BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 909/2018

IN THE MATTER OF :

Confederation of Trans Hindan RWA's Ghaziabad ... Applicant

Versus

U.P. State Pollution control Board & Ors. ... Respondents

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Dated: 30.7.2021

(VISHWAJIT SINGH)
Advocate for the Respondent no.7
A-5, CEL Apartment Vasundhra Enclave,
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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 909/2018

IN THE MATTER OF :

Confederation of Trans Hindan RWA's Ghaziabad ... Applicant

Versus

U.P. State Pollution control Board & Ors. ... Respondents

COMPLIANCE AFFIDAVIT ON BEHALF OF THE GHAZIABAD NAGAR NIGAM

I, Deshraj, son of Chohal Singh, aged about 47 years, posted as Municipal Commissioner, Ghaziabad Nagar Nigam, Ghaziabad, U.P. presently at New Delhi do hereby solemnly affirm and state as under:

1. That the deponent is working as the Municipal Commissioner, Ghaziabad Nagar Nigam and is well conversant with the facts and circumstances of the case and hence, competent to swear this affidavit.

2. The issue involved in the present matter is with regard to non-compliance of the Solid Waste Management Rules 2016 in not collecting garbage from Indirapuram, Vasundhara and Vaishali which was being dumped at Shakti Khand, adversely affecting the air quality. This Hon'ble Tribunal, vide order dated 3.3.2020, issued certain directions which were to be complied by the Answering Respondent Ghaziabad Nagar Nigam and Ghaziabad Development Authority with a view to ensure clearance of legacy waste and compliance of Solid Waste Management Rules, 2016 apart from ensuring treatment of sewage. Accordingly, the Answering Respondent Ghaziabad Nagar Nigam and G.D.A. were duty bound to follow such directions issued by this Hon'ble Tribunal. A true and correct copy of the order dated

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3.3.2020 passed by this Hon'ble Tribunal is marked and annexed as **Annexure A-1** to this Affidavit.

3. That the aforesaid Original Application was again listed before this Hon'ble Tribunal on 2.9.2020 wherein a specific direction was issued. This Hon'ble Tribunal, after perusing the report dated 28.8.2020 filed by the District Magistrate, Ghaziabad as well as the report dated 27.8.2020 filed by Ghaziabad Nagar Nigam, was not very impressed and expressed its disapproval qua the attitude of the Statutory Authorities in dealing with such important and sensitive issue of garbage management which directly effects the environment and public health. Accordingly, the Statutory Authorities were directed by the aforesaid order dated 2.9.2020 to take meaningful steps expeditiously and to file a compliance report accordingly. This Hon'ble Tribunal also requested the Committee to look into the matter and give its independent report by e-mail. A true and correct copy of the order dated 2.9.2020 passed by this Hon'ble Tribunal is marked and annexed as **Annexure A-2** to this Affidavit.

4. That thereafter this Hon'ble Tribunal directed further meaningful action and also requested the Oversight Committee headed by Justice SVS Rathore to look into the matter and give an independent report. Pursuant to the aforesaid directions, the Oversight Committee filed its independent reports dated 15.1.2021 and 9.4.2021 before this Hon'ble Tribunal.

5. This Hon'ble Tribunal, vide its order dated 15.4.2021, referred to the last report of the Oversight Committee dated 9.4.2021 and took note of the recommendations made therein. A perusal of the said recommendations would show that the Ghaziabad Nagar Nigam was directed to ensure that the work of legacy waste clearance at Shakti

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Khand must positively be completed by June, 2021. Similarly, a further direction was issued to the effect that the work of legacy waste clearance at Pratap Vihar would also be completed on priority basis by the year end and no further extension was to be given for these works.

6. The Oversight Committee also recommended that the Ghaziabad Municipal Corporation, which was working on completing a number of Decentralised Waste Processing Plant must ensure that all these should be fully made operational in the next three months to obviate the necessity to fill the solid waste in land fill site. Similarly, Ghaziabad Municipal Corporation was also directed to ensure that the worked with regard to the issue of Bio Remediation / Phytoremediation pending for quite some time must be competed in all the 11 drains in the next three months. Accordingly, this Hon'ble Tribunal, on the basis of the aforesaid recommendations of the Oversight Committee dated 9.4.2021, directed the Ghaziabad Nagar Nigam vide order dated 15.4.2021 to take further action expeditiously for remediation of legacy waste, operationalying Decentralize Waste Processing Plant and Bio-remediation of 11 drains as recommended by the Oversight Committee. The Ghaziabad Nagar Nigam was also directed to give its progress report within next three months to the Oversight Committee. Other directions were also issued in the aforesaid order dated 15.4.2021. A true and correct of the order dated 15.4.2021 is marked and annexed as **annexure A-3** to this compliance affidavit.

7. That pursuant to the directions issued by this Hon'ble Tribunal on 15.4.21, a meeting of the Oversight Committee was held on 11.6.2021 wherein the Municipal Commissioner Ghaziabad was also

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present. In the aforesaid meeting, the directions issued by this Hon'ble Tribunal was taken into consideration by the Oversight Committee. In the aforesaid meeting Sri Utsav Sharma, RO U.P. PCB and Mahendra Singh Tanwar, Municipal Commissioner, Ghaziabad Nagar Nigam informed the Oversight Committee that M/s Geron Engineering Pvt. Ltd. had been working on the site and approximately 50% of the land area had been cleared till then. Since the earlier timeline for completing the work was June 2021, therefore, the service provider requested for two months extension for completing the work, since some amount of fresh waste was also been diverted to the current landfill site area due to which the work could not be completed.

8. The Ghaziabad Municipal Commissioner also informed the Oversight Committee that Ghaziabad Nagar Nigam had designed the concept of Decentralize Advanced Material Recovery Facility also called as Garbage Factory to handle the fresh waste generated in each zone separately. The Ghaziabad Nagar Nigam had also actively taken up the legacy waste processing at both legacy waste sites located at Indirapuram and Pratap Vihar. The Municipal Commissioner also gave other information with regard to the progress made and assured the Oversight Committee that within next 6 months 100% processing of the waste being generated will be done without any dump yard within these garbage factories. A true and correct coy of the minutes of the aforesaid meeting of the NGT Oversight Committee dated 11.6.21 along with Annexure 1 showing the progress made by Ghaziabad Nagar Nigam in cleaning the drains through their innovative solutions is marked and annexed as **Annexure A-4** to this Compliance Affidavit.

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9. It is humbly submitted that the Ghaziabad Nagar Nigam has left no stone unturned to comply with the directions of this Hon'ble Tribunal and shall take all necessary steps to comply with the orders passed by this Hon'ble Tribunal in true letter and spirit.

DEPONENT

VERIFICATION :

I, the deponent above named do hereby solemnly swear and verify that the contents of above mentioned paragraphs of this affidavit are true to my knowledge; and are based on the perusal of record and on legal advice which all I believe to be true and no part of it is false and nothing material has been concealed.

Verified at New Delhi on 29th day of July, 2021.

