

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 797 OF 2023**

IN THE MATTER OF :-

"HOW GARBAGE IS CHOKING N-CHOE IN CHANDIGARH"

VERSUS

UNION OF INDIA & ORS.

...RESPONDENT(S)

NDOH: .01.2024

I N D E X

S. No.	Particulars	Page No.
1.	STATUS REPORT BY WAY OF AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2	1- 6
2.	ANNEXURE R-1 (COLLY) True copies of letters dated 09.05.2019	7-8
3.	ANNEXURE R-2 A true copy of the letter dated 03.01.2024	9
4.	ANNEXURE R-3 (COLLY) True copies of the photographs	10-13
5.	ANNEXURE R-4 A true copy of the letter dated 03.01.2024	14
6.	PROOF OF SERVICE	

THROUGH


(SHUBHAM BHALLA)
Advocate

D-52, Basement, Panchsheei Enclave, New Delhi - 110017.
Mob. No. 9654427273; Email: shubhambhalla@hotmail.com

PLACE: NEW DELHI

DATE: 16 .01 .2024

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

Serial No of Register 334
Dated 1.5.24 ORIGINAL APPLICATION NO. 797 OF 2023

IN THE MATTER OF :-

"HOW GARBAGE IS CHOKING N-CHOE IN CHANDIGARH"

VERSUS

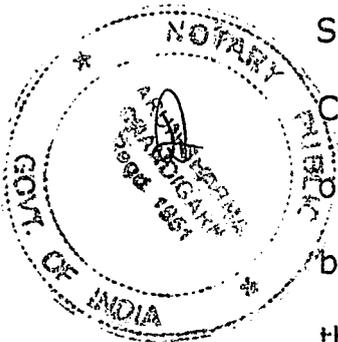
UNION OF INDIA & ORS.

...RESPONDENT(S)

**STATUS REPORT BY WAY OF AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 2**

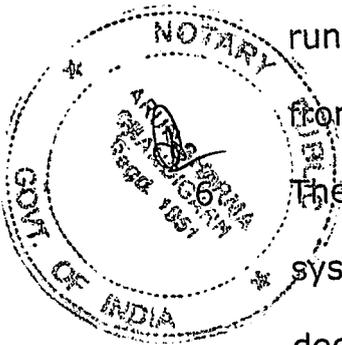
I, Anil Kumar, Junior Scientific Assistant, O/o Chandigarh Pollution Control Committee, being well conversant with the facts of the case in my official capacity and being competent to swear this affidavit on behalf of respondent no.2/CPCC, do hereby solemnly affirm and declare as under:

1. That I am respondent no. 2. Mr. Anil Kumar (Junior Scientific Assistant) Chandigarh Pollution Control Committee (CPCC), I am filing this affidavit in terms of order of this Hon'ble Court notice dated 28.12.2023 on behalf of Respondent No. 2 hereby making submissions in the case.



Anil Kumar
CHANDIGARH POLLUTION CONTROL COMMITTEE
PARIVARAN BHAWAN, HADHYA NAGR,
SECTOR 10-B, CHANDIGARH 160019

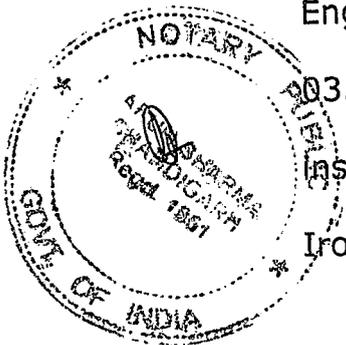
2. That notice in the present case has been issued on the basis of the newspaper article published in the newspaper on 15th of December 2023 about the garbage choking the N-Choe in the city of Chandigarh.
 3. That at the outset it would be necessary to submit the correct factual scenario regarding the N-Choe in the city of the Chandigarh.
 4. That the N-Choe is water drainage channel running through the center of Chandigarh and eventually joins the Ghaggar river. Chandigarh being a small planned city having an area of 114 Sq. KM's, is having separate storm water drainage system which is connected to the Choes. For the sewage system the lines are laid separately, which carry sewer waste water to the STPs, which is released only after treatment.
 5. The N-choe is used as a storm water drain as well as for water draining from other unpolluted sources. Therefore, the assumption that the N-Choe is a seasonal rivulet and should be dry in non-rainy season is incorrect. The N-Choe runs through the parks throughout Chandigarh and water from the parks also enters the N-Choe.
- The Municipal Corporation, Chandigarh has well-defined system for collection of Municipal solid waste from door to door through specialized garbage vehicles deputed for the



