

Court No. 1

Original Application No. 413/2023

Applicant

Respondent(s)

In

Applicant

Respondent(s)

Date of uploading: 14.08.2024

Respondent: Mr. Rahul Khurana, Adv. with Mr. Pradeep Dahiya, Commissioner, Municipal Corporation, Hisar (Through VC)

2. The Tribunal on 07.07.2023 had formed a two Member Joint Committee with the direction to the Committee to visit the place, submit

the factual and action taken report including the status of Solid Waste Management for Hisar which *inter-alia* to include quantification in terms of waste generation, waste processed and remedial measures to bridge the gap between the waste generation and processing and legacy waste remediated.

Joint Committee Report dated 04.09.2023

3. The joint Committee had submitted the report dated 04.09.2023 disclosing that 180 MT solid waste is generated and collected per day from all 20 wards of Hisar which includes 90 TPD wet waste (bio-degradable), 72 TPD dry waste (non-biodegradable), 0.080 TPD domestic hazardous waste and 17.92 TPD inert waste.

4. The Committee noted that large quantity of legacy and fresh unsegregated solid waste was found dumped unscientifically at the site and no proper record regarding disposal/utilization of the processed legacy waste was provided by the Municipal Corporation, Hisar. The observation of the joint Committee in the report dated 04.09.2023 were as under:-

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1. According to the information provided by Municipal Corporation Hisar vide their letter No. 2219/CSI dated 24.07.2023, 180 MT solid waste generated and collected per day from all 20 wards which includes 90 TPD wet waste (bio-degradable), 72 TPD dry waste (non biodegradable), 0.080 TPD domestic hazardous waste and 17.92 TPD inert waste. ULB department has purchased 17 Acre, 1 Marla land for establishment of cluster level facility for solid waste processing at Hansi and tender for installation of waste processing plant is pending at their HQ level.
2. As per information provided by Municipal Corporation Hisar vide letter referred above, MC Hisar has engaged M/s Haryana Manpower Services, Hisar w.e.f. 01.12.2021 to 30.11.2022 for door to door collection, segregation, transportation as well as processing of waste in ward Nos. 12 to 16 and in rest of the wards, the work was done by the Corporation itself. During the financial year 2023-2024, M/s Ding Manpower & Securities Services Pvt. Ltd. Sirsa was engaged | w.e.f. 01.04.2023 for one year (upto 31.03.2024) for door to door | collection, segregation, transportation as well as processing of the waste in ward No. 01

to 10. At present, agency has stopped the | work i.e. 14.06.2023 due to following reasons:

- (i) The tender for door to door collection, segregation, transportation as well as processing of the waste is pending for administrative approval at the office of Director, Urban Local Bodies, Haryana, Panchkula.
- (ii) No suitable land has been provided to M/s Ding Manpower & Securities Services Pvt. Ltd. Sirsa till date by the corporation for installation of machinery/ plant for processing of waste.

3. Municipal Corporation Hisar has intimated vide their letter referred above, total 44 auto tippers, 190 Tri-cycles, 40 Tractor Trolleys are provided for solid waste collection from Hisar City. Proper mechanism for solid waste collection not found and at the time of inspection, it is observed that mixed solid waste is dumped at many places in Hisar City. The tractor trolleys are found lifting mixed solid waste from satellite centers in the city.
4. As per information provided by Municipal Corporation Hisar vide letter referred above, the solid waste collection schedule from households from 07:00 AM to 12:00 PM and from 02:00 PM to 05:00 PM on daily basis. But during inspection, in morning hours only unsegregated solid collection from households is found, from 02:00 PM to 05:00 PM no solid waste collection from household is reported.
5. At the time of inspection, it is found that the segregation of wet (biodegradable), dry waste (non-biodegradable), and domestic hazardous waste is not made properly as per Solid Waste Management Rules, 2016 & transportation vehicle facility is also not appropriate because vehicles are not having proper compartments for different type of solid wastes & either the vehicles number are not sufficient or they are not operating regularly on daily basis because un-segregated solid waste found dumped illegally at many palaces in the Hisar city at the time of inspection.
6. As per information provided by Municipal Corporation Hisar vide letter referred above, 1,30,000 MT legacy waste processing has been done and for assessment of remaining legacy waste work has been issued to IIT Roorkee. But at the site, it is observed that large quantity of legacy and fresh un-segregated solid waste is found dumped unscientifically. No proper record regarding disposal/ utilization of processed legacy waste is provided by Municipal Corporation, Hisar.
7. Municipal Corporation Hisar vide their letter dated 24.07.2023 has intimated that they are making IEC (Information, Education and Communication) activities through hoardings, banners, news

papers, pamphlets, rallies of school children, NCC Cadets etc. They are also playing audio jingle songs on the door to door collection vehicles. Municipal Corporation Hisar vide letter referred above mentioned that they have made expenditure of only Rs. 5,00,000/- on IEC activities during last 02 years. But during inspection, no proper banners, hoardings etc. are reported reflecting Information, Education and Communication activities regarding solid waste management in Hisar City. .

