

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI. O.A. No. 278/2022**

IN THE MATTER OF: -

Gram Panchayat Bhatanwali

..... Applicant

Versus

Union of India & Ors.

..... Respondent

ACTION REPORT BY RESPONDENT NO. 3- H.P. STATE POLLUTION BOARD IN O.A. NO. 278/2022 TITLED AS GRAM PANCHAYAT BHATANWALI VS UNION OF INDIA & ORS.

INDEX

Sr. No.	Particulars	Page
1.	Action Taken Report in compliance of the Orders of Hon'ble National Green Tribunal dated 03/05/2024 in the matter of OA No. 278 of 2022; Gram Panchayat of Bhatanwali Village Versus Union of India & Ors.	1-13
2.	<u>ANNEXURE-1</u> : Hon'ble NGT order dated 14.12.2023	14-17
3.	<u>ANNEXURE-2</u> : Hon'ble NGT order dated 03.05.2024	18-19
4.	<u>ANNEXURE-3</u> : Ministry of Environment, Forest and Climate Change Office Memorandum, dated 07.11.2017	20-21
5.	<u>ANNEXURE-4</u> : Action Taken Report by Municipal Committee Paonta Sahib	22-24
6.	<u>ANNEXURE-5</u> : Action Taken Report by Forest Department	25-26

Filed by:

Respondent No. 3-
HP State Pollution Control Board

Place: Paonta Sahib, Sirmaur, H.P.

Dated: 26.07.2024



Regional Officer,
HPSPCB Paonta Sahib

Action Taken Report in compliance of the Orders of Hon'ble National Green Tribunal dated 03/05/2024 in the matter of OA No. 278 of 2022; Gram Panchayat of Bhatanwali Village Versus Union of India & Ors.

1. Background

Hon'ble National Green Tribunal (NGT) vide order dated 14/12/2023 (**Annexure-1**) observed and directed as follows:

"In view of the factual information provided by the respondents in the replies/reports filed, we are of the view that the progress has been extremely slow which is affecting the environment and the people adversely. Hence, we constitute a committee consisting of Senior Scientist from MoEF Regional Office Chandigarh and a nominee from Central Pollution Control Board. The above committee will be assisted by the State Pollution Control Board. The committee shall visit the site, examine the issues, interact with the relevant affected parties, examine the measures taken by the authorities and submit the status report with recommendations".

The Joint Committee submitted its report to Hon'ble NGT on 27.02.2024 and order dated 03.05.2024 was passed by Hon'ble NGT with following directions:

"...3. Objections, if any, to the report of the Joint Committee may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF at least one week before the date hereby fixed.

4. Respondent no.2-Municipal Counsel, Paonta Sahib, respondent no. 3-HPPCB and, respondent no. 5-Deputy Commissioner, Sirmaur are directed to take appropriate remedial measures in discharge of their statutory obligations and file further action taken reports by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF at least one week before the date hereby fixed..."

Subsequent to directions passed by Hon'ble NGT, the joint committee inspected the Solid Waste Management Site of Municipal Committee, Paonta Sahib in Village Kedarpur, Paonta Sahib, Distt. Sirmaur, H.P. and submitted its report to the Hon'ble NGT. Hon'ble NGT vide order dated 03.05.2024 (**Annexure-2**) passed directions as follow:

"1. In compliance of order dated 01.02.2024 report of the Joint Committee has been filed vide email dated 27.02.2024.

2. None has appeared for the applicant today. The applicant be informed about the date hereby fixed.

3. *Objections, if any, to the report of the Joint Committee may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF at least one week before the date hereby fixed.”*

In compliance to afore-mentioned order by Hon'ble NGT, the Reply/Action Taken Report is being produced by the respondent State Board.

2. Status of Solid Waste Management by Municipal Committee Paonta Sahib

The status of Solid Waste Management by Municipal Committee, Paonta Sahib is as per details below:

a) Waste Collection:

i) Door to door collection of **avg 16.00 MTPD** of unsegregated solid waste is carried out by MC Paonta Sahib from all the 13 wards of municipal area of Paonta Sahib including mixed Solid waste of approx. quantity 7.5 MTPD collected from surrounding panchayats of Kunja Matraliyon and Badripur.

ii) **Total 14 nos of pickup vehicles and 3 nos. of tractors** are engaged for garbage collection. Only 3 Nos of vehicles have been provided with proper compartments i.e dry and wet waste. Rest vehicles have no such demarcated compartments. The pickup vehicles are covered from the top with tin sheet and tractors are covered with tarpaulins.

b) Segregation:

i) The collected waste is sent to Solid Waste Management Facility in Village Kedarpur, Paonta Sahib having area 2.10 bighas and thereafter manual segregation is carried out at the site. Partial segregation of waste is observed and the leftover is dumped at the site which is further being sent to waste agency M/s Suntan Life Science, Jatwar, Haryana as informed by Municipal Committee, Paonta Sahib.

