

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

O.A. NO. 199 of 2021 (SZ)

IN THE MATTER OF:

Sri. Shankar Narayanan Bala Krishnan,
Telangana and Ors

...Applicant(s)

Versus

State of Telangana and Ors
...Respondents(s)

I N D E X

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Place: Hyderabad

Date: 29 .03.2022

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And Ors

...Respondents(s)

REPORT FILED ON BEHALF OF RESPONDENT NO.6

I, D.S. Lokesh Kumar, S/o. Sri. Somaraju, aged about 43 years, Occ: Commissioner, Greater Hyderabad Municipal Corporation (GHMC), R/o. Hyderabad, do hereby solemnly swear and state on oath as follows:

It is respectfully submitted that,

1. I am working as Commissioner of Greater Hyderabad Municipal Corporation (GHMC), Hyderabad. As such, I am well acquainted with the facts of the case. Further, I am deposing this report in continuation to the report filed by GHMC dated 05.03.2022 and in view of the orders dated: 07.03.2022 of the Hon'ble National Green Tribunal, South Zone in OA No. 199 of 2021 based on the records available with the respondent Corporation.

Biomining and Bio-remediation of the Legacy MSW at Jawaharnagar

2. Subsequent to the letter addressed to the Member Secretary CPCB [**Annexure R1 enclosed**] with a request to depute the technical experts for advising and guiding GHMC on how to proceed further with bio-mining of already capped dumpsite in view of the orders of Hon'ble NGT, dated 14.02.2020 in OA No.606 of 2018 and Hon'ble Supreme Court orders dated 31.01.2022 in the Dairy No. 8943/2021, the Additional Commissioner (SWM), GHMC, Superintending Engineer (SWM), GHMC and Executive Engineer (SWM), GHMC have visited the CPCB on 25.03.2022


Commissioner,
Greater Hyderabad Municipal Corporation

- 3. The Member Secretary, CPCB and Chairman, CPCB during the discussion with GHMC deligation have conveyed that there is no technical expertise available to offer from CPCB and suggested that if GHMC would like to take up biomining, they may seek the advice of experts from reputed technical institutions like IIT.
- 4. Further, global tender inviting Request for Proposal (RFP) for the work of "Disposal of Legacy Waste from scientifically capped Jawaharnagar legacy dumpsite through Bio-mining and Bioremediation for land reclamation, resource recovery and suitable disposal of residual solid wastes as per SWM Rules 2016" is floated on e-procurement Telangana platform by Greater Hyderabad Municipal Corporation and the same was published vide Tender (RFP) notice no. 13/SE(SWM)/GHMC/2021-2022 dated 28.03.2022 **[Annexure R2- Tender notice issued by the Commissioner, GHMC]**
- 5. As per the RFP document, the last date for submission of the proposals by prospective bidders is 13.05.2022. Subsequently, technical evaluation of the bids received shall be completed by 26.05.2022 and Letter of Award (LoA) shall be issued to the successful bidder by 30.05.2022. Further, agreement for the project shall be entered within a week from issuing of LoA i.e, by 06.06.2022
- 6. The Project is scheduled to complete in 36 months time from the date of entering into agreement. Out of 36 months, 3 months period is earmarked for site preparation, mobilization of men & machinery etc and the remaining 33 months is divided into 11 quarters and project milestones are as below**[Annexure R3 - Extract of project milestones from the RFP document]:**

S.No.	Period	Target percentage completion
i.	3 months	mobilization period
ii.	Quarter 1	5%
iii.	Quarter 2	5%
iv.	Quarter 3	5%
v.	Quarter 4	10%
vi.	Quarter 5	10%
vii.	Quarter 6	10%

S.No.	Period	Target percentage completion
viii.	Quarter 7	5%
ix.	Quarter 8	15%
x.	Quarter 9	15%
xi.	Quarter 10	5%
xii.	Quarter 11	15%
	TOTAL	100%

As such, the bio-mining and bio-remediation of the legacy waste at Jawaharnagar is expected to complete by the end of May 2025.

