

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
AT NEW DELHI

ORIGINAL APPLICATION NO. 621 OF 2018

IN THE MATTER OF:

Mahendra Pandey

....Applicant

Versus

Union of India & Ors.

..Respondents

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Date:

Submitted By:



(ANUP CHANDRA PANDEY)
CHIEF SECRETARY
STATE OF UTTAR PRADESH

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**Progress Report on behalf of the State of Uttar Pradesh in
Compliance of Order dated 16.01.2019 passed by this Hon'ble
Tribunal in the present matter**

1. This interim report is being filed by the undersigned, in compliance of the order of this Hon'ble Tribunal passed on 16.01.2019 in the present matter whereby this Hon'ble Tribunal had, inter alia, directed that further progress report be filed in the matter before the next date.
2. That, in pursuance of the orders and directions of this Hon'ble Tribunal passed in the present matter, in order to comprehend and monitor the progress made with respect to removal of e-waste from the banks of river Ramganga at Moradabad and storing it safely and in a scientific manner at the temporary site in deference of the orders of this Hon'ble Tribunal, the undersigned chaired meetings on 31.12.2018



and 08.01.2019, in which all the concerned officers participated.

3. That, a detailed chart indicating all the various steps required to be taken in respect of disposal of the black powder lying on the banks of river Ramganga including the temporary storage of black powder at the earmarked site in a safe and scientific manner and subsequent permanent disposal of the black powder at the proposed TSDF site at Amroha along with the timelines and the updated actual progress in respect of each head is being filed along with this report. The said chart may kindly be considered and treated to be the progress report which the undersigned was directed to file vide order dated 16.01.2019 passed by this Hon'ble Tribunal. The detailed chart comprising the Action Plan indicating the timeline for the disposal of black powder from the banks of river Ramganga along with the updated progress is annexed herewith and marked as **Annexure No. 1.**
4. That, from the perusal of the above mentioned chart, it would be evident that the work of disposal of black powder from the banks of the river Ramganga is divided into two phases, with the first phase comprising of the removal of black powder from the banks of river Ramganga at Moradabad and safe and scientific storage of the same at the temporary site and

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the second phase comprising of permanent disposal of Black Powder in proposed Treatment Storage Disposal Facility (TSDF) at District Amroha.

5. That, with respect to the removal of e-waste from the banks of the river Ramganga and safe and scientific storage of the same at the temporary site, the work regarding the same has been completed. The work has also been verified by an Inter-Departmental Committee constituted by the District Magistrate, Moradabad, comprising officers from Nagar Nigam, Rural Engineering Services, Public Works Department, Moradabad Development Authority, Mining and UPPCB.
6. That, with respect to the Second phase i.e. setting up of Treatment Storage Disposal Facility (TSDF) at District Amroha for permanent disposal of Black Powder, it may be noted that U.P.P.C.B. has, vide its letter dated 16.11.2018, granted consent to establish in favour of M/s Sangam Mediserve Private Ltd. Further, as regards the Environmental Clearance of proposed TSDF, a presentation was made by project proponent before State Expert Appraisal Committee on 06.2.2019. Thereafter, the Terms of Reference (TOR) for finalization of EIA have been issued and the process for public consultation will now start as per the provisions of EIA

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Notification, 2006 and the matter would be proceeded with as per the said notification, in accordance with the law.

7. That, it is respectfully submitted that environment and public health are one of the prime concerns of the State and the State is working with utmost sincerity towards providing healthy environment to its citizens in terms of the right to life as enshrined in Article 21 of the Constitution of India and even otherwise.
8. That, it is submitted that the State is sensitive, sincere and committed for the conservation of environment and shall take all necessary measures for the implementation of the orders of this Hon'ble Tribunal in letter and in spirit.
9. That, it is humbly prayed that this progress report may kindly be taken on record.



(ANUP CHANDRA PANDEY)
CHIEF SECRETARY
STATE OF UTTAR PRADESH

Annexure No. 1

Progress Status of Action Points included in

" Action Plan with Timeline for Disposal of Hazardous Waste lying on the banks of river Ram Ganga in Moradabad"

submitted before Hon'ble National Green Tribunal by State of Uttar Pradesh in

O.A. No. 621/2018 (Earlier O.A. No. 58/2017)

Mahendra Pandey vs. Union of India & Ors.



