

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

**Original Application No. 33/2024**

**Ajay Lal Malik**

**Applicant**

**Versus**

**State of Haryana & Ors.**

**Respondent(s)**

**Factual Report on behalf of joint committee in the Matter of Ajay Lal Malik Vs State of Haryana & Ors.**

**1.0 Background**

Vide its Order dated 20.02.2024 in the matter of Ajay Lal Malik Vs State of Haryana & Ors. Hon'ble NGT issued the following Directions:

Mr. Ajay Lal Malik has sent by email the present letter petition to this Tribunal, which has been treated and registered as O.A. no. 33/2024.

The relevant part of the letter petition enumerating grievances of the applicant is reproduced as follows: -

"We wish to draw your urgent attention to total breakdown in government machinery and your waste aggregator agency who have been operating a Khatta/Waste segregation facility on the By-pass Road Sector - 21A.

This facility was allotted to a waste aggregator a couple of years back and it was sector 21A East side Residents' folly that we did not protest in the right earnest against allotment of this Dump yard in our Sector."



**Hon'ble NGT Directions in order dated 20.02.2024.**

In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and suggest appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of Haryana State Pollution Control Board, the Commissioner, Municipal Corporation, Faridabad and the District Magistrate, Faridabad and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and suggest appropriate remedial action. The State PCB will be the nodal agency for coordination and compliance.

**2.0 Factual Report**

That, a committee was constituted in compliance of Hon'ble NGT order dated 20.02.2024 i.e. Additional Commissioner Municipal Corporation (ACMC-I), representative of Commissioner Municipal Corporation, Faridabad and Sub Divisional Magistrate, Faridabad, representative of the Deputy Commissioner Faridabad and Regional Officer, HSPCB, Faridabad.

That, site inspection conducted by the Sub Divisional Magistrate Faridabad, Joint Commissioner concerned, Municipal Corporation, Faridabad, Medical Officer of Health, Municipal Corporation Faridabad and Executive Engineer concerned, Municipal Corporation, Faridabad with the Officer's Haryana State Pollution Control Board, Faridabad and complainant Sh. Ajay Lal Malik on dated 11-03-2024 to look into grievance of the applicant and verify the factual position of dump yard land, Sector- 21A, Faridabad and found that the dump yard land is particular Municipal Solid Waste transfer station located at bypass



road, Sector- 21A, Faridabad. Site inspection order is attached herewith **(Annexure-R/1)**.

That, a meeting of the joint committee comprising of Additional Commissioner, Municipal Corporation Faridabad, Sub Divisional Magistrate and representatives of Haryana State Pollution Control Board, Faridabad was held on dated 13-03-2024 at 3:30 PM under the chairpersonship of Commissioner, Municipal Corporation Faridabad in her office.

During meeting all issues were discussed and corresponding corrective measures required to be taken were finalized and minutes of meeting of joint committee constituted by Hon'ble NGT in the matter of NGT s OA No. 33/2024 held on 13-03-2024 under the chairpersonship of commissioner, MCF, Faridabad. Vide letter. No. MCF/PS/2024/110 dated 18.03.2024 are attached herewith. **(Annexures-R/2)**.

That, an inspection has been conducted by Regional Officer and Field Officer of Haryana State Pollution Control Board, Faridabad on dated 02-04-2024 to verify the compliance status of the transfer station, sector- 21A, Faridabad and found that Municipal Solid Waste was dumped inside the boundary of transfer station sector- 21, Faridabad. No Municipal Solid Waste was found outside of transfer station. Regular Staff was deployed by the Municipal Corporation Faridabad and Road cleaning work in the surrounding areas has been partially completed and road sweeping/cleaning is being done by Municipal Corporation Faridabad on regular basis to maintain cleanliness. As per the proceeding of the meeting held under the chair of Commissioner, Municipal Corporation Faridabad, the action on point no. 1, 2, 4, 6 are required to be undertaken by the concerned as

decided in the meeting.

