

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL JURISDICTION
O.A. NO. 217 OF 2024**

IN THE MATTER OF:

News Item titled "CAG faults city's waste processing"
appearing in the Shillong Times dated 16.09.2024

...Applicant

Versus

Meghalaya State Pollution Control Board & Ors.

...Respondent

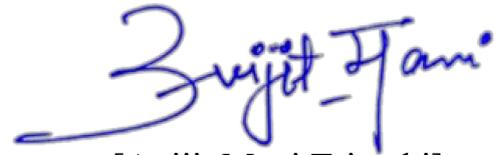
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Filed By:

Dated: 21.03.2025



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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL JURISDICTION**

O.A. NO. 217 OF 2024

IN THE MATTER OF:

News Item titled "CAG faults city's waste processing"
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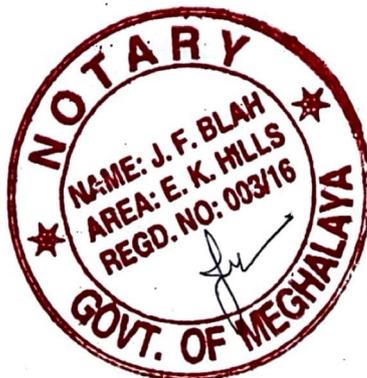
Versus

Meghalaya State Pollution Control Board & Ors. ...Respondents

**REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO.4
DEPUTY COMMISSIONER, EAST KHASI HILLS DISTRICT,
SHILLONG**

I, Smti. Rosetta Mary Kurbah, IAS, the Deputy Commissioner of East Khasi Hills District, Shillong, having office at the Deputy Commissioner Office, Secretariat Hills, Shillong, Meghalaya – 793 001, do hereby solemnly affirm and state as under:

1. That I am presently posted as the Deputy Commissioner of East Khasi Hills District, Shillong, and I have been impleaded as Respondent No.4 in the captioned case. Being conversant with the facts and records of the present case in my official capacity, I am competent and authorized to swear this affidavit.



Deputy Commissioner,
East Khasi Hills District,
Shillong

SIJ Instrument No. 32
Date: 21/3/25



2. That I have gone through the record of the *suo-moto* case registered by the Ld. Principal Bench of this Hon'ble Tribunal and transferred to this Hon'ble Bench and the present reply affidavit is being filed in my capacity as the Deputy Commissioner, East Khasi Hills District, Shillong.
3. That it is most respectfully submitted at the outset that the Solid Waste Management of Shillong City, including the management of the Sanitary Landfill at Marten is being managed by the Shillong Municipal Board and the site has been provided by the Urban Affairs Department, Government of Meghalaya which is the nodal Department for urban planning.
4. That it is most respectfully submitted that the Shillong Municipal Board and the Urban Affairs Department of the Government of Meghalaya is not within administrative control of the answering Respondent and it is most humbly submitted that the Shillong Municipal Board and the Urban Affairs Department may kindly be impleaded as party Respondents for alleviating the concerns raised in the CAG Report about the shortcomings in Municipal Solid Waste disposal in Shillong city.
5. That it is most respectfully submitted that the Ld. Principal Bench of this Hon'ble Tribunal is seized with the identical issue for whole of

Deputy Commissioner,
East Khasi Hills District,
Shillong



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the State in O.A. No.606 of 2018 titled as *Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues*, whereby the Shillong Municipal Board, Urban Affairs Department and Forest and Environment Department are filing the six-monthly progress and status reports in compliance with directions issued from time to time by the Ld. Principal Bench, including that of management of the Landfill site at Marten.

6. That on previous date of hearing, i.e. 05.09.2024, the Ld. Principal Bench has been pleased to constitute a Committee for independent assessment of compliance of Solid Municipal Waste Management Rules, 2016 in the State and the matter is next listed for consideration of report of the Committee and hearing before Ld. Principal Bench on 27.03.2025. The relevant portion of the previous orders dated 05.09.2024 passed by the Ld. Principal Bench is as under:

Deputy Commissioner,
East Khasi Hills District,
Shillong

“5. We have examined the report. From this report, following position in respect of solid and liquid waste management in the State of Meghalaya is reflected:-

We find that no progress has been made after the last order dated 22.12.2022 and deficiencies and the gaps in management of solid waste and sewage are as under:

[A] Solid Waste Management

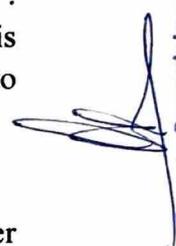
- (i) There exists a gap in the processing of solid waste to the extent of 114 TPD which is adding to legacy waste every day.
- (ii) There is no disclosure on the utilisation of 94 TPD compost and its quality. Further, there is no disclosure on





the rejects coming out of the process of composting and its disposal.

