



No. HSPCB/PAL/2021/ 1909
To

Dated: 24/12/2021

The Registrar,
National Green Tribunal,
Faridkot House, Copernicus Road,
New Delhi.
Email ID:- judicial-ngt@gov.in

Sub. - “Joint inspection report in the matter of O.A. No. 291/2019 titled as S.N.D. Public School V/s State of Haryana & Ors ” in compliance of National Green Tribunal order dated 03.06.2021.

R/Sir,

This is in the reference to above mentioned matter. The Hon'ble Tribunal vide order dated 03.06.2021 in the matter of O.A. No. 291/2019 titled as S.N.D. Public School V/s State of Haryana & Ors has directed as under:-

“A joint committee of CPCB and State PCB to find the real compliance status so that if the project is found successful, its replication at other places may also be explored and if there are deficiencies the same can be rectified. The joint committee may give its report within two months by email.”

In compliance of said orders, the report of joint committee of CPCB and HSPCB as per directions of Hon'ble NGT order dated 03.06.2021 is enclosed herewith. It is requested to kindly accept the report and place before the Hon'ble Tribunal.

DA/As above

Regional Officer,
Palwal Region
For Haryana State Pollution Control Board

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

O.A. No. 291 OF 2019

IN THE MATTER OF:-

S.N.D Public School, Palwal

.....Applicant

Versus

State of Haryana & Ors.

.....Respondents

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THROUGH COUNCIL

DATE: 24/12/2021


**Regional Officer
Haryana State Pollution Control Board
Palwal Region**

Report of the Joint Committee in the matter of OA. NO. No. 391/2019 (I.A. No. 262/2019); SND Public School, Palwal Versus State of Haryana & Ors., in compliance of the Hon'ble NGT Order dated June 6, 2021.

1.0. Background:

The matter is regarding illegal and unscientific dumping of municipal solid waste in Village Meghpur, District Palwal, Haryana, in violation of the Solid Waste Management Rules, 2016 and non-removal of legacy waste as per law.

In pursuance of the orders of Hon'ble NGT dated 14/7/2020, a report was filed by MC, Palwal mentioning that :

"2. That the waste collected from the city Palwal was being dumped at Mustil No.17's Killa No.17/1, 24/2 of Mauja Meghpur (hereinafter referred as to site in question). This site was selected being most suitable site considering the distance from the habitation. At present 100 % Solid waste collected from MC Palwal is being transferred to One MRF at Allahapur and two number MRF at Firojpur for processing and disposal. Besides this, Bioremediation and reclamation of legacy waste which was existing at the site in question has been started since 04 Dec 2020. Total three MRF have been constructed for processing of dry waste, 217 Compost Pit for processing of wet waste and horticulture compost pit in all parks have been constructed within MC Palwal limit.

3. That there are 31 Wards in the Palwal City with total population of 1,81,254 as per 2011 census. All 31 Wards including commercial and public places are covered under door- to-door collection.

Further, in the report of MC, Palwal, category wise action plan for waste collection and disposal as per solid waste management rules was also submitted, highlighting the door to door collection of all 31 wards including commercial and public places, source segregation, status of the public sweeping, status of wet processing, status of dry waste processing/MRF facility, Bio-remediation of legacy waste and scientific landfill etc.

In the order dated 03/06/2012 (Copy attached as **Annexure-1**), it was observed and directed by Hon'ble National Green Tribunal as follows:

"Learned Counsel for the applicant has raised doubt about credibility of report that there is scientific bio-remediation of 21000 MT solid waste and proper functioning of three MRFs, linking them with utilization chain, utilization of compost pits and other aspects. We consider it appropriate to direct a



joint Committee of CPCB and State PCB to find the real compliance status so that if the project is found successful, its replication at other places may also be explored and if there are deficiencies, the same can be rectified. The joint Committee may give its report within two months by e-mail."

