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

**Original Application No. 439 of 2013**

BETWEEN

Chandran Pillai & Anr

...Applicant

AND

Union of India and others

...Respondent(s)

with

**Original Application No. 456 of 2013**

Between

Manushayavakasha Parishithithi  
Samarakshana Samithy

... Applicant

And

Union of India and Ors

...Respondent(s)

**PROGRESS REPORT FOR SUBMISSION BEFORE HON'BLE NGT  
BASED ON THE ORDER DATED 15.02.2021 IN O.A.No.439/2013  
AND O.A. No.456/2013 BY PRINCIPAL SECRETARY (URBAN)  
LOCAL SELF GOVERNMENT DEPARTMENT ON BEHALF OF CHIEF  
SECRETARY AND PRINCIPAL SECRETARY/ 2<sup>ND</sup> RESPONDENT  
ENVIRONMENT DEPARTMENT**

The Principal Secretary/ 2<sup>nd</sup> Respondent herein humbly submits as follows :-

1. It is submitted that Order dated 15.02.2021 in both O.As. No.439 & 456 of 2013 - SZ the Hon'ble National Green Tribunal, South Zone, Chennai has directed Chief Secretary, Principal Secretary, (Urban) Local self Government Department and Principal Secretary, Environment Department to file progress report on the action taken for the implementation of action plan under taken by the Kollam Municipal Corporation for the implementation of action plan Solid Waste management Rules 2016 and disposal of legacy waste which is being dumped in present dump yard at Kureepuzha. Accordingly

Chief Secretary has convened a meeting on 06.03.2021 to discuss the progress made in compliance with the order dated 15.02.2021 of Hon'ble NGT in O.A. No.439 & 456 of 2013, regarding the solid waste management issues in Kollam Municipal Corporation. The Chairman and Member Secretary, Kerala State Pollution Control Board, Principal Secretary (Urban), Director of Urban Affairs Managing Director, Kerala State Industrial Development Corporation, Mayor Kollam Municipal Corporation, District Collector, Kollam and Secretary Kollam Municipal Corporation were participated in the meeting.

2. It is submitted that the meeting has evaluated the situation of poor progress achieved by the Kollam Municipal Corporation in the solid waste management sector including the remediation of legacy waste dumps, even after the intervention of the Hon'ble National Green Tribunal and State level Monitoring Committee. In the meeting Chief Secretary made clear that non compliance will not be allowed to continue and strict legal action including penal options will be undertaken against the non implementation of statutory responsibility. It is also made clear that the Secretary and the Council of Municipal Corporation will be held responsible for non compliance to the Solid Waste Management Rules. Meeting has directed Kollam Municipality Corporation to expedite its actions to remove legacy wastes immediately before the monsoon seasons sets in . In the meeting it is also decided to take urgent necessary action to facilitate necessary sanction from the Election Commission to proceed with activities like awarding of work for the implementation of waste management rules, due to the prevailing of Model Code of Conduct for the Kerala Legislative Assembly Election 2021.

3. It is submitted that the Kollam Municipal Corporation has floated tender for the disposal of legacy waste which is being dumped at Kureepuzha and selected M/s.Zonta infratech Pvt. Ltd. as the lowest bidder. After the selection process is over M/s. Zonta has requested to sanction 25% of the contract value as mobilization advance and that the amount of performance guarantee (5%) to be remitted may be deducted from each of Running Amount bill at 2.5% of contract value which are not in tune with the Kerala Public Works Department (PWD) manual and prevailing Government orders.

3. It is submitted that the status of removal of waste legacy management at Kureepuzha dump site as **Annexed - 1**. The Kollam Corporation submitted a proposal for obtaining clearance from the Election Commissioner for further action as the model code of the conduct is in force.

4. It is submitted that government has initiated immediate action to make decision at appropriate land and the proposal submitted for obtaining the clearance from the Election Commissioner for awarding work of disposal of legacy waste to successful bidder and approval for negotiated rate offered by the bidder for the work.

