

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPLE BENCH, NEW DELHI
EXECUTION APPLICATION NO. 35/2019
IN
ORIGINAL APPLICATION NO. 150/2014

IN THE MATTER OF:-

AJAY SIPAHIYA & ORS.

APPLICANTS

VS.

UNION OF INDIA & ORS.

RESPONDENTS

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SUNEEL DAVE
SCIENTIST -E
CENTRAL POLLUTION CONTROL BOARD
PARIVESH BHAWAN, EAST ARJUN NAGAR,
DELHI-110032

DATE: 14.10.2019
PLACE: DELHI

FACTUAL REPORT OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 18.09.2019 IN EXECUTION APPLICATION NO. 35/2019 IN OA No.150/2014 IN THE MATTER OF AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, vide its order dated 18.09.2019 constituted an oversight Committee for the purpose of compliance of the directions of the Tribunal requiring the Municipal Corporation, Chandigarh to deploy machines and manpower for segregation of waste at source and at site of the project proponent.

The constitution of the Committee is as follows:

1. Member Secretary, Chandigarh Pollution Control Committee.
2. Representative of the Ministry of Environment, Forest and Climate Change from its Regional Office at Chandigarh.
3. A Professor from Punjab Engineering College from the Environment field, nominated by the Director of that institute.
4. Representative of Central Pollution Control Board from its Regional Office, Chandigarh.

It has been directed by the Hon'ble NGT that the nodal agency for compliance and controversy will be the representative of the CPCB.

In compliance with the orders of the Hon'ble NGT, the constituted committee comprising of the following met on 03.10.2019 and carried out the inspection of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd., Chandigarh for furnishing factual report in the matter.

- 1) Sh. T.C. Nautiyal, IFS, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC, Chandigarh
- 4) Sh. Suneel Dave, Regional Director, CPCB Chandigarh

The observations of the Committee are as under:-

<p>Deploying machines and manpower for segregation of waste at the site of the project proponent</p>	<ol style="list-style-type: none"> 1. In the report dated 30.11.2017, it had been reported by the committee constituted by the order of Hon'ble NGT vide its order dated 24.07.2017, that no manpower and machinery were deployed by the Municipal Corporation, Chandigarh (MCC) in compliance of orders of Hon'ble NGT dated 07.11.2017. 2. There is no change in the status till 03.10.2019 when the committee has inspected the processing plant site.
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Segregation of waste at source	<ol style="list-style-type: none"> 1. Solid waste management bye laws have been notified by Chandigarh administration on 18.03.2019 which covers the segregation of waste at source. 2. The process of collection of segregated waste has been put in place by MCC. 3. The vehicles viz. tippers and cycle carts are being used for transportation of segregated waste.
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Other observations of the committee:

- i. It was noticed by the committee that unprocessed mixed waste to the tune of 25000 MT approximately was lying in the processing plant premises resulting in inadequate operational space. It was also noticed that the waste has been pushed to the premises wall which has resulted into spill over to the adjoining forest area.
- ii. Due to continuous delivery of unsegregated waste by MCC and incapability of plant to process the waste, the condition of the plant and the surrounding is subject to further deterioration.
- iii. The committee has submitted its reports to the Hon'ble NGT in compliance of the order dated 24.07.2017 in OA no.150/2014 in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors. regarding the segregation, collection, transportation, processing and disposal of MSW in Chandigarh vide reports dated 28.07.2017, 11.08.2017, 26.09.2017, 26.10.2017, 30.11.2017, 26.03.2018, 24.08.2018, 14.12.2018 and 29.04.2019. The reports are annexed.



**Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and Climate
Change, Regional Office,
Chandigarh**



**Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg.,
PEC**



**T. C. Nautiyal, IFS
Member Secretary, Chandigarh
Pollution Control Committee**



**Sh. Suneel Dave
Regional Director
CPCB, Chandigarh**

REPORT OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24/07/2017 IN THE MATTER OF OA No.150/2014 AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS,

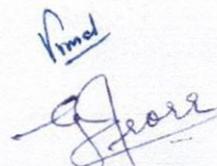
BACKGROUND

The Municipal Solid Waste (MSW) Processing Plant, in the name of Green Tech Fuel Processing Plant is run by M/s Jai Prakash Associates Ltd. in an area of about 10 acres at Dadu Majra, Chandigarh, and had been commissioned in May 2008. The plant (having design capacity of 500 MT/day) had been set up through a Memorandum of Understanding (MoU) between Municipal Corporation Chandigarh and M/s Jai Prakash Associates Ltd. As per the MoU, Municipal Corporation Chandigarh, is to hand over Municipal waste at the plant and the plant operator is to process the same to produce Refused Derived Fuel (RDF) which shall be utilized in its own manufacturing units in Himachal Pradesh or other units at any other locations. The land of about 10 acres has been allotted by Municipal Corporation Chandigarh to M/s Jai Parkash Associates Ltd. on lease of Rupee one/square meter/year for 30 years on BOOT basis. M/s Jai Prakash Associates Ltd. is operating the plant in the name of Green Tech Fuel Processing Plant.

The plant has obtained Consent to Operate under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 from Chandigarh Pollution Control Committee valid till 30.11.2017.

There was a dispute between the Municipal Corporation and the MSW Processing Plant with regard to tipping fee and the matter is subjudice in the Hon'ble NGT. The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, has passed the order on 24/07/2017 (as communicated by CPCC counsel Sh. Shubham Bhalla) as follows :

- 1) The project proponent (M/s Jai Prakash Associates Ltd.) will operate the RDF Plant at the optimum capacity and will not decline to accept municipal solid waste upto 450 MT daily.
- 2) The project proponent shall set up a compost plant within three months at his own expenses.
- 3) The project proponent shall rectify the deficiencies in the RDF Plant within four weeks from today.



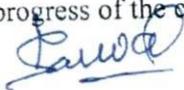
- 4) That in case the project proponent defaults he will pay an environmental compensation of Rs. 50,000/- per day.
- 5) The project proponent will be entitled to a tipping fee of Rs. 500/- MT.
- 6) The project proponent shall invoke arbitration within 4 weeks from today and in case of default the Municipal Corporation will not have any liability after six weeks.
- 7) The project proponent shall upgrade the plant within three months.
- 8) The Municipal Corporation has been granted the liberty to move the Ld. Arbitrator for any further reliefs pertaining to tipping fees.
- 9) The committee shall be constituted of the following people:-
 - Member Secretary, CPCC - Chairman and Nodal Officer
 - Representative from MoEFCC - Member
 - Professor from PEC - Member (Expert in the field)
 - Representative from CPCB - Member

That the committee shall make an inspection within 1 week and file a comprehensive report then every month. The report has to deal with the quantum of MSW, Transportation and Dumping and whether the same is being done within the ambit of the Rules or not. The committee shall check the progress of the installation of the Compost Plant. The matter is listed for hearing on 18/08/2017.

In compliance with the aforesaid orders of the Hon'ble Tribunal, the constituted committee comprising of the following carried out the inspection on 28/07/2017 of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. at Dadu Majra, Chandigarh.

- 1) Sh. P.J.S. Dadhwal, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Sh. M. K. Choudhary, Additional Director, Central Pollution Control Board
- 4) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC University of Technology

As per the direction of Hon'ble NGT dated 24.07.2017, the Committee has been directed to make an inspection within one week and file a comprehensive report then every month. The report has to deal with the quantum of MSW, transportation and dumping and whether this is being done within the ambit of the rules. Committee was also directed to check the progress of the compost plant.









The above committee met on 28.07.2017 in office of Chandigarh Pollution Control Committee. A small presentation was made by Medical Officer of Health, Municipal Corporation, Chandigarh, and updated the Committee about the action taken by the Municipal Corporation regarding transportation of the MSW to the processing plant and dumping. Committee thereafter inspected the plant and had a discussion with the officers of M/s J. P. Associates Ltd.

The observation and recommendation of the Committee are as under:-

- Both Municipal Corporation and processing plant have installed Weigh Bridge. The Committee has perused the data submitted by both MC as well as plant and observed that there is minor variation between the figures of both regarding the details of intake of MSW in the plant.

Date	MSW intake by Plant in MT	
	As reported by Plant Mgmt.	As reported by MC Chandigarh
25.07.17	213.51	202.37
26.07.17	262.77	246.62
27.07.17	226.51	195.21

- During the presentation, MC has submitted that they are unable to transport all the MSW due to slow movement of vehicles at the plant gate and due to the reason that there is very large quantity of processed (RDF) and unprocessed waste lying within the premises of the plant. During the inspection of the Committee, it was also observed that large amount of inert and rejects were accumulated due to the fact that MC was not allowing the disposal of the same in the dumping ground. On insistence by the committee, both MC and plant management agreed to dispose the same immediately to the dumping ground as per rules and make way for the speedy intake of municipal waste.
- It was also observed by the committee that there was a large queue of tractors and trucks carrying municipal waste on the road waiting for their turn at the gate of the plant.
- It was also observed that due to large amount of MSW lying at the plant, the Effluent Treatment Plant (ETP) was not working, all drains were choked and Air Pollution Control Device (APCD) was not in operation for the want of maintenance. It was

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assured by the Plant Mgmt. that they will make the APCD operational immediately after the necessary maintenance.

