

**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: 20.03.2024

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THROUGH


(Shubham Bhalla)

Advocate

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PLACE: NEW DELHI

DATE: . .2024

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

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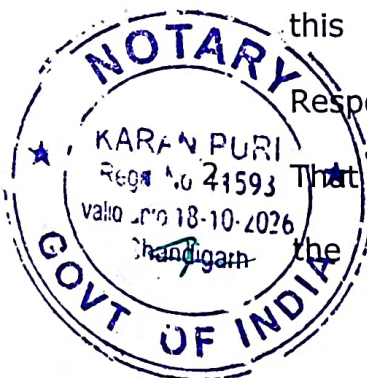
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...RESPONDENT(S)

**STATUS REPORT BY WAY OF AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 4**

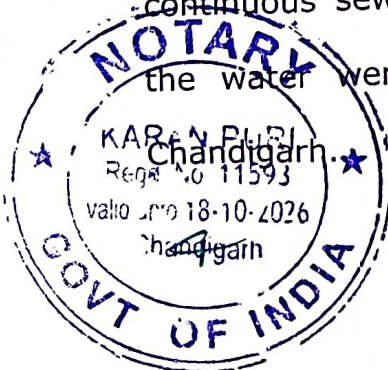
I, Harjit Singh, Superintending Engineer, Public Health, Municipal Corporation, Chandigarh, being well conversant with the facts of the case in my official capacity and being competent to swear this affidavit on behalf of Respondent No. 4/ Harjit Singh, Superintending Engineer, Public Health, Municipal Corporation, Chandigarh, do hereby solemnly affirm and declare as under:

1. That I am Respondent No. 4, Harjit Singh, Superintending Engineer, Public Health, Municipal Corporation, Chandigarh, I am filing this affidavit in terms of order of this Hon'ble notice dated 18.01.2024 on behalf of Respondent No. 4 hereby making submissions in the case. That notice in the present case notice has been issued on the basis of the newspaper article published in the



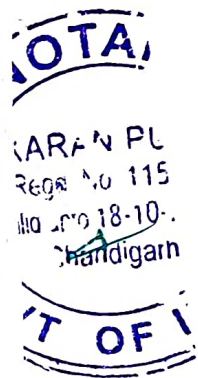
newspaper on 15th of December 2023 about the garbage choking the N-Choe in the city of Chandigarh.

3. That Municipal Corporation Chandigarh is continuously monitoring and taking measures to ensure that no untreated sewage flows into the natural outlets such as the N-Choe.
4. That a joint inspection comprising of officers of Public Health Wing, MOH Wing of M.C. Chandigarh and Engineering Wing of Chandigarh Administration surveyed the entire length of N-Choe starting from Bougainvillea Garden Sector-3 Chandigarh to the last point up to Sector-53 Chandigarh on 03.01.2024.
5. That necessary actions in respect thereof was taken and measures to discourage future dumping of municipal solid waste was implemented. The action taken was duly informed to the Chandigarh Pollution Control Committee vide letter dated 19.02.2024 bearing letter no. CE/MC/956 dated 19.02.2024. A true copy of the letter dated 19.02.2024 is annexed herewith as **Annexure R-1**.
6. That the issue in the present matter was regarding a wide drainpipe which was only for storm and rainwater emitting continuous sewerage water making a small pond where the water went to the Hibiscus Garden in Sector 36



16 MAR 2024

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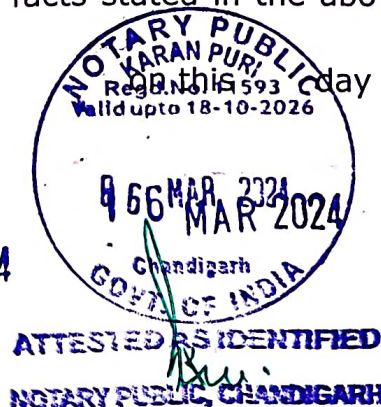


7. The deponent was informed about this issue by the CPCC and rectified the issue immediately thereafter. It is humbly submitted that the issue has been rectified on 29.02.2024 and presently no wastewater is observed and compliance of this was intimated vide letter dated 14.03.2024. A true copy of the letter dated 14.03.2024 is annexed herewith as **Annexure R-2**.
8. That both the issues which were brought to the notice of Respondent No. 4 have been rectified and at present there is no untreated sewage leaking into the N-Choe.
9. That the deponent would like to humbly submit that presently there is no breakage in the sewage pipeline and no untreated sewage is being discharged.
10. That the present affidavit is the form of a preliminary status report and the deponent prays that he may be allowed to file a detailed affidavit if so required and directed by this Hon'ble Tribunal.

