

Item No. 01

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 253/2020

Rajender Singh

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 15.07.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Anil Grover, Senior AAG with Mr. Rahul Khurana, Advocate for
HSPCB and MC Manesar

ORDER

1. Grievance in this application is against the illegal dumping of garbage and waste in the Panchayat land in Village Nawada Fatehpur, Tehsil Manesar, District Gurugram. According to the applicant, unscientific dumping of garbage is affecting the ground water which is the source of drinking water. The applicant sent a representation on the subject on 03.01.2019 and contacted the Sarpanch recently but no action has been taken. The applicant has relied upon photographs in support of his averments.

2. Vide order dated 11.11.2020, an action taken report was sought from a joint Committee comprising Haryana State PCB and the Deputy Commissioner, Gurgaon.

3. Accordingly, a report has been filed on 01.04.2021 as follows:

"In compliance to these orders the Deputy Commissioner, Gurugram has appointed Additional Deputy Commissioner, Gurugram for site inspection along with Regional Officer, HSPCB, Gurugram South.

*During inspection on dated 26-03-2021, it was found that Villagers of Nawada Fatehpur village are littering & dumping the municipal solid waste at the site of Village Pond. (Photographs attached as Annexure-R1). Earlier, the area of this village was under the jurisdiction of Gram Panchayat. Recently in the month of January, 2021, the Govt. of Haryana had constituted Municipal Corporation Manesar and the said village falls under the jurisdiction of Municipal Corporation Manesar. Accordingly, a notice has been issued to the Municipal Corporation Manesar vide no. 7093-94 dated 30-03-2021 (copy attached as Annexure-R2) and **asked to immediately clear the pond site by removing the Municipal Solid Waste as the said village falls under your jurisdiction and also ensure that no such kind of dumping will take place in future.***

Also one borewell was installed on site for the water supply to the nearby residents. A sample was collected from the water of the borewell by HSPCB and as per analysis report no. 2143 dated 31-03-2021 (copy attached as Annexure-R3). As per the results of analysis report, the parameters are within the limit of drinking water standards and it seems that there is no percolation on the indicated site.”

4. From the report it is not clear as to how much was the quantity of the waste, source thereof, information about other sites in the area and in what manner such waste has been disposed of. The Solid Waste Management Rules, 2016 lay down manner of disposal but the compliance of the said rules has not been mentioned in the report.

5. Accordingly, let the joint Committee give a further report mentioning the manner of disposal of the waste and arrangements for management of waste in future within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. It may also ascertain generation, processing and disposal sites and whether waste in question is local or from other places.

List for further consideration on 04.10.2021.

A copy of this order be forwarded to Haryana State PCB and the Deputy Commissioner, Gurgaon by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Dr. Nagin Nanda, EM

July 15, 2021
Original Application No. 253/2020
DV