5. It is submitted that the before signing the agreement the counsel for Kollam Municipal Corporation has decided to access to quantity of legacy waste dump in Kureepuzha with Technical support of NIT, Calicut, the team from NIT Calicut, has conducted drown based survey on 02.03.2021 accessing the entire quantity of legacy of waste at Kureepuzha and the detailed report in this regard is awaiting.

6. Further it is submitted that the status of proposed integrated

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waste management with waste energy facility at Kureepuzha, Kollam as **annexed herewith**, the concession agreement for the project executed on 14.10.2020, the concessionary completed necessary field studies and submitted draft project report for the project.

7. It is submitted that the Concessionaire has informed that steps have been taken to submit application to concerned departments for the statutory approvals and clearances including CRZ clearance for the project, Based on the final DPR the concessionaire requires approvals and clearances from the eleven departments agencies including Environmental Impact Assessment (EIA) clearance from State Environment Impact Assessment Authority. The Concessionaire has identified an agency to carry out the EIA study for EIA clearance. The Concessionaire has also received Letter of intent from Indian Oil Corporation for the complete off take of the bio gas being produced in the plant. The construction work of the project will commence on receipt of the statutory approvals and clearances from concerned departments.

It is therefore prayed that this Hon'ble Tribunal consider the report on record and pass such further or other orders may deem fit and thus render justice.

Dated at Chennai on this the 22<sup>nd</sup> day of June 2021

  
(E. K. KUMARESAN)  
Counsel for Respondent 2&5  
Standing Counsel for  
State Government of Kerala  
NGT (SZ) Chennai Bench.

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Progress Report for submission before Hon'ble NGT based on the order dated 15.02.2021 in OA No. 439/2013 -SZ and OA No. 456/2013 -SZ by Principal Secretary(Urban), Local Self Government Department on behalf of Chief Secretary and Principal Secretary, Environment Department.

As per order dated 15.02.2021 in OA No. 439/2013 -SZ and OA No. 456/2013 -SZ, the Honourable National Green Tribunal South Zone, Chennai has directed Chief Secretary, Principal Secretary (Urban), Local self Government Department and Principal Secretary, Environment Department to file progress report on the action taken for the implementation of action plan under taken by the Kollam Municipal Corporation for the implementation of Solid Waste management Rules 2016 and disposal of legacy waste which is being dumped in present dump yard at Kureepuzha. Accordingly Chief Secretary has convened a meeting on 06.03.2021 to discuss the progress made in compliance with the order dated 15.02.2021 of Honble NGT in OA No.439 of 2013 and OA No. 456 of 2013, regarding the solid waste management issues in Kollam Municipal Corporation. The Chairman and Member Secretary, Kerala State Pollution Control Board, Principal Secretary(Urban), Director of Urban Affairs, Managing Director, Kerala State Industrial Development Corporation, Mayor Kollam Municipal Corporation, District Collector Kollam and Secretary, Kollam Municipal Corporation were participated in the meeting.

The meeting has evaluated the situation of poor progress achieved by the Kollam Municipal Corporation in the solid waste management sector, including the remediation of legacy waste dumps, even after the intervention of the Honble National Green Tribunal and State level Monitoring Committee. In the meeting Chief Secretary made clear that non compliance will not be allowed to continue and strict legal action including penalty options will be undertaken against the non-implementation of statutory responsibility. It is also made clear that Secretary and the Council of Municipal Corporation will be held responsible for non compliance to the Solid waste Management Rules. Meeting has directed Kollam Municipal Corporation to expedite its actions to remove legacy wastes immediately before the monsoon season sets in. In the meeting it is also decided to take urgent necessary action to facilitate necessary sanction from the Election Commission to proceed with activities like awarding of work for the implementation of waste management rules, due to the prevailing of Model Code of Conduct for the Kerala Legislative Assembly election 2021.

