

## BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

ORIGINAL APPLICATION No. 413 OF 2021

## IN THE MATTER OF:

BIKRAMJEET SINGH SHERGILL

...APPLICANT

VERSUS

STATE OF PUNJAB

...RESPONDENT

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Reply by way of affidavit of Jaspreet Singh, IAS,  
Deputy Commissioner Bathinda, on behalf of State of  
Punjab-Respondent.

Filed Through

ANURAG NASIAR  
ASSTANT ADVOCATE GENERAL  
9999683501  
A-338, LGF, DEFENSE COLONY  
NEW DELHI-110024

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**REPLY ON BEHALF OF STATE OF PUNJAB IN COMPLIANCE OF**  
**ORDER DATED 20.12.2023**

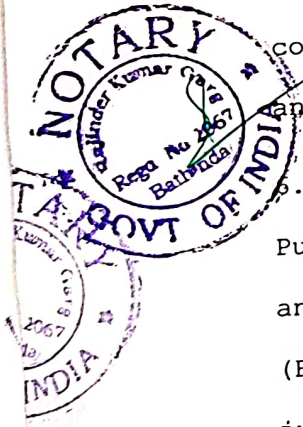
IT IS MOST RESPECTFULLY SHOWETH:

1. That I Jaspreet Singh, IAS, Deputy Commissioner Bathinda is filing this reply on behalf of State of Punjab.
2. That this Hon'ble Tribunal vide order dated 20.12.2023 had directed:

In compliance of order dated 07.11.2023 Mr. Rahul, Commissioner, Municipal Corporation, Bhatinda has appeared through VC and Mr. Vijender Luthra General Manager, M/S JITF waste plant, Bhatinda has appeared in person before this Tribunal and we have interacted with them. In the course of interaction they have assured to ensure compliance with Solid Waste Management Rules, 2016 by them and to take appropriate remedial measures.

3. Reply/response on behalf of respondent no.1-State of Punjab, respondent No.2 - Municipal Corporation, Bathinda and respondent No. 3 - JITF Urban Waste Management (Bathinda) Ltd. be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

3. That the Grievance of the applicant is regarding a fire incident on 06.06.2021 at M/s JITF waste plant, Bhatinda, Punjab. The applicant had submitted that the fire erupted from the large quantity of inflammable material lying in

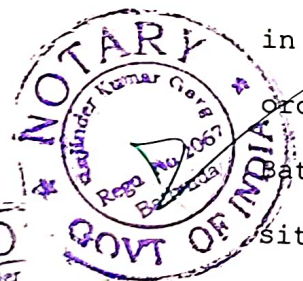


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the open space at dumpsite which shows that M/s JITF is not processing the city waste as per agreement.

4. The dumpsite area has been given on lease to M/s JITF Urban Waste Management (Bathinda) Limited; (Concessionaire) by Municipal Corporation, Bathinda on 01.02.2012 to setup an Integrated Municipal Solid Waste Management project. The said agreement was terminated by M/s JITF Urban Waste Management (Bathinda) Ltd. in December, 2018, but the decision of the management company was challenged by Municipal Corporation, Bathinda by filing a petition u/s 9 of the Arbitration and Conciliation Act, 1986 before the Court of District Judge, Bathinda and the Court of Additional District Judge, Bathinda vide order 15.1.2019 had directed both the parties to continue to perform their respective obligation under the said agreement, till further directions or until arbitral award is published without prejudice day to their rights to make adjustments in accordance of said award. In compliance to the said orders dated 15.1.2019 of Additional District Judge, Bathinda, the facility is continuing with its operation at site. At present, approximately 110 Ton Per Day of solid waste is being processed by M/s JITF Urban Waste Management (Bathinda) Ltd., Bathinda.

5. It is submitted that Municipal Corporation, Bathinda has assured full commitment to comply with the provisions of Solid Waste Management Rules, 2016 and protection & conservation of environment. All efforts are being made for scientific management of solid legacy waste. It is also submitted that the Municipal Corporation, Bathinda are striving hard with all our efforts to ensure that the



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problem related to management of solid waste are sorted at the earliest in a time bound manner.

6. It is pertinent to mention herein that the suggestions and observations of the Joint Committee in their report dated 24.08.2022 are already being dealt with by the Municipal Corporation, Bathinda which are as follows:

a. That a work order for the Bio-remediation of Legacy Waste at Municipal Solid Waste dumpsite (Mansa Road) Bathinda had already been issued by way of tender to Ecostan Infra Pvt Ltd vide allotment letter dated 23.12.2022 to complete the work up to 31.12.2023. However, as per the request of Ecostan Infra Pvt. Ltd, the said work order was extended up to 31.03.2023 (extra two months for disposal of RDF only i.e., up to 31.05.2024) vide letter dated 18.12.2023 along with direction to deploy more resources and increase working time in order to ensure completion of the work by 31.03.2024.

b. That the work for laying pipeline for utilization of treated waste water at the dumpsite has already been completed to avoid any incidence of fire at the dumpsite.

c. That the Municipal Corporation, Bathinda have permanently placed one Fire Tender at the dumpsite to avoid any further instance of fire at the dumpsite apart from construction of a storage tank as well as laying of pipeline from STP to dumpsite. It is also pertinent to mention herein that in order to avoid any such fire incident at dump site, the Municipal Corporation Bhatinda is constructing one Sub Fire station within a proximity of 1.5 km from the dumpsite for quick action incase of any unfortunate incident for which work order was issued by Municipal Corporation, Bhatinda vie letter dated



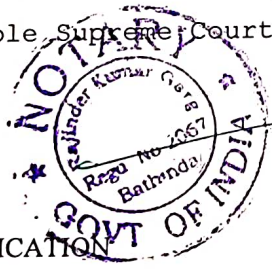
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06.07.2023. Fire Tenders and Staff for this Sub Fire Station are already available with Municipal Corporation, Bathinda.

d. That the boundary wall has already been constructed around the dump site by the Municipal Corporation, Bathinda.

e. That a green belt of approximately 15 meters width has already been developed around the dumpsite to avoid the smell being spread around the area.

7. That Municipal Corporation, Bathinda has been diligent and committed to comply with provisions of Solid Waste Management Rules, 2016 and protection and conservation of Environment. It is also submitted that all necessary steps are being taken by the applicant for upkeeping the scientific management of waste being produced. It is also submitted that Municipal Corporation, Bathinda has always been complaint to the orders and directions issued by the Hon'ble Supreme Court and the Hon'ble Tribunal.



VERIFICATION

DEPONENT

Jaspreet Singh, IAS,  
Deputy Commissioner, Bathinda

Verified that the contents of para No. 1 to 7 of the above said affidavit are true and correct to the best of my knowledge and belief as derived from official record and information received and believed to be true and no part of it is false and nothing has been concealed therein.

COV

This Document Affidavit  
Entered into the Notary Register  
at Page No. 5 / ... Register  
No. 742 Dated. 21.3.24

DEPONENT

Jaspreet Singh, IAS,  
Deputy Commissioner, Bathinda

Attested As Identified

RAJINDER KUMAR GARG  
Notary/Advocate  
Appointed by Govt. of India  
Distt. Courts, Bathinda

DATE: 27.03.2024  
PLACE: Bathinda

Identified the deponent through Sign. thumb mark

12 7 MAR 2024