

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. ----- OF 2025

IN THE MATTER OF**Jana Kalyan Samiti**

...Applicant

Versus

Bhubaneswar Municipal Corporation and Others ... RespondentsINDEX

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PLACE: Bhubaneswar

SANKAR PRASAD PANI

S.Pani

DATE: 15/11/2025

ASHUTOSH PADHY

A.Padhy

ADVOCATE'S

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-
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SYNOPSIS

The present application challenges the setting up of a Micro-Composting Plant within B1-Bharatpur, GA Colony of Bhubaneswar Municipal Corporation in contrary to the sitting criteria prescribed for Solid Waste Management Processing Facilities. The nuisance and health hazard due to the continuing operation of the Micro-compost Centre(MCC) in adjoining to the residential houses without any buffer zone has made the lives of senior citizens, women and children unbearable. Though the Micro compost centre is having a processing capacity of more than **10 Metric Tons per Day**, but the MCC was installed and operating without any Consent To Establish and Consent to Operate. The Rule **prohibits setting-up any such treatment plant within 200 metres from Human Habitation**, Pond, Public Park and Water Supply. Further such **suitable site selected need to be notified** and to the knowledge of the applicant no such notification is made and for that due process of public notice has not been followed such as (A) Criteria for site selection.- (i) The Department in the business allocation of land assignment shall provide suitable site for setting up of the solid waste processing and treatment facilities and notify such sites. (vii) The landfill site shall be 100 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. (ix) **A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding Five Tonnes per day of installed capacity.** This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local body in consultation with concerned State Pollution Control Board. (x) The bio-medical waste shall be disposed of in accordance with the Bio-medical Waste Management Rules, 2016, as

amended from time to time. As such the land in question where the MCC is set up is a **forest kissam** land and no forest clearance has been obtained by the Bhubaneswar Municipal Corporation for non- forestry activities.

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLAKATA

(Under Section 18(1) read with Section 14(1), 15, 20 of
the National Green Tribunal Act 2010)

Application No _____ /2025

IN THE MATTER OF:

Jana Kalyan Samiti, represented through the Managing Trustee,
Rabindranath Sar, S/o- Late Lokanath Sar, aged about- 68 years, At- Plot
No.962, GA Colony, Sampur & Bharatpur, Post-Mahalaxmi Vihar,
Bubaneswar-751029.....

APPLICANT

VERSUS

1. **Bhubaneswar Municipal Corporation**, Represented through
Commissioner, COMC Tower, Unit-IX, In front of Satya Nagar Kali
Temple on Janpath, Bhubaneswar- 751022, Odisha, info@bmc.gov.in
2. **State of Odisha Through the Secretary, Housing and Urban
Development Department**, Government of Odisha, 3rd Floor, Kharvel
Bhavan, West Wing, Room No.- 302, Bhubaneswar - 751001, Email:
hudsec.or@nic.in
3. **Secretary, Forest and Environment Department**, Government of
Odisha, Secretariat Building, Bhubaneswar, 751001, Dist-Khurdha,
Odisha email- forestandenv1@gmail.com
4. **Secretary, Revenue and Dissaster Management Department**,
Government of Odisha, Secretariat Building, Bhubaneswar, 751001,
Dist-Khurdha, Odisha revsec@ori.nic.in
5. **District Collector, Khurdha** At/P.O.: Khurdha, Dist: Khurdha,
Odisha, 752055 Email-dm_khurdha@nic.in

6. **Commissioner of Police, Bhubaneswar**, Near Power House Chhak, Unit- 8, Keshari Nagar, Bhubaneswar, Odisha 751001
commissioneratepolice@nic.in
7. **Member Secretary, Odisha State Pollution Control Board A/118**, Unit-VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha, Email: paribesh1@ospcboard.org
8. **Principal Secretary to Government of Odisha, General Administration and P.G Department**, Secretariat Building, Bhubaneswar, 751001, Dist-khurdha, Odisha Email: gadmin.or@nic.in
9. **Member Secretary, Central Pollution Control Board**, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 Email: mccb.cpcb@nic.in
10. **Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change**, Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar – 751023, Email: roez.bsr-mef@nic.in
11. **Vice-Chairman, Bhubaneswar Development Authority**.
Bhubaneswar,

...RESPONDENTS

- I. The addresses of the Applicants are given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application. As per Rule 12 of Municipal Solid Waste Management and Handling Rule 2016 (MSW Rules), the District Magistrate or the Deputy Commissioner of the concerned district shall have the overall responsibility for the enforcement of the provisions of these rules within the territorial limits of their jurisdiction, hence the District Collector, Respondent No. 5 has larger role in ensuring the full implementation of the Rules 2016. Respondent No 1 is the Municipal Authorities directly

responsible for implementation of Municipal Solid Waste Management and Handling Rule 2016 under Rule 15, while the Respondent No 2, Secretary, Urban Development Department is the department that looks after the municipal and urban affairs at the state level under Rule 11. Similarly Respondent No. 6 looks after the law-and-order situation with in the district and the Respondent No. 7, Odisha State Pollution Control Board is the authority to monitor the compliance of Municipal Solid Waste Management under Rule 16 at the state level.

III. The Present Application Challenges the setting- up of micro-compost center in densely populated residential areas there by possibility of causing endemic situation and posing threat to public health and tranquility. It further challenges the illegal, indiscriminate and unscientific management of Municipal Solid Waste by the Bhubaneswar Municipal Corporation in blatant violation of Municipal Solid Waste Management Rules 2016.

IT IS MOST RESPECTFULLY SHOWETH:

1. That the Applicant society is a registered trust and members of the Trust are the Residents of B1-Bharatpur, GA Colony of Bhubaneswar present this Application against the Operation of Micro Compost Centre in a residential area of B1-Bharatpur, GA Colony within Bhubaneswar Municipal Corporation in violation of the Siting Criteria prescribed in Municipal Solid Waste Management Rules 2016 and Without Consent to Establish and Consent to Operate from the State Pollution Control Board.
2. The Applicants are permanent resident of B1-Bharatpur, GA Colony and affected by the decision of Municipal Authorities for setting- up of Micro Composting Centre in thickly populated area. That the applicant and other residents of B1-Bharatpur, GA Colony of Bhubaneswar have approached many times before the Bhubaneswar Municipal Corporation regarding the pollution, however as *there was no improvement of any kind and the*

intensity of odour and other micro-pollutants and noise pollution is still posing a threat, the Applicant Trust is approaching the Hon'ble Tribunal for speedy remedy to their problems and for the people living around.

3. That in the year 1989-90, the General Administration Department (Capital Administration) Bhubaneswar allotted residential plots and the members of the applicant trust are the resident of the said colony. As per the original plotted scheme Bharatpur B1 of GA Department for Bharatpur-Sampur Mouza in Drawing No. B-367, Govt. of Odisha allotted plots to different applicants and handed over possession after receipt of entire amount fixed by Government along with substantially high additional amount for all Infrastructural development, an area was kept earmarked for Sewerage Treatment Plant.
4. That General Administration Department through Bhubaneswar Development Authority had constructed Sewerage Disposal drain lines and most of the sewers were discharging to the earmarked place taking help of the natural gradient of the topography, but Sewerage Treatment Plant was not constructed. However BDA, the original agency given mandate by the Govt. for Infrastructure Development) had partly developed the earmarked land and dug out a huge pond for the Sewerage Treatment Plant (STP). Over the years, the sewerage system was damaged due to lack of maintenance and proper outlet for which the resident owners have been clearing the blockages time and again and the effluents which were supposed to have discharged into the Sewerage Treatment Plant earmarked area
5. That in 2019-20, BMC took away a part of the Sewerage treatment Plant area, constructed Micro Composting Centers (MCC) with two huge structures in the peak Covid-19 period, even breaking Covid norms taking advantage of scared state of residents exactly at the mouth of the sewerage

drains, without consultation with residents. The BMC preferred to locate the first MCC plant in close proximity to residential plots, just 40 feet apart from residential plots for two wards and later added another Centre for two more wards out of greed of land within the same bounded area.

6. The Google Earth image and photographs of the site clearly indicate there is hardly 50feet gap between the MCC and the residential houses. As such within 200metres there is a huge densely populated residential area which is vulnerable to the hazards and nuisance of the MCC. Copy of Google Earth Images of site is Annexed here with as **ANNEXURE-1**
7. That the outer boundary wall of MCC on the eastern side completely blocked the sewerage lines thereby allowing the effluents stagnating on the residential side of the road, spreading all along the road fringe as well as on the road itself. This is the present situation in hot summer and rainy season scenario is simply unimaginable.
8. That the present MCC complex in question is constructed by filling dug out area which even during rainy season was giving a pond like look. The existing Sewerage system though not made operational was draining out the waste water and pouring into the pond like structure. With the construction of MCCs the passage of waste water and rain water was blocked and a portion of the area is being filled up with sand/soil and waste material by BMC.

9. That the Bhubaneswar Municipal Corporation has constructed a series of pen ponds for composting of wet domestic wastes and the stagnated waste water became suitable breeding grounds for flies and mosquitoes which started pervading in large numbers into the houses located in the colony. The Senior Citizens and Children area at the receiving end as they inhale polluted air, foul odor emanating from the MCC during segregation, and composting processes of the bio-degradable Municipality waste.
10. It is not out of place to mention here that the MCC in question has been constructed in a Forest Kissam land bearing khata No. 245, Plot No. 65/1149 Kissam- Chhota Jungle, and the said MCC has been constructed by Bhubaneswar Municipal Corporation without obtaining any kind of forest clearance from the MOEFCC.
11. It is further submitted that the Bhubaneswar Municipal Corporation has constructed two numbers of Micro Composting Centres each having capacity of 5 TPD which together became 10 TPD. That the Bhubaneswar Municipal Corporation has constructed two complexes in the same sub-plot (65/1149) and on record shown as two different MCC, so as to get advantage of the exemption from taking any kind of permission from the State Pollution Control Board/ Central Pollution Control Board. It is further submitted that the MCC in question are established here in Bharatpur B1 drawing within

GA Colony, Bharatpur is in utter violation of the Solid Waste Management Rules, 2016.

12. Apart from this around 50 Trucks engaged in transportation of waste to the MCC are plying daily in the area causing severe noise and dust pollution to the local residents.

13. That, the local residents of GA Colony, Bharatpur has approached the concerned authorities regarding the Fallout effects of Micro Composting Centres of BMC at GA Colony, Bharatpur through a mass appeal vide letter No. Nil, dated 07/05/2021 to Bhubaneswar Municipal Corporation with copy to all concern and requested to stop operation of the MCC. Copy of the representation dated 07/05/2021 is annexed here unto as **ANNEXURE-2**.

14. It is further submitted that the Resident Welfare Association of GA. Dept. Plotted scheme, Bharatpur & Sampur again on dated 07/06/2021 made a representation before the Commissioner, Bhubaneswar Municipal Corporation objecting the construction of Micro Composting Centre, but the Commissioner Bhubaneswar Municipal Corporation without considering the objections by the local residents constructed the MCC added new structures for two more wards. Copy of the representation dated 07/06/2021 is annexed here unto as **ANNEXURE-3**.

15. That the Resident Welfare Association of GA. Dept. Plotted scheme, Bharatpur & Sampur on dated 03/09/2025 made a representation to the

Deputy Director General of Forest MOEFCC regarding the Mis-use of Forest Kism land by Bhubaneswar Municipal Corporation in Mouza Sampur under Bhubaneswar City limit, however as on date no action has been taken by the concerned authority. Copy of the representation dated 03/09/2025 is annexed here unto as **ANNEXURE-4**.

16. It is further submitted that the Resident Welfare Association of GA. Dept. Plotted scheme, Bharatpur & Sampur on dated 23/10/2025 made a representation to the Hon'ble Chief Minister of Odisha regarding the mis-use of lands reserved for public utility. Copy of the representation dated 23/10/2025 is annexed here unto as **ANNEXURE-5**.

17. It is further submitted that the Joint Director of Estates-Cum- Additional Secretary to Govt. on dated 29/08/2024 prepared one report regarding the present status of seven patches of land earmarked for common facilities in residential lay out plan for Bharatpur B-1 based on replies to RTI, wherein the Joint Director of Estates-Cum- Additional Secretary to Govt. has clearly stated that micro composting center exists over the land reserved for Sewerage Treatment Plant. Copy of the report dated 29/08/2024 is annexed here unto as **ANNEXURE-6**.

18. That the Residential layout plan for Bharatpur B-1 also suggests the site of MCC in question is just adjacent to the residential houses, which clearly

violates the provision of Buffer zone. Copy of the layout plan and photographs of the site in question is annexed here unto as **ANNEXURE-7**.

19. *That the BMC have clearly violated in letter and spirit the CPCB guidelines on sitting facilities for Municipal Solid Waste (MSW) Management guidelines, 2016 and 2019 as amended. This gives an impression that the authorities have suppressed material information on processing capacity . Moreover the mandatory Consent for the MCC has not been taken from the State Pollution Control Authorities. Hence, this MCC has been sitting in violation of the above Rules. GA Dept., the original owner of the land parcel on permission if at all given to BMC for construction of MCC in the earmarked space in B-367 meant for Sewerage Treatment Plant to which BMC remained silent. This indicates illegal establishment of MCCs in blatant violation of Residents' rights. Copy of Replies to RTI queries are annexed here unto as **ANNEXURE-8**.*

20. That the BMC totally overlooked the scientific aspects, environmental factors and humanitarian aspects of inhabitants.

Air Pollution: That conversion of domestic and commercial biodegradable waste is a long process involving a period of more than a month which is being carried in these MCC plants. Composting technology for treating wet waste material after segregation of solid waste is associated with production of greenhouse gases (methane and nitrous oxide) and odour emissions (ammonia, hydrogen sulphide, etc.) which are practically unavoidable. This has created severe Air Pollution for the human beings residing in this residential colony and its surroundings which is simply intolerable. During

winter months and rainy season as well as in summer months after a sower of rain foul smell spread becomes intolerable. We cannot keep our windows and doors open to get any fresh air. Most of the time, we are bound to be confined inside the house using AC. In other words the Rights of human beings to breathe fresh air is restricted/ denied by BMC.

Noise Pollution: It is worth mentionable that there is no dedicated road constructed by BMC for transport of material to the MCC plant complex. Due to lack of any buffer space and use of residential road, the huge fleet vehicles used to collect urban wastes move out through the gate in early morning blowing horns, making loud sounds both during testing of the vehicle mounted speakers or for without any reason for the amusement of the drivers, shouting of workers creating noise pollution which is highly unbearable and irritating in early morning. Even at dead part of the night waste material transporting vehicles rush towards the MCC gate blowing loud horns disturbing sleep. which is very severe in winter months.

Health Hazards to local residents: It is well known that leachates and gas that generate during every stage of processing of domestic-commercial wastes is a microbial decomposition process. The decomposition will have to have generation of toxic gases. The risks to the public health due to the potential exposure to pathogenic agents, toxic substances, and gases, together with the annoyances derived from the bad odours, the migration of

gases and leachates outside the limits of the MCC, and their release to the surrounding environment, raise a number of important environmental questions

Social Impact: Besides health hazards, social impact is manifold. Due to foul smell no friend, relative nor any well-wishers feel comfortable to visit the residents. We cannot dare to hold any social or religious function in our houses because of the foul smell. This causes social isolation causing depression to ladies and senior citizens.

21. That the Manual issued by the Central Public Health and Environmental Engineering Organisation (CPHEEO) MINISTRY OF URBAN DEVELOPMENT www.moud.gov.in www.swachhbharaturban.gov. in 2016 in page 12 of the Manual (as quoted under) stress has been given on Stakeholders' Consultation.

“Step 3: Stakeholder Consultation for Planning MSWM has a direct relation with the community and other waste generators. Due to the number of institutions and stakeholders involved in MSWM, it is important that the MSWM plan, which aims to bridge the gaps or improve the level of service, is developed through a consultative process. Stakeholders' views, including their willingness to participate and pay for the service, should be considered. ULBs shall ensure that women, as important providers of MSWM services as well as beneficiaries of these services, shall be adequately involved in the stakeholder consultations and decision-making processes.”

In page 52 of the Manual, emphasis on Stakeholders could found.

“ 1.4.4.1.3 External Stakeholders The first step for the local body is to define a methodology for reaching out to all stakeholders in an equitable manner at various stages of the MSWM planning and implementation. Informing and involving the community and creating channels for all stakeholders to participate in decision making are all very important steps for successful implementation of SWM strategies. Typical stakeholders for an MSWM system include households, businesses, industries, informal sector, local government, NGOs, community-based organisations (CBOs), self-help groups (SHGs), women’s groups, secondary school and college students, or members of other institutions who may have a role to play in ensuring the involvement of the community. Stakeholders are to be consulted at least twice during the MSWM plan preparation, initially in defining the objectives and goals of the plan and later (Step 6) to discuss the proposed plan and seek their inputs Stakeholder Consultations to be held at least twice while preparing the MWSM Plan MUNICIPAL SOLID WASTE MANAGEMENT PLAN: STEP-WISE GUIDANCE 53 and approval. The ULB may constitute a stakeholder committee for the purpose, with members representing all concerned groups. These groups would need to represent the interest of men, women, youth, and marginalised or vulnerable groups who are all part of the MSWM process. Specifically, the involvement of women’s groups during the planning phase is essential. The initial consultation process (Step 3) should identify the following: z the ability and willingness of stakeholders to cooperate in the operation and management of the service; z the demand of stakeholders for different type of services like door to door collection, source segregation, etc., and frequency of service; z their attitude toward participating in experiments or pilot projects, particularly projects relating to source segregation, reuse, recycling of waste, and final treatment and disposal; z their willingness to work with different sections of society, such as waste pickers, municipal workers, and entrepreneurs; and z their

willingness to pay for the services, the mode of payment, and the frequency of payment”.

That there is much variability in per-capita daily household municipal solid waste generation ranges from 170 grams per person in small towns to 620 grams per person in large cities. A 2007 study of Indian metro cities (cities with a population of over 1 million inhabitants) estimates MSW composition (by weight) to be 41% organic or biodegradable, 40% inert, 6% paper, 4% plastic, 4% textiles, 2% glass, 2% metals and 1% leather. According to a more recent India Planning Commission MSW study (2014) 51% of MSW was organic or biodegradable, 32% is inert or non-organic and 17% is recyclable waste

22. That Considering 450gm per capita average waste generation, the four ward of Bhubaneswar Municipality (population of more than 50,000) will generate around 25Metric Ton garbage per day and will be much higher considering the decadal population growth as of 2025.

| Ward No | Area | Population (2011 Census) |
|----------------|---|---------------------------------|
| 22 | Paikarapur Village area, Sampur Village, Bharatpur Slum, Durga Madhab area, Mahalaxmi Vihar, Shree Vihar, GA Plot area | 13,568 |
| 23 | Kalinga Nagar area, SUM Hospital area, Kalinga Studio area, Ghatikia Village, Khandagiri Bari Slum, AMRI Hospital, Saradhapalli Slum, Sankarpur, Subudhipur, k-1 to K-8 area etc. | 12,240 |

- 24 Baramunda HB Colony, Census Colony, **13,636**
RBI Colony, Jagannath Vihar area, Sandha Sahi
& Munda Sahi Slum.
- 49 Aiginia Village. Kolathia Village, Khandagir Hill area, **12,605**
Kharavela Park area, Udaygiri, Tapoban area, New Bus
Stand area, Ruchika Market area, BDA colony (part),
GA Quarters, Patrapada(pt.) & Bhagabanpur(pt.), & Smrutibana.

The Population data as downloaded from the website of the BMC is annexed here with as **ANNEXURE-9**.

23. That the Affidavit filed by SPCB Odisha dated 20th March 2024 in OA 21 of 2024, suggests that at Bharatpur the waste from 4 wards is being processed at MCC and the capacity is **5 MTPD** plus, that is 10MTPD. Instead of writing 10MTPD, it is split into two MCCs with capacity of 5 TPD each at Bharatpur, the site, which is the bone of contention in the present case. This is deliberately done to get escape from the rigors of law where in Processing Facility with more than 5TPD requires Consent of the Board. The relevant part of the affidavit dated 20/03/2024 is annexed here with as **ANNEXURE-10**.

24. That the local inhabitants including the applicants have objected to the proposal of Bhubaneswar Municipality for Constructing the Micro Compost Centre, At-Bharatpur B1 as the same is in close proximity to the human habitation and water bodies. Further the same is done without approval of State Pollution control Board and without following the statutory norms laid down by the Union Government from time to time. The applicants further said that Within 10 meters of the **MCCs**, a thickly populated Habitation is situated and **as** this plant is set-up, the inhabitants are suffering from the air, water and Odor (containing poisonous gases and micro pollutants) Pollution.

Besides, the deadly poisonous leachates might have migrated to the loose soil and landfill made by BMC over the previously dug out pond. The landfill material constitutes, the powdered solid wastes(mostly plastics) transported from Gadhakana area(near Sainik School, Bhubaneswar) day and night on war time basis using several hundreds of Haiwa Trucks to fill.

Besides the Two major Mcc structures, the left out huge space of land within the MCC complex boundary was used to set-up a Poultry feed Manufacturing Plant.

In this back drop the local people have requested for finding an alternative site to setup the Waste management Plant, but same has not considered as of now.

25. That Rule 11 prescribes for Duties of the Secretary-in-charge, Urban Development in the States and Union territories.- (1) The Secretary, Urban Development Department in the State or Union territory through the Commissioner or Director of Municipal Administration or Director of local bodies shall,- (a) prepare a state policy and solid waste management strategy for the state or the union territory in consultation with stakeholders including representative of waste pickers, self-help group and similar groups working in the field of waste management consistent with these rules, national policy on solid waste management and national urban sanitation policy of the ministry of urban development, in a period not later than one year from the date of notification of these rules; (b) while preparing State policy and strategy on solid waste management, lay emphasis on waste reduction, reuse, recycling, recovery and optimum utilization of various components of solid waste to ensure minimisation of waste going to the landfill and minimise impact of solid waste on human health and environment; (c) state policies and strategies should acknowledge the primary role played by the informal sector of waste pickers, waste collectors and recycling industry in reducing waste and provide broad guidelines regarding integration of waste picker or

informal waste collectors in the waste management system. (d) ensure implementation of provisions of these rules by all local authorities; (e) direct the town planning department of the State to ensure that master plan of every city in the State or Union territory provisions for setting up of solid waste processing and disposal facilities except for the cities who are members of common waste processing facility or regional sanitary landfill for a group of cities; and (f) ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and **disposal facilities for solid wastes and incorporate them in the master plans (land use plan) of the State or as the case may be, cities through metropolitan and district planning committees or town and country planning department;** (h) direct the town planning department of the State and local bodies to ensure that a *separate space for segregation, storage, decentralised processing of solid waste is demarcated in the development plan for group housing or commercial, institutional or any other non-residential complex exceeding 200 dwelling or having a plot area exceeding 5,000 square meters;* (i) direct the developers of Special Economic Zone, Industrial Estate, Industrial Park to earmark at least five percent of the total area of the plot or minimum five plots or sheds for recovery and recycling facility. (j) facilitate establishment of common regional sanitary land fill for a group of cities and towns falling within a distance of 50 km (or more) from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills; (k) arrange for capacity building of local bodies in managing solid waste, segregation and transportation or processing of such waste at source; (l) **notify buffer zone for the solid waste processing and disposal facilities of more than five tons per day in consultation with the State Pollution Control Board;** and (m) start a scheme on registration of waste pickers and waste dealers.