A. Kumar
 CHANDIGARH POLLUTION CONTROL COMMITTEE
 PARYAVARAN BHAVAN, MADHYA MARG,
 SECTOR 19-B, CHANDIGARH 160019

purpose. That the N-Choe running through the city of Chandigarh at times is in close proximity to the road, due to which people take undue advantage and unlawfully throw waste on the banks of choe's which may create hindrance in natural flow of water as well as affect the quality of water.

7. That CPCC had earlier observed such issues and had directed the Municipal Corporation, Chandigarh to take corrective measures to ensure that there is no disposal of waste in the N-Choes.
8. The CPCC requested the Engineering Department, Chandigarh Administration and Municipal Corporation, Chandigarh to provide an Iron Net (Iron Jallis) on these culverts where the Choes are in close proximity to the roads, so that people may not be able to dispose of the solid waste from these points. True copies of letters dated 09.05.2019 are annexed herewith as **ANNEXURE R-1 (COLLY) @ pgs. 07 to 08.**
9. That similarly CPCC highlighted this issue to the Engineering Department, Chandigarh vide letter dated 03.01.2024 that at places where the iron nets have been installed are not found up to the mark and to install the Iron Nets at all places where it is required to be installed.



A Kumar
 CHANDIGARH COLLECTION & CONTROL
 PARYAVARAN - HAWAN MAHAYA
 CHANDIGARH 160010

A true copy of the letter dated 03.01.2024 is annexed herewith as **ANNEXURE R-2 @ pgs. 09**.

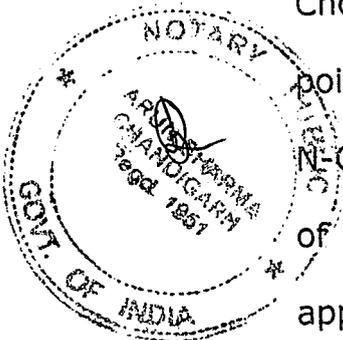
10. That during a recent inspection on 03.01.2024, it was again observed that solid waste is being dumped along the bank of choes (Photographs attached). True copies of the photographs are annexed herewith as **ANNEXURE R-3 (COLLY) @ pgs. 10 to 13**.

11. That although Iron Net (Iron jallis) have been provided at some places but due to improper installation or non-installation there are still places along the Choe where waste is still being dumped unauthorisedly by some unknown persons .

12. The cleaning and management of the N-Choe in the city of Chandigarh falls within the ambit of engineering department of Chandigarh Administration. During the inspection it was also observed that some people had thrown their waste furniture material in the choe.

Liquid Waste in N-Choe

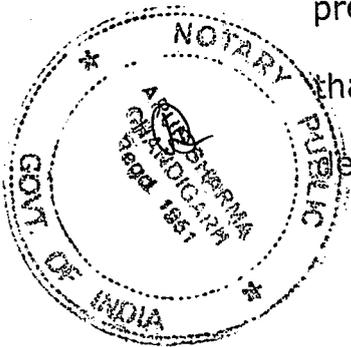
13. That with respect to the discharge of liquid waste in the N-Choe it is submitted that earlier there were around 15 points from where waste water was being discharged into N-Choe, which have since been closed and tapped in light of the directions issued by this Hon'ble Tribunal, which is apparent from the data incorporated in the letter dated



A. Kumar
 CHANDIGARH POLLUTION CONTROL COMMITTEE
 PARYAVARAN BHAVAN, WAZIRPUR
 SECTOR 19-B, CHANDIGARH 160019

03.01.2024. A true copy of the letter dated 03.01.2024 is annexed herewith as **ANNEXURE R-4 @ pgs. 14**.

14. That recently there was a collapse of the sewage system at one point near Sector 36 due to which, waste water was diverted to storm water channel which ultimately mixes with the N-Choe and affected the water quality of N-Choe. However, during the recent monitoring in the month of January 2024 it has been observed that the said point has been plugged which is clearly visible in the improved water quality of N-Choe.
15. The sewerage line near sector 36 has now been repaired by the Municipal Corporation Chandigarh and the latest inspection shows that the BOD value is 4.4 mg/l which is much below the 30 mg/l.
16. That the present status report is being filed as a preliminary report and the answering respondents prays that they may be allowed to reserve their right to file a detailed reply if so required.