- 8. The information submitted by Municipal Corporation, Hisar, in Management Information System (MIS) is not proper regarding time period of contract, gap to achieve 100% door to door collection, quantity of dry waste etc.*
- 9. Municipal Corporation, Hisar has not obtained CTE, CTO as per consent procedure policy dated 04.12.2020 & authorization under SWM Rules, 2016 as per Board policy No. 137643 dated 14.10.2022.*

At the time of inspection, it is observed that Municipal Corporation, Hisar not complying with the Rule No. 15 of Solid Waste Management Rules, 2016 in which duties and responsibilities of local | authorities have been mentioned.

*HSPCB, Hisar Region has issued SCN vide letter dated 25.08.2023 for non compliances of Solid Waste Management Rules, 2016 for above said non compliances. Copy of letter dated 25.08.2023 is attached as **Annexure-R/2.***

5. The joint Committee had made the following recommendations:-

“ Recommendations:

The based on the aforesaid observations, committee made the following recommendations:

- 1. Segregation and Transportation:** *MC Hisar should ensure waste collection from door-to-door and transportation for further processing as per SWM Rules, 2016.*
- 2. Legacy Waste & Fresh Waste Processing and Infrastructure at site:** *Given that the existing dumpsite is used for legacy waste processing, MC Hisar is advised to construct a boundary wall, create a green belt, establish a garland drain system, and set up a leachate collection and treatment system. Ascertained quantum of Legacy waste and timeline for processing of waste be submitted by MC, Hisar. Proper Action Plan be submitted by MC, Hisar regarding processing & disposal of fresh waste as per SWM Rules, 2016.*

3. Development of Waste Processing & Scientific landfill facility: MC Hisar should develop a suitable site for solid waste processing facility and landfill facility in compliance with relevant rules. An action plan outlining the timeline for establishment of proper facility should be submitted to the Haryana State Pollution Control Board (HSPCB) immediately.

4. Awareness Activities: MC Hisar needs to .conduct intensive information, education, and communication activities. This can include installing permanent hoardings in prominent places within the city to promote source segregation of solid waste and captive management of biodegradable waste. Targeted awareness campaigns should also be conducted in primary schools, educational institutes, and households.

5. Legacy Waste processed utilization Guidelines: MC Hisar should . process legacy waste according to CPCB guidelines. Compost that exceeds the prescribed limits of parameters mentioned in Schedule-II of the solid waste management rules should not be used for food j crops, but can be utilized for other purposes i.e. horticulture, low lying area filling.”

6. The report of the joint Committee dated 04.09.2023 was considered by the NGT on 06.09.2023 and taking note of the gross violation on the part of the Municipal Corporation, Hisar on 06.09.2023, notice was issued to the Municipal Corporation, Hisar with a direction to the Commissioner, Municipal Corporation, Hisar to appear virtually on the next date to respond to the report of the joint Committee and the remedial measures.

Report - HSPCB dated 24.11.2023

7. The HSPCB had filed the report dated 24.11.2023 disclosing the EC which was imposed upon the Municipal Corporation, Hisar for violation of the norms as under:-

“3. That for the non compliances of the Environmental norms as mentioned in joint committee report dated 04-09-2023, the answering respondent has imposed Environment Compensation of Rs. 43 Lakhs as per details given below:

- (i) Rs. 34 Lakhs for period 01.04.2020 to 31.01.2023 vide letter dated 16.02.2023.

- (ii) Rs. 5 Lakhs for period 01.02.2023 to 30.06.2023 vide letter dated 26.06.2023.
- (iii) Rs. 04 Lakhs for period 01.07.2023 to 31.10.2023 vide letter dated 20.11.2023.”

8. In the report, the HSPCB had disclosed that though EC was imposed but the same was not deposited by the Municipal Corporation.

Action taken Report dated 29.11.2023 by Municipal Corporation, Hisar

9. The Municipal Corporation, Hisar had filed action taken report dated 29.11.2023 disclosing the action taken and proposed action in respect of the findings recorded by the Joint Committee about violation as under:-

