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BEFORE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

**REPORT ON BEHALF OF JOINT COMMITTEE IN COMPLIANCE WITH
HON'BLE NGT ORDERS IN THE MATTER OF DR. SANDEEP KUMAR
GUPTA VERSUS STATE OF HARYANA.**

1. Background:

Hon'ble National Green Tribunal vide its order dated 07.07.2023 has directed as follows:

" 2. before proceeding further, we deem it just and proper to call a report in the matter in issue in present Original Application, from a Joint Committee consisting of:

(i) Collector, Hisar

(ii) One representative from Haryana State PCB

The Committee is directed to visit the place and submit the factual and action taken report within four weeks. The State PCB will be the nodal agency for coordination and logistic support. The report may include status of solid waste management for Hisar which inter-alia to, include quantification in terms of waste generation, waste processed and remedial measures taken to bridge gap between waste generation and processing and legacy waste remediated

Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).

The report in the matter be filed by the Committee through E-filing portal at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List for further consideration on 06.09.2023.

2. Compliance of Hon'ble NGT Directions:

In compliance of Hon'ble NGT directions, site was inspected on 11.08.2023 and 12.08.2023 by the joint committee comprising following officers:

1. Sh. Niraj, IAS, ADC, Hisar (Representative of Collector, Hisar)

2. Dr. Sunil Sheoran, Scientist-C (Representative of HSPCB)

The inspection report dated 11th & 12th Aug, 2023 along with photographs is annexed as **Annexure R/1**.

3. Joint committee inspection findings:

Date of Inspection: 08.08.2023

Location: Solid waste dumping site in revenue estate of village Dandhor & solid waste management activities of Municipal Corporation, Hisar in Hisar city.

Findings:

The site of complaint i.e. Solid waste dumping site in revenue estate of village Dandhor & solid waste management activities of Municipal Corporation, Hisar in Hisar city was inspected on 11.08.2023 & 12.08.2023 by joint committee comprising of Sh. Niraj, IAS, ADC, Hisar representative of District Magistrate, Hisar & Dr. Sunil Sheoran, Scientist-C, HSPCB Hisar Region, representative of HSPCB w.r.t. Hon'ble NGT order dated 07.07.2023 passed in the Original Application No. 413/2023 in the matter of Dr. Sandeep Kumar Gupta Vs State of Haryana & Ors.

During inspection, following observations are made by above mentioned committee:

1. According to the information provided by Municipal Corporation Hisar vide their letter No. 2219/CSI dated 24.07.2023, 180 MT solid waste generated and collected per day from all 20 wards which includes 90 TPD wet waste (bio-degradable), 72 TPD dry waste (non bio-degradable), 0.080 TPD domestic hazardous waste and 17.92 TPD inert waste. ULB department has purchased 17 Acre, 1 Marla land for establishment of cluster level facility for solid waste processing at Hansi and tender for installation of waste processing plant is pending at their HQ level.
2. As per information provided by Municipal Corporation Hisar vide letter referred above, MC Hisar has engaged M/s Haryana Manpower Services, Hisar w.e.f. 01.12.2021 to 30.11.2022 for door to door

collection, segregation, transportation as well as processing of waste in ward Nos. 12 to 16 and in rest of the wards, the work was done by the Corporation itself. During the financial year 2023-2024, M/s Ding Manpower & Securities Services Pvt. Ltd. Sirsa was engaged w.e.f. 01.04.2023 for one year (upto 31.03.2024) for door to door collection, segregation, transportation as well as processing of the waste in ward No. 01 to 10. At present, agency has stopped the work i.e. 14.06.2023 due to following reasons:

- (i) The tender for door to door collection, segregation, transportation as well as processing of the waste is pending for administrative approval at the office of Director, Urban Local Bodies, Haryana, Panchkula.
 - (ii) No suitable land has been provided to M/s Ding Manpower & Securities Services Pvt. Ltd. Sirsa till date by the corporation for installation of machinery/ plant for processing of waste.
3. Municipal Corporation Hisar has intimated vide their letter referred above, total 44 auto tippers, 190 Tri-cycles, 40 Tractor Trolleys are provided for solid waste collection from Hisar City. Proper mechanism for solid waste collection not found and at the time of inspection, it is observed that mixed solid waste is dumped at many places in Hisar City. The tractor trolleys are found lifting mixed solid waste from satellite centers in the city.
 4. As per information provided by Municipal Corporation Hisar vide letter referred above, the solid waste collection schedule from households from 07:00 AM to 12:00 PM and from 02:00 PM to 05:00 PM on daily basis. But during inspection, in morning hours only un-segregated solid collection from households is found, from 02:00 PM to 05:00 PM no solid waste collection from household is reported.
 5. At the time of inspection, it is found that the segregation of wet (biodegradable), dry waste (non-biodegradable), and domestic hazardous waste is not made properly as per Solid Waste Management Rules, 2016 & transportation vehicle facility is also not