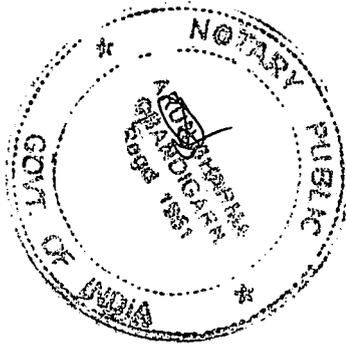
VERIFICATION:

A. Kumar
DEPONENT

CHANDIGARH MUNICIPAL CORPORATION
CHANDIGARH, MADHYA MARG,
SECTOR 19B CHANDIGARH 160019

I, Anil Kumar, the deponent above named do hereby verify and declare that the facts stated in the above paras are true to my knowledge.

Verified at CHANDIGARH on this 16th day of January, 2024.



[Handwritten Signature]

DEPONENT
AIR POLLUTION CONTROL COMMITTEE
JALAN BHAWI, GADHYA MARG,
SECTION 19-B, CHANDIGARH 160019

2
Certified that the Affidavit (SPA/GPA/Will) has been read over & Explained to the Deponent / Executant who seemed Directly to understand the same at the time of making & signing the document.

ATTESTED
[Handwritten Signature]
A Sharma
Notary Public, Chandigarh

15/1/2024
15 JAN 2024



No. CPCC/2019/268

Dated: 09/05/19

To

The Commissioner,
Municipal Corporation,
Chandigarh.

Sub: Providing of Iron Jali over all the crossing (culvert) on drains reg.

.....

It is observed during inspection/visits that at the intersections where drains are passing under the bridge (culvert) many people throw municipal solid waste, plastic carry bags, other plastic items and many time it has also been found that bio-medical waste including expired medicines etc. are thrown in the drains via these intersections this ultimately cause blockage of drains/improper flow of sewage and discharge of bio-medical waste may lead to pollution as it ultimately reaches to river Ghaggar water which is being used for various purposes.

It is also found that sometimes construction and demolition waste is also thrown in the side of these crossings which may lead to blockage of passage and may create stagnation of water leading to spread of vector borne diseases.

Keeping in view of seriousness of the issue, you are requested to install iron jalis of good height over all the crossings from where drains are passing to avoid discharge of any kind of solid waste in the drains.


(T.C. Nautiyal, IFS)
Member Secretary





Chandigarh Pollution Control Committee

Paryavaran Bhawan, Madhya Marg, Sector 19-B, Chandigarh-160 019

No. CPCC/2019/ 269

Dated: 09/05/19

To

The Chief Engineer,
Chandigarh Administration.

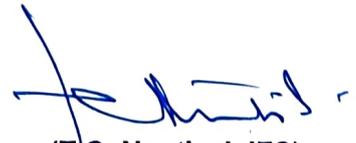
Sub: Providing of Iron Jali over all the crossing (culvert) on drains reg.

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(T.C. Nautiyal, IFS)
Member Secretary





Chandigarh Pollution Control Committee

Paryavaran Bhawan, Madhya Marg, Sector 19-B, Chandigarh- 160019

ANNEXURE R-2

14

BH
96

No. CPCC/STP-Drain/2024/ 4075

Dated: 03/01/2024

To

The Chief Engineer,
Engineering Department,
U.T. Chandigarh.

Sub: Dumping of Municipal Solid Waste & Others waste into N-Choe reg...

.....

This is with reference to the above cited subject.

In this context, it has been observed that Municipal Solid Waste is also being dumped around the banks of the natural choe at various places which also includes construction and demolition waste like furniture material, mattresses, whitewash material, kitchen waste etc. and which is affecting the water quality as well as may create hindrance in natural flow of water in choe.