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S. No.	Issue raised in Report	Remarks/Response
1.	According to the information provided by Municipal Corporation Hisar vide letter no. 2219/CSI Dated 24-07-2023, 180 MT solid waste generated and collected per day from all 20 Wards which includes 90 TPD wet waste (bio-degradable), 72 TPD dry waste (non bio-degradable), 0.080 TPD domestic hazardous waste and 17.92 TPD inert waste. ULB department has purchased 17 acres, 1 Marla land for establishment of cluster level facility for solid waste processing at Hansi and tender for installation of waste processing plant is pending at their HQ level	The report is same.
2	As per information provided by Municipal Corporation Hisar vide letter referred above, MC Hisar has engaged M/s Haryana Menpower Services, Hisar w.e.f. 01-12-2021 to 30-11-2022 for door to door collection, segregation, transportation as well as processing of waste in ward no 12 to 16 and rest of the wards, the work was done by the corporation itself. During the financial year 2023-24, M/s Ding Menpower & Securities Services Pvt. Ltd. Sirsa was engaged w.e.f. 01-04-2023 to 31-03-2024 for door to door collection, segregation, transportation as well as processing of waste in ward no 01 to 10. At present, agency has stopped the work w.e.f. 14-06-2023 due to following reasons: (i) The tender for door to door collection, segregation, transportation as well as processing of waste is pending for administrative approval at the office of Director, Urban Local Bodies, Haryana, Panchkula. (ii) No suitable land has been provided to M/s Ding Menpower & Securities Services Pvt. Ltd. Sirsa till date by the corporation for installation of	Arrangements done for Door to door collection, transportation and processing of waste during F.Y. 2021-22 and 2022-23 a) M/s Haryana Menpower Services — 01-12-2021 to 30-11-2022 (ward no 12 to 16) b) Ward no 01 to 11 and 17 to 20 by Municipal Corporation, Hisar. Arrangements done for Door to door collection, transportation and processing of waste during F.Y. 2023-24 a) M/s Ding Menpower & Securities Services Pvt.

	<i>machinery/plantfor processing of waste.</i>	<i>Ltd. Sirsa assigned work from 01-04-2023 to 31-03-2024 (Ward no 01 to 10)</i> <i>b) The agency stopped the work w.e.f. 14-06-2023 to 09-11-2023 due to non-availability of land for processing. The exiting land in Dhandhoor was in the vicinity of Hisar Airport. During this period, Municipal Corporation Hisar did the collection and transportation of solid waste for wards 01 to 20.</i> <i>c) At present, the temporary processing has been set up at Village Dhandhoor with following details:</i> <i>(i) Door to door Transportation and Processing) for ward no 01 to 10 resumed w.e.f. 1011-2023. The processing plant as per SWM guidelines has been set up at Village Dhandhoor (in 4 Acres area).</i> <i>(ii) For door to door project in ward no 11 to 20 : Another piece of land measuring around 8 acres has been identified and the same will be provided to agency for processing.</i> <i>(iii) Also, the sanitary landfill will be developed in this land (village Dhandhoor in 8 acres area) for agencies.</i> <i>In total 12 acres are identified for temporary site at Village Dhandhoor.</i> <i>By the end of April, 2024, the sanitary landfill will be prepared by Municipal Corporation, Hisar.</i> <i>Door to door (Collection,</i>
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		Transportation and Processing) in Ward no 11 to 20 will be operational in February, 2024. Meanwhile, the collection and transportation is being taken care by Municipal Corporation, Hisar. d) For the permanent processing plant site: The land for setting up cluster level processing plant has been identified in village Bir Babran (in 55 acres area). This land belongs to GLF (Government Livestock Farm) and the procedure to purchase the land has been initiated. The processing plant in village Dhandhoor has been set up on temporary basis as per guidelines of Directorate, Urban Local Bodies. e) Door to door collection & transportaion is being done in Ward no 11 to 20 by Municipal Corporation, Hisar f) Now, Door to door (Collection, Transportation and Processing) tender has been floated for ward no. 11 to 20. The closing date of tender is 07-12-2023 and opening date is 08-12-2023. The agency will start work in February 2024. In the meantime, Municipal Corporation Hisar is doing collection and transportation of the solid waste for Ward no 11 to 20. g) Thus, Municipal Corporation, Hisar intends to do door to door h) Door to door (Collection, Transportation and Processing) in Ward no
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		01 to 10 is already operational. i) Transportation and Processing) in Ward no 11 to 20 will be operational in February, 2024. Meanwhile, the collection and transportation is being taken care by Municipal Corporation, Hisar. (j) At present, two Road Sweeping Machines are in operations. Also, one truck mounted integrated antismog gun and water sprinkler machine is being used in Municipal Corporation, Hisar. (k) 01 Mini Road Sweeping Machine (imported from Italy) for narrow streets & markets has been procured & delivered on 28-11-2023. In conclusion, Municipal Corporation, Hisar is making efforts for waste disposal as per SWM Rules, 2016
3.	Municipal Corporation Hisar has intimated vide their letter referred above, total 44 auto tippers, 190 Tri-cycles, 40 Tractor Trolleys are provided for solid waste collection from Hisar city. Proper mechanism for solid waste collection not found and at the time of inspection, it is observed that mixed solid waste is dumped at many places in Hisar city. The tractor trolleys are found lifted mixed solid waste form satellite centres in the city.	Ward no 01 to 10 — Door to door (Collection, Transportation and Processing) work is being done by M/s Ding Menpower & Securities Services Pvt. Ltd. Sirsa with 36 tippers, 12 tractor trolleys, 03 tractor loaders, 01 JCB. Ward no 11 to 20 — Door to door (Collection, Transportation) work is being done by MCH with 44 tippers, 47 tractor trolleys, 02 tractor loaders, 04 JCB At present, door to door waste is collected through tippers with compartments for different categories (wet waste, Dry waste, domestic hazardous waste) of waste. Door to door collection with tractor trolleys has been stopped. Tractor