26. That Rule-12 prescribes the Duties of District Magistrate or District Collector or Deputy Commissioner.- The District Magistrate or District Collector or as the case may be , the Deputy Commissioner shall, - (a) facilitate identification and allocation of suitable land as per clause (f) of Rules -11 for setting up solid waste processing and disposal facilities to Local authorities in his district in close coordination with the Secretary-in-charge of State Urban Development Department within one year from the date of notification of these rules; (b) review the performance of local bodies, at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Commissioner or Director of Municipal Administration or Director of local bodies and secretary-in-charge of the State Urban Development. 13. Duties of the Secretary–in-charge of Village Panchayatas or Rural Development Department in the State and Union territory.- (1) The Secretary–in-charge of Village Panchayatas or Rural Development Department in the State and Union territory shall have the same duties as the Secretary–in-charge, Urban Development in the States and Union territories, for the areas which are covered under these rules and are under their jurisdictions.
27. That Rule 15 prescribes for Duties and **responsibilities of local authorities** and village Panchayats of census towns and urban agglomerations.- The local authorities and Panchayats shall,- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration; (b) arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial

complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location; (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste; (d) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste; (e) frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation; (f) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorized agency; (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or burry waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorized the waste pickers or waste collectors authorized by the local body; (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorized waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed white and those for storage of other wastes shall be printed black (i) establish waste desposition centers for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility

shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres; (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee; (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body; (l) provide training on solid waste management to waste-pickers and waste collectors; (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralized compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions; (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation; (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body; (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible; (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on-site processing of such waste; (r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility; (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste management Rules, 2016; (t) involve communities in waste management and promotion of home composting, bio-gas generation,

decentralized processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility; (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector. (v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes; b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns; (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these rules; (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules; (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tons per day including sanitary

landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be; (z.a) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer; (z.b) the annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year; (z.c) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility; (z.d) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce; (z.e) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and (z.f) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and (z.g) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:- (i) not to litter; (ii) minimise generation of waste; (iii) reuse the waste to the extent possible; (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source; (v) practice home coposting, vermi-composting, bio-gas generation or community level composting; (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable

wrapping as prescribed by the local body and place the same in the bin meant for nonbiodegradable waste; (vii) storage of segregated waste at source in different bins; (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management. (z.h) stop land filling or dumping of mixed waste soon after the timeline as specified in Rule- 23 for setting up and operationalisation of sanitary landfill is over; (z.i) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule–I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill; (z.j) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of biomining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites; (z.k) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

28. Rule 16 prescribes for **Duties of State Pollution Control Board or Pollution Control Committee.**- (1) The State Pollution Control Board or Pollution Control Committee shall,- **(a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department; (b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;**

(c) **examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;**

(d) while examining the proposal for authorisation, the requirement of consents under respective enactments and views of other agencies like the State Urban Development Department, the Town and Country Planning Department, District Planning Committee or Metropolitan Area Planning Committee, as may be applicable, Airport or Airbase Authority, the Ground Water Board, Railways, power distribution companies, highway department and other relevant agencies shall be taken into consideration and they shall be given four weeks time to give their views, if any; (e) issue authorisation within a period of sixty days in Form II to the local body or an operator of a facility or any other agency authorised by local body **stipulating compliance criteria and environmental standards as specified in Schedules I and II including other conditions, as may be necessary;** (f) **synchronise the validity of said authorisation with the validity of the consents;** (g) **suspend or cancel the authorization issued under clause (a)** any time, if the local body or operator of the facility fails to operate the facility as per the conditions stipulated: provided that no such authorization shall be suspended or cancelled without giving notice to the local body or operator, as the case may be; and (h) on receipt of application for renewal, renew the authorisation for next five years, after examining every application on merit and subject to the condition that the operator of the facility has fulfilled all the provisions of the rules, standards or conditions specified in the authorisation, consents or environment clearance. (2) The State Pollution Control Board or Pollution Control Committee shall, after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew an authorisation. (3) In case of new technologies, where no standards have been prescribed by the Central

Pollution Control Board, State Pollution Control Board or Pollution Control Committee, as the case may be, shall approach Central Pollution Control Board for getting standards specified. (4) The State Pollution Control Board or the Pollution Control Committee, as the case may be, shall monitor the compliance of the standards as prescribed or laid down and treatment technology as approved and the conditions stipulated in the authorisation and the standards specified in Schedules I and II under these rules as and when deemed appropriate but not less than once in a year. (5) The State Pollution Control Board or the Pollution Control Committee may give directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators at hazardous waste deposition facilities. (6) The State Pollution Control Board or the Pollution Control Committee shall regulate Inter-State movement of waste.

29. That **Rule 19 prescribes the Criteria for Duties regarding setting-up solid waste processing and treatment facility.**- (1) The department in-charge of the allocation of land assignment shall be responsible for providing suitable land for setting up of the solid waste processing and treatment facilities and notify such sites by the State Government or Union territory Administration. (2) The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development. (3) The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee. (4) The State Pollution Control Board or Pollution Control Committee shall monitor the environment standards of the operation of the solid waste processing and treatment facilities. (5) The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution

Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time. (6) The operator of the solid waste processing and treatment facility shall submit annual report in Form III each year by 30th April to the State Pollution Control Board or Pollution Committee and concerned local body.

30. That SCHEDULE I [Rule 15 (w),(zi), 16 (1) (b) (e), 16 (4)] prescribes for Specifications for Sanitary Landfills (A) Criteria for site selection.- (i) The department in the business allocation of land assignment shall provide suitable site for setting up of the solid waste processing and treatment facilities and notify such sites. (ii) The sanitary landfill site shall be planned, designed and developed with proper documentation of construction plan as well as a closure plan in a phased manner. In case a new landfill facility is being established adjoining an existing landfill site, the closure plan of existing landfill should form a part of the proposal of such new landfill. (iii) The landfill sites shall be selected to make use of nearby wastes processing facilities. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site. (iv) Landfill sites shall be set up as per the guidelines of the Ministry of Urban Development, Government of India and Central Pollution Control Board. (v) The existing landfill sites which are in use for more than five years shall be improved in accordance with the specifications given in this Schedule. (vi) The landfill site shall be large enough to last for at least 20-25 years and shall develop 'landfill cells' in a phased manner to avoid water logging and misuse. (vii) The landfill site shall be 100 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. However in a special case, landfill site may be set up within a distance of 10 and 20 km away from the Airport/Airbase after obtaining no objection certificate from the civil aviation authority/ Air

force as the case may be. The Landfill site shall not be permitted within the flood plains as recorded for the last 100 years, zone of coastal regulation, wetland, Critical habitat areas, sensitive eco-fragile areas.. (viii) The sites for landfill and processing and disposal of solid waste shall be incorporated in the Town Planning Department's land-use plans. (ix) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local body in consultation with concerned State Pollution Control Board. (x) The biomedical waste shall be disposed of in accordance with the Bio-medical Waste Management Rules, 2016, as amended from time to time. The hazardous waste shall be managed in accordance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, as amended from time to time. The E-waste shall be managed in accordance with the e-Waste (Management) Rules, 2016 as amended from time to time. (xi) Temporary storage facility for solid waste shall be established in each landfill site to accommodate the waste in case of non- operation of waste processing and during emergency or natural calamities. Copy of the Solid Waste Management Rule 2016 is annexed here unto as **ANNEXURE-11**.

31.SCHEDULE II [see rule 16 (1), (b), (e), 16 (4)) Standards of processing and treatment of solid waste A. Standards for composting.- The waste processing facilities shall include composting as one of the technologies for processing of bio degradable waste. In order to prevent pollution from compost plant, the following shall be complied with namely :- (a) The incoming organic waste at site shall be stored properly prior to further processing. To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains

leading to a leachate treatment and disposal facility; (b) Necessary precaution shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard; (c) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of waste to the temporary processing site or temporary landfill sites which will be again reprocessed when plant is in order; (d) Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclable high calorific fractions to be segregated and sent to waste to energy or for RDF production, co-processing in cement plants or to thermal power plants. Only rejects from all processes shall be sent for sanitary landfill site(s). (e) The windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay of 50 cm thick having permeability coefficient less than 10^{-7} cm/sec. The base shall be provided with 1 to 2 per cent slope and circled by lined drains for collection of leachate or surface run-off; (f) Ambient air quality monitoring shall be regularly carried out. Odour nuisance at down-wind direction on the boundary of processing plant shall also be checked regularly. (g) Leachate shall be re-circulated in compost plant for moisture maintenance. (h) The end product compost shall meet the standards prescribed under Fertilizer Control Order notified from time to time. (i) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely:-

32. That Rule 15 prescribes for FORM – I, the Application for obtaining authorisation under solid waste management rules for processing/recycling/treatment and disposal of solid waste under the Solid Waste Management Rules, 2016 for processing, recycling, treatment and disposal of solid waste. The Documents of **Site clearance (local body), Proof of Environmental Clearance Consent for establishment**

Agreement between municipal authority and operating agency Investment on the project and expected return are also required to be placed before the SBCB for authorization and no such documents are available in public domain. Other information such as Measures to be taken for prevention and control of environmental pollution, Measures to be taken for safety of workers working in the plant, Details on solid waste processing/recycling/ treatment/disposal facility (to be attached, Disposal of solid waste Number of sites identified Quantity of waste to be disposed per day Details of methodology or criteria followed for site selection (attach) Details of existing site under operation Methodology and operational details of landfilling Measures taken to check environmental pollution and no such information is available in public domain

33.The State Board has the obligation to issue Authorisation Letter and monitor the compliance of the standards regarding ground water, ambient air, leachate quality and the compost quality including incineration standards as specified under Schedules II, III and IV. To the knowledge of the petitioner no such Authorisation and regular monitoring is done by the Respondent Board.

34.It is further submitted that the Municipality is supposed to have full-fledged waste collection, treatment, disposal facility and land fill site by 31st December 2002. However the Municipality is continuously violating the said rule as of now.

The following excerpt from the Annual Report, 2004-2005 of Central Pollution Control Board, February,2006 is of utmost importance, considering the menace of COVID related ailments affecting the Senior citizens with co-morbidity.

5.2.4 Health studies: A study was instituted by CPCB on assessment of health status of conservancy staff and other community associated with handling of solid waste management. The study was taken-up at Kolkata through Chittaranjan Cancer Research Institute and at Chennai with the assistance of Sri. Ramchandra Medical College. The objective of the study is to assess health status of each target group involved in handling of municipal solid waste (MSW). Studies at Kolkata Health assessment studies at Kolkata included clinical examination of 732 individuals of which, 376 were conservancy workers, 151 rag pickers and 205 controls. After detailed examination, the findings are as under:

| Parameter | Con | RP | MSW | Implication |
|-------------------------------------|------------|-----------|------------|--------------------------------------|
| <i>Upper respiratory symptoms</i> | 43 | 82 | 93 | <i>Infection in nose, throat</i> |
| <i>Lower respiratory symptoms</i> | 32 | 80 | 89 | <i>Infection in lung</i> |
| <i>Impaired lung function</i> | 43 | 84 | 71 | <i>Breathing problem</i> |
| <i>Sputum neutrophilia</i> | 13 | 53 | 64 | <i>Infection, Inflammation</i> |
| <i>Elevated AM number</i> | 12 | 65 | 85 | <i>High PM₁₀ exposure</i> |
| <i>Larger and multinucleated AM</i> | 8 | 23 | 32 | <i>Sustained high pollution load</i> |
| <i>Multinucleated giant cell</i> | 2 | 5 | 10 | <i>Bacterial infection</i> |
| <i>Curschman's spiral</i> | 2 | 4 | 5 | <i>Obstruction in airways</i> |
| <i>Goblet cell hyperplasia</i> | 2 | 16 | 25 | <i>Elevated mucus production</i> |
| <i>Elevated siderophage count</i> | 6 | 34 | 44 | <i>Covert lung hemorrhage</i> |
| <i>Elevated micronucleus count</i> | 8 | 68 | 82 | <i>Chromosome break</i> |
| <i>Low hemoglobin, RBC in blood</i> | 17 | 32 | 45 | <i>Anemia</i> |
| <i>Leukocytosis</i> | 7 | 26 | 34 | <i>Infection</i> |
| <i>Elevated platelet count</i> | 12 | 62 | 75 | <i>Cardiovascular risk</i> |
| <i>High platelet P-selectin</i> | 9 | 55 | 87 | <i>Do</i> |
| <i>Low CD 4+high CD8+cells</i> | 11 | 42 | 78 | <i>Altered immunity</i> |
| <i>Low CD20+high CD56+cells</i> | 12 | 54 | 89 | <i>Do</i> |
| <i>Sputum eosinophilia</i> | 11 | 28 | 36 | <i>Allergy, asthma</i> |

Con=Control, RP=Ragpickers, MSW=conservancy staff of Kolkata Municipal Corporation

35. Violation of City Development Plan guidelines.

Supreme Court of India: Supertech Ltd Vs Emerald Court Owner Resident ... on 31 August, 2021 Reportable IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION Civil Appeal No. 5041 of 2021 (Arising out of SLP (C) No. 11959 of 2014 have ordered demolition of buildings constructed in violation of the City Development Plan.

The landmark judgement observes: “ 1. In the last five decades, the provisions contained in various municipal laws for planned development of the areas to which such laws are applicable have been violated with impunity in all the cities, big or small, and those entrusted with the task of ensuring implementation of the master plan, etc. have miserably failed to perform their duties. It is highly regrettable that this is so despite the fact that this Court has, keeping in view the imperatives of preserving the ecology and environment of the area and protecting the rights of the citizens, repeatedly cautioned the authorities concerned against arbitrary regularisation of illegal constructions by way of compounding and otherwise.” (A copy of the relevant page of the Judgment Order enclosed.)

Grounds

That, the applicants are therefore approaching this Hon'ble Tribunal in view of the blatant violation of the law on the following among other grounds which the applicant might take at the time of hearing of the matter :-

- I. That the unscientific management of municipal solid waste and setting-up of the micro compost plant in a thickly populated locality of B1-Bharatpur, GA Colony in Bhubaneswar Municipal Corporation is in violation Municipal solid Waste Management Rules 2016.
- II. The very establishment of the MCC without Consent from the State Pollution Control Board is illegal and ab-initio void, hence the same requires to be closed down.
- III. The site need to be restored to its original land use so as to prevent any further inundation during rain.
- IV. The Municipality has a duty to look for alternative site prior to setting up the MCC and same has not been exhausted even though

there are available land in the same ward/locality under occupation by unauthorised people.

- V. Setting up of the MCC at GA Colony, Bharatpur is in contrary to the City Management Plan and land use and hence need to be closed down
- VI. The MCC is set -up without minimum buffer zone of 200 meters and hence the very establishment is illegal
- VII. The Manual published by Central Public Health and Environmental Engineering Organisation (CPHEEO) MINISTRY OF URBAN DEVELOPMENT has a mandate for public consultation with the aggrieved person and same has not been followed in the present case. That the due process of consultation with the local people and process of inviting objection has not been conducted and hence the siting is illegal.
- VIII. That the representations cannot be an empty formality and no such measures have been taken to consult with the possible affected population in the locality, hence the setting up of the unit requires reconsideration.
- IX. That to the knowledge of the applicants the setting up of the waste processing plant has not been notified as required under MSW Rules 2016, hence the entire exercise of setting up of the unit is abinitio void.

LIMITATION

That there is a subsisting cause of action because of the continuing violation of Municipality Solid waste Management Rules 2016 and the people are subjected to health hazzard and nuisance on day to day basis, hence the Original Application is not barred by limitation.

INTERIM PRAYER

The Honble Tribunal may direct the state pollution control board to immediately stop operation of the Micro compost centre till disposal of OA.

PRAYER

In light of the present facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be pleased to

- a) Call for the documents of sitting clearance and notification of the designated site for treatment plant
- b) Show cause the respondents in regard to the setting up of Micro composting Centre and if due process has been followed then all such documents may be called for
- c) Compute environment compensation for operating the MCC without compliance of environment norms.
- d) In case of unsatisfactory response, the Honble Tribunal may declare the sitting of MCC as illegal and closure of the unit as well as restore the site to its original status.
- e) Pass such order /s as this Hon'ble Tribunal may fill fit and proper in the facts and circumstances of this case.

Bhubaneswar

15/11/2025

By the Applicant Through



ADVOCATE'S

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

ORIGINAL APPLICATION NO.- OF 2025

IN THE MATTER OF:

JANA KALYAN SAMITI ... APPLICANT

VERSUS

**BHUBANESWAR MUNICIPAL CORPORATION AND
OTHERS RESPONDENTS**

AFFIDAVIT 15 NOV 2025

I, Rabindranath Sar, S/o- Lokanath Sar, aged about- 67 years, At- Plot No.962, GA Colony, Sampur & Bharatpur, Mahalaxmi Vihar, Post-Bubaneswar-751029, do hereby solemnly affirm, and declare as under:

1. That I am the Managing Trustee of the Applicant Trust in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That I have been authorized by other members of the Trust to file this affidavit.
3. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Rabindranath Sar
DEPONENT

VERIFICATION

Verified on this 15 NOV 2025 day of2025 atthat the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
Sp. P. Sar
Advocate

The above named deponent(s) being duly identified by the Advocate, Bhubaneswar appears before me on 15 NOV 2025 at on oath the contents of the affidavit are true to the best of his/her/their knowledge and belief.

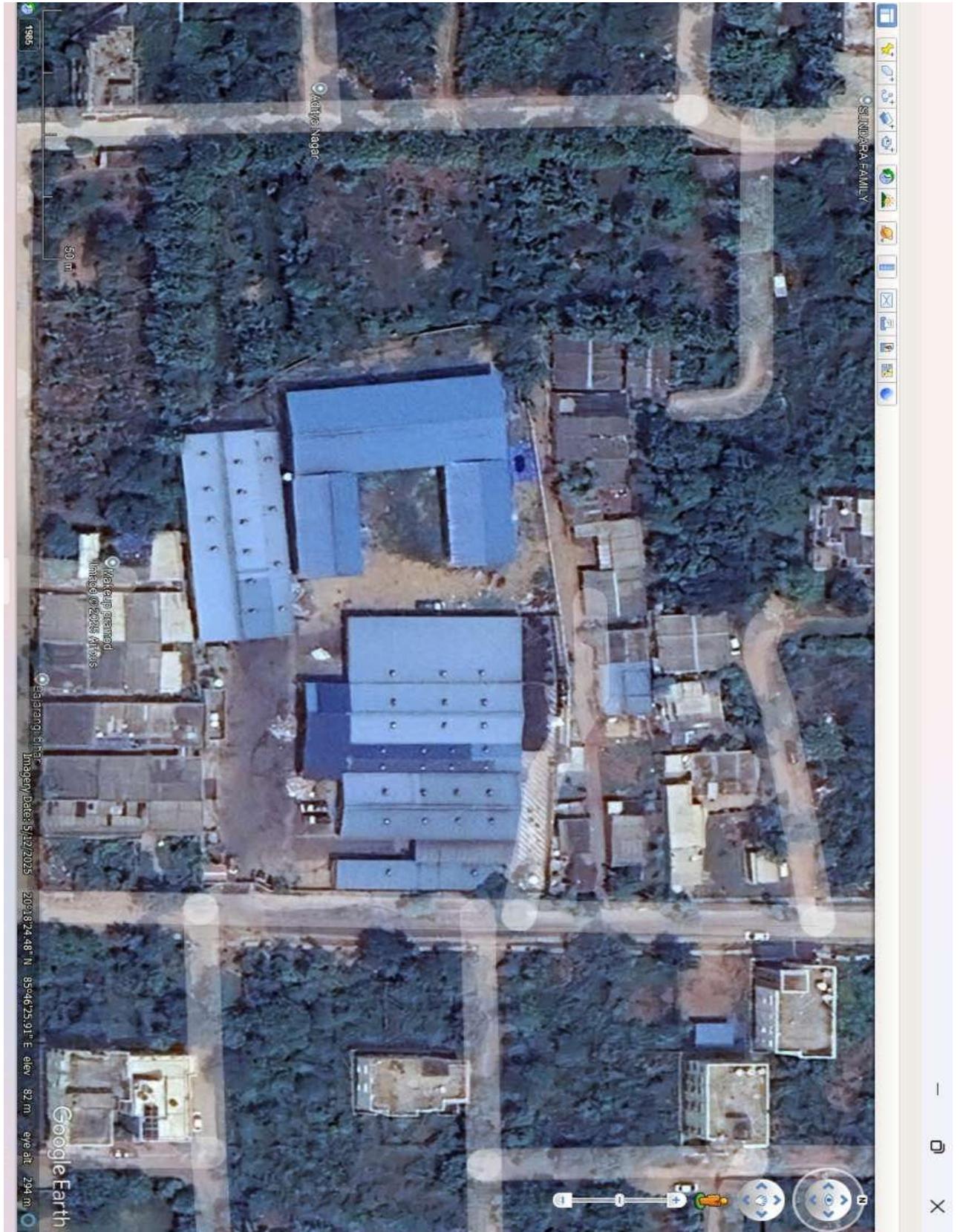
Deponent(s) Notary, Bhubaneswar

Rabindranath Sar
DEPONENT



Janmejaya Rautray
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO. ON-86/2012
Mob No-7978581217

THAT THE BELOW ATTACHED GOOGLE EARTH IMAGE DATED 12/05/2025 SUGGESTS THE RESPONDENT NO.1 HAS ILLEGALLY CONSTRUCTED MCC WITHIN RESIDENTIAL AREA.



Date: 07/05/2021

To
The Commissioner,
Bhubaneswar Municipal Corporation
Vivekananda Marg, Bhubaneswar
Odisha--751014,

Sub: Fallout effects of Micro Composting Centres of BMC at GA Colony, Bharatpur, Bhubaneswar-reg.

Sir,

This is to draw your kind attention to the following points for your kind perusal and urgent action.

We the resident owners of GA Colony, Bharatpur, Bhubaneswar are facing untold miseries caused by Bhubaneswar Municipal Corporation (BMC) with construction of a series of Micro Composting Centres (MCC) by BMC in close proximity to our residential houses at the mouth of the sewerage drains.

1. That as per the the original plotted scheme of GA Department for Bharatpur-Sampur Mouza in Drawing No.B1/367, Govt.of Odisha allotted plots to different applicants and gave possession after receipt of entire amount fixed by Government along with an additional amount for development of internal roads, sewerage system etc(Infrastructural development) . **An area was kept reserved for Sewerage Treatment Plant. (Map attached).**

2. That GAD through BDA had constructed Sewerage Disposal drain lines and all drains were discharging sewerage to the earmarked place but **Sewerage Treatment Plant was not constructed**. Over the years, the sewerage system is damaged due to lack of maintenance for which the resident owners are clearing the blockages time and again and the effluents which were discharged into the Sewerage Treatment Plant earmarked area without producing any foul smell.

3. That we have been paying holding tax which includes sewerage tax but BMC never tried to maintain the sewerage system neither constructed sewerage Treatment plant which is mandatory as per Government's Swachh mission.

4. That in 2019-20, BMC took away a part of the **Sewerage treatment Plant area from BMC and constructed Micro Composting Centres (MCC) exactly at the mouth of the sewerage drains**, without consultation with residents. The BMC preferred to locate the first MCC plant in close proximity to residential plots, just 40' apart from residential plots during

the Covid -19 pandemic for which plot owners could not apprise you the future problems (**refer enclosed location Map**).

5. That the outer boundary wall of MCC on the eastern side completely blocked the sewerage lines thereby allowing the effluents stagnating on the residential side of the road, spreading all along the road fringe as well as on the road itself. This is the present situation in hot summer and rainy season scenario is simply unimaginable.

6. That the first one constructed is partly in operation of composting process and to our great surprise **one more plant was constructed**, now almost in completion stage.

7. That BDA had developed that part of land by digging a pond for setting up Sewerage Treatment Plant which your organization is **filling with sand on war footing** and **constructing one more structure within the pond** itself. We are afraid, many more MCCs or other accessory structures.

8. That the earliest constructed MCC is under partial operation since 1st April. **There are large numbers of open ponds within the shed** where wet domestic wastes are stored before compost is manufactured. Pungent smell is coming out of the ponds and during plant operation from the decomposed wet waste.

9. That the storage of segregated wet domestic wastes for aeration and stagnated sewerage effluents on the road side have become suitable **breeding of grounds for flies and mosquitoes**. These flies are pervading into all residents in the Colony posing severe health hazards. Thus flies and mosquito related endemic diseases like cholera and malaria cannot be ruled out during rainy season.

10. That no dedicated roads were developed both for transport of construction material, plants and machinery as well as transport of domestic wastes and outflow of Compost Product being manufactured.

11. That Heavy loaded trucks are carrying construction material using our residential road under instruction from the contractor and his supervisors creating **possibility of casualty** by the vehicles engaged for the MCC Project who drive with audacity as if on Highways.

12. That most of the residents in this colony are retired government employees who constructed their dream houses to stay in an environmental friendly area by spending their lifetime earnings. At this age, they do need sound sleep, early morning Meditation and perform Puja etc. and morning walk within the colony internal roads. Our life has become miserable only due to the **unscientific localisation of a huge MCC complex by BMC in**

close proximity to the residents and thorough use of Project vehicles along the residential road.

13. That the impending health hazards due to the MCCs are clearly felt and foreseen in near future. The serious ill effects to the constant exposure to contamination will create noxious impacts on human community and nature. We doubt the approach to odor-trapping technique used in MCC

14. That to our understanding, MCC is supposed to construct one MCC in each ward as part of Solid waste Management policy. But we feel the cluster of plants set up may be used for multiple wards without any concern to the life of residents of residential colony. Probably the BMC considered life of the residents of the GA Colony, Bhubaneswar is of no importance for which such a big project was conceived and undertaken in close proximity to residents.