Earlier also it was observed that Municipal waste was dumped in the Natural Choes and vide letter No. CPCC/2019/269 dated 09.05.2019 (copy enclosed), Engineering Department was suggested to provide nets (Jalis) at all the suitable points in choes to prevent anybody to throw the municipal Solid Waste into the N-Choe. It has been observed that nets (Jali) have been installed at some places and at some places either net has not been installed or installed improperly, because of which Municipal Solid Waste is still being disposed in the choes / bank of choes. The photographs are enclosed herewith.

As the maintenance of the choes is being done by Engineering Department, U.T. Chandigarh, it is once again requested to take suitable action by installation of nets (jalis) at appropriate action to prevent people from throwing Municipal Solid Waste into the choe and submit the action taken report to this office at the earliest.


T.C. Nautiyal, IFS
Member Secretary
2/11

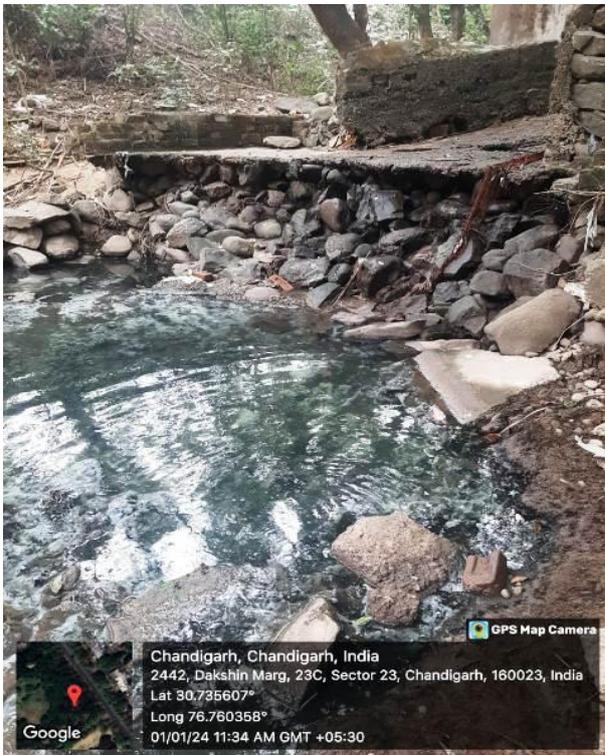
WASTE WATER FROM VARIOUS DISCHARGE POINTS INTO N-CHOE



N-choe Starting Point at Bougainvillea Garden



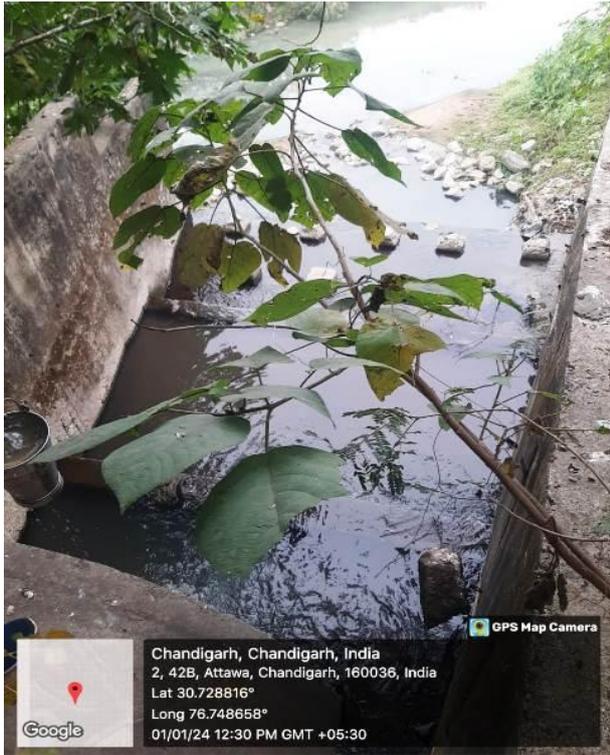
Sector 16 adjacent to Red Cross



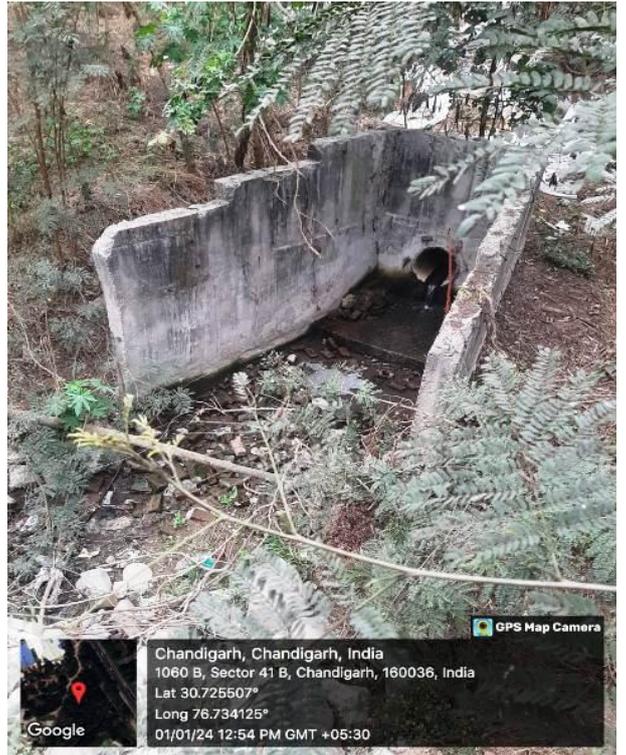
Sector 36, Hibiscus Garden



End Point of Sector 36



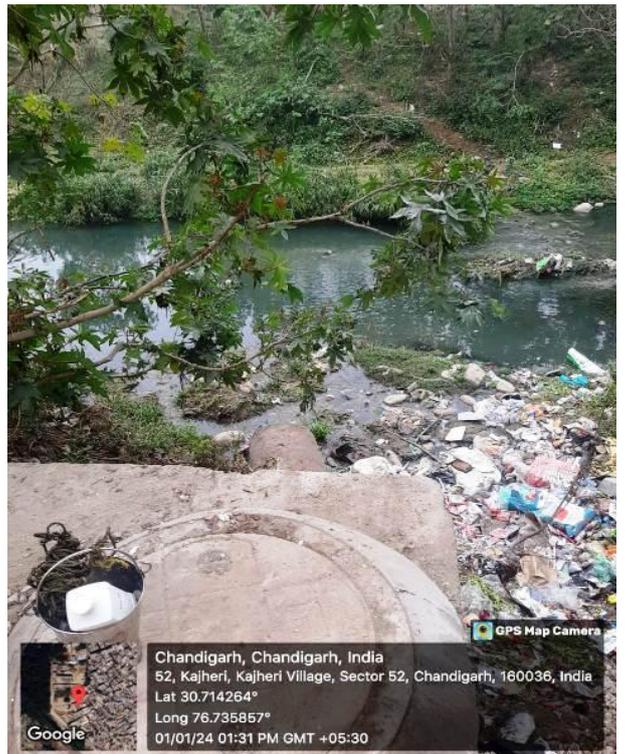
Inside Sector 42 Sports Complex



Backside of Furniture market Sector 53



W/w from Punjab Area (inside Garden of Spring)