		Trolleys are being used for secondary point lifting only. For effective collection and transportation of waste, Municipal Corporation Hisar has approved purchase of additional 3 Nos. Tractor-loaders, 04 Nos. Trolleys and 50 Nos. Tri- Cycles, the deposit work has been given to PWD (B&R). The expected time of completion is April 2024. The Joint Commissioner is the nodal officer for sanitation branch. He is assisted by 01 CSI, 02 ASIs, 03 Sanitary Supervisors with 02 Junior Programmers and 06 Data Entry Operators. Now, executive engineer is nodal officer for processing plant, vehicle procurement and maintenance. He is assisted by 01 SDO and 01 JE. There is monitoring of vehicles through GPS and physical checking.
4.	As per information provided by Municipal Corporation Hisar vide letter referred above, the solid waste collection schedule from households from 07:00 AM to 12:00 PM and from 02:00 PM to 05:00 PM on daily basis. But during inspection, in morning hours only un-segregated solid collection from households is found, from 02:00 PM to 05:00 PM no solid collection from households is reported.	In this regard, it is further clarified that door to door collection is made from 07:00 AM to 12:00 PM and the waste collection from secondary points is being done from 02:00 PM to 05:00 PM.
5.	At the time of inspection, it is found that the segregation of wet (bio-degradable), dry waste (non- biodegradable) and domestic hazardous waste is not made properly as per Solid Waste Management Rules, 2016 & transportation vehicle facility is also not appropriate because vehicles are not having proper compartments for different type of solid wastes & either the vehicles number are not sufficient or they are not operating regularly on daily basis because unsegregated solid waste found dumped illegally at many places in the Hisar city at the time of inspection.	(a) At the time of inspection, the contractor stopped the work due to non-availability of land for processing plant. All type of work including door to door collection was being made by Municipal Corporation, Hisar itself with the help of limited resources which includes Tatatippers, tractor trolleys, JCB, Eicher Dumper Placer etc. (b) However, at present, the contractor has again started the work in ward no 01 to 10 w.e. 10-11-2023 and in rest of the wards, MCH is collecting the waste

		through its own vehicles, which have proper compartments (c) Door to door (Collection, Door to door (Collection, Transportation and Processing) in Ward no.11 to 20 will be operational in February 2024. Meanwhile, the collection and transportation is being taken care by Municipal Corporation Hisar.
6.	As per information provided by Municipal Corporation Hisar vide letter referred above, 1,30,000 MT legacy waste work has been done and for assessment of Remaining legacy waste work has been issued to IIT Roorkee. But at the site, it is observed that large quantity of legacy and fresh un-segregated solid waste is found dumped unscientifically. No proper record regarding disposal/utilization of processed legacy waste is provided by Municipal Corporation Hisar.	It is informed that 1,30,000/- MT legacy waste has been processed. This work was completed by IND Sanitation Solution Pvt. Ltd on 31-03-2023. The assessment as per govt. guidelines of the remaining legacy waste has been done by IIT Roorkee. There is around 70,000 MT remaining legacy waste at the site. The concerned Executive Engineer will float the tender by the end of December, 2023 for the processing of the remaining legacy waste.
7.	Municipal Corporation 1-Hisar vide their letter dated 24-07-2023 has intimated that they are making IEC (Information, Education and Communication) activities through hoardings, banners, news papers, pamphlets, rallies of school children, NCC Cadets etc. They are also playing audio jingle songs on the door to door collection vehicles,. Municipal Corporation Hisar vide letter referred above mentioned that they have made expenditure of only Rs.5,00,000/ on IEC activities during last 02 years. But during inspection, no proper banners, hoardings etc. are reported reflecting Information, Education and Communication activities regarding solid waste management in Hisar city.	New proposed IEC activities 1. Wall painting 2. News papers ads 3. Meetings with associations etc. 4. Public events: (Swachhta Pakhwada Celebration, School campaigns, public awareness by ASIs)
8.	The information submitted by Municipal Corporation Hisar in Management Information System (MIS) is not proper regarding time period of contract, gap to achieve 100% door to door collection, quantity of dry waste etc.	Corporation is sending Annual and quarterly report to DULB.