appropriate because vehicles are not having proper compartments for different type of solid wastes & either the vehicles number are not sufficient or they are not operating regularly on daily basis because un-segregated solid waste found dumped illegally at many palaces in the Hisar city at the time of inspection.

6. As per information provided by Municipal Corporation Hisar vide letter referred above, 1,30,000 MT legacy waste processing has been done and for assessment of remaining legacy waste work has been issued to IIT Roorkee. But at the site, it is observed that large quantity of legacy and fresh un-segregated solid waste is found dumped unscientifically. No proper record regarding disposal/ utilization of processed legacy waste is provided by Municipal Corporation, Hisar.
7. Municipal Corporation Hisar vide their letter dated 24.07.2023 has intimated that they are making IEC (Information, Education and Communication) activities through hoardings, banners, news papers, pamphlets, rallies of school children, NCC Cadets etc. They are also playing audio jingle songs on the door to door collection vehicles. Municipal Corporation Hisar vide letter referred above mentioned that they have made expenditure of only Rs. 5,00,000/- on IEC activities during last 02 years. But during inspection, no proper banners, hoardings etc. are reported reflecting Information, Education and Communication activities regarding solid waste management in Hisar City.
8. The information submitted by Municipal Corporation, Hisar, in Management Information System (MIS) is not proper regarding time period of contract, gap to achieve 100% door to door collection, quantity of dry waste etc.
9. Municipal Corporation, Hisar has not obtained CTE, CTO as per consent procedure policy dated 04.12.2020 & authorization under SWM Rules, 2016 as per Board policy No. 137643 dated 14.10.2022.

At the time of inspection, it is observed that Municipal Corporation, Hisar not complying with the Rule No. 15 of Solid Waste Management Rules, 2016 in which duties and responsibilities of local authorities have been mentioned.

HSPCB, Hisar Region has issued SCN vide letter dated 25.08.2023 for non compliances of Solid Waste Management Rules, 2016 for above said non compliances. Copy of letter dated 25.08.2023 is attached as **Annexure-R/2**.

Action taken by HSPCB:

The HSPCB has already levied Environment compensation of Rs. 39 lac on MC Hisar vide order No. 4259 dated 16.02.2023 (Rs. 34 Lacs) and 770 dated 28.06.2023 (Rs. 5 Lacs) for non compliances of Solid Waste Management Rules, 2016. Copy of orders dated 16.02.2023 and 28.06.2023 are attached as **Annexure-R/3**.

Recommendations:

The based on the aforesaid observations, committee made the following recommendations:

1. **Segregation and Transportation:** MC Hisar should ensure waste collection from door-to-door and transportation for further processing as per SWM Rules, 2016.
2. **Legacy Waste & Fresh Waste Processing and Infrastructure at site:** Given that the existing dumpsite is used for legacy waste processing, MC Hisar is advised to construct a boundary wall, create a green belt, establish a garland drain system, and set up a leachate collection and treatment system.

Ascertained quantum of Legacy waste and timeline for processing of waste be submitted by MC, Hisar.

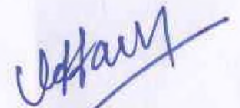
Proper Action Plan be submitted by MC, Hisar regarding processing & disposal of fresh waste as per SWM Rules, 2016.

3. **Development of Waste Processing & Scientific landfill facility:** MC Hisar should develop a suitable site for solid waste processing facility and landfill facility in compliance with relevant rules. An action plan outlining the timeline for establishment of proper facility should be submitted to the Haryana State Pollution Control Board (HSPCB) immediately.

