

प्रेषक

सचिव  
नगरपालिका ऐलनाबाद।

सेवा में

निदेशक महोदय  
शहरी स्थानीय निकाय, हरियाणा  
पंचकूला।

क्रमांक: 316/MCENB

दिनांक: 31/03/2022

विषय:-

Order dt. 23.09.2021 passed by Hon'ble NGT in the matter of OA No. 1011/2018 Jagdish Kumar Vs State of Haryana.

उपरोक्त विषय पर आपके कार्यालय के पत्र क्रमांक Tech./NGT/DULB/2022/1516 दिनांक 14.03.2022 के सन्दर्भ में।

विषयाधीन मामले में आप महोदय को अनुरोध सहित अवगत करवाते हुए लिखा जाता है कि माननीय राष्ट्रीय हरित न्यायाधिकरण द्वारा OA No. 1011/2018 Jagdish Kumar Vs State of Haryana के अन्तर्गत पारित आदेश दिनांक 23.09.2021 की निरंतरता में नगरपालिका ऐलनाबाद की अनुपालना रिपोर्ट निम्न प्रकार से है:-

1. कूड़ा संग्रहण केन्द्र:-नगरपालिका ऐलनाबाद द्वारा वर्तमान में कूड़ा संग्रहण हेतु ममेरां रोड़ बाईपास, नजदीक एसटीपी वाली भूमि का चयन किया हुआ है, जहां पर ऐलनाबाद के सभी 17 वार्डों से एकत्रित कूड़ा पिछले लगभग 3 वर्षों से डाला जा रहा है। इससे पूर्व अस्थाई तौर पर कूड़ा एच0एस0वी0पी0 की जमीन पर डाला जा रहा था। (फोटो संलग्न है)
2. विरासत अपशिष्ट (Legacy Waste):-नगरपालिका ऐलनाबाद की उक्त वर्णित डम्प साईट पर संग्रहित लगभग 10812 मीट्रिक टन का विस्तारित अनुमान तैयार करने उपरान्त सक्षम प्राधिकारी से प्रशासनिक स्वीकृति बजरिया पत्र क्रमांक DULB/Tech./Sect-I/2021/9019 Dated 04-03-2021 (Copy Attached) द्वारा लेते हुए ई-निविदाएं दिनांक 19.07.2021 को आमन्त्रित की गई थी (प्रति संलग्न)। जिसके उपरान्त उक्त कार्य हेतु मैसर्स पूजा कन्सलटेंट का रेट नेगोसियेशन उपरान्त कम होने पर नगरपालिका ऐलनाबाद द्वारा अपने पत्र क्रमांक 618/एमसीईएनबी दिनांक 03.08.2021 जिला नगर आयुक्त महोदया के माध्यम से निदेशालय को रेट स्वीकृति हेतु केस भिजवाया गया था जिस पर निदेशालय द्वारा अपने पत्र क्रमांक DULB/Tech/Sect-1/2021/14821 Dated 21-10-2021 (Copy Attached) द्वारा उक्त कार्य के रेट की स्वीकृति प्रदान की गई है, तदोपरान्त नगरपालिका ऐलनाबाद द्वारा कार्य आदेश संख्या 251/एमसीईएनबी/Tech दिनांक 02.12.2021 (Copy Attached) द्वारा उक्त वर्णित फर्म मैसर्स पूजा कन्सलटेंट को विरासत अपशिष्ट (legacy waste) के जैविक उपचार हेतु कार्य आवंटित कर दिया गया था।
3. नोटिस:-नगरपालिका ऐलनाबाद द्वारा जारी कार्य आदेश की शर्त संख्या 3 व 21 अनुसार उक्त वर्णित फर्म द्वारा उक्त कार्य शीघ्रतिशीघ्र शुरू करवाते हुए विरासत

अपशिष्ट (Legacy Waste) का जैविक उपचार दो माह के अन्दर-2 किया जाना था उक्त फर्म द्वारा कार्य आदेश व डीएनआईटी की विभिन्न शर्तों की अवहेलना करते हुए कार्य शुरू नहीं किया गया है जिस बारे आगामी कार्यवाही की जा रही है।

