

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

Original Application No. 413/2023

Dr. Sandeep Kumar Gupta		Applicant
State of Haryana & Ors.	Versus	Respondent(s)
WITH		

M.A. No.05/2024
In
Original Application No. 312/2023

Rajesh Kumar Singh		Applicant
	Versus	
State of Haryana		Respondent

Date of hearing: 09.04.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Dr. Sandeep Kumar Gupta, Applicant in Person in OA 413/2023

Respondent(s):Mr. Rahul Khurana, Adv. with Mr. Pradeep Dahiya, Commissioner,
Municipal Corporation, Hisar (Through VC) and Mr. Preetpal Singh, Joint
Commissioner, Municipal Corporation, Hisar

ORDER

1. In this OA, applicant has raised the grievance in respect of lapse on the part of the Municipal Corporation, Hisar, Haryana in collection, transportation and processing of solid waste. It is alleged that the Municipal Corporation, Hisar has violated Solid Waste Management Rules, 2016 and orders of the Tribunal passed from time to time. The Tribunal in the proceedings dated 07.02.2024 had considered the earlier report of the Commissioner, Municipal Corporation, Haryana and had directed as under:-

“5. Hence, the correct and up-to-date figure relating to the existing legacy waste as on today is required to be disclosed which has not

been disclosed and the time bound action plan for completing remediating the existing legacy waste at Site 'A' and 'C' as also 100 per cent treatment of the daily generated waste is required to be disclosed. We also find that since, the Sites (A, B1, B2 and C) are contiguous, it was not clear that why an integrated work processing plant to treat 180-200 MT cannot be set up.

6. Learned Counsel appearing for the Municipal Corporation, Hisar on instructions submits that the fresh action report will be filed within six weeks disclosing the above position 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.”

2. In terms of the above direction, fresh report has been filed on 08.04.2024. The reports discloses that there are two legacy waste site i.e. Site A and C and two sites for processing of fresh waste i.e. Site B1 and B2. So far as site B1 is concerned, it is disclosed that in this site approximately 80 MT of waste is received daily and so far as site B2 is concerned, in that site, approximately 116 MT of waste is received daily. So far as site A (Legacy Waste) is concerned, in that site, initially 202139 MT of legacy waste was lying and in the first phase 130000 MT of legacy waste has been cleared by 31.03.2023 and in the second phase, for clearing 72139.58 MT of legacy waste, work order has been issued to M/s Ding Manpower and Securities Services Pvt. Ltd. on 05.03.2024 and the work for clearing the entire legacy waste at the site will be completed on 12.09.2024. In respect of site C, it is disclosed that as on 01.03.2024, the legacy waste at the site was assessed at 122784.57 MT and the same will be remediated by 31.07.2025. However, the report is silent on disposal/management of different components derived after bio-mining. It has also not been disclosed as to how much area has been recovered on remediation of legacy waste at Site A.

3. We find that this time limit of remediating the legacy waste at Site C is quite long and the same is required to be remediated at the earliest. The Joint Commissioner, is present in person and Mr. Pradeep Dahiya,

Commissioner, Municipal Corporation, Hisar has joined through virtual mode. In respect of Site C, the Commissioner, Municipal Corporation has submitted that the requisite permission from ECI for floating the tender will be obtained soon and the work will be awarded to clear the legacy waste. Hence, he is directed to disclose the new shorter timeline for remediation of legacy waste at Site C. The Joint Commissioner as also the Municipal Commissioner have jointly submitted that in respect of the other sites, the timeline which has been disclosed in the fresh report will be duly adhered to and within the timeline, the entire waste will be cleared. We take note of the stand of Commissioner, Municipal Corporation, Hisar that 100% daily generated waste is treated and nothing is added to the legacy waste.

4. In respect of the disposal of dead animal, the report discloses that site B3 has been earmarked for that purpose and the disposal of the dead animals is done as under:-

“5. Site "B-3" (Disposal of Dead Animals):

- (i) The Municipal Corporation, Hisar had floated e-tender and allotted the work to Sh. Vivek Kumar S/o Sh. Deepak Kumar (Contractor) vide this office memo no. 8054/CSI dated 18-04-2022 for the period of three years (21-02-2022 to 20-02-2025) for transportation and disposal of dead animals from Municipal area.*
- (ii) The dead animals are being transported to Municipal land (about 3 acres) situated in Village Dhandhoor at site "B-3" at a distance of about 02 KM from NH-9 and approximately 08 KM from city. The animals are being buried at the designated site.*
- (iii) As per guidelines issued by Central Pollution Control Board, Delhi, 2020 for disposal of dead animals, three practices can be adopted for disposal of dead animals (i) Setting up of carcass utilization plant (ii) Setting up of incinerator (iii) Deep Burial. The Corporation has adopted the practice of burying up dead bodies of animals.”*

5. In view of this, we direct Commissioner, Municipal Corporation to file a fresh report, showing the progress made in the direction of clearing of legacy waste and also to show the complete details of the treatment of

the waste which is generated within the Municipal Corporation daily. Let the fresh report in terms of the observations made above be filed at least one week before the next date of hearing 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.

6. List on 31.07.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

April 09, 2024
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