7. In respect of Alternative site for scientific disposal of MSW, it is submitted that, the vacant land to an extent of 150 acres is in advance possession of GHMC/ Concessionaire and ready for establishing processing and disposal facility once the approach road issue is cleared by the Forest Dept. As the request for diversion of 0.6228 ha of forest land for laying approach road is now with the Deputy Inspector General of Forests (Central), who vide letter dated 10.03.2022 **[Annexure R4 enclosed]** requested for providing certain information and the same was provided by GHMC vide letter dated 15.03.2022 **[Annexure R5 enclosed]** and DFO, Sangareddy on 22.03.2022. The consolidated report was uploaded in the portal by the Deputy Inspector General of Forest (Central) on 29.03.2022 and it is expected that, GHMC may received the clearance from Forest Dept in another 2 weeks. After that, GHMC will initiate the development of MSW Treatment & Disposal facility and will complete the same in 18 months.

Submission & Prayer

That in light of the above facts and circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to:

- a. Consider the efforts of GHMC in calling tenders for Biomining of already capped dumpsite at Jawaharnagar in compliance of the orders of the Hon'ble NGT, Principal Bench dated 14.02.2020 in OA No. 606 of 2018 immediately after the appeal filed by GHMC was dismissed by the Hon'ble Supreme Court on 31.01.2022 in Dairy No.8943/2021 and reply from CPCB dated 25.03.2022 on the advisory sought by GHMC vide letter dated 18.02.2022 as

satisfactory and not to impose any Environmental Compensation on GHMC since the capped legacy dumpsite is not contributing to any environment pollution as the entire landfill gases are being harnessed for generation of CBG and efforts are being made for reducing surface and ground water pollution through a dedicated project for comprehensive treatment of legacy leachate with Rs.251.01 crore.

- b. Permit the Respondent to file additional report/ affidavit, if this Hon'ble Tribunal deemed necessary any further information regarding present matter.

For the aforesaid facts and circumstances, it is therefore prayed that this Hon'ble Tribunal may be pleased to Close/ Dismiss OA No. 199 of 2021 and pass such other order or orders as this Hon'ble Tribunal deems fit and proper in the circumstances of the case and interest of Justice.

Sworn and signed on this the
29th Day of March, 2022 at Hyderabad


DEPONENT



Before me

Attestor

VERIFICATION

I, D.S. Lokesh Kumar, S/o. Sri. Somaraju, aged about 43 years, Occ: Commissioner, Greater Hyderabad Municipal Corporation (GHMC), R/o. Hyderabad, do hereby declare that the contents made in the above paragraphs are true and correct to the best of my knowledge and based on records available with Respondent Corporation and I believe the same to be true and correct. Hence verified on this day of 29th March, 2022.

ADVOCATE


DEPONENT
Commissioner,
Greater Hyderabad Municipal Corporation



From The Commissioner Greater Hyderabad Municipal Corporation 1 st Floor, CC Complex, Tankbund Road, Hyderabad	To The Member Secretary, Central Pollution Control Board Parivesh Bhawan, East Arjun Nagar, New Delhi-110032
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Lr.No.04/SE(SWM)/GHMC/2020

Dated : 18.02.2022

Sir,

Sub : GHMC - SWM - Hon'ble National Green Tribunal Orders dated 14.02.2020 in OA No.606/2018 – Review Application dismissed by the Hon'ble NGT – Civil Appeal filed in the Hon'ble Supreme Court vide Dairy No.8943/2021 – Dismissed on 31.01.2022 - Technical advice on proceeding for Biomining – Requested - Reg.

Ref : 1. Hon'ble Supreme Court orders Dt.31.01.2022 in Dairy No.8943/2021
2. Hon'ble NGT orders Dt.14.02.2020 in OA No.606 of 2018

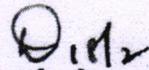
It is to submit that, the Hon'ble Supreme Court of India dated in the reference 1st cited upheld the orders of the Hon'ble NGT, New Delhi in the reference 2nd cited directing GHMC to do bio-mining and bioremediation instead of capping of the Jawahar Nagar legacy dump site.

It is further submitted that while the CPCB Guidelines dated 29.04.2019 deals with remediation of legacy dumpsites through bio-mining and bioremediation, there are no guidelines on how to deal with the already scientifically capped dumpsite, to open it for biomining and bioremediation.