- It was informed by the management that plant was not running to its full capacity since last seven months due to problem with the shaft which they have now ordered from Germany, which will be commissioned by 1st week of August, 2017 and management assured speedy processing of waste after the installation of shaft and backlog will be cleared.
- The plant management informed that they are going to install 300 MT capacity of compost plant as per orders of Hon'ble NGT for which they have already ordered some of the machineries. Plant machinery will be supplied within eight week's time and they have finalised the contractor who will start their work from 31st July, 2017. They have earmarked 8000 Sq. mtr. area for the compost plant within the premises. Proposed cost of compost plant is Rs. 5.0 crores. Plant Mgmt. assured that they are committed to complete the installation of compost plant within 03 month's time as per the direction of Hon'ble NGT. The schedule for completion submitted by the plant authority is attached as annexure 'A'.

Vimal Kumar
28/7/17

Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and
Climate Change,
Regional Office, Chandigarh

Geeta Arora
28/07/2017

Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg., PEC
University of Technology

M. K. Choudhary
28/7

Sh. M. K. Choudhary,
Additional Director,
Central Pollution Control Board

P.J.S. Dadhwal

Sh. P.J.S. Dadhwal,
Member Secretary,
Chandigarh Pollution
Control Committee

COMPOST MAKING PLANT COMPLETION SCHEDULE

Progress made on Implementation of Compost making plant:

Zero Date : 17.07.2017

Target Completion Date : 3 Months – 16.10.2017

SI No	Activity Description	Completion Status / Target Completion Date
1	Identification of Technology and its adaption	Activity Completed
2	Placement of order for main plant & machinery	Activity completed. Order placed on M/s Alfa Therm Limited, New Delhi with a commitment of supply of plant machinery within 8 weeks, i.e., by 16.09.2017
3	Layout of the plant with in the premises and integration with the RDF plant	Activity Completed
4	Civil contractors for undertaking construction activity has been finalized-	Activity Completed. M/S JMD Construction will commence construction activity from week commencing 31 st July 2017
5	Civil engineering works	1st set of construction drawing released to the site for undertaking civil works
6	Site preparation for undertaking construction activity	Activity Completed
7	Steel structural for undertaking fabrication and erection of the shed	Activity initiated and movement of materials is expected in the week commencing 14 August 2017
8	Completion of Civil works	Eight weeks, i.e., 16.09.2017
9	Erection of Compost Plant Machines	Three weeks (During 17.9.2017 – 06.10.2017)
10	Commissioning of Compost Plant Machines	Ten days (During 07.10.2017 – 16.10.2017)
11	Compost Making Plant Ready for Operation	16.10.2017

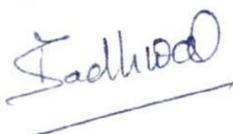
Note : JAL has committed to complete the compost making plant with in 3 months.

MONTHLY REPORT (11.08.17) OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24/07/2017 IN THE MATTER OF OA No.150/2014 AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS.

Hon'ble NGT order dated 24.07.17

There was a dispute between the Municipal Corporation and the MSW Processing Plant and the matter is subjudice in the Hon'ble National Green Tribunal. The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, has passed the order on 24/07/2017 as follows:

- 1) The Project Proponent (M/s Jai Prakash Associates Ltd.) shall ensure that it operates the plant to its optimum capacity and would not in any case decline to accept the municipal solid waste upto 450 MT/day.
- 2) The Project Proponent shall at its own cost and expense install the composting plant within three months from today.
- 3) The deficiencies, if any, in the existing plant to ensure operationalisation of the plant to its optimum capacity shall also be removed and the plant shall perform effectively with its optimum capacity within four weeks from today.
- 4) In the event, the work of the composting plant does not commence immediately and the defects in the plant are not rectified in all respect within the time allowed as afore-indicated, the Project Proponent shall be liable to pay an environmental compensation of Rs. 50,000/- per day.
- 5) That the Project Proponent shall be entitled to a tipping fee @ Rs. 500/- MT on the quantum of waste received at the plant, for a period of nine months from today. Payment of this tipping fee which has already been agreed between the parties, shall be, without prejudice to the rights and contentions of the parties.
- 6) The Project Proponent shall invoke the arbitration clause in accordance with the terms of the contract, within four weeks from today. In the event the Project Proponent fails to invoke the arbitration clause in time, there shall be no liability on the Corporation to pay tipping fee after lapse of six weeks from today. If the arbitration is invoked and the Project Proponent file the arbitration claim for all its disputes then the tipping fee payment shall not be stopped, under any circumstances, by the Corporation.









- 7) If the entire waste upto 450 MT/day is brought to the plant of the Project Proponent by the Corporation or its agency, the same shall be received, dealt with and disposed of in accordance with rules.
- 8) The Project Proponent would be at liberty to upgrade its plant to the existing technology within three months from today, at their own costs.
- 9) The Corporation would be at liberty to move learned arbitrator for any relief that may be entitled to in law.

A committee has been constituted which shall look into the compliance of these directions and submit report to the Tribunal initially monthly and thereafter once in two months. The Committee shall consist of the following:-

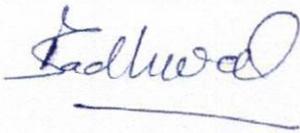
- Member Secretary, CPCC - Chairman and Nodal Officer
- Representative from MoEFCC - Member
- Professor from PEC - Member (Environment field)
- Representative from CPCB - Member

The Committee shall conduct a complete and comprehensive inspection of the plant, first within one week from today, thereafter every month. The report should deal with all aspects, including the quantum of waste, kind of waste, methodology for its transportation, dumping of waste, finally the processing and disposal of the municipal solid waste. It shall also observe in its first monthly inspection, as to whether the work in relation to compost plant has started or not.

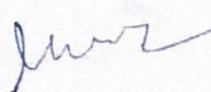
The matter is listed for hearing on 18/08/2017.

In compliance with the aforesaid orders of the Hon'ble Tribunal, the constituted committee comprising of the following met on 11.08.2017 and carried out the inspection of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. and the Dumping Ground at Dadu Majra, Chandigarh.

- 1) Sh. P.J.S. Dadhwal, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Sh. M. K. Choudhary, Additional Director, Central Pollution Control Board
- 4) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC University of Technology



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The observation and recommendation of the Committee are as under:-

Quantum of waste

- Both Municipal Corporation and JayPee plant have installed Weigh Bridge. CPCC staff was deputed at the weigh bridge of MC and JayPee Plant to monitor the quantum and kind of MSW sent to the plant and accepted by the plant and quantum of inerts/ rejects sent to the dumping ground. As per the data collected, it was observed that there is slight variation between the figures of both regarding the details of intake of MSW in the plant. Data recorded by MC and Jay Pee Plant are attached at Annexure 'A' and 'B'.

Data Collected by CPCC

Date	MSW in MT						
	Data collected at Plant			Data collected at dumping ground			
	MSW recd.	MSW refused	Inerts/ rejects sent to DG	MSW sent to plant	MSW sent to DG directly	Total MSW Collected by MC	Inerts/ rejects recd.
03.08.17	422.795	-	38.88	402.085	62.655	464.74	39.00
04.08.17	251.74	-	12.49	249.275	239.325	488.60	11.85
06.08.17	235.215	-	81.79	235.19	272.05	507.24	69.42
07.08.17	230.085	-	105.16	239.765	283.47	523.24	129.78
09.08.17	239.795	-	95.33	201.935	365.555	567.49	123.93

- Plant received total MSW generated on dated 03.08.2017 and there was slow movement of vehicles at the plant gate. From 04.08.2017 the situation has improved due to the fact that corporation is sending approx. 250 tonnes to plant and rest is being dumped in Dumping Ground which has resulted in smooth movement of vehicles at the plant gate.
- The plant management has informed CPCC that they have requested to the Commissioner, Municipal Corporation, Chandigarh to send less waste (non - biodegradable waste 250 TPD) from 03.08.2017 to 20.08.2017 so as to upgrade the plant and clear the backlog and the same has been accepted by them. CPCC has requested the Commissioner, Municipal Corporation, Chandigarh to confirm the same and send their comments for information of the Committee constituted by the Hon'ble NGT, however, no reply has been received from them.
- The plant management has informed that they have submitted two bills on account of tipping fees which are yet to be paid by the MC. On discussion with the MC it has

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come out that there is a variation of the quantity of MSW received at the plant for which there may be dispute. The matter was discussed with Col. K J S Sandhu, Plant Incharge and Dr. Parminder Bhatti, MOH, MC. Both Corporation and plant management has agreed that the weighing will be done at the weigh bridge installed by the corporation and the company shall depute its representative at the weigh bridge of the MC and the quantity of waste recorded shall be signed by both the parties and tipping fees will be paid on basis of that. For the present two bills, payment will be made on average of the quantities as claimed by the two parties.