ii) A **vibratory screen** for mechanized segregation has been installed by Municipal Committee Paonta Sahib.

c) Processing:

i) Composting:

2 nos of Organic Waste Composter (OWC) machines with capacity 1.5 MTPD each are installed at the Solid Waste Processing facility/site. The organic waste which is segregated manually is fed into the two Organic Waste Composter machines (1.5 TPD each) and

organic residue is further put into the 30 nos of honeycomb compost pit structures. Both OWC machines have capacity to process 3 MTPD of organic waste only. No compost is being made at the site.

ii) Baling:

Installed at the Material Recovery Facility (MRF) is completed. **2 nos of baling machines** are installed at the Material Recovery Facility of Solid Waste Management Site with capacity to process ~4 MTPD of plastic waste.

iii) Shredding:

As per affidavit/reply filed by the Executive Officer, MC Paonta Sahib before Hon'ble NGT, procurement and installation Heavy Capacity Shredder for RDF (Refuse Derived Fuel) ~ 500 Kg. Per Hour was to be carried out. However, no shredder is installed at the site till date.

iv) Domestic Hazardous Waste:

No facility is provided for domestic hazardous waste storage at the site.

v) Domestic Bio-Medical Waste:

No facility for storage, processing and disposal of Bio-Medical waste and domestic e-waste is developed by MC Paonta Sahib till date.

vi) A collection pit has been provided for collection of leachate generated from solid waste.

➤ **Action Taken by HPSPCB:**

For violations under the provisions of solid waste management rules, 2016, HPSPCB has already imposed environmental compensation amounting to ₹ 4,00,000 /- (Rupees Four Lakhs Only) vide letter No.(16)PCB/MSW/M.C.Paonta Sahib/2020-3539-44 dated 15.06.2023. The EC has been deposited by MC Paonta Sahib on dated 20.08.2023 which is further to be utilized for plantation work outside the Solid Waste Management Facility in Vill. Kedarpur, Paonta Sahib.

3. Observations/Recommendations made by the Joint Committee and Action Taken Report

The observations/recommendations made by Joint Committee and reply/action taken report by stakeholder departments is tabulated below in Table 1:

Table 1: Recommendations by Joint Committee and Reply/Action Taken Report

S.N.	Recommendations by Joint Committee:	Reply/Action Taken
1.	<p>As elaborated in Section 3, the MSW Disposal Facility is required to obtain Environmental Clearance under the provisions of EIA Notification, 2006, as amended from time to time. Further, the existing facility is operating without obtaining Consent/Authorization of State Pollution Control Board. It is recommended that an appropriate action is taken by HSPCB and MC, Paonta Sahib, in this regard, for operating the facility as per applicable Environmental Laws/Rules.</p>	<p>a) Rule 15(y) of Solid Waste Management Rules 2016 is quoted as follow:</p> <p><i>“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 tonnes per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, “</i></p> <p>The established facility has no sanitary landfilling of waste, hence, do not require authorization of the State Board.</p> <p>b) As per Office Memorandum of MoEF&CC, Gol, dated 07.11.2017 (Annexure-3), the following paras are quoted as below:</p> <p><i>“...3. The municipal solid waste management involves various steps like door-to-door collection, segregation, composting, refuse derived fuel (RDF) making, waste to energy generation through waste to energy plants and disposal in scientific landfills. The above activities, except landfill site, if proposed as standalone activities are not covered under item 7 (i) of EIA Notification, 2006, hence do not require prior environmental clearance. In case the activities of composting, RDF making and waste to</i></p>

		<p><i>energy plant (up to Capacity of 15 MW) are proposed at an existing landfill site, they do not attract the provisions of the EIA Notification, 2006.</i></p> <p><i>4. If the activities of incineration, RDF making and Waste to energy plant are proposed along with the new site of solid waste disposal, landfill, it is advisable to obtain an integrated prior environmental clearance for these projects...”</i></p> <p>The solid waste management site of Municipal Council, Paonta Sahib has facilities of segregation, composting and material handling facility only and does not include Solid Waste disposal, RDF making (as per definition of RDF in SWM Rules, 2016), Waste to Energy plant and landfilling.</p> <p>Hence, Environmental Clearance (EC) is not required for this site.</p>
2	<p>Municipal Council has proposed customized Miyawaki Plantation around the Facility, the implementation of which is yet to be started. Further, the proposed plantation will be effective in controlling the foul odour after more than 6 years. It is therefore recommended that boundary wall which is currently 9 feet high is raised to 20 feet height with GI sheets or other means without further delay, to prevent dispersion of foul odour in the nearby villages.</p>	<p>Action Taken by Municipal Committee Paonta Sahib:</p> <p>Municipal Committee (MC), Paonta Sahib vide letter no. SI. MCP/2024-1066, dated 22.07.2024 (Annexure-4) submitted that they have already deposited the amount of (Rs. 1030000 (ten lakh and thirty thousand) for forest department regarding Miyawaki Plantation and work has been started by the forest department. Further as per the recommendation of joint committee “<i>the height of boundary wall be increased 09 to 20 feet</i>’. MC Paonta has been proposed MRF shed</p>