DEPONENT

IDENTIFIED

NOTARY K. BANDANA Delhi Regd. No.: 19718 Date of Expiry 26.02.2025 GOVT. OF INDIA

ATTESTED 29/7/2021

NOTARY PUBLIC, DELHI
GOVT. OF INDIA

6
Annexure A-1

Court No. 1

Item Nos. 01 & 02

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 909/2018
(M.A. No. 1590/2018, M.A. No. 1591/2018
& M.A. No. 245/2019)
WITH
Original Application No. 954/2018

(With reports dated 29.02.2020)

Confederation of Trans Hindan RWA's Ghaziabad — Applicant(s)

Versus

U. P. State Pollution Control Board & Ors. — Respondent(s)

WITH

Jang Singh — Applicant(s)

Versus

State of Uttar Pradesh — Respondent(s)

Date of hearing: 03.03.2020

CORAM: **HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON**
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER

In O.A. No. 909/2018

For Applicant(s): Mr. Sanjeev Bhatnagar, Advocate

For Respondent(s): Mr. Amit Tiwari, Advocate for State of UP
Mr. Saurabh Balwani, Advocate for CPCB
Mr. Gaurav Agarwal, Advocate for GDA
Mr. Vishwajit Singh and Ms. Vijaya Singh, Advocates for GNN
Mr. Daleep Dhyani, Advocate for UPPCB

In O.A. No. 954/2018

For Applicant(s): None

For Respondent(s): Mr. Manvi Dikshit Sharma, Advocate for GDA
Mr. Vishwajit Singh, Advocate for GNN
Mr. Dinesh Chandra, Municipal Commissioner, GNN

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ORDER

1. This order is being passed in continuation of order dated 21.08.2019 in *O.A. No. 909/2018* and order dated 13.11.2019 in *O.A. No. 954/2018*. The issue for consideration is non-compliance of the Solid Waste Management Rules, 2016, in not collecting garbage from Indirapuram, Vasundhara and Vaishali which is being dumped at *Shakti Khand*, adversely affecting the air quality. It is alleged that there was a huge fire in the garbage on 20.10.2017 by burning of the garbage at the dump. Waste is not being segregated. Non-degradable waste is not being recycled. The matter has been widely reported in the newspapers, as mentioned in the order of Tribunal dated 19.11.2018.

2. The Tribunal directed constitution of a joint Committee representing the District Magistrate, Ghaziabad, Ghaziabad Development Authority (GDA), Municipal Corporation Ghaziabad and the State Pollution Control Board (SPCB) to prepare an action plan and execute the same.

3. The matter was thereafter considered on 28.05.2019 in the light of the report furnished by the SPCB acknowledging that the garbage was unscientifically being dumped at Shakti Khand. The Tribunal held that the Municipal Corporation Ghaziabad was required to take remedial steps. Further direction issued was that fencing may be done around the dump and green belt may be set up so that cows do not enter and consume the garbage. Garbage was directed to be shifted to any appropriate site in a scientific manner.

4. The matter was thereafter considered on 21.08.2019 in the light of report filed by the State PCB as follows:

> *"4. A report was filed by the PCB observing and recommending as follows:*
>
> ***"Observations**: -*
>
> *The following were the observation during inspection of dumpsite at Shakti Khand-4, Indirapuram:*
>
> 1. *Mixed Municipal Solid Waste(MSW) is being dumped at 30,000 Sq. m. plot area which is part of land allocated for STP. The height of the dumpsite varies from 5 to 15 feet at different places.(Photo-1 of Annexure-1)*
> 2. *As per UPPCB report, MSW is being dumped at this site from last 2-3 years.*
> 3. *The aesthetics of the site has become displeasing and the presence of bad odor, rodents, pests etc. hinders the life of people living in adjoining areas.*
>
> ***Recommendations:***
>
> *Dumpsite at Shakti Khand-4, Indirapuram, Ghaziabad is not a scientific landfill. If dumping of MSW is continued, then generated leachate shall percolate to ground water and will lead to further contamination of ground water. As the dumpsite is located in a thickly populated area, further dumping of waste by Ghaziabad Development Authority (GOA) has to be stopped immediately so as to curtail any further damage to the environment and to avoid situation similar to dumpsites in Delhi and elsewhere in the country."*
>
> *5. During the course of hearing we have been informed that since the area has not been handed to the Municipal Corporation Ghaziabad, further steps are to be taken by the GDA.*
>
> *6. Since the garbage dumped is a hazard for the environment and the public health, the same must be scientifically remedied. In this regard, we may refer to the order of this Tribunal dated 17.07.2019, O.A. No. 519/2019, News item published in "The Times of India" Authored by Jasjeev Gandhiok & Paras Singh Titled "Below mountains of trash lie poison lakes", wherein directions have been given for scientific handling of all*

waste dumps in the country. In the light of the said order, following Committee is constituted to deal with the matter in Ghaziabad:

i.	*District Magistrate, Ghaziabad*	*Chairman*
ii.	*Vice-Chairman, GDA*	*Member*
iii.	*Municipal Commissioner, Ghaziabad*	*Member*
iv.	*Representative from State PCB*	*Member*
v.	*Representative from CPCB*	*Member*

7. *The Committee may meet within a month and prepare an action plan in terms of order of this Tribunal dated 17.07.2019 and ensure clearance of the dumps within a reasonable time and furnish a progress report before the next date by e-mail at judicial-ngt@gov.in."*

5. Accordingly, a report has been filed on 29.02.2020 by the UPPCB annexing action taken report by the District Magistrate, Ghaziabad on behalf of the joint Committee as follows:

***"Short Term Action plan** :*

1. *For restriction of entry of animals, boundary wall and entry gate has been construct on the backside of the open land. Boundary wall has already been constructed on 02 sides and on remaining 01 side STP is already in existence.*

2. *Dumps of Municipal waste has been levelled through JCBs and propane machines and covering of boundaries by GI sheets is under progress.*

3. *For continuous check and prohibition on incidences of burning of municipal waste, Ghaziabad Development Authority has deputed supervisor for 24 hours in 03 shifts. Further, submersible pump has also been installed for immediate control on burning of municipal waste incidences.*

4. *GDA has arranged 35 acres of land for setting up solid waste management plant (Waste to Energy) in village Galand, District Hapur. Ghaziabad Development Authority had proposed to construct double lane approach road of around 2.0 KM for the proposed solid waste management plant, construction of 01 lane has been completed.*

Long Term Action Plan:

1. *Nagar Nigam has proposed to sift and scientifically dispose the municipal waste which is dumped at the Indirapuram site once the waste to energy plant is developed at village Galand, Hapur.*

2. *Out of 35 acres of land acquired at village Galand, 29.9230 acres of land has been handed over to Nagar Nigam*

Ghaziabad and the remaining land is proposed to be handed over to Nagar Nigam within 02 months.

3. *Ghaziabad Development Authority has also proposed to bear all the expenses for disposal of the waste which is presently dumped at the site in question through Nagar Nigam, Ghaziabad.*

4. *Indirapuram Residential colony has not been handed over to Nagar Nigam at present. Shifting of the waste dumping site at Indirapuram is proposed to be shifted once the area is handed over to Nagar Nigam.*

Further is has been informed that as per Ghaziabad master plan- 2021, installation of STP/WTP/Solid waste disposal has been reserved on the site in question due to which STP has been constructed on one part and solid waste has been collected on the remaining part of the site. The details of the plan submitted by Ghaziabad Development Authority is annexed as annexure 2."

6. Similar statements are made in the affidavit filed on behalf of the Municipal Corporation, Ghaziabad in *O.A. No. 954/2018* inter-alia stating as follows:

"12. That it is respectfully submitted that the handing over of the Indirapuram area is not being completed due to the deficiencies and incomplete infrastructural work such as sewage system, water supply and other works, on the part of the Ghaziabad Development Authority in the said area, as it comes under their jurisdiction. A meeting was convened by the committee formed by the Ghaziabad Nagar Nigam on 04.09.2019. In the said meeting the aforesaid issues were taken up by the Ghaziabad Nagar Nigam and it was decided by the Ghaziabad Nagar Nigam that before handing over of the said area, the said deficiencies and infrastructure work shall be dealt with by the Ghaziabad development Authority. That it is respectfully submitted that the Joint Inspection took place on 10.12.2019, concerned Engineers were present from Ghaziabad Development Authority and Ghaziabad Nagar Nigam. The area between village Kanavani to the drain situated at NH 24. In the said Joint Inspection some deficiencies were found, which needs to be removed by the Ghaziabad Development Authority before handing over the said area to Ghaziabad Nagar Nigam. It is further submitted that handing over process will be initiated once all the aforementioned

incomplete work are completed by the G.D.A., once it is done the same would be put before the Board of Ghaziabad Nagar Nigam and only after getting the approval from the Board the process of handing over would be completed. A true and correct copy of the Departmental Report related to the said Joint Inspection 16.12.2019 is marked and annexed as ***Annexure A-5*** *to this affidavit."*

7. During the hearing, reference has been made to a joint inspection report mentioning action to be taken by the GDA as follows:

"Departmental Report related to joint inspection, in which seven points which were to be complied by GDA were listed as follows:

1.1) Most of drain is made of brick-work, which is damaged.
1.2) On the spot, there is no provision of water supply of village Kanawani.
1.3) Different Apartments located between Kanawani village and NH-24 have encroached upon the drain and covered the same.
1.4) At present, the drain water is flowing approx. 30-50 cm above the road level and in rainy season the water over-flows above the drain resulting in water logging on road due to which there is every possibility of the road getting damaged.
1.5) Most of the drains in residential/market areas of Indirapuram are affected by encroachment and lying choked.
1.6) Officer of Ghaziabad Development authority, who were present during inspection, have not informed on which F.A.R. the design of the drains in question are based on.
1.7) The Indirapuram Scheme is being monitored in a phased manner. At present, the work of Swachh Sarvekshan-2020 is in progress."