4. **Awareness Activities:** MC Hisar needs to conduct intensive information, education, and communication activities. This can include installing permanent hoardings in prominent places within the city to promote source segregation of solid waste and captive management of biodegradable waste. Targeted awareness campaigns should also be conducted in primary schools, educational institutes, and households.
5. **Legacy Waste processed utilization Guidelines:** MC Hisar should process legacy waste according to CPCB guidelines. Compost that exceeds the prescribed limits of parameters mentioned in Schedule-II of the solid waste management rules should not be used for food crops, but can be utilized for other purposes i.e. horticulture, low lying area filling.



**Regional Officer
HSPCB, Hisar Region**



**Collector
Hisar**

Date: 04-09-2023

Place: Hisar

INSPECTION REPORT

The site of complaint i.e. Solid waste dumping site in revenue estate of village Dandhor & solid waste management activities of Municipal Corporation Hisar in Hisar city are inspected on 11.08.2023 & 12.08.2023 by joint committee comprising of Sh. Niraj, IAS, ADC, Hisar representative of District Magistrate, Hisar & Dr. Sunil Sheoran, Scientist-C, HSPCB Hisar Region, representative of HSPCB w.r.t. Hon'ble NGT order dated 07.07.2023 passed in the Original Application No. 413/2023 in the matter of Dr. Sandeep Kumar Gupta Vs State of Haryana & Ors.

During inspection, following observations are made:

1. According to the information provided by Municipal Corporation Hisar vide their letter No. 2219/CSI dated 24.07.2023, 180 MT solid waste generated and collected per day from all 20 wards which includes 90 TPD wet waste(bio-degradable), 72 TPD dry waste(non bio-degradable), 0.080 TPD domestic hazardous waste and 17.92 TPD inert waste. ULB department has purchased 17 Acre, 1 Marla land for establishment of cluster level facility for solid waste processing at Hansi and tender for installation of waste processing plant is pending at their HQ level.
2. As per information provided by Municipal Corporation Hisar vide letter referred above, MC Hisar has engaged M/s Haryana Manpower Services, Hisar w.e.f. 01.12.2021 to 30.11.2022 for door to door collection, segregation, transportation as well as processing of waste in ward Nos. 12 to 16 and in rest of the wards, the work was done by the Corporation itself. During the financial year 2023-24, M/s Ding Manpower & Securities Services Pvt. Ltd. Sirsa was engaged w.e.f. 01.04.2023 for one year (upto 31.03.2024) for door to door collection, segregation, transportation as well as processing of the waste in ward No. 01 to 10. At present, agency has stopped the work i.e. 14.06.2023 due to following reasons:
 - (i) The tender for door to door collection, segregation, transportation as well as processing of the waste is pending for

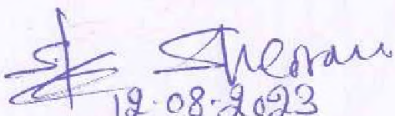
administrative approval at the office of Director, Urban Local Bodies, Haryana, Panchkula.

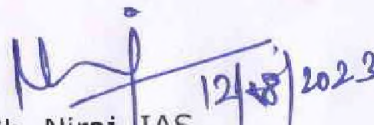
(ii) No suitable land has been provided to M/s Ding Manpower & Securities Services Pvt. Ltd. Sirsa till date by the corporation for installation of machinery/ plant for processing of waste.

3. Municipal Corporation Hisar has intimated vide their letter referred above, total 44 auto tippers, 190 Tri-cycles, 40 Tractor Trolleys are provided for solid waste collection from Hisar City. Proper mechanism for solid waste collection not found and at the time of inspection, it is observed that mixed solid waste is dumped at many places in Hisar City. The tractor trolleys are found lifting mixed solid waste from satellite centers in the city.
4. As per information provided by Municipal Corporation Hisar vide letter referred above, the solid waste collection schedule from households from 07:00 AM to 12:00 PM and from 02:00 PM to 05:00 PM on daily basis. But during inspection in morning hours only un-segregated solid collection from households is found, from 02:00 PM to 05:00 PM no solid waste collection from household is reported.
5. At the time of inspection, it is found that the segregation of wet (biodegradable), dry waste (non-biodegradable), and domestic hazardous waste is not made properly as per Solid Waste Management Rules, 2016 & transportation vehicle facility is also not appropriate because vehicles are not having proper compartments for different type of solid wastes & either the vehicles number are not sufficient or they are not operating regularly on daily basis .
6. As per information provided by Municipal Corporation Hisar vide letter referred above, 1,30,000 MT legacy waste processing has been done and for assessment of remaining legacy waste work has been issued to IIT Roorkee. But at the site, it is observed that large quantity of legacy and fresh un-segregated solid waste is found dumped unscientifically. No proper record regarding disposal/