In view of the above special situation i.e., the scientific capping works already completed in all respects but the same capped dump is to be now opened for bio-mining and bioremediation as per Hon'ble NGT orders, the CPCB may kindly consider deputing the technical experts for advising and guiding GHMC on how to proceed further with bio-mining of already capped dumpsite to comply the orders of Hon'ble NGT dated 14.02.2020 in OA No.606 of 2018 and Hon'ble Supreme Court dated 31.01.2022 in the Dairy No. 8943/2021.

Thanking you, sir.

Yours faithfully,


Commissioner,
GHMC



Office of the
Commissioner, GHMC

Lr. No SWM /0195/2021/AE-1(SWM)HO

Dated: 28.03.2022

To
The Commissioner,
Information & Public Relations,
Hyderabad, Telangana.

Sir,

Sub:	GHMC - SWM - Publication of "Global Tender inviting Request for Proposal" - Requested - Regarding.
Ref :	Tender (RFP) Notice No: 13/SE(SWM)/GHMC/2021-2022 dt: 28.03.2022

<<<>>>

It is hereby requested to publish a paper notification for "Global Tender Inviting Request for Proposal" in any 2 daily English News papers of largest circulation nation wide. Please furnish the paper clipping of the same to this office for record purpose. GHMC will pay the necessary publication charges on receipt of bills from I&PR. Contact & Communication details: Sri. R. Sreenivasa Reddy (cell no: 7032911018) and eeswmc@gmail.com.

Thanking you sir.

Encl: Global Notice Inviting RFP


Commissioner,
GHMC 2/8

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Global Tender Inviting Request for Proposal

GREATER HYDERABAD MUNICIPAL CORPORATION

Item Sl. No.	NIT No.	Name of the Work	Start Date/Last Date & Time for Receipts of Bids	Designation & Address of the Contact officer.
1	Tender (RFP) Notice No: 13/SE(SWM)/G HMC/2021-2022 dt: 28.03.2022	Disposal of Legacy Waste from scientifically capped Jawaharnagar legacy dumpsite through Bio-mining and Bioremediation for land reclamation, resource recovery and suitable disposal of residual solid wastes as per SWM Rules 2016	Bid Document Download Start dated 29.03.2022 @ 10.00 hrs (IST) onwards. Pre Bid meeting: 12.04.2022 @ 11.30 hrs (IST) Bid submission Due date: 13.05.2022 16.00 hrs(IST)	Executive Engineer (SWM), IV th floor, CC Complex, GHMC HO, Tank bund Road, Hyderabad. Cell No: 7032911018
Bid Document shall be downloaded from " www.eprocurement.telangana.gov.in " under (or) from " www.ghmc.gov.in " under Notifications/tenders				

(K)

Commissioner,
GHMC

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Paper Clipping of Tender Notice

A. Times of India Newspaper dt.29.03.2022

IC HEALTH LTD.
Hills, Bhopal
0755-2578915
d : 28.03.2022

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(TECHNICAL)

GREATER HYDERABAD MUNICIPAL CORPORATION

GLOBAL TENDER INVITING REQUEST FOR PROPOSAL

NIT No. Tender (RFP) Notice No: 13/SE(SWM)/GHMC/2021-2022 dt: 28.03.2022. Name of the Work: Disposal of Legacy Waste from scientifically capped Jawaharnagar legacy dumpsite through Bio-mining and Bioremediation for land reclamation, resource recovery and suitable disposal of residual solid wastes as per SWM Rules 2016. **Start Date/Last Date & Time for Receipts of Bids:** Bid Document Download Start dated: 29.03.2022 @ 10.00 hrs (IST) onwards. Pre Bid meeting: 12.04.2022 @ 11.30 hrs (IST). Bid submission Due date: 13.05.2022 @ 16.00 hrs(IST). **Designation & Address of the Contact officer:** Executive Engineer (SWM), IVth floor, CC Complex, GHMC HO, Tank bund Road, Hyderabad. Cell No: 7032911018. Bid Document shall be downloaded from "www.eprocurement.telangana.gov.in" under (or) from "www.ghmc.gov.in" under Notifications/tenders.
R.O. No. : 23229-PP/CL/ADVT/1/2021-22 Sd/- Commissioner, GHMC

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(TECHNICAL)