8. From the interaction, it appears that there are several legacy waste sites. One of the sites is said to be on the area of 33,000 sq. mtr. and the height of the garbage dumped is said to be 10 – 15 feet. The quantum of garbage is said to be about 1.5 lakh tonne. The report quoted above mentions that GDA is willing to bear the responsibility for the cost involved which, may be approximately Rs. 4 crores for legacy waste dump site specified earlier. The

Commissioner, Ghaziabad Municipal Corporation who is present in person, submits that the Municipal Corporation will execute the work of clearing the said legacy waste dump sites out of the amount transferred by the GDA.

9. Damage to the environment on account of not clearing the legacy waste dump site and on account of not scientifically disposing of the waste is huge in terms of damage to the air quality, groundwater quality and soil, apart from public health and aesthetics as per expert study.

10. We may observe that non-compliance of rules relating to waste disposal results in damage to the environment and public health. Any failure needs to be visited with assessment and recovery of compensation for such damage from the persons responsible for such failure. A study was recently got conducted by CPCB, under orders of this Tribunal requiring such a study by a joint Committee comprising CPCB, NEERI and IIT, Delhi about the monetary cost of damage caused to the environment on account of existence of legacy waste dump site at Gurgaon (Bandhewadi) vide order dated 05.03.2019 in O.A. No. 514/2018. The report of the CPCB filed on 13.02.2020 is that damage on account of the said legacy waste dump site was Rs. 148.46 crore, on account of damage to the air quality, soil and water quality, climate change and disamenity (aesthetic). The damage has been assessed in terms of impact on health due to release of pollutants in air atmosphere, release of leachate into ground /surface water and soil, due to pollution from the landfill site, damage cost associated with climate change due to

carbon di-oxide and methane, damage caused due to aesthetics loss, price depreciation due to disamenity cost etc.

11. Thus, monetary cost of every legacy dump site is expected to be huge depending upon the location, quantity of waste and area covered. Needless to say that there is huge cost for non-compliance of other provisions relating to waste management – Solid as well as Liquid. Loss to the environment and public health is taking place not only on account of delay in clearing legacy waste but also for not complying with other provisions of the Rules resulting in huge gap in generation and processing of waste. It may be necessary to determine such cost for delay in clearing legacy waste at every dump site as well as for delay in complying with other rules and failure to treat sewage and recover the same from the persons responsible for action in the matter.

12. The damage, thus, is about Rs. 500 per metric tonne in five years (as in Gurgaon dump site quantum of waste was about 25 lac tonnes) which is far less than the cost involved in clearing the legacy waste site or processing the waste. There is clear deficit in governance in performing constitutional obligations, resulting in huge damage to the environment. Citizens are suffering in terms of health on account of such failure. Even if State is not to spend, least the State must do is to have the waste properly managed even at the cost of the citizens so that their health is protected. CSR funds are also available under Section 135 of the Companies Act, 2013. It is only a matter of governance and management. The procedures need to be curtailed and the work executed swiftly in

the interest of public health and environment and liability of officers fixed for delay, causing huge loss.

13. This Tribunal has already interacted with the Chief Secretary, UP recently on 10.01.2020 in O.A. No. 606/2018 and issued following directions in the light of earlier directions of the Hon'ble Supreme Court and this Tribunal and the constitutional and statutory provisions:

> *"36. We accordingly direct:*
>
> a. *In view of the fact that most of the statutory timelines have expired and directions of the Hon'ble Supreme Court and this Tribunal to comply with Solid Waste Management Rules, 2016 remain unexecuted, compensation scale is hereby laid down for continued failure after 31.03.2020. The compliance of the Rules requires taking of several steps mentioned in Rule 22 from Serial No. 1 to 10 (mentioned in para 12 above). Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body from 01.04.2020 till compliance. If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal.*
>
> b. *Legacy waste remediation was to 'commence' from 01.11.2019 in terms of order of this Tribunal dated 17.07.2019 in O.A. No. 519/2019 para 28[1] even though statutory timeline for 'completing' the said step is till 07.04.2021 (as per serial no. 11 in Rule 22), which*

[1] The Chief Secretaries may ensure allocation of funds for processing of legacy waste and its disposal and in their respective next reports, give the progress relating to management of all the legacy waste dumpsites. Remediation work on all other dumpsites may commence from 01.11.2019 and completed preferably within six months and in no case beyond one year. Substantial progress be made within six months. We are conscious that the SWM Rules provide for a maximum period of upto five years for the purpose, however there is no reason why the same should not happen earlier, in view of serious implications on the environment and public health.

direction remains unexecuted at most of the places. Continued failure of every Local Body on the subject of commencing the work of legacy waste sites remediation from 01.04.2020 till compliance will result in liability to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body. If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal.

c. *Further, with regard to thematic areas listed above in para 20, steps be ensured by the Chief Secretaries in terms of directions of this Tribunal especially w.r.t. plastic waste, bio-medical waste, construction and demolition waste which are linked with solid waste treatment and disposal. Action may also be ensured by the Chief Secretaries of the States/UTs with respect to remaining thematic areas viz. hazardous waste, e-waste, polluted industrial clusters, reuse of treated water, performance of CETPs/ETPs, groundwater extraction, groundwater recharge, restoration of water bodies, noise pollution and illegal sand mining.*

d. *The compensation regime already laid down for failure of the Local Bodies and/or Department of Irrigation and Public Health/In-charge Department to take action for treatment of sewage in terms of observations in para 31 above will result in liability to pay compensation as already noted above.*

e. *Compensation in above terms may be deposited with the CPCB for being spent on restoration of environment which may be ensured by the Chief Secretaries' of the States/UTs.*

f. *An 'Environment Monitoring Cell' may be set up in the office of Chief Secretaries of all the States/UTs within one month from today, if not already done for coordination and compliance of above directions which will be the responsibility of the Chief Secretaries of the States/UTs.*

g. *Compliance reports in respect of significant environmental issues may be furnished in terms of order dated 07.01.2020 quarterly with a copy to CPCB."*

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14. Compensation for damage to public health and environment needs to be recovered from the officers who have failed in performing their duties and current responsibility must be discharged by the officers in position failing which they must be made accountable. Compensation in terms of order dated 10.01.2020 is liable to be paid by each local body and other State authorities. Standard Operating Procedure (SoP) for legacy waste clearance has already been laid down by the CPCB which is available on its website. Even in the State of UP several service providers have been hired and there is no justification for wasting time in separate DPRs where problems are identical. Available DPRs can be utilized. Rates can be standardised. All the legacy wastes have to be cleared and sewage treatment ensured to give effect to environmental laws including Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 and Constitutional provisions under Article 243(W) and 12th Schedule. The cost can be recovered as per applicable norms or laying down further norms on 'Polluter pays' principle. Right to breathe fresh air and access to water being right to life, non-availability of funds cannot be a defence for inaction. Enough power is available with the State to raise necessary funds for the purpose. Damage to the environment caused, calculated at the rate of the expert Committee report referred to above, in the last five years for one legacy site itself may be more than Rs. 8 crores. It may be necessary to fix liability in this regard.

