

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

NEW DELHI

Original Application No. 514 of 2018

IN THE MATTER OF:

Vivek Kamboj & Anr

.....Applicants

Versus

Union of India & Anr

.....Respondents

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 514 of 2018

IN THE MATTER OF:

Vivek Kamboj & Anr. Applicants

Versus

State of Haryana & Anr. Respondents

Interim report on behalf of State of Haryana by Sh. Anand Mohan Sharan, IAS, Principal Secretary, Department of Urban Local Bodies, Haryana in compliance of the order dated 10.07.2019

Respectfully Showeth:-

1. That this Hon'ble Tribunal dealing with the legacy waste passed the order dated 10.07.2019, copy of which is annexed herewith as **Annexure-R/1**.

2. That in compliance of order dated 10.07.2019 a committee was constituted on 16th July, 2019 by Haryana Government with Chief Secretary to Govt. of Haryana as its Chairman, the Commissioner, Municipal Corporation, Indore and Dr Syed Asad Ali Warsi, Chief Executive Officer, Municipal Corporation, Indore as its special Invitee. The meetings were held on 22.07.2019, 23.07.2019, 28.08.2019, 01.09.2019 & 14.09.2019 for consideration and implementation of directions of this Hon'ble Tribunal. The order dated 16.07.2019 of Govt. of Haryana, Urban Local Bodies Department in respect of constitution of committee is annexed herewith as **Annexure-R/2**.

3. That in compliance of direction to transfer a sum of Rs 20 Crores to an Escrow Account which to be operated by the representative of Central Pollution Control Board, the Urban Local Bodies Department is in process of transfer of funds which is already approved by Finance Department, Govt. of Haryana and has kept in Bank Account No. 003104000067616.

4. That various steps at site in question has been taken in continuation with interim report dated 24.05.2019 & supplementary report 07.07.2019 the updated action taken is summarized below:

A. Legacy and Fresh leachate

That as stated in supplementary report dated 07.07.2019, five leachate storage tanks are functional, in addition three more collection tanks has been constructed for collection of leachate. Now at present eight collection tanks are operational at site with total capacity of 40,000 KL.

B. Leachate Collection System

For the collection of leachate from the MSW, Concessionaire has laid underground pipes all around existing MSW, the work has been completed & operational which takes leachate from MSW to collection tanks.

C. Leachate Treatment Plant (LTP)

Leachate is being treated with leachate treatment plant of capacity of 150 KLD, to attain the desire results & additional DAF (Dissolved Air Floatation) of 150 KLD was ordered & installed. The results of trial

run are positive & permission from Gurugram Metropolitan Development Authority (GMDA) for disposal of treated leachate in nearest STP has been obtained. It is expected that unit will be operational with full capacity within this month. Photos of functional LTP along with DAF unit are enclosed as **Annexure- R/3**.

E. Treatment of legacy as well as fresh waste at site:

(i) Ballistic Separator: Ballistic separator is operational to treat incoming fresh waste and 500 TPD fresh waste is being segregated for further processing of composting of organic waste and formation of RDF.

(ii) Composting at Site: The composting facility at a platform of size of 20 X 30 m² has been made operational to get the wet waste converted into compost from the existing fresh waste at MSW Plant site. Photos of earmarked area for treatment of wet waste are enclosed as **Annexure- R/4**.

(iii) Treatment of waste by concessionaire received at landfill site from 23.09.2017 onwards i.e date of taking over of landfill site – The concessionaire i.e M/s Ecogreen Energy Gurgaon Faridabad Private Ltd is to manage the waste received at the landfill site from date of taking over landfill site at Bandhwari i.e. 23.09.2017 to till date which is approx. 10.00 Lakh tones and minimum of 10.00 Lakh tones additionally are also required to be treated/cleared to establish Sanitary Landfill Facility (SLF) at plant site. In this way the Concessionaire is expected to treat 20.00 Lakh tones of waste.

(iv) Allocation of Additional Land to Concessionaire:

In a meeting held on 14.09.2019, it was decided that Municipal Corporation, Faridabad is to provide 30 Acres of land at village Pali, Faridabad to concessionaire M/s Ecogreen Energy Gurgaon Faridabad Private Limited immediately so that segregated fractions can be stored, if required over this land.

G. Covering of Waste:

Solid Waste accumulated at the landfill site has been reshaped and is being covered with HDPE lining so that rain water does not perforate within MSW to generate excessive leachate. For release of gas from covered MSW, Concessionaire has installed 15 gas entrapping vents with depth of 15 meter each from the surface of garbage.

5. Environment Clearance

The terms of reference for the Environment Clearance has been approved on 05th March, 2019. The 43rd Expert Appraisal Committee of Ministry of Environment, Forest and Climate Change held on 22nd August, 2019 has recommended for grant of Environment Clearance for setting up of Integrated Solid Waste Processing Facility at Bandhwari, Gurugram. In view of this, it is expected Environment Clearance may be granted by MOEF & CC expeditiously. The minutes of meeting of 43rd EAC was issued on the website of MoEF & CC on 5th Sep 2019, copy of same is attached herewith as **Annexure-R/5.**

6. That besides above mentioned works at MSW landfill site, Municipal Corporation, Gurugram has taken initiatives at city level to

ensure that minimum waste reaches to the landfill site for which following steps have been taken and proposed to be taken for segregation and composting at de-centralized and community composting units:-

A. Bulk Waste Generators

The number of wet waste composting plants at Bulk Waste Generators have increased to 87 from 78 as stated earlier in supplementary report dated 07.07.2019 and thus overall composting capacity has increased from 28.5 TPD to 31.06 TPD. List of 87 composting plants set up by Bulk Waste Generators, is attached as **Annexure-R/6.**

B. Dry Waste Collection Centre-cum-MRF

- A detailed survey was conducted in the whole city to list all the formal & informal Dry Waste Collection Centre-cum-MRF.
- 341 Dry waste dealers/collectors have been identified and registered by MCG.
- The total capacity of Dry waste dealers is 214.23 TPD.