Sr No	Issue flagged during the site visit	Decision/Way forward finalized by joint committee	Ownership	Action Taken
1.	Issue of stray cattle within and outside Sec 21A transfer station due to lack of proper fencing & gate	As decided by the joint committee, M/s Ecogreen was directed to undertake repairing of the boundary wall and gate at the site so that stray cattle do not enter the transfer station and other unauthorized waste pickers/collectors Are restrained from dump waste at the site. Further, it was decided that if Ecogreen does not undertake the repair works within 7 days, EE(SBM), MCF shall initiate the said repair works at risk and cost of M/s Ecogreen to avert the situation of public health hazard	Sh. Anant Suthoo, Project Head, M/s Ecogreen	M/s Eco Green has not pay heed to the repair work for front boundary wall and installation of proper gateway to the transfer station.  Now MCF is getting the work started on its own level through special sanction and the work will be got completed within 10 days and information will be sent to M/s Eco Green that the expenditure of this work will be done at their risk and cost.
2.	Deterioration of surrounding environment due to dumping of waste outside the Transfer station on roadsides.	As decided by the joint committee, M/s Ecogreen was directed for development of greenbelt outside the said transfer station so that the deterioration of surrounding sites/areas can be avoided.	Sh. Anant Suthoo, Project Head, M/s Ecogreen	The green belt will be developed after construction of boundary wall as mentioned in point no.1 above.
4.	Lack of proper street lightening	As decided by the joint committee, EE, Division was asked to ensure that the streetlights are installed and made functional at the said location at the earliest	EE-II	The site was inspected by the Division Executive Engineer & Junior Engineer, Electrical after which it was found that the

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*[Handwritten signature]*

*[Handwritten signature]*

				<p>street lights in front of the transfer station comes under the preview of the HSVP Deptt. In this context, a letter dated 15.03.2024 was written to HSVP to replace the malfunction street lights.</p> <p>A copy of letter is annexed as <b>Annexure R/3.</b></p>
6.	Water pipes were found on the roadsides	As decided by the joint committee, JC (NIT) was asked to ensure that the owner of pipes be asked to lift the pipes at the earliest, otherwise the same may be confiscated and fine imposed on owner.	JC (NIT)	<p>These pipes are kept for NHAI crossing (Mathura Road) by AMRUT Branch. NOC from NHAI has been applied and followed up and is expected to be received in next week. It is also submitted that these pipes are kept at the road side and not affected any right of way at all.</p>

Factual Report on behalf of the Joint Committee is submitted for consideration of the Hon'ble Tribunal.

  
**Additional Commissioner,  
 For Commissioner, Municipal  
 Corporation, Faridabad**

  
**Sub-Divisional Magistrate  
 For Deputy Commissioner  
 Faridabad**

  
**Regional Officer  
 Faridabad Region**



Municipal Corporation, Faridabad  
B.K. Chowk, P.O. Faridabad - 121001, Haryana, India  
Tel : 0129-2411549, 2411664, 2415549  
Fax : 0129-4035674



6

From

Additional Commissioner,  
Municipal Corporation,  
Faridabad.

To

1. Joint Commissioner (F),
2. Medical Officer of Health (MOH),
3. XEN, Old Faridabad.  
Municipal Corporation,  
Faridabad.

Memo No. MCF/ACMC-I/2024/40

Dated: 07-03-24

**Sub: Joint Site Visit of Sector 21A, Faridabad.**

In compliance of order dated 20.02.2024 passed by the Hon'ble NGT in the OA No. 33 of 2024 titled as Ajay Lal Malik Vs. State of Haryana & Ors, Commissioner, MCF has directed to the undersigned to organize joint site visit with SDM Concerned, Joint Commissioner concerned, MOH and XEN concerned and submit the report at the earliest.

In view of above you are directed to be present at site on 11.03.2024 at 10:00 AM

*[Handwritten Signature]*  
7.3.24

Additional Commissioner-I,  
Municipal Corporation,  
Faridabad

Endst No. MCF/ACMC-I/2024/41-42

Dated: 07-03-24

1. Sub Divisional Magistrate, Faridabad is requested to ensure their presence at site on the date & time referred above, please.
2. Regional Officer, HSPCB, Sector-16A, Oppo Hewo Apartment, Faridabad has requested to coordinate with the complainant sh. Ajay Lal Malik to present at site during the visit.