IndianOil

Research & Development Centre, Faridabad

NOTICE INVITING EXPRESSION OF INTEREST (EOI)

IndianOil R&D invites EOI for "Identification of Research Institutes / Engineering Consultancy Agencies to access their expertise in the field of Fluidization and Multi-phase systems (Gas, Liquid, Solid) for engineering design calculations as well as for guidance on designing Circulating Fluidized bed units". For further details, kindly refer EOI No.: RNDEOI2106 in

On exp eq 43 ob for

B. The Hindu Newspaper dt.29.03.2022

GREATER HYDERABAD MUNICIPAL CORPORATION

GLOBAL TENDER INVITING REQUEST FOR PROPOSAL

NIT No : Tender (RFP) Notice No: 13/SE(SWM)/GHMC/2021-2022 Dt: 28.03.2022;
Name of the Work: Disposal of Legacy Waste from scientifically capped Jawaharnagar legacy dumpsite through Bio-mining and Bioremediation for land reclamation, resource recovery and suitable disposal of residual solid wastes as per SWM Rules 2016; **Start Date / Last Date & Time for receipts of Bids:** Bid Document Download Start dated 29.03.2022 @ 10.00 hrs (IST) onwards. **Pre Bid Meeting:** 12.04.2022 @ 11.30 hrs (IST) **Bid submission Due date:** 13.05.2022 @ 16.00 hrs (IST); **Designation and Address of the Contact Officer:** Executive Engineer (SWM), IVth floor, CC Complex, GHMC HO, Tank bund Road, Hyderabad. Cell No: 7032911018. Bid Document shall be downloaded from "www.eprocurement.telangana.gov.in" under (or) from "www.ghmc.gov.in" under Notifications/ tenders.
DIPR RO.No. : 23229-PP/CL/ADVT/1/2021-22 Dt. 28.03.2022 Sd/- Commissioner, GHMC

Project Management Unit

6.3 Project Milestones

All the provisions of Penalties and Incentives shall be applicable based on quarterly milestones.

Considering 33 months duration for project completion excluding initial 3 months mobilization period, the milestones shall be linked with the following percentage of work completion:

A. Milestones for the Bio-mining work:

S.No.	Period	Target % completion
i.	First 3 months	Mobilization
ii.	Quarter 1	5%
iii.	Quarter 2	5%
iv.	Quarter 3	5%
v.	Quarter 4	10%
vi.	Quarter 5	10%
vii.	Quarter 6	10%
viii.	Quarter 7	5%
ix.	Quarter 8	15%
x.	Quarter 9	15%
xi.	Quarter 10	5%
xii.	Quarter 11	15%
	TOTAL	100%

Note: Above percentages are in terms of reduction in legacy waste quantities as per the topographical survey report to be submitted by the Successful Bidder duly verified by the Independent Agency.

B. Mile stone for construction of Landfill and construction of LTP or any other arrangement for management of Leachate and installation of flaring system or any other management system for Gas: End of Quarter 1.

6.4 Penalty for Non-Compliance

S.No.	Penalty Description	Penalty Amount
1	Non-compliance to SWM Rules 2016 and other Environmental Standards notified by regulatory authorities or as specified in the Contract.	Rs.20,000/- per incidence per day, till the compliance of the failure is achieved.
2	Non-compliance of Safety Standards, use of Personal Protective Equipment, fire safety, slope stability while forming windrows (if any) during pre-stabilization process by the workers.	Rs.20,000 /- per incidence per day, till the compliance of the failure is achieved.
3	Non-compliance against disposal mechanism as prescribed in the scope of work (for inert, RDF, Recyclables, Soil enricher, C&D or any other end product).	Rs.10,000/- per incidence per day, till the compliance of the failure is achieved.



सत्यमेव जयते

भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
Integrated Regional Office,
Aranya Bhavan, Opp RBI, Saifabad, Hyderabad, Telangana 500004
e-mail: iro.hyderabad-mefcc@gov.in



F.No. 4-TSB244/2022-HYD/403
Date: 10th March, 2022

To,

The Special Chief Secretary to the Government,
Environment, Forests, Science & Technology Department,
Telangana State Secretariat, Hyderabad.