9.	<i>Municipal Corporation Hisar has not obtained CTE, CTO as per consent procedure dated 04-12-2020 & authorization under SWM Rules, 2016 as per Board policy No. 137643 dated 14-10-2022.</i> <i>At the time of inspection, it is observed that Municipal Corporation Hisar not Complying with the Rule no. 15 of Solid Waste Management Rules 2016 in which duties and responsibilities of local authorities have been mentioned</i>	<i>Municipal Corporation, Hisar will apply for CTE and CTO.</i> <i>1- Earlier, MC Hisar could not discharge all the duties and responsibilities under Rule 15 of SWM Rules, 2016 as suitable land was not available.</i> <i>2- Now, Door to door (Collection, Transportation and Processing) in Ward operational.</i> <i>3- Door to door (Collection, Transportation and Processing) in Ward no 11 to 20 will be operational in February 2024. Meanwhile, the collection and transportation is being taken care by Municipal Corporation Hisar.</i>
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Action taken on recommendations of State Pollution Control Board (SPCB)

<i>Sr. No.</i>	<i>Recommendation by SPCB</i>	<i>Action Taken Report</i>
1.	<i>Segregation and Transportation: MC Hisar should ensure waste collection from door to door and transportation for further processing as per SWM Rules, 2016</i>	<i>(a) Door to door (Collection, Transportation and Processing) in Ward no 01 to 10 is already operational.</i> <i>(b) Door to door (Collection, Transportation and Processing) in Ward no 11 to 20 will be operational in February, 2024. Meanwhile, the collection and transportation is being taken care by Municipal Corporation Hisar</i>
2.	<i>Legacy waste & Fresh Waste Processing and Infrastructure at site: Given that the existing dumpsite is used for legacy waste processing, MC Hisar is advised to construct a boundary wall, create a green belt, establish a garland drain system, and set up a leachate collection and treatment system.</i> <i>Ascertained quantum of Legacy Waste and timeline for processing of waste be submitted by MC, Hisar</i> <i>Proper Action Plan be submitted by MC Hisar regarding processing & disposal of fresh waste as per SWM Rules, 2016.</i>	<i>It is informed that 1,30,000/- MT legacy waste has been processed. This work was completed by IND Sanitation Solution Pvt. Ltd on 31-03-2023.</i> <i>The assessment as per govt. guidelines of the remaining legacy waste has been done by IIT, Roorkee. There is around 70,000 MT remaining legacy waste at the site. The concerned Executive Engineer will float the tender by the end of December,</i>

		2023 for the processing of the remaining legacy waste. The tender for the boundary wall repair will be allotted by 30-11-2023. The rest of the activities will be done by April, 2024. Action Plan will be submitted by December, 2023.
3	Development of Waste Processing & Scientific landfill facility: MC Hisar should develop a suitable site for solid waste processing facility and landfill facility in compliance with relevant rules. An action plan outlining the timeline for establishment of proper facility should be submitted to the Haryana State Pollution Control Board (HSPCB) immediately	The sanitary landfill will be developed in the land (village Dhandhoor in 8 acres area) agencies. By the end of April, 2024, the sanitary landfill will be prepared by Municipal Corporation, Hisar.
4	Hisar needs to conduct intensive information, education and communication activities. This can include installing permanent hoardings in prominent places within the city to promote source segregation of solid waste and captive management of biodegradable waste. Target awareness campaigns should also be conducted in primary schools, educational institutes, and households.	Permanent hoardings are installed at six locations Final IEC activities plan will be submitted by December, 2023.
5.	Legacy Waste Processed utilization Guidelines: MC Hisar should process legacy waste according to CPCB guidelines. Compost that exceeds the prescribed limits of parameters mentioned in Schedule-II of the solid waste management rules should not be used for food crops, but can be utilized for other purposes i.e. horticulture, low lying area filling.	Compliance will be done in all legacy waste processing tenders.

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10. The above action taken report of the Municipal Corporation, Hisar clearly reveal that legacy waste to the extent of 70,000 MT was lying at the site and that the daily generated waste within the Municipal Corporation, Hisar was 180 MT, out of which 80 MT was generated from ward no. 1 to 10 for which treatment facility was available and 100 MT of waste was generated from ward no. 11 to 20 for which treatment facility was being created and tender process was initiated. The Tribunal in the proceedings dated 30.11.2023 had noted that in the report, the Municipal

Corporation, Hisar had not disclosed the steps, manner and plan for remediation of 70,000 MT legacy waste. Hence, the Municipal Corporation was directed to take appropriate action for remediation of the legacy waste and file report with the time bound action plan for its remediation. Certain objections were raised by the applicant to this report.

