

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

MA No. 97/2022

IN

ORIGINAL APPLICATION NO. 05/2020

IN THE MATTER OF:

Rita Sharma & Ors.

...Applicant(s)

Versus

State of Himachal Pradesh & Ors.

...Respondent(s)

INDEX

S. No.	PARTICULARS	PAGE No.
1.	Fresh affidavit in compliance to the Hon'ble Tribunal order dated 17.02.2025 on behalf of Commissioner, Municipal Corporation, Hamirpur, District Hamirpur, Himachal Pradesh	1-6, 6/2
2.	Annexure R-1: The copy of letter of M/s Suntan Life regarding legacy waste & fresh waste mechanism	7-8
3.	Annexure R-2: The copy of extension letter up to 31-03-2025	9-10
4.	Annexure R-3: The copy of extension letter up to 15-05-2025	11

Commissioner
MUNICIPAL CORPORATION, HAMIRPUR
Municipal Corporation Hamirpur (H.P.)

Dr. Vikrant Narayan Vasudeva, Adv.

Mr. Rohit Lochav, Adv.

A2/112 (LGF), Safdarjung Enclave, New Delhi-29

Mob.: 9868576256

Email: vikrantvasudeva@gmail.com

Place: New Delhi

Filed on:

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

MA No. 97/2022

IN

ORIGINAL APPLICATION NO. 05/2020

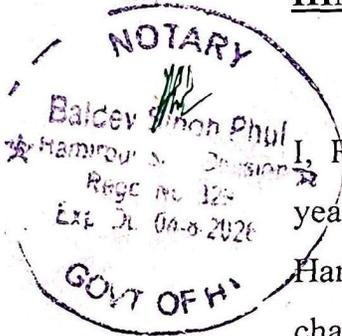
IN THE MATTER OF:

Rita Sharma & Ors. ...Applicant(s)

Versus

State of Himachal Pradesh & Ors. ...Respondent(s)

FRESH AFFIDAVIT IN COMPLIANCE TO THE
HON'BLE TRIBUNAL ORDER DATED 17.02.2025 ON
BEHALF OF COMMISSIONER, MUNICIPAL
CORPORATION, HAMIRPUR, DISTRICT HAMIRPUR,
HIMACHAL PRADESH



I, Rahul Chauhan, S/o Shri Bhawani Singh Chauhan aged 47 years presently posted as Additional District Magistrate, Hamirpur, District Hamirpur (HP) and also holding the additional charge of Commissioner, Municipal Corporation, Hamirpur, District Hamirpur, Himachal Pradesh, do hereby solemnly affirm and state as under:-

1. That the above titled case is pending for adjudication before this Hon'ble Tribunal and was listed for hearing on 17.02.2025, when after hearing the matter, the Hon'ble Tribunal has directed the deponent to file fresh affidavit keeping in view the observations made in the

ATTESTED
Baldev Singh Phul
Notary Public
Dist. Courts Hamirpur

671

abovementioned order. The matter is listed on 08.04.2025.

- 2. That in compliance to the order dated 17.02.2025, it has already been submitted in the previous affidavit dated 28.12.2024 that daily generation of fresh solid waste within the Municipal Corporation, Hamirpur is 6.87 tons per day, whereas it has a clearance capacity of 7.2 tons per day. It is submitted that clearance capacity in a solid waste management project is meant to be the total inflow of mixed and solid waste at Solid Waste Management site handled efficiently by the manpower and machinery installed at site and segregated into wet and dry waste. This segregated waste streams are further pretreated at the site before being sent for final processing. It is further submitted that the maximum volume of solid waste i.e. 7.2 tons per day was handled by the then Municipal Council, Hamirpur by way of landfill, incinerator or recycling.