*[Handwritten Signature]*  
7.3.24

Additional Commissioner-I,  
Municipal Corporation,  
Faridabad



GPS Ma

Faridabad, Haryana, India

9, Badkhal Rd, Sector 21A, Faridabad, Haryana 121001, In

Lat 28.426687°

Long 77.30103°

11/03/24 10:59 AM GMT +05:30



## Municipal Corporation, Faridabad

B.K. Chowk N.I.T. Faridabad – 121001, Haryana-India  
Tel. : 0129-2411649, 2411664, 2415549



No. MCF/PS/2024/110

Dated: 12.03.24

### MINUTES OF THE MEETING OF JOINT COMMITTEE CONSTITUTED BY HON'BLE NGT IN THE MATTER OF NGT's OA NO. 33/2024 HELD ON 13-03-2024 UNDER THE CHAIRPERSONSHIP OF COMMISSIONER, MCF.

The following were present:

- i) Sh. Swapnil Patil, Additional Commissioner-I, MCF;
- ii) Sh. Jitender Garg, Joint Commissioner, NIT, MCF;
- iii) Ms. Shikha, Sub Divisional Magistrate Faridabad representing DC Faridabad
- iv) Ms. Dwiza, Joint Commissioner, MCF Faridabad
- v) Sh. Anil Mehta, Expert Engineering, MCF
- vi) Sh. Nitin Kadian, Executive Engineer (Div-II), MCF;
- vii) Sh. Nitish Parwaal, Medical Officer Health, MCF
- viii) Sh. Ombir Singh, AEE, HSPCB Faridabad representing RO HSPCB Faridabad
- ix) Sh. Pradeep Kumar, AEE, HSPCB Faridabad

At the outset, it was apprised that Hon'ble NGT vide its order dated 20.02.2024 passed in OA No. 33/2024 titled as "Ajay Lal Malik vs State of Haryana & Others" constituted Joint Committee comprising of representatives of HSPCB, the Commissioner, MCF and District Magistrate Faridabad to undertake visits to the disputed site, look into grievances of applicant, associate the applicant and representative of concerned project proponent, verify the factual position and suggest appropriate remedial action by 19.03.2024. Accordingly, on 12.03.2024, a joint visit of the site followed by detailed discussions were conducted by the senior officers of Municipal Corporation Faridabad, HSPCB, District Administration Faridabad along with Sh. Anant Suthoo, Representative of M/s Ecogreen, Sh. Ajay & other representatives of RWA Sec 21 A. During the meeting the following issues were discussed and corresponding corrective measures required to be taken were finalised as provided below:

Sr. No.	Issues flagged during site visit	Decision/ Way forward finalised by Joint Committee	Ownership
1.	Issue of stray cattle within and outside Sec 21A transfer station due to lack of proper fencing & gate	As decided by the joint committee, M/s Ecogreen was directed to undertake repairing of the boundary wall and gate at the site so that stray cattle do not enter the transfer station and other unauthorized waste pickers/collectors are restrained from dump waste at the site. Further, it was decided that if Ecogreen does not undertake the repair works within 7 days, EE(SBM), MCF shall initiate the said repair works at risk and cost of M/s Ecogreen to avert the situation of public health hazard.	Sh. Anant Suthoo, Project Head, M/s Ecogreen
2.	Deterioration of surrounding environment due to dumping of waste outside the Transfer station on roadsides.	As decided by the joint committee, M/s Ecogreen was directed for development of greenbelt outside the said transfer station so that the deterioration of surrounding sites/areas can be avoided.	Sh. Anant Suthoo, Project Head, M/s Ecogreen
3.	Lack of regular staff at Transfer station	As decided by the joint committee, MOH was asked to immediately depute staff at all transfer stations to keep a record of vehicles entering/leaving the transfer station. The said staff	MOH