15. That BMC deliberately sacrificed **the Sewerage Treatment Plant** and used this specific stretch of land in order to implement Solid Waste Management policy.

We thus feel such action by the BMC is a brutal violation of human rights of the class of people who do not have a strong voice and a grave pity to our democratic governance and intentional violation of citizen's right to life guaranteed by the Constitution under Article 21.

We therefore request you to make an onsite visit, order for **stoppage of every operation, opening of passage of sewerage water, construction of Sewerage Water Plant** before it badly affects the health of citizens **failing which we will seek legal course in appropriate court of justice.**

Encl.: 1.Copy of Original plotted scheme Map.

2. Plan Outlay of Sewerage Treatment Plant as per GAD plotted scheme Map (Drawing No.B1-367) and location of newly constructed MCC

Copy forwarded to:

1. Chief Secretary & Chief Development Commissioner, Govt. of Odisha, Bhubaneswar-751001 for his kind intervention

2. Principal Secretary Housing & Urban Department, 3rd Floor, Kharavel Bhavan, West Wing, Room No.302, Bhubaneswar-751001

3. Principal Secretary Forest and Environment Department, Kharavel Bhavan, Bhubaneswar, Odisha-751001.

4. Chairman, State Pollution Control Board (Head Office),

Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII, Bhubaneswar - 751012

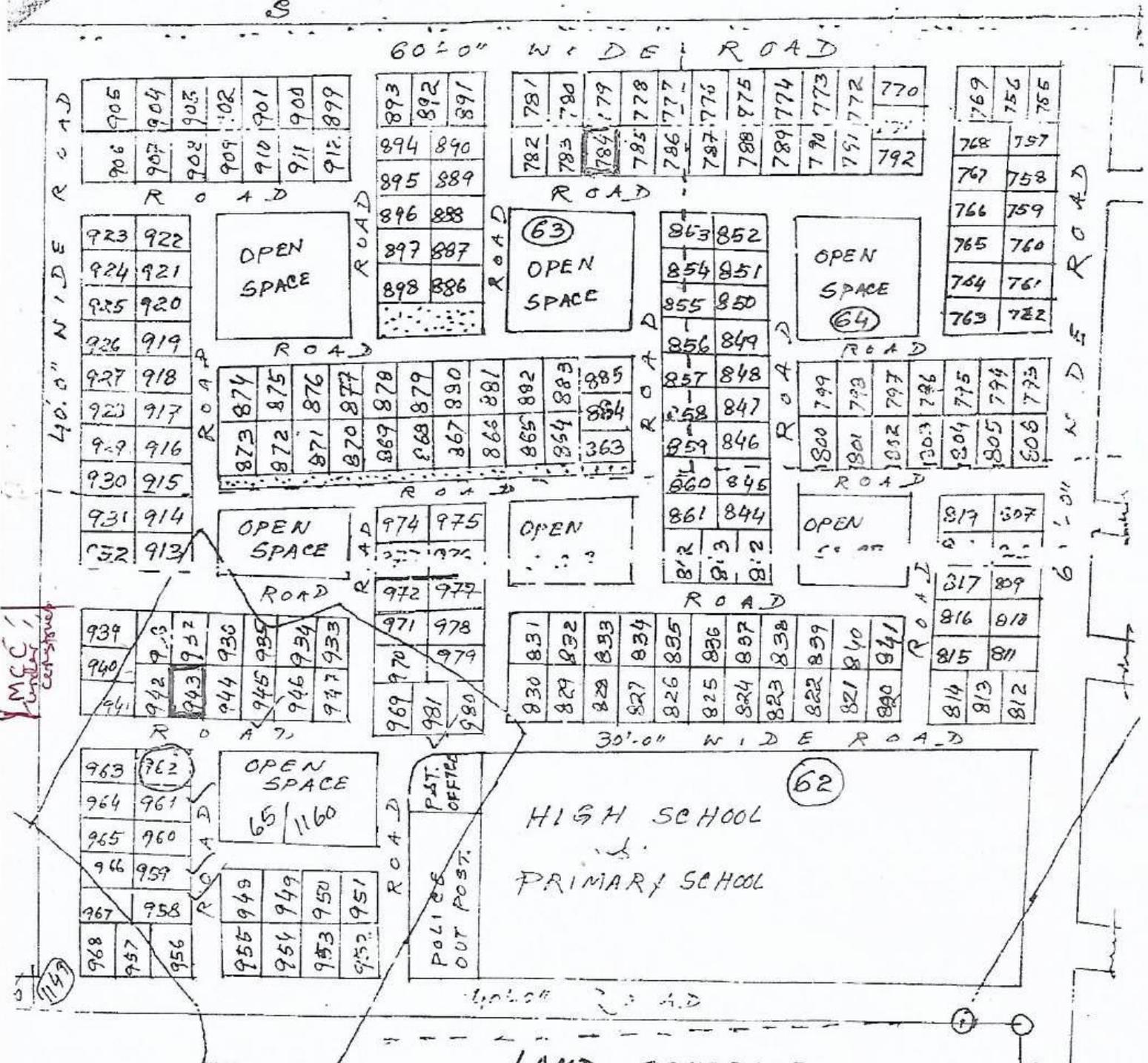
Yours faithfully,

Resident owners, GA Colony, Bharatpur, Bhubaneswar-751029

| Sl.No. | Name of Resident Owner | Signature |
|--------|-------------------------------------|------------|
| 1. | R.N. Sar, plot no 962 | |
| 2. | Kasimul Pradhan plot no - 980 | |
| 3. | Mamunul Saha plot no - 133 | |
| 4. | Pradyut Ranjan Bhuja plot no - 100 | |
| 5. | Kabiprasad Mishra plot no 477 | |
| 7. | P.C. Patra, plot no. 947 | |
| 8. | Prakash Chandra Gera plot no. 958 | |
| 9. | Ananda Chandra Patra GA - 196 | |
| 10. | Golak Bihari Malik - plot no - 814. | |
| 11. | Rama Chandra Swain plot no. 829 | |
| 12. | Bira Kishore Singh - 326 | B.K. Singh |
| 13. | Krishna Prasad Femoni - 821 | |
| 14. | Sunil Kumar Gariai - 961 | |
| 15. | Sukadev Swain - 462. | |
| 16. | Abhinav Patra - 444 | |
| 17. | Ch. Srikant Prasad - 824 | |
| 18. | Sumanth Pungisrahi - 445 | |
| 19. | Nilambar Raj Mahapatra GA 801 | |
| 20. | Nirajan Das GA 938 | |
| 21. | Amiya K. Saha GA - 818. | |

| | | |
|----|--|----------------------|
| 38 | Anjubala DAS, Plot No. - 942 | Anjubala Das |
| 39 | Bishnu Prasad Panda Plot No. 232 | Bishnu P. |
| 40 | Radhachyan Parigrahi Plot No. 769, G.A. Colony. | Radhachyan Parigrahi |
| 41 | Sarabjitwar Dalai Plot No. | Sarabjitwar |
| 42 | Dr. Subodh Chandra Sahoo Plot No. | Subodh Chandra Sahoo |
| 43 | Sarat Kumar Jena Plot No. 804 | Sarat Kumar |
| 44 | Bharat Ch. Kar Plot No. 747 | Bharat Ch. Kar |
| 45 | Sadasiva Biswal 506 | Sadasiva Biswal |
| 46 | Asok Kumar Routray 530/GA Plot, Bharatpur | Asok Kumar Routray |
| 47 | Subhasis Nayak 104 Bharatpur | Subhasis Nayak |
| 48 | Santosh Ranjan Das Plot No. - 903 G.A. Colony | Santosh Ranjan Das |
| 49 | CHANDRA SEKHAR SAHOO PLOT NO - 778, G.A. COLONY BHARATPUR, BHUBANESWAR | Chandra Sekhar Sahoo |
| 50 | Sambit Kumar Nayak Plot No. - 920 G.A. Colony | Sambit Kumar Nayak |
| | | |

PART SKETCH PLAN OF
 MR:- SAMPUR (B-1)
 DRG. No. B/367
 SCALE - 1/65 = 1"



LAND SCHEDULE

Drawing plot no 943 (40' x 60'), drawing no. B/367, corresponding to 1953-54 Settlement Rev. plot no 65/1160 (Part), Area Ac. 0.055 out of Total Area Ac 4.440, of MR:- SAMPUR, Under Khata no. 245 (Anabadi)

TAKEN OVER

Anjubala Das

LESSEE / AUTHORIZED PERSON

Laxman Kumar Verma
 Revenue Inspector 4.11.03

RESIDENTS WELFARE ASSOCIATION

OF G.A. DEPARTMENT PLOTTED SCHEME

BHARATPUR AND SAMPUR

(Registered with Additional Registrar of Societies, Bhubaneswar vide No.1720-92 of 2010-2011)

Ref.No... 141 / RWABS

Date 07-06-2021

To

✓ The Commissioner, Bhubaneswar Municipal Corporation

Bhubaneswar

Sub: Construction of Micro Composting centre (MCC) complex constructed by BMC in Bharatpur GA Colony- regarding

Sir,

On behalf of Residents Welfare Association of GA Department Plotted Scheme at Bharatpur & Sampur It is to bring to your kind notice the following points.

1. That the GA Dept. during early 1990s allotted residential plots on payment of land cost and Infrastructural Development cost which the residents had paid.
2. That the present MCC complex are constructed by filling dug out area which even during rainy season was giving a pond like look. The existing Sewerage system though not made operational was draining out the waste water and pouring into the pond like structure. With the construction of MCCs the passage of waste fluid was blocked and a portion of the area is being filled up with sand by BMC.
3. That the BMC went on constructing units after units of MCC in utter violation to the residential proximity of the location.
4. That the BMC has not taken any tangible step for construction of Sewerage System all though the residents have been paying Sewerage Charges (within the Holding Tax) for the last 10 years. To our utter despair the BMC is filling up the earlier dug out part of the area earmarked for Sewerage Treatment Plant.
5. That the waste water is now stagnating on the fringes of the outer road even in summer months.
6. That the series of open ponds made for composting of wet domestic wastes and the stagnated waste water have become suitable breeding grounds for flies and mosquitoes which are pervading in large numbers into the houses located in the colony.

RESIDENTS WELFARE ASSOCIATION**OF G.A. DEPARTMENT PLOTTED SCHEME
BHARATPUR AND SAMPUR**

(Registered with Additional Registrar of Societies, Bhubaneswar vide No.1720-92 of 2010-2011)

Ref.No.....

Date

7. That only a minor part of the first MCC is in operation from 1st April and the nearby residents feel the severity of the pungent toxic smell. We apprehend with full operation of all the MCCs without odour tapping mechanism in place and fly/mosquito prevention measures severe health hazard is impending that could help in cholera and malaria endemics in the residential colony.

Therefore, it is requested that the all present construction activities for MCCs please be withheld immediately and be taken up at a reasonable distance where abundant government land is available.

For this we shall be obliged.

Yours faithfully


General Secretary

Copy submitted to Director of Estate, G.A.Department, Govt. of Odisha, Bhubaneswar for information and necessary action.


General Secretary



**RESIDENT WELFARE ASSOCIATION
OF GA DEPT. PLOTTED SCHEME, BHARATPUR & SAMPUR**

(Registered with Additional Registrar of Societies, Bhubaneswar Vide No. 1720-92 of 2010-2011)

Correspondence: General Secretary, Community Centre, GA Colony, Mahalaxmi Vihar, Bharatpur, Bhubaneswar – 751029

Mail: rwagac@gmail.com

Letter No. 305/2025

Date-03.09.2025

To

The Deputy Director General of Forests(c)

Ministry of Environment, Forests & Climate Change

Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar 751 023

Sub: Mis-use of Forest Kisam land by Bhubaneswar Municipal Corporation in Mouza Sampur under Bhubaneswar City limit.

Sir,

We, the residents of GA Colony of Sampur and Bharatpur mouza most respectfully put forth the following few lines for your kind intervention and necessary action.

That, more than one acre of jungle kissam land in mouza Sampur in drawing No. B-367 (B-1, Bharatpur) under Bhubaneswar Tahasil has been illegally encroached by Bhubaneswar Municipal Corporation for last 4-5 years for non- forest with construction of 'Micro Compost Center' (MCC) and a Foultry Feed Manufacturing company in PPP mode for which no environmental clearance was taken neither from State Pollution Control Board nor from Central Control Board.

That installation of a highly air and sound polluting plant by BMC along with a poultry feed plant without proper land transfer from GA & PG Department of Govt. of Odisha (owner of land parcel) which falls under **forest kisam** plot is highly illegal in face of " The Forest Conservation Act,1980' and rules framed there under and an act of illegal encroachment over Govt land.

That forest kissam land serves the Society in many ways including providing clean and green environment to human beings as well as habitat for forest bound animals. But the MCC Plant installed amidst a Residential area provided by Govt. of Odisha has been producing high level of pollution round the clock causing health hazards to nearby residents. Earlier existing fauna have probably been disappeared.

We, therefore most humbly, pray before you to kindly to cause an Inquiry into this illegal installation of this polluting unit by BMC over forest Kisam Land in Mouza Sampur (ward No.22)and direct the State Govt/ BMC to vacate the forest kisam plot to save the environment.

With regards,

Yours Sincerely,
 30/01/2025
 31/01/2025
 General Secretary

GENERAL SECRETARY
 RESIDENTS WELFARE ASSOCIATION OF
 G.A. DEPT. BHOJENDRA NAGAR
 BHARATPUR & SAMPUR
 P.O.-BHARATPUR, BHUBANESWAR

Copy for information to the Chairman, State Pollution Control Board, Odisha, Parivesh Bhawan,

A/118, Nilakantha Nagar, Bhubaneswar-751012

General Secretary
 G.A. DEPT. BHOJENDRA NAGAR
 BHARATPUR & SAMPUR
 P.O.-BHARATPUR, BHUBANESWAR



RESIDENT WELFARE ASSOCIATION OF GA DEPT. PLOTTED SCHEME, BHARATPUR & SAMPUR

(Registered with Additional Registrar of Societies, Bhubaneswar Vide No. 1720-92 of 2010-2011)

Correspondence: General Secretary, Community Centre, GA Colony, Mahalaxmi Vihar, Bharatpur, Bhubaneswar – 751029.

Mail: rwagac@gmail.com

Letter No : 321/2021

Date : 23/10/2021

ମାନ୍ୟବର ମୁଖ୍ୟମନ୍ତ୍ରୀ, ଓଡ଼ିଶା

ଭୁବନେଶ୍ୱର- ଓଡ଼ିଶା

ବିଷୟ: ଆବାସିକ ଅଞ୍ଚଳରେ ସର୍ବସାଧାରଣଙ୍କ ହିତ ପାଇଁ ଉଦ୍ଦିଷ୍ଟ କେତେଗି ଜମି ପୂର୍ବ ସରକାରଙ୍କ ଅମଳରେ ଅନ୍ୟ ଉଦ୍ଦେଶ୍ୟରେ ଆବୃତ ହେବାଭଳି 'ଜନ ବିରୋଧୀ ନିଷ୍ପତ୍ତି' ସମ୍ପର୍କରେ ଏକ ବିନୀତ ଉପସ୍ଥାପନା ।

ସମ୍ମାନନୀୟ ମହୋଦୟ !

ଆପଣଙ୍କ ନିର୍ଦ୍ଦେଶ ଓ ଜନମଙ୍ଗଳକାରୀ ଶାସନକୁ ସହସ୍ରବାର ପ୍ରଶଂସା ପୂର୍ବକ ଉପରୋକ୍ତ ବିଷୟରେ ଆମ ପ୍ରତି ହୋଇଥିବା ଅବିଚାର ସମ୍ପର୍କରେ ନିମ୍ନୋକ୍ତ ତଥ୍ୟ ଆପଣଙ୍କ ନ୍ୟାୟୋଚିତ ବିଚାର ନିମନ୍ତେ ଉପସ୍ଥାପନା କରୁଅଛୁ ।

ମହୋଦୟ ! ୧୯୮୯ ମସିହାରେ ସମ୍ଭାବ୍ୟତାରେ ପ୍ରକାଶିତ ବିଜ୍ଞାପନ ଓ ଆବେଦନକାରୀଙ୍କ ଉପସ୍ଥିତିରେ ଲଠେରୀ ମାଧ୍ୟମରେ ସାଧାରଣ ପ୍ରଶାସନ ବିଭାଗ ୭୭ ଗୋଟି ପ୍ଲଟ୍ ଉଚ୍ଚ ଆୟକାରୀ, ୮୫୮ ଗୋଟି ପ୍ଲଟ୍ ମଧ୍ୟମ ଆୟକାରୀ ଓ ୪୬ ଗୋଟି ଅନ୍ୟ ବର୍ଗ ସମେତ ମୋଟ ୯୮୧ ଗୋଟି ଆବାସିକ ପ୍ଲଟ୍ ଆବୃତ୍ତ କରିଛନ୍ତି । ବି.ଡି.ଏ ଦ୍ୱାରା ଅନୁମୋଦିତ 'ବି-୩୬୭' (ବି-୧, ଭରତପୁର) ନକ୍ସାରେ ଲିପିବଦ୍ଧ ଏହି ଆବାସିକ ଅଂଚଳ ଭୁବନେଶ୍ୱର, ୨୨ ନମ୍ବର ଓଡ଼ି ଅନ୍ତର୍ଗତ ଭରତପୁର ସଂରକ୍ଷିତ ଜଙ୍ଗଲ ନିକଟସ୍ଥ ଭରତପୁର ଓ ଶାମପୁର ମୌଜାରେ ଅବସ୍ଥିତ ।

ମହୋଦୟ ! ଉକ୍ତ ଆବାସିକ ଜମିର ନିର୍ଦ୍ଧାରିତ ମୂଲ୍ୟ ବ୍ୟତିରେକେ ଏହାର ଭିତ୍ତିଭୂମି ବିକାଶ (Infrastructure Development) ପାଇଁ ଉଚ୍ଚା ଦରରେ, ସ୍ଥଳବିଶେଷରେ ବିକଳ ଜନିତ ଜୋରିମାନା ସହିତ ଜମି ଗ୍ରହିତାଙ୍କଠାରୁ ଅର୍ଥ ଆଦାୟ କରାଯାଇଛି, ଯଦିଓ ଅଦ୍ୟାବଧି, ଜମିଗ୍ରହଣର ୩୫ ବର୍ଷ ପରେ ମଧ୍ୟ ଗ୍ରହିତାମାନେ ଏହି ପ୍ରକାର ବିକାଶ ଓ ଉନ୍ନତିମୂଳକ ସୁବିଧାରୁ ବଞ୍ଚିତ ରହିଛନ୍ତି । ମହୋଦୟଙ୍କ ନ୍ୟାୟୋଚିତ ବିଚାର ପାଇଁ ଏଠାରେ ପ୍ରକାଶ ଆଉକି, ୧୯୮୯ ମସିହାର ଉକ୍ତ ଷ୍ଟିମ୍ ଆସିବା ପୂର୍ବରୁ ଏବଂ ପରେ ଏହି ନିୟମରେ ଲୋକେ ରାଜଧାନୀର ବିଭିନ୍ନ ସ୍ଥାନରେ ଜମି ଅଧିଗ୍ରହଣ କରିଛନ୍ତି କିନ୍ତୁ ସାଧାରଣ ପ୍ରଶାସନ ବିଭାଗ ସେମାନଙ୍କଠାରୁ କେବଳ ଜମିର ନିର୍ଦ୍ଧାରିତ ମୂଲ୍ୟ ବ୍ୟତୀତ ଭିତ୍ତିଭୂମି ବିକାଶ ଓ ଉନ୍ନୟନ ପାଇଁ କୌଣସି ମୂଲ୍ୟ ଆଦାୟ କରି ନାହିଁ ।

ଏଣୁ ଏଠାରେ, ଅନୁମୋଦିତ ନକ୍ସାରେ ଦର୍ଶାଯାଇଥିବା ଓ ସଂରକ୍ଷିତ ଥିବା ନିମ୍ନୋକ୍ତ ସମସ୍ତ ପ୍ଲଟ୍ ନିଃସନ୍ଦେହରେ ଆବୃତ୍ତ ଗ୍ରହଣ ଓ ସର୍ବ ସାଧାରଣଙ୍କ ହିତପାଇଁ ଉଦ୍ଦିଷ୍ଟ । ମାତ୍ର ଦୁଃଖର ବିଷୟ, ସାଧାରଣ ପ୍ରଶାସନ ବିଭାଗ ଏକତରଫା ଭାବେ ସର୍ବସାଧାରଣଙ୍କ ପାଇଁ ଚିହ୍ନଟ ଥିବା କେତେକ ପ୍ଲଟ୍ ଅନ୍ୟ ଉଦ୍ଦେଶ୍ୟରେ ବ୍ୟବହାର କରି ସାରିଲେଣି । ଆର.ଟି.ଆଇ. ଜରିଆରେ ସାଧାରଣ ପ୍ରଶାସନ ବିଭାଗରୁ ପ୍ରାପ୍ତ ତଥ୍ୟନୁସାରେ ତାହାର ଏକ ସ୍ୱଳ୍ପ ତାଲିକା ଆପଣଙ୍କ ଗୋଚରାର୍ଥେ ନିମ୍ନରେ ଉଲ୍ଲେଖ କରାଗଲା ।

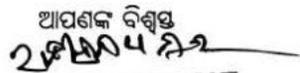
| କ୍ରମ | ନକ୍ସା ଅନୁସାରେ ନିର୍ଦ୍ଧାରିତ ପ୍ଲଟ୍ | ବର୍ତ୍ତମାନର ସ୍ଥିତି |
|------|---------------------------------|---|
| ୧ | ପେଟ୍ରୋଲ୍ ପମ୍ପ୍ | ବି.ଡି.ଏ ସହଯୋଗରେ ହୋଟେଲ୍ (ନିର୍ମାଣାଧୀନ) |
| ୨ | ପ୍ରାଇମେରୀ ସ୍କୁଲ୍ | ଭରତପୁର ପୋଲିସ୍ ଷ୍ଟେସନ୍ ଏବଂ ଲୋକାୟୁକ୍ତ ଭବନ (ନିର୍ମାଣାଧୀନ) |
| ୩ | ସ୍ଥିରେକ୍ ଟ୍ରିଟମେଣ୍ଟ ପ୍ଲାଣ୍ଟ୍ | ମାଲକୋ କମ୍ପୋଷ୍ଟିଙ୍ଗ୍ ସେଣ୍ଟର ଏବଂ ଅନଧିକୃତ ବସ୍ତି |
| ୪ | ଆବାସିକ କମ୍ୟୁନିଟି ସେଣ୍ଟର | ଭରତପୁର ପୋଲିସ୍ ଷ୍ଟେସନ୍ ଏବଂ ଲୋକାୟୁକ୍ତ ଭବନ (ନିର୍ମାଣାଧୀନ) |
| ୫ | ପୋଷ୍ଟ ଅଫିସ୍ ଓ ହାଇସ୍କୁଲ୍ | ବି.ଡି.ଏ ପାର୍କ |
| ୬ | ବିଦ୍ୟୁତ୍ ସବ୍‌ଷ୍ଟେସନ୍ | ଅନଧିକୃତ ବଜରଙ୍ଗି ବସ୍ତି |
| ୭ | ମାର୍କେଟ୍ କମ୍ପ୍ଲେକ୍ସ୍ | ନିର୍ମାଣାଧୀନ ଲୋକାୟୁକ୍ତ କୋଠାର ଶ୍ରମିକ ବସ୍ତି |

ମହାଶୟା! ସରକାରୀ ପ୍ରାୟୋଜିତ ଏହି ଆବାସିକ ଅଂଚଳ ଭୁବନେଶ୍ୱର ସହରଠାରୁ ଦୂରରେ ଏବଂ ଭରତପୁର ସଂରକ୍ଷିତ ଜଙ୍ଗଲ ନିକଟରେ ଥିବା କାରଣରୁ ବହୁ ସୁବିଧା-ସୁଯୋଗରୁ ବଞ୍ଚିତ। ସେହି କାରଣରୁ ଆମେ ଅତତଃ ନିମ୍ନୋକ୍ତ ପାଠଗୋଟି ସୁବିଧା ଅବିଳମ୍ବେ ଯୋଗାଇଦେବାକୁ ଆପଣଙ୍କୁ ସବିନମ୍ନ ଅନୁରୋଧ କରୁଅଛୁ।