- (iii) There is almost no waste processing in other local bodies like; Shillong Cantonment Board, Tura, Jowai, Williamnagar, Resubelpara, baghmara and other three Town Committees and unprocessed waste must be piling up and when dumped down the hills and it may be entering in streams.
- (iv) We find that no characterisation has been disclosed about inerts being landfilled to ascertain that no other waste is comingled.
- (v) It needs to be ascertained in what manner recycling (scrap -58 TPD) is being carried out by the Recyclers registered with ULBs.
- (vi) We find that 5.16,951 lakh MT(Total legacy waste : 5.39,174 minus remediated waste : 22,223) of waste is yet to be remediated. Further, timelines stretching up to December 2026 violate MSW Rules, 2016.


 Deputy Commissioner,
 East Khasi Hills District,
 Shillong

[B] Sewage Management

- (i) 18.63 MLD black water through septic tanks is either seeping or getting mixed with grey water and being discharged into rivers/streams and drains.
- (ii) Performance of existing SBR/ MBBR treating 0.435 MLD has not been disclosed and details of types of de-centralised plants to be set up are not provided.

[C] Ring fence Account

- (i) An amount of Rs 48.53 crores has been ring-fenced and expenditure incurred on ongoing projects.

6. In view of finding of gaps and deficiencies, we form a committee of representative of member secretary CPCB and IRO of MoEF&CC to file an independent assessment report on sewage and solid waste management in light of observations made. The Committee may undertake field assessment covering Shillong and other local bodies and also



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suggest viable options to expedite the remediation of legacy waste and setting up of DSTPs. The report be filed by the committee through CPCB at least one week before the next date of hearing by way of affidavit through e-filing.

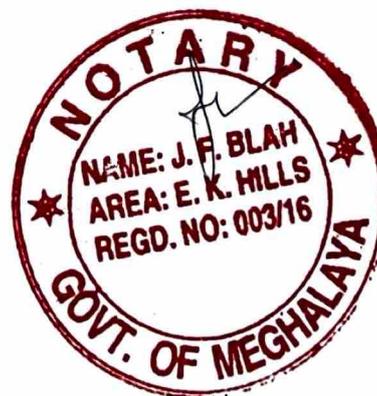
7. Let a fresh action taken report be filed by the State of Meghalaya covering the aspects noted above at least one week before the next date of hearing by way of affidavit through e-filing.

8. List the matter on 27.03.2025 for consideration of report in respect of State of Meghalaya.”

Copies of orders passed by the Ld. Principal Bench of this Hon'ble Tribunal in O.A. No.606 of 2018 dated 29.02.2024 and 05.09.2024 are annexed herewith and marked as ANNEXURE R-4/1 and ANNEXURE R-4/2 respectively.

Deputy Commissioner,
East Khasi Hills District,
Shillong

7. That as such it is most respectfully submitted that the six-monthly progress reports and other material being filed before the Hon'ble Principal Bench in O.A. No.606 of 2018 are available with the Urban Affairs Department of the Government of Meghalaya which are being directly filed through email by the Department before the Hon'ble Principal Bench and as such necessary records to file a comprehensive reply to the issues raised in the CAG Report in the present case is available with the Shillong Municipal Board and

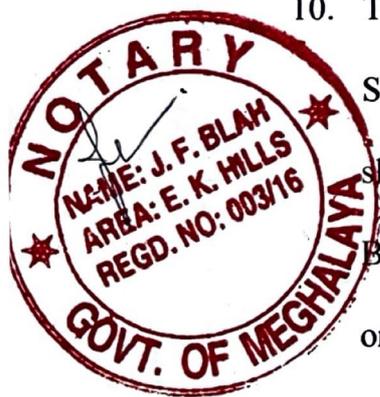


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Urban Affairs Department, Government of Meghalaya who are better placed to respond to the concerns raised by the CAG Report.

8. That it is most respectfully submitted that however the answering Respondent has conducted two review meetings at District Level for reviewing the progress of Solid Waste Management in Shillong City on 06.11.2024 and 18.03.2025.
9. That the answering Respondent has categorically requested in meeting dated 06.11.2024 to the Urban Affairs Department, Government of Meghalaya to expeditiously identify and operationalize new land fill site as the site at marten is nearing its capacity, Request has also been made to the Shillong Municipal Board to ensure more efficient waste segregation at source level itself. A copy of minutes of meeting dated 06.11.2024 is annexed herewith and marked as ANNEXURE R-4/3.
10. That in meeting dated 18.03.2025, it has been informed by the Shillong Municipal Board that time-line for rectification of all the shortcomings pointed out by the Meghalaya State Pollution Control Board has been fixed as December 2025 and has submitted its note on present status. The Meghalaya State Pollution Control Board that a new landfill site has been identified and public hearing for grant of environmental clearance is scheduled on 02.04.2025 by the Board.