2.0. Report of the Joint Committee regarding Real Status of Compliance by MC, Palwal :

In compliance of the orders of Hon'ble NGT, a Joint Committee comprising of the following members was constituted:

- i. Dr. Narender Sharma, AD, CPCB, Regional Directorate, Chandigarh
- ii. Er. Vijay Chaudhary, Regional Officer, HSPCB, Palwal

The Joint Committee visited the site on November 15, 2021, to find the real compliance status, as per directions of Hon'ble NGT. The compliance status as on 15/11/2021 w.r.t. Bioremediation MT solid waste, proper functioning of three MRFs, Utilization of compost pits and other aspects, as verified by the Joint Committee is, as follows:

2.1. Bioremediation of 21000 MT Legacy Waste:

Status as per report of MC, Palwal	Real Compliance Status as on 15/11/2021, as verified by the Joint Committee
<p>There was approximate 21000 Metric Tons of legacy waste present at the site in question of Municipal Council, Palwal.</p> <p>Work for Bioremediation and Reclamation of legacy waste was started vide "MC Palwal office" work order no 5216/MCP dated 04.12.2020 and appx 21000 Metric Ton of legacy waste has been remediated successfully.</p> <p>The Scientific landfill site is being developed by concerned agency as per work order.</p>	<p>At present there is no legacy waste lying at site . However, the RDF recovered from the legacy waste was lying at site, which is yet to be disposed off by the MC. Palwal (Photograph 1, 2, 3 of Annexure-2).</p> <p>The representatives of MC, Palwal were requested to provide the details such as log books, quantities and disposal of screened fractions, analysis reports etc. so as to conclude, if the legacy waste has been remediated as per CPCB Guidelines for disposal of legacy Waste. The details are yet to be received from MC, Palwal</p> <p>The work on development of scientific landfill site is yet to be started.</p>

2.2. Status of Dry Waste Processing Facility:

Status as per report of MC, Palwal	Real Compliance Status as on 15/11/2021, as verified by the Joint Committee
<p>Municipal Council has already established 03 MRF Facility at Allahapur (01 Nos MRF) and Firozpur (02 Nos MRF). Total capacity of each MRF for dry waste storage is about 20 TPD. The dry waste is being segregated in different categories/ fractions on the basis of their use as per solid waste management rules and norms.</p>	<p>All the three MRF Sites were visited by the Joint Committee and observed that:</p> <ol style="list-style-type: none"> 1. MRF Site 1/Shed at Allahapur is being used as a Gaushala viz. Moni Baba Ki Gaushala. Cows and their care-takes were found be present there. It was informed by the Care-taker Shri Moni Baba that the site is in use as a Gaushala for the last one year (Photograph 4, 5, 6 of Annexure-2) 2. The MRF Site 2. at Firozpur (Delhi-Agra Road) is being used as a dump yard for MSW and there is no facility installed for material recovery (Photograph 7, 8, 9 of Annexure-2). 3. The MRF Site 3 at Firozpur was found to be in operational condition with all the facilities installed. However, it was informed that no waste is coming at site from August 15, 2021, since the villagers are protesting against processing of waste at MRF facility. MC has made a request to DC, Palwal for providing police protection ((Photograph 10, 11, 12 of Annexure-2). <p>It appears that MRF sites at Sr. No. 1 and 2 above have never been used as MRF facilities.</p>

2.3. Status of Wet Waste Processing:

Status as per report of MC, Palwal	Real Compliance Status as verified by the Joint Committee
<p>The amount of total solid waste generated is 100 TPD approximately within MC Palwal, in which total Quantity of collected Dry waste is 60 TPD approximately and total quantity of collected wet waste is 40 TPD approximately. presently there are 217 composite pit for processing of wet waste within MC Palwal limit which are being used for composting of wet waste</p>	<p>70 Nos. Compost Pits at MRF Site 3 (Firozpur) were found to be in operational condition. However, no wet waste was being processed at the time of visit.</p> <p>It was informed that no waste is not coming at site from August 15, 2021, since the Villagers are protesting against MC and not allowing the MC to bring the waste at MRF Site. MC has made request to DC, Palwal for providing police protection (Photograph 13, 14 of Annexure-2).</p> <p>No Compost Pits at MRF Site 2 (Firozpur) were found to be in operational condition, since this MRF facility was found to be used as a dump yard.</p> <p>No Compost Pits at MRF Site 1 (Allahapur) were found to be in operational condition, since this MRF facility was found to be used as a Gaushala.</p>



