

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

Original Application No.1011/2018

IN THE MATTER OF:-

Jagdish Kumar

.....Applicant

Versus

State of Haryana

.....Respondent(s)

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Placed:- Chandigarh
Dated: 03.06.2021

Respondent



(Vijai Vardhan)
Chief Secretary to Government Haryana,
on behalf of State of Haryana

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Status report of Vijai Vardhan, Chief
Secretary to Government Haryana, on
behalf of the State of Haryana in
compliance of order dated 13.10.2020
of Hon'ble NGT.

RESPECTFULLY SHOWETH:-

I, the above named deponent do hereby solemnly affirm and declare as under.

1. That the above-named deponent in his official capacity as Chief Secretary to Government of Haryana and well conversant with the facts and circumstances of the present case and competent to swear and file the present status report on behalf of the State of Haryana, on the basis of record/information made available to the deponent.



2. That the deponent is filing the status report with respect to the directions dated 13.10.2020 issued by this Hon'ble National Green Tribunal in the above mentioned Application which are to be complied with by the Municipal Bodies in the State of Haryana. The operative part of the said directions are reproduced hereunder:-

"In view of the fact that the date of 01.04.2020 has already gone and even if three months allowance is made for the lockdown, the work was expected to start from 01.07.2020 which may now start at the earliest, where ever not yet started, so as to be completed by 07.04.2021 in terms of earlier orders of this Tribunal and the circular issued by the Urban Development Department, Haryana. This may be monitored by the Chief Secretary Haryana. The CPCB may also monitor compiling of statistics on above pattern from all the States/UTs, in view of earlier order passed by the Tribunal in O.A No.606/2018, Compliance of Municipal Solid Waste Management Rules, 2016 so that the consolidated report can be filed before this Tribunal

The progress report as on 31.03.2021 may be filed before the next date by the Chief Secretary, Haryana by email 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 26.04.2021."

3. That in compliance to the above, a comprehensive report regarding the status of bioremediation of legacy waste and the remedies being taken by the State of Haryana through the Municipalities in the State of Haryana has been prepared. At present Approximately 71.68 Lakh Metric Ton of legacy waste is lying at the dumping sites in Municipalities, out of which 67.64 lakh

M.T. i.e. 94% of total quantity of the legacy waste is lying at 29 dumpsites in the State which also includes 33 lakh MT legacy waste at Bandhwari, Gurugram and has been dealt with by this Hon'ble Tribunal in separate case i.e. OA No. 514 of 2018 titled as Vivek Kamboj and ANR. V/s Union of India and others. The bio-remediation works at these 28 sites (Except Gurugram) have been allotted to contractual agencies. Out of it work has been started at 18 sites and will be started very soon at other 10 sites. The remaining 4.04 lakh MT legacy waste is very small fractions of quantity lying at 47 dumpsites which will be also processed by adopting suitable technology. The detail of the same is submitted for the kind perusal of this Hon'ble Tribunal as under:-

Status of bioremediation of legacy waste in the Municipalities of State of Haryana.					
Sr. No.	Name of MC	Estimated Quantity of legacy waste (In Lakh MT)	Estimated Cost as per agreement (in Crore)	Status of work	Quantity of waste processed upto 20.05.2021 (in MT)
1	Rohtak	5.20	25.67	work in Progress	366595
2	Ambala	6.00	35.73	Work in Progress	249093
3	Panchkula	3.96	37.50	Work in Progress	122500
4	Bahadurgarh	3.20	19.88	Work in Progress	54166
5	Narnaul	0.59	4.70	Work in Progress	46534
6	Kaithal	0.80	5.56	Work in Progress	45000
7	Gohana	0.42	2.68	Work in Progress	28000
8	Sirsa	0.45	3.44	Work in Progress	23177
9	Panipat	5.00	27.73	Work in Progress	18162
10	Palwal	0.21	1.26	Work in Progress	18000
11	Meham	0.14	1.11	Work in Progress	6980
12	Yamunanagar	1.27	9.31	Work in Progress	10500