Hon'ble National Green Tribunal in O.A. No. 621/2018 (Earlier O.A. No. 58/2017) Mahendra

Pandey vs. Union of India & Ors passed order dated 16.01.2019 as reproduced below:-

- "1. The issue for consideration is disposal of e-waste and black powder generated in the process. The matter was dealt with by this Tribunal in earlier orders.
2. On 10.09.2018, the Tribunal considered the report of the CPCB that illegal and unscientific disposal of e-waste was taking place in violation of the Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016. Level of mercury was found to be above screening level at Ramganga River. It was observed that District Administration was not able to handle the situation inspite of repeated orders. Accordingly, the Chief Secretary, Uttar Pradesh was directed to monitor the steps to be taken in the interest of public health and to report compliance to this Tribunal.
3. On 16.10.2018, compliance report furnished by the Chief Secretary, Uttar Pradesh was considered. The report stated that the action plan was prepared and timelines were laid down. Stage-I provided for temporary storage



and Stage-II provided for permanent treatment and disposal in Treatment Storage Disposal Facility (TSDF). Direction was issued to take further steps and furnish an interim report.

4. Accordingly, interim progress report has been received on 08.01.2019 stating that the work has been allotted to M/s. Sangam Mediserve Private Limited and the Uttar Pradesh State Pollution Control Board (UPSPCB) had granted Consent to Establish. Environment Impact Assessment (EIA) has been undertaken. Further progress report has been handed over today stating that the process for public consultation is being undertaken.

5. Learned Counsel for the UPPCB states that all the steps required in the matter will be completed before 08.02.2019 which is the timeline proposed. The Central Pollution Control Board (CPCB) has issued MOP in the matter.

6. In view of above, the matter may now be listed for further consideration on 08.03.2019 instead of the earlier scheduled date.

7. Further progress report in the matter be filed before the next date."

STAGE 1:

Temporary Storage of Black Powder in Municipal Waste Disposal Site at Rampur Road, Moradabad after making all necessary arrangements as provided in the protocol of Central Pollution Control Board.

Sr. No.	Activity Description	Time Required (days)	Updated progress as on 04-03-2019
01.	Site Visit	<ul style="list-style-type: none">• Done.• On 12-09-2018, site has been inspected by Committee constituted by D.M., Moradabad comprising of the officials from Nagar Nigam,	Activity Completed



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		Moradabad, Moradabad Development Authority and U.P. Pollution Control Board	
02.	Site Investigation	<ul style="list-style-type: none"> • Relevant information is already available. • Site has been granted Environment Clearance by State EIA Authority on dated 22-01-2010 for Development of Sanitary Landfill Site and Composting of Municipal Solid Waste. • U.P. Pollution control Board has issued Consent to Establish vide letter dated 17-11-2011 and Consent to Operate which was valid till 31-12-2013. • In the EIA/EMP report submitted earlier, site specific data are as below: 	<p>Site information available.</p> <p>Activity Completed</p>

		<ul style="list-style-type: none"> ➤ Soil Type: Silt Loam ➤ Water Table: 7 to 11 mt. ➤ Permeability (m/sec): 1.8×10^{-7} 	
03	Procurement of HDPE Materials such as HDPE Liners.	<ul style="list-style-type: none"> • Procurement of 1.5 mm thick HDPE liner has been started. 	<ul style="list-style-type: none"> • Land measuring 4500 square meter prepared within the existing campus of MSW site at Rampur Road, Moradabad. • The prepared land area 4500 square meter has been provided with HDPE liner. <p style="text-align: center;">Activity Completed</p>
04	Compaction, Base	<ul style="list-style-type: none"> • Compaction started on 22-09-2018 by PWD using Rollers. 	<ul style="list-style-type: none"> • Total land prepared and used for temporary storage is 4500 Sq. meter