15. In view of above, we direct the Municipal Corporation, Ghaziabad and GDA to ensure clearance of legacy waste and compliance of

Solid Waste Management Rules, 2016, apart from ensuring treatment of sewage. Pending long term action, interim steps by way of phyto/bio remediation for treatment of sewage must be taken and the drains must be remedied and cleaned. In short, our directions are:

i. Clearance of legacy waste dump site at Indirapuram must commence within one month from today which will be responsibility of the Commissioner, Municipal Corporation, Ghaziabad. GDA is at liberty to either take responsibility or transfer the cost to an ESCROW account. Tentative cost is assessed at Rs. 4 crore.

ii. All legacy waste dump sites may be identified within one month by the Committee already constituted namely District Magistrate, Ghaziabad, Vice-Chairman, GDA, Municipal Commissioner, Ghaziabad, Representative from State PCB and a representative from CPCB. On such identification, the legacy waste clearance may commence within one month thereafter.

iii. Sewage management and remediation of drains may start within one month atleast by way of phyto/bio remediation which will be the responsibility of the Municipal Commissioner, Ghaziabad. Any deficiency of funds may be made up in consultation with the Secretary, Urban Development, UP as well as Secretary, Housing and Urban Planning, UP.

NATIONAL GREEN TRIBUNAL, NEW DELHI

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iv. CPCB may recover the damage to the environment after making appropriate assessment.

16. A compliance report may be filed before the next date by e-mail at judicial-ngt@gov.in.

A copy of this order be sent by e-mail to the Chief Secretary, Uttar Pradesh, the Secretary, Urban Development, UP, the Secretary, Housing and Urban Planning, UP, CPCB, UPPCB, GDA, District Magistrate, Ghaziabad and Ghaziabad Municipal Corporation.

List for further consideration on 20.05.2020.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

Siddhanta Das, EM

March 03, 2020
Original Application No. 909/2018
DV

(True copy)

19

Annexure A-2

Court No. 1

Item Nos. 04

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(By Video Conferencing)

Original Application No. 909/2018
(M.A. Nos. 1590/2018, 1591/2018 & 245/2019)

Confederation of Trans Hindan RWA's Ghaziabad — Applicant(s)

Versus

U.P. State Pollution Control Board & Ors. — Respondent(s)

Date of hearing: 02.09.2020

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Respondent(s): Mr. Vishwajit Singh, Advocate for GNN
Mr. Saurabh Balwani, Advocate for CPCB
Mr. Daleep Dhyani, Advocate for UPPCB

ORDER

1. The issue for consideration is non-compliance of the Solid Waste Management Rules, 2016, in not collecting garbage from Indirapuram, Vasundhara and Vaishali which is being dumped at Shakti Khand, adversely affecting the air quality. It is alleged that there was a huge fire in the garbage on 20.10.2017 by burning of the garbage at the dump. Waste is not being segregated. Non-degradable waste is not being recycled. The matter has been widely reported in the newspapers, as mentioned in the order of Tribunal dated 19.11.2018.

2. The Tribunal directed constitution of a joint Committee representing the District Magistrate, Ghaziabad, Ghaziabad Development Authority (GDA), Municipal Corporation Ghaziabad and the State Pollution Control Board (SPCB) to prepare an action plan and execute the same.

3. The matter has been considered on several occasions in light of factual reports submitted to the Tribunal by the concerned statutory authorities and it has been found that there is no scientific management of garbage, resulting in damage to the environment and public health.

4. After considering the earlier proceedings and the factual aspects, vide order dated 03.03.2020, the Tribunal directed:

> *"15. In view of above, we direct the Municipal Corporation, Ghaziabad and GDA to ensure clearance of legacy waste and compliance of Solid Waste Management Rules, 2016, apart from ensuring treatment of sewage. Pending long term action, interim steps by way of phyto/bio remediation for treatment of sewage must be taken and the drains must be remedied and cleaned. In short, our directions are:*
>
> *i. Clearance of legacy waste dump site at Indirapuram must commence within one month from today which will be responsibility of the Commissioner, Municipal Corporation, Ghaziabad. GDA is at liberty to either take responsibility or transfer the cost to an ESCROW account. Tentative cost is assessed at Rs. 4 crore.*
>
> *ii. All legacy waste dump sites may be identified within one month by the Committee already constituted namely District Magistrate, Ghaziabad, Vice-Chairman, GDA, Municipal Commissioner, Ghaziabad, Representative from State PCB and a representative from CPCB. On such identification, the legacy waste clearance may commence within one month thereafter.*
>
> *iii. Sewage management and remediation of drains may start within one month atleast by way of phyto/bio remediation which will be the responsibility of the Municipal Commissioner, Ghaziabad. Any deficiency of funds may be made up in consultation with the Secretary, Urban Development, UP as well as Secretary, Housing and Urban Planning, UP.*

iv. CPCB may recover the damage to the environment after making appropriate assessment.

16. A compliance report may be filed before the next date by e-mail at judicial-ngt@gov.in."

5. Accordingly, a report has been filed on 28.08.2020 by the District Magistrate, Ghaziabad which does not show any meaningful progress. Report has also been filed by Ghaziabad Nagar Nigam on 27.08.2020 which merely refers to some paper work. The Tribunal records its disapproval at such attitude of the statutory authorities in dealing with such important and sensitive issue of garbage management, affecting the environment and public health which are basic needs of the citizens.

6. Status of compliance is reported as follows:

"

S.No.	Hon'ble Tribunal's Directions	Compliance Status
1	*Clearance of legacy waste dump Site at Indirapuram must commence within one month from today which will be responsibility of the Commissioner, Municipal Corporation, Ghaziabad. GOA is at liberty to either take responsibility or transfer the cost to an ESCROW account. Tentative cost is assessed at Rs. 4 Crore.*	*Process for clearing legacy waste from concerned site shall commence once the tender is awarded, Tender for technical bids has been opened on 10.07.2020. Technical assessment of two bids received has been held. Since the expenses are being borne by GDA, the technical bids received are being examined at their level as well. Vice Chairman, Ghaziabad Development Authority vide her letter dated 16.03.2020 has committed to transfer the amount of Rs. 4 crores in account of Ghaziabad Nagar Nigam, copy of said letter is annexed as Annexure II. Same has been reiterated in GDA's letter dated 10.07.2020 annexed as Annexure III.*
2	*All legacy waste dump sites may be identified within one month by the Committee already constituted namely District Magistrate, Ghaziabad, Vice-Chairman, GDA, Municipal*	*Besides, Shakti Khand IV site, another legacy waste site has been identified at Pratap Vihar, Ghaziabad. Estimated Municipal Solid Waste on said side is around 4 lakh MT. Presently no dumping is*

	Commissioner, Ghaziabad, Representative from State PCB and a representative from CPCB. On such identification, the legacy waste clearance may commence within one month thereafter	*being done on the said site. As per Municipal Corporation, Ghaziabad, the DPR for remediation on said site has been prepared and handed over to UP Housing & Development Board, the land- owning agency for said site. Site surveys are still being done to identify other legacy waste dump sites.*
3	*Sewage management and remediation of drains may start within one month at least by way of phyto/bio remediation which will be the responsibility of the Municipal Commissioner, Ghaziabad. Any deficiency of funds may be made up in consultation with the Secretary, Urban Development, UP as well as Secretary, Housing and Urban Planning, UP*	*Survey of drains has been done, 10 drains have been identified for treatment that outfall into River Hindon, namely:* *1. Karhera Drain* *2. Hindon Vihar drain* *3. Kaila Bhatta Drain* *4. Arthala Drain* *5. Sarvodaya Nagar Drain* *6. Rahul Vihar Drain* *7. Indrapuran Drain* *8. Dasna Drain* *9. Nandgram Petrol Pump Drain* *10. City Forest Main Gate Drain.* *In Phase - I, it is proposed to remediate 05 drains listed at S. No. DPR for same has been prepared and has been assessed by NEERI, Nagpur.* *NEERI has been appointed to assess the viability and suggest changes, if needed. Their team is proposed to carry out field survey on 22.7.2020 and 23.07.2020. Work with regards to phyto/bio remediation shall be carried out accordingly. Letter from Municipal Corporation, Ghaziabad is annexed as. Annexure IV.*
4	*CPCB may recover the damage to to the environment after making appropriate assessment.*	*CPCB's report with regard to said assessment not received*

"

7. Let meaningful steps be now taken by the statutory authorities expeditiously and compliance report filed by e-mail, failing which there will be no other option except to take action personally against the Senior

Officers on further failure. We also request the oversight Committee headed by Justice SVS Rathore, former Judge of Allahabad High Court to look into the matter and give its independent report in the matter by e-mail.