Deputy Commissioner,
East Khasi Hills District,
Shillong





A copy of minutes of meeting dated 18.03.2025 along with note of Shillong Municipal Board is annexed herewith and marked as **ANNEXURE R-4/4**.

11. That it is most respectfully submitted that for the environmental violations committed, the Meghalaya State Pollution Control Board has already imposed environmental compensation amounting to Rs.26,25,000/- (Rs. Twenty-Six Lakhs and Twenty-Five thousand only) which may also be utilized by the MSPCB for improving the condition and compliance of environmental norms at the Solid Waste Landfill site at Marten. A copy of order passed by the Meghalaya State Pollution Control Board dated 07.01.2025 is annexed herewith and marked as **ANNEXURE R-4/5**.

Deputy Commissioner,
East Khasi Hills District,
Shillong.

12. That the aforesaid information may kindly be taken on record and it is lastly submitted that the answering Respondent is presently not keeping well health-wise and has taken medical leave from 24.03.2025 till 28.03.2025 for comprehensive check-up and treatment. Hence, it is most humbly prayed that the answering Respondent may kindly be exempted from personal appearance on 24.03.2025 for which a formal application is being moved simultaneously. The answering Respondent tenders unconditional apology for not being able to be present on 24.03.2025 due to health





reasons and shall abide by any further directions that this Hon'ble Tribunal may deem fit proper to pass in the interest of justice.

It is prayed accordingly.

[Signature]
DEPONENT
Deputy Commissioner,
East Khasi Hills District,
Shillong

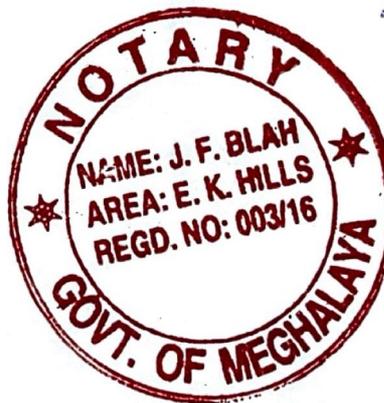
VERIFICATION:

Verified at Shillong on this 21st day of March 2025 that the content of the above affidavit is true and correct to the best of my knowledge and belief based on official records and that nothing is false and nothing material is concealed therefrom.

[Signature]
Deputy Commissioner,
East Khasi Hills District,
Shillong
DEPONENT

Identified by:

[Signature]
Advocate, Shillong



SOLENNLY AFFIRMED BEFORE ME THIS DAY ON 21/3/25 THE DEPONENT IS IDENTIFIED BY R. Colney. I CERTIFY THAT THE CONTENTS OF THE AFFIDAVIT ARE READ ORDER AND EXPLAINED TO THE DEPONENT WHO VERIFIED THE SAME BEFORE ME

[Signature]
J. F. BLAH
NOTARY
East Khasi Hills District
Government of Meghalaya



ANNEXURE R-4/1

Item No. 07

Court No. 1

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

Original Application No. 606/2018
(I.A. No. 163/2021)
(In Respect of State of Meghalaya)

Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues.

Date of hearing: 29.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent: Mr. R. Nainamalai, Secretary, Forest & Environment Department,
Ms. R.C. Sohkhlet, Secretary, Urban Affairs Department,
Mr. E. Kharmalki, Director, Urban Affairs Department,
Mr. M.B.K. Reddy, Addl. PCCF,
Mr. S.S. Symlich, MCS, Jt. Secy. Forest & Environment Department,
Mr. John P. Lakiang, Mission Director, Swachh Bharat Mission
with Mr. Avijit Mani Tripathi, Adv. for the State of Meghalaya
Ms. K. Enatoli Sema, Adv. for Meghalaya SPCB

ORDER

1. In this original application, Tribunal is monitoring the issue of solid as well as liquid waste management as per orders of the Hon'ble Supreme Court dated 02.09.2014 in *Writ Petition No. 888/1996, Almitra H. Patel vs. Union of India & Ors.*, with regard to solid waste management and order dated 22.02.2017 in *W.P. No. 375/2012, reported in (2017) 5 SCC 326, Paryavaran Suraksha vs. Union of India*, with regard to liquid waste management (sewage).

2. Today, matter has been taken up in respect of compliance by **State of Meghalaya.**

3. We have heard Mr. R. Nainamalai, Secretary, Forest & Environment Department, Ms. R.C. Sohkhlet, Secretary, Urban Affairs Department, Mr. E. Kharmalki, Director, Urban Affairs Department, Mr. M.B.K. Reddy,

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Addl. PCCF, Mr. S.S. Symlieh, MCS, Jt. Secy. Forest & Environment Department, Mr. John P. Lakiang, Mission Director, Swachh Bharat Mission and Counsel for State of Meghalaya.