4. **वर्तमान स्थिति:**—नगरपालिका ऐलनाबाद द्वारा फर्म को बार-बार नोटिस देने पर भी फर्म द्वारा उक्त कार्य प्रारम्भ नहीं करवाया गया है।
5. **Independent Assessment Agency (IAA):**—निदेशालय द्वारा विरासत अपशिष्ट के जैविक उपचार कार्य हेतु पत्र क्रमांक **Tech/Sect-I/DULB/2021/8283 Dated 25-01-2021** के अन्तर्गत जारी दिशा निर्देश संख्या 2 / की अनुपालना में नगरपालिकाओं को पर्यावरण क्षेत्र में तकनीकी दक्षता, अनुभव वाली **Independent Assessment Agency (IAA)** नियुक्त करने उपरान्त (IAA) द्वारा सम्बन्धित फर्म द्वारा किये जाने वाले जैविक उपचार के कार्य से पूर्ण संतुष्टि रिपोर्ट कार्यालय में जमा करवाने के बाद ही सम्बन्धित फर्म को बिल की अदायगी करने बारे निर्देश जारी किये हुए है। इसी की निरंतरता में **Independent Assessment Agency (IAA)** नियुक्त करने हेतु ई-निविदाएं दिनांक 24.02.2022 को आमन्त्रित की गई थी परन्तु एक ही फर्म द्वारा भाग लेने के कारण निविदा को खोला नहीं गया तथा पुनः निविदाएं आमन्त्रित की गई हैं जो दिनांक 31.03.2022 को खोली जायेगी।

उक्त तथ्यों के दृष्टिगत यह स्पष्ट है कि नगरपालिका ऐलनाबाद के किसी अधिकारी व कर्मचारी द्वारा माननीय एनजीटी द्वारा **OA No. 1011/2018 Jagdish Kumar Vs State of Haryana** के अन्तर्गत पारित आदेश दिनांक 23.09.2021 की अनुपालना में कोई भी लापरवाही नहीं बरती जा रही है व भविष्य में भी माननीय एनजीटी द्वारा जारी हिदायतों/आदेशों की दृढ़ता से पालना की जानी सुनिश्चित की जावेगी। रिपोर्ट आप महोदय की सेवा में सूचनार्थ एवं आगामी आवश्यक कार्यवाही हेतु प्रेषित है।

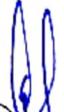
  
सचिव

नगरपालिका ऐलनाबाद

पृ० क्रमांक: 317/MCENB

दिनांक: 31/03/2022

इसकी एक प्रति जिला नगर आयुक्त महोदय सिरसा को उनके कार्यालय के पत्र क्रमांक 2135-39/डी०एम०सी० दिनांक 22.03.2022 के सन्दर्भ में सूचनार्थ प्रेषित है।

  
सचिव

नगरपालिका ऐलनाबाद



District Municipal Commissioner,  
Sirsa.

Memo No: DULB/Tech/Sect-I/2021/9019

Dated: 04.03.2021

DMC  
2d  
S.O.  
05/03/21

**Subject: Regarding Administrative approval of Bio-remediation of legacy waste in Municipal Committees, Kalanwali, Ellenabad and Rania.**

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In reference to your office letters memo no. 2692/DMC, 2693/DMC and 2694/DMC dated 15.01.2021 on the subject cited above.

2. Vide letters under reference you have submitted the case for seeking permission to execute the following work from M/s Pooja Consultation Company on the rates allotted in the case of MC sirsa. The detail of works is as follow:-

Sr. No.	Name of Work	Quantity of existing legacy waste (in MT)	Estimated Cost (in INR)
1	Bioremediation of legacy waste in MC, Kalanwali.	3280	31,16,000/-
2	Bioremediation of legacy waste in MC, Ellenabad.	10812	83,69,262/-
3	Bioremediation of legacy waste in MC, Rania.	5200	40,19,000/-
<b>Total</b>			<b>1,55,04,262/-</b>

3. After scrutinize the cases it is observed that you have not submitted the proposal with justification and detailed reason of increasing the scope of existing contract instead of execute the work separately of all the Municipalities mentioned above.
4. Therefore, I have been directed by the competent authority to request you to re-submit the case after attending the above said observation.

