

# 1756

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**  
Original Application No. 172/2021

Poonam

...Applicant

Versus

M/s Eco-green Energy Private  
Limited & Ors.

...Respondent(s)

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**Filed by: Adv. Rajkumar**

**On behalf of Central Pollution Control Board**

**Place: Delhi**

**Date: 11.04.2025**

1757

REPORT

**(IN COMPLIANCE TO HON'BLE NGT ORDER DATED 03.09.2024 IN OA NO. 172/2021 IN THE MATTER OF POONAM YADAV (APPLICANT) VS M/S ECOGREEN ENERGY PRIVATE LIMITED & ORS (RESPONDENT(S) )**



**CENTRAL POLLUTION CONTROL BOARD**  
**(Ministry of Environment, Forest & Climate Change)**  
**“Parivesh Bhawan”, East Arjun Nagar,**  
**Delhi-110032**

**11 April 2025**

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**REPORT SUBMITTED IN OA NO. 172/2021 IN COMPLIANCE TO HON'BLE NGT ORDER DATED 03.09.2024 IN THE MATTER OF POONAM YADAV(APPLICANT) VS M/S ECOGREEN ENERGY PVT. LTD & ORS (RESPONDENT (S))**

**1.0. BACKGROUND**

Hon'ble NGT issued order vide dated 03.09.2024 in OA 172/2021 in the matter of *POONAM YADAV (APPLICANT) VS M/S ECOGREEN ENERGY PRIVATE LIMITED & ORS (RESPONDENT(S))* directed in para 7 are represented below:

*Para 7 "Hence, we direct the CPCB to obtain the samples of the groundwater from the locations which are mentioned in the reply of the HSPCB dated 15.05.2024, get it tested and analysed and submit the analysis report before the Tribunal along with the next report".*

A copy of Hon'ble NGT order is attached as **Annexure-I**

**2.0. ACTION TAKEN BY CPCB**

In compliance to the said order, team of CPCB officials comprising of Mr,Amit Kumar (Sc.B) and Mr. Madnesh K. Dubey (Sc.B) conducted the sampling of 16 nearby locations of Bandhwari dumpsite Gurugram for groundwater (13 locations) and Ponds (03 locations) on 26.11.2024 as mentioned in the Haryana State Pollution Control Board (HSPCB) report. HSPCB and Municipal Corporation, Gurugram (MCG) officials were also present during the sampling.

**2.1 Geographical Coordinates and approx. distance from Bandhwari , Gurugram dumpsite**

The dumpsite in Bandhwari, Gurugram, is positioned at latitude 28.4037(°N) and longitude 77.1683(°E). The geographical coordinates & approximate distance of 16 locations (Groundwater & leachate Ponds) from Bandhwari dumpsite, is given in **table 1.**

**Table 1: Geographical coordinates and approx. distance from Bandhwari, dumpsite**

S.N.	Locations	Lat( <sup>o</sup> N) Long( <sup>o</sup> E)	Approx. distance (in meters)
<b>Groundwater Locations (13 No.s)</b>			
1	Teen Murti Hanuman Mandir, Bandhwari, Gurugram*	(28.4096 77.1690)	550
2	Hanuman Mandir near petrol pump, Bandhwari, Gurugram	(28.4047 77.1741)	480
3	Sh. Pawan, Bandhwari, Gurugram	(28.4015 77.1579)	950
4	Sh. Vipin Kalra, Bandhwari, Gurugram	(28.4044 77.1548)	1225
5	Borewell from Police Station, Village Manger, Gurugram	(28.4070 77.1924)	2290
6	Borewell from Farm House, Village Manger, Gurugram	(28.3757 77.1734)	3055
7	Borewell from Govt. School, Baliyawas, Gurugram	(28.4247 77.1445)	3190
8	Borewell from Ram Mandir, Gawal Pahari, Gurugram	(28.4314 77.1515)	3375
9	Borewell from village Mandir, Vidya Chowk, Mandir, Gurugram	(28.4441 77.1468)	4840
10	Sh. Lala Ram House, near School, Vill. Bandhwari, Gurugram	(28.4045 77.1506)	1640
11	Sansad Saheed Petrol Pump, Faridabad Road, Gurugram	(28.4047 77.1748)	545
12	Mandir Village Bandhwari, Gurugram	(28.4115 77.1561)	1370
13	Sh. Anant Lal, vill. Bandhwari,	(28.4100 77.1552)	1360