<p>Preparation, Slop Development, HDPE Membrane and Leachate Collection System</p>	<ul style="list-style-type: none"> • Between 01-10-2018 to 07-10-2018, fresh soil spread and compaction done. • On 08-10-2018, laying down of 1.5 mm thick HDPE lining started. • Temporary Storage of Black Powder started after 08-10-2018 and 50 cubic meter Black Powder has been transported from Ramganga Banks to the prepared landfill. 	<ul style="list-style-type: none"> • 9219 Trolleys containing Black Powder have been transported from the banks of river Ram Ganga and the black powder has been temporarily stored (approx.25813.20 Tons of Black Powder @ of 2.8 Ton per Trolley) • District Magistrate Moradabad constituted an inter departmental committee of Officers from Nagar Nigam, Rural Engineering Services, PWD, Moradabad Development Authority, Mining and UPPCB. The said committee inspected on 13.2.2019 the
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			<p>bank of river Ranganga at locations (Lalbagh, Daswa Ghat, Nawab Pura, Mallan Ghat and Barbalan) where earlier Hazardous Waste (Black powder) was dumped and verified the fact of lifting of entire Black powder.</p> <p>Activity Completed.</p>
05.	Embankment Development	The MSW Site is already provided with embankment and boundary wall.	<p>Activity Completed.</p>



06	<p>Timeline Required</p>	<p>• Timeline: The connecting road from Ranganga Banks to temporary storage site being narrow, hence waste has to be transported using Tractor Trolley only. Distance between landfill site and Ranganga Banks is approximately 3 km. The timeline for shifting of total quantity of Black Powder from Ranganga banks to MSW Site is assessed based upon following variables as detailed below:</p> <ul style="list-style-type: none"> ➤ Tractor trolley employed - 15 no. ➤ Waste transported in 01 shift - 35 Tons approx. ➤ No. of trips per day - 5 ➤ Waste Transported - 175 TPD
		<p>• Total land prepared and used for temporary storage is 4500 Sq. meter</p> <p>• 9219 Trolleys containing Black Powder have been transported from the banks of river Ram Ganga and the black powder has been temporarily stored (approx. 25813.20 Tons of Black Powder @ of 2.8 Ton per Trolley)</p> <p>• District Magistrate Moradabad constituted an inter departmental committee of Officers from Nagar Nigam, Rural Engineering Services, PWD, Moradabad Development</p>



	<p>➤ Waste Transported per month - 5250 Tonne</p> <p>➤ Timeline required for transporting 25586 cubic meter waste taking specific gravity as 0.97 (as per earlier analysis)</p> <p>Timeline for transfer of complete Black Powder - approx. 5 Months</p>	<p>Authority, Mining and UPPCB. The said committee inspected on 13.2.2019 the bank of river Ramganga at locations (Lalbagh, Daswa Ghat, Nawab Pura, Mallah Ghat and Barbalan) where earlier Hazardous Waste (Black powder) was dumped and verified the fact of lifting of entire Black powder.</p> <ul style="list-style-type: none"> • The phase 01 of removal of black powder from the banks of river Ram Ganga to temporary storage site at MSW site Rampur Road Moradabad has been completed as given in Action Plan
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			submitted by state of Uttar Pradesh and Directed by Hon'ble NGT.
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STAGE 2:

Permanent Disposal of Black Powder in TSDF proposed at Amroha, Uttar Pradesh subject to the project being issued Environmental Clearance and Consent to Establish.

- The TSDF is being developed by M/s Sangam Mediserve Pvt. Ltd. The site of TSDF is located at plot no. 940, 941, 944 at Village-Kharpari, Tehsil-Hasanpur, District-Amroha, Uttar Pradesh.
- UPPCB vide its letter dated 16.11.2018 has issued Consent to Establish to M/s SangamMediservePvt. Ltd. for setting up of the Common Hazardous Waste Treatment Storage and Disposal Facility and E-waste Processing Facility at village Kharpari, Tahsil – Hasanpur, District – Amroha.
- M/s Sangam Mediserve Pvt. Ltd. has applied for Environmental Clearance from State Environmental Impact Assessment Authority under the provisions of EIA Notification 2006 of MoEF&CC, Govt. of India. That meeting of State Expert Appraisal Committee was held on 06-02-2019 where the proposed Common Hazardous Waste Treatment Storage And Disposal Facility (CHW-TSDF), located at Khata Number- 941, 942 and 944, Village- Kharpadi, Tehsil- Hasanpur, District Amroha, U.P., M/s Sangam Mediserve Pvt. Ltd. File No.

4484/Proposal No. SIA/UP/MIS/29081/2018 was considered. A presentation was made by project proponent before State Expert Appraisal Committee in the said meeting and the Terms of Reference (TOR) for finalization of EIA have been issued. The process for public consultation will start as per the provisions of EIA Notification 2006.