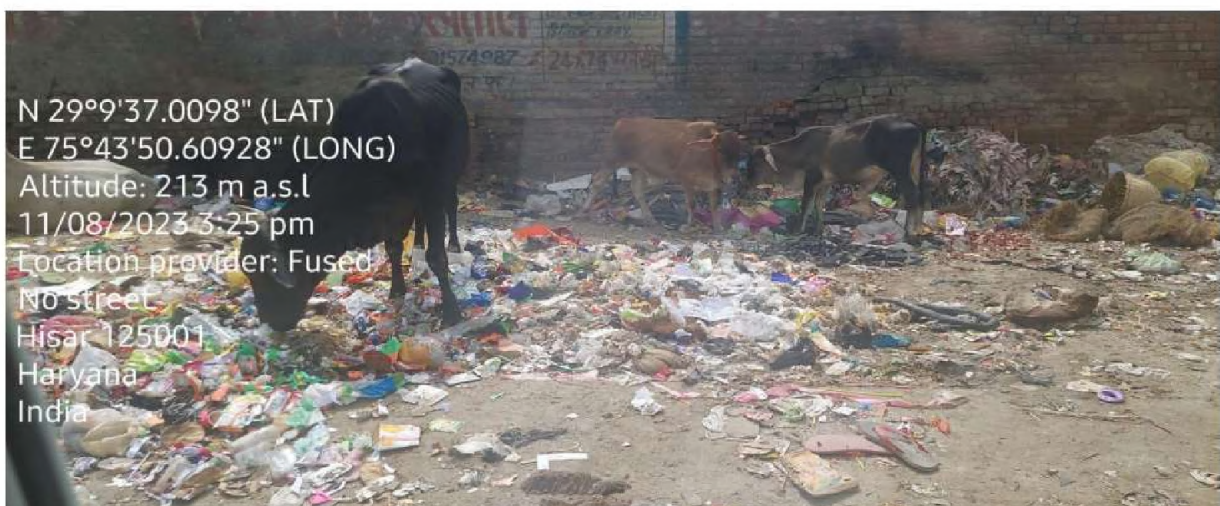
utilization of processed legacy waste is provided by Municipal Corporation, Hisar.

7. Municipal Corporation Hisar vide their letter dated 24.07.2023 has intimated that they are making IEC (Information, Education and Communication) activities through hoardings, banners, news papers, pamphlets, rallies of school children, NCC Cadets etc. They are also playing audio jingle songs on the door to door collection vehicles. Municipal Corporation Hisar vide letter referred above mentioned that they have made expenditure of only Rs. 5,00,000/- on IEC activities during last 02 years. But during inspection, no proper banners, hoardings etc. are reported reflecting Information, Education and Communication activities regarding solid waste management in Hisar City.
8. The information submitted by Municipal Corporation, Hisar, in Management Information System (MIS) is not proper regarding time period of contract, gap to achieve 100% door to door collection, gap to achieve 100% source segregation etc.
9. Municipal Corporation, Hisar has not obtained Environment Clearance under EIA notification, 2006 amended till date.
10. Municipal Corporation, Hisar has not obtained CTE, CTO as per consent procedure policy dated 04.12.2020 & authorization under SWM Rules, 2016 as per Board policy No. 137643 dated 14.10.2022.
11. At the time of inspection, it is observed that Municipal Corporation, Hisar not complying with the Rule No. 15 of Solid Waste Management Rules, 2016 in which duties and responsibilities of local authorities have been mentioned.


12.08.2023
Dr. Sunil Sheoran
Scientist-C
Representative of
HSPCB, Hisar


12/08/2023
Sh. Niraj, IAS,
ADC, Hisar
Representative of
District Magistrate, Hisar

Photographs of site inspection conducted on 11.08.2023 & 12.08.2023 w.r.t. Hon'ble NGT order dated 07.07.2023 passed in the Original Application No. 413/2023 in the matter of Dr. Sandeep Kumar Gupta Vs State of Haryana & Ors.