C. Environment Compensation for burning of waste :

To Prevent burning of waste various IEC activities has been initiated by Municipal Corporation, Gurugram and around 400 challans has been issued till 13.09.2019 and an amount of Rs 3,93,270/- has been recovery as Environment Compensation for burning of waste by

D. Plastic waste management

- Separate area has been demarcated on all transfer stations where purchase centers is operating to collect waste plastic.
- Training to workers at transfer stations has been given for type of plastic to be separated (plastic which don't have any value)
- Recently road was constructed by using shredded plastic of length of 1 Km. in Sushant Lok and 400 meter in South City-I.

In view of above, it is submitted that Urban Local Bodies Department, Haryana is taking sincere efforts as per direction of this Hon'ble Tribunal. It is further undertaken to comply with the directions passed by this Hon'ble Tribunal.

The report is submitted for kind perusal and consideration of this Hon'ble Tribunal.

Place : Chandigarh

Dated **20.09.2019**



Anand Mohan Sharan, IAS,
Principal Secretary to Govt. of Haryana,
Urban Local Bodies Department

Item No. 04

Court No. 1

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

Original Application No. 514/2018
(Earlier O.A. No. 415/2015)

Vivek Kamboj & Anr

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 10.07.2019

CORAM: **HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON**
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s):

Mr. Rahul Choudhary, Ms. Sharon Mathew,
Advocates

For Respondent (s):

Mr. Sameer Singh, Mr. Rohan Gupta, Advocates
with Mr. Akarsh Dutt Sharma, AR for R-11
Mr. Anil Grover, AAG with Mr. Rahul Khurana,
Advocate, Haryana
Mr. Rajkumar, Advocate for CPCB

ORDER

1. The issue for consideration is the remedial action for dealing with the legacy waste at Faridabad and Gurugram. The matter has been pending before this Tribunal for the last four years. This Tribunal has repeatedly recorded findings of incapacity and incompetence of the concerned authorities in dealing with the matter for scientific disposal of waste so as to ensure compliance of the statutory procedure under the Solid Waste Management Rules, 2016 and also inability of the contractor hired in producing the results. The dumped waste has resulted in leachate being thrown into the water bodies,

contaminating the ground water and polluting the surface water, apart from causing air pollution and hazard to public health.

2. We may briefly note the factual background and proceedings which have taken place so far. The application was originally filed on 16.09.2015 with the grievance of unscientific disposal of solid waste causing leachate, contamination of ground water and pollution of surface water. The Tribunal directed necessary steps to be taken and report to be furnished by the CPCB.
3. The matter was considered on 18.01.2018 in light of the report of the CPCB, when it was noted that the Municipal Corporation of Gurugram (MCG), Municipal Corporation of Faridabad (MCF) and the Urban Local Bodies, Haryana had entered into an agreement with M/S Ecogreen Energy Gurugram Faridabad Pvt. Ltd. (hereinafter referred to as Concessionaire) on 14.08.2017 to establish an Integrated Solid Waste Management Plant to cater for collection, transportation, processing and disposal of waste generated from Gurugram-Faridabad Cluster, comprising Municipal limits of Gurugram and Faridabad for a period of 20 years. In September 2017, the MCG handed over Bandhwari landfill site to the Concessionaire and the latter was responsible for establishment of Waste-to-Energy Plant at the landfill site and for management and treatment of the legacy waste at landfill site. The construction for the Waste-to-Energy plant is said to have begun in April 2018 in accordance with the SWM Rules and NGT Guidelines to eliminate unscientific open dumping and burning of wastes at the landfill site. The Concessionaire pleaded that the Bandhwari dumpsite was already 20-25 meters above the ground level, and the land allotted to them was already 60% covered in legacy wastes.

4. After considering the report of the CPCB, vide order dated 10.07.2018 the application was disposed off with the following directions:

- (i) Concessionaire will start working on management of legacy waste as per the suggestions made by CPCB;
- (ii) Concessionaire will implement segregation of municipal solid wastes as per the rules;
- (iii) Concessionaire will address the issue reports in Hindustan Times, dated 29.06.2018; and
- (iv) State of Haryana will also be responsible for the above as the Concessionaire is merely an agency.

5. The compliance report, furnished in pursuance of above, was considered on 21.08.2018 and since the same was found to be unsatisfactory, a further inspection was directed to be conducted. Accordingly a report dated 04.10.2018 was submitted showing unsatisfactory state of affairs which was noticed in the order dated 01.03.2019 and 05.03.109 when the Tribunal *inter alia* directed formation of a joint committee of CPCB, IIT Delhi and NEERI to determine the monetary cost of damage caused to the environment. Again on 14.03.2019, directions were issued as follows:

“An action plan has been filed which proposes setting up of segregation unit for the incoming waste and inviting experts for scientific treatment of legacy waste and leachate. Since most of the remedial actions mentioned in action plan are proposed to be undertaken in future, in the light of serious past failures, it will be appropriate that the Municipal Corporation, Gurgaon is required to furnish performance guarantee in the sum of Rs. 25 lakhs to the satisfaction of CPCB within one month undertaking to comply with the steps mentioned in the action plan, within the timelines proposed. We order accordingly. It is made clear that the amount of Rs. 25 lakhs will stand forfeited in the case of default and may be recovered from the erring officers of the Corporation.”

6. In the meanwhile, on 03.01.2019, Smt. Rajwant Sandhu, Chairperson RMC-NGT visited the landfill site and observed that no processing of waste was taking place and waste was simply being dumped. There was also a huge quantity of legacy waste at this site.

