

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONAL BENCH, CHENNAI)**

Original Application No. 439 of 2013

BETWEEN

Chandran Pillai &Anr

...Applicant

AND

Union of India and others.

....Respondent(s)

with

Original Application No. 456 of 2013

Between

ManushayavakashaParisthithi
SamarakshanaSamithy

... Applicant

And

Union of India and Ors

...Respondent(s)

REPORT SUBMITTED BY THE CHIEF SECRETARY / 2ND RESPONDENT

The 2nd respondent humbly submits the report as follows :-

1. It is submitted that Principal Secretary (Urban) Local Self Government Department on behalf of the Chief Secretary, Thiruvananthapuram / 2nd Respondent herein has filed a report dated 19.01.2021 in both the above Original Applications as per the direction of this Hon'ble National Green Tribunal dated 02.11.2020 in the above said both O.As.

2. It is submitted that in the above said O.As the Hon'ble Green Tribunal has directed the Kollam Municipal Corporation to remove the legacy of waste at Kureepuzha dump site. As per the GO (Ms) No.82/2018//LSGD dated 11.06.2018, the Government have accorded sanction for the setting up Integrated Waste Management Project with Waste to Energy facility at seven identified locations in the State and Kerala State Industrial Corporation (KSIDC) has been appointed as the Nodal agency for implementing project.

3. It is submitted that as per the tender document for the removal of legacy waste at Kureepuzha, rate arrived for bio-running of 1M3 of legacy waste was Rs.9,229/- in a separate payment mode. Thereafter M/s. Zonta

approached the Corporation requesting that the terms and conditions and payment mode followed in other similar projects for removal of legacy waste at Njeliyamparambu, Kozhikode, under supervision of KSIDC.

4. It is submitted that as per the payment modality for the project in Kozhikode, 25% of the amount has to be released before the actual starting the process of bio-mining and also included provisions for 2% security deposit. On 02.11.2020 as per the order of Hon'ble Green Tribunal has suggested to convene a meeting dated 05.11.2020 by the Principal Secretary / 2nd Respondent decides the course of action to be taken. Accordingly on 18.11.2020 the Principal Secretary / 2nd Respondent has convened meeting and discussed the matter of resolves and issuance of removal of legacy waste at Kureppuzha enclosed herewith in the report along with the list of project included in the financial year 2020-2021 and 2021-2022. Hence, in thus result as per the directions of the Hon'ble Green Tribunal, Kollam Corporation is planning to become a Zero Waste City with the implementation of the projects being implemented and the planned projects to be implemented.

Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to take the said Report filed by the Principal Secretary / 2nd Respondent on Record and pass such further or other orders may deem fit and proper in this case and thus render justice.

Dated at Chennai on this the 20th day of January 2021.


(E. K. KUMARESAN)
Counsel for 2nd Respondent
Standing Counsel for
State Government of Kerala
NGT (SZ) Chennai Bench.

File No.LSGD-DC1/47/2020-LSGD

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SEAS OF
THE FUTURE

GOVERNMENT OF KERALA

Local Self Govt (DC) Department
19/01/2021, Thiruvananthapuram

No.47/DC1/2020/LSGD.

From The Additional Chief Secretary to Govt.

To

Shri. E.K.S. Kumaresan
Counsel for Kerala State
National Green Tribunal, South Zone, Chennai

Sir,

Sub: LSGD – Joint report to be submitted by Chief Secretary, Principal Secretary(Urban), Local Self Government Department and and Principal Secretary, Environment Department before the Hon'ble NGT based on the order dated 02.11.2020 in OA No. 439/2013 -SZ and OA No. 456/2013 -SZ - reg.

Ref: Order dated 02.11.2020 of Hon'ble National Green Tribunal in O.A No. OA No. 439/2013 and OA No. 456/2013.

Inviting your attention to the reference cited. I am to forward herewith the Joint Report to be submitted by Chief Secretary, Principal Secretary(Urban), Local Self Government Department and Principal Secretary, Environment Department before the Hon'ble NGT Southern Zone, Chennai based on the order referred above.

Yours Faithfully,
JAYASREE P N
UNDER SECRETARY

For Additional Chief Secretary to Government.

Approved for Issue.

B. S. S. S.

Section Officer.

File No.LSGD-DC1/47/2020-LSGD

Report for submission before the Hon'ble NGT based on the order dated 02.11.2020 in OA No. 439/2013 -SZ and OA No. 456/2013 -SZ by Principal Secretary(Urban), Local Self Government Department on behalf of Chief Secretary and Principal Secretary, Environment Department.