Status as per report of MC, Palwal	Real Compliance Status as on 15/11/2021, as verified by the Joint Committee
Presently, 100% door to door collection is being carried out by MC Palwal in all 31 wards including commercial and public place.	<p>The Joint Committee visited Ward No. 25, 26 and 27, to find the real status.</p> <p>It was observed that waste was lying here & there and seems to have not collected for days. The waste was found to be dumped at various places and also in drains (Photograph 15, 16, 17, 18 of Annexure-2).</p> <p>Door to door collection was not found to happening at ground.</p>

2.5. Other observations of the Joint Committee:

It was observed that while MC, Palwal has processed and disposed off all 21000 MT legacy waste at site under question, **another dumping site at Road side at Allahapur, near bridge has been created.** It was informed by the representatives of MC, Palwal that **since the villagers are raising objections and protesting against processing of MSW at the only operational MRF facility at Firozpur, all the MSW is being dumped at this site from August 25, 2021 onwards. Around 10000 MT waste has already been dumped at this site.** If this issue is not resolved, **this site will become another legacy waste site in Palwal (Photograph 19, 20, 21, 22 of Annexure-2.)**

This joint Committee was constituted by Hon'ble NGT to find the real compliance status so that if the project is found successful, its replication at other places may also be explored. The Joint Committee did not find anything which could be replicated at other Places. The Municipal Council, Palwal is required to prepare a realistic and implementable **Action Plan with defined timelines, to ensure the compliance of Municipal Solid Waste Management Rules.**

The above compliance report of the Joint Committee is being submitted for the consideration of Hon'ble National Green Tribunal. The Joint Committee will abide by further directions of Hon'ble NGT, in this matter.



(Er. Vijay Chaudhary)
HSPCB, Palwal



(Dr. Narender Sharma)
CPCB, Chandigarh

Dated: November 26, 2021

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

(By Video Conferencing)

Original Application No. 391/2019
(I.A. No. 262/2019)

(With report dated 21.04.2021)

SND Public School, Palwal

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 03.06.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Rahul Choudhary, Advocate

Respondent: Mr. Rahul Khurana, Advocate for HSPCB & MC Palwal

ORDER

1. Grievance in this application is against illegal and unscientific dumping of municipal solid waste in Village Meghpur, District Palwal, Haryana, in violation of the Solid Waste Management Rules, 2016 and non-removal of legacy waste as per law. According to the applicant, dumping of waste is also affecting the village pond. The applicant has also referred to earlier orders of this Tribunal dated 10.03.2016 and 19.01.2017 in O.A No. 55/2015 and orders dated 05.01.2018 and 02.08.2018 in O.A No. 96/2017. It is submitted that in spite of the above orders, dumping of municipal solid waste is continuing. The applicant also made a representation dated 29.11.2018 to the Committee constituted by this Tribunal in O.A No. 606/2018, Compliance of

Municipal Solid Waste Management Rules-2016. The Committee, vide order dated 04.01.2019, directed the Municipal Council to take action in the matter but no action is being taken.

2. Vide order dated 12.04.2019 a factual and action taken report was sought from the Haryana State PCB, District Magistrate, Palwal and Palwal Municipal Council.

3. The matter was last considered on 14.07.2020 in the light of response of the Deputy Commissioner, Palwal filed on 23.12.2019 to the effect that necessary steps were being taken. Accordingly, the Additional Chief Secretary, Local Bodies/ Urban Development, Haryana was directed to ensure compliance of the Solid Waste Management Rules, 2016. The operative part of the order is as follows:

“3. In the response filed on 23.12.2019 by the Deputy Commissioner, Palwal, it is not disputed that unscientific dumping of municipal waste is taking place in violation of law. However, it is stated that the waste will be treated by composting/recycling and remaining waste will be sent to dump site. Further mention is of unsuccessful steps for giving tender etc. There is also mention of some litigation with regard to land dispute.

4. The fact remains that there is failure of the local and State authorities in discharging their statutory and Constitutional obligation of ensuring clean environment and complying with binding directions in earlier proceedings. Mere proposed steps are not a valid defence to the criminal failure of the authorities when stringent punishments are contemplated under the law for such failure as there is continued damage to the public health by such failure. There appears to be apathy and lack realisation of duties in dealing with the matter without a sense of urgency and allowing damage to the environment and public health. It is disappointing to see such lapses and failures. As held by the Hon'ble Supreme Court, if there is any constraint of funds, the same can be recovered from the people contributing the waste but waste management has to be promptly ensured. The authorities are trustees of the people for this management and their incompetence should not result in damage to public health as is happening in the present case. Their accountability has to be fixed.