7. The matter was reviewed exhaustively vide order dated 23.04.2019. It was found that there was no time targeted plan to take remedial measures which resulted in continued damage to the wildlife and inhabitants of the area on account of air pollution by burning of waste. No penal action was taken by way of prosecution or recovery of damages even though there was damage to the environment, wildlife and public health. Though a performance guarantee was furnished in the sum of Rs. 25 Lakhs, status of legacy waste at land site remained in unsatisfactory state of affairs. The legacy waste was said to be about 25 Lakh tonne. Waste was often burnt resulting in air pollution. Condition of landfill site is pathetic. The Expert Committee furnished its report dated 04.04.2019 recommending setting up of Integrated Municipal Solid Waste Management and Processing Facility, Material Recovery Facility and other steps to prevent further damage to the underground water quality, flora & fauna and air quality, which still remains to be done.
8. As per newspaper reports, the legacy waste at the dumpsite created more health hazard as in April and May this year fire broke out at the dumpsite.¹
9. Though the Expert Committee constituted vide order dated 05.03.2019 required assessment of damage to the environment in monetary terms and the cost of restoration, the report did not deal with this aspect. We are informed that the said assessment is yet to be done which work stand assigned to the National Environmental Engineering Research Institute (NEERI) by the Central Pollution

¹ <https://www.hindustantimes.com/gurugram/fire-breaks-out-at-bandhwari-landfill-second-time-in-a-month/story-7HLB5mwSIUOLpHCfNRiUnL.html>

Control Board (CPCB). Let the same be expedited and report furnished to this Tribunal before the next date.

10. The joint interim report dated 25.05.2019, filed in pursuance of order dated 23.04.2019, submitted by Commissioner, MCF and Additional Municipal Commissioner, MCG is to the effect that the Director General, Urban Local Bodies Department, Haryana visited the landfill site at Bandhwari on 04.05.2019 and evaluated the steps taken by the Concessionaire on the site. Thereafter issues were discussed in meetings with the Commissioner, MCG and Additional Municipal Commissioner, MCF. Chief Secretary reviewed the progress through video conferencing while Commissioner, MCG visited the site on multiple occasions. The following are the salient featured appearing from the interim report dated 25.05.2019 and the supplementary report dated 07.07.2019:

- (i) *Three leachate storage tanks were functional at the time of filing the interim report dated 24.05.2019 and now all five leachate storage tanks are functional and leachate is being pumped out in those tanks.*
- (ii) *Leachate treatment plant with the capacity 150 KLD has been installed but to attain the required parameters, additional DAF unit of 50 KLD fixed at the outlet of existing LTP on pilot basis. Current leachate of 13000 KL in the collection tanks is expected to be treated by 31.07.2020*
- (iii) *Treatment of Legacy waste and fresh waste at the site: Installation of conveyor belt is in process and the Ballistic separator of capacity 500 TPD is going to be functional very shortly.*
- (iv) *Waste accumulated at the landfill site has been reshaped and is being with HDPE lining so that rain water does not perforate within MSW to the excessive leachate. The covering of the waste by Concessionaire is likely to be completed by 15.07.2019.*

11. Since unfortunately, the unsatisfactory state of affairs in dealing with the legacy waste is continuing not only at Gurugram and Faridabad but also at several places in the country which is one of the causes of large number of deaths and diseases, damage to the flora & fauna and the environment. Pending prosecution of the polluters or the erring officers for their inaction or collusion and recovery of damages on 'Polluter Pays' principle, emergent measures are required to deal with the problem to prevent further damage.

12. In the last week, on 05.07.2019, dealing with an identical problem from the State of Haryana (at Gohana, District Sonipat), the Tribunal observed²:

“ 3. The timeline proposed is in conflict with the statutory timelines under the SWM Rules, 2016. Such leisurely timeline is not only in conflict with the Rules but also at the cost of the environment. If such longer timeline is permitted unconditionally, the result will be that damage to the environment will continue. The timeline is also in violation of order of this Tribunal in O.A. No. 606/2018 passed in the presence of the Chief Secretary, Haryana on 06.03.2019, requiring that the entire State be made fully compliant with the Rules in maximum period of one year.

4. Accordingly, we direct the Chief Secretary, Haryana to take remedial steps so that timeline of December 2021 for waste to energy plant is appropriately preponed. The Chief Secretary may indicate progress in this regard in the next report to be furnished to this Tribunal in O.A. No. 606/2018.”

13. Consistent with the above direction, the present matter may also be dealt with by the Chief Secretary of Haryana accordingly. In the said monitoring, the issues *inter alia* to be considered may include steps to prevent burning of wastes particularly in the new sectors where collection of waste facility is not adequate, testing of samples of underground water to explore contamination and remedial steps required.

² O.A 1011/2018

14. However, in view of continued damage to the environment and public health and long delay which has taken place in scientifically handling the legacy waste in question, we consider it necessary to give further direction in light of development which have come to light while dealing with other similar cases. There are reports that legacy waste has been successfully handled at Indore which fact was noticed in a recent order of the Tribunal dated 02.07.2019³:

“In this regard, we have been informed during the hearing by Dr. A. B Akolkar, former Member Secretary, CPCB how the situation at Indore was tackled. He has informed that 15 lakh MT old waste was dumped at Devguradiya in 100 acre area during 2016-17, (First Phase) 50,000 cum old waste was bio-mined and green belt developed in bio-mined area. Subsequently, in the second phase, 5,50,000 cum waste during 2017 was bio-mined. In the third phase, 9,00,000 cum of work was bio-mined in 2018 by employing more machinery. The machinery used for operations include; Trommels, Horizontal screens, excavators, back hoe loaders and dumpers. The recyclables recovered from the biomining process was sent for recycling, recyclable polythene was sent to cement plants and also for road making. The soil recovered was used for refilling the ground on the same site where greenery is developed. The recovered construction and demolition waste was recovered and sent to C&D processing facility to produce building materials. The leftover of the legacy waste was sent to secured landfill. Valuable land (80%) has been recovered by bio-remediation process of legacy waste. The information furnished by Dr. Akolkar is based on interaction with Dr. Syed Asad Ali Warsi, Chief Executive Officer of the Indore Municipal Corporation.”