	<p>This is the main issue raised by affected villages and also observed by the joint Committee</p>	<p>over segregation platform and work has been started will be completed by 25th July, 2024.</p> <p>Action taken by Forest Department, Paonta Sahib Division:</p> <p>Divisional Forest Officer, Paonta Sahib vide letter no. Acct/Budget/NGT(OA No.278/2022)-1846, dated 19.07.2024 (Annexure-5) submitted point-wise detail of <i>Miyawaki</i> plantation carried out by the Forest Department. The pre-plantation work has been completed and <i>plantation is being carried out in the ongoing monsoon season.</i> (Photographs -1 & 2)</p> <p>Action Taken by HPSPCB: The matter of disbursement of Rs 4,00,000/- for plantation work to Forest Department Paonta Sahib Division is under process at HPPCB Headquarters at Shimla.</p>
3	<p>The entire facility has been paved with concrete tiles, but the channelization of the leachate generated from the waste storage area to the leachate collection tank is yet to done. It is recommended that this is done on priority besides making arrangement for the treatment of collected leachate in a time bound manner, for preventing generation of foul odour from leachate.</p>	<p>Action Taken by Municipal Committee Paonta Sahib:</p> <p>Municipal Committee (MC), Paonta Sahib vide letter no. SI. MCP/2024-1066, dated 22.07.2024 (Annexure-4) submitted that leachate collection tank has been constructed already and is connected through pipeline with pits. (Photograph-3)</p>

4	It is recommended to mechanize the Material Recovery Facility (MRF) by installing Trommel Screening System along with shredder as already proposed by MC, Paonta Sahib	<p>Action Taken by Municipal Committee Paonta Sahib:</p> <p>Municipal Committee (MC), Paonta Sahib vide letter no. SI. MCP/2024-1066, dated 22.07.2024 (Annexure-4) submitted that the work of waste processing at SWM site has been outsourced to private agency since April, 2024 (M/s Suntan life) so all the machinery will be installed by agency before 25th July ,2024 the parts of screening machine has been already delivered at the site and Weighing machine has been already installed at the site (two nos. of OWC machine for wet waste processing and two no of baling Machine for dry waste already handover to agency by MC for smooth processing of day to day collected waste. (Photographs-4,5 &6)</p>
5.	Installation of Weighing System to measure the actual quantity received and processed is recommended	<p>Action Taken by Municipal Committee Paonta Sahib:</p> <p>Municipal Committee (MC), Paonta Sahib vide letter no. SI. MCP/2024-1066, dated 22.07.2024 (Annexure-4) submitted that Weighing machine has been installed by the agency which is awarded work of waste processing at SWM Plant Kedarpur and functional since April 2024. (Photograph-7)</p>
6 .	It was observed that despite having provisions for Organic Waste Composting, these facilities are not being utilized properly. It is recommended that log books are maintained in each section for recording inputs and outputs for regular monitoring and taking	<p>Action Taken by Municipal Committee Paonta Sahib:</p> <p>Municipal Committee (MC), Paonta Sahib vide letter no. SI. MCP/2024-1066, dated 22.07.2024 (Annexure-4) submitted that all the machinery is being utilized by the agency at the SWM site and all the logbooks of waste input and output maintained by Agency which</p>

	corrective actions.	is verified by MC authority time to time. (Photograph-8)
7.	The receiving municipal solid waste is stored in open and it is recommended that waste is stored in the covered area.	Action Taken by Municipal Committee Paonta Sahib: Municipal Committee (MC), Paonta Sahib vide letter no. SI. MCP/2024-1066, dated 22.07.2024 (Annexure-4) submitted that the capacity of plant is 9 to 10 ton per day but facility is receiving 15–16 ton waste per day, so work of construction of shed for waste storage has been started and is under progress. (Photograph-9)
8.	The facility is receiving around 15-16 MT waste per day, whereas the capacity of the facility to process the waste is only 8.5 MTPD. The waste which is left unprocessed is subjected to decomposition leading to generation of foul odour by the time it is sent to outsourced facility.	Action Taken by Municipal Committee Paonta Sahib: Municipal Committee (MC), Paonta Sahib vide letter no. SI. MCP/2024-1066, dated 22.07.2024 (Annexure-4) submitted that the work of waste processing has been awarded to Private agency and strict direction has been given to agency for processing day to day waste which is received at plant and in April month 2024 approx. 45 tone extra waste has been lifted by agency at its own plant at Jatwar, Ambala.

