

Regional Office, Gurugram (N)
Haryana State Pollution Control Board

Vikas Sadan, Opposite- New Court, Gurugram

Website: - www.hspcb.gov.in Tel: 0124-2332775, 2972341

Email ID: - hspcbrogrn@gmail.com

No. HSPCB/GRN/2023/612

Dated:- 28/8/23

To

The Registrar,
National Green Tribunal,
Faridkot House, Copernicus Road, New Delhi.
Email: judicial-ngt@gov.in

Subject - Action taken report in the matter of O.A. No. 473/2023 tilted as Lalit Gulati & Anr V/s Union of India & Ors. in compliance of National Green Tribunal order dated 28.07.2023.

R/Sir,

This is in the reference to above said mentioned matter. The Hon'ble Tribunal vide order dated 28.07.2023 in the matter of O.A. No. 473/2023 tilted as Lalit Gulati & Anr V/s Union of India & Ors. has directed as under:-

"...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. We direct the State PCB to ensure compliance of MSW Rules, 2016 by Municipal Corporation of Gurugram and to ensure that no garbage should be thrown in open area or on the road side. In case of violation, State PCB is duty bound to take action including calculation of environmental compensation and realization and punitive action against the violator of law..."

Keeping in view of above, status report prepared in compliance of order dated 28.07.2023 is enclosed herewith. It is requested to kindly accept the report and place before the Hon'ble Tribunal.

DA/As above

Yours Faithfully



1 gul
Regional Officer,
Gurugram Region (N)

For Haryana State Pollution Control Board

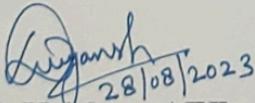
Action taken report in the matter of O.A. No. 473/2023 tilted as Lalit Gulati & Anr. V/s Union of India & Ors. in compliance of National Green Tribunal order dated 28.07.2023

The National Green Tribunal, New Delhi has passed order dated 28.07.2023 in the Original Application 473/2023 Titled as Lalit Gulati & Anr. V/s Union of India & Ors., relevant portion is reproduced as under:-

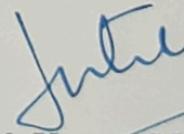
"...it is stated that this indiscriminate disposal of waste directly on the road has led to a multitude of detrimental consequences that pose a significant risk to public health, the environment, and the overall wellbeing of the community. The situation has reached such an alarming state that it has triggered widespread protests by the locals, who have taken to the streets with banners and slogans, demanding immediate action to address this growing menace. These protests have garnered the attention of news media, which have aptly referred to the road in question as a "mini landfill," highlighting the magnitude of the problem caused by the negligence of Eco Green Company.

The irresponsible actions of Eco Green Company have led to an environmental catastrophe, resulting in a catastrophic amalgamation of decaying garbage, sludge, and mud that has rendered the road impassable. This hazardous mixture has not only obstructed traffic but has also unleashed an overwhelming stench and pollution that permeates the entire locality, endangering the health and lives of those residing in the vicinity. The dire situation has not gone unnoticed by the media, with news articles extensively covering the protests and emphasizing the culpability of Eco Green Company in turning the road into an unofficial dumping ground..."

Pursuant to the order of Hon'ble NGT, Joint committee comprising of Additional Deputy Commissioner, Gurugram (Representative appointed by Deputy Commissioner, Gurugram vide letter No. 3457/MB dated 14.08.2023 & Sh. Divyansh Krishna, AEE (Nominee of HSPCB, Gurugram Region, North) visited the site on 24.08.2023 in order to submit factual report. During site inspection it was observed that Heaps of Solid Waste and other waste was found dumped along the road in open area (Photographs of the site are attached). It is also pertinent to mention that trucks were found picking up the solid waste from the site in order to clear the dumping site of solid waste. During inspection it was also observed that Municipal Corporation, Gurugram is the agency which has violated the MSW Rules, 2016. Therefore, Show Cause Notice for Environmental Compensation & prosecution under EP Act, 1986 for noncompliance of Solid Waste Management Rules, 2016 have been issued to Municipal Corporation, Gurugram vide this office letter No HSPCB/GRN/2023/610 dated 28.08.2023 for 15 days. Further action will be taken after expiry of Show Cause Notice as per policy of the HSPCB.