Honourable National Green Tribunal, South Zone, Chennai in OA No. 439/2013 -SZ and OA No. 456/2013 -SZ has directed Kollam Municipal Corporation to remove the legacy waste at Kureeppuzha dump site, as per Solid Waste Management Rules, 2016 Schedule I Clause J and to do bio-mining/capping thereafter. Corporation conducted a total station survey of the legacy waste in 2.5 acres and estimated amount for the project was Rs.3,82,85,000/-. Kollam Corporation has floated tender on 23-10-2019 for Bio-mining of Legacy waste dumped on 2.5 Acres of land owned by Kollam Municipal Corporation; M/s Zonta Infratech Pvt. Ltd. has been selected as the lowest bidder and Corporation council meeting held on 23/01/2020- has approved lowest rate of Rs.3,74,42,730/- quoted by M/s Zonta Infratech Pvt. Ltd for the removal of legacy waste.

As per GO (Ms) No.82/ 2018/LSGD dated 11.06.2018, Government have accorded sanction for the setting up of Integrated Waste Management Project with Waste to Energy facility at seven identified locations in the State and Kerala State Industrial Development Corporation (KSIDC) has been appointed as the nodal agency for implementing the projects. Kureeppuzha at Kollam District is one of the seven sites identified for the setting up of Waste to Energy plant. As per the Government Order mentioned above, the Kollam Corporation had transferred 3.3 acres of land from 5.8 acres of land under the possession of Corporation at Kureeppuzha to KSIDC on lease for the establishment of Waste to Energy project. To find out the exact quantity of waste M/s. Zonta Infratech Pvt. Ltd. has conducted a further survey on 29.2.2020 and it was found that there exists an additional quantity of 71,974m³ (including the legacy waste dumped at 3.3 acres of land transferred to KSIDC on lease for the establishment of waste to energy plant).

As per the tender document for the removal of legacy waste at Kureeppuzha, rate arrived for bio-mining of 1m³ of legacy waste was Rs.9229 and the payment mode for the removal of waste was as follows:


BISHWANATH SRINIVAS
Principal Secretary
Taxes & Local Self Government
(Urban) Department
Government Secretariat, Thiruvananthapuram

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Sl.No.	Work component	% of quoted amount releasable
1	After completion of bio-mining and shifting of the recovered items from the site	30
2	After completion of capping of rejects/inert/non-recoverable	30
3	Construction of drains, wells and completion of landscaping work and handing back the site after full completion	30
4	After 4 months from the handing over of the site after completion of work.	10

Thereafter, M/s. Zonta approached the Corporation requesting that the terms and conditions and payment mode followed in other similar projects like project executed for the removal of legacy waste at Njeliyamparambu, Kozhikode, under the supervision of KSIDC have to be accepted for the removal of legacy waste at Kureappuzha also. Since, approval for the same was not obtained within the tender period of 210 days M/s. Zonta informed the Corporation through a letter that they are not willing to enter into an agreement for the implementation of the project.

As per the payment modality for the project in Kozhikode, 25% of the amount has to be released before the actual starting the process of bio-mining, and also included provision for 2% security deposit. As per the order dated 2.11.2020, the Hon'ble NGT has issued an ultimatum to come up with definite action plan before 19.01.2021, to resolve the issues connected with removal of legacy waste dump and implementation of Solid Waste Management Rules 2016 in connection with the matter in question. State Level Advisory Committee (SLAC) Chaired by Chief Secretary on 5/11/2020 has suggested to convene a meeting chaired by Principal Secretary (Urban affairs) to decide the course of action to be taken based on the order dated 2/11/2020 of Hon'ble NGT. Accordingly, the Principal Secretary (Urban), Local Self Government Department has convened a meeting on 18/11/2020 to discuss the matter to resolve the issue of removal of legacy waste at Kureappuzha.

To discuss the concerns raised by M/s. Zonta Infratech Pvt Ltd. and to chalk out action plan to comply with the direction of Hon'ble NGT in OA No. 439/2013 -SZ and OA No. 456/2013 -SZ, Principal Secretary (Urban), Local Self Government Department has convened another high level meeting on 24.11.20 with Director of Urban Affairs, Executive Director Suchitwa Mission.


BISHWANATH SINHA, IAS
 Principal Secretary
 Taxes & Local Self Government
 (Urban) Department

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District Collector, Kollam, Member Secretary Pollution Control Board, Kollam Corporation Secretary, Project Manager, KSIDC and representatives of M/s Zonta Infratech Pvt Ltd.