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Tele No. 01662-250890

Regional Office

Haryana State Pollution Control Board,

Regional Office: Bays No. B-7, 8, Urban Estate-II, Hisar -125005

Email-hspcbrohr@gmail.com



No. HSPCB/HR/2023/ 274

Dated: 25-8-23

To:

The Executive Engineer,
Municipal Corporation, Hisar.

Sub:

Show Cause Notice for legal action u/s 43, 44 & 48 of Water (Prevention & Control of pollution) Act 1974, legal action u/s 37, 38 & 41 of Air (Prevention & Control of Pollution) Act, 1981, legal action u/s 15 & 17 of EP Act, 1986 for non-compliance of solid waste management Rules, 2016 and SCN for liable to pay the environmental compensation for the damage to the environment.

Whereas the Solid waste dumping site in revenue estate of village Dandhor & solid waste management activities of Municipal Corporation Hisar in Hisar city are inspected on 11.08.2023 & 12.08.2023 by joint committee comprising of Sh. Niraj, IAS, ADC, Hisar representative of District Magistrate, Hisar & Dr. Sunil Sheoran, Scientist-C, HSPCB Hisar Region, representative of HSPCB w.r.t. Hon'ble NGT order dated 07.07.2023 passed in the Original Application No. 413/2023 in the matter of Dr. Sandeep Kumar Gupta Vs State of Haryana & Ors to verify the status of compliance of Solid Waste Management Rules 2016. During inspection violation of various provisions of Solid Waste Management Rules, 2016 were observed.

During inspection, Municipal Corporation Hisar was found violating various provisions of Solid Waste Management Rules, 2016 as given below:

1. Municipal Corporation Hisar has intimated vide their letter No. dated referred above, total 44 auto tippers, 190 Tri-cycles, 40 Tractor Trolleys are provided for solid waste collection from Hisar City. Proper mechanism for solid waste collection not found and at the time of inspection, it is observed that mixed solid waste is dumped at many places in Hisar City. The tractor trolleys are found lifting mixed solid waste from satellite centers in the city.
2. As per information provided by Municipal Corporation Hisar vide letter referred above, the solid waste collection schedule from households from 07:00 AM to 12:00 PM and from 02:00 PM to 05:00 PM on daily basis. But during inspection in morning hours only un-segregated solid collection from households is found, from 02:00 PM to 05:00 PM no solid waste collection from household is reported.
3. At the time of inspection, it is found that the segregation of wet (biodegradable), dry waste (non-biodegradable), and domestic hazardous waste is not made properly as per Solid Waste Management Rules, 2016 & transportation vehicle facility is also not appropriate because vehicles are not having proper compartments for different type of solid wastes & either the vehicles number are not sufficient or they are not operating regularly on daily basis.
4. As per information provided by Municipal Corporation Hisar vide letter referred above, 1,30,000 MT legacy waste processing has been done and for assessment of remaining legacy waste work has been issued to IIT Roorkee. But at the site, it is observed that large quantity of legacy and fresh un-segregated solid waste is found dumped unscientifically. No proper record regarding disposal/ utilization of processed legacy waste is provided by Municipal Corporation, Hisar.
5. Municipal Corporation Hisar vide their letter dated 24.07.2023 has intimated that they are making IEC (Information, Education and Communication) activities through hoardings, banners, news papers, pamphlets, rallies of school children, NCC Cadets etc. They are also playing audio jingle songs on the door to door collection vehicles. Municipal Corporation Hisar vide letter referred above mentioned that they have made expenditure of only Rs. 5,00,000/- on IEC activities during last 02 years. But during inspection, no proper banners, hoardings etc. are reported reflecting Information, Education and Communication activities regarding solid waste management in Hisar City.
6. The information submitted by Municipal Corporation, Hisar, in Management Information System (MIS) is not proper regarding the period of contract, gap to achieve 100% door to door collection, quantity of dry waste etc.

7. Municipal Corporation, Hisar has not obtained Environment Clearance under EIA notification, 2006 amended till date.
8. Municipal Corporation, Hisar has not obtained CTE, CTO as per consent procedure policy dated 04.12.2020 & authorization under SWM Rules, 2016 as per Board policy No. 137643 dated 14.10.2022.
9. At the time of inspection, it is observed that Municipal Corporation, Hisar not complying with the Rule No. 15 of Solid Waste Management Rules, 2016 in which duties and responsibilities of local authorities have been mentioned.