For  
Sub Divisional Engineer-III,  
Director, Urban Local Bodies,  
Panchkula, Haryana.

- C:
1. PA to W/DULB for kind information of W/DULB, Haryana.
  2. Steno to CE for kind information of W/CE.

P.T.O.

## Office of District Municipal Commissioner, Sirsa

Endst No. 3767 - 69 / D.M.C.

Dated 05-03-2021

A copy is forwarded to Secretary, Municipal Committee, Kalanwali, Ellenabad, Rania for kind information and necessary compliance to re-submit the case after attending the above said observation.

*SH*  
5/3/21  
For:-District Municipal Commissioner,

Sirsa  
*B.K.*



# Municipal Committee Ellenabad (Sirsa)

(Sub-ordinate Urban Local Bodies Department Panchkula, Haryana)



523

To

M/s Pooja Consultation Company  
663/27 Dev Nagar Sonapat-131001  
Haryana

Memo No. 251/Mcenb/Tech.

Dated: 02.12.21.

**Subject: - Work Order for the work: Bio-Remediation of the Legacy Waste of the Dumpsite at Municipal Committee, Ellenabad.**

In reference to your E-Tender bid of Tender ID 2021\_HRY\_177366\_1 financial bid opened on dated 28.07.2021 & negotiation held on dated 29.07.2021 for the above said work & rate approval from Wd. Director ULB Haryana vide his office memo no. DULB/Tech./Sect-I/2021/14821 dated 21.10.2021. Have accepted your tendered/negotiated rates along with terms and conditions given below:-

Sr. No.	Name of Work	Total Quantity of Legacy Waste (in MT)	Rates Recommended (inRs.)	Total Project Cost (in Rs.)
1	Bio-Remediation of the Legacy Waste of the Dumpsite at Municipal Committee, Ellenabad.	10813 MT	820/-per MT	10813*820 = 8866660/-

#### Terms and Conditions:-

1. You are bound to follow all the conditions mentioned in DNIT, direction issued by the ULB Office vide letter Memo No. Steno/CE/DGULB/2020/2826 Dated 20.08.2020 and Memo No. Tech/Sect/DULB/2021/8283 dated 25.01.2021, DULB/Tech/Sect-I/2021/10503 dated 01.06.21 and DULB/Tech/Sect-I/2021/11693 dated 16.06.21 (copy enclosed)
2. You have to execute an agreement with the Municipal Committee Ellenabad within 3 days after receipt of the work order.
3. You are directed to start the work immediately from issue of this work order.
4. The agency has to ensure that there should be no violation of any order of any court and honorable NGT and all the legacy waste should be processed and disposed off as per SWM Rules, 2016 and as per guidelines of HSPCB and CPCB.
5. A separate sanitary landfill site (SLF) is to be developed by the agency for the disposal of inert and to be constructed as per the norms/specifications prescribed by the Central Public Health and Environmental Engineering Organization (CPHEEO)/ Central Pollution Control Board (CPCB).
6. The fraction arising out of the processed waste such as RDF, Compost/soil enriches, C&D Waste and inert are being disposed off scientifically as per the norms of CPCB & SWM Rules, 2016. Due sampling of the soil enriches/compost etc. is being done by the concessionaries as per CPCB norms.
7. The agency has to prepare proper record of quantity of the processed waste as per ULB guidelines.



# Municipal Committee Ellenabad (Sirsa)

(Sub-ordinate Urban Local Bodies Department Panchkula, Haryana)