		will also report if any issue of over accumulation of waste/mismanagement of TS by Ecogreen arises.	
4.	Lack of proper street lighting.	As decided by the joint committee, EE Div-II was asked to ensure that the streetlights are installed and made functional at the said location at the earliest.	EE-II
5.	During the visit, it was observed that waste such as cloth pieces, leather, etc. was also found on the site which should ideally be not mixed with MSW	As decided by the joint committee, AEE, HSPCB, Faridabad was instructed to inspect whether any industrial waste is being dumped at the site by nearby industrial units, if any. Also, penalise the industrial units if they are found to be violating SWM Rules or other norms.  Further, MOH was asked to issue notice to all vendors of Ecogreen to ensure that no waste other than segregated MSW (like plastic waste, industrial waste, etc.) is brought to the transfer station; else penalty must be imposed on vendors for not complying with SWM Rules, 2016	RO HSPCB Faridabad
6.	Water pipes were found on the roadsides	As decided by the joint committee, JC (NIT) was asked to ensure that the owner of pipes be asked to lift the pipes at the earliest, otherwise the same may be confiscated and fine be imposed on the owner.	JC (NIT)
7.	Sweeping of road	As decided by the joint committee, MOH was asked to monitor & ensure daily sweeping/cleaning of roads in the nearby areas so that proper sanitation can be maintained in the area.	MOH

At the end, all the members were asked to ensure that the tasks assigned to them, as above, must be completed till 19.03.2024 so that reply may be submitted in Hon'ble NGT and preventive measures be taken to avoid accumulation of waste in future. M/s Ecogreen was also directed to ensure timely lifting of waste from transfer stations which acts as the most prominent cause of over accumulation of waste around transfer station causing deterioration of surroundings. Further, it was explicitly stated that M/s Ecogreen is solely responsible for (mis)management of transfer stations within the jurisdiction of MC Faridabad and in case, any action/penalty is imposed by HSPCB or NGT, the same shall be borne by M/s Ecogreen.

  
Additional Commissioner,  
for Commissioner,  
Municipal Corporation  
Faridabad

  
Sub-Divisional Officer(C),  
for Deputy Commissioner,  
Faridabad

  
Assistant Env. Engineer,  
for Regional Officer,  
HSPCB  
Faridabad

To:  
All concerned.



प्रेषक

कार्यकारी अभियंता-II  
नगर निगम फरीदाबाद।

प्रेषित

S.D.O.,  
HSVP Department,  
Faridabad.

Memo No.MCF/EE-II/2024/274

Dated:-15.03.2024

विषय :- सेक्टर-21-A रेलवे लाइन के साथ रोड पर बंद लाइटों को ठीक कराने बारे।

उपरोक्त विषय के संदर्भ में आपको बताया जाता है कि सेक्टर-21-A रेलवे लाइन के साथ रोड पर बिजली कि लाइटे बंद है। जिस बाबत स्थानीय NGO ने कोर्ट केस भी कर रखा है। उक्त एरिया के संदर्भ में संबंधित कनिष्ठ अभियांत-(इलेक्ट्रिकल) की रिपोर्ट के अनुसार उक्त एरिया HSVP विभाग के अधीन है और ये सभी लाइटे आपके विभाग द्वारा ही लगाई गई थी जिसका रखरखाव भी HSVP विभाग द्वारा किया जा रहा है।।

अतः उक्त के संदर्भ में आपको लिखा जाता है कि सेक्टर-21-A रेलवे लाइन के साथ रोड पर बंद लाइटों को जल्दी से जल्दी ठीक करवाये।

कार्यकारी अभियंता-II  
नगर निगम फरीदाबाद

प्रति :-

1. आयुक्त महोदया, नगर निगम फरीदाबाद को सूचनार्थ प्रेषित है।
2. मुख्य अभियंता, नगर निगम फरीदाबाद को सूचनार्थ प्रेषित है।
3. अधीक्षण अभियंता, नगर निगम फरीदाबाद को सूचनार्थ प्रेषित है।