4. After the previous order dated 18.05.2023, State of Meghalaya has filed six monthly reports dated 22.12.2023, 27.02.2024 and supplementary report dated 28.02.2024.

5. We have examined the reports. From these reports following position in respect of solid and liquid waste management in the State of Meghalaya is reflected:-

A. Solid Waste Management

- i. Current level of total solid waste generation is reported as 182.50 TPD and there is no change in this figure as compared to earlier report.
- ii. There is a gap of 103.9 TPD in waste processing as 78.6 TPD is reported to be processed by various methods like composting, Refused Derived Fuel and waste-to-energy. However, quantities processed by each plant has not been disclosed including the utilization of products and rejects. Further, 30.1 TPD of waste is transported to landfill which is not considered as an acceptable waste processing method as per MSW Rules, 2016.
- iii. Practically, no legacy waste has been remediated and in 2.88 lakh MT of legacy waste, there is an addition of 103.9 TPD of unprocessed waste as legacy waste. It has been noted that 1.43 Lakhs MT is to be remediated for six urban towns, which means, significant amount of legacy waste to the extent of 1.45 Lakh MT will be remaining in other towns and this may be causing damages to the environment and

public health. It is necessary that proper assessment of waste generation and waste processed and that of legacy waste, is done.

B. Sewage Management

- i. We find that there is no change in quantity of sewage generation reported in the year 2022 and now which is 51.0 MLD.
- ii. There is marginal increase in sewage treatment through FSTPS and there is still a gap of 51.0 MLD as was reported in the year 2022. We also find that no urgency is felt to shorten the timeline to set up and operate STP of 13.915 MLD and the FSTPS. Meaning thereby, untreated sewage is contaminating natural streams and rivers.
- iii. During interaction, no clear disclosure is made in respect of in-situ remediation and results achieved. Hence, expenditure in this direction without yielding results could be futile.
- iv. We also find that the reports do not disclose status of action taken as directed in para 35 of the order dated 22.12.2022 to the effect that there should not be disposal of fecal matter in rivers/streams through pit latrine and special drives should be launched to stop such practice in next four months.

6. Therefore, now, State of Meghalaya is directed to file next half yearly report keeping in view the above observations atleast one week before the next date of hearing by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

7. List the matter on 05.09.2024 for consideration of report in respect of State of Meghalaya.

8. For State of Tamil Nadu, the matter be listed on 01.03.2024 as per earlier direction.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

February 29, 2024
Original Application No. 606/2018
(I.A. No. 163/2021)
JG.

ANNEXURE R-4/2

Item No. 19

Court No. 1

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

Original Application No. 606/2018
(IA No. 163/2021 & IA No. 299/2024)
(In respect of State of Meghalaya)

Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues.

Date of hearing: 05.09.2024

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

Respondent: Mr. Amit Kumar, Advocate General & Mr. Avijit Mani Tripathi, Adv. with Dr. D. Vijay Kumar, Commissioner & Secretary, Urban Affairs Dept. (Through VC)
Ms. Isawanda Laloo, Director, Urban Affairs (Through VC)
Mr. R. Nainamalai, Secretary, Forest & Environment Deptt. (Through VC)
Mr. K.R. Nongrum, Jt. Secretary, Finance Deptt. (Through VC)
Mr. M.B.K. Reddy, Addl. PCCF (Through VC)
Mr. J.P. Lakiang, MCS, Mission Director, Swach Bharat (Through VC)
Mr. G. Chyrmang, MFS, Member Secretary, MSPCB (Through VC)
Ms. K. Enatoli Sema, Adv. for Meghalaya SPCB

ORDER

1. In this original application, Tribunal is monitoring the issue of solid as well as liquid waste management as per orders of the Hon'ble Supreme Court dated 02.09.2014 in *Writ Petition No. 888/1996, Almitra H. Patel vs. Union of India & Ors.*, with regard to solid waste management and order dated 22.02.2017 in *W.P. No. 375/2012, reported in (2017) 5 SCC 326, Paryavaran Suraksha vs. Union of India*, with regard to liquid waste management (sewage).

2. Today, matter has been taken up in respect of compliance by **State of Meghalaya**.

3. We have heard Mr. Amit Kumar, Advocate General and Mr. Avijit Mani Tripathi, Advocate for State of Meghalaya with Dr. D. Vijay Kumar, Commissioner & Secretary, Urban Affairs Dept., Ms. Isawanda Laloo,

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Director, Urban Affairs, Mr. R. Nainamalai, Secretary, Forest & Environment Deptt., Mr. K.R. Nongrum, Jt. Secretary, Finance Deptt., Mr. M.B.K. Reddy, Addl. PCCF, Mr. J.P. Lakiang, MCS, Mission Director, Swachh Bharat, Mr. G. Chyrmang, MFS, Member Secretary, MSPCB virtually and Ms. K. Enatoli Sema, Adv. for Meghalaya SPCB.