**Status of removal of legacy waste at Kureepuzha dump site**

Kollam Municipal Corporation has floated tender for the disposal of legacy waste which is being dumped at Kureepuzha and selected M/s Zonta

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infratech Pvt. Ltd. as the lowest bidder. After the selection process is over M/s. Zonta has requested to sanction 25% of the contract value as mobilization advance and that the amount of performance guarantee (5%) to be remitted may be deducted from each of Running Amount bill at 2.5% of contract value which are not in tune with the Kerala Public Works Department (PWD) manual and prevailing Government orders. Kollam Municipal Corporation, sought for the approval from the government on the matter. Since it is not possible to enter into an agreement deviating from the tender conditions, Government have directed Kollam Municipal Corporation to execute an agreement with the Zonta Infratech Pvt Ltd in accordance with the tender condition and to receive performance security as insisted by the PWD manual (5% of rate quoted). Accordingly Kollam Corporation has asked M/s Zonta infratech to sign the contract agreement based on the tender conditions and to follow the PWD manual for security deposit. M/s Zonta infratech reverted their unwillingness to sign the contract adhering to tender conditions. Kollam Corporation was directed to take necessary steps to re-tender the work for removal of legacy waste adhering to Central Vigilance Commission (CVC) guidelines and PWD manuals. Accordingly Kollam Municipal Corporation has re tendered the work and identified Zigma Global Enviro Solutions Pvt Ltd. as the agency for the removal of legacy waste from Kureepuzha dump site. Meanwhile, team from NIT Calicut has conducted the drone-based survey for assessing the entire quantity of legacy waste at Kureepuzha. Kollam Municipal Corporation has prepared a tender document in consultation with Suchitwa Mission and plotted tender for Bio-mining of the Legacy waste at Kureepuzha, Kollam. 20/01/2021 was the tender opening date. During pre-bid meeting, taking into consideration the requests received from the participating bidders, tender submission date was extended up to 25.01.2021. On 27/01/2021, technical bid was opened; three bidders were participated. i.e., Zigma Global Environ Solutions Pvt Ltd., SIDCO, Socio Economic Unit Foundation. Based on the evaluation and report of the technical committee it was found that only one bidder was technically qualified. As per the PWD manual, if only one bid is found eligible after technical evaluation then it is considered as a single bid; so it has to be re-tendered. Corporation has re-tendered the work On 11/02/2021. The Technical bid was opened on 25/02/2021; three bidders participated Viz, Zigma Global Environ Solutions Pvt Ltd, Geelhanjali Environ Solutions Pvt Ltd and Socio-Economic Unit Foundation. The technical Evaluation committee held on 01.03.2021 has evaluated the documents and the bidders had done a presentation before the committee members regarding their methodology. Based on the technical committee evaluation only one bidder found technically qualified for the next stage. Financial bid of qualified bidder ie. Zigma Global Enviro solutions Pvt Ltd was opened on 04/03/2021.

As the rate quoted by the lowest bidder for the Bio-mining process

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was higher than the scheduled rate; Kollam Corporation has conducted negotiation with the successful bidder. Despite the negotiation, as the negotiated rate is higher than the scheduled rate, based on the decision of Council meeting held on 22.03.2021. Kollam corporation has submitted a proposal to Government for the approval of final negotiated rate of work offered by Zigma Global Enviro Solutions Pvt Ltd. Kollam Corporation has also submitted a proposal for obtaining clearance from the Election Commission for further action as the Model Code of Conduct is in force. Government have initiated immediate action to make decision at appropriate level on the proposal submitted for obtaining the clearance from the Election Commission for awarding work of disposal of legacy waste to successful bidder and the approval for negotiated rate offered by the bidder for the work.