- ୧. ଏହି ଆବାସିକ ଅଂଚଳରେ ବର୍ଜ୍ୟଜଳ ସଂଚାଳନ କେନ୍ଦ୍ର (Sewage treatment plant) ପାଇଁ ଯେଉଁ ସ୍ଥାନଟି ନିର୍ଦ୍ଧାରିତ ଥିଲା ସେଠାରେ ବି.ଏମ୍.ସି ଆଇନଗତ ପ୍ରତିବନ୍ଧକକୁ ଭୂକ୍ଷେପ ନକରି ବଳପୂର୍ବକ ଭାବେ ପ୍ରତିଷ୍ଠା କରିଛନ୍ତି ଏକାଧିକ 'ପୂଷ୍ଟ ଖତ ପ୍ରକ୍ରିୟାକରଣ ଓ ଉତ୍ପାଦନ କାରଖାନା' (MCC plant) । ଏଗୁଡ଼ିକ ଆବାସିକ କ୍ଷେତ୍ରର ଅତି ନିକଟରେ ଥିବା କାରଣରୁ ସମଗ୍ର ଜଲାକାରେ ଯେଉଁ ପ୍ରତିଗନ୍ଧମୟ ପରିବେଶ ସୃଷ୍ଟି କରୁଛି ତାହା ଅବର୍ଣ୍ଣନୀୟ। ତେଣୁ ଏହାକୁ ତୁରନ୍ତ ଉଠାଯାଉ ଏବଂ ସେଠାରେ ଏକ କେନ୍ଦ୍ରୀୟ ବିଦ୍ୟାଳୟ କିମ୍ବା ଜାତୀୟ ସ୍ତରୀୟ ଡି.ଏ.ଭି ସ୍କୁଲ, ସାଇ ଇଣ୍ଟରନ୍ୟାସନାଲ୍ ସ୍କୁଲ ଭଳି (ନର୍ସିନା ଠାରୁ ଯୁକ୍ତ ଦୁଇ ପର୍ଯ୍ୟନ୍ତ) ବିଦ୍ୟାଳୟ ସ୍ଥାପନ କରିବାପାଇଁ ଉକ୍ତ ପ୍ଲଟକୁ ବିଦ୍ୟାଳୟ ଓ ଗଣଶିକ୍ଷା ବିଭାଗ ଅଧୀନରେ ସଂରକ୍ଷିତ ରଖାଯାଉ ।
- ୨. ଅବିଶ୍ୱାସ୍ୟ ହେଲେ ମଧ୍ୟ ସତ୍ୟ ଯେ, କେଉଁ ଏକ ଅଦୃଶ୍ୟ ଶକ୍ତିର ଜର୍ଜିତରେ ଏହି ଆବାସିକ ଅଂଚଳରେ ପେଟ୍ରୋଲ ପମ୍ପ ପାଇଁ ନିର୍ଦ୍ଧାରିତ ଥିବା ଜାଗାକୁ ଏକ ହୋଟେଲ୍ ପାଇଁ ଆବର୍ଣ୍ଣିତ କରାଯାଇଛି । ତେଣୁ ସେହି ଜାଗା ପରିବର୍ତ୍ତେ ଉକ୍ତ ଆବାସିକ ଅଂଚଳର ମୁଖ୍ୟରାଷ୍ଟ୍ର ପାର୍ଶ୍ୱରେ ଅନ୍ୟଏକ ପୁର୍ ପେଟ୍ରୋଲ୍ ପମ୍ପ ପାଇଁ ସୁନିଶ୍ଚିତ କରାଯାଉ, ଯାହା ଦ୍ୱାରା ଆଖପାଖର ସମସ୍ତ ଅଧିବାସୀ ତଥା ସେହି ରାଷ୍ଟ୍ର ଦେଇ କଟକ ଯାତାୟାତ କରୁଥିବା ସମସ୍ତ ଯାନବାହନ ଜଣନ ସମସ୍ୟାରୁ ମୁକ୍ତ ହୋଇପାରିବେ ।
- ୩. ଉକ୍ତ ଆବାସିକ ଅଂଚଳରେ ମାର୍କେଟ୍ କମ୍ପ୍ଲେକ୍ସ ପାଇଁ ଉଦ୍ଦିଷ୍ଟ ଜାଗାକୁ ଦଖଲମୁକ୍ତ କରାଯାଇ ବି.ଡି.ଏ କିମ୍ବା ପି.ପି.ଟି ମୋଡ଼ରେ ଏକ ମାର୍କେଟ୍ କମ୍ପ୍ଲେକ୍ସ ନିର୍ମାଣ ପାଇଁ ଆଦେଶ ଦିଆଯାଉ ।
- ୪. ଉକ୍ତ ଆବାସିକ ଅଂଚଳରେ ସ୍ୱାସ୍ଥ୍ୟକେନ୍ଦ୍ର ପାଇଁ ଉଦ୍ଦିଷ୍ଟ ଜାଗାକୁ ଦଖଲମୁକ୍ତ କରାଯାଇ ଏକ ସ୍ୱାସ୍ଥ୍ୟକେନ୍ଦ୍ର ପ୍ରତିଷ୍ଠା କରିବାପାଇଁ ସ୍ୱାସ୍ଥ୍ୟ ଏବଂ ପରିବାର କଲ୍ୟାଣ ବିଭାଗ ସପକ୍ଷରେ ପ୍ଲଟକୁ ଆବର୍ଣ୍ଣିତ କରାଯାଉ ।
- ୫. ଉକ୍ତ ଆବାସିକ ଅଂଚଳରେ ବିଦ୍ୟୁତ୍ ସର୍ବ୍ୱେସନ୍ ପାଇଁ ନିର୍ଦ୍ଧାରିତ ଥିବା ଜମିକୁ ଦଖଲମୁକ୍ତ କରାଯାଇ ରାଜ୍ୟ ଶକ୍ତି ବିଭାଗକୁ ହସ୍ତାନ୍ତର କରାଯାଉ ।

ପ୍ରକାଶ ଥାଇ ଉପରୋକ୍ତ ସମସ୍ତ ସୁବିଧା ଆବାସିକ ଅଂଚଳର ଆବଶ୍ୟକ ଗୁହୀତାମାନଙ୍କ ବ୍ୟତୀତ ଆଖପାଖର ଗ୍ରାମ ଶାମପୁର, ଅନ୍ଧାରୁଆ, ଦାସପୁର ପ୍ରଭୃତି ଅଂଚଳର ବାସିନ୍ଦାମାନଙ୍କପାଇଁ ମଧ୍ୟ ଆଶୀର୍ବାଦ ସାବ୍ୟସ୍ତ ହେବ, ଏଥିରେ ଦ୍ୱିମତ ନାହିଁ।

ଶ୍ରଦ୍ଧା ଓ ସମ୍ମାନର ସହିତ
ଇତି

ଆପଣଙ୍କ ବିଶ୍ୱସ୍ତ


PRESIDENT
RESIDENTS WELFARE ASSOCIATION
G. A. DEPTT PLOTTED SCHEME
BHARATPUR & SAMPUR,
PO: BHARATPUR BHUBANESWAR-7510

ENGLISH TRANSLATION OF ANNEXURE-5

Hon'ble Chief Minister, Odisha

Date: 23/10/2025

Bhubaneswar- Odisha

Subject: A humble presentation regarding the 'anti-people's decision' in which some land meant for public interest in residential areas was transferred for other purposes in the previous government's period.

Dear Sir

With a thousand bows to your honest and public-beneficial governance, we present the following facts regarding the injustice done to us in the above matter for your informed judgment.

Sir, In 1989, the Public Administration Department has allotted 77 plots to high income groups, 858 plots to middle income groups and 46 plots to other categories through lottery in the presence of applicants. This residential plot, inscribed in the 'B-367' (B1, Bharatpur) plan approved by the BDA, is located at Bharatpur and Shamapur Mouza near Bharatpur Reserved Forest under ward No. 22, Bhubaneswar.

Sir, the land owners have been charged for the residential land and additional charges for infrastructure development however even after passage of 35 years the land owners are deprived of such infrastructure. It is pertinent to mention here for your consideration that the said scheme came into force in the year 1989 and before and after the scheme many people have purchased many lands in different parts of Bhubaneswar but the General Administration department has not charged any additional charges for the infrastructure development from those land owners.

Therefore, all the plots mentioned below as shown and reserved in the approved plan are reserved for the benefit of the beneficiaries and the general public. But

unfortunately, the Public Administration Department has unilaterally used some of the plots which were earmarked for public use for other purposes. A detailed list of the same as per the information received by the Public Administration Department through RTI is mentioned below for your reference.

| Sl No. | Plot determined by sequence map | Current status |
|--------|---------------------------------|--|
| 1 | Petrol pump | Hotel with the help of B.D.A (under construction) |
| 2 | Primary school | Bharatpur Police station and lokayukta building (under construction) |
| 3 | Sewerage treatment plant | Micro composting center and illegal basti (slum) |
| 4 | Regional community center | Bharatpur Police station and lokayukta building (under construction) |
| 5 | Post office and high school | B.D.A park |
| 6 | Electric substation | Illegal Bajarangi Basti |
| 7 | Market complex | Under construction lokayukta building |

Sir, this Government allotted Residential Area, is located far from Bhubaneswar city and near Bharatpur Reserve Forest, hence we kindly request you to provide the following facilities at earliest.

1. In this residential area, where the place was earmarked for a sewage treatment plant, BMC has forcibly established several "micro Composting centers" (MCC plants) without complying with the statutory guidelines. Since these are very close to the residential area, the smell they are creating in the entire area is unbearable. Therefore, it should be immediately removed and a dedicated plot

should be reserved under the Schools and Public Education Department to set up a Central School or a National level D.A.V School, SAI International School (from Nursery to +2).

2, It is unbelievable but true that by some unseen force, the land allotted for a petrol pump in this residential area has been taken for a hotel. Therefore, instead of that land, another plot should be secured for a petrol pump on the main road of the said residential area, so that all the residents of the area and all the vehicles travelling to Cuttack through that road can be free from the problem of fuel congestion.

3. An order should be issued to vacate the land earmarked for a market complex in the said residential area and construct a market complex by the BDA or PPT mode.

4. The land earmarked for the Hospital should be free from encroachment and a Hospital should be constructed over the said land and the land should be transferred in favor of the Health and Family Welfare Department.

5. Land designated for electricity substation in the residential area to be de-encroached and transferred to the State Power Department

There is no doubt that all the above facilities will prove to be a blessing for the residents of the surrounding villages like Shampur, Andharua, Daspur, etc., in addition to the allotment recipients of the Residential area.

U. S. 1/1/24
 Joint Director of Estates-Cum-Additional Secretary to Govt.

Kind orders on the above file at page 4N.

This report is regarding present status of seven patches of land earmarked for social facilities spaces in residential lay out plan for Bharatpur B-1 in drawing no-B/367. The information sought by the RTI applicant is not available in the compile form. However it is ascertained from the drawing map and field that following Organisations/Institutions are functioning over the earmarked patches of land in drawing no-B/367 of Mouza-Bharatpur/Sampur.

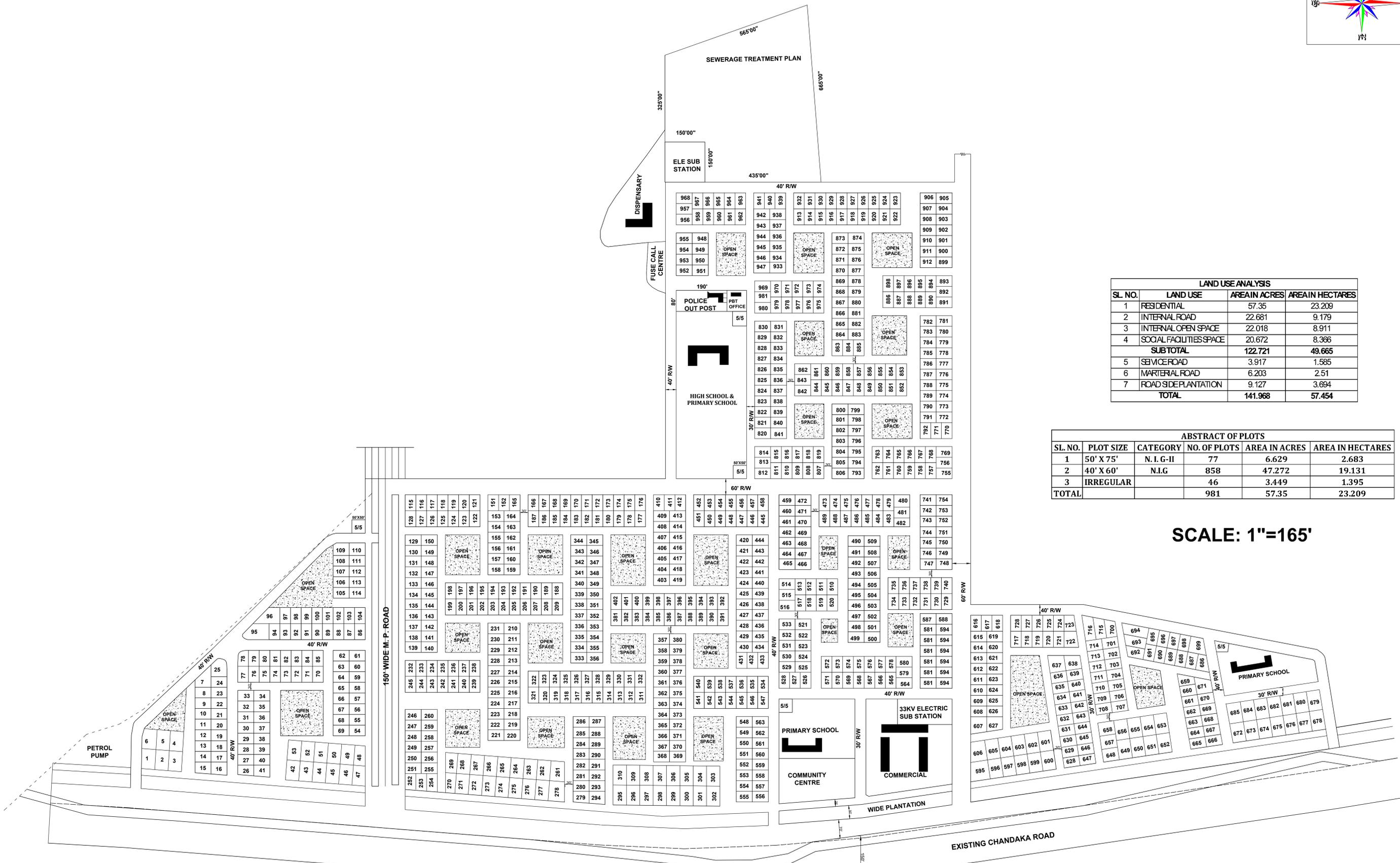
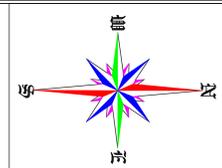
| Sl. no. | Patches of Land Earmarked | Name of Organisations/ Institutions | Field Status |
|---------|--|--|---|
| 1. | Petrol Pump | Sailabala Infrastructure Pvt Ltd, for Hotel Project through Auction by BDA(Bharatpur Village). | Building is under construction for Hotel Project. |
| 2. | Primary / High Schools (There are three patches of land have been earmarked for primary Schools /High Schools) | <ul style="list-style-type: none"> • Bharatpur Police Station(Bharatpur Village) • Lokayukta Office (Bharatpur Village) • Bloosm's school(Bharatpur Village) • Park made by BDA (Sampur village) | <p>Existing Bharatpur Police Station</p> <p>Existing Lokayukta Office under construction</p> <p>Existing Bloosm's school</p> <p>Existing park</p> |

| | | | |
|----|-----------------------------|--|---|
| 3. | Swerege Treatment Plant | <ul style="list-style-type: none"> • Micro Composting Center • Unauthorized Bajarangi Slum | Existing Micro Composting Center Existing Slum houses |
| 4. | Community Center | <ul style="list-style-type: none"> • Bharatpur Police Station (Bharatpur Village) • Lokayukta Office (Bharatpur Village) | Existing Bharatpur Police Station Existing Lokayukta Office under construction |
| 5. | Post Office | BDA Park (Sampur Village) | Developed by BDA Park. |
| 6. | Electric Sub Station | Unauthorized Bajarangi Slum (Sampur Village) | Existing Slum houses |
| 7. | Market Complex (Commercial) | Allotted to POSCO. | The land used by Lokayukta for labour shed |

Report submitted for kind information.

[Signature]
29/05/2024
Revenue Inspector
(G.A & P.G Dept)

[Signature]
29.05.2024
Revenue Supervisor
(G.A & P.G Dept)



| LAND USE ANALYSIS | | | |
|-------------------|-------------------------|----------------|------------------|
| SL. NO. | LAND USE | AREA IN ACRES | AREA IN HECTARES |
| 1 | RESIDENTIAL | 57.35 | 23.209 |
| 2 | INTERNAL ROAD | 22.681 | 9.179 |
| 3 | INTERNAL OPEN SPACE | 22.018 | 8.911 |
| 4 | SOCIAL FACILITIES SPACE | 20.672 | 8.366 |
| SUBTOTAL | | 122.721 | 49.665 |
| 5 | SEVICEROAD | 3.917 | 1.585 |
| 6 | MARTERIAL ROAD | 6.203 | 2.51 |
| 7 | ROAD SIDE PLANTATION | 9.127 | 3.694 |
| TOTAL | | 141.968 | 57.454 |

| ABSTRACT OF PLOTS | | | | | |
|-------------------|-----------|------------|--------------|---------------|------------------|
| SL. NO. | PLOT SIZE | CATEGORY | NO. OF PLOTS | AREA IN ACRES | AREA IN HECTARES |
| 1 | 50' X 75' | N. I. G-II | 77 | 6.629 | 2.683 |
| 2 | 40' X 60' | N.I.G | 858 | 47.272 | 19.131 |
| 3 | IRREGULAR | | 46 | 3.449 | 1.395 |
| TOTAL | | | 981 | 57.35 | 23.209 |

SCALE: 1"=165'

RESIDENTIAL LAYOUT PLAN FOR BHARATPUR B1

THAT THE BELOW ATTACHED PHOTOGRAPHS SUGGESTS THE RESPONDENT NO.1 HAS ILLEGALLY CONSTRUCTED MCC WITHIN THE RESODENTIAL AREA.



Print RTI Application

ANNEXURE-8

FORM - A

See Rule - 4 (1)

| | | |
|--|---|--|
| Application for Information under section 6 (1) of the Act | |  |
| To | | |
| The Public Information Officer Housing and Urban Development Department, Odisha | | |
| 1 | Full name of the applicant | Rabindranath Sar |
| 2 | Name of the Father / Husband | Late Lokanath Sar |
| 3 | Permanent Address | Plot No.962, GA Colony,Bharatpur |
| 4 | Particulars in respect of Identity of the applicant | Adhar Card No - (281561636025) |
| 5 | Particulars of Information solicited | |
| (a) | Subject matter of information | Sewrage infrastructure, B-1 Bharatpur Drawing - 367 |
| (b) | The period to which the information relates | to |
| (c) | Specific details of information required | <ol style="list-style-type: none"> 1. Was BDA entrusted with the task of infrastructure development in B1-Bharatpur, B-367 drawing falling in Bharatpur & Sampur Mouza under Ward No.22 in Bhubaneswar? 2. If, YES, then what were the Infrastructures developed by BDA in B1-Bharatpur, Drawing B-367 for Sewerage System? 3. Has BDA completed Sewerage Treatment Plant as in B-367? 4. Has BDA dug a big Pond like structure in the earmarked space in B-367 Drawing for establishment of Sewerage Treatment Plant? 5. If YES, what were its dimension and the reason behind incompleteness? |

| | | |
|--|--|--|
| | | |
| (d) | Whether information is to be sent by post or received in person | Email (rabi2157@gmail.com) |
| | | |
| (e) | Contact No. | 8763004896 |
| | | |
| (f) | Incense by post (ordinary, registered or speed) | |
| | | |
| 6 | Address to which Information will be sent & in which form | Plot No.962, GA Colony,Bharatpur,,Khordha,Odisha |
| | | |
| 7 | Has the information been provided earlier? | NO |
| | | |
| 8 | Is this information not made available by the Public authority? | NO |
| | | |
| 9 | Is this information not made available by the Public authority? | YES |
| | | |
| 10 | Have you deposited application fee? | NO |
| | | |
| 11 | Whether belongs to BPL category, have you furnished the proof of the same? | NO |
| | | |
| 12 | Application Date | 03/10/2025 |
| | | |
| Place : Plot No.962, GA Colony,Bharatpur | | Full Signature of the applicant |
| Date : 29/10/2025 | | Address |

NOTE:- In view of the orders of the Hon'ble High Court, Orissa and orders of the Odisha Information Commission the existing practice of submission of print out Hard Copy of the Online filed RTI Application & Appeal by the citizen to the concern Public Authorities PIOs & FAA is withdrawn with immediate effect from the RTI online application (www.rtioidisha.gov.in) and also from the appeal facility for the citizen.

Print RTI Application

FORM - A

See Rule - 4 (1)

| | | |
|--|---|--|
| Application for Information under section 6 (1) of the Act | |  |
| To | | |
| | The Public Information Officer Bhubaneswar Municipal Corporation, Odisha | |
| 1 | Full name of the applicant | SOMYA SUMAN |
| 2 | Name of the Father / Husband | Rabindranath Sar |
| 3 | Permanent Address | C-503,Krishna Tower,Nayapalli,Bhubaneswar |
| 4 | Particulars in respect of Identity of the applicant | PAN Card No - (CXRPS2652E) |
| 5 | Particulars of Information solicited | |
| (a) | Subject matter of information | MCC at GA Colony, B1- Bharatpur in B-367 Drwaing |
| (b) | The period to which the information relates | to |
| (c) | Specific details of information required | 1. The Solid Wastes brought by Bhubaneswar Municipal Corporation to the Micro Composting Centre(MCC)/Plant for processing at GA Colony, Bharatpur; Dist.Khordha are from which localities. 2. Do the Solid Waste collected regularly for the MCC Plant at GA Colony, Bharatpur are of domestic wastes or commercial wastes or both? 3. How much Solid Waste is collected per day for the last One Year? I may be supplied with data as recorded at plant site ward-wise and date wise? |
| (d) | Whether information is to be sent by post or received in person | Email (somya.suman@gmail.com) |

| | | |
|---|--|--|
| | | |
| (e) | Contact No. | 7608854945 |
| | | |
| (f) | Incase by post (ordinary, registered or speed) | |
| | | |
| 6 | Address to which Information will be sent & in which form | C-503,Krishna Tower,Nayapalli,Bhubaneswar,,,Khordha,Odisha |
| | | |
| 7 | Has the information been provided earlier? | NO |
| | | |
| 8 | Is this information not made available by the Public authority? | NO |
| | | |
| 9 | Is this information not made available by the Public authority? | YES |
| | | |
| 10 | Have you deposited application fee? | NO |
| | | |
| 11 | Whether belongs to BPL category, have you furnished the proof of the same? | NO |
| 12 | Application Date | 03/10/2025 |
| | | |
| Place : C-503,Krishna Tower,Nayapalli,Bhubaneswar | | Full Signature of the applicant |
| Date : 29/10/2025 | | Address |

NOTE:- In view of the orders of the Hon'ble High Court, Orissa and orders of the Odisha Information Commission the existing practice of submission of print out Hard Copy of the Online filed RTI Application & Appeal by the citizen to the concern Public Authorities PIOs & FAA is withdrawn with immediate effect from the RTI online application (www.rtiodisha.gov.in) and also from the appeal facility for the citizen.