4. After the previous order, the six monthly progress report dated 30.08.2024 has been filed by the State of Meghalaya.

5. We have examined the report. From this report, following position in respect of solid and liquid waste management in the State of Meghalaya is reflected:-

We find that no progress has been made after the last order dated 22.12.2022 and deficiencies and the gaps in management of solid waste and sewage are as under:

[A] Solid Waste Management

- (i) There exists a gap in the processing of solid waste to the extent of 114 TPD which is adding to legacy waste every day.
- (ii) There is no disclosure on the utilisation of 94 TPD compost and its quality. Further, there is no disclosure on the rejects coming out of the process of composting and its disposal.
- (iii) There is almost no waste processing in other local bodies like; Shillong Cantonment Board, Tura, Jowai, Williamnagar, Resubelpara, baghmara and other three Town Committees and unprocessed waste must be piling up and when dumped down the hills and it may be entering in streams.
- (iv) We find that no characterisation has been disclosed about inerts being landfilled to ascertain that no other waste is co-mingled.
- (v) It needs to be ascertained in what manner recycling (scrap - 58 TPD) is being carried out by the Recyclers registered with ULBs.
- (vi) We find that 5.16,951 lakh MT(Total legacy waste : 5.39,174 minus remediated waste : 22,223) of waste is yet to be

remediated. Further, timelines stretching up to December 2026 violate MSW Rules, 2016.

[B] Sewage Management

- (i) 18.63 MLD black water through septic tanks is either seeping or getting mixed with grey water and being discharged into rivers/streams and drains.
- (ii) Performance of existing SBR/ MBBR treating 0.435 MLD has not been disclosed and details of types of de-centralised plants to be set up are not provided.

[C] Ring fence Account

- (i) An amount of Rs 48.53 crores has been ring-fenced and expenditure incurred on ongoing projects.

6. In view of finding of gaps and deficiencies, we form a committee of representative of member secretary CPCB and IRO of MoEF&CC to file an independent assessment report on sewage and solid waste management in light of observations made. The Committee may undertake field assessment covering Shillong and other local bodies and also suggest viable options to expedite the remediation of legacy waste and setting up of DSTPs. The report be filed by the committee through CPCB at least one week before the next date of hearing by way of affidavit through e-filing.

7. Let a fresh action taken report be filed by the State of Meghalaya covering the aspects noted above at least one week before the next date of hearing by way of affidavit through e-filing.

8. List the matter on 27.03.2025 for consideration of report in respect of State of Meghalaya.

9. For State of Tamil Nadu, matter be listed on 12.09.2024 as per earlier direction.

Prakash Shrivastava, CP

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Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

September 05, 2024
Original Application No. 606/2018
(IA No. 163/2021 & IA No. 299/2024)
dv..



ANNEXURE R-4/3

**District Level Review Meeting of Solid Wastes Management convened on the 6th Nov 2024
in the Office Chamber of the Chairperson, Smti. R.M. Kurbah, IAS, District Magistrate,
East Khasi Hills District, Shillong**

A District Level Review Meeting was held relating to the Solid Waste Management of the District under the chairmanship of the District Magistrate, Smti. R.M. Kurbah who welcomed all the members present.

The following points were reviewed and discussed:

1. The representative from CEO, Shillong Municipal Board, Shri. F.B. Chyne, E.E. Shillong Municipal Board, Shillong briefed the members relating to the status of the sanitary landfill at Marten, he informed that the Sanitary Landfill (SLF) at Marten spans an area of 15000 square meters and was designed with a total capacity of 1, 34, 129 tonnes, intended to last for 15 years. Further the construction of the SLF at Marten was divided into two phases
 - a. Phase 1: Covering approximately 6500 square meters, it has a capacity to hold up to 53000 tonnes of waste. It was officially handed over to the SMB on 4th Oct 2017
 - b. Phase 2: Covering around 8500 square meters, it was designed to accommodate 81, 129 tonnes of waste. It was officially handed to the SMB on 30th April 2021.
2. The SMB operates a compost plant with a capacity of 170 tons per day (TPD) which was commissioned in March 2022. Further the SMB has undertaken several initiatives to improve waste processing efficiency and extend the lifespan of the Marten Landfill by reducing the amount of waste sent there. In 2022 the plant began with an average processing rate of only about 10 TPD of waste and by 2023 after the weighbridge became operational it processed an average of 5.91 TPD of biodegradable waste and 9.71 TPD of mixed waste. Currently it processes around 21 TPD of biodegradable waste and approximately 68 TPD of mixed waste. All localities utilizing the SLF have been mandated to transport only segregated waste to the plant. SMB is improving the quality and quantity of the waste processed, further reducing the volume of waste sent to the landfill and enhancing overall waste management practices.
3. Plastic rejects from the compost plant are baled and processed into raw refuse-derived fuel (RDF). This RDF is transported to cement plants for use as an alternative fuel

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source, ensuring that non-recyclable plastic waste is repurposed rather than dumped in the landfill.