W/w adjacent to Kajheri water distribution unit

MUNICIPAL SOLID WASTE AND OTHER WASTES DUMPED INTO N-CHOE/BANK OF CHOE



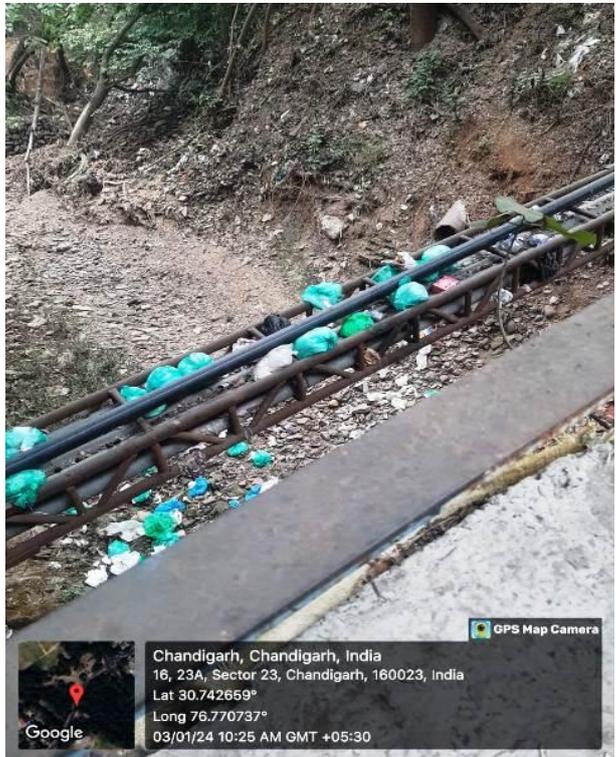
Sector 36, Chandigarh



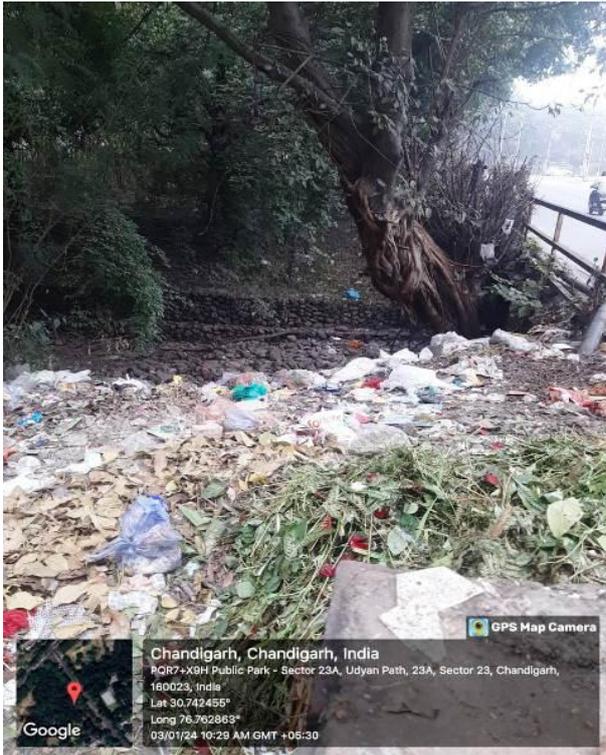
Sector 36, Chandigarh



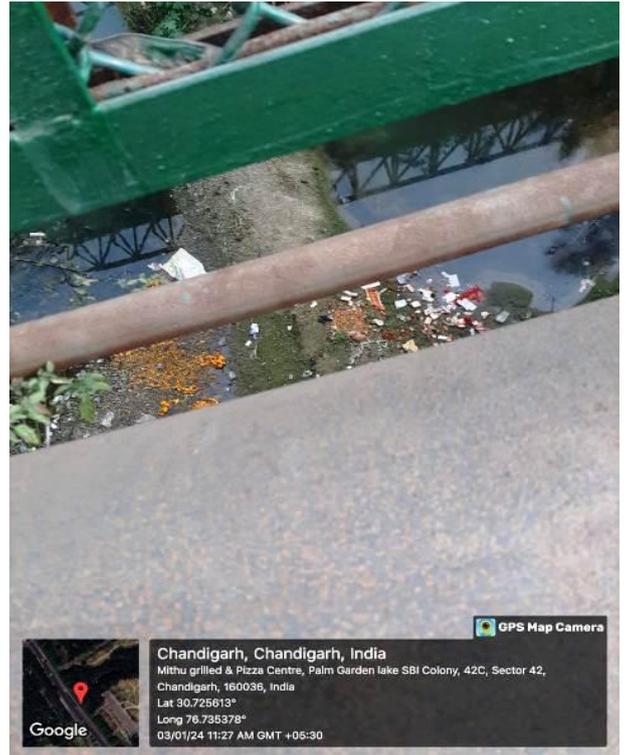
Adjacent to Kajheri water distribution unit