Digitally signed by
ATUL PARMAR
Date: 2024.07.27
00:45:18 +05'30'

Atul Parmar
Regional Officer
HPSPCB Regional Office Paonta Sahib

4. Photographs



Photograph 1: Miyawaki Plantation Work being carried out by Forest Department, Paonta Sahib Division



Photograph 2: Miyawaki Plantation Work being carried out by Forest Department, Paonta Sahib Division



Photograph 3: Leachate collection tank connected with pipelines



Photograph 4: 2 nos of Organic Waste Composter Machines



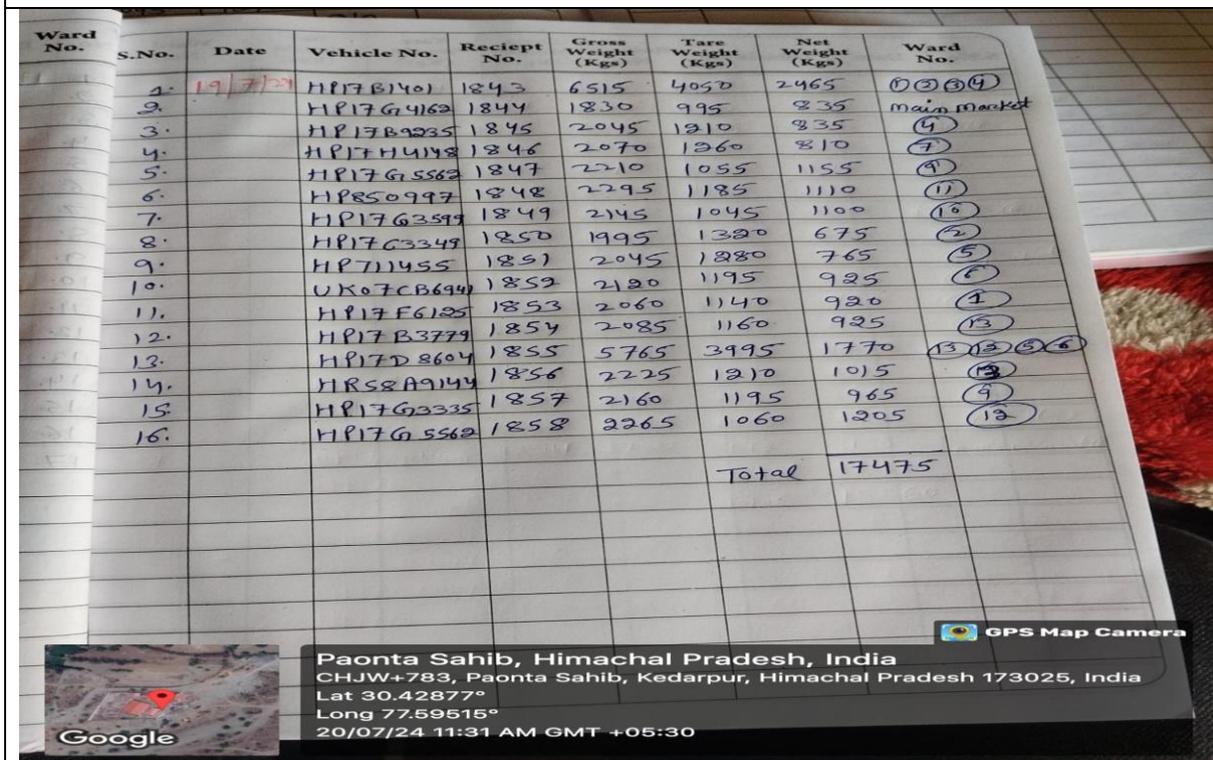
Photograph 5: Vibratory Screen installation under process at SWM site



Photograph 6: Two baling machines installed for processing of Dry waste



Photograph 7: Weigh bridge installed at the entrance of SWM Site



Photograph 8: Log book maintained by MC Paonta Sahib



The Action Taken Report is submitted before Hon'ble NGT for consideration please.

**Regional Officer,
HPSPCB Paonta Sahib**

Item No.3

(Court No. 2)

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

(Through Physical Hearing with Hybrid Option)
Original Application No.278/2022

Gram Panchayat of Bhontawali Village ...Applicant

Versus

Union of India & Ors. ...Respondents

Date of hearing: 14.12.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Dr. (Maj) J.C. Vashista, Advocate with applicant in person.

Respondents: Mr. Rahul Pratap, Advocate for Respondent No. 1- MoEF & CC.
Mr. Deepak Dahiya, Advocate for Respondent no. 2- Paonta Municipal Council (through VC)
Mr. Aaditya Vijaykumar and Ms. Shreya Shree Singh Advocates for Respondent No. 3 - HPPCB.(Through VC)
Ms. Radhika Gautam and Mr. Abhishek Singhal, Advocates for Respondent No.5
Mr. Sumit Khimta, Deputy Commissioner, Sirmour and Mr. P. Sharma, RO, PCB (through VC).