4. Waste sorters (informal sector) at Marten operates daily to separate and collect recyclable materials from the incoming waste stream. This diverts a significant portion of recyclables away from the landfill, minimizing the amount of waste requiring disposal.
5. Due to inefficient waste processing in the past, the landfill faced challenges in meeting its original lifespan. However, the current measures taken up by SMB- particularly the increased waste processing at the compost plant, RDF conversion, and enhanced waste segregation- are helping to slow down the rate of landfill filling. These efforts aimed at extending the functional lifespan of the SLF at Marten and managing its capacity more sustainably.
6. The Sr. E.E. MSPCB informed the members that their office had carried out various inspections on the SLF and also issued direction and show cause to the CEO, SMB for compliance.

The Chairperson, after in depth discussion with all the members present stated that the Office of the Undersigned would immediately write to the Urban Affairs relating to the proposed new landfill site an at Nonghali in case the original lifespan of the present landfill is shortened. The Urban Affairs Dept being the nodal dept looking after the various projects sanctioned in the SLF.

The meeting ended with a vote of thanks from the chair.



Smti. R.M. Kurbah, IAS
District Magistrate
East Khasi Hills District
Shillong

Memo No. EKJ.20/6/2017/Vol-1/95

Dated Shillong the 7th November, 2024.

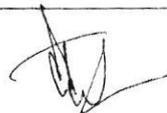
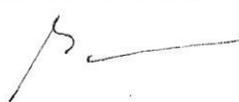
Copy to :

1. All Members present for information.



District Magistrate
East Khasi Hills District
Shillong

ATTENDANCE SHEET FOR THE MEETING OF THE DISTRICT ~~WASTE~~ FORCE ON SOLID WASTE MANAGEMENT HELD ON THE 6TH NOVEMBER 2024 AT 11:00 A.M. IN THE OFFICE CHAMBER OF THE DEPUTY COMMISSIONER EAST KHASI HILLS DISTRICT, SHILLONG.

Sl. No	Name and Designation	Signature	Contact No.	Home Address
1.	Smti. R.M. Kurbah, Deputy Commissioner, East Khasi Hills District, Shillong.		9863318344	
2.	W. R. KHARKRANG Sr. E.E., MSPCB		9856063424	
3.	J. F. LAMURONG, EE, MIPCB		9863924442	
4.	F. B. Chyne. EE, S.M.B.		9436100419	
5.	S. S. Das. G.P./P.P. Shillong		9436105562	
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ANNEXURE R-4

MINUTES OF THE MEETING OF THE DISTRICT TASK FORCE ON SOLID WASTE MANAGEMENT HELD ON THE 18TH MARCH 2025 AT 3:00 PM IN THE OFFICE CHAMBER OF THE DEPUTY COMMISSIONER, EAST KHASI HILLS DISTRICT, SHILLONG.

Members present: - Annexed

The meeting was chaired by Smti. R. M. Kurbah, IAS, Deputy Commissioner, East Khasi Hills District and Chairperson of the District Level Task Force on Solid Waste Management, East Khasi Hills District who welcomed all the members present.

The subject matter of the meeting was on the NGT's Order for replying of counter affidavit by the next date, i.e. on the 24th March 2025. The Chairperson sought a report from the members and accordingly the following points were discussed:-

1. Representative from Shillong Municipal Board, Shillong informed that the timeline for all the rectification the present landfill is fixed at **December 2025**. Since October 2025, many developments have taken place with reduction of wastes at the landfill i.e. One Lakh Twenty tonnes of legacy wastes already removed from the landfill. A status note was submitted by E.E. Shillong Municipal Board, Shillong.
2. Representative from Meghalaya State Pollution Board, Shillong informed that the public hearing for the proposed new Landfill has been fixed on the **2nd April 2025** by the Board. The previous hearing was obstructed due to objections by the public from the neighbouring villages.
3. Urban Affairs Department has been informed to submit a joint report with Shillong Municipal Board, Shillong relating to the existing landfill in compliance to NGT Order.

The meeting ended with a vote of thanks from the chair.



Smti. R.M. Kurbah, IAS,
Deputy Commissioner,
East Khasi Hills District,
Shillong.

Memo No. EKJ.20/6/2017/Vol-I/109

Dated Shillong the 18th March, 2025.

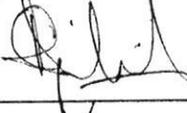
Copy to:

All members present for information and necessary action.