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13	Fatehabad	0.47	3.24	Work in Progress	10000
14	Gannaur	0.25	1.59	Work in Progress	10000
15	Rewari	0.60	4.02	Work in Progress	2000
16	Assandh	0.15	0.88	Work in Progress	700
17	Cheeka	0.18	1.01	Work in Progress	500
18	MandiDabwali	0.31	2.28	Work in Progress	300
19	Jind	1.00	6.78	Machinery installed at site	0
20	Kharkhoda	0.24	1.53	Machinery under Installation	0
21	Gharaunda	0.20	1.23	Machinery under Installation	0
22	Bhiwani	1.15	8.15	Machinery under Installation	0
23	Nilokheri	0.11	0.69	Machinery under Installation	0
24	Nissing	0.15	0.94	Machinery under Installation	0
25	Taraori	0.09	0.58	Machinery under Installation	0
26	CharkhiDadri	0.25	2.10	Machinery under Installation	0
27	Hisar	1.30	12.35	Machinery under Installation	0
28	Karnal	0.95	5.84	work awarded	0
	Total	34.64	227.78	Total	10,12,207 say 10.12 Lakh MT

On perusal of the aforesaid data, it is clear that almost 10.12 lakh metric tonnes (29.22%) of legacy waste has already been processed in the above mentioned Municipalities upto 20.05.2021. It is also relevant to

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mention here that MCs mentioned at Sr. No. 19-28 above where zero quantity of legacy waste is shown as processed is due to the recent award/finalization of the contracts or due to some technical difficulties such as mobilization & installation of machinery, arrangement of labour etc. being faced by the concerned municipalities. However, the requisite machineries are now under installation at these dumpsites and the waste processing shall be started very soon.

4. That it is relevant to mention here that in compliance of the order dated 13.10.2020 passed by this Hon'ble National Green Tribunal, the State Government has approved allocation of funds amounting to Rs. 262.67 Crore for the municipalities in the State of Haryana. The 1st installment of Rs. 44.59 Crore has been released by the State Government to the Urban Local Bodies Department to implement the necessary measures for this purpose.

5. That accordingly, the State of Haryana is trying its best to manage the bioremediation of legacy waste. However, some delay has occurred in completion of bio-remediation of legacy waste because of unavoidable constraints by 07.04.2021 but the State Government is very keen to remove this legacy waste.

6. That all the Municipalities have taken necessary steps and measures to complete the aforesaid work in the timelines laid down i.e. 07.04.2021. Accordingly, the work of processing of bioremediation of legacy waste has been taken up on the dumpsites having maximum quantity of waste. Although, various difficulties due to COVID-19 pandemic were faced by Municipalities in arranging the manpower and machineries at sites, the process of bio-remediation has been started at a fast pace and is likely to be processed before 31.07.2022. Therefore, it is humbly requested that timeline for this purpose may kindly be extended upto July, 2022.



7. That in view of the submissions made herein above, it is also submitted that financial status of municipalities in the State of Haryana is not sound and they are responsible to implement the provisions of the Solid Waste Management Rules, 2016. However, the State of Haryana is making all efforts to comply with the directions of this Hon'ble Tribunal in the concerned Municipalities in the larger interest of public.

In view of the submissions and averments made above, it is humbly prayed as under:-

- a. That considering the unavoidable circumstances which arose due to COVID-19 pandemic & upcoming monsoon months in which the work will remain on halt, the timeline for completing the work of complete processing of bioremediation of legacy waste may kindly be extended upto July, 2022.
- b. That as explained in the aforesaid paras, the State of Haryana is taking all necessary steps to manage the processing of bio-remediation of legacy waste in the urban areas. The State Government has allocated sufficient funds for procuring requisite machinery and other equipment required for the processing of legacy waste and work has already been started at most of the dumpsites and it will also be functional on the other dumpsite very soon. It is therefore, humbly submitted that the State of Haryana may kindly be exempted to pay any type of compensation as observed by this Hon'ble National Green Tribunal in it's order dated 13.10.2020. Moreover, the impact of COVID-19 pandemic has also adversely affected the early progress of the processing system of legacy waste.



8. In view of the submissions and factual circumstances explained as above, it is humbly submitted that the State of Haryana stands committed to implement the directions issued by this Hon'ble Tribunal in letter and in spirit.

Placed:- Chandigarh
Dated: 03.06.2021

Respondent

(Vijai Vardhan)
Chief Secretary to Government Haryana,
on behalf of State of Haryana

VERIFICATION:-

Verified that the content of para no.1 to 8 of the status report by way of affidavit are true and correct to my knowledge derived from official record. No part of it is false and nothing has been concealed therein.

Placed:- Chandigarh
Dated: 03.06.2021

Respondent

(Vijai Vardhan)
Chief Secretary to Government Haryana,
on behalf of State of Haryana