Application under Sections 14 and 15 of the National Green Tribunal Act,2010.

ORDER

1. The aggrieved inhabitants of Bhontawali Village, District Sirmour, Himachal Pradesh have filed the present application under sections 14 and 15 of the National Green Tribunal Act, 2010 through Gram Pradhan- Mr. Rakesh Kumar for directions to respondent no. 1 to 5 to take appropriate steps for relocating the garbage dumping site in question away from the residential area.

2. The grievances of the above said villagers are that the administration had proposed to establish a bio gas plant at the present

dumping site and gas produced was to be used for processing the waste. However, no such biogas plant has been step. On the other hand garbage from homes factories, hospitals clinics, markets, meat shops and chemical industries is being continuously dumped in the above site which is situated within 100 meters from Yamuna River Bed and few meters from Village, School and Temple. The garbage dump site is degrading the environment and contaminating surface and ground water.

3. Vide order dated 28.04.2022 notices were ordered to be issued to respondents and pursuant thereof replies were filed by Respondent No. 1, 2, 3 and 5.

4. In its reply dated 08.07.2022 respondent no. 3-HPPCB has submitted that on the request of Municipal Council, Paonta Sahib, the land measuring 2.10 bighas at Khasra No. 385/169/1 in village Kedarpur, Gram Panchayat Bhattanwali Paonta Sahib, District Sirmour was transferred by the District Administration, Sirmour to the Department of Urban Development in the Year 2003 for the purpose of setting up a dumping ground. The Gram Panchayat, Bhattanwali had also issued NOC for transfer of such land for the purpose of dumping ground by Municipal Council, Paonta Sahib on 21.8.2003. Respondent no. 3-HPPCB had also granted authorization dated 04.03.2005 to the Municipal Council, Paonta Sahib for setting up and operation of waste disposal facility at Kedarpur, Paonta Sahib District Sirmour. In its reply dated 08.07.2022 respondent no. 3-HPPCB had also noticed deficiencies /violations. In its additional reply dated 10.10.2022 Respondent no. 3-HPPCB has mentioned that environmental compensation of Rs. 25,000/- again Rs. 25,000/- and again Rs. 7,00,000/- was imposed on Municipal Council Ponta sahib vide orders dated 12.02.2020, 21.12.2021 and 04.10.2022 for not complying with the Solid Waste Management Rules

O. A. No. 278/2022

Gram Panchayat of Bhontawali
Village Vs. Union of India & Ors.

-3-

and also mentioned that the approved sit at village Kedarpur has not been completely constructed and made operational.

5. Respondent no. 2- Municipal Council Ponta sahib filed replies stating various measures taken for completing construction on the site and installing machineries there for processing of the waste.

6. In the course of hearing Mr. Ram Kumar Gautam, Deputy Commissioner Sirmour, Mr. Ajmer Singh Thakur, Executive Officer, MC Ponta Sahib and Mr. Pawan Sharma, RO, HPPCB appeared through VC and assured that construction of dumping site would be completed on or before 31.03.2023 and the machinery will be procured within 90 days and efforts will be made for amicable resolution of the grievances.

7. Environmental compensation amount of Rs. 7,00,000/- was deposited by Respondent no. 2-MC, Ponta Sahib with Respondent no. 3-HPPCB and vide order dated 27.09.2023, HPPCB was directed to file affidavit detailing action plan for utilization of the same. Reply has been filed by HPPCB vide email dated 05.12.2023 mentioning that Deputy Conservator of Forest, Ponta Sahib Division, District Sirmaur has submitted action plan vide letter no. 22.11.2023.

8. Respondent no. 5-Deputy Commissioner, District Sirmaur, Nahan has filed reply mentioning that MC, Ponta Sahib had been directed to install proposed machinery at the earliest.

9. Mr. Sumit Khimta, Deputy Commissioner, Sirmaur appeared before this Tribunal through VC today and informed that various steps have been taken up for treating the solid waste including fogging and undertaking plantations.

 Digitally signed by
ATUL PARMAR
Date: 2024.07.27
00:42:30 +05'30'

Atul Parmar
Environmental Engineer
HPSPCB RO Paonta Sahib

10. We have heard learned Counsel for the parties and gone through the material on record and also interacted with the officers present before this Tribunal through VC.

11. In view of the factual information provided by the respondents in the replies/reports filed, we are of the view that the progress has been extremely slow which is affecting the environment and the people adversely. Hence, we constitute a committee consisting of Senior Scientist from MoEF Regional Office Chandigarh and a nominee from Central Pollution Control Board. The above committee will be assisted by the State Pollution Control Board. The committee shall visit the site, examine the issues, interact with the relevant affected parties, examine the measures taken by the authorities and submit the status report with recommendations.