Kind of waste

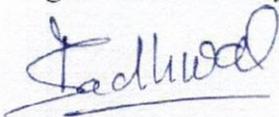
- It is observed that Municipal Waste is not being segregated as per the Solid Waste Management Rules, 2016 and mixed waste is being sent to Processing Plant and Dumping Ground. The Committee stressed that Municipal Corporation should segregate the waste as per rules then MOH, MC informed that Corporation is in the process of introducing a system which will be in place within three months.
- From 03.08.17 to 09.08.17, approximately 500 tonnes per day of waste was collected and transported. Vehicles carry mixed waste (approximately ranging from 239 to 365 tonnes per day) consisting of biodegradable, non-biodegradable and horticulture waste is being dumped directly at dumping site without any processing.

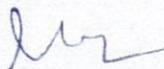
Methodology for transportation of waste

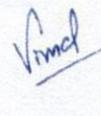
- MC is using dumpers, tractors, trolleys for transportation of MSW. Almost all the waste comes in covered vehicles.

Processing of waste

- There is very large quantity of unprocessed waste lying within the premises of the plant because of the tussle between MC and the Plant and plant is unable to process the same as waste is regularly coming and they do not have sufficient facility and time to process the same. There is leachate/water logging at some places in the plant which may pose health issues for which the plant has been told to take necessary action.
- Further, the plant is unable to sell the RDF produced which is hence accumulated at the plant. In the absence of proper space, RDF in fluff form is lying in the open which gets wet in the rainy season.





- It was observed that the new furnace (Thermax) is out of order because of which the plant is using their old furnace which is generating temperature at the inlet of Rotary Dryer around 150°C (which was observed during the visit) which is stated to be designed for approximately 400°C and at the outlet, the temperature is recorded as 78°C, which is stated to be designed for approximately 110°C, because of which the plant is unable to attain desirable moisture content, resulting in poor quality of RDF and increase in pollutant levels.
- Since the last visit of the Committee i.e. 28.07.2017, plant is still unable to run the Effluent Treatment Plant (ETP) and Air Pollution Control Device (APCD) for the want of maintenance and as informed by the plant management the machineries required for the same are in pipeline. The shaft, which they have ordered from Germany which was told by the plant to be fitted within a week's time, is not in operation till date because of lack of some associated parts.
- The quantity of inerts/rejects being generated from the process is on higher side and contains lot of plastic waste because of improper segregation within the plant for which plant management has been asked to take corrective measures.

Dumping/Disposal of waste:

- Inerts and rejects from the plant are dumped into the dumping-ground, Dadu Majra, Chandigarh. Now, as per the request of JayPee Plant, MC is dumping biodegradable waste and horticulture waste which contributes around 50 % of the total waste since 04.08.2017. As per the data collected, it is also observed that the percentage of inerts/rejects have increased to 35 – 45% since 06.08.2017 which should be around 10 – 15% as per MoU.
- Total area of landfill site is 45.11 acres, out of which 16.72 acres has been scientifically reclaimed by capping, covering and closing. A sanitary landfill has been developed over an area of 8.28 acres, which is now used for dumping. It was observed that the earlier dumping area (20 acre) is not capped and covered and during rainy season water may leach into the ground water and contaminate it. Also the capacity of the sanitary landfill site is almost full. Hence, the Municipal Corporation, Chandigarh may assess the capacity of existing landfill site w.r.t. waste required to be disposed off in the landfill. Municipal Corporation has been asked to provide the time bound action plan for capping covering of the remaining 20 acre land and for providing of ETP for treatment of leachate and for further development of new landfill site. Further suitable tree plantation surrounding the dumping ground may be done.

Sachdev

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Compost Plant

- The Plant Management has started the construction work in relation to compost plant (photographs attached). Some machineries have already reached. The schedule of completion submitted by the plant is annexed at 'C'.

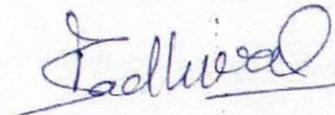
Progress after the first visit on 28.07.2017:

- 1) Plant has started construction of the compost Plant (Photo attached)
- 2) Some quantity of the RDF lying in the plant has been disposed off.
- 3) Inerts/Rejects have been removed from the plant.
- 4) Dispute regarding calculation of tipping fees has been resolved.
- 5) Shaft has arrived and plant is in process to install the same.
- 6) Queue of the trucks at the gate of the plant has vanished.


Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and
Climate Change,
Regional Office, Chandigarh


Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg., PEC
University of Technology


Sh. M. K. Choudhary,
Additional Director,
Central Pollution Control Board


Sh. P.J.S. Dadhwal,
Member Secretary,
Chandigarh Pollution
Control Committee

SECOND MONTHLY REPORT (26.09.2017) OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24.07.2017 IN THE MATTER OF OA No.150/2014 AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, vide its order dated 24.07.2017 constituted a committee which shall conduct complete and comprehensive inspection of the MSW plant and submit report to the Tribunal initially monthly and thereafter once in two months. The committee has earlier met on 28.07.2017 & 11.08.2017 and reports have been submitted to Hon'ble NGT.

In compliance with the orders of the Hon'ble Tribunal, the constituted committee comprising of the following met on 26.09.2017 and carried out the inspection of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. and the Dumping Ground at Dadu Majra, Chandigarh.

- 1) Sh. P.J.S. Dadhwal, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Sh. M. K. Choudhary, Additional Director, Central Pollution Control Board
- 4) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC University of Technology

The observations of the Committee are as under:-

	Observations of the Committee as on dated 11.08.2017	Current Status as on dated 26.09.2017
Quantum of waste	<ul style="list-style-type: none"> ➤ The plant management informed CPCC that they have requested the Commissioner, Municipal Corporation, Chandigarh to send less waste (non - biodegradable waste 250 MT per day) so as to upgrade the plant and clear the backlog 	<ul style="list-style-type: none"> ➤ In the last report of the committee, it was mentioned that the Municipal Corporation has permitted the plant authorities to receive only 250 MT per day till 20.08.2017. ➤ The plant management has informed that they have further requested the Commissioner,

	<p>and the same has been accepted by them.</p> <p>➤ Dispute regarding calculation of tipping fees was resolved.</p>	<p>Municipal Corporation on dated 31.08.2017 to send 150 MT per day Non-biodegradable waste excluding construction and demolition waste, be supplied to the plant for next approximately three weeks as the plant is still not running in its full capacity i.e. 500 MT per day and to clear the backlog. The JP Associates informed the committee during inspection that they have again requested MC to extend for further three – four weeks. On asking they could not produce the approval of MC for the same after 20.08.2017.</p> <p>➤ It has been informed by the plant management that they have raised 4 nos. bills w.r.t. tipping fees which have not been paid by Municipal Corporation, Chandigarh. It is further submitted that Medical Officer of Health, Municipal Corporation has written a letter to the convener of Committee (placed at Annexure A) to clarify whether the paying of tipping fees is admissible as the company is sending more rejects than the quantity mentioned in their MoU Clause No. 1. This letter has been considered by the</p>
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by G. S. Ghose

Vimal

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		committee in the meeting and it is observed that the Municipal Corporation, Chandigarh has not paid the tipping fees despite the clear orders of the Hon'ble NGT dated 24.07.2017. This was also conveyed to Medical Officer of Health, Municipal Corporation, Chandigarh in the meeting.
Kind of waste	<ul style="list-style-type: none"> ➤ The Municipal Waste is not being segregated as per the Solid Waste Management Rules, 2016 and mixed waste is being sent to Processing Plant and Dumping Ground. The Committee stressed that Municipal Corporation should segregate the waste as per rules then Medical Officer of Health, Municipal Corporation informed that Corporation is in the process of introducing a system which will be in place within three months. 	<ul style="list-style-type: none"> ➤ No change in the position.
Methodology for transportation of waste	<ul style="list-style-type: none"> ➤ Municipal Corporation is using dumpers, tractors, trolleys for transportation of MSW. Almost all the waste comes in covered vehicles. 	<ul style="list-style-type: none"> ➤ No change in position.
Processing of waste	<ul style="list-style-type: none"> ➤ There is very large quantity of unprocessed waste lying within the premises of the 	<ul style="list-style-type: none"> ➤ No change in position.

by Shore

Amel

Lachwal

	<p>plant. There is leachate/water logging at some places in the plant which may pose health issues.</p> <ul style="list-style-type: none"> ➤ The shaft, which they have ordered from Germany has arrived and plant was in process to install the same. ➤ Plant was unable to run the Air Pollution Control Device (APCD) and Effluent Treatment Plant (ETP) for the want of maintenance and as informed by the plant management the machineries required for the same are in pipeline. 	<ul style="list-style-type: none"> ➤ Shaft has been installed. Maintenance work of main components has been done and conveyor belts have been replaced. ➤ Air Pollution Control Device : Venturi scrubber has been made operational. Laying of new pipeline from collecting tank to ETP is complete. Effluent Treatment Plant : ETP is operational now.
Dumping/Disposal of waste	<ul style="list-style-type: none"> ➤ Inerts and rejects from the plant are dumped into the dumping ground. 	<ul style="list-style-type: none"> ➤ It has been observed that plant is only receiving approximately 150 MT per day and rest of the waste approximately (250 - 400 MT per day) is being dumped by Municipal Corporation in the dumping ground which is strictly against the Solid Waste Management Rules, 2016.
Compost Plant	<ul style="list-style-type: none"> ➤ The Plant Management had started the construction work in relation to compost plant. 	<ul style="list-style-type: none"> ➤ The Plant Management has made considerable progress regarding the installation of compost plant and as reported the compost plant is likely to be commissioned by 16.10.2017. All the required materials have been procured.

