

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

Original Application No. 33/2024

IN THE MATTER OF:

Ajay Lal Malik

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

Reply on behalf of Respondent No. 2 through Regional Officer,
Haryana State Pollution Control Board, Faridabad in OA no. 33 of
2024 matter of Ajay Lal Malik vs State of Haryana & Ors.

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Dated:09.09.2024

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**REPLY ON BEHALF OF RESPONDENT No.2 THROUGH
REGIONAL OFFICER, HARYANA STATE POLLUTION
CONTROL BOARD, FARIDABAD.**

Most Respectfully Showeth:

1. That above subjected Original Application has been registered on the basis of an email demanding of the area around Bypass road sector 21A and shifting Khattā to some place.
2. That this Hon'ble Tribunal vide order dated 20.02.2024, constituted as Joint Committee comprising of representative of HSPCB, the Commissioner-MCF and the District Magistrate-Faridabad to undertake visits to the site, look into the grievance of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and suggest appropriate remedial action.
3. That in compliance of order dated 20.02.2024, a report of the Joint Committee has been filed suggesting remedial


measures. The report was considered by this Hon'ble Tribunal during course of hearing on 09.04.2024 and site in question was seen through VC hearing as mentioned in the order dated 09.04.2024.

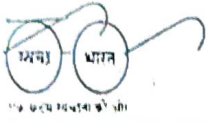
4. That in view of the remedial measures suggested in the report of joint committee, MCF vide letter dated 06.09.2024 received on 09.09.2024 has submitted the steps taken by it. Copy of letter dated 06.09.2024 is enclosed herewith as **ANNEXURE-R/1**.
5. That the transfer station site is not between the habitation area. It is at the location separated by road and open space with covered with trees. The work to be executed as mentioned in letter dated 06.09.2024 should be executed at the earliest.

Present reply may kindly be taken on record.

Date 09.09.2024

Place: Faridabad


Regional Officer,
Haryana State Pollution
Control Board, Faridabad

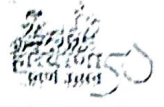


FARIDABAD

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Annexure-R/1

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11/06/2024

To

The Regional Officer
Haryana Pollution Control Board
Sector-16A, Faridabad

Memo No.MCF/EE(SBM &SWM)/2024/ 308

Dated:-06.09.2024

Sub:- OA No. 33 of 2024- Ajay Malik Vs. State of Haryana & Ors.(Status Report)

The reply in the aforesaid matter is tabulated as under:-

Sr. No.	Issues Flagged during site visit	Decision/ Way Forward finalized by Joint Committee	Action Taken by MCF
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 works at risk and cost of M/s Ecogreen to avert the situation of Public Health Hazard.	In this matter, it is stated that now, MCF has to maintain these premises at our own level. The Scope of work was under the jurisdiction of M/s Ecogreen- the Concessionaire for ISMW Project of Faridabad-GGN Cluster. However, due to non-performance by the concessionaire, the gate and Boundary wall were repaired and were shown to Hon'ble Tribunal during hearing dated 09.04.2024 through video conference during hearing. Now, this wall has accidentally broken again. MCF has prepared the estimate. The work will be allotted after inviting the tenders and the same will be completed by 31.12.2024. The agreement with M/s Ecogreen has already been terminated by the

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11-03-2019 11:00 AM

			Government.
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.	Waste is being lifted regularly. Green belt outside the Transfer Station is being maintained by MCF. Photographs of the site annexed at Annexure-I.
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 will also report if any issue of over accumulation of waste/mismanagement of TS by Ecogreen arises.	The Sufficient staff has been deputed at the site and are maintaining the site properly. The Medical Officer of Health is monitoring the situation regularly.
4	Lack of Proper Street Lightning.	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.	The Street Lightning are maintained and are in working condition.
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, penalize the	The Industrial Waste is not being dumped at this transfer station. As stated in Point No. 1 the concession agreement has been terminated. Now, MCF is getting this work at its own



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		<p>industrial units if they are found to be violating SWM Rules or other norms.</p> <p>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.</p>	level.
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.	A Sewerage Project is in progress under AMRUT scheme. The Pipes are being utilized in the project the work was held up due to rains. However, the pipes are not obstructing the movement of vehicles.
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.	The Sweeping of road is being done regularly and being monitored by Medical Officer of Health.


Joint Commissioner-SBM,
Municipal Corporation,
Faridabad.