Before signing the agreement for the work of disposal of legacy waste. Council of Kollam Municipal Corporation has decided to assess the actual quantity of Legacy Waste dumped in Kureepuzha with the technical support of NIT Calicut. A team from NIT Calicut has conducted the drone-based survey on 02/03/2021 for assessing the entire quantity of legacy waste at Kureepuzha. Detailed report in this regard is awaiting

#### Status of proposed Integrated Waste Management Project with Waste to Energy Facility at Kureepuzha Kollam

Kerala State Industrial Development Corporation (KSIDC), the nodal agency for the implementation of Waste to Energy Project in the State, has floated Request for Project (RFP) for the development of Integrated Solid Waste Management project with a Waste to Energy (WTE) facility of minimum 200 TPD Processing capacity on Design, Build, Finance, Operate and Transfer (DBFOT) basis at Kureepuzha in Kollam district earlier in February 2019 and no bids received in the first tender process.

The State Level Advisory Committee on Waste Management chaired by Chief secretary directed to re-tender the project and accordingly the second tender for the project floated in June 2019. Even after repeated extension of time for the submission of bids no bids received for the project in the second tender process also. Subsequently the third tender for the project was floated on 26th September 2019.

In the third tender process Consortium led by M/s Zonta Infratech Pvt Ltd based in Bangalore submitted bid for the project. Since the bid received was in the third tendering process, in accordance with the conditions stipulated in GO (P) no 324/2015/Fin dated 30/07/2015 the technical bid submitted by the

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Consortium was opened and the technical and financial evaluation was carried out. As per G.O(Rt)No.582/2020/LSGD dated 07/03/2020 Government have accorded sanction to the Tipping Fee of Rs. 3450 per tonne offered by the Bidder for the development of the Waste to Energy (WtE) project at Kureepuzha in Kollam district. In accordance with the tender conditions the Consortium incorporated a Special Purpose Vehicle (SPV) in the name of M/s Venad Waste Management Pvt Ltd for the development and operation of the project. Following are the participating LSGIs in the Cluster for Kollam WtE project

- a) Kollam Corporation
- b) Paravur Municipality
- c) Kottarakkara Municipality
- d) Karunagappally Municipality
- e) Punalur Municipality

Principal Secretary (Urban), Local Self Government Department convened a Stake Holders meeting on 30<sup>th</sup> June 2020 and representatives and officials from all participating LSGIs were present in the meeting. At the meeting representatives from the M/s Venad Waste Management Pvt Ltd, the Concessionaire for the project made a detailed presentation of the project being developed at Kureepuzha in Kollam district. Based on the meeting all participating LSGIs in the cluster obtained respective council approval to participate in the project and also to the draft Concession Agreement to be executed for the project.

The Concession Agreement for the project executed on 14<sup>th</sup> October 2020. The Concessionaire completed necessary field studies and submitted the draft Detailed Project Report (DPR) for the project. The Technical Committee for evaluating the DPR for Waste to Energy projects evaluated the DPR on 12<sup>th</sup> November 2020 and sought a few clarifications on various aspects detailed in the DPR. The Committee also suggested a few modifications in the draft DPR. The Concessionaire incorporated the modifications suggested by the Committee and submitted the final report to KSIDC. The technical committee met again on 30<sup>th</sup> November 2020 and reviewed the final DPR submitted by the Concessionaire. The Committee after detailed deliberations resolved to approve the DPR subject to the incorporation of a few more observations of the Committee. The Concessionaire has incorporated all the modifications and submitted the Final DPR to the Government through KSIDC, for obtaining financial assistance for the project from the Central Government

The Concessionaire has informed that steps have been taken to submit application to concerned departments for the statutory approvals and clearances including CRZ clearance for the project. Based on the final DPR the Concessionaire requires approvals and clearances from eleven departments/

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agencies including Environmental Impact Assessment (EIA) clearance from State Environment Impact Assessment Authority. The Concessionaire has identified an agency to carry out the EIA study for EIA clearance. The Concessionaire has also received Letter of Intent from Indian Oil Corporation for the complete offtake of the bio gas being produced in the plant. The construction work of the project will commence on receipt of the statutory approvals and clearances from concerned departments.



RISHWANATH SINHA, IAS  
Principal Secretary  
Taxes & Local Self Government  
Urban Department  
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NGT (SZ) Chennai Bench.