	Gurugram		
<b>Surface Water locations , Ponds (03 No.s)</b>			
1	Leachate Pond inside the site	(28.4011 77.1699)	240
2	Leachate Pond near Gurugram Faridabad Road	(28.4040 77.1711)	180
3	Leachate Pond outside along peripheral (Near forest area)	(28.4001 77.1700)	345

*\*Note: There are 17 locations which are mentioned in HSPCB report however the location Teen Murti Hanuman Mandir Gurgaon Faridabad Road near Toll plaza, Gurugram has been reported twice. Hence 16 locations are being considered and monitored by CPCB.*

## 2.2 Sampling and Analysis of Groundwater samples

- The Solid Waste Management Rules, 2016 under the Schedule I(E), stipulates criteria for water quality monitoring around the landfill sites. As per the aforesaid rules, the samples of Groundwater were collected for analysis following parameters:

**(i) Physico-Chemical Parameters:** Nitrate (NO<sub>3</sub>), pH, Total Hardness (TH), Chloride (Cl<sup>-</sup>), Total Dissolved Solids (TDS), Sulphates (SO<sub>4</sub>), Cyanide(CN<sup>-</sup>) and Phenolic Compounds (C<sub>6</sub>H<sub>5</sub>OH)

**(ii) Metals:** Arsenic(As), Cadmium (Cd), Chromium (Cr<sup>6+</sup>), Copper(Cu), Lead (Pb), Mercury (Hg), Nickel(Ni), Iron (Fe), Zinc (Zn)

The samples collected were analysed in CPCB laboratory for abovementioned parameters. The analysis results of the groundwater samples collected by CPCB are given in **Table 2**.

Table 2: Analysis results of Ground water samples collected on 26.11.2024

S.No	Parameters	Physico Chemical Parameters(mg/L) except pH							Heavy metals (mg/L)								C <sub>6</sub> H <sub>5</sub> OH (mg/l)		
		NO <sub>3</sub>	pH	TH	Cl <sup>-</sup>	TDS	SO <sub>4</sub>	CN <sup>-</sup>	As	Cd	Cr	Cu	Pb	Hg	Ni	Fe		Zn	
	<i>Schedule I E of SWM Rules (BIS IS 10500:2012, (Desirable))</i>	45.0	6.5-8.5	200	250	500	200	0.05	0.01	0.003	0.05	0.05	0.01	0.001	0.02	0.3	5	0.001	
	Locations																		
1	Teen Murti Hanuman Mandir,	4.39	7.92	302	70	690	45	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
2	Hanuman Mandir near petrol pump,	0.83	7.29	379	1171	2920	52	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
3	Sh. Pawan,	4.31	8.11	275	138	750	46	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
4	Sh. Vipin Kalra,	8.25	8.25	259	30	420	19	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
5	Borewell from Police Station, Village Manger, Gurugram	2.52	8.23	160	56	510	22	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
6	Borewell from Farm House, Village Manger,	4.76	8.2	366	392	1190	100	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
S.No	Parameters/Loca	Physico Chemical Parameters							Heavy metals								C <sub>6</sub> H <sub>5</sub> OH		

	tions	NO <sub>3</sub>	pH	TH	Cl <sup>-</sup>	TDS	SO <sub>4</sub>	CN <sup>-</sup>	As	Cd	Cr	Cu	Pb	Hg	Ni	Fe	Zn	(mg/l)
7	Borewell from Govt. School, Baliyawas,	8	8.37	217	47	570	34	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
8	Borewell from Ram Mandir, Gawal Pahari,	8.37	8.35	254	121	550	21	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
9	Borewell from village Mandir, Vidya Chowk, Mandir,	8.82	8.27	251	57	520	42	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
10	Sh. Lala Ram House, near School, Vill.	9.48	7.75	400	111	790	75	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	<b>10.128</b>	BDL	BDL
11	Sansad Saheed Petrol Pump, Faridabad Road,	8.74	8.33	364	219	1370	215	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
12	Mandir, Village Bandhwari	2.61	7.8	190	35	400	68	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	<b>2.968</b>	BDL	BDL
13	Sh. Anant Lal, vill.	8.99	7.88	402	168	910	95	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL

Note:

(i) BDL- Below detection limit, Detection limits of the parameters are Nitrate (0.5 mg/L), pH (2), Total hardness (5mg/L), Cl(2mg/L), TDS(5mg/L), As (0.00049), Cd (0.00042), Cr<sup>6+</sup>(0.05mg/L), Cu(0.00035mg/L), Pb(0.00031mg/L), Hg(0.0009mg/L), Ni(0.00054mg/L), Fe(0.00067mg/L), Zn(0.00059mg/L), Phenolic Compounds(0.001mg/L)

(ii) Nitrate as NO<sub>3</sub>, Total Hardness as CaCO<sub>3</sub>, Chromium as Cr<sup>6+</sup>, Sulphate (as SO<sub>4</sub>), Phenolic Compounds as C<sub>6</sub>H<sub>5</sub>OH.

### 2.3 Analysis result of Leachate Sample

The analysis results of leachate samples collected during the inspection are given in **Table 3**. The leachate is being discharged in ponds surrounding the dumpsite, hence the standards for disposal of leachate on inland surface water as specified in Schedule II(B) of SWM Rules, 2016 has been considered for assessing the leachate quality.

**Table 3: Leachate Sample results**

S N	Parameters	Physicochemical Parameters							Heavy Metal Parameters			
	Locations	TSS (mg/l)	TDS mg/l,	pH	NH <sub>3</sub> (mg/l,	TKN (mg/l)	BOD (mg/l)	COD (mg/l)	As, (mg/l)	Hg (m g/l)	Pb (mg/l)	Cd, (mg/l)
	Standards for treated leachates as per <b>Schedule II(B) of SWM Rules, 2016 (Inland surface water.....?? ??)</b>	<b>100</b>	<b>2100</b>	<b>5.5.-9.0</b>	<b>50</b>	<b>100</b>	<b>30</b>	<b>250</b>	<b>0.2</b>	<b>0.01</b>	<b>0.1</b>	<b>2.0</b>
1	Leachate Pond inside the site	1128	11470	8.23	83.83	95	676	3504	0.067	BDL	0.095	0.007
2	Leachate Pond near Gurugram Faridabad Road	1052	12210	8.45	73.73	80	656	2865	0.075	BDL	0.029	0.003
3	Leachate Pond outside periphery of dumpsite (Near Forest Area)	694	14680	8.37	122	135	780	3822	0.085	BDL	BDL	BDL

Note: TSS: Total Suspended Solids, TDS: Total Dissolved Solids, NH<sub>3</sub>: Ammonical Nitrogen (as N) TKN: Total Kjehdhal Nitrogen as N,, BOD: Biochemical Oxygen Demand, COD: Chemical Oxygen Demand, As: Arsenic, Hg: Mercury, Pb: Lead, Cd: Cadmium

### 3.0. Observations and Conclusions

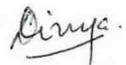
#### Groundwater Parameters

- The analysis results indicate that the concentration of physicochemical parameters such as Nitrate (NO<sub>3</sub>), and Cyanide are within desirable limits of Schedule I(E) of SWM Rules, 2016 at all 13 locations.
- The pH values are within desirable limits at all 13 locations.
- The Concentration of Total Hardness at 11 locations, Chlorides at 2 locations, TDS at 10 locations and Sulphates at 1 location exceed the desirable limits as specified in Schedule I(E) of SWM Rules, 2016.
- The concentration of phenolic compounds at all 13 locations is below the detection limit (BDL).
- The concentrations of heavy metals such as Arsenic (As), Cadmium (Cd), Chromium (Cr<sup>6+</sup>), Copper (Cu), Lead (Pb), Mercury (Hg), Nickel (Ni), and Zinc (Zn) are found to be below detection limits (BDL) at 13 locations.
- At two locations namely Sh. Lala Ram House in Bandhwari, and Mandir in Bandhwari, the concentration of Iron (Fe) is 10.128 mg/L and 2.968 mg/L respectively is exceeding the desirable limit (0.3 mg/L).