| WARD NO. | Household | Total Population | | | SC Population | | | ST Population | | |
|----------|-----------|------------------|------|--------|---------------|------|--------|---------------|------|--------|
| | | Total | Male | Female | Total | Male | Female | Total | Male | Female |
| 1 | 517 | 12378 | 7745 | 4633 | 267 | 126 | 141 | 8898 | 5620 | 3278 |
| 2 | 2708 | 13482 | 7743 | 5739 | 628 | 318 | 310 | 1036 | 511 | 525 |
| 3 | 3020 | 13110 | 7004 | 6106 | 649 | 345 | 304 | 606 | 323 | 283 |
| 4 | 3476 | 16185 | 8183 | 8002 | 3422 | 1735 | 1687 | 282 | 87 | 195 |
| 5 | 3298 | 13637 | 7318 | 6319 | 1027 | 517 | 510 | 695 | 348 | 347 |
| 6 | 1964 | 13547 | 6757 | 6790 | 460 | 236 | 224 | 554 | 261 | 293 |
| 7 | 3420 | 13698 | 7188 | 6510 | 824 | 425 | 399 | 739 | 383 | 356 |
| 8 | 3575 | 13529 | 7172 | 6357 | 628 | 324 | 304 | 839 | 441 | 398 |
| 9 | 3328 | 13932 | 7302 | 6630 | 1128 | 561 | 567 | 1529 | 779 | 750 |
| 10 | 3433 | 13540 | 7430 | 6110 | 2023 | 1042 | 981 | 723 | 390 | 333 |
| 11 | 2930 | 11834 | 6235 | 5599 | 1076 | 563 | 513 | 919 | 464 | 455 |
| 12 | 3227 | 13243 | 7454 | 5789 | 1336 | 754 | 582 | 832 | 444 | 388 |
| 13 | 3516 | 13287 | 7002 | 6285 | 1243 | 690 | 553 | 959 | 480 | 479 |
| 14 | 3255 | 13522 | 7086 | 6436 | 1321 | 693 | 628 | 821 | 411 | 410 |
| 15 | 2925 | 11528 | 6319 | 5209 | 1222 | 701 | 521 | 810 | 438 | 372 |
| 16 | 3163 | 11404 | 6069 | 5335 | 952 | 512 | 440 | 1984 | 976 | 1008 |
| 17 | 2786 | 12238 | 6334 | 5904 | 1963 | 1056 | 907 | 1365 | 708 | 657 |
| 18 | 2944 | 13094 | 6957 | 6137 | 1185 | 615 | 570 | 210 | 108 | 102 |
| 19 | 3517 | 14071 | 7505 | 6566 | 483 | 262 | 221 | 502 | 247 | 255 |
| 20 | 3385 | 11677 | 6267 | 5410 | 971 | 527 | 444 | 1568 | 812 | 756 |
| 21 | 3257 | 11320 | 5930 | 5390 | 1283 | 673 | 610 | 1714 | 871 | 843 |
| 22 | 3207 | 13568 | 7026 | 6542 | 2894 | 1451 | 1443 | 551 | 287 | 264 |
| 23 | 2545 | 12240 | 6206 | 6034 | 1312 | 649 | 663 | 655 | 351 | 304 |
| 24 | 3331 | 13636 | 7127 | 6509 | 571 | 283 | 288 | 453 | 231 | 222 |
| 25 | 3207 | 13508 | 7068 | 6440 | 569 | 306 | 263 | 322 | 172 | 150 |
| 26 | 3620 | 12167 | 6516 | 5651 | 1479 | 792 | 687 | 1165 | 616 | 549 |
| 27 | 2958 | 12039 | 6293 | 5746 | 820 | 425 | 395 | 290 | 140 | 150 |
| 28 | 2704 | 12230 | 6386 | 5844 | 1025 | 559 | 466 | 1654 | 881 | 773 |
| 29 | 2796 | 11518 | 6115 | 5403 | 1198 | 635 | 563 | 430 | 217 | 213 |
| 30 | 2850 | 12220 | 6348 | 5872 | 441 | 234 | 207 | 470 | 226 | 244 |
| 31 | 2947 | 11633 | 6328 | 5305 | 803 | 421 | 382 | 107 | 54 | 53 |
| 32 | 2518 | 11280 | 5851 | 5429 | 701 | 326 | 375 | 28 | 14 | 14 |
| 33 | 2993 | 12453 | 6754 | 5699 | 517 | 299 | 218 | 197 | 119 | 78 |
| 34 | 3375 | 13013 | 6854 | 6159 | 1108 | 568 | 540 | 319 | 160 | 159 |
| 35 | 3422 | 14130 | 7436 | 6694 | 1392 | 741 | 651 | 274 | 146 | 128 |
| 36 | 2744 | 11509 | 6058 | 5451 | 1783 | 929 | 854 | 851 | 442 | 409 |
| 37 | 2831 | 11679 | 6079 | 5600 | 737 | 366 | 371 | 403 | 205 | 198 |
| 38 | 2912 | 11916 | 6118 | 5798 | 694 | 346 | 348 | 113 | 55 | 58 |
| 39 | 3148 | 12716 | 6734 | 5982 | 587 | 320 | 267 | 249 | 135 | 114 |
| 40 | 2808 | 13179 | 7069 | 6110 | 1621 | 853 | 768 | 594 | 332 | 262 |
| 41 | 3161 | 13525 | 7224 | 6301 | 1088 | 557 | 531 | 136 | 78 | 58 |
| 42 | 3438 | 13272 | 6951 | 6321 | 1596 | 792 | 804 | 72 | 40 | 32 |
| 43 | 3241 | 13773 | 7265 | 6508 | 710 | 355 | 355 | 118 | 58 | 60 |
| 44 | 2958 | 12091 | 6549 | 5542 | 1007 | 543 | 464 | 33 | 18 | 15 |
| 45 | 2749 | 11376 | 6023 | 5353 | 386 | 208 | 178 | 256 | 129 | 127 |
| 46 | 2773 | 11804 | 6128 | 5676 | 1843 | 971 | 872 | 281 | 133 | 148 |
| 47 | 2850 | 11638 | 6174 | 5464 | 1092 | 575 | 517 | 499 | 245 | 254 |
| 48 | 2767 | 11369 | 5855 | 5514 | 1099 | 581 | 518 | 574 | 287 | 287 |
| 49 | 2739 | 12605 | 6897 | 5708 | 827 | 440 | 387 | 657 | 462 | 195 |
| 50 | 2698 | 11795 | 6379 | 5416 | 771 | 424 | 347 | 133 | 87 | 46 |
| 51 | 2904 | 12138 | 6519 | 5619 | 881 | 462 | 419 | 602 | 311 | 291 |
| 52 | 2791 | 10805 | 5668 | 5137 | 864 | 451 | 413 | 214 | 119 | 95 |
| 53 | 2763 | 13923 | 7155 | 6768 | 2992 | 1493 | 1499 | 147 | 71 | 76 |
| 54 | 2539 | 13318 | 7032 | 6286 | 556 | 291 | 265 | 50 | 24 | 26 |
| 55 | 2944 | 11398 | 5904 | 5494 | 655 | 335 | 320 | 166 | 119 | 47 |
| 56 | 2855 | 11228 | 5853 | 5375 | 856 | 447 | 409 | 373 | 158 | 215 |
| 57 | 2943 | 11325 | 6009 | 5316 | 449 | 245 | 204 | 103 | 62 | 41 |
| 58 | 2793 | 11998 | 6282 | 5716 | 322 | 170 | 152 | 62 | 31 | 31 |
| 59 | 2545 | 11426 | 5899 | 5527 | 345 | 174 | 171 | 10 | 6 | 4 |
| 60 | 3310 | 15459 | 8045 | 7414 | 517 | 268 | 249 | 65 | 33 | 32 |
| 61 | 3269 | 13522 | 6987 | 6535 | 1050 | 535 | 515 | 53 | 22 | 31 |
| 62 | 2813 | 10979 | 5736 | 5243 | 824 | 432 | 392 | 206 | 94 | 112 |
| 63 | 2979 | 12241 | 6458 | 5783 | 647 | 338 | 309 | 215 | 116 | 99 |
| 64 | 2093 | 11236 | 5740 | 5496 | 888 | 349 | 539 | 397 | 194 | 203 |
| 65 | 2823 | 12055 | 6420 | 5635 | 437 | 225 | 212 | 62 | 35 | 27 |
| 66 | 2657 | 11707 | 6024 | 5683 | 1168 | 597 | 571 | 50 | 23 | 27 |
| 67 | 2706 | 11938 | 6264 | 5674 | 1308 | 673 | 635 | 130 | 67 | 63 |

REPORT OF THE COMMITTEE BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL EASTERN ZONE BENCH, KOLKATA IN THE
MATTER OF ORIGINAL APPLICATION NO. 21/2024/EZ

1. Background:

The present Original Application is being taken up suo-motu on a complaint submitted by one Smt. Haripriya Patel stated to be residing at 106, Lumbini Enclave Chandrasekharapur near Care Hospital, Bhubaneswar-751021, Odisha, bringing to the notice of the Tribunal an article published in 'the Times of India' on 15.12.2023 under the heading "Stench from a garbage dump at TTS a health hazard: Experts",

Hon'ble NGT has passed an order on 31.01.2024, the relevant portion of which is reproduced as under:

"In order to elicit the veracity of the allegations made, we deem it appropriate to constitute a fact-finding Committee comprising of the following Members: -

- i. Senior Scientist, Odisha State Pollution Control Board,*
- ii. Senior Scientist, Central Pollution Control Board, and*
- iii. Senior Scientist/ Environmentalist, Bhubaneswar Municipal Corporation, Bhubaneswar*

The Committee shall inspect the site in question and submit its Report within four weeks on affidavit regarding the allegations made.

The Odisha State Pollution Control Board shall be the Nodal Office for all logistic purposes and for filing the Report of the Committee on affidavit within four weeks."

2. Constitution of Committee

In compliance with that following committee is constituted:

- i. Dr. Binod Bihari Dash, Additional Chief Environmental Scientist, State Pollution Control Board, Odisha*
- ii. Abhijit Pathak, Scientist 'D', Central Pollution Control Board, Regional Directorate Kolkata and*

B. Dash *Abhijit* *Dh*

- iii. Dr. Manoranjan Sahu, Deputy Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar.

The members of the committee had a meeting on 24.02.2024 at the BMC office, Bhubaneswar, followed by a visit to the site in question and other MSW management sites in Bhubaneswar city. A list of participants who attended the meeting and field visits is given in *Annexure I and Annexure II*.

The members of the committee met again on 25th February to finalize the fact-finding report. The List of participants who attended the meeting *Annexure III*.

3. About Bhubaneswar Municipal Corporation (BMC) and its responsibility in Waste Management

Bhubaneswar Municipal Corporation (BMC) which was constituted in the year 1948 as a Notified Area Council became a Municipality in the year 1979 and finally was declared as a corporation in the year 1994. The area of BMC is spread over 200 sq. K.M. which is divided into 3 Zones (South East, South West & North) and further subdivided into 67 municipal wards.

BMC is responsible for city sanitation and hygiene to provide end-to-end sanitation services from collection of solid waste from doorsteps and streets till its scientific disposal. As per Solid Waste Management Rules 2016, BMC is also responsible for management & disposal of Construction & Demolition wastes, street sweeping wastes, horticulture wastes, desilting wastes generated from drain cleaning in addition to domestic dry and wet wastes.

4. Solid Waste Generation Potential in Bhubaneswar Municipal Area

As per the 2011 Census, the population of the city is 8,86,397, the census data for 2021 is yet to be published and therefore, it is estimated that the population under BMC jurisdiction is anticipated to be approximately 13 lakhs at present and being the capital city of the State, the daily influx of floating population is estimated to be around 2 lakhs thereby leading to approximately 15 lakhs waste generators.

The current potential generation of Municipal Solid Waste in 67 wards of BMC is approximately 800 tonnes per day (800 TPD). The wet waste is approximately 384 Metric tons/day of the total mixed waste and dry waste is 416 Metric tons/day.

Debarsh

A. Srijit

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5. Present Management Practice of Municipal Solid Waste in Bhubaneswar:

The Government of Housing & Urban Development Department, Odisha issued a Standard Operating Procedure (SOP) envisaging a unique Decentralized Waste management model by involving community participation and empowerment of Women Self Help Group (SHG) members. As per the Standard Operating Procedure, the ULB have its own fleet of vehicles equipped with separate compartments for segregated collection of dry and wet waste. Members of SHGs are responsible for Door to Door collection of segregated waste and transport the same to a Micro Composting Centre (MCC) and Material Recovery Facility (MRF). In Bhubaneswar city, there are 22 such "Wealth Centres" where both MCC and MRF coexist. In addition to these, there are independent MCCs (14 nos.) in addition to the 22 MCCs existing at "Wealth Centres". At these centres segregated wet waste goes for Composting at MCC and dry waste is sorted into various categories and further channelized to recyclers directly or through authorized intermediaries. It was stated that each MCC and MRF shall have maximum throughput capacity of 5 TPD which is entirely being operated and managed by the SHG groups. Total installed capacities to handle 110 TPD (Tonne per day) MRF and 180 TPD MCC in wealth centres.

A. Collection and Transportation of Wastes:

In order to ensure door-to-door collection of the MSW generated in the city, BMC has currently engaged 435 nos. specially designed Light Commercial Vehicles and 55 nos. Battery Operated Vehicles have separate compartments for segregated collection of dry and wet waste. In addition to these, 200 manual push carts are also engaged for door-to-door collection of segregated waste where access to narrow lanes, and by-lanes in residential areas by LCVs/BOVs is not possible. The transport activity from households to treatment facilities is being managed through the involvement of seven (7) NGOs.

The door-to-door collection efficiency is more than 90% whereas the source segregation efficiency is around 50%-60% as reported by BMC. The optimum processing efficiency of Municipal Solid Waste can be achieved by proper segregation of Municipal Solid Waste at the source of generation. In order to ensure source segregation and to inculcate the habit of source segregation in the citizens of Bhubaneswar BMC has taken several initiatives which are as follows:

- Engagement of 4 nos. Swachha Sathis in each ward for day-to-day awareness by reaching out to the households daily. The performance effectiveness of the awareness campaign is being assessed and monitored.
- The door-to-door collection vehicles were specifically designed with separate compartments and signages were fixed in each vehicle to generate awareness of source segregation.
- All the vehicles are equipped with a public address system (Mike) to request and make the citizens aware to provide segregated waste i.e., wet & dry waste. The vehicles are continuously playing jingles and songs to attract, convince, and request the citizens to provide segregated waste on daily basis while executing the door-to-door collection activities.
- Several other methods of IEC campaigns such as meetings, rallies, door to door campaigns are being organized by BMC from time to time to inculcate behavioural changes in citizens to enhance collection & segregation efficiency to 100%.

The segregated waste is transported to the Decentralized Wealth Centres established in different wards of the city. The available waste treatment facilities are tagged with designated wards (in group or individual) in such a way that the collected waste can reach the respective designated wealth centre (Consisting of Micro Composting Centre & Material Recovery Facilities MRF) or standalone Micro Composting Centre (MCC) for their scientific disposal within the stipulated time. The list of Material Recovery Facilities (MRF) & Micro Composting Centre (MCC) in municipal jurisdiction is given in Table 1 & Table 2:

| SL NO | ZONE | NAME OF MRF | WARDS TAGGED | CAPACITY (TPD) |
|-------|-------|-------------------|--------------|----------------|
| 1 | NORTH | TTS Sainik School | 12,17 | 5 |
| 2 | | TTS Sainik School | 25, 27 | 5 |
| 3 | | Gadakana | 9,11 | 5 |
| 4 | | Kanan Vihar | 2,3 | 5 |
| 5 | | Prasanti Vihar | 1,6 | 5 |
| 6 | | Naharakanta | 4 | 5 |

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| SL NO | ZONE | NAME OF MRF | WARDS TAGGED | CAPACITY (TPD) |
|-------|------------|---------------|------------------|----------------|
| 7 | | Pandra | 18,19 | 5 |
| 8 | | Hatiasuni | 7,13,16,20,21,26 | 5 |
| 9 | | Palasuni | 5,10 | 5 |
| 10 | | Niladri Vihar | 8,14 | 5 |
| 11 | SOUTH EAST | Nicco Park | 28, 29,35,36,41 | 5 |
| 12 | | Unit 1 | 40,53 | 5 |
| 13 | | Badagada | 43,44,45 | 5 |
| 14 | | Basuaghai | 30,34,58,59 | 5 |
| 15 | | Laxmi Sagar | 31,32,33,42 | 5 |
| 16 | | Lingaraj ROB | 54,55,60,61,67 | 5 |
| 17 | | Mahinsakhal | 56,57 | 5 |
| 18 | SOUTH WEST | Bharatpur | 22,23,24,49 | 5 |
| 19 | | Pokhariput | 46,51,52,62,63 | 5 |
| 20 | | Baramunda | 15,50 | 5 |
| 21 | | Bhagawanpur | 64,65,66 | 5 |
| 22 | | Unit 8 | 39,47,48 | 5 |
| | | | | 110 |

| Sl. No. | Zone | Functional MCC | Wards Tagged | Capacity (TPD) |
|---------|-------|--------------------|--------------|----------------|
| 1 | North | TTS, SAINIK SCHOOL | 12 & 17 | 5 |
| 2 | | Pandara | 18 & 19 | 5 |
| 3 | | Niladri Vihar | 8, 14 | 5 |
| 4 | | Kanan Vihar | 2,3 | 5 |
| 5 | | Prashanti Vihar | 1&6 | 5 |
| 6 | | Naharkanta | 4 | 5 |

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Ashmit

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| Sl. No. | Zone | Functional MCC | Wards Tagged | Capacity (TPD) |
|---------|------------|----------------------|---------------------|----------------|
| 7 | | Gadakana (TTS Front) | 9 & 11 | 5 |
| 8 | | Hatiasuni | 16,20,21, 26,7 & 13 | 10 |
| 9 | | Hatiasuni | | |
| 10 | | Palasuni | 5 & 10 | 5 |
| 11 | South East | Nicopark -36 | 36 | 5 |
| 12 | | Nicopark -28 &29 | 28,29 | 5 |
| 13 | | Nicopark -35 | 35 | 5 |
| 14 | | Laxmisagar - 32,33 | 32 & 33 | 5 |
| 15 | | Mahinsakhala | 56 & 57 | 5 |
| 16 | | Badagada | 44 | 5 |
| 17 | | Basuaghai | 59 | 5 |
| 18 | | Badagada | 43 & 45 | 5 |
| 19 | | Laxmisagar-31,42 | 31 & 42 | 5 |
| 20 | | Nicopark | 41 | 5 |
| 21 | | Unit-1 | 40 & 53 | 10 |
| 22 | | Unit-1 | | |
| 23 | | Basuaghai | 58 | 5 |
| 24 | | Basuaghai | 30,34 | 5 |
| 25 | | Lingaraj ROB | 54,55,60,61,67 | 10 |
| 26 | | Lingaraj ROB | | |
| 27 | South West | Unit -8 | 47, 48 | 5 |
| 28 | | Unit -8 | 39 | 5 |
| 29 | | Baramunda | 50,15 | 5 |
| 30 | | Bharatpur | 23 & 49 | 5 |
| 31 | | Bharatpur | 22 & 24 | 5 |
| 32 | | Pokhariput | 51 & 52 | 5 |

| Sl. No. | Zone | Functional MCC | Wards Tagged | Capacity (TPD) |
|---------|------|----------------|--------------|----------------|
| 33 | | Pokhariput | 62 | 5 |
| 34 | | Pokhariput | 46 & 63 | 5 |
| 35 | | Bhagbanpur | 64 & 66 | 5 |
| 36 | | Bhagbanpur | 65 | 5 |
| | | Total | | 180 |

B. Activities performed in Wealth Centres

i) Micro Composting Centre:

- Segregated wet waste collection from door steps.
- Unloading of Wet Waste at MCC
- Secondary sorting of dry components by Swacch Karmis
- Shredding of Wet Waste mixed with EM Solution and Rice husk
- Shredded waste put into pit
- Turning of waste for aeration every 3-4 days
- Degraded waste in 42-45 days.
- Drying of degraded waste
- Sieving of waste
- Retrieving of compost
- Packaging and releasing to market for sale

The wealth centres are operated by Women SHGs daily for the recovery of compost, Recyclables, and Refuse Derived Fuel (RDF) materials. The compost is collected and packaged in different-sized bags as per the requirement of the customer and sell under the brand name of "Mo Khata" (My Fertilizer) to various downline departments and other customers. The detail of sale records of "Mo Khata" produced from waste to wealth (165.125 Tonnes) during 01.01.2023 to 31.12.2023 is given below:

7

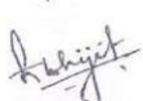




Table-3 Sale Records of “Mo Khata”

| Sl. No | Name of the line Dept. / Local sale | Mo Khata Compost Sold (MT) |
|--------|---|----------------------------|
| 1 | EO, Nayagarh (Asst. Horticulture Nayagarh & Nuagaon Block) | 33.125 |
| 2 | Revenue Officers Training Institute (ROTI) | 0.5 |
| 3 | Environmental Officer, BMC | 11.84 |
| 4 | Bhubaneswar Development Authority | 1 |
| 5 | OFDC LTD, Patnagarh | 10 |
| 6 | The Forest range Officer, Bhubaneswar | 2 |
| 7 | Sericulture, Bhubaneswar | 22.2 |
| 8 | Revenue Officers Training Institute (ROTI) | 0.3 |
| 9 | Total Local sales through KIOSK from 01.01.2023 to 31.12.2023 | 84.16 |
| | Total | 165.125 |

It indicates that the demand of “Mo Khata” is highest in local market through Kiosk, hence the waste generators themselves are now interested to use their own waste promoting circular economy.

ii) Material Recovery Facility:

- Segregated dry waste collection from door steps
- Unloading of dry Waste at MRF
- Sorting of recyclables
- Bailing of recyclable material and stacking
- Lifting by Authorised channel partners for sale to recyclers
- Non-recyclable materials transportation to Cement Factory kiln

The recyclables wastes generated through manual sorting of dry waste in Mills are sold through (4) four authorized recyclers. BMC has fixed the rates for each type and agreement has been executed with them.

Recyclable wastes processed at MRF's and sold during the period 01.01.2023 to 31.12.2023 is 3309.055 MT and BMC has earned Rs. 2,42,55,982/- as wealth from waste. The detail sale record of recyclable wastes as below:

Table-4: Sale of Recyclables with Quantity from MRF

| (Period Jan, 2023 to Dec, 2023) | | | |
|---------------------------------|-------|---------------|-----------------|
| Sl. No | Month | Quantity (mt) | Amount (Rs.) |
| 1 | Jan | 95.635 | 422434 |
| 2 | Feb | 162.92 | 652090 |
| 3 | Mar | 265.41 | 1032162 |
| 4 | Apr | 281.41 | 2475835 |
| 5 | May | 310.62 | 2517551 |
| 6 | Jun | 243.87 | 2156494 |
| 7 | Jul | 233.73 | 2267913 |
| 8 | Aug | 349.29 | 2764128 |
| 9 | Sep | 301.92 | 2541138 |
| 10 | Oct | 340.63 | 2880118 |
| 11 | Nov | 372.28 | 2323235 |
| 12 | Dec | 351.34 | 2222884 |
| Total | | | 24255982 |

C. Handling & disposal of treated dry wastes as Refuse Derived Fuel (RDF):

For safe and useful disposal of RDF generated from the waste treatment facilities, BMC has an MoU with M/s Dalmia Cement (Bharat) Limited, Rajgangpur, where, it is disposed through Co-processing in cement Kilns. *(Annexure IV Copy of MoU)*.

D. Management of Inert Wastes

The Solid wastes (mostly inert) generated from other allied activities i.e. Street Sweeping, C & D wastes Bhubaneswar Municipal Corporation has a mechanism to lift and dispose of the same through low-lying land filling. Drain de-silting and cleaning mucks are dried at TTS and finally disposed through filling the low-lying land areas.

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E. **Horticulture wastes:** The horticulture waste generated in the city are taken to TTS and composted with wet wastes.

F. Unsegregated Wastes

The Challenges with handling and disposal of unsegregated or poorly segregated mixed waste are taken care of at TTS for further processing.

G. Management of Carcasses/Dead Animals

BMC has adopted a dedicated separate collection mechanism in the city for handling carcasses (dead animals) for which specifically designed vehicles are engaged. These specific vehicles collect dead animals/carcasses and transport them to a designated burial site at Jamukoli for their disposal as per standard practice prescribed by CPCB. A quick response team has been constituted and operates under the Administrative Control of the City Health Officer for this purpose. The entire process of dead animal/carcass disposal activities is monitored by City Health Officer and his team on daily basis.

H. Management of Sanitary Waste

BMC has waste collection Vans where citizens are requested to drop sanitary waste in plasma separate compartments demarcated. BMC has a plan to install plasma-based sanitary waste disposal facility; however sanitary wastes are presently dried with RDF at TTS and sent to M/s. Dalmia Cement (Bharat) Ltd. for co-processing in cement kiln.

I. Industry Waste

There are four (4) nos. of Industrial Estates under the jurisdiction area of Bhubaneswar Municipal Corporation (BMC), namely Mancheswar IE, Chandaka IE, Rasulgarh IE and Bhagwanpur IE.

The total quantity of municipal solid wastes generated from these four (4) Industrial Estates (having 935 working units) is estimated to be about 4.48 MT/day. At present BMC is collecting the Municipal Solid Wastes daily with its existing infrastructure and manpower without collecting/charging any user fee. Now BMC has planned to collect user fee from these industrial units and a MoU is under preparation.

Boards

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J. Hotel and Restaurant waste

The waste generated by hotels and restaurants is being collected by BMC on daily basis in a segregated manner and process through the existing facilities.