Progress Report dated 05.04.2024 by Municipal Corporation, Hisar

11. A fresh report dated 05.02.2024 was filed by the Municipal Corporation, Hisar disclosing the details of four dumping sites-A, B1, B2 and C as under:-

“1- Sites for dumping of Municipal Solid Waste :-

- A) The legacy waste of Municipal Corporation, Hisar is lying at Village Dhandhoor. This site spreads in two parcels of land measuring about 15 acres and 32 acres.*
- B) For better understanding, the parcel of land measuring 15 acres is named as site "A" and is reserved for old legacy waste. At this site, processing of 130000 MT legacy waste has already been done and tender for the remaining legacy waste (72139.58 MT) has been floated on dated 25-01-2024. At this site, no fresh waste is being dumped at present.*
- C) The parcel of land measuring 32 acres is divided into two parts. Out of 32 acres of land, about 08 acres have been used for setting up of processing plant for fresh waste of ward nos. 01 to 10 (04 acres) and ward nos. 11 to 20 (04 acres). This particular area is divided by separate boundary walls and the enclosure for ward nos. 01 to 10 is named as "**B-1**" and for ward nos. 11 to 20 is named as "**B-2**".*
- D) The remaining 24 acres (32 acres-08 acres) land is termed as "C". At this site, old legacy waste as well as fresh waste of ward no. 11 to 20 is being dumped at present. After 16-02-2024, the fresh waste generated from ward no. 11 to 20 will get stopped at this site as processing of the same will be started at site "**B-2**". The process of processing of legacy waste at this site (24 acres) is also in progress, the details of which are given in subsequent paras.*
- E) It is pertinent to mention that the work of collection, segregation, transportation as well as processing of waste in ward nos. 01 to 10 has been already in progress and the work order for collection, segregation, transportation as well as processing of waste in ward nos. 11 to 20 has been issued to M/s Green Concrete Constructions vide this office letter no. 5749/CSI Dated 16-01-2024. The actual work is likely to be started from 16-02-2024 and after that no fresh solid waste will be dumped at site "**C**",*

F) In this way, No legacy waste will be created by the Municipal Corporation, Hisar after 16-02-2024.”

12. In respect of site A, it was disclosed that in the first phase, M/s IND Sanitation Solution Pvt. Ltd., Rohtak was issued work order to process about 1,30,000 MT legacy waste on 17.03.2021 after adopting the process of e-tendering and that processing of 1,30,000 MT legacy waste was completed on 31.03.2023.

13. In respect of remediation of remaining legacy waste at site A, it was disclosed that IIT Roorkee in its assessment report had assessed that 72139.58 MT legacy waste was still lying at site A for which the tender was floated on 25.01.2024 which was to be opened on 16.02.2024, work was to be given to the successful bidder by 15.03.2024, work was to start from 30.04.2024 and to complete within one year.

14. For the remediation of the legacy waste at site C, it was disclosed that the assessment of legacy waste was to be completed by 25.02.2024. The tender was to be floated on 25.03.2024 and work was to be allotted to successful bidder by 25.04.2024 and the work was to start from 25.05.2024 for remediation of the legacy waste at this site.

M.A. No. 05/2024

15. So far as the connected MA No. 5/2024 is concerned, it has been registered on the basis of the report of the joint Committee dated 04.09.2023 submitted in pursuance to the order of the Tribunal dated 26.05.2023 in OA. No. 312/2023.

16. In OA No. 312/2023 registered on the basis of the letter petition, applicant had raised the grievance about illegal disposal of animal carcasses of dead animals along with the municipal solid waste and

burning it in violation of the environmental norms on 32 acres area located adjacent to a residential Central colony of District Hisar at Central Raja Farm, 10 km Sirsa road. The Tribunal by order dated 26.05.2023 had constituted a joint Committee with a direction to the Committee to look into the matter, collect relevant information and if any violation is found, take appropriate remedial and preventive action in accordance with law within two months. There was a further direction to the Committee to file action taken report to the Registrar General, NGT and if he finds necessity of any further order, to place the matter before the Bench.

17. M.A. No. 5/2023 was registered on the basis of the report of the joint Committee. The joint Committee had found that at the site under consideration, illegal disposal of animal carcasses of dead animals were found scattered with the municipal solid waste and that Municipal Corporation, Hisar had not provided proper infrastructure and facility for scientific disposal of that animal. The Joint Committee in the report dated 04.09.2023 had made the following recommendations:-

“Recommendations:

The based on the aforesaid observations, committee made the following recommendations:

- 1. Proper Facility for Carcass Management and Disposal:*** *The Municipal Corporation (MC) of Hisar should establish a proper mechanism & facility for the scientific management and disposal of animal carcasses, following the guidelines issued by the Central Pollution Control Board (CPCB), Delhi in November 2020.*
- 2. Segregation and Transportation:*** *MC Hisar should ensure waste collection from door-to-door and transportation for further processing as per SWM Rules, 2016.”*

18. Other recommendations of the joint Committee relate to the solid waste management which is already covered in the OA noted above. The

Tribunal by order dated 10.01.2024 had clubbed the MA No. 5/2024 with O.A. No. 413/2023.