12. Report of the Committee shall be provided within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

13. List for further consideration on 01.02.2024.

14. A copy of this order be sent to MoEF Regional Office Chandigarh, Central Pollution Control Board and HPPCB by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

December 14, 2023

H

Item No.4

(Court No. 2)

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

(Through Physical Hearing with Hybrid Option)
Original Application No.278/2022

Gram Panchayat of Bhontawali Village ...Applicant

Versus

Union of India & Ors. ...Respondents

Date of hearing: 03.05.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None for the applicant.

Respondents: Mr. Rahul Pratap, Advocate for respondent no. 1-MoEF & CC.
Mr. Sushil Jaswal, Advocate for respondent no. 2- MC, Paonta Sahib.
Ms. Navya Nanda, Advocate for respondent no.3 - HPPCB (through VC).
None for respondent no.4-CPCB.
Mr. Vaibhav Srivastava, Advocate for respondents No. 5-DC Nahan, H.P and 6-SHO, Paonta Sahib.

Application under Sections 14 and 15 of the National Green Tribunal Act, 2010.

ORDER

1. In compliance of order dated 01.02.2024 report of the Joint Committee has been filed vide email dated 27.02.2024.
2. None has appeared for the applicant today. The applicant be informed about the date hereby fixed.
3. Objections, if any, to the report of the Joint Committee may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF at least one week before the date hereby fixed.

O. A. No. 278/2022

Gram Panchayat of Bhontawali
Village Vs. Union of India & Ors.

-2-

4. Respondent no.2-Municipal Counsel, Paonta Sahib, respondent no. 3-HPCB and , respondent no. 5-Deputy Commissioner, Sirmaur are directed to take appropriate remedial measures in discharge of their statutory obligations and file further action taken reports by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF at least one week before the date hereby fixed.

5. List on 30.07.2024 for final hearing.

6. Pleadings may be completed and reply/response to the original application by any of the respondents, who has not filed reply/response earlier and rejoinder by the applicant may be filed, if so desired, before that date.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 03rd 2024
AG

F. NO, 22-19/2017-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi-3

Dated: 1st November, 2017

OFFICE MEMORANDUM

Sub: Revisiting of process of prior Environmental Clearance for Solid Waste Management Treatment and processing facilities - reg.

The request to revisit the process of prior environmental clearance for Solid Waste Management Treatment and Processing Facilities has been examined by the Expert Group constituted in the Ministry in its meeting held on 14.06.2017. The Expert Group has submitted its recommendations which have also been further examined in the Ministry.

2. The Environment Impact Assessment Notification, 2006 in the Schedule at item 7 (i) mentions Common Municipal Solid Waste Management Facility (CMSWMF) as Category B project for which State Environment Impact Assessment Authority (SEIAA) is empowered to appraise the project for grant of prior environmental clearance.

3. The municipal solid waste management involves various steps like door to door collection, segregation, composting, refuse derived fuel (RDF) making, waste to energy generation through waste to energy plants and disposal in scientific landfills. The above activities, except landfill site, if proposed as standalone activities are not covered under item 7 (i) of EIA Notification, 2006, hence do not require prior environmental clearance. In case the activities of composting, RDF making and waste to energy plant (up to Capacity of 15 MW) are proposed at an existing landfill site, they do not attract the provisions of the EIA Notification, 2006.

4. If the activities of incineration, RDF making and Waste to energy plant are proposed along with the new site of solid waste disposal, landfill, it is advisable to obtain an integrated prior environmental clearance for these projects.

o/c
14/11/17

5. It has been seen that locating a landfill site or municipal Solid Waste disposal site is a contentious issue and there is a tendency to locate them far from the habitation but near forest, rivers, ponds, Wetlands and low lying areas etc., which are ecologically sensitive sites and require proper environmental management. Since, the forests, rivers, ponds, wetland and low lying areas are critical from environmental point of view, it may not be appropriate to exempt this activity of municipal solid waste disposal site or landfill site from the requirement of prior environmental clearance.

6. This issues with the approval of the competent authority.


(Sharath Kumar Pallerla)
Scientist-F / Director

1. All Principal Secretaries of States/UTs
2. All Member Secretaries of SEIAA's

No. Sl. MCP/ 2024- 1066

Dated-22-7-2024

OFFICE OF THE MUNICIPAL COUNCIL PAONTA SAHIB DISTRICT SIRMAUR H.P

To

The Deputy Commissioner
at Nahar District Sirmour
Sirmaur H.P

Subject:- ACTION TAKEN REPORT ON BEHALF OF RESPONDENT NO.2 MUNICIPAL COUNCIL,
PAONTA SAHIB, IN COMPLIANCE OF ORDER DATED 03.05.2024.