K. Market Complex waste

The waste generated from the market complexes is being collected by BMC on daily basis in a segregated manner and process through the existing facilities.

6. Legacy Waste in Bhubaneswar and its Management:

As directed by Hon'ble NGT in the matter OA 606/2018 dated 31.05.2022 addressing two specific issues Solid waste management and Sewage management, BMC has initiated many steps. On Dtd. 16.01.2019 in the matter OA 606/2018, it was further specifically directed to all states and UTs to ensure proper collection, transportation, and processing of Municipal Solid Waste including commencement of Bio-mining of Legacy Wastes for land reclamation and scientific disposal of waste

Earlier BMC used to transport waste from primary collection centers (bins, dhalav, vats) to Dharuthenga village for permanent open land disposal. In addition to that BMC has a Temporary Transfer Station (TTS) Gadakana village, which is inside the municipal boundary. Being a temporary site (TTS) at Gadakana should not accumulate waste as legacy waste.

Due to public agitation and protest to allow fresh waste at Dharuthenga, Bhuasuni site, TTS had no option left except the accumulation of waste, which was the main reason for attracting the Media and finally the present suo-moto case OA 21/2024 was taken up by Hon'ble NGT.

a) Legacy Waste at TTS, Gadakana

Quantity of Legacy Wastes accumulated in TTS site since the Bhuasuni, Dharuthenga site has seen stopped accepting waste was 1,01,165 Metric ton as on Dtd. 05.11.2023. As TTS is presently operating and accepting solid waste collected by BMC, which are in excess to the collective capacity of wealth centres, about 510 tonnes per day waste is reaching TTS on daily basis. Therefore, the total estimated waste reached including legacy waste of 1,01,165 tonnes since 05.11.2023 till the day of inspection is approximately 1,36,355 tonnes at TTS.





Since (05.11.2023) BMC has started operation of biomining and wealth centre at TTS about 1,32,950 tonnes of waste have been processed in 69 days (till day of inspection). Total 93,065 tonnes of RDF recovered and out of which 37,000 tonnes have been despatched to M/s Dalmia Cement (Bharat) Ltd., Rajganpur for co-processing in cement kiln. Processed RDF remained at site is about 56,065 tonnes. Balance legacy waste (3405 tonnes) is yet to be processed simultaneously with daily collected waste (510 TPD). Temporary accumulation of wastes at TTS was stopped since 13.01.2024, Daily wastes being received are processed by windrows composting and making RDF for final disposal through co-processing in cement kiln.

b) Legacy Waste at Bhuasuni, Daruthenga site

Since 17th May 2023 the transportation and dumping of waste at Bhuasuni, Daruthenga site has been completely stopped. The estimated legacy waste deposit to be processed for biomining at Bhuasuni site is about 16,00,000 tonnes. For Bio-mining of the existing dumpsite the tender was finalized at a cost of Rs. 103.00 crores approximately and the agreement was executed with the private agency on Dtd. 23.02.2022 however, the execution of the contract was deferred due to agitation of the local public who were impressing hard upon complete stoppage of dumping prior to execution of the same. Finally, for the development of the infrastructure facility and commencement of the contract, the work order was issued on 15th October 2023 for Bio-mining activities at Bhuasuni site. The time frame for completion of bio-mining activities are as follows: *(Annexure-V, Copy of Work Order).*

Table-5: Schedule of Bio-mining Activity

| S.N. | Activity to be completed | Time Period for Completion |
|------|--|---|
| 01 | To dispose of 23% of 16 Lakhs MT from Bhuasuni Dumpsite | Within 10 months of Signing of Agreement. |
| 02 | To dispose of 54% of 16 Lakhs MT from Bhuasuni Dumpsite | Within 21 months of Signing of Agreement. |
| 03 | To dispose of 85% of 16 Lakhs MT from Bhuasuni Dumpsite | Within 30 months of Signing of Agreement. |
| 04 | To dispose of 100% of 16 Lakhs MT from Bhuasuni Dumpsite | Within 36 months of Signing of Agreement. |

The Commencement of bio-mining activity at Bhuasuni site was started from 15th Oct, 2023 and the quantity of waste processed till 9th of February, 2024 is given as follows:

Table-6: Processing of Legacy Waste at Bhuasuni site

| Input (In ton) | | Output Calculation | | | | |
|---|---------------|--------------------|-----------------|-----------------|-----------------|------------------|
| Year & Month | Legacy Waste | Bio-soil (40%) | Inert (30%) | RDF (15%) | Moisture (10%) | Ground Loss (5%) |
| October,2023 | 10299 | 4119.60 | 3089.70 | 1544.85 | 1029.90 | 514.95 |
| November,2023 | 12107 | 4842.80 | 3632.10 | 1816.05 | 1210.70 | 605.35 |
| December,2023 | 59785 | 23914.00 | 17935.50 | 8967.75 | 5978.50 | 2989.25 |
| January,2024 | 68145 | 27258.00 | 20443.50 | 10221.75 | 6814.50 | 3407.25 |
| February,2024 (till 9 th Feb) | 20076 | 8030.56 | 6022.92 | 3011.46 | 2007.64 | 1003.82 |
| Total | 170412 | 68164.96 | 51123.72 | 25561.86 | 17041.24 | 8520.62 |

The disposal of Bio-soil/Good earth, RDF and Inert waste by the agency at Bhuasuni site is given as follows:

Table-7: Disposal of Bio-soil, Good Earth & RDF

| Year & Month | Inert | Bio-soil | C&D | RDF |
|--|----------------|-----------------|---------------|----------------|
| October, 2023 | 0 | 0 | 0 | 0 |
| November, 2023 | 2137.12 | 1090.06 | 0 | |
| December, 2023 | 6405.98 | 4806.3 | 0 | 759.81 |
| January, 2024 | 9745.68 | 7732.03 | 104.63 | 1001.75 |
| February, 2024 (till 9 th Feb) | 1002.72 | 1037.28 | 68.25 | 267.66 |
| Total | 19291.5 | 14665.67 | 172.88 | 2029.22 |

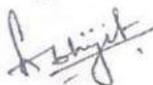
Boardi

Ranjit

Qw

7. Salient Observations of the Fact-finding Committee

- a) The Committee has estimated legacy waste at TTS, Gadakana as 1,01,165 Metric ton as of 05/11/2023, which was almost double the quantity (54,000 tonnes) reported in the Newspaper on dtd. 15.12.2023 in "The Times of India".
- b) The distances from TTS to nearby reputed schools reported in this news item were aerially measured using Google Earth and found that Kendriya Vidyalaya is situated at above 1578 meters away, and the Sainik school is at about 208 Meter away from TTS waste processing site (*Annexure VI*).
- c) The committee has inspected the Wealth Centres and observed that composting and MRF operations are being routinely performed and no objectionable storage of waste was found or obnoxious odour felt at these sites.
- d) The present scenario at TTS compared to the picture portrayed in the petition and News reports has been improved as observed by the Fact-finding committee members. As reported and revealed from records since the waste processing at TTS commenced, about 1,32,950 tonnes of waste got processed; however, 56,065 tonnes of processed RDF are still lying at the site which is supposed to be sent to M/s Dalmia Cement (Bharat) Ltd. for co-processing (*Annexure VII*).
- e) Only 3405 accumulated tonnes of waste and daily waste inflow are to be processed at TTS.
- f) Newly introduced two (2) line Trommels (40 Tonne/hour each) and three Terex machines (50 Tonne/hour each) operated since December 1st, 2023 have changed the scenario at TTS. BMC has a plan to augment capacity further. (*Annexure VIII*).
- g) Optimum use of inoculum and deodorant was observed and the odour intensity was bearable at the site.
- h) The committee observed that everywhere the labours and workers were wearing PPEs and Safety Gear.
- i) It was observed by the committee that the concrete floor developed to process wastes with respective machinery has issues in design to collect expected leachates from the waste during processing and drying. BMC may be advised to look into the matter and modify the civil design having garland drains all around and parallel drainage connected to Garland drain finally leading to a leachate collection pit,
- j) The Fact-finding committee also visited the old dump site at Daruthenga, Buasuni. BMC has awarded the contract for biomining with a set target to complete the mining


in the next 36 months. The total waste to be processed is 16 lakh tonnes. (*Annexure IX*).

- k) Out of 16 lakh tonne of legacy waste 170412 tonnes of waste could be processed during the period 15th October, 2023 to 09th February as per record. BMC has also declared incentives on processing waste at a faster rate than contract targets. The operator has already proposed to involve more machinery for fast disposal of waste.
- l) At Bhuasuni site the operator has developed well well-maintained flower garden using good earth processed at the site. This may be a success story if BMC plans to use it for gardening. at parks, road dividers, and other areas for beautification and aesthetic development of the city.

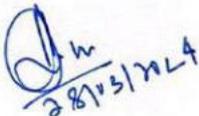
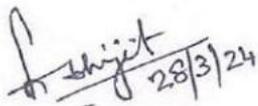
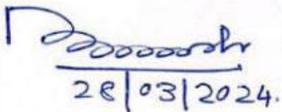
8. Future plan of enhanced solid waste processing facility by BMC:

- i. It was also informed to the committee that BMC has plan to install a bio-methanization plant in collaboration with M/s. Oil India Ltd. Preliminary discussion is over and BMC has given consent to M/s. Oil India Ltd. for preparation of DPR for 200 TPD Bio-methanation plant and the first draft is expected by the end of February, 2024 (*Annexure X*).
- ii. In order to augment the handling capacity at TTS, a work order for the supply, installation, and commissioning of 15 TPD MRF plants has already been awarded. (*Annexure XI*).
- iii. The Bidder selected for the establishment of 150 TPD MRF plant at Palasuni and another tender published for 150 TPD MRF plant at the same location (*Annexure XII*).
- iv. BMC is also committed to Installation of plasma-based incinerator for sanitary waste. (*Annexure XIII*).

9. Conclusions:

1. The committee has also identified that BMC needs to have an Emergency plan to accommodate waste generated during the monsoon period (almost 4 months) as it is apprehended to be a challenging month to get wastes dry and composted as per schedule.
2. The compliance with the environmental regulatory formalities wherever applicable in terms of CTE and others shall be taken up by BMC at the earliest.
3. The continuous monitoring of the performance of BMC in solid waste management may be performed by State Pollution Control Board, Odisha and BMC shall submit the

- balance sheet of processing of waste every month (by the 10th day of next month to State Pollution Control Board, Odisha.
4. BMC shall ensure quick transport and shifting of RDF to disposal facility.
 5. With an increasing load of waste and RDF, BMC may establish MoU with other interested parties for co-processing.
 6. The Good earth may be used by Government departments for horticulture to uplift the aesthetic aspect of the city.
 7. The integrated plan for capacity enhancement tied with projected waste generation for next 15-20 years may be prepared in line with the master plan of BDA (Bhubaneswar Development Authority).

| Signature | Signature | Signature |
|---|---|--|
|  |  |  |
| Name & Designation Dr. Manoranjan Sahu Deputy Commissioner (Sanitation), BMC | Name & Designation Sh. Abhijit Pathak Scientist-D, CPCB, Regional Directorate, Kolkata | Name & Designation Dr. B.B. Dash Additional Chief Environmental Scientist, SPCB, Odisha (Nodal Agency) |

नगरपालिकाओं की कुल संख्या:

प्रस्तुत की गई कार्य योजना की संख्या:

प्ररूप-VI

[नियम 25 देखें]

दुर्घटना का प्रतिवेदन

| | | | |
|-------------|---|-----------------|--|
| 1. | दुर्घटना की तारीख और समय | : | |
| 2. | दुर्घटना के लिए कारकों का अनुक्रम | : | |
| 3. | दुर्घटना में शामिल अपशिष्ट | : | |
| 4. | मानव स्वास्थ्य और पर्यावरण पर दुर्घटनाओं के प्रभावों का मूल्यांकन | : | |
| 5. | किए गए आपातकालीन उपाय | : | |
| 6. | दुर्घटनाओं के प्रभावों को कम करने के लिए उठाए गए कदम | : | |
| 7. | ऐसी किसी दुर्घटना की पुनरावृत्ति को रोकने के लिए उठाए गए कदम | : | |
| तारीख | | हस्ताक्षर | |
| स्थान | | पदनाम | |

[फा. सं.18-3/2004-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 8th April, 2016

S.O. 1357(E).—Whereas the draft of the Solid Waste Management Rules, 2015 were published under the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number G.S.R. 451 (E), dated the 3rd June, 2015 in the Gazette of India, part II, Section3, sub- section (i) of the same date inviting objections or suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the publication of the said notification on the Solid Waste Management Rules, 2015 in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000;

And whereas, copies of the said Gazette were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for management of Solid Waste, namely:-

1. **Short title and commencement.-**

- (1) These rules may be called the Solid Waste Management Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Application.-** These rules shall apply to every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986.

3. **Definitions** –(1) In these rules, unless the context otherwise requires,- (1) **“aerobic composting”** means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;

2. **“anaerobic digestion”** means a controlled process involving microbial decomposition of organic matter in absence of oxygen;
3. **“authorisation”** means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
4. **“biodegradable waste ”** means any organic material that can be degraded by micro-organisms into simpler stable compounds;
5. **“bio-methanation”** means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
6. **“brand owner”** means a person or company who sells any commodity under a registered brand label.
7. **“buffer zone”** means zone of no development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within total and area allotted for the solid waste processing and disposal facility.
8. **“bulk waste generator”** means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;
9. **“bye-laws”** means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
10. **“census town”** means an urban area as defined by the Registrar General and Census Commissioner of India;
11. **“combustible waste”** means non-biodegradable, non-recyclable, non-reusable, non hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;
12. **“composting”** means a controlled process involving microbial decomposition of organic matter;
13. **“contractor”** means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;
14. **“co-processing”** means use of non-biodegradable and non recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;
15. **“decentralised processing”** means establishment of dispersed facilities for maximizing the processing of bio-degradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
16. **“disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
17. **“domestic hazardous waste”** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;

18. **"door to door collection"** means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises;
19. **"dry waste"** means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non recyclable waste, combustible waste and sanitary napkin and diapers, etc;
20. **"dump sites"** means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;
21. **"extended producer responsibility" (EPR)** means responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products;
22. **"facility"** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out;
23. **"fine"** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these rules and/or bye- laws
24. **"Form"** means a Form appended to these rules;
25. **"handling"** includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;
26. **"inerts"** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;
27. **"incineration"** means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
28. **"informal waste collector"** includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials;
29. **"leachate"** means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it;
30. **"local body"** for the purpose of these rules means and includes the municipal corporation, nagar nigram, municipal council, nagarpalika, nagar Palikaparishad, municipal board, nagar panchayat and town panchayat, census towns, notified areas and notified industrial townships with whatever name they are called in different States and union territories in India;
31. **"materials recovery facility" (MRF)** means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity mentioned in rule 2 or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity mentioned in rule 2 for the purpose before the waste is delivered or taken up for its processing or disposal;
32. **"non-biodegradable waste"** means any waste that cannot be degraded by micro organisms into simpler stable compounds;
33. **"operator of a facility"** means a person or entity, who owns or operates a facility for handling solid waste which includes the local body and any other entity or agency appointed by the local body;
34. **primary collection"** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the local body;
35. **"processing"** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products;
36. **"recycling"** means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products;
37. **"redevelopment"** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated;

38. "**refused derived fuel**"(RDF) means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;
39. "**residual solid waste**" means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing;
40. "**sanitary land filling** " means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;
41. "**sanitary waste**" means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
42. "**Schedule**" means the Schedule appended to these rules;
43. "**secondary storage**" means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility;
44. "**segregation**" means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes;
45. "**service provider**" means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc;
46. "**solid waste**" means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities mentioned in rule 2;
47. "**sorting**" means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling;
48. "**stabilising**" means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land ,soil erosion control and soil remediation;
49. "**street vendor**" means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;
50. "**tipping fee**" means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill;
51. "**transfer station**" means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;
52. "**transportation**" means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions;
53. "**treatment**" means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm;
54. "**user fee**" means a fee imposed by the local body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.
55. "**vermi composting**" means the process of conversion of bio-degradable waste into compost using earth worms;
56. "**waste generator**" means and includes every person or group of persons, every residential premises and non residential establishments including Indian Railways, defense establishments, which generate solid waste;
57. "**waste hierarchy**" means the priority order in which the solid waste is to should be managed by giving

emphasis to prevention, reduction, reuse, recycling, recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least;

58. **“waste picker”** means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

(2) Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (prevention and Control of Pollution) Act, 1981 shall have the same meaning as assigned to them in the respective Acts.

4 Duties of waste generators.- (1) Every waste generator shall,-

(a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non bio-degradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorised waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;

(b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;

(c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016; and

(d) store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(2) No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

(3) All waste generators shall pay such user fee for solid waste management, as specified in the bye-laws of the local bodies.

(4) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the local body, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the local body.

(5) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by the local body.

(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(7) All gated communities and institutions with more than 5,000 sqm area shall, within one year from the date of notification of these rules and in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(8) All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

5. Duties of Ministry of Environment, Forest and Climate Change.- (1) The Ministry of Environment, Forest and Climate Change shall be responsible for over all monitoring the implementation of these rules in the country. It shall constitute a Central Monitoring Committee under the Chairmanship of Secretary, Ministry of Environment, Forest and Climate Change comprising officer not below the rank of Joint Secretary or Advisor from the following namely,-

- 1) Ministry of Urban Development
- 2) Ministry of Rural Development
- 3) Ministry of Chemicals and Fertilizers
- 4) Ministry of Agriculture
- 5) Central Pollution Control Board
- 6) Three State Pollution Control Boards or Pollution Control Committees by rotation
- 7) Urban Development Departments of three State Governments by rotation
- 8) Rural Development Departments from two State Governments by rotation
- 9) Three Urban Local bodies by rotation
- 10) Two census towns by rotation
- 11) FICCI, CII
- 12) Two subject experts

2. This Central Monitoring Committee shall meet at least once in a year to monitor and review the implementation of these rules. The Ministry of Environment, Forest and Climate Change may co-opt other experts, if needed. The Committee shall be renewed every three years.

6. Duties of Ministry of Urban Development.- (1) The Ministry of Urban Development shall coordinate with State Governments and Union territory Administrations to,-

- (a) take periodic review of the measures taken by the states and local bodies for improving solid waste management practices and execution of solid waste management projects funded by the Ministry and external agencies at least once in a year and give advice on taking corrective measures;
- (b) formulate national policy and strategy on solid waste management including policy on waste to energy in consultation with stakeholders within six months from the date of notification of these rules;
- (c) facilitate States and Union Territories in formulation of state policy and strategy on solid management based on national solid waste management policy and national urban sanitation policy;
- (d) promote research and development in solid waste management sector and disseminate information to States and local bodies;
- (e) undertake training and capacity building of local bodies and other stakeholders;and
- (f) provide technical guidelines and project finance to states, Union territories and local bodies on solid waste management to facilitate meeting timelines and standards.

7. Duties of Department of Fertilisers, Ministry of Chemicals and Fertilisers.- (1) The Department of Fertilisers through appropriate mechanisms shall,-

- (a) provide market development assistance on city compost; and
- (b) ensure promotion of co-marketing of compost with chemical fertilisers in the ratio of 3 to 4 bags: 6 to 7 bags by the fertiliser companies to the extent compost is made available for marketing to the companies.

8. Duties of Ministry of Agriculture, Government of India.- The Ministry of Agriculture through appropriate mechanisms shall,-

- (a) provide flexibility in Fertiliser Control Order for manufacturing and sale of compost;
- (b) propagate utilisation of compost on farm land;
- (c) set up laboratories to test quality of compost produced by local authorities or their authorised agencies; and
- (d) issue suitable guidelines for maintaining the quality of compost and ratio of use of compost visa-a-vis chemical fertilizers while applying compost to farmland.

9. Duties of the Ministry of Power.-The Ministry of Power through appropriate mechanisms shall,-

- (a) decide tariff or charges for the power generated from the waste to energy plants based on solid waste.
- (b) compulsory purchase power generated from such waste to energy plants by distribution company.

10. Duties of Ministry of New and Renewable Energy Sources- The Ministry of New and Renewable Energy Sources through appropriate mechanisms shall,-

- (a) facilitate infrastructure creation for waste to energy plants; and
- (b) provide appropriate subsidy or incentives for such waste to energy plants.

11. Duties of the Secretary-in-charge, Urban Development in the States and Union territories.- (1) The Secretary, Urban Development Department in the State or Union territory through the Commissioner or Director of Municipal Administration or Director of local bodies shall,-

- (a) prepare a state policy and solid waste management strategy for the state or the union territory in consultation with stakeholders including representative of waste pickers, self help group and similar groups working in the field of waste management consistent with these rules, national policy on solid waste management and national urban sanitation policy of the ministry of urban development, in a period not later than one year from the date of notification of these rules;
- (b) while preparing State policy and strategy on solid waste management, lay emphasis on waste reduction, reuse, recycling, recovery and optimum utilisation of various components of solid waste to ensure minimisation of waste going to the landfill and minimise impact of solid waste on human health and environment;
- (c) state policies and strategies should acknowledge the primary role played by the informal sector of waste pickers, waste collectors and recycling industry in reducing waste and provide broad guidelines regarding integration of waste picker or informal waste collectors in the waste management system.
- (d) ensure implementation of provisions of these rules by all local authorities;
- (e) direct the town planning department of the State to ensure that master plan of every city in the State or Union territory provisions for setting up of solid waste processing and disposal facilities except for the cities who are members of common waste processing facility or regional sanitary landfill for a group of cities; and
- (f) ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and disposal facilities for solid wastes and incorporate them in the master plans (land use plan) of the State or as the case may be, cities through metropolitan and district planning committees or town and country planning department;
- (h) direct the town planning department of the State and local bodies to ensure that a separate space for segregation, storage, decentralised processing of solid waste is demarcated in the development plan for group housing or commercial, institutional or any other non-residential complex exceeding 200 dwelling or having a plot area exceeding 5,000 square meters;
- (i) direct the developers of Special Economic Zone, Industrial Estate, Industrial Park to earmark at least five percent of the total area of the plot or minimum five plots or sheds for recovery and recycling facility.
- (j) facilitate establishment of common regional sanitary land fill for a group of cities and towns falling within a distance of 50 km (or more) from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills;
- (k) arrange for capacity building of local bodies in managing solid waste, segregation and transportation or processing of such waste at source;
- (l) notify buffer zone for the solid waste processing and disposal facilities of more than five tons per day in consultation with the State Pollution Control Board; and
- (m) start a scheme on registration of waste pickers and waste dealers.

12. Duties of District Magistrate or District Collector or Deputy Commissioner.- The District Magistrate or District Collector or as the case may be, the Deputy Commissioner shall, -

- (a) facilitate identification and allocation of suitable land as per clause (f) of rules 11 for setting up solid waste processing and disposal facilities to local authorities in his district in close coordination with the Secretary-in-charge of State Urban Development Department within one year from the date of notification of these rules;
- (b) review the performance of local bodies, at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Commissioner or Director of Municipal Administration or Director of local bodies and secretary-in-charge of the State Urban Development.

13. Duties of the Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory.- (1) The Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory shall have the same duties as the Secretary-in-charge, Urban Development in the States and Union territories, for the areas which are covered under these rules and are under their jurisdictions.

14. Duties of Central Pollution Control Board.-The Central Pollution Control Board shall, -

- (a) co-ordinate with the State Pollution Control Boards and the Pollution Control Committees for implementation of these rules and adherence to the prescribed standards by local authorities;
- (b) formulate the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities;
- (c) review environmental standards and norms prescribed for solid waste processing facilities or treatment technologies and update them as and when required;
- (d) review through State Pollution Control Boards or Pollution Control Committees, at least once in a year, the implementation of prescribed environmental standards for solid waste processing facilities or treatment technologies and compile the data monitored by them;
- (e) review the proposals of State Pollution Control Boards or Pollution Control Committees on use of any new technologies for processing, recycling and treatment of solid waste and prescribe performance standards, emission norms for the same within 6 months;
- (f) monitor through State Pollution Control Boards or Pollution Control Committees the implementation of these rules by local bodies;
- (g) prepare an annual report on implementation of these rules on the basis of reports received from State Pollution Control Boards and Committees and submit to the Ministry of Environment, Forest and Climate Change and the report shall also be put in public domain;
- (h) publish guidelines for maintaining buffer zone restricting any residential, commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than five tons per day of solid waste;
- (i) publish guidelines, from time to time, on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of these rules; and
- (j) provide guidance to States or Union territories on inter-state movement of waste.

