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

Original Application No. 330 of 2024

Public Action Committee & Ors.

Applicant(s)

Versus

State of Punjab and Ors.

Respondent(s)

Reply / Status Report of Punjab Pollution Control Board (respondent no. 4) through Environmental Engineer, Regional Office, Batala in compliance to order dated 17.09.2024.

Respectfully Showeth;

- 1) That briefly submitted, the applicant Public Action Committee has filed an Application before the Hon'ble National Green Tribunal wherein the grievance relating to improper solid waste management and illegal dumping of solid waste by Municipal Corporation, Batala has been raised. The applicant has stated that Municipal Corporation, Batala is illegally dumping solid waste into surface water drains (Kasoor Nallah/Drain, a distributary passing through the MC Batala) on road sides at large number of locations and in open plots. It is also alleged that Respondents No. 3 (Municipal Corporation, Batala) and 6 (Saint Francis School, Jalandhar Road, Batala) are frequently burning organic waste and garbage resulting into the air and water pollution. The case has been registered as



Original Application No. 330 of 2024 titled as Public Action Committee and Others v/s State of Punjab and Others.

- 2) That in compliance to order dated 03.04.2024 of the Hon'ble Tribunal, the Punjab Pollution Control Board has filed the status report dated 24.05.2024 before this Hon'ble Tribunal mentioning therein the details of the case and action taken by the Board against Municipal Corporation, Batala for non-compliance of the Solid Waste Management Rules, 2016.
- 3) That after consideration of the matter, the Hon'ble Tribunal was pleased to pass an order dated 17.09.2024 thereby directing the Punjab Pollution Control Board to file its response regarding imposition of further Environmental Compensation on respondent no.3 (Municipal Corporation, Batala) and also regarding utilization of EC already recovered respondent no.3.
- 4) That the present reply / status report is being filed by the Punjab Pollution Control Board in compliance to order dated 17.09.2024 and relevant facts in this regard may kindly be read in the following paragraphs.
- 5) That it is pertinent to mention here that the Hon'ble National Green Tribunal vide order dated 10.1.2020 passed in the matter of O.A No. 606 of 2018, had directed that continued failure of compliance of Solid Waste Management Rules, 2016 after 31.3.2020 will result in liability of every Local Body to pay compensation at the rate of Rs.10.0 lakh per month per Local Body for population of above 10.0 lakhs, Rs. 5.0 lakh per month per Local Body for population between 5.0 Lakhs and 10.0 Lakhs and Rs. 1.0 Lakh per month per other Local Body from 1.4.2020 till compliance.
- 6) That in compliance to the orders dated 10.1.2020 passed by the Hon'ble National Green Tribunal in O.A No. 606 of 2018, the Punjab Pollution Control Board is imposing Environmental Compensation upon Urban Local Bodies for their failure to make compliance of Solid Waste Management Rules, 2016.
- 7) That considering the population of Batala City, the Environmental Compensation for every month was calculated @ 1.0 lacs per month.



Accordingly, Environmental Compensation (Calculated for non-compliance of Sr. no. 1 to 10 of Rules 22 of SWM Rules 2016 & Sr. No. 11 to Rule 22) @ Rs. 18.0 Lakh was imposed upon Municipal Council, Batala with effect from 1.7.2020 to 31.3.2021 and Rs. 11.0 Lakh with effect from 1.4.2021 to 28.2.2022 through the Department of Local Government, Punjab. The Punjab Pollution Control Board has further imposed Environmental Compensation upon Municipal Corporation, Batala for non-compliance of Solid Waste Management Rules, 2016 @ Rs. 19.0 Lakh for the period of violation from 1.3.2022 to 30.9.2023 and Rs. 6.00 Lakh for the period of violation from 01.10.2023 to 31.03.2024. Thereafter, for the period of violation from 01.04.2024 to 30.06.2024, Environmental Compensation amounting to Rs. 6.00 Lakh has been imposed by the Punjab Pollution Control Board upon Municipal Corporation, Batala for non-compliance of Solid Waste Management Rules, 2016 vide letter no. 25168 dated 04.10.2024. The total Environmental Compensation which has been imposed upon Municipal Corporation, Batala for the period of violation from 01.07.2020 upto 04.10.2024 has been calculated to be Rs. 60.00 Lakh.

- 8) That The Punjab Municipal Infrastructure Development Company (PMIDC), a Government of Punjab undertaking, in compliance to the directions of the Punjab Pollution Control Board has deposited the Environmental Compensation of Rs. 13.00 Lakh and the balance amount of Environmental Compensation is yet to be deposited with the Punjab Pollution Control Board. The amount of Rs. 13.00 Lakh is lying deposited with the Punjab Pollution Control Board under a separate head of Environmental Compensation.
- 9) That as far as the utilization of the amount of Environmental Compensation is concerned, it is submitted that the Hon'ble National Green Tribunal vide order dated 21.10.2022 passed in MA No. 74 of 2022 in OA No. 976 of 2019 has issued directions that the recovered compensation may be credited to a separate account under the Chief Secretary and used as per the plans got prepared and executed. This will apply to compensation deposited with the State PCBs/PCCs and also other regulators such as SEIAAs, Water Resource



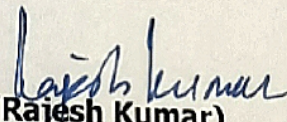
Authorities etc. The utilisation plans may be in sync with State/District Environment Plans, in pursuance of order of the Tribunal dated 26.09.2019 passed in OA No. 360/2018, Shree Nath Sharma vs. Union of India & Ors. The process of planning and execution for utilization of such funds was entrusted by the Hon'ble Tribunal to a high-powered Committee of three Additional Chief Secretaries, identified by the Chief Secretary.

10) That in compliance the above orders dated 21.10.2022 passed in OA No. 976 of 2019, the Government of Punjab, Department of Science, Technology and Environment with the approval of the Chief Secretary, Punjab has constituted the High-Powered Committee comprising of the following officers vide notification no. 10/01/202-STE2/03 dated 03.01.2023.

- i) Administrative Secretary, Department of Rural Development and Panchayats.
- ii) Administrative Secretary, Department of Local Government.
- iii) Administrative Secretary, Department of Science, Technology and Environment (Convenor)

11) That the reply / status report is hereby submitted on behalf of Punjab Pollution Control Board (respondent no.4) in compliance of order dated 17.09.2024 for kind consideration of the Hon'ble National Green Tribunal

Submitted by


(Rajesh Kumar)

Environmental Engineer
Punjab Pollution Control Board
Regional Office, Batala.

Date: 3/1/2025

Place: Batala .