VERIFICATION: Certified that the Affidavit/SPA/GPA has been read over & Explained to the Deponent/Executant who seemed directly to understand the same at the time of making & signing the document.

I, Harjit Singh, the deponent above named do hereby verify and declare that the facts stated in the above paras are true to my knowledge.
Verified at

16 MAR 2024



DEPONENT

Superintending Engineer
Public Health Circle,
Municipal Corporation
CHANDIGARH (U.T.)

DEPONENT

Superintending Engineer
Public Health Circle,
Municipal Corporation
CHANDIGARH (U.T.)

Public Health Circle,

DRAFT LETTER

To

The Member Secretary,
Chandigarh Pollution Control Committee,
UT, Chandigarh.

Memo No. CE/MC/956

Dated 19/02/2024

SUBJECT: DISCHARGE OF UNTREATED WASTE WATER INTO N-CHOE REGARDING.

Ref: Chandigarh Pollution Control Committee letter No. CPCC/STP-Drain/2024/4074 dated 03.01.2024 & CPCC/2023/3487 dated 15.11.2023 (copy enclosed).

In reference to the letter dated 03.01.2024 received from Chandigarh Pollution Control Committee, the para-wise reply is as under:-

1. Regarding sewage water discharging into N-choe, it is intimated that Municipal Corporation Chandigarh is continuously monitoring and taking corrective measures for tapping sewage outlets in N-Choe. A joint inspection comprising of officers from Public Health wing, MOH wing of Municipal Corporation and Engineering Wing of Chandigarh Administration surveyed the entire length of N-choe starting from the Bougainvillea Garden, Sector-3, Chandigarh to the last point upto Sector 53, Chandigarh on 03.01.2024. Two points identified previously near round about village Attawa Sec-42 and bridge Sec 23/36 (36 side) where sewer water was entering the N-choe were found to be plugged. (Geo-tagged photographs along with joint inspection report are enclosed).
2. The Municipal Solid Waste i.e. construction & demolition waste, furniture material, mattresses, white wash material, kitchen waste etc. dumped around the Natural Choe at various places is being lifted by the MOH wing of MC Chandigarh. Further in order to stop the dumping of Municipal Solid Waste in the Natural Choe, the Municipal Corporation Chandigarh has started night surveillance and extensive challaning is being done to discourage the dumping of waste along the banks of the N-choe.
3. It is pertinent to mention that all the choes i.e. Patiala ki Rao, N-choe and Sukhna choe fall under the jurisdiction of Chandigarh Administration and the upkeep & maintenance of choes is the responsibility of Engineering wing of Chandigarh Administration.
4. Nets (Jali) have been properly installed at all the Tail ends under the jurisdiction of Municipal Corporation Chandigarh for restricting the flow of Municipal Solid Waste into the Natural Choe being carried to the river Ghaggar. The photographs in support of the same are enclosed. However, installing link fencing along the banks of Natural Choe to prevent people throwing Municipal Solid Waste into the choes is the responsibility of engineering wing of Chandigarh Administration and matter is being taken up with them.

Submitted for your kind information please.

DA/As above

[Signature]
Chief Engineer,
Municipal Corporation,
Chandigarh

Endst No. CE/MC/957-59

Dated 19/02/2024

Copy of the above is forwarded to the following for kind information please:-

1. PS to Commissioner, Municipal Corporation Chandigarh for kind information of Worthy Commissioner, M.C. Chandigarh.
2. The Superintending Engineer, Public Health, Municipal Corporation Chandigarh.
3. The Executive Engineer, M.C.P.H. Division No. 4, Chandigarh.

[Signature]
(Shubham Bhalla)
//TRUE COPY//

[Signature]
Chief Engineer,
Municipal Corporation,
Chandigarh

ANNEXURE R-2

To

The Member Secretary,
Chandigarh Pollution Control Committee,
UT, Chandigarh.