A copy of this order be forwarded to Justice SVS Rathore, former Judge, Allahabad High Court.

In view of above order, no separate order is necessary on M.A. Nos. 1590/2018, 1591/2018 & 245/2019 which will stand disposed of.

List again on 19.01.2021.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 02, 2020
Original Application No. 909/2018
(M.A. Nos. 1590/2018, 1591/2018 & 245/2019)
SN

(True Copy)

24
Annexure A-3

Item No. 03 (Court No. 1)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(By Video Conferencing)

Original Application No. 909/2018
(M.A. No. 1590/2018, M.A. No. 1591/2018
& M.A. No. 245/2019)

(with report dated 09.04.2021)

Confederation of Trans Hindan RWA's
Ghaziabad — Applicant

Versus

U. P. State Pollution Control Board & Ors. — Respondent(s)

Date of hearing: 15.04.2021

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Applicant:

Respondent(s): Mr. Amit Tiwari, Advocate for the State of UP
Mr. Saurabh Balwani, Advocate for CPCB
Mr. Pradeep Misra, Advocate & Mr. Daleep Dhyani, Advocate for UPPCB
Mr. Vishwajit Singh, Advocate for GNN

ORDER

1. The issue for consideration is non-compliance of the Solid Waste Management Rules, 2016, in not collecting garbage from Indirapuram, Vasundhara and Vaishali which is being dumped at Shakti Khand, adversely affecting the air quality. It is alleged that there was a huge fire in the garbage on 20.10.2017 by burning of the garbage at the dump. Waste is not being segregated. Non-degradable waste is not being recycled. The matter has been widely reported in the newspapers, as mentioned in the order of Tribunal dated 19.11.2018.

2. The Tribunal directed constitution of a joint Committee representing the District Magistrate, Ghaziabad, Ghaziabad Development Authority (GDA), Municipal Corporation Ghaziabad and the State Pollution Control Board (SPCB) to prepare an action plan and execute the same.

3. The matter has been considered on several occasions in light of factual reports submitted to the Tribunal by the concerned statutory authorities and it has been found that there is no scientific management of garbage, resulting in damage to the environment and public health.

4. After considering the earlier proceedings and the factual aspects, vide order dated 03.03.2020, the Tribunal directed:

> *"15. In view of above, we direct the Municipal Corporation, Ghaziabad and GDA to ensure clearance of legacy waste and compliance of Solid Waste Management Rules, 2016, apart from ensuring treatment of sewage. Pending long term action, interim steps by way of phyto/bio remediation for treatment of sewage must be taken and the drains must be remedied and cleaned. In short, our directions are:*
>
> *i. Clearance of legacy waste dump site at Indirapuram must commence within one month from today which will be responsibility of the Commissioner, Municipal Corporation, Ghaziabad. GDA is at liberty to either take responsibility or transfer the cost to an ESCROW account. Tentative cost is assessed at Rs. 4 crore.*
>
> *ii. All legacy waste dump sites may be identified within one month by the Committee already constituted namely District Magistrate, Ghaziabad, Vice-Chairman, GDA, Municipal Commissioner, Ghaziabad, Representative from State PCB and a representative from CPCB. On such identification, the legacy waste clearance may commence within one month thereafter.*
>
> *iii. Sewage management and remediation of drains may start within one month atleast by way of phyto/bio remediation which will be the responsibility of the Municipal Commissioner, Ghaziabad. Any deficiency of funds may be made up in consultation with the Secretary, Urban Development, UP as well as Secretary, Housing and Urban Planning, UP.*
>
> *iv. CPCB may recover the damage to the environment after making appropriate assessment.*

16. A compliance report may be filed before the next date by email at judicial-ngt@gov.in."

5. The matter was last considered on 02.09.2020 in the light of reports of the District Magistrate and the Ghaziabad Nagar Nigam **(GNN)** dated 28.08.2020 and 27.08.2020 respectively. The compliance status was noted as follows:

"

S. No.	Hon'ble Tribunal's Directions	Compliance Status
1	*Clearance of legacy waste dump Site at Indirapuram must commence within one month from today which will be responsibility of the Commissioner, Municipal Corporation, Ghaziabad. GOA is at liberty to either take responsibility or transfer the cost to an ESCROW account. Tentative cost is assessed at Rs. 4 Crore.*	*Process for clearing legacy waste from concerned site shall commence once the tender is awarded, Tender for technical bids has been opened on 10.07.2020. Technical assessment of two bids received has been held. Since the expenses are being borne by GDA, the technical bids received are being examined at their level as well. Vice Chairman, Ghaziabad Development Authority vide her letter dated 16.03.2020 has committed to transfer the amount of Rs. 4 crores in account of Ghaziabad Nagar Nigam, copy of said letter is annexed as Annexure II. Same has been reiterated in GDA's letter dated 10.07.2020 annexed as Annexure III.*
2	*All legacy waste dump sites may be identified within one month by the Committee already constituted namely District Magistrate, Ghaziabad, Vice- Chairman, GDA, Municipal Commissioner, Ghaziabad, Representative from State PCB and a representative from CPCB. On such identification, the legacy waste clearance may commence within one month thereafter*	*Besides, Shakti Khand IV site, another legacy waste site has been identified at Pratap Vihar, Ghaziabad. Estimated Municipal Solid Waste on said side is around 4 lakh MT. Presently no dumping is being done on the said site. As per Municipal Corporation, Ghaziabad, the DPR for remediation on said site has been prepared and handed over to UP Housing & Development Board, the land- owning agency for said site. Site surveys are still being done to identify other legacy waste dump sites.*

3.	*Sewage management and remediation of drains may start within one month at least by way of phyto/bio remediation which will be the responsibility of the Municipal Commissioner, Ghaziabad. Any deficiency of funds may be made up in consultation with the Secretary, Urban Development, UP as well as Secretary, Housing and Urban Planning, UP*	*Survey of drains has been done, 10 drains have been identified for treatment that outfall into River Hindon, namely:* *1. Karhera Drain* *2. Hindon Vihar drain* *3. Kaila Bhatta Drain* *4. Arthala Drain* *5. Sarvodaya Nagar Drain* *6. Rahul Vihar Drain* *7. Indrapuran Drain* *8. Dasna Drain* *9. Nandgram Petrol Pump Drain* *10. City Forest Main Gate Drain.* *In Phase - I, it is proposed to remediate 05 drains listed at S. No. DPR for same has been prepared and has been assessed by NEERI, Nagpur.* *NEERI has been appointed to assess the viability and suggest changes, if needed. Their team is proposed to carry out field survey on 22.7.2020 and 23.07.2020. Work with regards to phyto/bio remediation shall be carried out accordingly. Letter from Municipal Corporation, Ghaziabad is annexed as. Annexure IV.*
4	*CPCB may recover the damage to the environment after making appropriate assessment.*	*CPCB's report with regard to said assessment not received*