5. Accordingly, we direct the Additional Chief Secretary, Local Bodies/ Urban Development, Haryana to ensure compliance of Municipal Solid Management Rules failing which we will have no

option except to take coercive measures, including direction for prosecution and stoppage of salary.”

4. In pursuance of above, a further status report has been filed by the Municipal Council, Palwal on 25.02.2021 mentioning the steps taken. A further report has been filed on 21.04.2021 as follows:

“2. That the waste collected from the city Palwal was being dumped at Mustil No.17's Killa No.17/1, 24/2 of Mauja Meghpur (hereinafter referred as to site in question). This site was selected being most suitable site considering the distance from the habitation. At present 100 % Solid waste collected from MC Palwal is being transferred to One MRF at Allahapur and two number MRF at Firojpur for processing and disposal. Besides this, Bioremediation and reclamation of legacy waste which was existing at the site in question has been started since 04 Dec 2020. Total three MRF have been constructed for processing of dry waste, 217 Compost Pit for processing of wet waste and horticulture compost pit in all parks have been constructed within MC Palwal limit.

3. That there are 31 Wards in the Palwal City with total population of 1,81,254 as per 2011 census. All 31 Wards including commercial and public places are covered under door-to-door collection.

Action plan for disposal of present solid waste generated within MC Palwal:-

*4. That the category-wise action plan for waste collection and disposal as per solid waste management rule is as under: -
The main contents of the actions taken by the Municipal Council, Palwal to upgrade the solid waste management System in the Municipal area of Town are as under: -*

(I) *That it is most respectfully submitted that Presently, 100% Door to door collection is being carried out by MC Palwal in all 31 wards including commercial and public places.*

The copy of the details in this aforesaid submissions are annexed as Annexure A-1.

(II) Source Segregation

That it is humbly submitted that as explained above. All 31 wards of MC Palwal have been covered under waste segregation through compartmentalize waste collection and transportation vehicle and through three numbers MRFs.

Copies of latest Pictures photographs of Ground Status Report are annexed as Annexure A-2.

(III) Status of Public Sweeping in Municipal Council, Palwal

In Municipal Council, Palwal, presently 267 sweepers are working for sweeping work. The sweeping work is carried out 1 time in residential areas and 2 times in commercial /public places daily. The night sweeping work on roads and in commercial areas is being done by MC manpower and other supporting machinery.

*Copies of latest Pictures photographs of Ground Status Report are annexed as **Annexure A-3.***

(IV) Status of Wet Waste processing:

The amount of total solid waste generated is 100 TPD approximately within MC Palwal. In which total Quantity of collected Dry waste is 60 TPD approximately and total quantity of collected wet waste is 40 TPD approximately. presently there are 217 composite pit for processing of wet waste within MC Palwal limit which are being used for composting of wet waste.

*Copies of latest Pictures photographs of Ground Status Report are annexed as **Annexure A-4.***

(V) Status of Dry Waste Processing/MRF Facility:

Municipal Council has already established 03 MRF Facility at Allahapur (01 Nos MRF) and Firojpur (02 Nos MRF). Total capacity of each MRF for dry waste storage is about 20 TPD. The dry waste is being segregated in different categories/ fractions on the basis of their use as per solid waste management rules and norms.

*Copies of latest Pictures photographs of Ground Status Report are annexed as **Annexure A-5.***

(VI) Bio Remediation of legacy waste and Scientific landfill:

There was approximate 21000 Metric Tons of legacy waste present at the site in question of Municipal Council, Palwal. Work for Bio Remediation and Reclamation of legacy waste was started vide "MC Palwal office" work order no 5216/MCP dated 04.12.2020 and appx 21000 Metric Ton of legacy waste has been remediated successfully. The Scientific landfill site is being developed by concerned agency as per work order.

*Copies of latest Pictures photographs of Ground Status Report are annexed as **Annexure A-6.***

(VII) Horticulture waste

It is humbly submitted that Horticulture compost pits in all parks of Municipal Council Palwal have been constructed. Copies of latest Pictures photographs of Ground Status Report are annexed.