Memo No 836

Dated 14/03/24

SUBJECT: DISCHARGE OF UNTREATED WASTE WATER INTO N-CHOE REGARDING.

Ref: i) Notice in original application No.797/2023 received from Section Officer(Judicial) (NGT/PB) New Delhi by e-mail (copy enclosed).

In reference to e-mail addressed to the Commissioner, M.C. Chandigarh on the subject cited above. The point wise reply is given as under:

1. How garbage is choking N-Choe in Chandigarh:-

In this regard it is intimated that M.C. Chandigarh is continuously monitoring and taking corrective measures for tapping sewage outlets in N-Choe. A joint inspection comprising of officers of Public Health Wing, MOH Wing of M.C. Chandigarh and Engineering Wing of Chandigarh Administration surveyed the entire length of N-Choe starting from the Bougainvillea Garden Sector 3 Chandigarh to the last point upto Sector 53, Chandigarh on 03.01.2024. The Municipal solid waste i.e. construction & demolition waste, furniture material, mattresses, white wash material, kitchen waste etc., dumped around the Natural Choe at various places is being lifted by the MOH Wing of M.C. Chandigarh. Further in order to stop the dumping of Municipal solid waste in the Natural Choe, the M.C. Chandigarh has started night surveillance and extensive challenging is being done to discourage the dumping of waste along the banks of N-Choe. A letter has also been written to Member Secretary Chandigarh Pollution Control Committee UT Chandigarh by the Chief Engineer, M.C. Chandigarh vide letter No. CE/MC/956 dated 19.02.2024 (copy enclosed) (F/B)

2. The worst situation was witnessed at Hibiscus Garden Sector 36. A wide drain pipe which is only for storm and rain water was emitting continuous sewage water, making a small pond where the water fell and moved further

In this regard, it is intimated that Regarding sewage water is flowing into N-Choe from Hibiscus Garden Sector 36 outlet, it is submitted that waste water which was coming from Sector 17 in Hibiscus garden Sector 23 has been rectified on 29.02.2024. At present, no waste water is observed but fresh water is coming. The team has already deployed to detect and rectify the fresh water leakage immediately. The undersigned also coordinated with Mr. Pandey (CPCC) and bring his notice on the subject cited above.

Submitted for your kind information please.

DA/As above

Endst No. 837-39

Chief Engineer,
Municipal Corporation,
Chandigarh
Dated 14/03/2024

Copy of the above is forwarded to the following for kind information please:-

1. PS to Commissioner, Municipal Corporation Chandigarh for kind information of Worthy Commissioner, M.C. Chandigarh.
2. The Superintending Engineer, Public Health, Municipal Corporation Chandigarh.
3. The Executive Engineer, M.C.P.H. Division No. 4, Chandigarh.

DA/-

Chief Engineer,
Municipal Corporation,
Chandigarh

authn - 404316

(Shubham Bhalla)

//TRUE COPY//

SERVICE: Status Report by way of an affidavit on behalf of Respondent no. 4/Municipal Corporation Chandigarh in OA/797/2023 titled as HOW GARBAGE IS CHOKING N-CHOE IN CHANDIGARH

Shubham Bhalla <shubhambhalla@hotmail.com>

Sat 3/16/2024 1:52 PM

To:mscb.cpcb@nic.in <mscb.cpcb@nic.in>;cpcc-chd@nic.in <cpcc-chd@nic.in>;ronz.chd-mef@nic.in <ronz.chd-mef@nic.in>;dc-chd@nic.in <dc-chd@nic.in>

 1 attachments (2 MB)

Status Report by way of Affidavit on behalf of Resp No 4 Municipal Corporation Chandigarh.pdf;

Sir,

Please find attached with this email the status report by way of an affidavit on behalf of Respondent no. 4/Municipal Corporation Chandigarh in OA/797/2023 titled as HOW GARBAGE IS CHOKING N-CHOE IN CHANDIGARH.

Please acknowledge receipt.

Regards

SHUBHAM BHALLA

Advocate-on-Record

OFFICE : D-52, BASEMENT, PANCHSHEEL ENCLAVE,
NEW DELHI- 110017

CHAMBER: CH. NO. 206, C.K. DAPTHARY CHAMBERS,
SUPREME COURT OF INDIA, NEW DELHI - 110001.

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