#### Leachate Parameters:

- The physico chemical parameters such as TSS, TDS, NH<sub>3</sub>, BOD & COD are exceeding the prescribed limits specified in Schedule II(B) of SWM Rules, 2016, at all 3 locations.
- The Concentration of parameter Total Kjeldahl Nitrogen exceeds the prescribed limit at one location and it is within prescribed limit at the other 2 locations.
- The pH values are within prescribed limit at all 3 locations.
- The heavy metal parameters at all 3 locations are within the prescribed limit.

The photographs taken during the visit are annexed as **Annexure –II**



Divya Sinha

Scientist 'F'

Central Pollution Control Board

Dated: 11.04.2025

Item Nos. 08 &amp; 09

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 172/2021

Poonam Yadav

Applicant

Versus

M/s Ecogreen Energy Private Limited &amp; Ors.

Respondent(s)

**WITH**

Original Application No. 109/2022  
(IA No 757/2023)

Vivek Kamboj

Applicant

Versus

Union of India &amp; Ors.

Respondent(s)

Date of hearing: 03.09.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Rahul Choudhary & Ms. Itisha Awasthi, Advs. for Applicant in OA  
109/2022

Respondent: Mr. Rahul Khurana, Adv. for HSPCB, MCG & MCF with  
Mr. Narhari Banger, Commissioner, Municipal Corporation Gurugram,  
Ms. Dwiza, HCS - JC - SBM - Faridabad  
Mr. Akhilesh Yadav, JC - SBM  
Mr. Raj Kishan, AE - SBM  
Mr. Rakesh Joon, AE, MCG  
Mr. Sarjit Singh, JE, MCG  
Mr. Anil Mehta, Consultant - MCG  
Mr. O.P. Goyal, Consultant - MCG  
Mr. Raj Kumar, Adv. for CPCB (Through VC)

**ORDER**

1. In this original application, the Tribunal is considering the issue of failure to comply with the environmental norms and the solid waste disposal Rules in handling and disposing off the legacy waste at Bandhwari landfill site at Gurugram.

2. By the previous order dated 17.05.2024, the Tribunal had required the Municipal Corporation Gurugram (MCG)/Municipal Corporation Faridabad (MCF) to file a fresh consolidated action taken report clearly disclosing the progress of clearing the legacy waste from the site in question and also requiring the MCG to disclose the details of bulk waste generator within its limit and compliance of the Rules by them. Both the local bodies were directed to furnish details of daily waste being processed by them besides legacy waste and provide status on the quantity of waste generated and processed.

3. The action taken report dated 30.08.2024 has been filed by the MCG disclosing the details of legacy waste and its processing in MCG and MCF as under:

“

<i>Sr. No</i>	<i>Description</i>	<i>Quantity in Lac MT</i>
1	<i>Total legacy waste assessed in January 2023</i>	30.43
2	<i>Fresh waste received from Jan 2023 to Dec 2023</i>	6.06
3	<i>Fresh waste received from Jan 2024 to 30<sup>th</sup> August, 2024</i>	3.82
<b><i>Total waste received (A)</i></b>		<b>40.31</b>
4	<i>Waste Processed from Jan 2023 to Dec 2023</i>	16.50
5	<i>Waste Processed from Jan 2024 to 30<sup>th</sup> August, 2024</i>	14.22
<b><i>Total waste processed (B)</i></b>		<b>30.72</b>
<b><i>Balance waste to be processed as on 30.08.2024 (A-B = C)</i></b>		<b>9.59</b>

**3. Bulk Waste Generators in MCG:** - MCG has so far identified 1681 Bulk Waste Generators, generating 228 TPD MSW. BWGs are supposed to manage their waste within their own premises as far as possible as per SWM Rules 2016, but only 400 BWGs are managing of 62 TPD MSW. To identify more BWGs and to motivate the BWGs,

MCG has empanelled 25 expert agencies which are providing support to BWGs to manage their waste as per SWM Rules 2016. MCG has set the following timelines for managing the waste at their own by all BWGs, with the help empanelled agencies:

<b>Sr. no.</b>	<b>Description</b>	<b>Timeline/Target Date</b>
i.	Survey for identification of all BWGs has been started and will be completed.	30.11.2024
ii.	Compliance of SWM Rules by 50 % BWGs	31.01.2025
iii.	Compliance of SWM Rules by 60 % BWGs	28.02.2025
iv.	Compliance of SWM Rules by 75 % BWGs	31.03.2025