15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations.- The local authorities and Panchayats shall,-

- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;
- (d) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;
- (e) frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;
- (f) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed white and those for storage of other wastes shall be printed black;

- (i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;
- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on site processing of such waste;
- (r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility;
- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- (v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
- a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule I for disposal of residual wastes in a manner prescribed under these rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tones per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;

- (za) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- (zc) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;
- (ze) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and
- (zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-
- (i) not to litter;
 - (ii) minimise generation of waste;
 - (iii) reuse the waste to the extent possible;
 - (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
 - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
 - (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
 - (vii) storage of segregated waste at source in different bins;
 - (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
 - (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
- (zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over;
- (zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;
- (zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;
- (zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

16. Duties of State Pollution Control Board or Pollution Control Committee.- (1) The State Pollution Control Board or Pollution Control Committee shall,-

- (a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;
- (b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;
- (c) examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;

- (d) while examining the proposal for authorisation, the requirement of consents under respective enactments and views of other agencies like the State Urban Development Department, the Town and Country Planning Department, District Planning Committee or Metropolitan Area Planning Committee, as may be applicable, Airport or Airbase Authority, the Ground Water Board, Railways, power distribution companies, highway department and other relevant agencies shall be taken into consideration and they shall be given four weeks time to give their views, if any;
- (e) issue authorisation within a period of sixty days in Form II to the local body or an operator of a facility or any other agency authorised by local body stipulating compliance criteria and environmental standards as specified in Schedules I and II including other conditions, as may be necessary;
- (f) synchronise the validity of said authorisation with the validity of the consents;
- (g) suspend or cancel the authorization issued under clause (a) any time, if the local body or operator of the facility fails to operate the facility as per the conditions stipulated:
provided that no such authorization shall be suspended or cancelled without giving notice to the local body or operator, as the case may be; and
- (h) on receipt of application for renewal, renew the authorisation for next five years, after examining every application on merit and subject to the condition that the operator of the facility has fulfilled all the provisions of the rules, standards or conditions specified in the authorisation, consents or environment clearance.
- (2) The State Pollution Control Board or Pollution Control Committee shall, after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew an authorisation.
- (3) In case of new technologies, where no standards have been prescribed by the Central Pollution Control Board, State Pollution Control Board or Pollution Control Committee, as the case may be, shall approach Central Pollution Control Board for getting standards specified.
- (4) The State Pollution Control Board or the Pollution Control Committee, as the case may be, shall monitor the compliance of the standards as prescribed or laid down and treatment technology as approved and the conditions stipulated in the authorisation and the standards specified in Schedules I and II under these rules as and when deemed appropriate but not less than once in a year.
- (5) The State Pollution Control Board or the Pollution Control Committee may give directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators at hazardous waste deposition facilities.
- (6) The State Pollution Control Board or the Pollution Control Committee shall regulate Inter-State movement of waste.

17. Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers.- (1) All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market shall provide necessary financial assistance to local authorities for establishment of waste management system.

- (2) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place a system to collect back the packaging waste generated due to their production.
- (3) Manufacturers or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclable materials in their products or they shall provide a pouch or wrapper for disposal of each napkin or diapers along with the packet of their sanitary products.
- (4) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.

18. Duties of the industrial units located within one hundred km from the refused derived fuel and waste to energy plants based on solid waste- All industrial units using fuel and located within one hundred km from a solid waste based refused derived fuel plant shall make arrangements within six months from the date of notification of these rules to replace at least five percent of their fuel requirement by refused derived fuel so produced.

19. Criteria for Duties regarding setting-up solid waste processing and treatment facility.- (1) The department in-charge of the allocation of land assignment shall be responsible for providing suitable land for setting up of the solid waste processing and treatment facilities and notify such sites by the State Government or Union territory Administration.

- (2) The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development.

- (3) The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee.
- (4) The State Pollution Control Board or Pollution Control Committee shall monitor the environment standards of the operation of the solid waste processing and treatment facilities.
- (5) The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time-
- (6) The operator of the solid waste processing and treatment facility shall submit annual report in Form III each year by 30th April to the State Pollution Control Board or Pollution Committee and concerned local body.

20. Criteria and actions to be taken for solid waste management in hilly areas.- In the hilly areas, the duties and responsibilities of the local authorities shall be the same as mentioned in rule 15 with additional clauses as under:

- (a) Construction of landfill on the hill shall be avoided. A transfer station at a suitable enclosed location shall be setup to collect residual waste from the processing facility and inert waste. A suitable land shall be identified in the plain areas down the hill within 25 kilometers for setting up sanitary landfill. The residual waste from the transfer station shall be disposed of at this sanitary landfill.
- (b) In case of non-availability of such land, efforts shall be made to set up regional sanitary landfill for the inert and residual waste.
- (c) Local body shall frame Bye-laws and prohibit citizen from littering wastes on the streets and give strict direction to the tourists not to dispose any waste such as paper, water bottles, liquor bottles, soft drink canes, tetra packs, any other plastic or paper waste on the streets or down the hills and instead direct to deposit such waste in the litter bins that shall be placed by the local body at all tourist destinations.
- (d) Local body shall arrange to convey the provisions of solid waste management under the bye-laws to all tourists visiting the hilly areas at the entry point in the town as well as through the hotels, guest houses or like where they stay and by putting suitable hoardings at tourist destinations.
- (e) Local body may levy solid waste management charge from the tourist at the entry point to make the solid waste management services sustainable.
- (f) The department in- charge of the allocation of land assignment shall identify and allot suitable space on the hills for setting up decentralised waste processing facilities. Local body shall set up such facilities. Step garden system may be adopted for optimum utilisation of hill space.

21. Criteria for waste to energy process.- (1) Non recyclable waste having calorific value of 1500 K/cal/kg or more shall not be disposed of on landfills and shall only be utilised for generating energy either or through refuse derived fuel or by giving away as feed stock for preparing refuse derived fuel.

- (2) High calorific wastes shall be used for co-processing in cement or thermal power plants.
- (3) The local body or an operator of facility or an agency designated by them proposing to set up waste to energy plant of more than five tones per day processing capacity shall submit an application in Form-I to the State Pollution Control Board or Pollution Control Committee, as the case may be, for authorisation.
- (4) The State Pollution Control Board or Pollution Control Committee, on receiving such application for setting up waste to energy facility, shall examine the same and grant permission within sixty days.

22. Time frame for implementation.- Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

| Sl. No. | Activity | Time limit from the date of notification of rules |
|---------|---|---|
| (1) | (2) | (3) |
| 1. | identification of suitable sites for setting up solid waste processing facilities | 1 year |

| | | |
|-----|--|---------|
| 2. | identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more . | 1 year |
| 3. | procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities | 2 years |
| 4. | enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source , | 2 years |
| 5. | Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities. | 2 years |
| 6. | ensure separate storage, collection and transportation of construction and demolition wastes | 2 years |
| 7. | setting up solid waste processing facilities by all local bodies having 100000 or more population | 2 years |
| 8. | Setting up solid waste processing facilities by local bodies and census towns below 100000 population. | 3 years |
| 9. | setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules | 3 years |
| 10. | setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules | 3years |
| 11. | bio-remediation or capping of old and abandoned dump sites | 5years |

23. State Level Advisory Body. – (1) Every Department in-charge of local bodies of the concerned State Government or Union territory administration shall constitute a State Level Advisory Body within six months from the date of notification of these rules comprising the following members, namely:-

| Sl. No | Designation | Member |
|--------|--|-------------------------|
| (1) | (2) | (3) |
| 1. | Secretary, Department of Urban Development or Local self government department of the State | Chairperson, ex-officio |
| 2. | One representative of Panchayats or Rural development Department not below the rank of Joint Secretary to State Government | Member, ex-officio |
| 3. | one representative of Revenue Department of State Government | Member, ex-officio |
| 4. | One representative from Ministry of Environment, Forest and Climate Change Government of India | Member, ex-officio |

| | | |
|-----|---|--------------------|
| 5. | One representative from Ministry of Urban Development, Government of India | Member, ex-officio |
| 6. | One representative from Ministry of Rural Development, Government of India | Member, ex-officio |
| 7. | One representative from the Central Pollution Control Board | Member, ex-officio |
| 8. | One representative from the State Pollution Control Board or Pollution Control Committee | Member, ex-officio |
| 9. | One representative from Indian Institute of Technology or National Institute of Technology | Member, Ex-officio |
| 10. | Chief town planner of the state | Member |
| 11. | Three representatives from the local bodies by rotation | Member |
| 12. | Two representatives from census towns or urban agglomerations by rotation. | Member |
| 13. | One representative from reputed Non-Governmental Organisation or Civil Society working for the waste pickers or informal recycler or solid waste management | Member |
| 14. | One representative from a body representing Industries at the State or Central level | Member |
| 15. | one representative from waste recycling industry | member |
| 16. | Two subject experts | Member |
| 17. | Co-opt one representative each from agriculture department, and labour department of State Government. | Member |

(2) The State Level Advisory Body shall meet at least one in every six months to review the matters related to implementation of these rules, state policy and strategy on solid waste management and give advice to state government for taking measures that are necessary for expeditious and appropriate implementation of these rules.

(3) The copies of the review report shall be forwarded to the State Pollution Control Board or Pollution Control Committee for necessary action.

24. Annual report.- (1) The operator of facility shall submit the annual report to the local body in Form-III on or before the 30th day of April every year.

(2) The local body shall submit its annual report in Form-IV to State P Control Board or P Committee and the Secretary-in-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer in -Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30th day of June every year

(3) Each State Pollution Control Board or Pollution Control Committee as the case may be, shall prepare and submit the consolidated annual report to the Central Pollution Control Board and Ministry of Urban Development on the implementation of these rules and action taken against non complying local body by the 31st day of July of each year in Form-V.

(4) The Central Pollution Control Board shall prepare a consolidated annual review report on the status of implementation of these rules by local bodies in the country and forward the same to the Ministry of Urban Development

and Ministry of Environment, Forest and Climate Change, along with its recommendations before the 31st day of August each year.

(5) The annual report shall be reviewed by the Ministry of Environment, Forest and Climate Change during the meeting of Central Monitoring Committee.

25. Accident reporting- In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the Officer- in- charge of the facility shall report to the local body in Form-VI and the local body shall review and issue instructions if any, to the in- charge of the facility.

SCHEDULE I

[see rule 15 (w),(zi), 16 (1) (b) (e), 16 (4)]

Specifications for Sanitary Landfills

(A) Criteria for site selection.-

- (i) The department in the business allocation of land assignment shall provide suitable site for setting up of the solid waste processing and treatment facilities and notify such sites.
- (ii) The sanitary landfill site shall be planned, designed and developed with proper documentation of construction plan as well as a closure plan in a phased manner. In case a new landfill facility is being established adjoining an existing landfill site, the closure plan of existing landfill should form a part of the proposal of such new landfill.
- (iii) The landfill sites shall be selected to make use of nearby wastes processing facilities. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site.
- (iv) Landfill sites shall be set up as per the guidelines of the Ministry of Urban Development, Government of India and Central Pollution Control Board.
- (v) The existing landfill sites which are in use for more than five years shall be improved in accordance with the specifications given in this Schedule.
- (vi) The landfill site shall be large enough to last for at least 20-25 years and shall develop 'landfill cells' in a phased manner to avoid water logging and misuse.
- (vii) The landfill site shall be 100 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. However in a special case, landfill site may be set up within a distance of 10 and 20 km away from the Airport/Airbase after obtaining no objection certificate from the civil aviation authority/ Air force as the case may be. The Landfill site shall not be permitted within the flood plains as recorded for the last 100 years, zone of coastal regulation, wetland, Critical habitat areas, sensitive eco-fragile areas..
- (viii) The sites for landfill and processing and disposal of solid waste shall be incorporated in the Town Planning Department's land-use plans.
- (ix) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local body in consultation with concerned State Pollution Control Board.
- (x) The biomedical waste shall be disposed of in accordance with the Bio-medical Waste Management Rules, 2016, as amended from time to time . The hazardous waste shall be managed in accordance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, as amended from time to time. The E-waste shall be managed in accordance with the e-Waste (Management) Rules, 2016 as amended from time to time.
- (xi) Temporary storage facility for solid waste shall be established in each landfill site to accommodate the waste in case of non- operation of waste processing and during emergency or natural calamities.

(B) Criteria for development of facilities at the sanitary landfills.-

- (i) Landfill site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles, to prevent entry of unauthorised persons and stray animals
- (ii) The approach and / internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
- (iii) The landfill site shall have waste inspection facility to monitor waste brought in for landfilling h, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipment. The operator of the facility shall maintain record of waste received, processed and disposed.

- (iv) Provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (v) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided.
- (vi) Safety provisions including health inspections of workers at landfill sites shall be carried out made.
- (vii) Provisions for parking, cleaning, washing of transport vehicles carrying solid waste shall be provided. The wastewater so generated shall be treated to meet the prescribed standards.

(C) Criteria for specifications for land filling operations and closure on completion of land filling.-

- (i) Waste for land filling shall be compacted in thin layers using heavy compactors to achieve high density of the waste. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted.
- (ii) Till the time waste processing facilities for composting or recycling or energy recovery are set up, the waste shall be sent to the sanitary landfill. The landfill cell shall be covered at the end of each working day with minimum 10 cm of soil, inert debris or construction material..
- (iii) Prior to the commencement of monsoon season, an intermediate cover of 40-65 cm thickness of soil shall be placed on the landfill with proper compaction and grading to prevent infiltration during monsoon. Proper drainage shall be constructed to divert run-off away from the active cell of the landfill.
- (iv) After completion of landfill, a final cover shall be designed to minimise infiltration and erosion. The final cover shall meet the following specifications, namely :--
 - a) The final cover shall have a barrier soil layer comprising of 60 cm of clay or amended soil with permeability coefficient less than 1×10^{-7} cm/sec.
 - b) On top of the barrier soil layer, there shall be a drainage layer of 15 cm.
 - c) On top of the drainage layer, there shall be a vegetative layer of 45 cm to support natural plant growth and to minimise erosion.

(D) Criteria for pollution prevention.-In order to prevent pollution from landfill operations, the following provisions shall be made, namely:-

- (i) The storm water drain shall be designed and constructed in such a way that the surface runoff water is diverted from the landfilling site and leachates from solid waste locations do not get mixed with the surface runoff water. Provisions for diversion of storm water discharge drains shall be made to minimise leachate generation and prevent pollution of surface water and also for avoiding flooding and creation of marshy conditions.
- (ii) Non-permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) shall have liner of composite barrier of 1.5 mm thick high density polyethylene (HDPE) geo-membrane or geo-synthetic liners, or equivalent, overlying 90 cm of soil (clay or amended soil) having permeability coefficient not greater than 1×10^{-7} cm/sec. The highest level of water table shall be at least two meter below the base of clay or amended soil barrier layer provided at the bottom of landfills.
- (iii) Provisions for management of leachates including its collection and treatment shall be made. The treated leachate shall be recycled or utilized as permitted, otherwise shall be released into the sewerage line, after meeting the standards specified in Schedule- II. In no case, leachate shall be released into open environment.
- (iv) Arrangement shall be made to prevent leachate runoff from landfill area entering any drain, stream, river, lake or pond. In case of mixing of runoff water with leachate or solid waste, the entire mixed water shall be treated by the concern authority.

(E) Criteria for water quality monitoring.-

- (i) Before establishing any landfill site, baseline data of ground water quality in the area shall be collected and kept in record for future reference. The ground water quality within 50 meter of the periphery of landfill site shall be periodically monitored covering different seasons in a year that is, summer, monsoon and post-monsoon period to ensure that the ground water is not contaminated.
- (ii) Usage of groundwater in and around landfill sites for any purpose (including drinking and irrigation) shall be considered only after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purpose, namely :-

| S. No. | Parameters | IS 10500:2012, Edition 2.2(2003-09) Desirable limit (mg/l except for pH) |
|--------|--|---|
| (1) | (2) | (3) |
| | Arsenic | 0.01 |
| | Cadmium | 0.01 |
| | Chromium(as Cr ⁶⁺) | 0.05 |
| | Copper | 0.05 |
| | Cyanide | 0.05 |
| | Lead | 0.05 |
| | Mercury | 0.001 |
| | Nickel | - |
| | Nitrate as NO ₃ | 45.0 |
| | pH | 6.5-8.5 |
| | Iron | 0.3 |
| | Total hardness (as CaCO ₃) | 300.0 |
| | Chlorides | 250 |
| | Dissolved solids | 500 |
| | Phenolic compounds (as C ₆ H ₅ OH) | 0.001 |
| | Zinc | 5.0 |
| | Sulphate (as SO ₄) | 200 |

(F) Criteria for ambient air quality monitoring.-

- (i) Landfill gas control system including gas collection system shall be installed at landfill site to minimize odour, prevent off-site migration of gases, to protect vegetation planted on the rehabilitated landfill surface. For enhancing landfill gas recovery, use of geomembranes in cover systems along with gas collection wells should be considered.
- (ii) The concentration of methane gas generated at landfill site shall not exceed 25 per cent of the lower explosive limit (LEL).
- (iii) The landfill gas from the collection facility at a landfill site shall be utilized for either direct thermal applications or power generation, as per viability. Otherwise, landfill gas shall be burnt (flared) and shall not be allowed to escape directly to the atmosphere or for illegal tapping. Passive venting shall be allowed in case if its utilisation or flaring is not possible.
- (iv) Ambient air quality at the landfill site and at the vicinity shall be regularly monitored. Ambient air quality shall

meet the standards prescribed by the Central Pollution Control Board for Industrial area.

G. Criteria for plantation at landfill Site.- A vegetative cover shall be provided over the completed site in accordance with the following specifications, namely:-

- (a) Locally adopted non-edible perennial plants that are resistant to drought and extreme temperatures shall be planted;
- (b) The selection of plants should be of such variety that their roots do not penetrate more than 30 cms. This condition shall apply till the landfill is stabilized;
- (c) Selected plants shall have ability to thrive on low-nutrient soil with minimum nutrient addition;
- (d) Plantation to be made in sufficient density to minimise soil erosion.
- (e) Green belts shall be developed all around the boundary of the landfill in consultation with State Pollution Control Boards or Pollution Control Committees .

H. Criteria for post-care of landfill site.- (1) The post-closure care of landfill site shall be conducted for at least fifteen years and long term monitoring or care plan shall consist of the following, namely :-⁴

- (a) Maintaining the integrity and effectiveness of final cover, making repairs and preventing run-on and run-off from eroding or otherwise damaging the final cover;
 - (b) Monitoring leachate collection system in accordance with the requirement;
 - (c) Monitoring of ground water in and around landfill;
 - (d) Maintaining and operating the landfill gas collection system to meet the standards.
- (2) Use of closed landfill sites after fifteen years of post-closure monitoring can be considered for human settlement or otherwise only after ensuring that gaseous emission and leachate quality analysis complies with the specified standards and the soil stability is ensured.

I. Criteria for special provisions for hilly areas.-Cities and towns located on hills shall have location-specific methods evolved for final disposal of solid waste by the local body with the approval of the concerned State Pollution Control Board or the Pollution Control Committee. The local body shall set up processing facilities for utilisation of biodegradable organic waste. The non-biodegradable recyclable materials shall be stored and sent for recycling periodically. The inert and non-biodegradable waste shall be used for building roads or filling-up of appropriate areas on hills. In case of constraints in finding adequate land in hilly areas, waste not suitable for road-laying or filling up shall be disposed of in regional landfills in plain areas.

J. Closure and Rehabilitation of Old Dumps- Solid waste dumps which have reached their full capacity or those which will not receive additional waste after setting up of new and properly designed landfills should be closed and rehabilitated by examining the following options:

- (i) Reduction of waste by bio mining and waste processing followed by placement of residues in new landfills or capping as in (ii) below.
- (ii) Capping with solid waste cover or solid waste cover enhanced with geomembrane to enable collection and flaring / utilisation of greenhouse gases.
- (iii) Capping as in (ii) above with additional measures (in alluvial and other coarse grained soils) such as cut-off walls and extraction wells for pumping and treating contaminated ground water.
- (iv) Any other method suitable for reducing environmental impact to acceptable level.

SCHEDULE II

[see rule 16 (1), (b), (e), 16 (4)]

Standards of processing and treatment of solid waste

A. Standards for composting.- The waste processing facilities shall include composting as one of the technologies for processing of bio degradable waste. In order to prevent pollution from compost plant, the following shall be complied with namely :-

- (a) The incoming organic waste at site shall be stored properly prior to further processing. To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility;
- (b) Necessary precaution shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard;

- (c) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of waste to the temporary processing site or temporary landfill sites which will be again reprocessed when plant is in order;
- (d) Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclable high calorific fractions to be segregated and sent to waste to energy or for RDF production, co-processing in cement plants or to thermal power plants. Only rejects from all processes shall be sent for sanitary landfill site(s).
- (e) The windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay of 50 cm thick having permeability coefficient less than 10^{-7} cm/sec. The base shall be provided with 1 to 2 per cent slope and circled by lined drains for collection of leachate or surface run-off;
- (f) Ambient air quality monitoring shall be regularly carried out. Odour nuisance at down-wind direction on the boundary of processing plant shall also be checked regularly.
- (g) Leachate shall be re-circulated in compost plant for moisture maintenance.
- (h) The end product compost shall meet the standards prescribed under Fertilizer Control Order notified from time to time.
- (i) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely:-

| Parameters | Organic Compost (FCO 2009) | Phosphate Rich Organic Manure (FCO 2013) |
|--|-------------------------------|--|
| (1) | (2) | (3) |
| Arsenic (mg/Kg) | 10.00 | 10.00 |
| Cadmium (mg/Kg) | 5.00 | 5.00 |
| Chromium (mg/Kg) | 50.00 | 50.00 |
| Copper (mg/Kg) | 300.00 | 300.00 |
| Lead (mg/Kg) | 100.00 | 100.00 |
| Mercury (mg/Kg) | 0.15 | 0.15 |
| Nickel (mg/Kg) | 50.00 | 50.00 |
| Zinc (mg/Kg) | 1000.00 | 1000.00 |
| C/N ratio | <20 | Less than 20:1 |
| pH | 6.5-7.5 | (1:5 solution) maximum 6.7 |
| Moisture, percent by weight, maximum | 15.0-25.0 | 25.0 |
| Bulk density (g/cm ³) | <1.0 | Less than 1.6 |
| Total Organic Carbon, per cent by weight, minimum | 12.0 | 7.9 |

| | | |
|--|--|--|
| Total Nitrogen (as N), per cent by weight, minimum | 0.8 | 0.4 |
| Total Phosphate (as P ₂ O ₅) percent by weight, minimum | 0.4 | 10.4 |
| Total Potassium (as K ₂ O), percent by weight, minimum | 0.4 | - |
| Colour | Dark brown to black | - |
| Odour | Absence of foul Odor | - |
| Particle size | Minimum 90% material should pass through 4.0 mm IS sieve | Minimum 90% material should pass through 4.0 mm IS sieve |
| Conductivity (as dsm-1), not more than | 4.0 | 8.2 |

* Compost (final product) exceeding the above stated concentration limits shall not be used for food crops. However, it may be utilized for purposes other than growing food crops.

B. Standards for treated leachates.—The disposal of treated leachates shall meet the following standards, namely:-

| S. No | Parameter | Standards (Mode of Disposal) | | |
|-------|--|-----------------------------------|---------------|---------------|
| | | Inland surface water | Public sewers | Land disposal |
| (1) | (2) | (3) | (4) | (5) |
| 1. | Suspended solids, mg/l, max | 100 | 600 | 200 |
| 2. | Dissolved solids (inorganic) mg/l, max. | 2100 | 2100 | 2100 |
| 3 | pH value | 5.5 to 9.0 | 5.5 to 9.0 | 5.5 to 9.0 |
| 4 | Ammonical nitrogen (as N), mg/l, max. | 50 | 50 | - |
| 5 | Total Kjeldahl nitrogen (as N), mg/l, max. | 100 | - | - |
| 6 | Biochemical oxygen demand (3 days at 27 ⁰ C) max.(mg/l) | 30 | 350 | 100 |
| 7 | Chemical oxygen demand, mg/l, max. | 250 | - | - |
| 8 | Arsenic (as As), mg/l, max | 0.2 | 0.2 | 0.2 |
| 9 | Mercury (as Hg), mg/l, max | 0.01 | 0.01 | - |
| 10 | Lead (as Pb), mg/l, max | 0.1 | 1.0 | - |
| 11 | Cadmium (as Cd), mg/l, max | 2.0 | 1.0 | - |

| | | | | |
|----|---|------|------|-----|
| 12 | Total Chromium (as Cr), mg/l, max. | 2.0 | 2.0 | - |
| 13 | Copper (as Cu), mg/l, max. | 3.0 | 3.0 | - |
| 14 | Zinc (as Zn), mg/l, max. | 5.0 | 15 | - |
| 15 | Nickel (as Ni), mg/l, max | 3.0 | 3.0 | - |
| 16 | Cyanide (as CN), mg/l, max. | 0.2 | 2.0 | 0.2 |
| 17 | Chloride (as Cl), mg/l, max. | 1000 | 1000 | 600 |
| 18 | Fluoride (as F), mg/l, max | 2.0 | 1.5 | - |
| 19 | Phenolic compounds (as C ₆ H ₅ OH) mg/l, max. | 1.0 | 5.0 | - |

Note : While discharging treated leachates into inland surface waters, quantity of leachates being discharged and the quantity of dilution water available in the receiving water body shall be given due consideration.

