegations made in the complaint *prima-facie* give rise to a substantial question relating to environment arising out of implementation of enactments mentioned in Schedule I of NGT Act, 2010 but before taking any further action in the matter we find it appropriate to obtain a Factual Report for which we constitute a Joint Committee comprising District Magistrate, Panipat and Haryana State Pollution Control Board.

4. District Magistrate, Panipat shall be the Nodal Agency for co-ordination and compliance of this order.

5. Said Committee shall collect relevant information and submit a Factual Report within one month with Registrar General of this Tribunal.

6. List this matter on 14.10.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

August 22, 2024  
Original Application No.810/2024  
M

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**O/o THE DISTRICT MAGISTRATE/  
DEPUTY COMMISSIONER-cum-DISTRICT COLLECTOR, PANIPAT**

E-mail id- [deppnp@hry.nic.in](mailto:deppnp@hry.nic.in)

**ORDER**

Whereas it has been brought to the notice of the undersigned by the National Green Tribunal, Principal Branch, New Delhi vide orders dated 22.08.2024 that an Original Application under section 14 and 15 of National Green Tribunal Act, 2010 has been registered in exercise of suo-moto jurisdiction in view of laid down by the Hon'ble Supreme Court in Municipal Corporation of Greater Mumbai Versus Ankitu Sinhu and others, (2022) 13 SSC 401 on a letter petition dated 02.11.2023, sent by Ashish Son of Satpal resident of village Ugrukhedi, Tehsil & District Panipat. The complainant has alleged that M/s JBM Enviro Group has been given contract for handling, management and disposal of solid waste, by Municipal Corporation, Panipat under the service contract but the said agency instead of scientific disposal of solid waste is discharging it between two rivers which are at a distance of about 50 feet and sometimes partially burnt garbage and unburnt garbage is through in canal causing contamination of drinking water source to the local area. In view of the allegations made by the complainant Hon'ble NGT has constitute a Joint Committee comprising of the undersigned and Haryana State Pollution Control Board and the undersigned has also been appointed as the Nodal Agency for co-ordination and compliance of abovesaid orders.

Now, Therefore, I Dr. Virender Kumar Dahiya, IAS, District Magistrate, Panipat do hereby constitute a committee of the following officers to conduct the site inspection and investigate the allegations leveled in the complaint and submit its factual report to the undersigned within a week positively. :-

Sr. No.	Officer	Designation
1	Sub Divisional Magistrate, Panipat	Chairman
2	RO, HSPC, B, Panipat	Member

The Commissioner, Municipal Corporation, Panipat is hereby requested to provide necessary assistance to the said committee as and when required for conducting inquiry in the said complaint.

*Virender Kumar Dahiya*  
District Magistrate,  
Panipat

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**HARYANA STATE POLLUTION CONTROL BOARD**  
**SCO No.55, SECTOR-25, HUDA, PANIPAT**

Ph. - (0180) 2672037, Telefax - 2664951, E-mail: hspc.bropr@gmail.com

No HSPCB/PR/2024/ (40)

Dated 10-10-2024

To

M/s JBM Environment Management Private Limited,  
 501, Hemkunt Chambers, 89 Nehru Place, New Delhi-110019

Sub-

**Show cause notice for imposition of Environmental Compensation for the improper handling and unscientific dumping of solid waste at Village Mehrana, Panipat in violation of Solid Waste Management Rules, 2016 as per board policy order dated 22/12/2021 for the Methodology for Assessment Environmental Compensation.**

Whereas Original Application (O.A) No 810/2024 under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been registered by Sh. Ashish, Village Ugra Kheri, Panipat.

Whereas the allegation is that M/s JBM Enviro Group are dumping huge garbage and solid waste in open land at Village Mehrana, Panipat in improper and unscientific manner, open burning of waste and dumping of waste in River.

Whereas the said site was visited by the Joint Committee constituted by NGT vide order dated 27/08/2024. During inspection it was informed by the representative MC, Panipat that the responsibility of treatment and disposal of solid waste of MC, Panipat is with your unit. The following violations of Solid Waste Management Rules, 2016 were observed at site

- 1 The legacy waste with approx quantity 360 MT has been found dispose on the site located at Village-Mehrana, Panipat
- 2 No segregation of solid waste was done by the company
- 3 No covered facility for storage of street sweeping was provided by the company.
- 4 No boundary wall of the site was done by the company
- 5 The waste is dumped in pervious open land and solid waste is causing damage to the upper soil and leachate percolate through soil thus contaminating ground water.

In view of the above, you are hereby show caused for 15 days as to why Environmental compensation may not to be imposed for the damage caused to the environment, for above mentioned non-compliance of Solid Waste Management Rules, 2016.

In case you fail to comply with the non-compliances mentioned above within the above mentioned stipulated time period, it will be presumed that you have nothing to say in this regard and accept the status as above, which will warrant the imposition of Environmental Compensation as per board policy order dated 22/12/2021 for the Methodology for Assessment Environmental Compensation.

Regional Officer  
 Panipat Region

Enclst No HSPCB/PR/2024/

Dated

- A copy of the above is forwarded to the following -
- 1 The Chairman, Haryana State Pollution Control Board, Panchkula
  - 2 The Deputy Commissioner, Panipat
  - 3 The Municipal Commissioner, Panipat with request to take action against the unit M/s JBM Environment Management Private Limited for violating with SWM Rules, 2016

Regional Officer  
 Panipat Region

**Photographs of Site Inspected by Joint committee in OA No. 810 of 2024**