(VIII) That along with arranging the aforesaid mechanism to carry out the Solid Waste Management in the Municipal Council, Palwal, several discussions and workshop and IEC activities are being held with the public representative, Non-Governmental organization, Charitable and religious institutions and concerned Officers and agencies under the chairmanship of District Municipal Commissioner Palwal with the objective of spreading awareness and taking feedback about the compliance of Solid waste management rules 2016 in MC Palwal Area.

(IX) The Municipal authorities have tried their best for the smooth functioning of Solid Waste Management Project without any hindrance by keeping in view all the aspects leading to the management of legacy waste remediation in the Municipal area and Management of Door-to-Door waste collection, Source Segregation, Transportations and processing.

(X) At present MC Palwal has diverted daily generating solid waste within MC limit to MRFs at Village Allahapur and Firojpur for further processing and disposal.”

5. **Learned** Counsel for the applicant has raised doubt about credibility of report that there is scientific bioremediation of 21000 MT solid waste and proper functioning of three MRFs, linking them with utilization chain, utilisation of compost pits and other aspects. We consider it appropriate to direct a joint Committee of CPCB and State PCB to find the real compliance status so that if the project is found successful, its replication at other places may also be explored and if there are deficiencies, the same can be rectified. The joint Committee may give its report within two months **by e-mail.**

List for further consideration on 04.10.2021.

A copy of this order be forwarded to the CPCB and State PCB by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

June 03, 2021
Original Application No. 391/2019
I.A. No. 262/2019
DV

Photograph 1



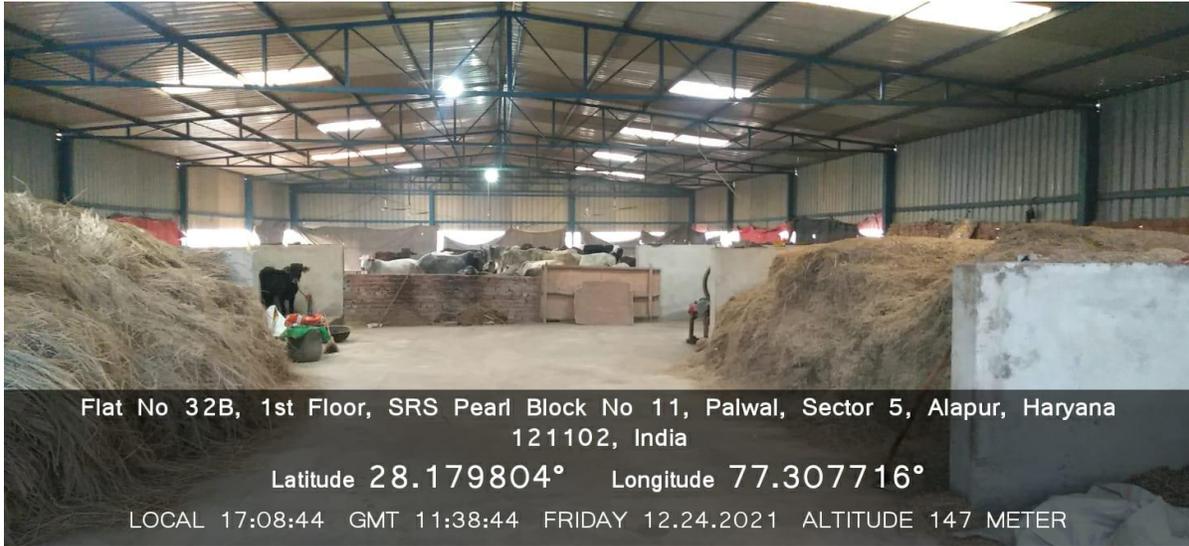
Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