C. Standards for incineration: The Emission from incinerators /thermal technologies in Solid Waste treatment/disposal facility shall meet the following standards, namely:-

| Parameter | Emission standard | | |
|---|----------------------------|--|-----|
| | (1) | (2) | (3) |
| Particulates | 50 mg/Nm ³ | Standard refers to half hourly average value | |
| HCl | 50 mg/Nm ³ | Standard refers to half hourly average value | |
| SO₂ | 200 mg/Nm ³ | Standard refers to half hourly average value | |
| CO | 100 mg/Nm ³ | Standard refers to half hourly average value | |
| | 50 mg/Nm ³ | Standard refers to daily average value | |
| Total Organic Carbon | 20 mg/Nm ³ | Standard refers to half hourly average value | |
| HF | 4 mg/Nm ³ | Standard refers to half hourly average value | |
| NO_x (NO and NO₂ expressed as NO₂) | 400 mg/Nm ³ | Standard refers to half hourly average value | |
| Total dioxins and furans | 0.1 ng TEQ/Nm ³ | Standard refers to 6-8 hours sampling. Please refer guidelines for 17 concerned congeners for toxic equivalence values to arrive at total toxic equivalence. | |
| Cd + Th + their compounds | 0.05 mg/Nm ³ | Standard refers to sampling time anywhere between 30 minutes and 8 hours. | |
| Hg and its compounds | 0.05 mg/Nm ³ | Standard refers to sampling time anywhere between 30 minutes and 8 hours. | |

| | | |
|--|------------------------|---|
| Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V + their compounds | 0.5 mg/Nm ³ | Standard refers to sampling time anywhere between 30 minutes and 8 hours. |
| <i>Note.- All values corrected to 11% oxygen on a dry basis.</i> | | |

Note:

- (a) Suitably designed pollution control devices shall be installed or retrofitted with the incinerator to achieve the above emission limits..
- (b) Waste to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- (c) Incineration of chlorinated plastics shall be phased out within two years.
- (d) if the concentration of toxic metals in incineration ash exceeds the limits specified in the Hazardous Waste (Management, Handling and Trans boundary Movement) Rules, 2008, as amended from time to time, the ash shall be sent to the hazardous waste treatment, storage and disposal facility.
- (e) Only low sulphur fuel like LDO, LSHS, Diesel, bio-mass, coal, LNG, CNG, RDF and bio-gas shall be used as fuel in the incinerator.
- (f) The CO₂ concentration in tail gas shall not be more than 7%.
- (g) All the facilities in twin chamber incinerators shall be designed to achieve a minimum temperature of 950^oC in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.
- (h) Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, as to achieve total Organic Carbon (TOC) content in the slag and bottom ash less than 3%, or the loss on ignition is less than 5% of the dry weight.
- (i) Odour from sites shall be managed as per guidelines of CPCB issued from time to time

FORM – I**[see rule 15 (v) 16 (1) (c), 21(3)]**

**Application for obtaining authorisation under solid waste management rules
for processing/recycling/treatment and disposal of solid waste**

To,

The Member Secretary,

State Pollution Control Board or Pollution Control Committee,

of.....

Sir,

I/We hereby apply for authorisation under the Solid Waste Management Rules, 2016 for processing, recycling, treatment and disposal of solid waste.

| | | |
|----|---|--|
| 1. | Name of the local body/agency appointed by them/ operator of facility | |
| 2. | Correspondence address Telephone No. Fax No. ,e-mail: | |

| | | |
|----|--|--|
| 3. | Nodal Officer & designation (Officer authorised by the local body or agency responsible for operation of processing/ treatment or disposal facility) | |
| 4. | Authorisation required for setting up and operation of the facility (Please tick mark) | waste processing recycling treatment disposal at landfill |
| 5. | Attach copies of the Documents Site clearance (local body) Proof of Environmental Clearance Consent for establishment Agreement between municipal authority and operating agency Investment on the project and expected return | |
| 6. | Processing/recycling/treatment of solid waste (i) Total Quantity of waste to be processed per day Quantity of waste to be recycled Quantity of waste to be treated Quantity of waste to be disposed into landfill (ii) Utilisation programme for waste processed (Product utilisation) (iii) Methodology for disposal (attach details) Quantity of leachate Treatment technology for leachate (iv) Measures to be taken for prevention and control of environmental pollution (v) Measures to be taken for safety of workers working in the plant (vi) Details on solid waste processing/recycling/ treatment/disposal facility (to be attached) | |
| 7. | Disposal of solid waste Number of sites identified Quantity of waste to be disposed per day Details of methodology or criteria followed for site selection (attach) Details of existing site under operation Methodology and operational details of landfilling Measures taken to check environmental pollution | |
| 8 | Any other information. | |

Date:

Signature:

Place:

Designation

Form- II

[see rule 16 (1) (e)]

Format for issue of authorisation

File No.: _____

Dated: _____

Authorisation No

To _____

Ref: Your application number _____ dt. _____

The _____ State Pollution Control Board/Pollution Control Committee after examining the proposal hereby authorises _____ having administrative office at _____ to set up and operate waste processing/recycling/ treatment/disposal facility at _____

The authorisation is hereby granted to operate the facility for processing, recycling, treatment and disposal of solid waste.

The authorisation is subject to the terms and conditions stated below and such conditions as may be otherwise specified in these rules and the standards laid down in Schedules I and II under these rules.

The _____ State Pollution Control Board/Pollution Control Committees of the UT _____ may, at any time, revoke any of the conditions applicable under the authorisation and shall communicate the same in writing.

Any violation of the provision of the Solid Waste Management Rules, 2016 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)

State Pollution Control Board/Pollution Control Committee of the UT

(Signature and designation)

Date: _____

Place: _____

Form – III

[see rule 19 (6), 24 (1)]

Format of annual report to be submitted by the operator of facility to the local body

| | | |
|---|--|--|
| 1 | Name of the City/Town and State | |
| 2 | Population | |
| 3 | Area in sq. kilometers | |
| 4 | Name & Address of the local body Telephone No. Fax No. E-mail: | |
| 5 | Name and address of operator of the facility | |
| 6 | Name of officer in-charge of the facility Phone No: Fax No: E-mail: | |

| | | |
|---|--|---|
| 7 | Number of households in the city/town , Number of non-residential premises in the city Number of election/ administrative wards in the city/town | |
| 8 | Quantity of Solid waste | |
| | Estimated Quantity of solid waste generated in the local body area per day in metric tones | /tpd |
| | Quantity of solid waste collected per day | /tpd |
| | Per capita waste collected per day | /gm/day |
| | Quantity of solid waste processed | /tpd |
| | Quantity of solid waste disposed at landfill | /tpd |
| 9 | Status of Solid Waste Management (SWM) service | |
| | Segregation and storage of waste at source Whether solid waste is stored at source in domestic/commercial/institutional bins If yes, Percentage of households practice storage of waste at source in domestic bins Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins Percentage of households dispose of throw solid waste on the streets Percentage of non-residential premises dispose of throw solid waste on the streets Whether solid waste is stored at source in a segregated form If yes, Percentage of premises segregating the waste at source | Yes/No % % % % Yes/No % |
| | Door to Door Collection of solid waste | |
| | Whether door to door collection (D2D) of solid waste is being done in the city/town | Yes/No |
| | if yes | |
| | Number of wards covered in D2D collection of waste | |
| | No. of households covered | |
| | No. of non-residential premises including commercial establishments ,hotels, restaurants educational institutions/offices etc covered | |

| | | | | | | |
|--|--|-------------------------|----------------------------|----------------|--------------|--------------|
| | Percentage of residential and non-residential premises covered in door to door collection through : Motorized vehicle Containerized tricycle/handcart Other device | % | | | | |
| | If not, method of primary collection adopted | | | | | |
| | Sweeping of streets | | | | | |
| | Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned | km | | | | |
| | Frequency of street sweepings and percentage of population covered Tools used Manual sweeping Mechanical sweeping Whether long handle broom used by sanitation workers Whether each sanitation worker is given handcart/tricycle for collection of waste Whether handcart / tricycle is containerized Whether the collection tool synchronizes with collection/ waste storage containers utilized | frequency | Daily | Alternate days | Twice a week | Occasionally |
| | | % of population covered | | | | |
| | Secondary Waste Storage facilities | | | | | |
| | No. and type of waste storage depots in the city/town Open waste storage sites Masonry bins Cement concrete cylinder bins Dhalao/covered rooms/space Covered metal/plastic containers Upto 1.1 m ³ bins 2 to 5 m ³ bins Above 5m ³ containers Bin-less city | No. | Capacity in m ³ | | | |
| | Bin/ population ratio | | | | | |

| | | |
|--|--|---|
| | Waste Transportation per day Type and Number of vehicles used (pl tick or add) | No. Trips made waste transported |
| | Animal cart Tractors Non tipping Truck Tipping Truck Dumper Placers Refuse collectors Compactors Others JCB/loader | |
| | Frequency of transportation of waste | Frequency (%) of waste transported Daily Alternate day Twice a week Once a week Occasionally |
| | Quantity of waste transported each day | /tpd |
| | Percentage of total waste transported daily | % |
| | Waste Treatment Technologies used Whether solid waste is processed | Yes/No |
| | If yes, Quantity of waste processed daily Land(s) available with the local body for waste processing (in Hectares) | /tpd |
| | Land currently utilized for waste processing | |
| | Solid waste processing facilities in operation | |
| | Solid waste processing facilities under construction Distance of processing facilities from city/town boundary | |
| | Details of technologies adopted | |

| | | |
|--|--|--|
| | Composting , vermi composting | Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Bio-methanation | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Refuse Derived Fuel | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| | Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology (give detail) Co-processing | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled Qty. raw material processed |
| | Combustible waste supplied to cement plant | |
| | Combustible waste supplied to solid waste based power plants | |
| | Others | Qty. |
| | Solid waste disposal facilities | |
| | No. of dumpsites sites available with the local body | |
| | No. of sanitary landfill sites available with the local body Area of each such sites available for waste disposal | |
| | Area of land currently used for waste disposal | |
| | Distance of dumpsite/landfill facility from city/town | kms |
| | Distance from the nearest habitation | kms |
| | Distance from water body | kms |

| | | |
|----|---|--|
| | Distance from state/national highway | kms |
| | Distance from Airport | kms |
| | Distance from important religious places or historical monument | kms |
| | Whether it falls in flood prone area | Yes/No |
| | Whether it falls in earthquake fault line area | Yes/No |
| | Quantity of waste landfilled each day | tpd |
| | Whether landfill site is fenced | Yes / No |
| | Whether Lighting facility is available on site | Yes / No |
| | Whether Weigh bridge facility available | Yes / No |
| | Vehicles and equipments used at landfill (specify) | Bulldozer, Compacters etc. available |
| | Manpower deployed at landfill site | Yes/No (if yes, attach details) |
| | Whether covering is done on daily basis | Yes/No |
| | If not, Frequency of covering the waste deposited at the landfill | |
| | Cover material used | |
| | Whether adequate covering material is available | Yes/No |
| | Provisions for gas venting provided | Yes/No, (if yes, attach technical data sheet) |
| | Provision for leachate collection | Yes/No, (if yes, attach technical data sheet) |
| 10 | Whether an Action Plan has been prepared for improving solid waste management practices in the city | Yes/No (if Yes attach Action Plan details) |
| 11 | What separate provisions are made for : Dairy related activities : Slaughter houses waste : C&D waste (construction debris) : | Attach details on Proposals, Steps taken, Yes/No Yes/No Yes/No |
| 12 | Details of Post Closure Plan | Attach Plan |
| 13 | How many slums are identified and whether these are provided with Solid Waste Management facilities : | Yes/ No (if Yes, attach details) |
| 14 | Give details of manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste | |

| | | |
|----|---|--|
| 15 | Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules | |
| 16 | Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies. | |

Signature of Operator

Dated :

Place:

Form – IV

[see rules 15(za), 24(2)]

Format for annual report on solid waste management to be submitted by the local body

| | |
|-----------------------|--------------------------------------|
| CALENDAR YEAR: | DATE OF SUBMISSION OF REPORT: |
| | |

| | | |
|---|--|------|
| 1 | Name of the City/Town and State | |
| 2 | Population | |
| 3 | Area in sq. kilometers | |
| 4 | Name & Address of local body Telephone No. Fax No. E-mail: | |
| 5 | Name of officer in-charge dealing with solid waste management (SOLID WASTEM)Phone No: Fax No: E-mail: | |
| 6 | Number of households in the city/town Number of non-residential premises in the city Number of election/ administrative wards in the city/town | |
| 7 | Quantity of Solid waste (solid waste) | |
| | Estimated Quantity of solid waste generated in the local body area per day in metric tones | /tpd |
| | Quantity of solid waste collected per day | /tpd |

| | | |
|---|---|---|
| | Per capita waste collected per day | /gm/day |
| | Quantity of solid waste processed | /tpd |
| | Quantity of solid waste disposed at dumpsite/ landfill | /tpd |
| 8 | Status of Solid Waste Management service | |
| | Segregation and storage of waste at source Whether SOLID WASTE is stored at source in domestic/commercial/ institutional bins, If yes, Percentage of households practice storage of waste at source in domestic bins Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins Percentage of households dispose or throw solid waste on the streets Percentage of non-residential premises dispose of throw solid waste on the streets Whether solid waste is stored at source in a segregated form, If yes, Percentage of premises segregating the waste at source | Yes/No % % % % Yes/No % |
| | Door to Door Collection of solid waste | |
| | Whether door to door collection (D2D) of solid waste is being done in the city/town | Yes/No |
| | if yes | |
| | Number of wards covered in D2D collection of waste | |
| | No. of households covered | |
| | No. of non-residential premises including commercial establishments ,hotels, restaurants educational institutions/ offices etc covered | |
| | Percentage of residential and non-residential premises covered in door to door collection through : Motorized vehicle Containerized tricycle/handcart Other device | % % % |
| | If not, method of primary collection adopted | |
| | Sweeping of streets | |
| | Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned | km |

| | Frequency of street sweepings and percentage of population covered | frequency | Daily | Alternate days | Twice a week | Occasionally |
|--|---|-----------|----------------------------|--|--------------|--------------|
| | % of population covered Tools used Manual sweeping Mechanical sweeping Whether long handle broom used by sanitation workers Whether each sanitation worker is given handcart/tricycle for collection of waste Whether handcart / tricycle is containerized Whether the collection tool synchronizes with collection/ waste storage containers utilized | | | % % Yes/No Yes/No Yes/No Yes/No | | |
| | Secondary Waste Storage facilities | | | | | |
| | No. and type of waste storage depots in the city/town Open waste storage sites Masonry bins Cement concrete cylinder bins Dhalao/covered rooms/space Covered metal/plastic containers Upto 1.1 m ³ bins 2 to 5 m ³ bins Above 5m ³ containers Bin-less city | No. | Capacity in m ³ | | | |
| | Bin/ population ratio Ward wise details of waste storage depots (attach) : Ward No: Area: Population: No. of bins placed Total volume of bins placed | | | | | |
| | Total storage capacity of waste storage facilities in cubic meters | | | | | |
| | Total waste actually stored at the waste storage depots daily | | | | | |

| | Give frequency of collection of waste from the depots Number of bins cleared | Frequency | No. of bins |
|--|--|---|-------------|
| | | Daily Alternate day Twice a week Once a week Occasionally | |
| | Whether storage depots have facility for storage of segregated waste in green, blue and black bins | Yes/ No (if yes, add details) No. of green bins: No. of blue bins: No. of black bins: | |
| | Whether lifting of solid waste from storage depots is manual or mechanical. Give percentage (%) of Manual Lifting of solid waste (%) of Mechanical lifting | % % | |
| | If mechanical – specify the method used | front-end loaders/ Top loaders | |
| | Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form | Yes/ No (if yes, specify) | |
| | Waste transportation per day Type and Number of vehicles used | No. Trips made waste transported | |
| | Animal cart Tractors Non tipping Truck Tipping Truck Dumper Placers Refuse collectors Compactors Others JCB/loader | | |

| | |
|--|--|
| Frequency of transportation of waste | Frequency (%) of waste transported Daily Alternate day Twice a week Once a week Occasionally |
| Quantity of waste transported each day | /tpd |
| Percentage of total waste transported daily | % |
| Waste Treatment Technologies used | |
| Whether solid waste is processed | Yes/No |
| If yes, Quantity of waste processed daily | /tpd |
| Whether treatment is done by local body or through an agency | |
| Land(s) available with the local body for waste processing (in Hectares) | |
| Land currently utilized for waste processing | |
| Solid waste processing facilities in operation | |
| Solid waste processing facilities under construction | |
| Distance of processing facilities from city/town boundary | |
| Details of technologies adopted | |
| Composting , | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| Vermi composting | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| Bio-methanation | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |

| | |
|---|---|
| Refuse Derived Fuel | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology (give detail) | Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled |
| Co-processing | Qty. raw material processed |
| Combustible waste supplied to cement plant | |
| Combustible waste supplied to solid waste based power plants | |
| Others | Qty. |
| Solid waste disposal facilities | |
| No. of dumpsites sites available with the local body | |
| No. of sanitary landfill sites available with the local body | |
| Area of each such sites available for waste disposal | |
| Area of land currently used for waste disposal | |
| Distance of dumpsite/landfill facility from city/town | kms |
| Distance from the nearest habitation | kms |
| Distance from water body | kms |
| Distance from state/national highway | kms |
| Distance from Airport | kms |
| Distance from important religious places or historical monument | kms |
| Whether it falls in flood prone area | Yes/No |
| Whether it falls in earthquake fault line area | Yes/No |
| Quantity of waste landfilled each day | tpd |
| Whether landfill site is fenced | Yes / No |
| Whether Lighting facility is available on site | Yes / No |

| | Whether Weigh bridge facility available | Yes / No |
|----|--|--|
| | Vehicles and equipments used at landfill (specify) | Bulldozer, Compacters etc. available |
| | Manpower deployed at landfill site | Yes/No (if yes, attach details) |
| | Whether covering is done on daily basis | Yes/No |
| | If not, Frequency of covering the waste deposited at the landfill | |
| | Cover material used | |
| | Whether adequate covering material is available | Yes/No |
| | Provisions for gas venting provided | Yes/No (if yes, attach technical data sheet) |
| | Provision for leachate collection | Yes/No (if yes, attach technical data sheet) |
| 9 | Whether an Action Plan has been prepared for improving solid waste management practices in the city | Yes/No (if Yes attach Action Plan details) |
| 10 | What separate provisions are made for : Dairy related activities : Slaughter houses waste : C&D waste (construction debris) : | Attach details on Proposals,Steps taken, Yes/No Yes/No Yes/No |
| 11 | Details of Post Closure Plan | Attach Plan |
| 12 | How many slums are identified and whether these are provided with Solid Waste Management facilities : | Yes/ No (if Yes, attach details) |
| 13 | Give details of: Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste | |
| 14 | Give details of: Contractor/ concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste | |
| 15 | Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules | |

| | | |
|----|--|--|
| 16 | Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies | |
|----|--|--|

Signature of CEO/Municipal Commissioner/
Executive Officer/Chief Officer

Date:

Place:

Form – V

[see rule 24(3)]

Format of annual report to be submitted by the state pollution control board or pollution control committee committees to the central pollution control board

PART A

To,

The Chairman
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
DELHI- 110 0032

| | | | |
|----|---|---|-------------------------------|
| 1. | Name of the State/Union territory | : | |
| 2. | Name & address of the State Pollution Control | : | |
| 3. | Number of local bodies responsible for management of solid waste in the State/Union territory under these rules | : | |
| 4. | No. of authorisation application Received | : | |
| 5. | A Summary Statement on progress made by local body in respect of solid waste management | : | Please attach as Annexure-I |
| 6. | A Summary Statement on progress made by local bodies in respect of waste collection, segregation, transportation and disposal | : | Please attach as Annexure-II |
| 7. | A summary statement on progress made by local bodies in respect of implementation of Schedule II | : | Please attach as Annexure-III |

| | |
|--------------|---|
| Date: | Chairman or the Member Secretary State Pollution Control Board/ Pollution Control Committee |
| Place: | |

PART B**Towns/cities**

Total number of towns/cities

Total number of ULBs

Number of class I & class II cities/towns

Authorisation status (names/number)

Number of applications received

Number of authorisations granted

Authorisations under scrutiny

SOLID WASTE Generation status

Solid waste generation in the state (TPD)

collected

treated

landfilled

Compliance to Schedule I of SW Rules (Number/names of towns/capacity)

Good practices in cities/towns

House-to-house collection

Segregation

Storage

Covered transportation

Processing of SW (Number/names of towns/capacity)

Solid Waste processing facilities setup:

| Sl. No. | Composting | Vermi-composting | Biogas | RDF/Pelletization |
|---------|------------|------------------|--------|-------------------|
| | | | | |

Processing facility operational:

| Sl. No. | Composting | Vermi-composting | Biogas | RDF/Pelletization |
|---------|------------|------------------|--------|-------------------|
| | | | | |

Processing facility under installation/planned:

| Sl. No. | Composting | Vermi-composting | Biogas | RDF/Pelletisation |
|---------|------------|------------------|--------|-------------------|
| | | | | |

Waste-to-Energy Plants: (Number/names of towns/capacity)

| Sl. No. | Plant Location | Status of operation | Power generation (MW) | Remarks |
|---------|----------------|---------------------|-----------------------|---------|
| | | | | |

Disposal of solid waste (number/names of towns/capacity):

Landfill sites identified

Landfill constructed

Landfill under construction

Landfill in operation

Landfill exhausted

Landfilled capped

Solid Waste Dumpsites (number/names of towns/capacity):

Total number of existing dumpsites

Dumpsites reclaimed/capped

Dumpsites converted to sanitary landfill

Monitoring at Waste processing/Landfills sites

| Sl. No. | Name of facilities | Ambient air | Groundwater | Leachate quality | Compost quality | VOCs |
|---------|--------------------|-------------|-------------|------------------|-----------------|------|
| 1. | | | | | | |
| 2. | | | | | | |
| 3. | | | | | | |

Status of Action Plan prepared by Municipalities

Total number of municipalities:

Number of Action Plan submitted:

Form – VI

[see rule 25]

Accident Reporting

| | | | |
|----|--|---|--|
| 1. | Date and time of accident | : | |
| 2. | Sequence of events leading to accident | : | |
| 3. | The waste involved in accident | : | |

| | | | |
|--------------|--|--------------------|--|
| 4. | Assessment of the effects of the accidents on human health: and the environment | : | |
| 5. | Emergency measures taken | : | |
| 6. | Steps taken to alleviate the effects of accidents | : | |
| 7. | Steps taken to prevent the recurrence of such an accident | : | |
| Date: | | Signature:..... | |
| Place: | | Designation: | |

[F. No. 18-3/2004-HSMD]
BISHWANATH SINHA, Jt. Secy.

VAKALATNAMA
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA

Original Application No. of 2025

In re:

JANA KALYAN SAMITI

APPLICANT

Versus

BHUBANESWAR MUNICIPAL CORPORATION & Ors

... **RESPONDENTS**

KNOW ALL to whom these present shall come I, Rabindranath Sar, S/o- Lokanath Sar, aged about- 67 years, At- Plot No.962, GA Colony, Sampur & Bharatpur, Mahalaxmi Vihar, Post-Bhubaneswar-751029, Odisha, Managing Trustee of the Applicant Trust, do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, Mob-no.9437279278, Email-sankarprasadpani@gmail.com Enrollment no. O-785/07 and **Ashutosh Padhy**, Enrollment no. O-1018/23.

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 15th day of Nov 2025.

Accepted subject to the terms of fees.

S. Pani *A. Padhy*

Advocate

Client

Rabindranath Sar
 Managing Trustee-cum-Secretary
JANA KALYAN SAMITI, SAMPUR