Common Action Taken Report dated 08.04.2024 in OA & MA

19. In terms of the direction of the Tribunal issued earlier, a common fresh action taken report dated 08.04.2024 has been filed by the Municipal Corporation, Hisar in OA and MA. The progress of treatment of the daily generated waste and for remediation of the legacy waste from site A, B1, B2 and C is reflected as under:-

“1. Site B-1 (Fresh solid waste of ward 01 to 10)

*The **site B-1** having an area of 4 Acres (Out of 32 acres) and is enclosed by boundary wall has been allotted to M/s Ding Manpower & Securities Services Pvt. Ltd., Sirsa for collection and processing of fresh waste generated from ward no. 01 to 10. At this site, approximately 80 MT of waste is being received daily. The firm has started the work from 01 April, 2023. Till 29th February, 2024, a quantity of 16951.93 MT of waste is collected from ward no. 1. to 10 and the same has been processed using the pit composting and windrows composting at processing plant. The waste received at MRF is segregated manually. At this level, big size objects such as plastic, metals, glass, paper and cardboards are segregated. After segregation of big size objects at MRF, the waste is transported to processing plant for pit composting and through windrows composting method. Trommels of different screen sizes have also been set up at the processing site for further sorting of waste such as RDF, Bio-soil/compost and Inert. The detail of the processed waste is given in **Annexure - P/2. At present, no solid waste is being dumped unprocessed.***

2. Site B-2 (Fresh solid waste of ward 11 to 20)

The site B-2 having an area of 4 Acres (Out of 32 acres) and is enclosed by boundary wall has been allotted to M/s Green Concrete Construction, Gurugram for collection and processing of fresh waste generated from ward no. 11 to 20. At this site, approximately 116 MT of waste is being received daily. The firm has started the work from 19 February, 2023, Till 29th February, 2024, 881.415 MT of waste is collected from ward no. 11 to 20 and the same has been processed using the pit composting and windrows composting at processing plant. The waste received at MRF is segregated manually. At this level, big size objects such as plastic, metals, glass, paper and cardboards are segregated. After segregation of big size objects at MRF, the waste is transported to processing plant for pit composting

and windrows composting method. Trommels of different screen sizes have also been set up at the processing site for further sorting of waste such as RDF, Bio-soil/compost and Inert. The office is preparing data regarding various components received during processing as the agency has started the work very recently i.e. about one month back. **At present, no solid waste is being dumped unprocessed.**

3. Site A (legacy waste site)

The parcel of land measuring 15 acres marked as site "A" is being used for legacy waste and is enclosed with boundary wall. At this site, initially a quantity of 2,02,139 MT legacy waste was assessed.

(i) **In the first phase**, M/s IND Sanitation Solution Pvt. Ltd., Rohtak was issued work order to process 1,30,000 MT legacy waste on 17-03-2021 after adopting the process of e-tendering. The processing of abovementioned 1,30,000 MT legacy waste was completed on 31-03-2023. The details of the waste processed in 1 phase are attached at Annexure -P/3. The remaining legacy waste is to be treated.

(ii) **In the second phase**, the process of remediating the remaining 72139.58 MT legacy waste has been started after the assessment done by IIT, Roorkee. The work order has been issued to M/s Ding Manpower & Securities Services Pvt. Ltd., Sirsa on dated 05-03-2024.

The selected agency has started the processing work at site on 15-03-2024. At this site, no fresh waste is being dumped at present. As per work order, the work will be completed by 12-09-2024. After completion of work, the parcel of land measuring 15 acres will be reclaimed.”

20. The above report reveals that so far as site B1 is concerned, which relates to the treatment of the daily generated waste from ward no. 1 to 10, approximately 80 MT of waste is received daily and the same is processed resulting in no fresh dumping of untreated solid waste at this site. So far as site B2 is concerned, related to 116 MT daily solid waste generated from ward no. 11 to 20, the work has been allotted to M/s Green Concrete Construction, Gurugram and it has cleared 881.415 MT of waste collected at that site and presently, no solid waste is being dumped unprocessed at that site.

21. So far as the legacy waste site A is concerned, it is disclosed that M/s IND Sanitation Solution Private Limited, Rohtak has completed the processing of 1,30,000 MT legacy waste by 31.03.2023 and the remaining legacy waste is to be treated. In respect of the second phase relating to remediation of remaining legacy waste of 72139.58 MT, it is disclosed that work order has been issued to M/s Ding Manpower and Securities Services Private Limited on 05.03.2024 and it has started the processing work at site on 15.03.2024 and the work will be completed by 12.09.2024.