Subject: Diversion of 0.6228 ha of forest land for laying approach road to the proposed Municipal Solid Waste (MSW) treatment and disposal facility of GHMC at Nallavelly(V), Nallavelly RF, Sangareddy Dist., in favour of Superintending Engineer (SWM), GHMC, Hyderabad-reg

Reference: The State Government Letter No. 39/For.I(1)/2022 dated 24.01.2022

Madam,

With reference to the above cited letter on the subject, I am directed to request you to submit the following additional information / documents / clarification / updation at the earliest for further consideration of the proposal under FCA, 1980;

1. The PCCF (HoFF), Telangana vide letter No.15221/2018-FCA1 dated 31.12.2021 and the DFO in the PART II (hard copy), reported that an extent of 3.20 ha. of degraded Forest area in Kodakanchi Reserve Forest of Sangareddy Range has been identified for Compensatory afforestation and CA scheme also submitted for 3.20 ha. However, the DFO in part II of the online proposal reported that 1.5 ha of degraded forest area in Compt.No.352, Kazipalli RF & beat, Wailal section, Sangareddy Range & Division is identified for CA plantation. Hence it is requested to clarify the discrepancies in the area identified for CA and may also update correct details in the online application.
2. Whether any alternatives were examined for finalization of the subject road stretch? if so, please provide details of alternative alignments examined and submit a map depicting all such alternatives examined.

Yours faithfully,

(D. Manjunatha)

(D. Manjunatha) 10/3/22

Deputy Inspector General of Forests (Central)

Copy to: -

1. The Principal Chief Conservator of Forests, Forests Department / Nodal Officer (FCA), Govt. of Telangana Aranya Bhavan, Saifabad, Hyderabad, PIN- 500 004.
2. The Commissioner GHMC Municipal complex, Hyderabad, 500004,
rajshaeghmc@gmail.com
3. Guard file.

D. Manjunath
(D. Manjunatha) 10/5/22

Deputy Inspector General of Forests (Central)



From
The Commissioner,
Greater Hyderabad Municipal Corporation,
1st floor, CC Complex,
Lower Tank Bund Road,
Hyderabad.

To -
The Pri. Chief Conservator of Forest &
(Head of Forest Force), FAC
Aranya Bhavan
Hyderabad – 500 004.

Lr.No. 594/AC(H&S)/EE(SWM)/2015

Dt: 15.03.2022

Madam,

Sub	: GHMC – SWM – Proposal for laying approach road to the proposed Municipal solid Waste Management (MSW) treatment and disposal facility of GHMC at Nallaveli (V), Gummadidala (M), Comp.No.333, Nallaveli RF, Sangareddy District in favour of SE(SWM) – Submission of (7) sets of proposal in accordance to F(c) Act and DD for the verification and authentication of DGPS survey data – Submission of additional information /clarification/update - Reg.
Ref	: 1) T/o. Lr.No.594/AC(H&S)/EE(SWM)/2015 dated 17.06.2020 of the Commissioner, GHMC 2) Lr.F.No.4-FTSB244/2022-HYD/403 dated 10.03.2022 of the Deputy Inspector General of Forests (Central)

In continuation to the letter addressed by GHMC vide reference 1st cited and letter received from the Deputy Inspector General of Forests (Central) vide reference 2nd cited the following information is submitted.

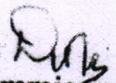
The proposed site for development of Integrated MSW Management project of GHMC in 152 Acres is nested inside the Narsapur Reserve Forest. Above site is an island inside the forest and has no motorable access road. Although some of the villages/ hamlets have walking/ Bullock cart tracks (kutchra) for their daily commute the same also passes through the forest land.

As such, the above proposal for diversion of 0.6228 ha of forest land was made after surveying all the possibilities among which this proposal is found feasible as it required minimum forest land for accessing the proposed facility from the Narsapur Highway.

The MSW collected from the part of the city will be transported to the above proposed facility in closed (hermetically sealed) container vehicles of 35 GVW capacity of 10 m length requiring minimum turning radius of 16 m. Hence, the vehicles need proper approach road of suitable road width with connectivity to the highway. As such, proposal for diversion of 0.6228 ha of forest land was made for accessing the proposed facility from the Narsapur Highway.



Yours Faithfully,


Commissioner,
GHMC