6. The Tribunal directed further meaningful action and also requested the Oversight Committee headed by Justice SVS Rathore, former Judge of Allahabad High Court to look into the matter and give an independent report. The direction of the Tribunal is reproduced below:

> *"7. **Let meaningful steps be now taken by the statutory authorities expeditiously and compliance report filed by e-mail, failing which there will be no other option except to take action personally against the Senior Officers on further failure**. We also request the oversight Committee headed by Justice SVS Rathore, former Judge of Allahabad High Court to look into the matter and give its independent report in the matter by email."*

7. Accordingly, GNN has filed its compliance affidavit dated 16.01.2021. The Oversight Committee has filed its independent reports dated 15.01.2021 and 09.04.2021. It will suffice to refer to the last report of the Oversight Committee dated 09.04.2021 wherein, after review of progress in the matter, following recommendations are made:

> ***"Recommendations:***
>
> *In view of the above we recommend as follows:*
>
> *I.* ***Already the work of legacy waste clearance at Shakti Khand has been delayed. The Municipal Corporation should ensure that it positively completes it by June 2021. Similarly, the work of legacy waste clearance at Pratap Vihar should be completed on priority by year end. No further extensions be given in these works***
>
> ***II. Already Ghaziabad Municipal Corporation is working on completing a number of decentralized waste processing plants. They should be fully made operational in the next three months to obviate the necessity to fill the solid waste in land fill sites.***
>
> ***III. The issue of bioremediation/phytoremediation has been pending for quite some time. Municipal Corporation should ensure that the work is complete in all the 11 drains in the next 3 months.***
>
> ***IV. The performance of one city one operator scheme be regularly monitored and it should be ensured that payments are linked with performance."***

8. In view of above, GNN may take further action expeditiously for remediation of legacy waste, operationalizing decentralized waste processing plant and remediation of 11 drains as recommended by the Oversight Committee. The GNN may give its progress report within next three months to the Oversight Committee.

9. Legacy waste site at Shakti Khand is spread in 30,000 sq.m. area having 1.5 tonnes of waste piled to the height of 5 to 15 feet. The works awarded are with stipulation of time schedule and correspond to waste bio- minned and area reclaimed. The report of GNN is not specific on this

aspect. Further, out of ten drains to be remediated, work of bio-remediation has commenced only for one Arthar drain. Results mentioned need to be checked by the State PCB. Ultimately, drains are to be intercepted and diverted to STPs. While noticing the delay in bio-mining at Shakti Khand site and no progress at Pratap Vihar and slow or no progress on other issues, a Joint Committee of CPCB and SPCB is constituted to give factual compliance report on bio-mining of legacy waste at different sites with adoption of SoP and Guidelines of CPCB and routing of recovered material to authorized agencies, adequacy of existing and proposed facilities mentioned for solid waste processing and diversion of drains to identified STPs. Report may also indicate performance of bio-remediation of one drain and progress with respect to remaining drains. The report may be filed by 31.07.2021 at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

10. Meanwhile, Oversight Committee is requested to review progress made by State government in resolving inter-departmental issues of UP Aawas Nigam and operation of STPs under one city one operator system. Performance of STPs at Indirapuram has been dealt in O.A. No. 648/2019, *M/s Hindon River Resorts Pvt. Ltd. & Anr. v. Ghaziabad Development Authority & Ors.* as follows:-

> *"1to6...xxx.....xxx.....xxx*
>
> *7. In view of the above, without commenting about the technology to be used, we direct that further remedial action be taken by the GNN, UP Jal Nigam and UP SIDC in coordination with each other and if necessary, the District Magistrate, Ghaziabad may facilitate inter-se coordination by holding joint meetings as and when necessary.*
>
> *8. Learned counsel for the State PCB states that the GNN has taken up only one drain as a pilot project for phyto-remediation which will result in neglecting other drains. Learned counsel for the*

GNN states that work will be taken up simultaneously for all the drains. Let this aspect be also addressed by the above joint Committee, in case of any difficulty."

List for further consideration on 17.08.2021.

A copy of this order be forwarded to Ghaziabad Nagar Nigam by e-mail for compliance.

A copy of this order be also forwarded to Justice SVS Rathore, former Judge, Allahabad High Court at Lucknow by e-mail.

Adarsh Kumar Goel, CP

Dr. Nagin Nanda, EM

April 15, 2021
Original Application No. 909/2018
(M.A. No. 1590/2018, M.A. No. 1591/2018
& M.A. No. 245/2019)
DV

(True copy)

31
Annexure A-4

Meeting No. 115

MINUTES OF MEETING OF NGT OVERSIGHT COMMITTEE, UP LUCKNOW HELD ON 11.06.2021 AT 11-00 A.M IN OA NO. 909 OF 2018 IN RE: CONFEDERATION OF TRANS HINDAN RWA'S GHAZIABAD VERSUS U.P. STATE POLLUTION CONTROL BOARD & ORS.

(ORGANISED THROUGH VIDEO-CONFERENCING)

***

Present: **Hon'ble Mr Justice SVS Rathore, Chairman, and**

Other Dignitaries present:

1. Shri Mahender Singh Tanvar, Municipal Commissioner, Ghaziabad
2. Shri Utsav Sharma, RO Ghaziabad

The meeting was held as scheduled.

The Hon'ble NGT has taken up the issue of non-compliance of the Solid Waste Management Rules, 2016, in collection of garbage from Indirapuram, Vasundhara and Vaishali which is being dumped at Shakti Khand, adversely affecting the air quality on several dates 19.11.2018, 28.05.2019, 21.08.2019 03.03.2020, 02.09.2020 and 15.04.2021. In this matter the Hon'ble Tribunal directed to constitute a joint committee constituting the District Magistrate, Ghaziabad, Ghaziabad Development Authority (GDA), Municipal Corporation Ghaziabad and the State Pollution Control Board (SPCB) to prepare an action plan and execute the same. As per the factual reports submitted by the concerned statutory authorities the Hon'ble Tribunal found that there is no scientific management of garbage, resulting in damage to the environment and public health. Hon'ble NGT in its order dated 15.04.2021 disposed of this Original application and directed Oversight Committee to review progress made by the State

government in resolving inter-departmental issues of UP Aawas Vikas Nigam and operation of STPs under one city one operator system. Other directions are as follows:

1. Already the work of legacy waste clearance at Shakti Khand has been delayed. The Municipal Corporation should ensure that it positively completes it by June 2021. Similarly, the work of legacy waste clearance at Pratap Vihar should be completed on priority basis by year end. No further extensions be given in these works
2. Already Ghaziabad Municipal Corporation is working on completing a number of decentralized waste processing plants. They should be fully made operational in the next three months to obviate the necessity to fill the solid waste in land fill sites.
3. The issue of bioremediation/phytoremediation has been pending for quite some time. Municipal Corporation should ensure that the work is complete in all the 11 drains in the next 3 months.
4. The performance of one city one operator scheme be regularly monitored and it should be ensured that payments are linked with performance."
5. "8. In view of above, GNN may take further action expeditiously for remediation of legacy waste, operationalizing decentralized waste processing plant and remediation of 11 drains as recommended by the Oversight Committee. The GNN may give its progress report within next three months to the Oversight Committee."
6. "9. Legacy waste site at Shakti Khand is spread in 30,000 sq.m area having 1.5 tonnes of waste piled to the height of 5 to 15 feet. The works awarded are with stipulation of time schedule and correspond to waste bio- mined and area reclaimed. The report of GNN is not specific on this aspect. Further, out of ten drains to be remediated, work of bio-remediation has commenced only for one Arthar drain. Results mentioned need to be checked by the State PCB. Ultimately, drains are to be intercepted and diverted to STPs. While noticing the delay in bio-mining at Shakti Khand site and no progress at Pratap Vihar and slow or no progress on other issues, a Joint Committee of CPCB and SPCB is constituted to give factual compliance report on bio-mining of legacy waste at different sites with adoption of SoP and Guidelines of CPCB and routing of recovered material to authorized agencies, adequacy of existing and proposed facilities mentioned for solid

waste processing and diversion of drains to identified STPs. Report may also indicate performance of bio-remediation of one drain and progress with respect to remaining drains. The report may be filed by 31.07.2021 at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

The Oversight Committee had taken up this case on 08.10.2020, 11.01.2021, 05.04.2021 and 11.06.2021. During the meeting held on 11.06.2021, Shri Utsav Sharma, RO UPPCB and Mahender Singh Tanvar, Municipal Commissioner had informed that M/S Geron Engineering Pvt Ltd had been working on the sites and approximately 50% of the land area had been cleared so far. The earlier timeline for completing the work was June 2021. However, some amount of fresh waste is also been diverted to the current landfill site area due to which the work has not been completed and the service provided had requested for 2 month extension for completing the work.