15. In view of the above, the Tribunal directed that legacy waste issue of Pirana landfill site in Ahmadabad city in Gujarat be dealt with on the Indore pattern. This Tribunal, vide order dated 02.07.2019⁴ observed and directed as follows:

“15. In view of clear potential of damage to public health, the issue of clearing the legacy waste at Pirana must be attended to preferably within two weeks and the work to clear the legacy waste may commence preferably within one month.

16. For this purpose, it is necessary to constitute a Committee as follows:

(1) Chief Secretary, Gujarat, Chairman;

³ O.A 113/2019

⁴ *Ibid*

- (2) Finance Secretary, Gujarat, Member;
- (3) Urban Development Secretary, Gujarat, Member;
- (4) Commissioner, Municipal Corporation, Ahmedabad, Gujarat, Member;
- (5) CEO, Ahmedabad Urban Development Authority, Gujarat, Member;
- (6) Regional Director, CPCB, Member;
- (7) Member Secretary, SPCB, Gujarat, Member.

The Secretary, Urban Development, Gujarat, will be the nodal officer for coordination and compliance.

17. The Committee may co-opt any other technical persons/agencies. After removing of legacy waste from the entire or part of the land, the State may consider using part of the recovered land for integrated waste processing, treatment facility and for Treatment, Storage and Disposal Facility (TSDF) for hazardous waste and also have a bio-diversity park on the periphery to improve the air quality and ambience. The Committee may have the Commissioner, Municipal Corporation, Indore ***or his nominee** as special ***invitee**. As already observed, the Committee may meet preferably within two weeks and after taking stock of the situation, plan to start further action within one month.

18. We direct the State of Gujarat to transfer a sum of Rs. 75 crores to an ESCROW account. The State will be at liberty to recover the cost from the stakeholders in accordance with the Solid Waste Management Rules, 2016. If the project for clearing the Pirana dump site achieves success, the State may consider using that experience for clearing all other legacy wastes dump sites in the State. It will be open to the Committee to consider other successful models in the country, particularly Indore. The Committee may also propose a prompt timeline within which the whole project will be completed in view of health hazard being faced by the local residents. If the Urban Development of the State has, in the light of observations of this Tribunal in para 22 of the order dated 20.08.2019, already prescribed standards and technical specifications for dealing with hiring of services for the legacy waste, such standard may be followed to save time and if not, Indore model may be adopted without waste of time, as the said model involves only hiring of machines and the human resource hired by the Corporation as per already applicable procedure. This observation is being made in view of urgency of the situation. Similar procedure can also be uniformly adopted for dealing with any legacy waste dump site in the country. It is however made clear that the disposal of legacy waste should be as per SWM Rules, 2016⁵. We note that CPCB has already prepared and circulated Standard Operating Procedure (SOP) on the subject of remediation of legacy waste.⁶

19. An interim report of the steps taken may be furnished to the Tribunal before the next date, by the Secretary, Urban

⁵Schedule I, Clause J, Closure and Rehabilitation of old dumps

⁶Report dated 28.02.2019 of the CPCB , available on CPCB website

Development, Gujarat, with an affidavit which may also deal with the issue mentioned in para 12 above.”

16. We are of the view that present situation has also to be dealt with on the said pattern.
17. Accordingly, we direct the State of Haryana to transfer a sum of Rs. 20 Crores to an ESCROW account with liberty to the State to recover the said amount from the concerned stakeholders in accordance with the Solid Waste Management Rules, 2016.
18. We direct constitution of the following Committee to deal with the matter:

- (1) Chief Secretary, Haryana, Chairman;
- (2) Finance Secretary, Haryana, Member;
- (3) Urban Local Bodies Secretary, Haryana, Member;
- (4) Commissioner, Municipal Corporation, Faridabad, Member ;
- (5) Commissioner, Municipal Corporation, Gurugram, Member;
- (6) Representative, CPCB, Member;
- (7) Member Secretary, SPCB, Haryana, Member.

The Secretary, Urban Local Bodies, Haryana, will be the nodal officer for coordination and compliance.

19. The Committee may co-opt any other technical persons/agencies. After removing of legacy waste from the entire or part of the land, the State may consider using part of the recovered land for Integrated Waste Processing and Treatment Facility and also for Treatment, Storage and Disposal Facility (TSDF) for hazardous waste. At the periphery a bio-diversity park can be developed to improve the air quality and ambience. The Committee may have the Commissioner, Municipal Corporation, Indore ***or his nominee** as special ***invitee**.

The Committee may meet preferably within two weeks and after taking stock of the situation, plan to start further action within one month from today.

20. The work already awarded may be taken into account and if necessary reviewed having regard to urgency of the situation. If Indore model is to be adopted, wholly or in part, no further tender process is necessary.
21. The legacy site may be cleared within six months. If the satisfactory progress is not made, the amount of the ESCROW account may be directed to be forfeited. The ESCROW account will be operated by the representative of CPCB. These directions will also be applicable to handling of ESCROW account directed to be created in terms of order dated 02.07.2019 in the State of Gujarat where the amount is Rs. 75 Crores and the same timeline will apply to *Pirana* also.
22. An interim report of the steps taken may be furnished to the Tribunal by the Secretary, Urban Local Bodies, Haryana within one month by e-mail at judicial-ngt@gov.in.