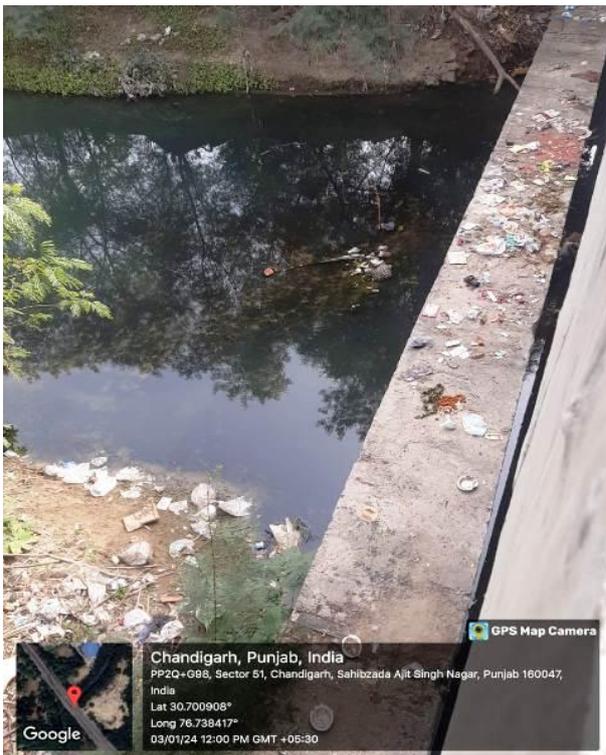
Sector 23, Chd.



Sector 23, Chandigarh



Sector 42, Chandigarh



Sector 51, Chandigarh



Sector 42 Attawa



Chandigarh Pollution Control Committee

ANNEXURE R-4

Paryavaran Bhawan, Madhya Marg, Sector 19-B, Chandigarh- 160019

No. CPCC/STP-Drain/2024/ 4074

Dated: 03/01/2024

To

The Commissioner,
Municipal Corporation,
Chandigarh.

Sub: Discharge of untreated waste water into N-Choe reg...

.....

This is in continuation to our earlier letter No. CPCC/STP-Drain/2023/1206 dated 03.05.2023 and letter No. CPCC/2023/3487 dated 15.11.2023 (Copies enclosed) vide which it was requested to take immediate action w.r.t. discharge of various points into N-Choe, but till date neither any reply has been received from MCC nor any action has been taken by MCC which is evident from the data.

It is also informed that Chandigarh Pollution Control Committee is regularly monitoring quality of all the drains including N-choe. The data of N-choe for the year 2023 is as given below:

Parameters	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec
DO (mg/l)	NIL	4.6	2.3	8.8	7.4	5	6.9	5.6	NIL	NIL	NIL	NIL
COD (mg/l)	293	38	103	17	15	31	22	47	132	102	196	143
BOD (mg/l)	118	9.3	29	7.1	5.6	9.4	3	12	52	48	90	61
Fecal Coliform MPN/ (100 ml)	3.9×10^4	3.3×10^2	3.9×10^2	3.3×10^2	1.4×10^3	1.7×10^3	1.1×10^3	3.9×10^3	1.7×10^5	1.4×10^5	4×10^4	2.6×10^5
TSS (mg/l)	76	59	58	47	5	20	13	505	48	52	83	62

Further, it is informed that it is clearly visible from the results, since September, 2023, again sewage water is being discharged into N-choe.

It has also been observed that Municipal Solid Waste is also being dumped around the bank of the natural choe at various places which includes construction and demolition waste, furniture material, mattresses, whitewash material and kitchen waste etc. which is affecting the water quality as well as creating hindrance in natural flow of water.

Earlier vide letter No. CPCC/2019/268 dated 09.05.2019 (copy enclosed), CPCC suggested to Municipal Corporation, Chandigarh to install net (Jalis) to prevent people from throwing Municipal Solid Waste into the choes and it has been observed that nets (Jali) have been installed at some places and at some places either net has not been installed or installed improperly, because of which Municipal Solid Waste is still being disposed in the choes / bank of choes. The photographs are enclosed herewith.

Hence, you are again directed to take immediate action w.r.t. stoppage of waste water from various discharge points into N-choe & to take necessary steps to prevent throwing of Municipal Solid Waste into the choe and submit the action taken report to this office at the earliest.

T.C. Nautiyal, IFS
Member Secretary