In the meeting Zonta Infratech Pvt. Ltd. has informed that they are willing to take up the project if their concerns are addressed. The matter was discussed in detail and the following decisions were arrived at.

- The final quantity of legacy waste including that was surveyed after the bid will be assessed by Kerala State Pollution Control Board (KSPCB) and Kerala State Industrial Development Corporation and the excess amount of land containing the legacy waste will be brought under the purview of the contract. Kerala State Pollution Control Board was directed to do the technical support and hand holding. But KSPCB informed that the actual assessment might take more time. Hence, it was decided that the services of NIT Calicut shall be requested for the assessment and Pollution Control Board will provide all support in this matter. Director of Urban Affairs will contact NIT Calicut and appraise the Principal Secretary.
- Payment to M/s Zonta Infratech Pvt. Ltd. based on the rate and quantity mentioned in the tender will be extrapolated to the finally assessed quantity as mentioned above.
- The payment to M/s Zonta Infratech Pvt. Ltd. will be made on a running bill basis every month. Within 7 days of submitting the bill, the Corporation will pay 70% of the amount. There after the bills/work will be verified and if found correct, rest of the amount will be paid within the next 7 days. If Kollam Corporation is not having enough funds for payment of bills the amount will be deducted from the Plan Fund by Government so as to ensure the payment.

M/s Zonta Infratech Pvt. Ltd. agreed to take up the work and execute the agreement as per the decisions arrived at the meeting.

Further Government have examined the matter of payment mechanism formulated in the meeting held by Principal Secretary (Urban), Local Self Government Department on 24.11.2020 and following direction has been issued to Director of Urban Affairs.

The request to modify the tender conditions and release of 25% as advance payment is not admissible as per current rules in force. As per guidelines issued by Central Vigilance Commission (CVC) any payment to be made as mobilization advance shall be clearly specified in the tender conditions. Hence payment schedule as per tender conditions shall be strictly complied under normal circumstances. The request to relax the performance guarantee from 5% (stipulated in tender) to 2% is in violation of Public Work Department

BISHWANATH SETHIA, IAS

Principal Secretary

Taxes & Local Self Government

(Urban) Department
Government Secretariat, Thiruvananthapuram

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(PWD) manual and the tender conditions. The payment to be made to M/s Zonta Infratech Pvt. Ltd on a running bill basis every month for the removal of legacy waste also a violation from the tender conditions. Therefore the request to alter the conditions in the tender while signing the agreement is not admissible. In case the lowest selected bidder is not agreeable to tender conditions, fresh tenders shall be invited with adequate modifications in tender conditions and in compliance of CVC guidelines and PWD manual. Mobilization advance if any to be included in the fresh tender shall be as per existing PWD norms and shall be against bank guarantee. Accordingly, Kollam Municipal Corporation has floated tender for bio-mining of the Legacy waste at Kureppuzha, Kollam on 06/01/2021. The tender opening date is 20/01/2021. After the selection of the successful bidder the work can be started soon.

SOLID WASTE MANAGEMENT IN KOLLAM CORPORATION

The Kollam Municipal Corporation (KMC) has taken imperative steps to facilitate door to door collection of non-biodegradable waste, segregation of bio-degradable and non-biodegradable waste at source, conversion of biodegradable waste into compost at source itself and proper recycle or utilization of the non-biodegradable waste for commercial purposes.

NON-BIO DEGRADABLE WASTE MANAGEMENT

Non-biodegradable waste is collected from household and individual establishments by the Haritha Karma Sena (HKS), an initiative of Government of Kerala and Local Self Government Department. Currently 182 HKS members work across 55 wards of KMC. Number of members working per health circle ranges from 16- 24. Most of the HKS members follow a monthly schedule for visit to households, the daily working time is from 9 AM – 5 PM. Households are visited once in a month and commercial establishments are visited twice in a month. Till December 2020 user fee collected by the HKS is Rs.35,00,000/- . Till December 2020, HKS was able to visit 83% of households and 70% of commercial establishment; in KMC. Each ward was divided into clusters with each cluster having 100-120 houses. A cluster book is maintained by HKS in which the collection is recorded. The households are also given consumer card for their record purpose. The new collection system has been able to ensure 100% collection of non-degradable waste in six months.

The collected non-biodegradable waste (NBW) is stored at the collection points i.e. Material Collection Facilities (MCF) setup at each zones of Corporation. Around 250 mini MCFs are being installed in Kollam Municipal Corporation.