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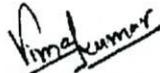
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Recommendations of the Committee:-

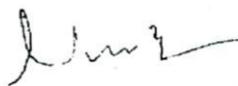
- 1) The plant authorities should accept all the Municipal Waste as per the order of Hon'ble NGT.
- 2) The Municipal Corporation, Chandigarh should immediately pay tipping fees as per the direction of Hon'ble NGT.
- 3) There is large amount of untreated municipal solid waste lying in the premises of plant which company should process at the earliest.
- 4) It has been observed that there are no proper personnel for dealing with environmental issues in the Municipal Corporation for the proper management of municipal solid waste and other issues. It is recommended that Municipal Corporation should establish a separate environment management cell exclusively to deal with such matters.



**Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and
Climate Change,
Regional Office, Chandigarh**



**Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg., PEC
University of Technology**



**Sh. M. K. Choudhary,
Additional Director,
Central Pollution Control Board**



**Sh. P.J.S. Dadhwal,
Member Secretary,
Chandigarh Pollution
Control Committee**

MUNICIPAL CORPORATION CHANDIGARH
(Medical Officer of Health)

REMINDER-1

To

✓ Sh. P.J.S. Dadhwal,
Member Secretary-cum-
Chairman and Nodal Officer,
Chandigarh Pollution Control Committee,
Paryavaran Bhawan, Madhya Marg,
Sector-19, Chandigarh.



Memo No. MOH/Supdt. GPP/2017/11415
Dated: Chandigarh, the 13/9/2017

Subject: Tipping/processing fee bill - thereof.

Reference this office memo no. MOH/Supdt. GPP/2017/10968 dated 04.09.2017 on the subject cited above.

It is intimated that M/s Jaiprakash Associates Ltd. have submitted their tipping/processing fee bill no. 1, 2, 3 & 4 to the Corporation with reference to the Hon'ble NGT Orders dated 24.07.2017 which are as under:-

1. Bill no.1 amounting Rs.1336231.00 (including 9% UGST & 9% CGST) towards tipping/processing fee for 2264.795 MT MSW supplied by MC, Chandigarh to their MSW Plant during the period from 25.07.2017 to 31.07.2017.
2. Bill no.2 amounting Rs.1235221.00 (including 9% UGST & 9% CGST) towards tipping/processing fee for 2093.590 MT MSW supplied by MC, Chandigarh to their MSW Plant during the period from 01.08.2017 to 07.08.2017.
3. Bill no.3 (Revised) amounting Rs.815272.00 including GST towards tipping/processing fee for 1381.810 MT MSW supplied by MC, Chandigarh to their MSW Plant during the period from 08.08.2017 to 14.08.2017.
4. Bill no.4 amounting Rs.684914.00 including GST towards tipping/processing fee for 1160.870 MT MSW supplied by MC, Chandigarh to their MSW Plant during the period from 15.08.2017 to 21.08.2017.

They have requested to release the above payment in favour of Jaiprakash Associates Ltd. at the earliest.

In this regard, it is stated that the Plant Management is sending the inerts to the Dumping Ground more than the required norms as per MoU Clause No.1 (copy of MoU is already supplied). The details is as under:-

m.s.

ACE

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14/9

S.No.	Period	Qty. in MT as per the weigh bridge of Plant Management	MSW accepted by the Plant as per the weigh bridge of MCC (in MT)	Inert sent by Plant	Inert percentage (%)
Bill no.1	25.07.2017 to 31.07.2017	2264.795	2173.75	544.675	25.056
Bill no.2	01.08.2017 to 07.08.2017	2093.590	2055.14	484.765	23.587
Bill no.3 (Revised)	08.08.2017 to 14.08.2017	1381.810	1380.385	1041.09	75.420
Bill no.4	15.08.2017 to 21.08.2017	1160.870	1160.87	708.115	60.998

Keeping in view the position explained above, it is again requested to clarify the undersigned, whether the tipping fee is to be given to the company as the Plant Management is sending the inerts more than the required norms as per MoU Clause No.1. The Plant Management is also pressing hard to the Corporation to release their payment at the earliest.


 Medical Officer of Health,
 Municipal Corporation,
 Chandigarh.

Endst.No.MOH/Supdt. GPP/2017/

Dated:

A copy is forwarded to the Law Officer, Municipal Corporation, Chandigarh for information.

- Sd -
 Medical Officer of Health,
 Municipal Corporation,
 Chandigarh.

Endst.No.MOH/Supdt. GPP/2017/

Dated:

A copy is forwarded to the following:-

1. PA to Mayor for the information of W/Mayor, M.C., Chandigarh please.
2. PS to CMC for the information of W/Commissioner, M.C., Chandigarh please.
3. PS to Addl. CMC for the information of Additional Commissioner, M.C., Chandigarh please.

- Sd -
 Medical Officer of Health,
 Municipal Corporation,
 Chandigarh.

THIRD MONTHLY REPORT (26.10.2017) OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24.07.2017 IN THE MATTER OF OA No.150/2014 AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, vide its order dated 24.07.2017 constituted a committee which shall conduct complete and comprehensive inspection of the MSW plant and submit report to the Tribunal initially monthly and thereafter once in two months. The committee has earlier met on 28.07.2017, 11.08.2017 & 26.09.2017 and reports have been submitted to Hon'ble NGT.

The Hon'ble NGT has ordered in the above mentioned matter on dated 24.10.2017 that "The remnant payment should be made to the Project Proponent. The Committee Constituted should submit a report of performance of the plant after physical inspection in the presence of the Project Proponent. The matter is listed for 7th November, 2017."

In compliance with the orders of the Hon'ble Tribunal, the constituted committee comprising of the following met on 26.10.2017 and carried out the inspection in the presence of Col. K. J. S. Sandhu (Retd.), Project Proponent of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. and the Dumping Ground at Dadu Majra, Chandigarh.

- 1) Sh. P.J.S. Dadhwal, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Sh. M. K. Choudhary, Additional Director, Central Pollution Control Board
- 4) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC University of Technology

The observations of the Committee are as under:-

	Observations of the Committee as on dated 26.09.2017	Current Status as on dated 26.10.2017
Quantum of waste	➤ In the earlier reports of the committee, it was mentioned that the Municipal Corporation has permitted the plant authorities to	➤ From 24.10.2017 onwards plant is accepting entire municipal solid waste.

	<p>receive only 250 MT per day till 20.08.2017.</p> <p>The plant management further requested the Commissioner, Municipal Corporation to send 150 MT per day Non- biodegradable waste excluding construction and demolition waste, be supplied as the plant was still not running in its full capacity i.e. 500 MT per day and to clear the backlog but they could not produce the approval of MC for the same after 20.08.2017.</p> <p>➤ The Municipal Corporation, Chandigarh did not pay the tipping fees despite the clear orders of the Hon'ble NGT dated 24.07.2017.</p>	<p>➤ The Municipal Corporation has started paying tipping fees.</p>
Kind of waste	<p>➤ The Municipal Waste is not being segregated as per the Solid Waste Management Rules, 2016 and mixed waste is being sent to Processing Plant and Dumping Ground. The Committee stressed that Municipal Corporation should segregate the waste as per rules.</p>	<p>➤ No change in the position.</p> <p>➤ The horticulture waste is found mixed with municipal waste and being sent to the plant for processing against the provision of the Solid Waste Management Rules, 2016, resulting in unnecessary expenditure in the form of tipping fees.</p>
Methodology for transportation of waste	<p>➤ Municipal Corporation is using dumpers, tractors, trolleys for transportation of</p>	<p>➤ No change in position.</p>

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	MSW. Almost all the waste comes in covered vehicles.	
Processing of waste	<ul style="list-style-type: none"> ➤ There is very large quantity of unprocessed waste lying within the premises of the plant. ➤ Air Pollution Control Device: Venturi scrubber was made operational. ➤ Effluent Treatment Plant: ETP was made operational. 	<ul style="list-style-type: none"> ➤ No change in position. It was informed by the Plant Management that there is more than 5000 MT of untreated municipal waste is lying in the plant due to which movement of vehicles is restricted and there are long queues of vehicles waiting for unloading of waste. ➤ The plant is unable to maintain vital parameters like temperature at the rotary drier which is essential part of processing. It ultimately results in undesirable moisture content in RDF and increase in its quantity. ➤ Air Pollution Control Device: Multi Cyclone Separator and Venturi Scrubber were not working at the time of the visit, for which the unit informed that the system is under repair. ➤ Effluent Treatment Plant: ETP was not functional due to non working of venturi scrubber and choking of drains, for which the unit informed that a PVC pipeline is being laid.