Deputy Commissioner,
East Khasi Hills District,
Shillong.

ATTENDANCE SHEET FOR THE MEETING OF THE DISTRICT TASK FORCE ON SOLID WASTE MANAGEMENT HELD ON 18TH MARCH, 2025 AT 3:00 P.M. IN THE OFFICE CHAMBER OF THE DEPUTY COMMISSIONER, EAST KHASI HILLS DISTRICT, SHILLONG.

Sl. No	Name and Designation	Signature	Contact No.	E-Mail Address
1.	Smti. R.M. Kurbah, Deputy Commissioner, East Khasi Hills District, Shillong.		9863318344	
2.	Renealing Par, Asst Engg SMB		6009438251	
3.	C. Najiar, ACF E/O DEO (T) EKH & RI BHWI		8794226409	
4.	Smt. E. Shilla, AEE, MSPCB		8732074874	
5.	Smt. D. Syiemlieh, SEE MSPCB		9402196535	
6.	F.B. Chyne EE, W/B		9936100719	
7.	S. Shilla, TPO, W/O		9436100652	
8.	M. Khan Ronger, DOP, U.G. in Aff.		9485449418	
9.				
10.				



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**Office Of The
SHILLONG MUNICIPAL BOARD**

Bishop Cotton Road, Shillong-793001, Meghalaya
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ANNEXURE - ITB
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Note on Marten Waste Processing and Disposal Site (MWPDS)

1. The waste management facilities at MWPDS, Shillong, are operational and include a 170 TPD compost plant and Sanitary Landfill Facility (SLF) of capacity 1,34,129 MT. Additionally, a 4 TPD incineration plant has been commissioned to treat non-recyclable and non-processable waste.
2. The data below provides an overview of the solid waste management operations in Shillong city, focusing on the generation, collection, transportation, and treatment of waste on a daily basis.

February 24

Category	Quantity (TPD)
Total Waste Generated	196
Waste Collected & Transported to MWPDS	109.1
Waste Processed at Compost Plant (A)	48
Recyclables (B)	28
Refuse Derive Fuel (RDF) (C)	3
Waste Processed at Incineration Plant (D)	Not in Operation
Waste Disposed to SLF	30.1

September 24

Category	Quantity (TPD)
Total Waste Generated	197
Waste Collected & Transported to MWPDS	179
Waste Processed at Compost Plant (A)	93
Recyclables (B)	41
Refuse Derive Fuel (RDF) (C)	7
Waste Processed at Incineration Plant (D)	Not in Operation
Waste Disposed to SLF	38

February 25

Category	Quantity (TPD)
Total Waste Generated	200
Waste Collected & Transported to MWPDS	188
Waste Processed at Compost Plant (A)	103



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Recyclables (B)	41
Refuse Derive Fuel (RDF) (C)	7
Waste Processed at Incineration Plant (D)	3
Waste Disposed to SLF	34

3. The total waste processed (A+B+C+D) at the Marten waste management facilities in **September 24** is **141 TPD** while **38 TPD** is disposed of at the SLF and for **February 25**, the total waste processed stands at **154 TPD**, while **34 TPD** is disposed of at the SLF. Efforts are being made to enhance source segregation, which is expected to optimize the compost plant's efficiency and further reduce the volume of waste requiring landfill disposal.

4. Furthermore, bio-mining of legacy waste at Marten commenced on **June 19, 2024**.

Category	Quantity (MT)
Total quantity of legacy waste (A)	1,83,822
Remediated (B)	1,20,502
Total quantity of legacy waste to be processed (A-B)	63,320


 Chief Executive Officer
 Shillong Municipal Board

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpyngngad, Shillong - 793014

Website : <http://megspcb.gov.in>



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NO.MPCB/ CON-8/2009/2024-2025/ 159

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Dtd: the 7th January, 2025.

To,

Chief Executive Officer,
Shillong Municipal Board,
Shillong.

ANNEXURE R-4/5

Sub: Direction under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31A of the Air(Prevention and Control of Pollution) Act, 1981- Imposition of Environmental Compensation.