28/08/2023

**Divyansh Krishna, AEE
HSPCB, Gurugram (N)**



**Sh. Hitesh Kumar Meena, IAS
ADC, Gurugram**



Regional Office, Gurugram (N)
Haryana State Pollution Control Board
Vikas Sadan, Opposite- New Court, Gurugram



Website: www.hspcb.gov.in

Email: hspcbrogrn@gmail.com

Dated 28/8/23

No. HSPCB/GRN/2023/610

To

The Commissioner,
Municipal Corporation, Info City, Sector-34, Gurugram.
Email ID :- cmc@mcg.gov.in

Sub: - Show Cause Notice for prosecution under section 15 of the Environment (Protection) Act, 1986 for violation of Solid Waste Management Rules, 2016, amended till date and Environmental Compensation as per policy order dated 29.4.2019, 20.12.2019 & 22.12.2021.

Ref: Original Application No. 473/2023 titled as Lalit Gulati & Anr. V/s Union of India & Ors.

Whereas, as per Municipal Solid Waste (management & Handling) Rules, 2016 every Municipal Authority shall within the territorial area of the Municipality be responsible for the implementation of the provisions of MSW Rules, 2016, and for any infrastructure development for collection, storage, segregation, transportation, processing and disposal of Municipal Solid Waste;

And whereas, as per MSW Rules, any Municipal Solid Waste generated in a city shall be managed and handled in accordance with the procedure laid down in schedule II of these rules and shall meet the specifications and standards as specified in schedule III & IV;

And whereas, an OA No. 473/2023 titled as *Lalit Gulati & Anr. V/s Union of India & Ors* has been filed before Hon'ble National Green Tribunal having grievance regarding violation of Solid Waste Management Rules, 2016 and dumping of garbage in the road or open area at Udyog Vihar, Gurugram, Haryana and indiscriminate disposal of waste directly on the road has led to a multitude of detrimental consequences that pose a significant risk to public health, the environment, and the overall well-being of the community. The situation has reached such an alarming state that it has triggered widespread protests by the locals, who have taken to the streets with banners and slogans, demanding immediate action to address this growing menace. These protests have garnered the attention of news media, which have aptly referred to the road in question as a "mini landfill," highlighting the magnitude of the problem caused by the negligence of Eco Green Company;

Whereas, the site was visited on 24.08.2023 by the joint committee comprising of Additional Deputy Commissioner, (Member of Committee as representative of DC, Gurugram), Gurugram and Sh. Divyansh Krishna, AEE (Member of Committee as representative of HSPCB)

HSPCB, Gurugram Region (N) and during inspection, it was found that heaps of solid waste was being dumped along the roadside in open area;

That has caused to a multitude of detrimental consequences that pose a significant risk to public health, the environment, and the overall well-being of the community and is disturbing ecological balance and damaging the environment – air, water and soil”.

However, before proceeding further, Board intends to provide you an opportunity to makeover the deficiencies cited above. You are therefore requested to direct concerned officers/officials to comply with above said deficiencies within **15 days** failing which Legal Action against responsible officers/officials under the above said rules/ acts will be initiated without giving any further notice.

In view of above you are hereby given Show Cause for 15 days as to why legal action under Section 15 read with section 19 of EP Act, 1986 may not be initiated against your organization for violations of provisions of Solid Waste Management Rules, 2016 & amended till date alongwith imposition of Environmental Compensation as per policy order dated 29.4.2019, 20.12.2019 & 22.12.2021. Your reply must reach within stipulated time period failing which it will be presumed that you have nothing to say in this regard and accept the status as mentioned above, which will warrant action under section 15 of EP Act, 1986 alongwith imposition of Environmental Compensation as per policy order dated 29.4.2019, 20.12.2019 & 22.12.2021 without giving any further notice.

 Regional Officer
Gurugram Region (N)

Endst. No. HSPCB/GRN/2023/

Dated:-

A copy of above is forwarded to the Chairman, HSPCB, Panchkula for information, please.

 Regional Officer
Gurugram Region (N)

N 28°30'52.22330" (LAT)

E 77°5'10.70620" (LONG)

Altitude: 227 m

24/08/23, 12:30 PM

Location provider: Fused

No street

Gurugram 122016

HR

India

N 28°30'52.01100" (LAT)

E 77°5'11.06640" (LONG)

Altitude: 238 m

24/08/23, 12:30 PM

Location provider: Fused

No street

Gurugram 122016

HR

India



128

N 28°30'52.16430" (LAT)

E 77°5'10.57530" (LONG)

Altitude: 238 m

24/08/23, 12:32 PM

Location provider: Fused

No street

Gurugram 122016

HR

India



N 28°30'52.76480" (LAT)

E 77°5'9.75860" (LONG)

Altitude: 238 m

24/08/23, 12:33 PM

Location provider: Fused

No street

Gurugram 122016

HR

India







N 28° 30' 52.59310" (LAT)

E 77° 5' 10.53440" (LONG)

Altitude: 227 m

24/08/23, 12:29 PM

Location provider: Fused

No street

Gurugram 122016

HR

India