It was also informed that GNN had designed the concept of decentralized advanced Material Recovery Facility also called as Garbage Factory to handle the fresh waste generated in each zone separately. GNN has also actively taken up the legacy waste processing at both legacy waste sites located at Indirapuram and Pratap Vihar.

The current status of the garbage management ongoing actively at the following sites is as follows –

S No.	Location	MSW Type	Waste Qty / Capacity	Current Status
1	Indirapuram	Legacy Waste Processing	1 lac ton waste qty and plant capacity 500-600 TPD	Approx. 50% land cleared. Target clearance of balance 50% land before November 2021
2	Sihani Garbage Factory	Fresh MSW	150 TPD	Operational
3	Hindon Vihar Garbage Factory	Fresh MSW	300-350 TPD	Under Construction. Civil works completion expected by August 2021

4	Pratap Vihar	Legacy Waste Processing	4-5 lac ton	Legacy waste processing ongoing. Machineries to be increased during the rainy season. One Ballastic Separator and Three Trommel to be added to increase daily processing capacity to 1500-2000 TPD. Targeting completion by March 2022.

Apart from the above sites, GNN has planned to establish two more garbage factories, one at Indirapuram legacy waste site (after the land is cleared) with capacity of 500-700 TPD and another at Govindpuram with 100 TPD capacities. With all four garbage factories operational, the garbage of the entire city will be managed in a decentralized manner having daily handling capacity of 1000-1200 TPD. The Municipal Commissioner assured this committee that with in next 6 months 100% processing of the waste being generated will be done without any dump yard with in these Garbage factories.

Under the Jal Sansthan Department Bio-remediation section work of bio-remediation is in process for 10 drains. A detailed report of the progress being made by Ghaziabad Nagar Nigam in cleaning the drains through their innovative solutions is annexed as Annexure 1.

11-06-2021

X SVS Rathore

Justice SVS Rathore
Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

June 11, 2021

Annexures: As above

Please visit our website: ***oscngt.upsdc.gov.in*** for more information.

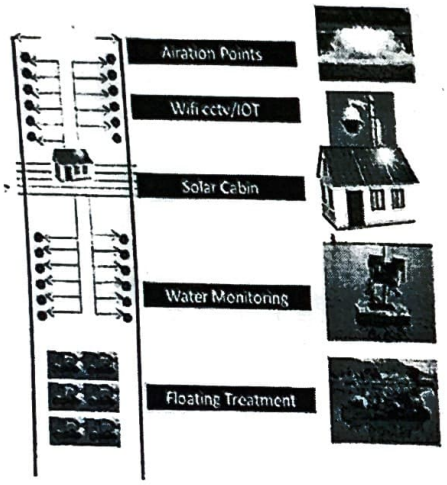
Innovative Approach

Integrated Solar Smart Floating Aeration/Barrier/Treatment Island System for Sahibabad Drain in Nagar Nigam Gaziabad

नगर निगम गाज़ियाबाद

Integrated Solar Smart Floating Aeration/Barrier/Treatment Island System for Drains

Components and technology used in (ISSFABTIS)



1- Power House :- Bamboo Hut with Solar Pannel

2-Air Pumps :- Energy Efficient Diaphragm/Magnetic Pump)
(80 Watt for 150 KLD Aeration capacity)

3-Floating Air Dozer:- (Using flexible closed cell foam (EPE) as Floating Material and Bamboo as Skelton and Oxitube/air stone as Air dozer)

4-24x7 Monitoring System:- 4 HD CCTV Camera with 15 Days Recording System with HD Live Streaming using Solar Energy/ Internet Connectivity (Fiber and Wifi)

5- Floating Treatment Island:- for root zone treatment & beautification of site using flexible closed cell foam + Plastic net+Cana/typha/ phragmitis wetland plants

6- Floating Barrier :- Using flexible closed cell foam +Net+ Bamboo Sticks floating Barriers to Stop and Collect floating material (bottles/poly bags/thermocol etc)

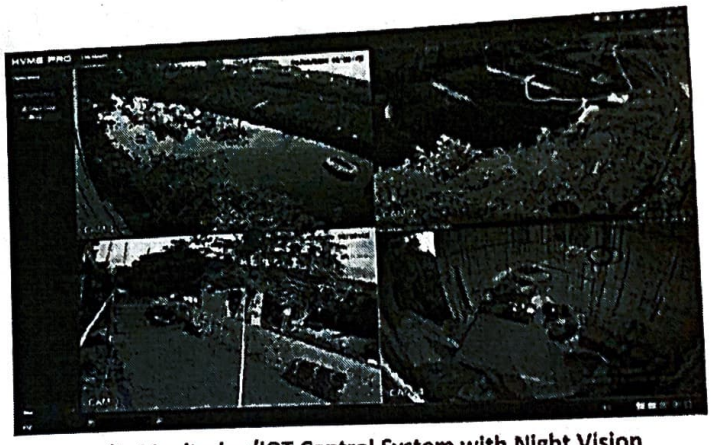
7- Smart IOT based Control System- 24x7 remotely controlling the whole system we are using latest cutting age cheap Alexa/google ready IOT technology based switches.

Integrated Solar Smart Floating Aeration/Barrier/Treatment Island System for Drains

Low Cost Floating Barrier on Sahibabad Drain

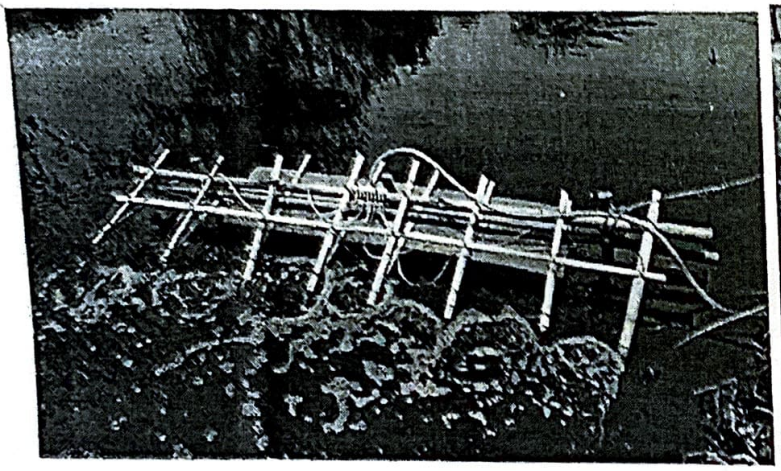
Integrated Solar Smart Floating Aeration/Barrier/Treatment Island System for Drains

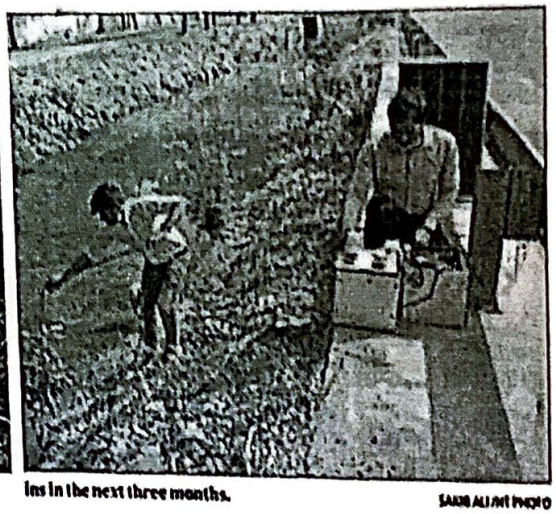
Floating Treatment Island



24x7 Vedio Monitoring/IOT Control System with Night Vision

ntegrated Solar Smart Floating Aeration/Barrier/Treatment Island System for Drains





ins in the next three months.

