

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

OA NO. 592/2023

SUNIL DUTT

APPLICANT

VERSUS

MUNICIPAL COUNCIL GURDASPUR AND ANRS

RESPONDENTS

**REPLY OR SUBMISSIONS TO THE REPORT FILED
BY THE RESPONDENT IN PURSUANCE TO THE ORDER
DATED 05.10.2023**

Respectfully Showeth

1. That the applicant filed the above mentioned Original Application with the prayer to direct the respondents from removing the dumping garbage in waste water pond situated adjacent to Deena Nagar, Police station which has now become a big mount of garbage having dangerous chemicals, plastic materials and other scrap. The garbage dumped is

contaminating groundwater, emits foul smell and poses serious health hazards to the residents of the locality and passerby. This Hon'ble Tribunal vide order dated 5.10.2023 constituted the Joint committee to look into the issue.

2. That the Joint Committee on 7.11.2023 visited at the spot, the applicant was also present over there and the applicant pointed out various illegality and irregularity being committed by the Authority and there are certain points to be put forth before this Tribunal for consideration

- a. **That first and the far most important point that is put before this Tribunal is that there is a constant use of Plastic despite of Ban in the Area.** It is pertinent to mention here that the despite of the various restrictions and bans in the state , the use of Polythene was not at all in decrease in the locality which ultimately enhances the contributes to the pollution and nothing else. No strict steps are taken by the Municipal Committee to curb this menace of use of Polythene bags.
- b. **No Segregation waste was being done by the authorities despite orders from the joint committee** it is brought to the knowledge of the this

Tribunal that no segregation of waste is being carried out at the time of collection of waste from door to door waste collection scheme. Even at dumping site no segregation of waste was being done. It is pertinent to mention here that most of the pits alleged to be prepared by the Municipal Committee are either broken or empty. The photographs of the same are attached herewith this submissions be read as part and parcel of this submission. The Municipal Committee has failed to segregate the waste material and the same is dumped at the site. The photographs of the same are also attached here with this submission. The unsegregated waste received is still lying at the dump site and the working there for segregation is going at a very slow pace. Further it is pointed out that no treatment of fresh waste or legacy waste is being carried. It is further pointed out that no weigh bridge has been provided at the dump site to ascertain the exact quantity of waste being received at the site or dump processed daily by use of trammel machine belt. As per the report of the joint committee there is an increase in waste being dumped at the site and no plan is available with the authority to deal with this problem. Further there is no boundary wall or fencing around the dump site resulting

in the waste spreading outside the dump site. Furthermore due to non-separation of the dumping site from that of the other part, whenever it rains, the said wet dump emits such foul smell that it would be impossible for the people of the locality to bear the same. It is further made here clear due to non covering of said dumping place where any segregation was being done the small plastic particles/fibers starting mixing in the air and diluting its quality. Moreover the rejected waste which was obtained even after slow segregation process is still lying at the dumping site. No efforts are being made to calculate and dispose off the said waste lying unattended at the dumping site. It is further pointed out no buffer zone has been left by M.C. Dinanagar. No sampling of ground water is being done.

EVEN IT IS PERTINENT TO MENTION HERE THAT THE MUNICIPAL COMMITTEE OR EVEN THE JOINT COMMITTEE FORMULATED had failed to mark the area over which the said dump was being extended. It is a deliberate negligence on the part of the municipal Committee. No emergency plan is available with the respondents. No permanent arrangement for dousing of fires has been provided. it is further mentioned here that there are commercial establishments, one

residential colony, police station and few private hospitals situated within in the radius of 100 metres from the dump site which are prone to damage due to foul smell, outbreak of many diseases or in case of large scale fires. Further it is found that there is no arrangement provided for detection of methane gas formation at the dump site.

- c. **No efforts being made for Beautification of Cremation ground:** - That no steps has been taken by the municipal Committee Dinanagar for carrying out the improvement of the cremation ground and there is no proper waste monitoring mechanism. There still exists stagnant water lodge at the cremation ground, which results in development of serious health issues. It is further made here clear that no plantation has been carried out inside or near to the said cremation ground. It is further made here clear that the 43 pits allegedly prepared for segregation of waste by the municipal committee are either broken or lying empty. The penalty Rs. 60.49 Lakhs imposed upon the MC Dinanagar by Punjab Pollution Control Board may please be ordered to be recovered from MC Dinanagar if not deposited by MC Dina Nagar earlier and same may be

utilized for make certain improvements in the said locality or area.

3. That since various illegalities and irregularities are still lying at the implementation of the proper action for treatment of waste in the locality or disposing off the dumping waste and no management was being done so far by the Municipal Committee, Gurdaspur Administration and by the government at large and this is an serious issue. It is further made here clear that no action has been taken actively so far. No segregation of the waste is being done very well till date. No steps has been taken to regulate the dumping hence the dumping of waste at that site is hazardous for the people living around the dump site there and passing by dump site as the dump site is abutting the National Highway. The respondent are fixing the liability of each other but not action at the ground level has taken place.

It is therefore respectfully prayed that the action as per law may be taken against the concerned official and appropriate directions may kindly be issued and their liabilities may kindly be fixed accordingly in the interest of public health and safety at large.

Sunil Dutt

Sunil Dutt