Photograph 7



Photograph 8



Photograph 9



Photograph 10



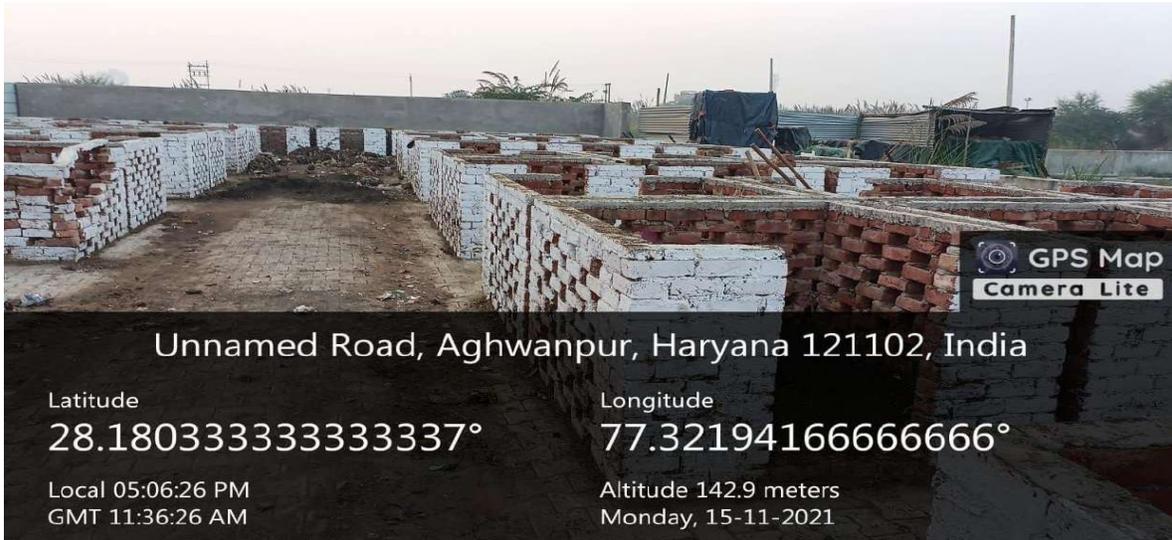
Photograph 11



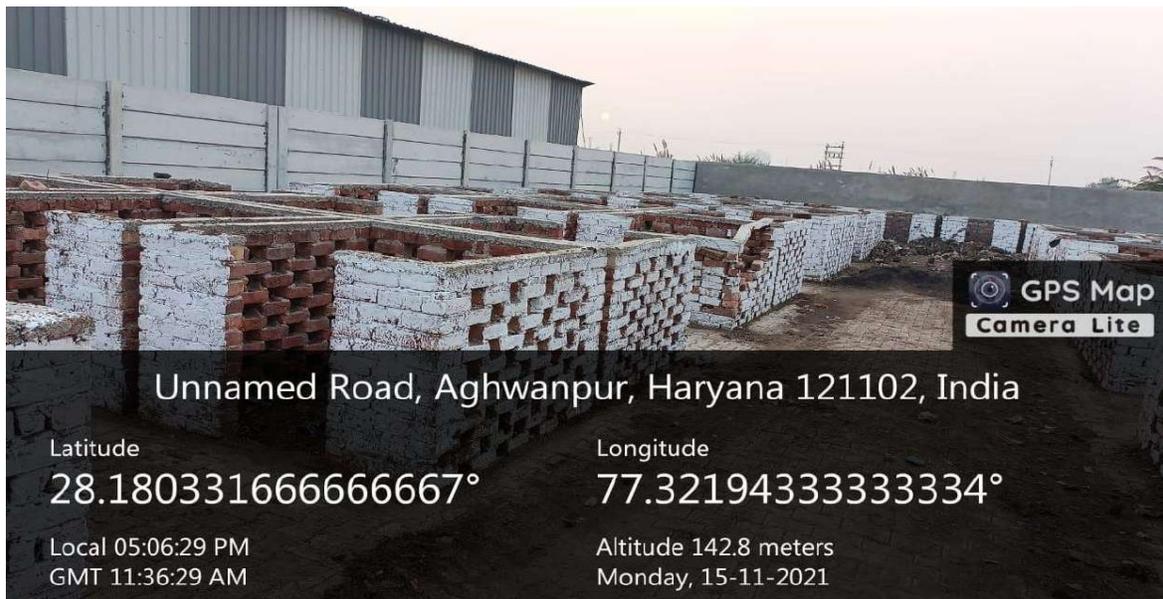
Photograph 12



Photograph 13



Photograph 14



Photograph 15



Photograph 16



Photograph 17



Photograph 18



Photograph 19



Photograph 20



Photograph 21



Photograph 22