SAJID ALI/AT PHOTO

Solar Based floating aeration system (150 KLD each)

...ated Solar Smart Floating Aeration/Barrier/Treatment Island System for Drains

Sahibabad Drain (ISSFAGTIS) System site inspection by Honrable Mr Justice SVS Rathore President - Oversight Monitoring Committee NGT & Honrable Mr Mahendar Singh Tanwar, municipal commissioner - Gaziabad, Dated 13 June 2021

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Integrated Solar Smart Floating Aeration/Barrier/Treatment Island System for Drains

26 March 2021 News (Hindustan Times)

Civic body begins cleaning 11 drains

Peeyush Khandelwal

GHAZIABAD: The Ghaziabad municipal corporation has begun cleaning the water in 11 major untreated drains before it discharged into the Hindon river.

"In first phase, we are physically cleaning the drain at Pratap Vihar. We have built check dams at different locations that will help improve the dissolved oxygen (DO) levels by getting the water to mix with the air. We will also mechanically pump in 100 litres of oxygen per minute with the help of machines," said MS Tanwar, municipal commissioner.

The civic body has deployed several teams that will visit every section of the drains and remove debris in them.

Two check dams have been built at Pratap Vihar with more likely to come up based on requirement, and 10 pumps will inject air at each drain. The authority will also deploy algae into the drain water, which have the ability to convert carbon dioxide into oxygen but also is a major food source for aquatic life.

The city discharges almost 200 million litres a day (MLD) of sewage into the Hindon, which eventually joins the Yamuna.

The untreated water reduced the river's DO level to less than 2 milligram per litre (mg/l) of water and made aquatic life almost impossible. But the civic body hopes that its efforts will help the DO level rise to between 5 to 8mg/l.

The 11 drains identified under the project are the ones located at Arthala, City Forest, Dasna, Hindon Vihar, Karhera, Kaila Bhatta, Nandgram, Pratap Vihar, Kabul Vihar, Indirapuram and Brij Vihar besides their sub drains. The project will cover all drains in the next three months, officials said.

For the purpose of implementation and monitoring, the corporation has also formed an environment cell that includes officials and experts roped in specifically for the project. To filter water from entering the river, the drain outlets will also be covered with iron grilles.

"We have decided to use different methods which have been identified in consultation with experts and renowned institutes. We will introduce diatoms (a type of algae) that we will culture in our laboratories into the 11 drains. We will also introduce other micro-organisms collected from upper regions of the river. These will help increase DO levels," said Dr Umar Saifi, an environmental planner roped in by the corporation for the project.

But too much algae can be a problem as it would be a sign that water is rich in nutrients that plants take up and cover the waterbody, blocking its flow.

Floating island

In an effort to achieve the dual objective of removing pollutants and enhancing life, the drains will also have floating islands – natural or artificial surfaces that will have water-based plants.

According to Dr Umar, the roots of the plant will be underwater and take up the nutrients. This way it takes out excess nutrients. This will help reduce odour in drains and also act as habitat for aquatic life. We are also planning small ponds near drains that will get treated water," he said.

Experts said the processes taken up by the corporation will help in increasing the DO levels in the river. "The processes taken up for cleaning of drains will work up to a certain level but the water in drains should be devoid of any chemicals or pesticides. Otherwise, it will kill micro-organisms. The revival of Hindon is pending for long, and it needs collective efforts by all districts in western UP," said river activist Dr Chandrasekhar Singh, retired scientist from a state pollution board.

The project will cover all drains in the next three months.

SHEKHAR SHARMA

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Integrated Solar Smart Floating Aeration/Barrier/Treatment Island System for Drains

नगर निगम ने शुरू किया दूषित नालों का उपचार

[illegible] (एनजीटी) की सख्ती के बाद नगर निगम ने दूषित नालों के [illegible] शुरू कर दिया है। [illegible] नाले के कुछ स्थानों पर चिह्नित करना शुरू किया है। नगर आयुक्त की अध्यक्षता में कमेटी गठित की है। पहले चरण में इसमें नाले को दूषित करने वाली प्रताप विहार के नाले में तीन चिह्नित व नैनी न्यूट्रिपेट का चिह्नांकन कर उपचार शुरू किया गया।

एनजीटी की ओर से नगर निगम को चार सप्ताह में दूषित जल के उपचार न करने पर पांच लाख रुपये का जुर्माना लगाने की चेतावनी दी गई थी। सख्ती को देखते हुए नगर निगम ने [illegible] कमेटी का गठन किया। इसमें नगर आयुक्त मोनिका सिंह [illegible] के अलावा महाप्रबंधक जल योगेश कुमार श्रीवास्तव, नगर स्वास्थ्य अधिकारी

उपचारित [illegible] प्रताप विहार में जाते पानी का चिह्नांकन कर रहे नैनी मिशिका और नैनी न्यूट्रिपेट का [illegible] फोटो साभार निगम

डा. मिथिलेश, मुख्य अभियंता निर्माण मोहम्मद हुसैन व पर्यावरण वैज्ञानिक डा. सुमर हैदर को शामिल किया गया है। एनजीटी को दूषित करने वाले कर्दमा, [illegible] विहार, कैला भट्ठा, अर्थला, सर्वोदय नगर, प्रताप विहार, राहुल विहार, [illegible], [illegible], मंदाकिनी पेट्रोल पंप व सिटी फॉरेस्ट

नगर निगम अपनी ओर से तैयारी कर रहा है कि नाले के अंदर कोई भी औद्योगिक इकाई दूषित केमिकलयुक्त जल प्रवाह करेगा तो कोर्ट के खिलाफ कार्रवाई की जाएगी।

- [illegible], नगर आयुक्त

मुख्य हर नाला समेत कुल 10 नाले प्रमुख हैं। इन 10 नालों व हरनंदी प्रदूषण की जीआइएस व रिमोट सेंसिंग तकनीक से मैपिंग तैयार की है। इसके तहत 55 स्थानों को उपचार के लिए चिह्नित किया है। शुरुआत में प्रताप विहार के दूषित नाले के दूषित जल का मंगलवार को चिह्नांकन कर उपचार शुरू किया गया। निगम के महाप्रबंधक जल योगेश कुमार श्रीवास्तव ने बताया कि जीआइसी पौधे की जड़े पानी के नीचे होंगी और पोषक तत्वों को ग्रहण करेंगी। इस तरह यह अतिरिक्त पोषक तत्वों को बाहर निकालेगी। यह नालियों में गंध को कम करने में मदद करेगी और जलीय जीवन को बेहतर करने का काम करेगी। हम नालियों के पास छोटे तालाबों की भी योजना बना रहे हैं, जिनमें उपचारित पानी भी मिलेगा।

- डॉ. उमर सैफ

मैपिंग के बाद सभी नालों में चिह्नित स्थानों पर सूक्ष्म पौधे आयप्टन्स कल्चर डाला गया है। इनको शोध के लिए आवश्यक नैनो मिशिका व नैनो न्यूट्रिपेट का चिह्नांकन किया जा रहा है। ताकि नालों के अंदर सूक्ष्म पौधे आक्सीजन की मात्रा को बढ़ा सकें।

मछली पालन की योजना : नालों के दूषित जल को साफ करने के लिए आधुनिक तकनीक से सघन मछली पालन करने की योजना है।

VSiS
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