8. **Agency has to make temporary boundary wall of legacy waste site.**
9. The agency shall ensure that daily processing of waste should be of such quantity that the total waste be processed within the prescribed time frame as given by Hon'ble NGT.
10. The agency shall ensure the standards of the fraction arising after the Bio-remediation of the legacy waste such as recyclables, RDF, inert and composite etc. are fulfilling the norms of MoEF, CPCB and any other govt. department and the fraction are transported in the covered vehicles as per the norms of MoEF, CPCB etc.
11. In case of any dispute, The District Municipal Commissioner Sirsa will be the sole authority and his order will be final.
12. A team comprising of nominated officers/officials of Municipal Committee Ellenabad will check the specifications of the work done.
13. The agency will submit the performance security (5% of Quoted rates) within 7 days. The security will be released after completion of the tender period without interest.
14. GST/Income Tax/Any applicable tax will be deducted from the bill of the contractor as per Govt. Instructions at the time of execution/bill payment.
15. Contractor is required to provide cautionary measures/sign boards etc. during execution of work and fully responsible for any loss/compensation in case of accident, mishap at the site of Work.
16. In case if in future the tender of ISWM project on PPP Project in which MC Ellenabad is included under the project area of the cluster is allotted to **concessionaire**, this contract shall cease to be in operation and site shall be handed over to **concessionaire** on as is where basis and processing of the remaining legacy waste shall be the responsibility of the **concessionaire** of ISWM project.
17. Agency will ensure that RDF is being utilized in the industries/plants where the conventional fuel can be replaced with RDF as prescribed by CPCB/SPCB. Agency shall ensure that fraction arising out of the processed waste is not being dumped in open area unscientifically within or outside the MC limit.
18. You will have to submit PERT/Bar chart before starting the work and ensure that daily processing of waste should be of such quantity that the total waste be processed within the prescribed time frame.
19. The inspection committee is competent to amend or add any minor change while execution of the work and contractor is bound to do so.
20. The agency has to prepare proper record of quantity of the processed waste and same will be recorded in measurement book by the concerned J.E. and checked by A.E./M.E./X.En. Payment of the bills of the work executed by the agency the following enclosures will be verified:-
  - a) Real-time photographs reflecting the area/land reclaimed by processing at the existing legacy waste. Permanent milestone shall be installed at the boundaries of the reclaimed land and no further waste shall be allowed to be dumped at the reclaimed land.
  - b) Contour sheets prepared with the help of total station/drones or with latest available technology, reflecting the volume of waste reduced by bio-remediation and the same should be tally with the quantity of the weight processed taken in the bill.

# Municipal Committee Ellenabad (Sirsa)

(Sub-ordinate Urban Local Bodies Department Panchkula, Haryana)



- c) Weight slip of the processed waste weighted on the weight bridge and in the presence of nominated officer and signed at the site under surveillance of the IP based CCTV cameras. Time recorded by the officer on the weight slip shall be verified from the video footage of IP based CCTV cameras and during the payment of the bills certificate of verification of the same shall be recorded by the engineer in-charge.

## 21. COMPLETION AND EXIT

- a) The work should be completed by within 2 months positively as per guideline of NGT.  
 b) At the end of contract period, the contractor shall vacate Dump Site MC Ellenabad and/or the Sanitary Landfill site as the case may be along with its equipment and facilities used and handover the reclaimed area and/or the sanitary landfill site without claiming any compensation of whatever nature.  
 c) Incentive/Bonus @ (1%) one percent of the contract value per months subject to maximum of five percent of contract value for early completion shall be paid to the contractor if complete the work before the prescribed time frame.  
 d) Liquidity damages in case of delay in completion of the contract liquidated Damages @ (0.5%) half percent of the contract value per week of delay project to maximum of ten percent of contract value should be levied on the contractor the penalty damages mentioned in the work contract shall be levied on the contractor in addition to these penalties.

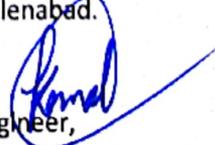
You are hereby directed to start the above said work immediately and execute an agreement with municipal committee, Ellenabad within 3 days on non-judicial stamp paper of Rs. 1000/-. The time limit shall be reckoned from as mentioned above.

  
 Municipal Engineer,  
 Municipal Committee, Ellenabad.

Endst No. 252-258/HCEMB/Tech Dated: 02.12.21.

A copy of the above is forwarded to the following for information please.

1. Director General, Urban Local Bodies, Haryana, Panchkula.
2. Deputy Commissioner, Sirsa.
3. District Municipal Commissioner, Sirsa.
4. SDO (Civil), Ellenabad-cum-Administrator M.C. Ellenabad.
5. R.A.O. Municipal Committee, Ellenabad.
6. Secretary, Municipal Committee, Ellenabad.
7. Junior Engineer & Sanitary Inspector, Municipal Committee, Ellenabad.

  
 Municipal Engineer,  
 Municipal Committee, Ellenabad.

o/c