Ladhu

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Dumping/Disposal of waste	<ul style="list-style-type: none"> ➤ It was observed that the plant was receiving approximately 150 MT per day and rest of the waste approximately (250 - 400 MT per day) was being dumped by Municipal Corporation in the dumping ground which is strictly against the Solid Waste Management Rules, 2016. 	<ul style="list-style-type: none"> ➤ The plant received 466 MT of municipal waste on 24.10.2017 and 422 MT on 25.10.2017 and since 11.10.2017, they are not sending inerts and rejects to the dumping ground.
Compost Plant	<ul style="list-style-type: none"> ➤ The Plant Management made considerable progress regarding the installation of compost plant and they reported that the same will be commissioned by 16.10.2017. 	<ul style="list-style-type: none"> ➤ The unit has installed the compost plant. ➤ The Plant Management has started trial composting.

Recommendations of the Committee:-

- 1) There is large amount (approx. 5000 MT) of accumulated untreated municipal solid waste lying within the plant premises which needs to be disposed off on priority. The committee recommends that this waste should be processed by the company within three weeks and in the meantime, fresh municipal solid waste (non - biodegradable) should be stored temporarily by the Municipal Corporation in the dumping ground at specific location in the area which is already capped and this temporary storage should also be covered daily with soil cover as per the norms. This waste is to be processed by the plant in phased manner after clearing the existing backlog. This will create more space in the plant premises for movement of vehicles ultimately resulting in fast unloading of waste.
- 2) The plant should run on its full capacity (500 MT/ day) and RDF generated should meet with the prescribed norms and should not have higher moisture content than the desired level.
- 3) There is large amount of processed RDF lying in the premises and the plant should work out the plan for disposal/ sale of the same within a month's time.

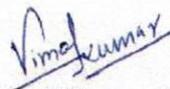
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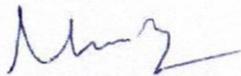
- 4) Organic waste from vegetable/ fruit market, bulk generators and other kitchen sources should be directly transported to the compost plant.
- 5) There are no plans for the sale of compost generated from the compost plant at present, hence it is recommended that the unit/ Municipal Corporation need to make proper market plan for the sale of compost.
- 6) The committee recommends that Municipal Corporation should collect horticulture waste separately and process it in the parks and gardens as per the rule 15 (p) of Solid Waste Management Rules, 2016. This will also save the tipping fees paid by Municipal Corporation for such waste.
- 7) It is recommended that the Plant Management may be directed to make sincere efforts to enhance the performance of the plant on the basis of the above observations and recommendations.
- 8) It is recommended that the Municipal Corporation may be directed to make sincere efforts for the segregation of the waste as required under the rules for which proper action plan may be prepared by Municipal Corporation within a month's time.



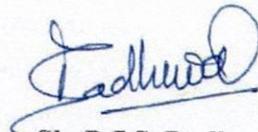
**Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and
Climate Change,
Regional Office, Chandigarh**



**Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg., PEC
University of Technology**



**Sh. M. K. Choudhary,
Additional Director,
Central Pollution Control Board**



**Sh. P.J.S. Dadhwal,
Member Secretary,
Chandigarh Pollution
Control Committee**

FOURTH MONTHLY REPORT (30.11.2017) OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24.07.2017 IN THE MATTER OF OA No.150/2014 AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, vide its order dated 24.07.2017 constituted a committee which shall conduct complete and comprehensive inspection of the MSW plant and submit report to the Tribunal initially monthly and thereafter once in two months. The committee has earlier met on 28.07.2017, 11.08.2017, 26.09.2017 & 26.10.2017 and reports have been submitted to Hon'ble NGT.

"Hon'ble NGT in the order dated 07.11.2017 has disposed off the application with the following directions:

1. *The plant shall start operating to its optimum capacity w.e.f. Monday next without fail and without any excuses.*
2. *The Project Proponent shall first clear the 5000 MT of mixed waste that is lying within its premises and this should be completed within three weeks from today as agreed by the Project Proponent. Though the Corporation has fixed shorter time, we grant last opportunity for that purpose. The Corporation shall deploy machines and man – power to segregate the waste at the site of the Project Proponent by Monday positively and there shall be mechanical and manual segregation of the deposited waste for expeditious and effective action.*
3. *The Corporation shall endeavour that the waste is segregated at source before it is delivered at the site of the Project Proponent in terms of Solid Waste Management Rules, 2016.*
4. *The Project Proponent shall ensure that the compost plant operate fully now and not merely on trial basis and RDF works to its optimum capacity.*
5. *In the facts and circumstances of the case, we direct that out of the environmental compensation of Rs. 10.50 Lakhs recovered by the Corporation, Rs. 5 Lakhs shall be retained by the Corporation and the compensation will be utilized for segregation of waste in terms of this order and remaining Rs. 5,50,000/- would be refunded to the Project Proponent.*
6. *The tipping fee shall be paid regularly.*

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7. *The plants (RDF and Compost) shall be subject to regular inspection by the joint inspection team and report be submitted. The committee shall also examine whether the municipal solid waste coming to the site is segregated in terms of these directions and according to Solid Waste Management Rules, 2016 or not.*
8. *The Corporation in its discretion may not give municipal solid waste 450 MT/day till three weeks and that would be retained at landfill site strictly in accordance with Solid Waste Management Rules, 2016 which shall be exclusive responsibility of the Corporation.*
9. *The Project Proponent would be at liberty to approach State of Punjab, state of Haryana and State of Himachal Pradesh for disposal of RDF, but it must be ensured without any further delay at the site.*

The parties are at liberty to approach the tribunal, if it becomes necessary, either of them."

In compliance with the orders of the Hon'ble Tribunal, the constituted committee comprising of the following met on 30.11.2017 and carried out the inspection of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. and the Dumping Ground at Dadu Majra, Chandigarh.

- 1) Sh. P.J.S. Dadhwal, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Sh. M. K. Choudhary, Additional Director, Central Pollution Control Board
- 4) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC University of Technology

The observations of the Committee are as under:-

Quantum of waste	<ul style="list-style-type: none"> ➤ As per the order of the Hon'ble NGT, the Municipal Corporation was retaining the waste at the sanitary landfill site till 28.11.2017. The plant accepted municipal solid waste on 29.11.2017. On 30.11.2017, it was observed that the Municipal Corporation has started dumping the waste on the sanitary landfill site. ➤ As informed by the plant authorities, the Municipal Corporation, Chandigarh did not pay the tipping fees for the period 10.10.2017 to 08.11.2017 despite the clear orders of the Hon'ble NGT.
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Dadhwal

Group

Mr

Vimal

<p>Kind of waste</p>	<ul style="list-style-type: none"> ➤ The Municipal Corporation has not deployed machines and man - power to segregate the waste at the plant till date as per the orders of the Hon'ble NGT. ➤ The Municipal Corporation has not made any endeavours to segregate waste at source in spite of the Hon'ble NGT order. The relevant portion of the Hon'ble NGT order is reproduced below : <i>"...The Corporation shall endeavour that the waste is segregated at source before it is delivered at the site of the Project Proponent in terms of Solid Waste Management Rules, 2016...."</i> ➤ The horticulture waste is found mixed with municipal waste and is being dumped on the sanitary landfill site.
<p>Methodology for transportation of waste</p>	<ul style="list-style-type: none"> ➤ Municipal Corporation is using dumpers, tractors, trolleys for transportation of MSW. Almost all the waste comes in covered vehicles.
<p>Processing of waste</p>	<ul style="list-style-type: none"> ➤ The plant was operational and they have cleared some amount of mixed waste but still more than 4000 MT of mixed waste is lying in their premises in spite of the fact Hon'ble NGT has given last opportunity to the plant to clear the waste. The relevant portion of the Hon'ble NGT order is reproduced below : <i>"....The Project Proponent shall first clear the 5000 MT of mixed waste that is lying within its premises and this should be completed within three weeks from today as agreed by the Project Proponent. Though the Corporation has fixed shorter time, we grant last opportunity for that purpose...."</i> ➤ Air Pollution Control Device: Air Pollution Control Device (APCD) was not working and it seemed that the flue gas was bypassed into the stack without passing through the Venturi Scrubber and Carbon Bed Scrubber. ➤ Effluent Treatment Plant: As APCD was not functional, hence no waste water was being treated in the Effluent Treatment Plant. ➤ The plant is unable to maintain vital parameters like temperature at the rotary drier which is essential part of processing. It ultimately results in undesirable moisture content in RDF and increase in its quantity.