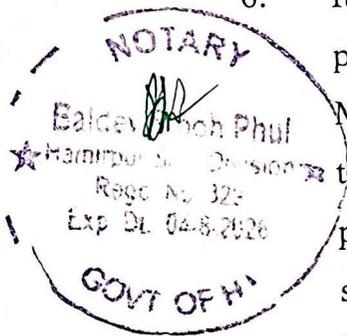
That it is submitted that fresh waste was being cleared by the then Municipal Council, Hamirpur by outsourcing at its own level on daily basis. But, now the Council has become a Municipal Corporation, Hamirpur. The waste increased to 12 tons per day. Hence the waste from the adjoining urban area is arriving at the site. Therefore, the waste processing facility is being enhanced and due to improvement in bio composting and its disposal and improvement in mechanism of disposal of wet and dry waste by the contractor, the MC is presently handling total waste at 12.0 tons /day.



A handwritten signature in black ink, appearing to be a stylized 'M' or similar character.



4. For the handling and processing of fresh waste there are 2 baling machine, 1 trommel machine, 2 Shredder, 2 organic waste composting machine, 1 weighbridge machine and 68 of compost pits, whereas for the processing of legacy waste there are 1 vibrator, 1 separator, 1 excavator is provided at the site.
5. It is submitted that the legacy waste is first excavated from the already dumped waste site, then kept in the open ground as with the preparation of windrows (WINDROW is a row of waste plie up to dry the waste (moisture) before being vibrator machine, baled or stored) and then passed through mechanical separator and then followed by manual sorting for separation of waste depending upon its characterization for this final disposal of processing such as co processing as RDF for recycling of plastic.
6. It is further submitted that after carrying out due processing of fresh as well as legacy waste at Solid Waste Management site at Hamirpur, HP, M/s Suntan Life carries the recovered, graded dry and wet waste to its respective processing facilities on Extrusion & Bio-methanation situated at Kundli, Sonapat (HR) and c/o Sarovar Agro Farms and Biogas Pvt. Ltd., Ambala Naraingarh Road, Village Jatwar, District Ambala (HR) respectively for final processing. Thereafter, no residue is left to be treated after this activity. The copy of letter of M/s Suntan Life regarding legacy waste & fresh waste mechanism is enclosed herewith as **Annexure R-1** for kind perusal of the Hon'ble Tribunal.



ATTESTED

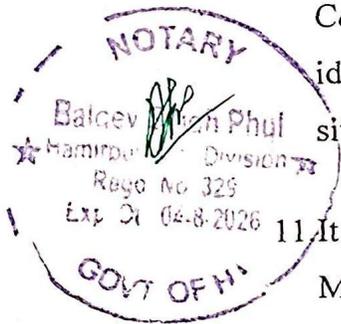
Baldev Singh Phul
Notary Public
Distt. Courts Hamirpur

7. That it is humbly submitted that the daily waste generated within the Municipal Corporation, Hamirpur is channelized through proper treatment mechanism regularly as per Solid Waste Management Rules, 2016 and it does not add to the legacy waste.

8. Only Municipal Solid waste is arriving at the site and there is no hazardous waste, medical waste or e-waste is being collected or transported by the MC Hamirpur to its site.

9. Non-biodegradable waste is segregated and directly transported by the contractor, as per work awarded for its further disposal/processing at his own level.

10. The MC Hamirpur has framed the bylaws for management handling and disposal of construction and demolition waste. There is existing site for handling and disposal of C&D waste which is exhausted and MC is in process to identification and finalization of new location for the C&D site.



11. It is submitted, that the waste being produced is mainly MRF (Material Recovery Facility) Site, and MC Hamirpur has entered into agreement with M/S Suntan Life for processing and disposal of waste at his end. Further the regulated Non-Biodegradable waste having potential to use as RDF is transported to the out of state by the contractor himself in his developed mechanism regarding safe disposal of Solid waste for its further utilization as RDF or plastic recycling. Hence there is no such

