

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

Original Application No.172/2021

**IN THE MATTER OF:-**

Poonam Yadav

.....Applicant

Versus

State of Haryana

.....Respondent(s)

**INDEX**

<b>Sr.No.</b>	<b>Particulars</b>	<b>Dated</b>	<b>Pages</b>
1.	Status report of Mr. Sanjeev Kaushal, Chief Secretary to Government Haryana, on behalf of the State of Haryana in compliance of order dated 19 <sup>th</sup> July 2021 of Hon'ble NGT.	12.05.2022	1-4

Placed: Chandigarh  
Dated: 12 May 2022

  
District Attorney  
O/o Chief Secretary to Government Haryana,  
on behalf of State of Haryana

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**Response of the Chief Secretary to  
Government Haryana, on behalf of State of  
Haryana in compliance of order dated 19 July  
2021 of Hon'ble NGT.**

**RESPECTFULLY SHOWETH:-**

1. That I, in my official capacity as Chief Secretary to Government of Haryana, am well conversant with the facts and circumstances of the present case and competent to file the present status report on behalf of the State of Haryana, on the basis of record/information made available by the Urban Local Bodies Department and other officers of the Government of Haryana.

2. That the status report is being filed with respect to the directions dated 19 July 2021 issued by this Hon'ble Tribunal in the above mentioned Application which are to be complied with by the Commissioners of Municipal



Corporations, Gurugram & Faridabad. Relevant part of the said order dated 19<sup>th</sup> July 2021 is reproduced hereunder:-

*"In view of above, to ascertain the factual status, we constitute a three-member Committee comprising CPCB, Haryana State PCB and the District Magistrate, Gurgaon. The Committee may visit the site, interact with the stakeholders and take assistance from any other individual/institution and give its report within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF with a copy to the Chief Secretary, Haryana. The report may inter alia include causes of fire, reasons for unauthorized persons working in the landfill premises, progress on remediation of site and setting up of waste processing plant in furtherance of order of this Tribunal dated 7.4.2021 in OA 514/2018, steps taken by the MCG to prevent sliding of garbage mound due to fire and during monsoon and status of compliance of Rules on relevant aspects. The report may also mention status of legacy waste dump site in terms of order dated 17.7.2019 in OA 519/2019.*

*The Chief Secretary, Haryana may give response within one month thereafter about remedial action taken to comply with the law and steps taken against erring officers for failure for long time to remedy the situation resulting into such ugly situation. The monitoring mechanism in place to ensure that such failures do not happen may also be mentioned. The report may be furnished by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF."*



3. That vide aforesaid orders, a joint committee of CPCB, HSPCB and District Magistrate, Gurugram was constituted to submit a report, inter alia, on causes of fire, reasons of unauthorised persons working in landfill premises, progress on remediation of site and setting up of Waste Processing Plant in furtherance of order of this Tribunal dated 7 April 2021 in OA 514/2018, steps taken by the MCG to prevent sliding of garbage mound due to fire and during monsoon and status of compliance of Rules on relevant aspects.

4. That the report of the Joint Committee had been reported to have been received and a review meeting was convened on 06 May 2022 with the Commissioners of Municipal Corporations Gurugram & Faridabad, Additional Chief Secretary to Government Haryana, Environment, Forest & Climate Change Department, Director, Urban Local Bodies, officers of Haryana State Pollution Control Board and Deputy Commissioner, Gurugram.

5. That the report of the Joint Committee was discussed in detail and it was observed that the report is sketchy and does not serve the purpose for which the Committee was constituted by the Hon'ble Tribunal. The report was incomplete as it does not contain specific actionable points and does not bring out the defaults properly to enable decision making for drawing a proper action plan for mitigation of the situation. Further, it was observed that the officers who participated in the so called proceedings of the Joint Committee were of a considerably junior level who could not have done justice to the task handed over by the Hon'ble Tribunal. To cite an example, the Deputy Commissioner Gurugram has himself neither visited the site nor participated in the deliberations of the Joint Committee. Only a Tehsildar had been deputed to perform the task on his behalf. Similarly, the Scientist deployed by the Central Pollution Control Board and Environmental Engineer deputed by the Haryana State Pollution Control Board should have been of a

senior level so that they could identify faults of officers responsible for necessary action that was required to be taken in the management of the issues concerned. It was therefore decided to direct that the Deputy Commissioner as Chairman, Senior Environmental Engineer from State Pollution Control Board and a Senior Officer of Central Pollution Control Board should personally join the field inspections and then make recommendations.

6. It was felt that the Committee must revisit the site immediately and prepare the report containing specific actionable points as well as the names of officers found deficient in performing the assigned tasks within fifteen days.

7. It is submitted that immediately thereafter on receipt of the revised report, the response will be filed before this Hon'ble Tribunal. The aforesaid response may kindly be accepted and be placed on record before this Hon'ble Tribunal.

Respondent



(Sanjeev Kaushal)

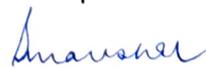
Chief Secretary to Government Haryana,  
on behalf of State of Haryana

Placed: Chandigarh  
Dated: 12 May 2022

**VERIFICATION:-**

Verified that the content of para no.1 to 7 of the status report are true and correct to my knowledge derived from official record. No part of it is false and nothing has been concealed therein.

Respondent



(Sanjeev Kaushal)

Chief Secretary to Government Haryana,  
on behalf of State of Haryana

Placed: Chandigarh  
Dated: 12 May 2022