The Registry of Tribunal may convey this order to the Chief Secretary, Gujarat and CPCB for compliance.

List for further consideration on 25.09.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

July 10, 2019
Original Application No. 514/2018
DV



Haryana Government
Urban Local Bodies Department
ORDER

18
Annexure R/2

The Governor of Haryana is pleased to constitute a Committee comprising of the following members in compliance of order dated 10.07.2019 of the Hon'ble National Green Tribunal, Principal Bench, New Delhi arising out in Original Application No. 514/2018 titled as Vivek Kamboj & another V/s Union of India and Others to monitor treatment and scientific disposal of legacy waste accumulated at Bhandwari Plant Site, Gurugram:-

1.	Chief Secretary to Govt. Haryana.	Chairperson
2.	Administrative Secretary to Govt. Haryana, Finance Department.	Member
3.	Administrative Secretary to Govt. Haryana, Urban Local Bodies Department.	Member Secretary
4.	Commissioner, Municipal Commissioner, Faridabad.	Member
5.	Commissioner, Municipal Commissioner, Gurugram.	Member
6.	Representative of Central Pollution Control Board, New Delhi.	Member
7.	Secretary, Haryana State Pollution Control Board.	Member
8.	Commissioner, Municipal Corporation, Indore	Special Invitee
9.	Dr. Syed Asad Ali Warsi, Chief Executive Officer, Municipal Corporation, Indore	Special Invitee

The Principal Secretary to Govt. Haryana, Urban Local Bodies, Haryana will be the Nodal Officer for coordination and compliance.

The Committee constituted may meet preferably within two weeks and after taking stock of the situation, plan to start further action within one month from the date of order dated 10.07.2019. An interim report of the steps taken may be furnished to the Tribunal by the Administrative Secretary, Urban Local Bodies, Haryana within one month from the date of order i.e. 10.07.2019 by e-mail at judicial-ngt@gov.in

Dated Chandigarh
The 16th July, 2019

ANAND M. SHARAN
Principal Secretary to Govt. Haryana
Urban Local Bodies Department

Endst. No. 19/45/2019-3C-I

Dated Chandigarh the 22.07.2019

A copy each is forwarded to the following for information and necessary action:-

1. The Chief Secretary to Govt. Haryana.
2. The Administrative Secretary to Govt. Haryana, Finance Department.
3. The Director, Urban Local Bodies, Haryana, Bays No. 11-14, Sector - 4, Panchkula.
4. The Commissioner, Municipal Commissioner, Faridabad.
5. The Commissioner, Municipal Commissioner, Gurugram.
6. Representative of Central Pollution Control Board, New Delhi.
7. The Secretary, Haryana State Pollution Control Board.
8. The Commissioner, Municipal Corporation, Indore.
9. Dr. Syed Asad Ali Warsi, Chief Executive Officer, Municipal Corporation, Indore.


Superintendent Committee-I,
for Principal Secretary to Govt. Haryana,
Urban Local Bodies Department.

CC to:-

DAF Unit

Annexure-R/3



Composting facility earmarked area

Annexure-R/4





Minutes of the 43rd Meeting of Expert Appraisal Committee (Infra-2) held on 20-22 August, 2019

The Committee after detailed deliberation upon the proposal, recommended to amend the Terms of Reference granted vide letter F.No. 10-77/2018-IA-III dated 13.12.2018 to add 0.6497 Ha of land as forest with following additional condition:

- (i) Submit status of Stage-1 Forest Clearance.

Agenda item No. 43.5.6.

Integrated Solid Waste Processing Facility at Bandhwari Village, Gurgaon District, Haryana by M/s Gurgaon Municipal Corporation - Reconsideration for Environmental Clearance

(IA/HR/MIS/100246/2016; F.No.10-74/2016-IA-III)

43.5.6.1. The EAC noted the following:-

- (i) The proposal is for Environmental clearance to the project 'Integrated Solid Waste Processing Facility at Bandhwari Village, Gurgaon District, Haryana by M/s Gurgaon Municipal Corporation.
- (ii) The project/activity is covered under category B of item 7(i) Common Municipal Solid Waste Management Facility (CMSWMF)' of the Schedule to the EIA Notification, 2006 and its amendments, and requires appraisal at State Level. However, due to applicability of General Condition i.e. Interstate Boundary of Haryana and Delhi is at distance about 0.98 km from the site, the project is appraised at Central level by sectoral EAC.
- (iii) Terms of Reference was issued to the project by MoEFCC vide letter F.No. 10-74/2016-IA-III dated 27th March, 2017 followed by amendment in ToR dated 5th March, 2019.
- (iv) Public Hearing was conducted by Haryana State Pollution Control Board Gurugram on 21st March, 2018, at Project Site, Village Bandhwari, District Gurugram, Haryana.
- (v) The proposal was earlier considered in 40th meeting of Expert Appraisal Committee (Infra-2) held on 23rd April, 2019. The Committee noted that Asola Wildlife Sanctuary is situated at 5.82 km NE direction from the project site. The EAC was informed that Eco Sensitive Zone of Asola Wildlife Sanctuary has not been notified in the State of Haryana and hence NBWL clearance will be required for the project. Also the project proponent has not applied for the NBWL clearance. The Committee asked the project proponent to submit the following:
 - Submit status of clearance from National Board for Wild Life (NBWL).
 - Submit revised Leachate Treatment Scheme (Plan) for the proposed project.
 - Submit revised water balance.
- (vi) Project Proponent has submitted the additional information on Ministry's website on 10.07.2019.