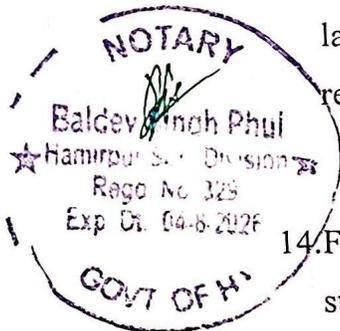
h

ATTESTED
Baldev Singh Phul
Notary Public
Distt. Courts Hamirpur

consent/permission available with MC Hamirpur on the waste transported as it is characterized solid waste only. That it is submitted that solid waste does not fall under the category of Hazardous waste, therefore, no consent/permission is required for interstate movement of solid waste for processing. The detailed submissions have been made by the M/s Suntan Life at point No. 5 in **Annexure R-1.**

12. There are 68 Nos of bio composting pits and MC Hamirpur is producing and selling compost to the local farmers. Whereas the additional/excess wet waste is directly transported by the contractor himself as the work awarded, to his site at Jatwar Ambala for biomethanization.

13. Presently no further land filling activity is carried out, whereas for the disposal of inert waste MC Hamirpur is in process to identify the suitable land for its utilization for land development work. There is no incineration or recycling done at site of MC Hamirpur.



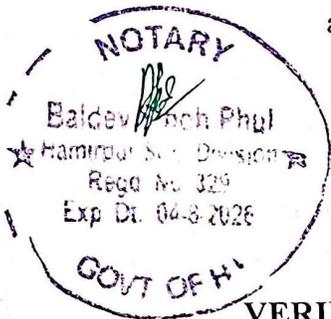
14. Final processing is being done by the M/S Suntan life. As stated by Suntan life in his undertaking Vide Ref STL/2503094 Dated 14-03-2025 the organic waste, after pretreatment is taken to our biomethenation plant c/o Sarovar Agro Farms and Biogas Pvt Ltd, Ambala Naraingarh Road, Vill-Jarwar, Distt-Ambala for final processing to form biogas and bio-manure. Since it is a biogas plant where no residue is left after treatment of organic waste. The liquid slurry is dried to form bio-

ATTESTED

Baldev Singh Phul
Notary Public
Distt. Courts Hamirpur

manure and biogas is obtained as the other byproduct.

15. It is submitted that from 16-05-2023 to 31-03-2025 Total waste excavated 33805.0 tons, 22084 Tons processed and 1910 tons disposed as RDF, whereas remaining 20174.0 tons' residue waste is at the waste processing facility.
16. That it is submitted that the agreement executed with M/s Suntan Life for clearing legacy waste has been extended for the period of one year i.e. upto 31st March, 2025. The copy of extension letter in this regard is enclosed herewith **Annexure R2**. Now it has been further extended upto 15-05-2025. The copy of extension letter in this regard is enclosed herewith as **Annexure R3** for kind perusal of the Hon'ble Tribunal.
17. That it is submitted that the legacy waste will be cleared in a time bound manner at the earliest.



DEPONENT
Commissioner
Municipal Corporation Hamirpur (H.P.)

VERIFICATION

I, the above-named deponent, further state that the contents of this affidavit from Para Nos. 1 to 8 are true and correct to the best of my knowledge and belief as per information derived from the official record. No part of it is false and nothing material has been concealed therefrom.

Verified at Hamirpur (HP) on this 1st day of April, 2025.

ATTESTED
Baldev Singh Phul
Notary Public
Distt. Courts Hamirpur
1-4-25



2. No. 305
Certified that above Affidavit/Document
declared before me on 1-4-25
by Sh./Smt. Rahul Chaurhan
who is identified by Sh. TILAK RAJ
who is personally known to me
The contents of above document /affidavit
has been readover and explained to the
executant/deponent.

BALDEV SINGH PHUL
NOTARY PUBLIC
Hamirpur (H.P.)

ATTESTED

1-4-25
Baldev Singh Phul
Notary Public
Distt. Courts Hamirpur

DECLARED BY SH. RAHUL CHAURHAN



Date: 14-03-2025

Ref: STL/2503094

To,

Worthy Commissioner,
Municipal Corporation,
Hamirpur (H.P.)

Sub:- Regarding Legacy Waste & Fresh Waste Mechanism in connection with M.A. 97/2022- reply thereof.