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<p>Dumping/Disposal of waste</p>	<ul style="list-style-type: none"> ➤ It was observed that the waste was being dumped on the sanitary landfill site. ➤ Leachate collection channels were blocked at the sanitary landfill site. ➤ Gas vents for release of methane gas and carbon dioxide gas were broken and blocked. ➤ Regular covering of waste with soil is not done. ➤ Waste is not sprayed with Effective Micro-organism (EM) solution properly. ➤ It was also observed that the capacity of sanitary landfill site on which presently waste is being dumped is almost full. ➤ Proper covering is not done at old dumping site. Walls and gates are found to be broken at some places which allow entry of unauthorized persons like rag pickers, etc., stray animals and unauthorised vehicles into the area. ➤ Even it was found that people were learning vehicle driving inside the premises of the dumping ground. ➤ It was also observed that the waste was put on fire near an opening in the boundary wall of the dumping ground. ➤ It was observed that large quantity of leachate is generated at the old dumping site and posing serious threat to contamination of ground/ surface water.
<p>Compost Plant</p>	<ul style="list-style-type: none"> ➤ The Plant Management has started trial run of the compost plant. However no compost has been produced till date. Plant management could not start the compost plant as no segregated waste is being supplied by the Municipal Corporation. ➤ There was no provision for covering/ shed of compost area.

Recommendations of the Committee:-

- 1) The openings of the boundary walls of the dumping ground should be plugged to stop the access of the animals, people and vehicles to the dumping ground. The height of the boundary walls should also be increased to stop such unauthorised entries.

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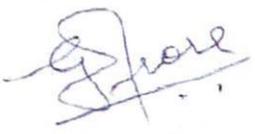
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- 2) The Municipal Corporation may be directed to make sincere efforts for the segregation of the waste as required under the rules for which proper action plan may be prepared by Municipal Corporation within a month's time.
- 3) Organic waste from vegetable/ fruit market, bulk generators and other kitchen sources should be directly transported to the compost plant.
- 4) There are no plans for the sale of compost generated from the compost plant at present, hence it is recommended that the unit/ Municipal Corporation need to make proper market plan for the sale of compost.
- 5) The Municipal Corporation may be directed to collect horticulture waste separately and process it in the parks and gardens as per the rule 15 (p) of Solid Waste Management Rules, 2016.
- 6) The Plant Management may be directed to make sincere efforts to enhance the performance of the plant on the basis of the above observations and recommendations.
- 7) The choked drains should be cleaned properly and leachate should be collected and get treated before disposal.
- 8) The Municipal Corporation may be directed to search and prepare new landfill site for future use on urgent basis.


Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and
Climate Change,
Regional Office, Chandigarh


Sh. M. K. Choudhary,
Additional Director,
Central Pollution Control Board


Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg., PEC
University of Technology


Sh. P.J.S. Dadhwal,
Member Secretary,
Chandigarh Pollution
Control Committee

FIFTH MONTHLY REPORT (26.03.2018) OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24.07.2017 IN THE MATTER OF OA No.150/2014 AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, vide its order dated 24.07.2017 constituted a committee which shall conduct complete and comprehensive inspection of the MSW plant and submit report to the Tribunal initially monthly and thereafter once in two months. The committee has earlier met on 28.07.2017, 11.08.2017, 26.09.2017, 26.10.2017 & 30.11.2017 and reports have been submitted to Hon'ble NGT.

Hon'ble NGT in the order dated 07.11.2017 has disposed off the application. The parties are at liberty to approach the tribunal, if it becomes necessary, either of them.

In compliance with the orders of the Hon'ble Tribunal, the constituted committee comprising of the following met on 26.03.2018 and carried out the inspection of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. and the Dumping Ground at Dadu Majra, Chandigarh.

- 1) Sh. T.C. Nautiyal, IFS, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC University of Technology
- 4) The representative of CPCB could not attend the meeting.

The observations of the Committee are as under:-

Quantum of waste	<ul style="list-style-type: none"> ➤ As informed by the plant authorities, plant is receiving average daily waste of 336 MT as per the March 2018 figures. ➤ As informed by the plant authorities, the Municipal Corporation, Chandigarh has not released the tipping fees from November 2017 onwards.
Kind of waste	<ul style="list-style-type: none"> ➤ The committee observed that the plant is still receiving comingled waste. This is in contradiction of Solid Waste Management Rules, 2016 as notified on April 8, 2016. ➤ The plant authorities informed that they are receiving large volume of

	<p>horticulture waste mixed with municipal waste. The committee also found horticulture waste mixed with MSW in their premises. The committee also observed that one tractor trolley loaded with horticulture waste was dumped straight on the landfill site at the time of spot inspection.</p>
Methodology for transportation of waste	<ul style="list-style-type: none"> ➤ Municipal Corporation is using dumpers, tractor trolleys for transportation of MSW. Almost all the waste vehicles are covered with tarpaulin/ plastic sheet.
Processing of waste	<ul style="list-style-type: none"> ➤ The data (MSW received and processed per day) provided by the plant authorities is not matching with the field observations. The plant was operational but still more than 8000 MT of mixed waste is lying in their premises within the storage shed and outside it which seems to have doubled after the previous visit of the committee. This is despite the orders of Hon'ble NGT dated 07.11.2017. ➤ Air Pollution Control Device: Air Pollution Control Device (APCD) was not working and the flue gas was being released into the atmosphere without passing through APCD. ➤ Effluent Treatment Plant: The quality of the influent and effluent of the ETP was almost the same as observed by the committee. It seems ETP was not operational at all during recent past. ➤ It was observed by the committee that the workers in the plant were not equipped with Personal Protective Equipment (PPE).
Dumping/Disposal of waste	<ul style="list-style-type: none"> ➤ During the visit, the committee did not observe any dumping of inerts/ rejects on the sanitary landfill site. On enquiring the plant authorities informed that MC is not allowing them to dump the inerts/ rejects on the landfill site. ➤ Leachate collection channels were blocked at the sanitary landfill site. There was no collection/ treatment facility of the leachate as was promised during last visit of the committee. ➤ Gas vents were broken and blocked. ➤ It was also observed that the capacity of sanitary landfill site on which presently waste is being dumped is almost full. ➤ Proper capping and covering is not done at old dumping site. Walls and gates are found to be broken at some places which allow entry of

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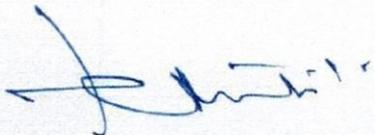
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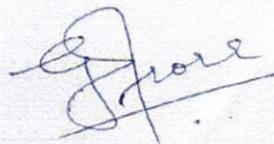
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	unauthorized persons like rag pickers, etc., stray animals and unauthorised vehicles in the area.
Compost Unit	<ul style="list-style-type: none"> ➤ The 'said to be' compost unit has multiple windrows, it was seen that substantial material in the windrows is non- biodegradable and unsuitable for composting. The committee collected samples from the windrows, ready compost and the final rejects which will be further analysed. ➤ There was no provision for covering/ shed in the windrows area of the compost unit.

Recommendations of the Committee:-

- 1) The recommendations given in previous report are reiterated :
 - The Municipal Corporation may be directed to make sincere efforts for the segregation of the waste as required under the Solid Waste Management Rules, 2016.
 - Organic waste from vegetable/ fruit market, bulk generators and other kitchen sources should be directly transported to the compost plant.
 - The Municipal Corporation may be directed to collect horticulture waste separately and process it in the parks and gardens as per the rule 15 (p) of Solid Waste Management Rules, 2016.
 - The choked drains should be cleaned properly and leachate should be collected and get treated before disposal.
 - The Municipal Corporation may be directed to search and prepare new landfill site for future use on urgent basis.
 - The openings of the boundary walls of the dumping ground should be plugged to stop the access of the animals, people and vehicles to the dumping ground. The height of the boundary walls should also be increased to stop such unauthorised entries.
 - The Plant Management may be directed to make sincere efforts to enhance the performance of the plant on the basis of the above observations and recommendations.
- 2) The committee recommends that CPCC may take influent and effluent samples of ETP for analysis.





- 3) Maximum possible penalties maybe imposed on both the parties for non compliance of Hon'ble NGT directions and Solid Waste management Rules, 2016.
- 4) Since the case has been disposed off, the committee recommends that CPCC may share the report with both the parties (MC and JayPee Plant) so that appropriate action may be taken at their end.



Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and
Climate Change,
Regional Office, Chandigarh



Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg., PEC
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T. C. Nautiyal, IFS
Member Secretary,
Chandigarh Pollution
Control Committee

SIXTH MONTHLY REPORT (24.08.2018) OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24.07.2017 IN THE MATTER OF OA No.150/2014 AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, vide its order dated 24.07.2017 constituted a committee which shall conduct complete and comprehensive inspection of the MSW plant and submit report to the Tribunal initially monthly and thereafter once in two months. The committee has earlier met on 28.07.2017, 11.08.2017, 26.09.2017, 26.10.2017, 30.11.2017 & 26.03.2018 and reports have been submitted to Hon'ble NGT.

Hon'ble NGT in the order dated 07.11.2017 has disposed off the application. The parties are at liberty to approach the tribunal, if it becomes necessary, either of them.

In compliance with the orders of the Hon'ble Tribunal, the constituted committee comprising of the following met on 24.08.2018 and carried out the inspection of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. and the Dumping Ground at Dadu Majra, Chandigarh.

- 1) Sh. T.C. Nautiyal, IFS, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC University of Technology
- 4) The representative of CPCB could not attend the meeting.