DIS. WANATHA SINHA, IAS

Principal Secretary

Taxes & Local Self Government
(Urban) Department

From the MCFs, non biodegradable waste is transported to the Material Recovery Facility (MRF) at Anchalumood, which is having a plastic shredding machine and bailing machine. At the shredding unit run by Corporation, 4 staffs are employed to segregate, bale and shred non-biodegradable waste. The final shredded plastics are sold to the Clean Kerala Company Ltd, so far 5 Tonnes of shredded plastic have been used in road tarring works by KMC itself. In bailing unit plastic bottles, Milma cover

(plastic cover used for the packing of milk) etc. get bailed separately and sold to Clean Kerala Company Ltd for recycling. One Resource Recovery Facility (RRF) is established and the second one is under implementation stage, each one has a floor area of 5000sqft to facilitate the separation and preparation of recyclable materials for marketing to end-user manufacturers. Hariha Karma Sena is also collecting, segregating other non-biodegradable wastes rather than plastic wastes like iron, PET bottles, aluminium, PVC items, brass items, card boards etc.. from households and selling to scrap dealers thereby generating extra revenue. Out of the 33.7 TPD of Non-biodegradable waste generated, 25.563 TPD is processed.

BIO-DEGRADABLE WASTE MANAGEMENT

Kollam Municipal Corporation has provided bio-degradable waste management facilities like bio digesters, bio-gas plant, bio compost bins, pipe compost, ring compost) for treatment of biodegradable waste at each household and commercial establishment. KMC has brought out provisions for availing subsidised bio compost bins for achieving 100% conversion of biodegradable waste at source itself. At community level Kollam Corporation has provided de-centralised treatment systems viz, aerobic composting units, community based bio gas plants. An integrated solid waste management project with a waste to energy plant of 200 TPD capacity was proposed by the Government of Kerala at Kurecuppuzha, Kollam.

The total quantity of waste generated in Kollam Corporation is 112.45 TPD. Out of which about 78.71 TPD is biodegradable waste. Of this 3.4 TPD is processed at source with the facilities provided by Kollam Corporation (Subsidized) as well as procured by individuals, about 6.9 TPD is processed at community level (decentralized facility); this facility is utilized by households (especially in slum areas) which are not having enough space for installation of source level treatment facilities. 25 TPD of chicken waste and hotel waste were collected by informal waste collectors. Hence a total of 65.9 TPD of biodegradable waste is treated out of the 78.71 TPD of biodegradable waste generated. A total of 54674 households out of 88332 households were benefited

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Principal Secretary

Taxation & Local Self Government

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with the completion of current financial year projects i.e., Kollam Corporation has allocated fund of Rs.4,95,00,000/- for 27500 no. of bio composter (6954 supplied) in household level, biogas plants (2220 no.s)- Rs.2,31,00,000/-; ring compost (3018 no's- BPL families) Rs.75,45,000/- and 5500 compost pit (Ayyankali Urban Employment Guarantee Scheme- AUEGS fund). These projects are in implementation stage; and is expected to be completed by 31st March, 2021. The gap observed will be filled by implementing new waste management projects in the coming financial year (2020-2021).

An amount of Rs.8,84,46,250/- has been allotted to Kollam Corporation for waste management projects from Swatch Bharat Mission (Urban). This covers aerobic composting units (10 No's), Material Collection Facilities (250 no's), Resource Recovery Facility of 5000 Sq ft (2 No's); 90% of work allocated under this project is completed. With the advent of integrated solid waste management project with Waste to Energy plant, Kollam Corporation is aiming to achieve the 100% management of Municipal Solid Waste. For this, Government of Kerala has selected Kureppuzha in Kollam Corporation to setup a Waste to Energy plant of 200 TPD with a Bio-Methanisation plant, Refuse Derived Fuel Plant and a Sanitary Landfill. Land for the purpose of establishing the project at Kureppuzha has been leased to KSIDC (nodal agency) and Kollam Corporation has signed the concession agreement for the project.