Sir,

Please find the enclosed herewith action taken report on behalf of respondent No.2 Municipal Council Paonta Sahib with reference case no/ORIGINAL APPLICATION No. 278 Of 2022 IN RE: GRAM PANCHAYAT BHATANWALI VERSUS UNION OF INDIA & ORS further in this connection Action taken report forwarded to you for necessary action please.


Executive Officer,
Municipal Council

 Paonta Sahib

Copy to:-

1. Worthy Director UDD Shimla for Information Please.
2. Regional Officer HP State Pollution Control Board for necessary action Please.


Executive Officer,
Municipal Council

 Paonta Sahib

3.5. Current Issues and Recommendations of the Joint Committee: The following are the key issues which requires attention by the authorities' along with recommendations of the Joint Committee under AO No. 278 of 2022 Gram Panchayat of Bhontawali village versus Union of India & Ors.

	Recommendations by Joint Committee:	Action Taken By MC Paonta Sahib
1.	As elaborated in Section 3, the MSW Disposal Facility is required to obtain Environmental Clearance under the provisions of EIA Notification, 2006, as amended from time to time. Further, the existing facility is operating without obtaining Consent/Authorization of State Pollution Control Board. It is recommended that an appropriate action is taken by HSPCB and MC, Paonta Sahib, in this regard, for operating the facility as per applicable Environmental Laws/Rules	It is submitted under EIA Notification 2006 the municipal solid waste management involves various steps like door to door collection, segregation, composting, refuse derived fuel RDF making, waste to energy generation through waste to energy plants and disposal in scientific landfills. The above activities except landfill site, if proposed stand-alone activities not are covered under item 7 (i) of EIA notification 2006, hence do not required prior Environmental clearance. In case the activities of composting RDF making and waste to energy plant (up to the 15 MW) are proposed at an existing landfill site they do not attract the Provision of the EIA notification of 2006 so M C Paonta have not any landfill site and waste to energy Plant.
2	Municipal Council has proposed customized Miyawaki Plantation around the Facility, the implementation of which is yet to be started. Further, the proposed plantation will be effective in controlling the foul odour after more than 6 years. It is therefore recommended that boundary wall which is currently 9 feet high is raised to 20 feet height with GI sheets or other means without further delay, to prevent dispersion of foul odour in the nearby villages. This is the main issue raised by affected villages and also observed by the joint Committee	It is submitted that MC Paonta sahib already deposit the amount of (Rs. 1030000 (ten lakh and thirty thousand) for forest department regarding Miyawaki Plantation and work has been started by the forest department. Further as per the recommendation of committee the height of boundary wall be increase 10 to 20 feet MC Paonta has been purposed MRF shed and work has been started will be completed by 25 th July
3	The entire facility has been paved with concrete tiles, but the channelization of the leachate generated from the waste storage area to the leachate collection tank is yet to done. It is recommended that this is done on priority besides making arrangement for the treatment of collected leachate in a time bound manner, for preventing generation of foul odour from leachate.	It is submitted that leachate collection tank has been constructed already. And connected through pipeline with pits.
4	It is recommended to mechanize the	It is submitted that the work of waste

	Material Recovery Facility (MRF) by installing Trammel Screening System along with shredder as already proposed by MC, Paonta Sahib	processing at SWM site has been outsourced to private agency since April, 2024 (M/s Suntan life) so all the machinery will be installed by agency before 25 th July, 2024 the parts of screening machine has been already delivered at the site and Weighing machine has been already installed at the site (one no OWC machine for wet waste processing and two no of baling Machine for dry waste already handover to agency by MC for smooth processing of day to day collected waste.
5.	Installation of Weighing System to measure the actual quantity received and processed is recommended	Weighing machine has been installed by the agency which is awarded work of waste processing at SWM Plant Kedarpur and functional since April 2024
6.	It was observed that despite having provisions for Organic Waste Composting, these facilities are not being utilized properly. It is recommended that log books are maintained in each section for recording inputs and outputs for regular monitoring and taking corrective actions.	All the machinery utilizing by the agency at the swm site and all the logbooks of waste input and output maintained by Agency which is verified by MC authority time to time.
7.	The receiving municipal solid waste is stored in open and it is recommended that waste is stored in the covered area.	It is submitted that the capacity of plant is 9 to 10 ton per day but 15-16 ton waste receiving per day at SWM plant so work of construction of shed for stores of waste has been awarded work has been started and will be completed by 25 th July 2024.
8.	The facility is receiving around 15-16 MT waste per day, whereas the capacity of the facility to process the waste is only 8.5 MTPD. The waste which is left unprocessed is subjected to decomposition leading to generation of foul odour by the time it is sent to outsourced facility.	The work of waste processing has been awarded to Private agency and strict direction has been given to agency for processing day to day waste which is received at plant and in April month 2024 approx. 45 tone extra waste has been lifted by agency its own plant at JatwarAmbala.