The observations of the Committee are as under:-

The situation since last visit of the committee has not improved. In fact, many aspects of solid waste management have become worse. The entire plant premises is filled up (more than 10,000 MT of waste) as it has been operating at well below optimal levels in spite of the directions of Hon'ble NGT.

Quantum of waste	<ul style="list-style-type: none"> ➤ As informed by the Municipal Corporation, Chandigarh, in the month of August, 2018, an average of 493 MT/day waste was collected by Municipal Corporation, Chandigarh and plant accepted only 102 MT/day and rest of the waste i.e. 391 MT/day was dumped into the sanitary landfill. ➤ Out of 102 MT/day waste which was processed by plant, 36 MT/day was sent to the sanitary landfill site as inerts/ rejects. ➤ As informed by the Municipal Corporation, Chandigarh representatives, the tipping fees of Rs. 2.27 Crores has been released and release of remaining amount is in process.
Kind of waste	<ul style="list-style-type: none"> ➤ The committee observed that the Municipal Corporation, Chandigarh is still sending commingled waste, in contradiction of Solid Waste Management Rules, 2016 as notified on April

	<p>8, 2016 and the orders of the Hon'ble NGT.</p> <ul style="list-style-type: none"> ➤ It was informed by the plant authorities that they are receiving dead animals, horticulture waste and construction and demolition waste too.
Methodology for transportation of waste	<ul style="list-style-type: none"> ➤ Municipal Corporation is using dumpers, tractor trolleys for transportation of MSW. Almost all the waste carrying vehicles are covered with tarpaulin/ plastic sheet.
Processing of waste	<ul style="list-style-type: none"> ➤ As per the August 2018 figures, it has been found that the plant is unable to run on its full capacity i.e. 500 MT/ day. ➤ Air Pollution Control Device (APCD) was not working properly and some amount of flue gases were going into the atmosphere without treatment. ➤ Effluent Treatment Plant (ETP): The drains which are meant to carry the waste water/leachate were badly choked because of which waste water/leachate was not reaching the ETP at all.
Dumping/Disposal of waste	<ul style="list-style-type: none"> ➤ For August 1-23, 2018, 86.6% of waste (including the inerts/ rejects from the plant) has landed up in the landfill. ➤ As reported earlier too, leachate collection channels were blocked at the sanitary landfill site. There was no collection/ treatment facility of the leachate. ➤ Despite earlier reports, gas vents were still broken & blocked and the walls and gates have not been repaired. ➤ It was also observed that the capacity of sanitary landfill site on which presently waste is being dumped is almost full. ➤ Proper capping and covering is not done at old dumping site. ➤ The Municipal Corporation, Chandigarh informed that they are in the process of clearing of legacy waste.
Compost Unit	<ul style="list-style-type: none"> ➤ The 'said to be' compost unit has multiple windrows and in the absence of appropriate segregation, substantial material in the windrows is non- biodegradable and unsuitable for composting. ➤ There was no provision for covering/shed in the windrows area of the compost unit. Huge quantity of leachate was found accumulated in the windrows area.

Recommendations of the Committee:-

- 1) The directions of the Hon'ble NGT dated 07.11.2017 are not being complied with both the parties as Municipal Corporation, Chandigarh has failed to provide segregated waste to the plant and the plant has failed to run on its optimum capacity and also failed to clear the waste already accumulated in the plant premises as now more than 10,000 MT of unprocessed waste is lying in the plant premises.

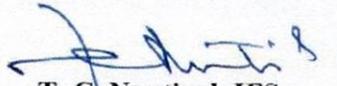
- Hon'ble NGT may pass appropriate orders as situation is worsening and height of waste being dumped at the landfill site is increasing rapidly (as per August figures, around 86 % of waste has landed up in the landfill) and Municipal Corporation, Chandigarh has not yet identified new landfill site.



Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and
Climate Change,
Regional Office, Chandigarh



Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg.,
PEC



T. C. Nautiyal, IFS
Member Secretary,
Chandigarh Pollution
Control Committee

SEVENTH MONTHLY REPORT (14.12.2018) OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24.07.2017 IN THE MATTER OF OA No.150/2014 AJAY SIPAHIYA & ORS. VS. UNION OF INDIA & ORS.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, vide its order dated 24.07.2017 constituted a committee which shall conduct complete and comprehensive inspection of the MSW plant and submit report to the Tribunal initially monthly and thereafter once in two months. The committee has earlier met on 28.07.2017, 11.08.2017, 26.09.2017, 26.10.2017, 30.11.2017, 26.03.2018 & 24.08.2018 and reports have been submitted to Hon'ble NGT.

Hon'ble NGT in the order dated 07.11.2017 has disposed off the application. The parties are at liberty to approach the tribunal, if it becomes necessary, either of them.

In compliance with the orders of the Hon'ble Tribunal, the constituted committee comprising of the following met on 14.12.2018 and carried out the inspection of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. and the Dumping Ground at Dadu Majra, Chandigarh.

- 1) Sh. T.C. Nautiyal, IFS, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. Vimal Kumar Hatwal, Joint Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Dr. Geeta Arora, Associate Professor, Deptt. Of Civil Engg PEC, Chandigarh
- 4) The representative of CPCB could not attend the meeting

The observations of the Committee are as under:-

The situation since last visit of the committee has not improved.

Quantum of waste	<ul style="list-style-type: none"> ➤ As informed by the Municipal Corporation, Chandigarh, in the month of November 2018, an average of 465 MT/day waste was collected by Municipal Corporation, Chandigarh and plant accepted only 105 MT/day. ➤ Out of the total raw solid waste generated in the month of November, 77.4 % was dumped onto the landfill site. Moreover 1758 MT was sent by the plant as inerts/ rejects. In all total quantity sent to the landfill site was 12198 MT which equates 90% of the waste generated in the month of November. ➤ It has been found by the committee that around 10000 MT of unprocessed waste is still lying in the plant premises.
Kind of waste	<ul style="list-style-type: none"> ➤ The committee observed that the Municipal Corporation, Chandigarh is still sending commingled waste, in contradiction of Solid Waste Management Rules, 2016 and the orders of the Hon'ble NGT.

Methodology for transportation of waste	<ul style="list-style-type: none"> ➤ Municipal Corporation is using dumpers, tractor trolleys for transportation of MSW. Almost all the waste carrying vehicles are covered with tarpaulin/ plastic sheet.
Processing of waste	<ul style="list-style-type: none"> ➤ As per the November 2018 figures, it has been found that the plant is able to process only 191 MT/day on an average which is 38% of its capacity i.e., 500 MT/ day. ➤ It was observed by the committee that the plant has serious technical and operational deficiencies. The furnace (Thermax) was not working during the visit. In its place, their old furnace was in operation which cannot produce desired levels of temperature for the process. ➤ Air Pollution Control Device (APCD) was not working properly and noticeable amount of flue gases were going into the atmosphere without treatment. ➤ Effluent Treatment Plant (ETP): The drains which are meant to carry the waste water/leachate were badly choked because of which waste water/leachate was not reaching the ETP at all.
Dumping/Disposal of waste	<ul style="list-style-type: none"> ➤ For November, 2018, 90% of waste (including the inerts/ rejects from the plant) has landed up in the landfill. ➤ As reported earlier too, leachate collection channels were blocked at the sanitary landfill site. There was no collection/ treatment facility of the leachate and huge amount of leachate was accumulated within the premises of landfill site. ➤ Despite earlier reports, there has been no change in the landfill site. Gas vents were still broken & blocked and the walls and gates have not been repaired. Some ragpickers and animals (pigs and cattle) were also seen. ➤ It was also observed that the capacity of sanitary landfill site on which presently waste is being dumped is almost full. ➤ Proper capping and covering is not done at old dumping site. ➤ The Municipal Corporation, Chandigarh informed that they are in the process of clearing of legacy waste.
Compost Unit	<ul style="list-style-type: none"> ➤ The compost unit has multiple windrows and in the absence of appropriate segregation, substantial material in the windrows is non- biodegradable and unsuitable for composting. ➤ There was no provision for covering/shed in the windrows area of the compost unit. Huge quantity of leachate was found accumulated in the windrows area.

Recommendations of the Committee:-

- 1) The directions of the Hon'ble NGT dated 07.11.2017 are not being complied by both the parties as Municipal Corporation, Chandigarh has failed to provide

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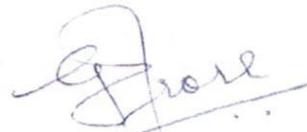
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segregated waste to the plant and the plant has failed to run on its optimum capacity. From the data provided by Municipal Corporation, Chandigarh it has been seen that from January to November 2018, 33.78% of waste has been accepted by the plant for processing. In fact the output of the plant in form of RDF and compost is about 10%.

- 2) Hon'ble NGT may pass appropriate orders as situation is worsening and height of waste being dumped at the landfill site is increasing and Municipal Corporation, Chandigarh has not yet identified new landfill site.