Whereas you are grossly violating the provisions of Water (Prevention & Control of Pollution) Act 1974 Air (Prevention & Control of Pollution) Act 1981 & EP Act, 1986. Whereas, directions were issued by Hon'ble NGT vide order dated 16.04.2022 in OA No. 612 dated 2019 titled as Vinod Kumar Bansal Vs State of Haryana relating to non compliance w.r.t Solid Waste Management Rules 2016 which is reproduced below:

"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.

Therefore you are liable to pay environment compensation in terms of the directions issued by Hon'ble NGT vide order dated 16.04.2022 in OA No. 612 dated 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Keeping in view of the above said violation, you are hereby directed to Show Cause within 15 days as to why legal action against your Municipal corporation for the Solid waste dumping site in revenue estate of village Dandhor & solid waste management activities of Municipal Corporation Hisar may not be initiated under Water Prevention & Control of Pollution) Act, 1974, under Air (Prevention & Control of Pollution) Act 1981 & EP Act, 1986.

In case you fail to comply with the deficiencies mentioned above within stipulated period it will be presumed that you have nothing to say in this regard and accept the status as mentioned above which will warrant legal action against your Municipal corporation & responsible officers under section 44 & 48 of Water (Prevention & Control of pollution) Act 1974, under section 37, 38 & 41 of Air (Prevention & Control of Pollution) Act 1981 and under section 15 & 17 of EP Act, 1986 without giving any further notice



SHAKTI SINGH Digitally signed by SHAKTI SINGH Date: 2023.08.23 11:23:30+05'30'

**Regional Officer
Hisar Region**

Dated: 25-8-23

Endst. No. HSPCB/HR/2023/1275

A Copy of above is forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for kind information.



SHAKTI SINGH Digitally signed by SHAKTI SINGH Date: 2023.08.23 11:23:30+05'30'

**Regional Officer
Hisar Region**

Dated: 25-8-23

Endst. No. HSPCB/HR/2023/1276

A Copy of above is forwarded to the District Municipal Commissioner, Hisar for information please.



SHAKTI SINGH Digitally signed by SHAKTI SINGH Date: 2023.08.24 12:55:44+05'30'

**Regional Officer
Hisar Region**

Tele No. 01662-250890

Regional Office
Haryana State Pollution Control Board,
 Regional Office: Bays No. B-7, 8, Urban Estate-II, Hisar -125005
 Email-hspcbrohr@gmail.com



No. HSPCB/HR/2023/ 4259

Dated: 16-02-2023

To

**The Executive Engineer,
 Municipal Corporation, Hisar.**

Sub:

Directions under the provisions of Solid Waste Management Rules, 2016 regarding non-compliance of NGT directions in the matter of OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana and regarding deposition of Environmental Compensation on Municipal Corporation Hisar for the said non-compliance.

Ref:

NGT order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana and E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG), HSPCB.

Whereas, the Hon'ble NGT vide order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana has directed the Urban Local Body/ Govt. of Haryana to pay environment compensation, if any of defaults in compliances of Solid Waste Management as per SWM Rules, 2016, and the amount is to be deposited with SPCB.

The relevant part of NGT order is reproduced below:-

"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".

Whereas, the Head Office, HSPCB vide E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG) HSPCB has directed to issue directions to the concerned authority and Head Of Departments of the respective department operating solid waste management site in view of order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana, to deposit the Environment Compensation with HSPCB under intimation to HSPCB, Hisar Region.

Whereas, the Municipal Corporation Hisar solid waste management site was visited by concerned Field Officer of HSPCB on 22.06.2022 in presence of representative of MC Hisar. During inspection the following deficiencies were observed:

1. Not complying w.r.t Rule No. 15 of Solid Waste Management Rules, 2016
2. Wet waste was found dumped on ground, which is a big source of contamination of ground water and foul smell in the area.
3. Not provided proper Green Belt along the boundary wall.

4. Solid waste containing lot of plastic waste is found thrown in open area within the legacy waste dump site, which is also source of nuisance in nearby area.