Dear Sir,

With reference to your letter no. MCH/SWMP/2025-3320 Dated: 11-03-25 and the order dated 17-02-25 issued by the Hon'ble NGT Principal Bench, New Delhi in OA No. 05/2020(MA No. 97/2022), please note that the details desired on the concerns raised therein have already been submitted to your goodself vide letter No. STL/2502090 dated 23-02-25. The same queries have been raised again to which the summarized response is as under: -

1. By clearance capacity, it is meant that the total inflow of mixed solid waste at SWM site is handled efficiently by the manpower and machinery installed at the site and segregated into wet & dry waste. This segregated waste streams are further pre-treated at the site before being sent for final processing/reprocessing.
2. The entire Solid waste is channelized through proper treatment mechanism as depicted above, as per SWM Rules 2016, so it does not add to the legacy waste.
3. The quantified legacy waste as directed by MC Hamirpur has already been processed within the timeframe of the agreement in place. For clearance of the balance legacy waste, minutes of the recent meeting under the chairmanship of worthy Secretary UDD HP are being awaited where it has been clarified by the worthy Secretary to commence the clearance of the balance legacy waste till the complete reclamation of land is obtained. Once the minutes of the meeting and further orders in this regard are received from your good office, we shall share the action plan for its clearance. Based on the which the department may grant extension order for the period of clearance of balance legacy waste.
4. As already explained in our previous communication, the organic waste, after pre-treatment is taken to our biomethanation plant c/o Sarovar Agro Farms and Biogas Pvt. Ltd., Ambala Naraingarh Road, Vill-Jatwar, Distt. Ambala for final processing, to form biogas and bio-manure. Since it is a biogas plant where no residue is left after treatment of organic waste. The liquid slurry is dried to form Bio-manure and biogas is obtained as the other byproduct.

5. Since Solid Waste doesn't fall under the category of Hazardous Waste, as per guidelines from CPCB over transport of Waste, no NOC is required for interstate movement of Solid Waste for processing.
6. As already explained in above point No. 3, the deadline for clearance of legacy waste can be stated after receipt of directions towards clearance of Legacy Waste and the concerning parameters at that point of time.

Should you require more information, please feel free to communicate to us.

Thankfully Yours,


Sharyia Galhotra
Suntan Life Prop.

Office of the Municipa council Hamirpur

To No MCH/ NOC for extension of time /2024 - 21224 dated: 7/3/24

M/S Suntan Life
140, Sector -6 ,
Panchkula , Hariyana
(Contract for S.W.M. Plant at Hamirpur) .

Subject:- Extension of time limit of clearing legacy waste
& land reclamation at waste processing site .

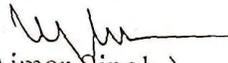
Sir

It is submitted that the aforesaid matter was discussed in the house in its meeting held on 23-02-2024 and the house unanimously resolved vide resolution No. 207 / 2024 regarding extension of agreement legacy waste work for the period of one year (i.e. 31 March 2025) . A copy of above said resolution is enclosed herewith for ready reference .

In this connection you are hereby directed to continue the work of clearing legacy waste so that the quantity of legacy waste 16,800 as mentioned / verified by HOD Civil Engg. NIT Hamirpur may be cleared from the site . As you are aware that this Council is forwarded legacy waste report time to time to Govt. / UD Shimla . It is further instructed to process the legacy waste on regular baises so that same may be disposed off as early as possible from the site .

The same is submitted for favour of information and necessary action in the matter.

Yours faithfully ,


(Ajmer Singh)
Executive Officer ,
Municipal Council ,
Hamirpur .

Endst . No. As above / 4225
Copy to :- The Director , Urban Development , Govt. H.P. Shimla- 2
for favour of information please.

dated 7/3/ 2024


Executive Officer,
Municipal Council ,
Hamirpur .