Yours Faithfully

Executive officer

Municipal Council Paonta Sahib



Himachal Pradesh Forest Department
Paonta Sahib Forest Division
Email:- dfopaonta@gmail.com



Acct/Budget/NGT(OA No.278/2022)/.....1846..... Dated, Paonta Sahib the/ ..19.07.2024...

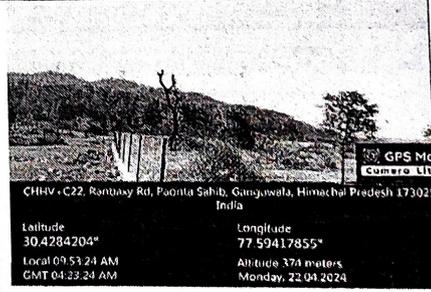
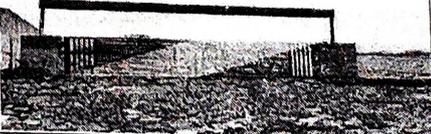
To: *

The Deputy Commissioner,
 District Sirmour, at Nahan, HP.

Subject: Action Taken Report of OA No. 278/2022 titled as Gram Panchayat of Bhandawali village vs union of India & others.

Sir,

With respect to the subject cited above, it is intimated further that the latest status report about restoration of environment through a customized Miyawaki Plantation, in Rampurbeli beat in Forest Division Paonta Sahib under OA No. 278/2022 titled "Gram Panchayat Bhandawali v/s Union of India" as given as under. It is further to be noted that as discussed during the meetings as well, plantation activity cannot be carried out before monsoon season.

Sr. No	Latest action taken report	Funds Allotment	Expenditure (Rs.)	
1	The Interchain fencing work has been executed (online tendering process) and other advance works like land levelling, soil mixing and preparation of vermicompost etc is being completed before Monsoon plantation activities of the concerned area (customized Miyawaki Plantation around the waste treatment facility at Bhandawali) and is ongoing.	1030000/(received on 16.01.2024)	Rs. 5,22,999 (utilized) for interlink chain fencing of the entire proposed plantation area.	 Before  Completion of interlink-chain works <small>GPS MO CHHV - C22, Ranjasy Rd, Paonta Sahib, Ganguwala, Himachal Pradesh 173025, India Latitude 30.4284204° Longitude 77.59417855° Local 09:53:24 AM Altitude 374 meters GMT 04:23:24 AM Monday, 22 Jul 2024</small>
2.	C/o Gate for interchain fencing in Rampurbeli beat.		Rs. 75415/- (utilized) Work completed	
3.	Land leveling mixing of soil with vermi-compost.		Rs. 189055/- (RTGS under process) Work completed	
4.	Purchasing of Vermi Compost.		Rs. 60945/- (RTGS under process) Work completed	

5.	C/o of Concretion in bottom and plinth DPC with GI Fence area alongwith interchain fencing area in Rampurbeli.		Rs. 93000/- (RTGS under process) Work Completed	
6.	As per direction received through Minutes of the Meeting under Chairmanship of Additional District Magistrate Sirmour at Nahan regarding OA No. 278/2022 Titled as Gram Panchayat of Bhanawali r/o VS Union of India & others held on 19/12/2023 at 04:00 PM. The demand letter has been sent to Regional Officer, HPPCB Paonta Sahib, HP vide this for disbursement of funds for Customized Miyawaki Plantation under OA No. 278/2022 to amounting of Rs. 403400/- (for plantation purpose work like Procurement/purchasing of tall plants and shrubs, Planting of plants I/C digging and filling of pits, Procurement of bamboo sticks, Watering of plants in dry season through water tanker(etc) be completed in the concerned area(customized Miyawaki Plantation around the waste treatment facility at Bhanawali) under Paonta Sahib Forest Division)	Awaited still for 2024-25 (required urgently before monsoon plantation) amounting to Rs 4,03,400/(reminder issued vide office letter no. 592 dated 16.05.2024 and letter no. 1082-83 dated 25.06.2024)	Plantation activity ongoing for this monsoon session 2024-25.	<p>Plantation activities ongoing in Rampur-beli Beat.</p> 

This is for favour of information please.

Yours faithfully,

dy
Deputy Conservator of Forest
Paonta Forest Division,
Paonta Sahib, HP

Endorsement No. Acct/DPR/NGT(OA No.278/2022)/.....Dated, 1847-49 19-07-24.....

Copy is forwarded to:-

1. CF Nahan for information please.
2. EO-cum-SDM Paonta Sahib for information please.
3. Regional Officer, HPPCB, Paonta Sahib, HP.

dy
Deputy Conservator of Forest
Paonta Forest Division,
Paonta Sahib, HP