43.5.6.2. It was informed by the project proponent that the Municipal Corporation, Gurugram is leading Urban Local Body for "Integrated Solid Waste Management Processing Facility of Capacity 2100 TPD" at Bandhwari, Gurugram for Municipal Corporation, Gurugram and Faridabad. The proposed site is situated at a distance of more than 300 meters from the boundary points of Asola Bhatti Wildlife Sanctuary (MoEF&CC Notification No. 5.0. 2996 (E) dated 11th September 2017) and is beyond Eco Sensitive Zone of Asola Bhatti Wildlife Sanctuary which is 100 meters at ID Point P-9 & P-10 (nearest points to proposed site) (refer MoEF&CC Notification No. 5.0. 1911 (E) dated 31st May 2019). The project proponent also submitted a letter No. 992 dated 09.04.2019 issued by Forest & Wildlife Department, Government of Haryana stating that proposed site is situated at a distance of 27.5 km from boundary of Sultanpou National Park.

The EAC, based on the information submitted and clarifications provided by the Project Proponent and detailed discussions held on all the issues, recommended the project for grant of environmental clearance and stipulated the following specific conditions along with other Standard EC Conditions as specified by the Ministry vide OM dated 4th January, 2019 for the said project/activity (specified at Annexure-7 of the minutes), while considering for accord of environmental clearance:

- (i) Consent to Establish/Operate for the project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
- (ii) Green Belt along the periphery in 3 tier. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
- (iii) Ground water monitoring for Physico-Chemical parameters to be carried out and record maintained by providing piezometric wells along the flow channel (up and down).
- (iv) Leachates to be collected and utilized within project after proper treatment.
- (v) Environmental Monitoring Programme shall be implemented as per the EIA report and guidelines prescribed by CPCB for hazardous waste facilities. Periodical ground water/soil monitoring to check the contamination in and around the site shall be carried out.
- (vi) The Company shall review the unit operations provided for the treatment of effluents, specially the sequencing of MEE after tertiary treatment, the source of permeate when no R.O. is recommended and the treatment of MEE condensate. The scheme for treatment of effluents shall be as permitted by the Pollution Control Board/Committee under the provisions of consent to establish.
- (vii) On line real time continuous monitoring facilities shall be provided as per the CPCB or State Board Directions.
- (viii) Project Proponent shall develop green belt, as committed. At least 10 m thick greenbelt shall be developed in the periphery of sanitary landfill facility.
- (ix) Pre medical check-up to be carried out on workers at the time of employment and regular medical record to be maintained.
- (x) Emergency plan shall be drawn in consultation with SPCB/CPCB and implemented in order to minimize the hazards to human health or environment from fires, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water.
- (xi) As per the Ministry's Office Memorandum F.No.22-65/2017-IA.III dated 1st May 2018, and as proposed a fund of Rs. 4.96 Crore @1.5% of project cost shall be earmarked for activities under Corporate Environment Responsibility (CER) such as conducting Organize Medical Camps in Nearby Villages, Sanitation & Drinking Water supply (supply of drinking water, construction/ installation community toilets for mails & females in nearby areas), conducting skill development/health education training/ vocational training programmes for unemployed youth /women of surrounding villages, scholarship Programme for Meritorious students of Nearby Villages, organization of awareness camps for Solid Waste Management in Nearby Villages and providing infrastructure like construction of additional class rooms, furniture, support to special children education etc. in nearby schools. The activities proposed under CER shall be restricted to the affected area around the project. The entire activities proposed under the CER shall be treated as project and shall be monitored. The monitoring report shall be submitted to the regional office as a part of half yearly compliance report, and to the District Collector. It should be posted on the website of the project proponent.

Agenda item No. 43.5.7.

Proposed expansion of Odisha Waste Management Project (Division of Ramky Enviro Engineers Ltd) at Plot No. 420 / 648 / 1 under Khata no. 61, Village Kanchichuan, Tehsil Sukinda, District Jajpur, Odisha by M/s Ramky Enviro Engineers Limited – Reconsideration for Environmental Clearance

(IA/OR/MIS/90750/2008; F.No. 10-10/2009-IA-III (Pt.))

43.5.7.1. The EAC noted the following:-

(A) List of decentralized Composting sites of Bulk Waste Generators in Gurugram.**(Annexure R/6)**

Sr. No	Ward No.	Name	Per Day Waste Capacity (Kg)	Latitude & Longitude	Maintained By	Operational By	Contact person	No. of Household
1	33	Richmond Park	150	28.459322 77.087880	M/s Green Bandhu (9818167932)	2015	Sourav nain 9818167932	280
2	33	Hamilton Court	200	28.467460 77.084697	M/s Green Bandhu (9818167932)	2015	Rajeev-9824535218	200
3	30	Vastu CGHS	50	28.423188 77.108707	M/s Green Bandhu (9818167932)	2015	Ajay 9650040820	50
4	34	H-Block, DLF-1	500	28.47749 77.10130	M/s Green Bandhu (9818167932)	2015	Kalpna 8920811373	300
5	30	Pragati CGHS	100	28.42218 77.10793	M/s Green Bandhu (9818167932)	2015	Sanjay 9958906079	100
6	33	Regent House	60	28.45900 77.08897	M/s Green Bandhu (9818167932)	2015	Sourav nain 9818167932	100
7	30	The Heritage School	250	28.40926 77.08831	M/s Green Bandhu (9818167932)	2015	Om parkash 9910761429	200
8	33	Regency Park-2	400	28.463689 77.086877	M/s Green Bandhu (9818167932)	01.02.2016	Shridhar 9990137901	500
9	34	Sahara Grace	250	28.478606 77.086497	M/s Green Bandhu (9818167932)	2016	Sourav nain 9818167932	200
10	33	Hex tax Commune	150	28.45532 77.09541	M/s Green Bandhu (9818167932)	2016	Sourav nain 9818167932	100
11	32	La Lagune	350	28.437447 77.105584	M/s Green Bandhu 9818167932	2017	Bhenu Yadav 9953558876	350
12	32	Verandas	200	28.436619 77.105066	M/s Green Bandhu (9818167932)	2017	Deepika 9873238991	184
13	34	Silver Oaks Apartment	600	28.472685 77.102833	M/s Green Bandhu (9818167932)	2015	Sourav nain 9818167932	900