नकल पारत प्रस्ताव क्रमांक 207 / 2024 दिनांक 23.02.2024

प्रस्ताव संख्या 207 / 2024 / दिनांक / 23.02.24:- विषय:- Extention of work cleaning

of legacy waste and land recerance at waste processing site Dugneri

MC Hamirpur. वारे विचार विमर्श:-कार्यकारी अधिकारी द्वारा दिनांक 16.02.2023 की रिपोर्ट

वैठक में प्रस्तुत की और बताया कि SWM project site Dugneri में जो legacy Waste हेतु

कार्यालय पत्र क्रमांक 2758/MCH/ dated 16.02.2023 को M/S Suntan life फर्म को online

Tender award किया गया था और जिसकी अवधि माह फरवरी 2024 में समाप्त हो रही है, माननीय

निदेशक शहरी विभाग के पत्र क्रमांक UD-H(F)-(10)-15/11(Legacy waste) .11.20656.60

dated 16.10.2023 Subject- Action plan under Solid Waste Management component

for Legacy waste Management के माध्यम से निर्देश दिये कि third party के माध्यम से

सरकारी एजेन्सी से Legacy waste की मात्रा का आकलन करवाया जाए। इस सन्दर्भ में नगर परिषद

पत्र क्रमांक 2063 दिनांक 03.11.2023 व 2505 दिनांक 05.12.2023 के माध्यम से NIT हमीरपुर को सर्वे

करने हेतु कहा गया था। इस सन्दर्भ में NIT हमीरपुर के पत्र क्रमांक 3929 दिनांक 18.01.2024 को

रिपोर्ट कार्यालय में प्रस्तुत की गई। इस रिपोर्ट के अनुसार 16800 टन तक Legacy waste का

आकलन किया गया जबकि M/S Suntun Company द्वारा जनवरी माह की दिनांक 19.01.2024 तक

79,99,653 kg अर्थात् 7999.65 टन का निष्पादन किया गया है,जबकि 16800 टन का Legacy waste

का निष्पादन अभी शेष है। कार्यकारी अधिकारी द्वारा दिनांक 16.01.2024 को एन0जी0टी0 के केस के

सम्बन्ध में हुई चर्चा के वारे में प्रधान व अन्य सभी सदस्यों को अवगत करवाया गया कि Legacy

waste का निष्पादन किया जाना अनिवार्य है, इसलिए नगर परिषद ने सर्वसम्मति से निर्णय लिया कि

उपरोक्त कार्य की अवधि को एक वर्ष के लिए बढ़ाया जाये जिससे NGT व H.P. Pollution

Control Board के आदेशो का पालन करते हुये Legacy Waste का निष्पादन किया जा सके। अतः

सदन द्वारा सर्व सम्मति से उपरोक्त कार्य की अवधि को 31मार्च 2025 तक बढ़ाने की वित्तिय एवं

प्रशासनिक स्वीकृति प्रदान की गई और साथ में सहायक अभियन्ता को निर्देश दिये गए कि इस कार्य को तुरन्त प्रभाव से करवाए।

नकल मुताविक असल है।

हस्ता0

Executive Officer
Municipal Council
Hamirpur (N.P.)

प्रधान,
नगर परिषद हमीरपुर

Office of Municipal Corporation Hamirpur Distt-Hamirpur(H.P)
No.MCH/NOC for extension of time/2025-3 Dated:-01-04-2025

From

Commissioner,
Municipal Corporation,
Hamirpur H.P.

To

M/S Suntan Life,
140, Sector - 6
Panchkula, Haryana (Contract for S.W.M. Plant)

Subject: - Extension of time limit for clearing legacy waste & land
reclamation at waste processing.

Memo,

You are hereby intimated that the extension period of legacy waste work issued vide letter no-4224 Dated 07-03-2024 upto 31-03-2025 has been expired. In this connection you are hereby informed that this has been further extended up-to 15-05-2025 on the same terms and conditions. You are further directed to ensure that all the legacy waste is cleared off from the MC SWM site Dugneri.

This is for your information and action at your end.

Commissioner
Municipal Corporation Hamirpur
Distt. Hamirpur (H.P)

Endst. No.-4

Dated :-01-04-2025

Copy to: - The Director Urban Development Palika Bhawan Shimla for favour
of information please.

Commissioner
Municipal Corporation Hamirpur
Distt Hamirpur (H.P)