Whereas, the violations mentioned above clearly indicate non compliances of Solid Waste Rules 2016 operational deficiencies which have not been rectified till date of the order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Therefore, in compliance of Head Office directions and order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana, it is hereby directed to deposit Rupees 1,00,000 per month with SPCB with copy to HSPCB Hisar with 1 month from this order in compliance of NGT order dated 16.04.2021 (from 31.03.2020 onwards) i.e. Rs. 100000 X 34 = Rs. **34,00,000/-** for failure to adhere to the directions of honorable NGT as per the order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Submitted for information and further necessary action.

DA/ NGT order dated 16.04.2021 in OA No. 612/2019


and E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG), HSPCB.

 SHAKTI SINGH
Regional Officer
Hisar Region

Dated: 16-02-2023

Endst. No. HSPCB/HR/2023/ 4260

A copy of above is forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for kind information, please.

 SHAKTI SINGH
Regional Officer
Hisar Region

Dated: 16-02-2023

Endst. No. HSPCB/HR/2023/ 4261

A copy of above is forwarded to the SEE (PLG), Head office, HSPCB w.r.t. letter No. I/153365/2023 dated 15.02.2023 for kind information and further necessary action, please.

 SHAKTI SINGH
Regional Officer
Hisar Region

Tele No. 01662-250890

Regional Office

Haryana State Pollution Control Board,

Regional Office: Bays No. B-7, 8, Urban Estate-II, Hisar -125005

Email-hspcbrohr@gmail.com



No. HSPCB/HR/2023/ 770

Dated: 28.06.23

To

The Executive Engineer,
Municipal Corporation, Hisar.

Sub: Directions under the provisions of Solid Waste Management Rules, 2016 regarding non-compliance of NGT directions in the matter of OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana and regarding deposition of Environmental Compensation on Municipal Corporation Hisar for the said non-compliance.

Ref: NGT order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana and E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG), HSPCB.

Whereas, the Hon'ble NGT vide order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana has directed the Urban Local Body/ Govt. of Haryana to pay environment compensation, if any of defaults in compliances of Solid Waste Management as per SWM Rules, 2016, and the amount is to be deposited with SPCB.

The relevant part of NGT order is reproduced below:-

"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".

Whereas, the Head Office, HSPCB vide E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG) HSPCB has directed to issue directions to the concerned authority and Head Of Departments of the respective department operating solid waste management site in view of order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana, to deposit the Environment Compensation with HSPCB under intimation to HSPCB, Hisar Region.

Whereas, the Municipal Corporation Hisar solid waste management site was visited by concerned Field Officer of HSPCB on 22.06.2022 in presence of representative of MC Hisar. During inspection the following deficiencies were observed:

1. Not complying w.r.t Rule No. 15 of Solid Waste Management Rules, 2016
2. Wet waste was found dumped on ground, which is a big source of contamination of ground water and foul smell in the area.
3. Not provided proper Green Belt along the boundary wall.

4. Solid waste containing lot of plastic waste is found thrown in open area within the legacy waste dump site, which is also source of nuisance in nearby area.

Whereas, the violations mentioned above clearly indicate non compliances of Solid Waste Rules 2016 operational deficiencies which have not been rectified till date of the order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Therefore, in compliance of Head Office directions and order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana, it is hereby directed to deposit Rupees 1,00,000 per month with SPCB with copy to HSPCB Hisar with 1 month from this order in compliance of NGT order dated 16.04.2021 (from 01.02.2023 to 30.06.2023) i.e. Rs. 100000 X 5 = Rs. **5,00,000/- (Five Lakh only)** for failure to adhere to the directions of honorable NGT as per the order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Submitted for information and further necessary action.

DA/ NGT order dated 16.04.2021 in OA No. 612/2019


and E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG), HSPCB.

 SHAKTI SINGH
Regional Officer
Hisar Region

Endst. No. HSPCB/HR/2023/ 771 .

Dated: 28-06-23.

A copy of above is forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for kind information, please.

 SHAKTI SINGH
Regional Officer
Hisar Region

Endst. No. HSPCB/HR/2023/ 772 .

Dated: 28-06-23.

A copy of above is forwarded to the SEE (PLG), Head office, HSPCB w.r.t. letter No. I/I/153365/2023 dated 15.02.2023 for kind information and further necessary action, please.

 SHAKTI SINGH
Regional Officer
Hisar Region