14	32	Uniworld City MG Road	500	28.45837 77.05633	M/s Green Bandhu (9818167932)	13.10.17	Shankar 9890921930	500
15	29	Uniworld Garden 1, Sohna road	600	28.426861 77.039769	M/s Balancing Bits(9811715808)	24.12.17	Divank 9811645403	50
16	30	IREO Grand Arch	650	28.41195 77.11260	M/s Green Bandhu (9818167932)	20.12.2018	0124-4994120	600
17	25	IREO Victory Valley	250	28.39155 77.06379	M/s Green Bandhu (9818167932)	2018	Panday 9811620154	300
18	33	DLF Ridgewood Estate, Phase 4	550	28.46493 77.08088	M/s Balancing Bits(9811715808)	01.05.18	Khanduja 9711140264	800
19	26	Orchid Petals, Sohna Road	800	28.14225 77.0498	M/s Balancing Bits(9811715808)	15.10.18	Sanjit 9643804290	1450
20	5	HIPA (Haryana Institute of Public Administration)	250	28.48619 77.06555	M/s Balancing Bits(9811715808)	01.10.18	Ashok 9416499654	25
21	4	Gurgaon -One	550	28.481561 77.052204	Eco santulan (9958221276)	2017	Rajiv 01249875321	700
22	2	Nandi Dham Gaushala	500	28.497132 77.023484	MCG (Harit Recycler)	10.10.15	Sadaf 9891441339	100
23	19	Sector 15 Part-1 RWA	200	28.446605 77.035616	MCG	10.10.15	Ram Singh 9999901916	1000
24	29	Vipul world	500	28.417496 77.033866	Society Itself	01.10.16	Mandal 9605265702	125
25	30	Technocrate Society (Sector-56)	400	28.423552 77.101519	Society RWA	2013	Hira lal 6950978281	1400
26	26	Tatvam Society	550	28.404359 77.03965	Society Itself	2017	Sachin 9873727900	400
27	29	Vista Villa	65	28.44283 77.057807	RWA	01.01.19	Rajender 9910554171	200
28	29	Nirvana Country	1000	28.413866 77.066981	Society Itself	01.03.2019	Pappu 8860944043	40
29	35	The Shriram School	200	28.46693 77.08651	By School	2017	0124 478 4400	100
30	34	Essel Towers - only horticulture waste	250	28.47765 77.0855	Society Itself	2015	Akhilesh 8130954237	300
31	33	Labournum Society	220	28.472596 77.076291	Society Itself	2017	0124 404 2879	200
32	34	Beverly park I	150	28.4783839 77.0766228	Society	01.12.2017	Trilok Chand 9873960146	158

33	34	Beverly park II	150	28.4819687 77.0782394	Society	01.01.2016	Soumtra 9716908988	182
34	26	Vipul Greens Sohna Road	450	28.41637 77.03666	Society Itself	20.10.16	Deepak 959926810	644
35	33	Ivy Sushant Lok	90	28.473244 77.079424	Trace Green	1/4/2019	Sangwan 9717388877	156
36	19	Google Building	500	28.46087 77.04838	Public service	9/1/2018	Arun Kumar 9958365197	18
37	25	Pathway school	250	28.31274 77.01301	By School	2017	Rupesh 9971450767	-
38	15	Hindustan Unilever	1500	28.46728 77.05892	It Self	6/1/2017	Man Mohan 9958629181	-
39	29	Central park -2	400	28.42355 77.03701	M/s Green Bandhu (9818167932)	01.03.2019	Aman deep 9560088904	2000
40	32	Sector 90 Rigal Society	500	28.40728 77.93520	Society Itself	01.11.2018	Ashutosh 9453984555	540
41	29	Centera Mall Near Ghata Village	200	28.48590 77.07820	RWA	5/1/2018	Parvesh Sharma 9958836667	-
42	33	Dell golf Course road	50	28.45953 77.09510	It Self	6/1/2017	Raja 9810888441	20
43	34	MGF Metropolitan MG Road	500	28.47930. 77.08171	M/s Eco Santulan Renewable Energy LLP.	06/02/2019	Parveen 9999950699	60
44	3	Candor IT SEZ sector 22A	500	28.4676945 77.017227	itself	July 2018	Abhishek987368843 9	-
45	35	Ambience mall gurugram	400	28.50500 77.09709	Alfa Therm	10/1/2017	Sc Yadav 8826090792	400
46	32	Park place	500	28.44359 77.10895	Usman Wak Field	2013	Girish 8826679027	1500
47	32	Crown Plaza	100	28.468208 77.059362	It Self	Aug.2018	Anil 8505879999	Hotel 234 Rooms