22. In respect of site C of legacy waste, it is disclosed that tendering process is in progress. As on 01.03.2024, 122,784.57 MT of waste was lying at site C. It is also disclosed that the exercise of allotment of work will be completed by 31.07.2024 and the processing of this legacy waste will be completed by 31.07.2025.

23. So far as the issue of disposal of dead animals as raised in M.A. No. 05/2024 is concerned, the report of the Municipal Corporation, Hisar dated 08.04.2024 states that the Municipal Corporation, Hisar has allotted the work to Sh. Vivek Kumar s/o Sh. Deepak Kumar, Contractor vide memo dated 18.04.2022 for the period of three years from 21.02.2022 to 20.02.2025 for transportation and disposal of dead animals from Municipal area and the dead animals are being transported to Municipal land (about 3 acres) situated at Village Dhandhoor at site B3 and that animals are being buried at the designated site which is permissible in terms of the Guidelines issued by the Central Pollution Control Board, 2022.

24. The report dated 08.04.2024 filed by the Municipal Corporation, Hisar also discloses the status of setting up of integrated solid waste management facilities as under:-

“6. Setting up of Integrated Solid Waste Management Facilities:

The processing of solid waste is being done separately at different site as tender for collection, transportation as well as processing has been allotted to different agencies at different point of time. This practice of awarding tenders to different agencies has been adopted to minimize the impact of default of any agency. Therefore, integrated processing plant has not been set up till now. However, efforts regarding developing integrated waste management facility are being made.”

25. In the report dated 08.04.2024, Municipal Corporation, Hisar has summarized the action taken/progress as under:-

“7. Conclusion:-

- (i) Daily total fresh waste generated in Municipal Corporation, Hisar in ward nos. 01 to 20 is approximately 196 MT.*
- (ii) Daily total fresh waste generated in ward nos. 01 to 10 is approximately 80 MT. At present, this waste is being processed by M/s Ding Manpower & Securities Services Pvt. Ltd., Sirsa.*
- (iii) Daily total fresh waste generated in ward nos. 11 to 20 is approximately 116 MT. At present, this waste is being processed by M/s Green Concrete Construction, Gurugram.*
- (iv) At present, no fresh waste generated daily is being dumped unprocessed.*
- (v) Total Legacy waste at site "A" is 202139.58 MT. Out of this, 130000 MT legacy waste has already been processed by IND Sanitation Solution Pvt. Ltd. by 31-03-2023. The work order has been issued to process the remaining legacy waste (72139.58 MT) to M/s Ding Manpower & Securities Services Pvt. Ltd., Sirsa. **As per work order, the process of remaining legacy waste will be completed by 12-09-2024.***
- (vi) As per assessment done by Deenbandhu Chhotu Ram University of Science & Technology, Murthal, the total legacy waste at site "C" is 122784.57 MT. The administrative approval for processing of this waste has been sought from Director, Urban Local Bodies, Haryana vide this office letter no. 2265/EE dated 07-03-2024. After getting approval from Head Quarter, the tender will be floated accordingly. **The whole exercise of allotment of work***

will be completed by 31 July, 2024. Most respectfully, it is submitted that the above mentioned timelines may vary keeping in view the Model Code of Conduct for the General Election to Lok Sabha, 2024 ***However, in all scenarios the processing of this legacy waste will be completed by 31 July, 2025.”***

26. Having regard to the above, we find that action has been initiated to resolve the issue therefore we direct that:

(i) consistent efforts are required by the Municipal Corporation, Hisar to ensure that the daily waste generated within the limits of the Municipal Corporation, Hisar is treated and it does not add to legacy waste.

(ii) So far as remaining legacy waste is concerned, the same is required to be remediated as per the timeline indicated in the report dated 08.04.2024. The Commissioner, Municipal Corporation will ensure that the said timeline is duly adhered to and within that timeline, the entire legacy waste of Municipal Corporation, Hisar is remediated.

(iii) The Municipal Corporation, Hisar will also ensure that the disposal of the dead animals carcasses take place strictly in terms of the guidelines issued by the CPCB and it is not thrown with the solid waste or at any other place leading to the pollution, emission of smell and nuisance.

(iv) In order to ensure proper regulation, we direct Commissioner, Municipal Corporation, Hisar to submit the progress/action taken report in O.A. No. 413/2023 on 01.02.2025 disclosing the progress made in terms of the plan mentioned in the report dated 08.04.2024 before the Register General of this Tribunal 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 and if the

Registrar General finds necessary, the matter will be listed before the Bench for consideration.

27. OA No. 413/2023 and M.A. No. 5/2024 are accordingly disposed of.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 14, 2024
Original Application No. 413/2023
& M.A. No. 5/2024 In
Original Application No. 312/2023
SN