1. Whereas, Consent to Establish under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974, as amended and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981, as amended was granted to M/s Shillong Municipal Board. Vide T.O. No. MPCB/TB-CON-08-2009/2009-2010/12, Dated: 26th November, 2009 for setting up a sanitary landfill over an area of 5.203 acres at Marten, Mawiong, East Khasi Hills District;
2. Whereas, the Sanitary Landfill of Shillong Municipal Board is operating without Consent to Operate from the Board;
3. Whereas, an inspection of the Sanitary Landfill of Shillong Municipal Board was carried out by the Board's Official on 1st August, 2024 and Direction was issued to the CEO, Shillong Municipal Board for non-compliance to Solid Waste Management Rules, 2016 Vide. NO.MPCB/ CON-8/2009/2024-2025/152, Dated:14th August, 2024;
4. Whereas, as per the Test Report of the Waste Water collected on 1st August, 2024 and 9th October, 2024 from the Leachate Treatment Tank indicates that all the parameters of the Test Report have exceeded the Standards for Land Disposal of Leachates as per the Solid Waste Management Rules, 2016.
5. Whereas, inspection of the Sanitary Landfill of Shillong Municipal Board was again carried out by the Board's Official on 9th October, 2024 to monitor compliance of the directions issued by the Board Vide. NO.MPCB/CON-8/2009/2024-2025/152, Dated:14th August, 2024 and observed that no initiative was taken by the Shillong Municipal Board ;
6. Whereas, **Showcause Notice** was issued to Shillong Municipal Board vide. T.O No.MPCB/CON-8/2009/2024-2025/154, Dated: 28th October, 2024 for violating the following:-
 - i. Section 25 of the Water (Prevention and Control of Pollution) Act 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act 1981 for operating a Sanitary Landfill without a valid Consent from the Board.
 - ii. Section 24(l) (a) & (b) of the Water (Prevention and Control of Pollution) Act 1974 for discharging leachate waste water directly into land/stream,
 - iii. Rule 15(y) of the Solid Waste Management Rules, 2016 for operating without authorization from the Board.
7. Whereas, no response receive from the Shillong Municipal Board till date;
8. Whereas, the Hon'ble National Green Tribunal, Principal Bench in its order OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) that, "The CPCB may take penal action for

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpyngad, Shillong - 793014

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failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment. Such action plan may be prepared by the CPCB within three months";

9. Whereas, the Hon'ble National Green Tribunal, Principal Bench in its order dated: 10/07/2019 in OA No. 1038/2018 on News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels" that "The SPCBs and CPCB were free to take coercive measures, including recovery of compensation for damages to the environment on 'Polluter Pays' principle and also to adopt precautionary measures on 'Precautionary' principle;
10. Whereas, the Hon'ble National Green Tribunal, Eastern Zone Bench in its order dated: 10/03/2022 in OA No.100/2021/EZ, Shri Pynbait Sutnga Versus State of Meghalaya & Ors that, "computation of Environmental Compensation, cost of restitution and remedial measures as well as penalty to be imposed for violation of environmental norms".

Now, therefore in view of the above the Meghalaya State Pollution Control Board in exercise of the powers conferred upon it under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 do hereby imposed an Environmental Compensation of **Rs. 26,25,000/- Rupees (Twenty Six Lakhs and twenty five thousand only)** on **SHILLONG MUNICIPAL BOARD** calculated on the basis of methodology developed by Central Pollution Control Board for Assessing Environmental Compensation and adopted by the Meghalaya State Pollution Control Board.

The Environmental Compensation shall be paid within a period of 15(fifteen) days from the date of receipt of the direction in the form of Demand Draft or Banker's Cheque to be drawn in favor of Member Secretary, Meghalaya State Pollution Control Board, payable at Shillong.

In case the unit fails to comply with the above directions, the Meghalaya State Pollution Control Board will be constrained to initiate proceedings against your unit as deemed fit under the relevant Acts and Rules.


CHAIRMAN
Meghalaya State Pollution Control Board,
Shillong

Memo NO.MPCB/ CON-8/2009/2024-2025/159-A
Copy to:

Dtd: the 7th January, 2025.

1. The Secretary, Forest & Environment Department, Government of Meghalaya, Shillong for kind information.
2. The Secretary, Urban Affairs Department, Government of Meghalaya, Shillong for kind information.
3. The Director, Urban Affairs Department, Meghalaya, Shillong for kind information.


CHAIRMAN



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Avijit Mani Tripathi <avijitmani@gmail.com>

O.A. No.217 of 2024 EZ Bench- Reply and application on behalf of Resp. No.4

1 message

Avijit Mani Tripathi <avijitmani@gmail.com>

21 March 2025 at 17:56

To: enatoli sema <enatoli@gmail.com>, Surendra Kumar <surendra_kr15@rediffmail.com>, Dn Ray <raydnr@gmail.com>

Ma'am/Sir,

Please find attached an advance copy of the reply affidavit and application for exemption from personal appearance being filed on behalf of Resp. No.4- Deputy Commissioner, Shillong in the subject case before the Hon'ble NGT (EZ Bench).

Regards,
Avijit Mani Tripathi
Advocate on Record
Supreme Court of India
B 17, Fourth Floor, Jangpura Extension
New Delhi-110014
Ph.011-43582788, 9958537705

2 attachments**OA 217 2024 REPLY RESP 4 DC EKH.pdf**
6701K**OA 217 2024 Resp 4 exemption from personal appearance.pdf**
3751K