48	25	Near Stadium Badshahpur	3000	28.392444 77.037907	-	-	-	-
49	26	Tata Primanti	550	28.40420 77.03767	JLL	01.03.2019	Vikas 9818992443	1000
50	25	IREQ uptown	500	28.395946 77.059337	M/s Green Bandhu - 9818167932	06.01.19	Kalpna 8920811373	350
51	19	OM Sweets Sec-31	80	28.453312 77.050969	M/s Greenrich Grow India Pvt Ltd. 8285730000.	18.02.2019	Parveen 8527497518	-
52	34	Central park-1, Sector 44	600	28.45863 77.09753	M/s Green Bandhu - 9818167932	21.04.2019	Jitender Rekhi(9599592201)	400
53	19	Addidas Sector 32	200	28.48594 77.08014	M/s Green Bandhu - 9818167932	20.2.2019	Avinash Singh 9811901109	-
54	32	Parsvnath Exotica	550	28.441123 77.098682	M/s Balancing Bits (9811715808	18.03.2019	Ajay 9818111304	786
55	6	Sector 17 A, RWA	300	28.47891 77.05980	M/s Balancing Bits (9811715808	4/1/2019	Susham 9871029444 Rekha jain 9319604014	500
56	27	NIIT Technology Sector 34	100	28.43177 77.01555	M/s Green Bandhu 9818167932	01.05.2019	9810297878	-
57	34	Lemon Tree Premier-1 Sec-29	400	28.46818 77.06498	M/s Green Bandhu 9818167932	01.05.2019	Ashish Mathur 9654992005	450
58	34	Lemon Tree Premier-2, Sec-29	400	28.46801 77.06536	M/s Green Bandhu 9818167932	01.05.2019	Ashish Mathur 9654992005	450
59	32	Sujjan Vihar	200	28.452844 77.077455	M/s Green Bandhu 9818167932	01.05.2019	BL Yadav 8743893976	250
60	34	Heritage city	700	28.482456 77.077878	M/s Balancing Bits 9811715808	01.01.2019	Madan lal 9910484734	700
61	32	DLF Icon	400	28.45185 77.094289	M/s Balancing Bits 9811715808	01.04.2019	Ajay Gupta 8130033594	360

62	26	Universal trade tower sec-47/48	50	28.41568 77.04179	M/s Green Bandhu 9818167932	06.05.2019	Sanjay Sharma 9643455675	-
63	29	Parsavnath Greenville	300	28.468665 77.041545	M/s Green Bandhu 9818167932	06.05.2019	OP Dubey 9910138921	450
64	29	Park View City-1	350	28.405115 77.041397	M/s Green Bandhu 9818167932	06.05.2019	Mukesh Chabbra 9717875559	500
65	34	Lemon Tree City Centre, Sector 29	100	28.45533 77.06463	M/s Green Bandhu 9818167932	06.05.2019	Nanhe Patel 9998085418	250
66	35	Garden Estate	500	28.48364 77.10045	itself	Jan-16	Roshan 9953669619	373
67	3	Ansal Plaza Mall	100	28.5114098 77.040654	Itself Pit Composting	Feb 2019	Radheshyam 9999428655	-
68	27	Zeep Landmark Sector 34	50	28.4329063 77.0086254	M/s Greenrich Grow India Pvt Ltd.(8285730000)	20.02.2019	Santram 9711002713	-
69	34	JMD Regant Square	50	28.48094 77.08496	pit based composting itself	Dec 2018	Sundar yadav 9811779247	40 shops
70	2	Anand Farms, Sector 21	200	28.50780 77.06827	M/s Excel Industries	2016	Balwant Yadav 9999245420	36
71	6	India Oil Corporation, Iffco Chowk	200	28.48174 77.06965	M/s Excel Industries	2012	vivek garg 9461600061	425
72	32	Palm Unitech Near Huda City Center	200	28.456594 77.068362	Society	2011	Anand 7428240889	350
73	32	The Palm Springs	300	28.4472712 77.1004497	Call international company	09-01-17	Rahul 7290003853	314
74	27	Hero Motocorp	200	28.4634034 77.055552	Self	2004	Anand Jha 9253301010	
75	34	MGF Villa Near MG Road, Gurugram	250	28.48599 77.08633	M/s Balancing Bits 9811715808	01-07-19	Prashant 9560256601	350

76	31	Biodiversity park Near Wazirabad Village (for Horticulture)	500	28.45011 76.99347	M/s Balancing Bits 9811715808	01-07-19	Ajay 9953940005	450
77	33	Tarika Apartment, Sanskriti Apartment, Surya CGHS, Connession twin tower	300	28.45153 77.07755	M/s Balancing Bits 9811715808	01-07-19	Vashu Sharma 9810135676	400
78	25	Emaar Palm Drive	500	28.40186 77.05134	M/s Balancing Bits 9811715808	01-07-19	Deepak 9582227611 (Not started)	600
79	34	DLF Grand Mall, MG Road	300	28.48003 77.09017	M/s Green Bandhu 9818167932	01-08-2019	Dinesh Kumar, (8130813399)	--
80		Close South apartment sector -50	425	28.413195 77.069364	M/s Green Bandhu 9818167932	03.08.2019	Sanjay 9821580388	599
81		Raheja Atlantis, Sector 30	160	28.452885 77.046684	M/s Green Bandhu 9818167932	26.06.2019	Prithvi 9599004664	271
82		One Horizon Centre near golf course road sec-43	900	28.451066 77.098205	M/s Green Bandhu 9818167932	13.08.2019	Ashok 9899747155	-
83	34	DLF City Center Mall, MG Road	150	28.47928 77.08067	M/s Green Bandhu 9818167932	01.09.2019	Jagbir singh 9891222192	-
84	33	DLF South Point Mall, Golf Course Road	225	28.44794 77.09946	M/s Green Bandhu 9818167932	01.09.2019	Lavli Arora 9810382682	-
85	32	DLF Mega Mall, MG Road	380	28.47600 77.09330	M/s Green Bandhu 9818167932	01.09.2019	Rakesh Kumar 9818374860	-
86	19	DLF Star Mall, Sector 30	40	28.46158 77.05250	M/s Green Bandhu 9818167932	22.08.2019	Ashok Kumar 01244211932	-
87	-	Bellevue park	350		M/a Balancing Bits	01.09.2019	-	270