Historically the Kureppuzha dump site was a night soil depot (since the early 1940's), the land was having less value over the period. Nearly 3 acres of land used for night soil depot was converted on the 2nd of October 1982 by the then Kollam Municipality for dumping of municipal solid waste. To overcome space constraints, Kollam Municipal Corporation has acquired an additional 14.00 acres of land for safe management of municipal solid waste. Municipal solid waste segregation and Windrow Composting plant (with trommel of different sieve sizes, collection and bagging unit, rejection collection units etc..) was being constructed along with office building, canteen building, weigh-bridge system, compound and fencing. The project was established with the consent of Pollution Control Board and consent to operate was given to the said plant and the scientifically made landfill. The proposed plant and other projects were tendered for an amount of Rs.10 Crores; the project was stalled due to public protest and court order and had to be closed early after spending an amount of Rs.6.80 Crores. The proposed project was intended to scientifically manage the Municipal solid waste that was being generated within the area of Kollam Municipal Corporation; but due to the protest from the public the project was stalled and the plant and machinery were kept idle since 2012. Further, dumping of waste too is stalled from 2012.


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Principal Secretary
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List of projects included in the financial year 2020-2021

SL NO:	NAME OF PROJECTS	NO:	AMOUNT	Remarks
1	Bio composter Bin	27500	Rs 4,95,00,000	6954 supplied and remaining 20546 will be distributed before 31 st March, 2021
2	Ring compost	3018	Rs 75,45,000	Implementation stage
3	Biogas plants	2200	Rs.2,31,00,000	Implementation stage
4	Plastic washing machine	1	Rs.3,50,000	Tendering stage
5	Napkin destroying machine	5	Rs.2,75,000	Tendering stage
6	Mini MCF	250	Rs.1,54,00,000	Completed
7	Bio mining and scientific closure of legacy waste at old dump site, Kureepuzha, Kollam	1	Rs.3,82,85,000	Tendered
8	Organic Waste Shredding Machine	1	Rs.4,90,000	Tendering stage
9	Safety Equipments and other equipments for HKS and Sanitation staffs		Rs.14,23,000	Completed
10	Wheeler vehicles for Door to Door Collection (Haritha Karma Sena)	1	Rs.24,75,000	Implementation Stage
11	Bio Toilet for Islanders(family)		Rs. 15,00,000	Beneficiary Selected
12	Aerobic Compost unit – Sakthikulanga	2	Rs.10,42,000	Completed
13	Aerobic Compost unit – Kilikolloor	1	Rs.5,18,000	Completed
14	Aerobic Compost unit – Thrikkadavoor	2	Rs.10,42,000	1 Completed
15	Aerobic Compost unit – Central Zone 1	5	Rs.26,00,000	4 Completed
16	RRF at Kureepuzha	1	Rs.55,31,000	Completed
17	RRF at Mundalumoodu	1	Rs.55,31,000	Implementation stage

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18 Aerobic Compost unit	10	Rs.85,00,000	8 Nos Completed
19 MCF	7	Rs.11,00,000	Completed

Action Plan for the Next Financial Year (2021-22)

Sl no	KEY ACTIONS		DEADLINE
1	Door to door collection	Increasing and retaining door to door collection Promote and ensure Segregation at source Increase door to door collection from shops and establishments Ensure segregation at shops/ establishment	June 2021 June 2021 June 2021
2	Chicken waste management	Implementing proper collection and management of Chicken waste via rendering plant	June 2021 and June 2021
3	Monitoring	Formation of Cluster monitoring committee for increasing compliance as per National Green Tribunal	March 2021
4	IEC	Preparation of working draft and getting approval of the committee Preparation of Handouts, audio/visual media Conducting awareness Campaign: general public, stakeholders, Religious groups, Institutional level.	March 2021 March 2021 March 2021
5	Treatment of non-biodegradable waste	Planning 2 more RRF at 2 points in city Operation of already constructed RRF Planning MCF at 144 Points in city Implementation of MCF at 144 points Operation of already installed MCF Bailing and Shredding machines (for RRF) Weigh bridge (10 ton) (for RRF)	March 2021 February 2021 February 2021 March 2021 February 2021 March 2021 March 2021
6	Treatment of biodegradable waste	Bio Composter (25,000 Nos- Household level) Biogas plant (10,000 Nos- Household level) Compost Pit (10,000 Nos at Household level)	March 2021 March 2021 March 2021
7	Vehicle for waste collection -Tipper lorry		June 2021
8	Waste to Energy (Bio-Methanisation, RDF) Plant (200 Tpd) for Municipal Solid waste Management		for Implementation stage

As per the directions of Hon. National Green Tribunal, Kollam Corporation is planning to become a Zero Waste City with the implementation of

SHIWANATH SUNDIA, IAS
Principal Secretary
Urban Department

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the projects being implemented and the planned projects to be implemented.



BISHWANATHU SINHA, IAS
Principal Secretary
TANS & L.S.G.D.S. Department
Government Secretariat, Pudukkottai, Tamil Nadu
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