Dr. Vimal Kumar Hatwal,
Joint Director (S), Ministry of
Environment, Forest and
Climate Change,
Regional Office, Chandigarh



Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg.,
PEC



T. C. Nautiyal, IFS
Member Secretary,
Chandigarh Pollution
Control Committee

REPORT OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI VIDE ITS ORDER DATED 24.07.2017 IN THE MATTER OF O.A. No. 150/2014 AJAY SIPAHIYA & ORS. Vs. UNION OF INDIA & ORS HELD ON 29 APRIL 2019.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Ajay Sipahiya & Ors. Vs. Union of India & Ors, vide its order dated 24.07.2017 constituted a Committee which shall conduct complete and comprehensive inspection of the MSW plant and submit report to the Tribunal initially monthly and thereafter once in two months. The committee has earlier met on 28.07.2017, 11.08.2017, 26.09.2017, 26.10.2017, 30.11.2017, 26.03.2018 & 24.08.2018 and 14.12.2018 and reports have been submitted to Hon'ble NGT.

Hon'ble NGT in the order dated 07.11.2017 has disposed off the application. The parties are at liberty to approach the tribunal, if it becomes necessary, either of them.

In compliance with the orders of the Hon'ble Tribunal, the constituted Committee comprising of the following members met on 29.04.2019 and carried out the joint inspection of the Municipal Solid Waste (MSW) Processing Plant operated by M/s Jaiprakash Associates Ltd. and the Dumping Ground at Dadu Majra, Chandigarh.

- 1) Sh. T.C. Nautiyal, IFS, Member Secretary, Chandigarh Pollution Control Committee
- 2) Dr. K.K. Garg, Deputy Director (S), Ministry of Environment, Forest and Climate Change, Regional Office, Chandigarh
- 3) Dr. Geeta Arora, Associate Professor, Deptt. of Civil Engg, PEC, Chandigarh
- 4) The representative of CPCB could not attend the meeting

The observations of the Committee are as under:-

During the visit to the Municipal Waste Processing plant it has been found that the plant was not in operation as there was a fire in the plant near RDF Storage area (RDF Yard) on 28.04.2019 at around 4.15 PM.



Part of the cable tray and conveyer belt has been damaged as per the information given by plant authorities. The plant authorities informed that it may take around one week to make the plant operational and till then no waste is being accepted. All the generated municipal waste is being directly sent to land fill site.

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After going through the records maintained by MCC and also counter signed by Plant representatives, the status of solid waste being generated and processed by the plant is as follows:-

Month	Average MSW Collected by MCC (MT/day)	Average MSW accepted by the plant (MT/day)	Average Inerts/rejects generated by the plant (MT/day)	Average MSW+ Inerts/rejects dumped in the landfill (MT/day)
January 2019	433	86	55	402
February 2019	453	101	42	394
March 2019	423	105	46	364
April 2019	476	109	38	405

Dr. Amrit, MOH, MCC was also called to attend the deliberations of the Committee and he informed that the MCC has issued a Show Cause Notice dated 26.04.2019 to JayPee Associates Limited regarding non acceptance/processing of MSW at optimum capacity as directed by Hon'ble NGT vide O.A. No. 150 of 2014 dated 24.07.2017. He also informed that MCC has also notified the JayPee Associates Limited for imposition of Rs. 50,000/- as environment compensation as per the said order of Hon'ble NGT. The fire accident took place two days after the Show Cause Notice issued by Municipal Corporation Chandigarh.

Quantum of waste	<ul style="list-style-type: none"> ➤ As informed by the Municipal Corporation, Chandigarh, in the month of April 2019, an average of 476 MT/day waste was collected by Municipal Corporation, Chandigarh and was sent to MSW Processing Plant but plant accepted only 109 MT/day and refused to accept rest of the waste. ➤ Out of the total raw solid waste generated in the month of April, 78% was dumped onto the landfill site. On an average 38 MT/day of waste was sent by the MSW Processing Plant as inerts/ rejects to the dumping site. In totality an average of 405 MT/day of municipal solid waste was sent to dumping ground in the month of April 2019. ➤ It has been found by the committee that around 8000 MT of unprocessed waste is still lying in the plant premises.
Kind of waste	<ul style="list-style-type: none"> ➤ The Committee observed that the Municipal Corporation, Chandigarh is still sending commingled waste, in contravention of Solid Waste Management Rules, 2016 and the orders of the Hon'ble NGT. It was however submitted by MOH that segregation of MSW will start from June 01, 2019.

Methodology for transportation of waste	<ul style="list-style-type: none"> ➤ Municipal Corporation is using dumpers, tractor trolleys for transportation of MSW. Some waste carrying vehicles were found not covered with tarpaulin/ plastic sheet.
Processing of waste	<ul style="list-style-type: none"> ➤ The plant was not in operation due to fire at the time of inspection. ➤ The directions of the Hon'ble NGT dated 07.11.2017 are not being complied by both the parties as Municipal Corporation, Chandigarh has failed to provide segregated waste to the plant and the plant has failed to run on its optimum capacity. In view of the fire accident the efficiency of the plant may further get reduced.
Compost Unit	<ul style="list-style-type: none"> ➤ It was observed by the committee that the compost unit has serious technical and operational deficiencies. ➤ It was found that instead of daily input to windrows the material is brought here with a gap of many weeks. From their records it was found that input to windrows was on 16.03.2019 and then on 03.04.2019. the windrows created on both these dates were turned on 19.04.2019 whereas ideally the turning should have been after a gap of 5-7 days time. ➤ In the absence of appropriate segregation the compost unit has substantial non- biodegradable material which is unsuitable for composting. ➤ There was no provision for covering/shed in the windrows area of the compost unit. ➤ Leachate was found accumulated in the windrows area.
Dumping/Disposal of waste	<ul style="list-style-type: none"> ➤ As reported earlier too, leachate collection channels were blocked at the sanitary landfill site. Collection/ treatment facility of the leachate has still not been added. ➤ Despite earlier reports, there has been no change in the landfill site. Gas vents were still broken & blocked and the walls and gates have not been repaired. ➤ It was also observed that the capacity of sanitary landfill site on which presently waste is being dumped is almost full. After the fire accident the situation will further get deteriorated as the entire waste will land up at landfill site. ➤ Proper capping and covering is still not done at old dumping site.

Recommendations of the Committee:-

- 1) As the waste processing plant is functioning far below the optimum level and has not improved despite several notices and opportunities given to it by various

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authorities, the Municipal Corporation Chandigarh should explore other options through which the Solid Waste Management Rules, 2016 can be fully complied with.

- 2) The Municipal Corporation Chandigarh should adhere to the deadlines given for compliance of segregation of waste, bioremediation of legacy waste, disposal of C & D waste and handling of plastic waste in their submission placed before Hon'ble NGT in the O.A. No. 606 of 2018. In no case the deadline should further be extended.

K. K. Garg
29.04.2019

Dr. K. K. Garg,
Deputy Director (S), MoEF&CC,
Regional Office, Chandigarh

Geeta Arora

Dr. Geeta Arora,
Associate Professor,
Deptt. Of Civil Engg.,
PEC

T. C. Nautiyal
29.4.19

T. C. Nautiyal, IFS
Member Secretary,
Chandigarh Pollution
Control Committee

Item No. 08

Court No. 1

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

Execution Application No. 35/2019
IN
O. A. No. 150/2014

Ajay Sipahiya & Ors.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 18.09.2019

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. R.S Suri, Sr. Advocate, Mr. Rohit K. Aggarwal, Advocate

For Respondent(s): Mr. Shubham Bhalla, Advocate for M.C Chandigarh

ORDER

1. This Execution Application relates to compliance of direction of this Tribunal requiring the Municipal Corporation, Chandigarh to deploy machines and manpower for segregation of waste at source and at the site of the project proponent.
2. The order was passed in proceedings for compliance of Municipal Solid Waste Management Rules, 2016. The Tribunal had also constituted an oversight Committee for the purpose of compliance of directions of this Tribunal. Even though the mandate of the Committee may have come to an end, to put at rest the controversy now raised, we consider it appropriate to require the Committee to furnish a factual report in the matter. The composition of the Committee is as follows:

1. Member Secretary, Chandigarh Pollution Control Committee.

2. Representative of the Ministry of Environment, Forest and Climate Change from its Regional Office at Chandigarh.
 3. A Professor from Punjab Engineering College from the Environment field, nominated by the Director of that institute.
 4. Representative of Central Pollution Control Board from its Regional Office, Chandigarh.
3. The nodal agency for compliance and controversy will be the representative of the CPCB. The report may be furnished within one month by email at judicial-ngt@gov.in.
4. A copy of the order be sent to the Member Secretary, Chandigarh Pollution Control Committee, Ministry of Environment, Forest and Climate Change, Regional Office at Chandigarh, Punjab Engineering College and the Central Pollution Control Board by email.
5. The applicant may furnish a separate set of papers each to the Member Secretary, Chandigarh Pollution Control Committee, Ministry of Environment, Forest and Climate Change, Regional Office at Chandigarh, Punjab Engineering College and the Central Pollution Control Board and file an affidavit of service within one week.
- List for further consideration on 28.11.2019.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

September 18, 2019
Execution Application No. 35/2019
IN O. A. No. 150/2014
AK