#### **4. Bulk Waste Generators (BWGs) in MCF**

MCF has so far identified 563 Bulk Waste Generators, generating 85 TPD MSW. BWGs are supposed to manage their waste within their own premises as far as possible as per SWM Rules 2016, but only 181 BWGs are managing of 45 TPD MSW. To identify more BWGs and to motivate the BWGs, MCF has empanelled 5 expert agencies who are providing support to BWGs to manage their waste as per SWM Rules 2016. MCF has set the following timelines for managing the waste at their own by all BWGs, with the help empanelled agencies:

<b>Sr. no.</b>	<b>Description</b>	<b>Timeline/Target Date</b>
i.	Survey for identification of all BWGs has been started and will be completed.	30.11.2024
ii.	Compliance of SWM Rules by 50 % BWGs	31.01.2025
iii.	Compliance of SWM Rules by 60 % BWGs	28.02.2025
iv.	Compliance of SWM Rules by 75 % BWGs	31.03.2025

In order to achieve the above targets following steps are being taken:

### **3.1 Segregation, Collection, Transportation and Processing of MSW as per SWM Rules and Guidelines issued by CPCB and SBM.**

#### **3.1.1 Segregation in MCG & MCF: -**

<i>Corporation</i>	<i>Present status of segregation</i>	<i>Gap</i>	<i>Timeline to achieve the target</i>
<i>MCG</i>	<i>15%</i>	<i>85%</i>	<ul style="list-style-type: none"> <li>●30 % by 31.12.2024</li> <li>●50 % by 31.03.2025</li> <li>●75 % by 30.06.2025</li> <li>●90 % by 30.09.2025</li> <li>●100 % by 31.12.2025</li> </ul>
<i>MCF</i>	<i>20%</i>	<i>80%</i>	

### **3.1.2 Action Plan and timeline to achieve the above targets:**

<i>Sr .No.</i>	<i>Content</i>	<i>Timeline</i>
<i>1.</i>	<i>MCG has empanelled 8 NGOs for conducting IEC activities regarding management of Solid Waste Including Source Segregation, Regular IEC activities are conducted and monitored by respective Joint Commissioners.</i>	<i>Already Engaged and will continue.</i>
<i>2.</i>	<i>First priority for segregation of the waste will be Bulk Waste Generators. An online BWG MIS Portal has already been launched by MCG for registration of BWGs and is being monitored at ICCG in GMDA office Gurugram.</i>	<i>System already in place and is being monitored.</i>
<i>3.</i>	<i>206 BWGs have already been registered and are being monitored on BWG MIS Portal. 08 resource persons have been deployed by MCG for inspection and monitoring of BWGs.</i>	<i>NA</i>
<i>4.</i>	<p><i>a) Promoting healthy competition among Resident Welfare Associations to maintain cleanliness standard, an award of Rs. 1.0 Cr. and Rs. 50 Lac is proposed for development works to be given to 2 wards after due assessment by the independent agency, every two months.</i></p> <p><i>b) An award of Rs 5000/- will also be given to efficient Sanitation Worker in each ward of MCG every month.</i></p>	<p><i>01.08.2024</i></p> <p><i>TO</i></p> <p><i>31.12.2025</i></p>
<i>5.</i>	<i>Non complying of SWM Rules shall be penalized and the name of violators will be published in News Papers and on Social Media to force them to comply with SWM Rules.</i>	<p><i>01.08.2024</i></p> <p><i>TO</i></p> <p><i>31.12.2025</i></p>

6.	<i>MCG has empanelled 25 expert agencies to facilitate and support BWGs for their waste management.</i>	NA
7.	<i>The BWGs will be penalized by MCG for non-compliance of SWM Rules as per orders passed on 26.07.2024 by Hon'ble NGT in OA 458 of 2023 regarding environmental compensation. A fine of Rs. 25000/- will be imposed in case of first instance of violation and Rs. 50000/- in case of any further instances of violation.</i>	01.10.2024 ONWARDS

**5. Present status of Waste Processing and Short Term Action Plan of MCG:**

The present combined capacity of waste processing is 254 Tons Per Day (TPD), whereas the waste generation is 1200 TPD. To address the remaining 946 TPD of waste, short-term action plan is proposed as under:

<b>Augmentation of Fresh MSW processing &amp; next steps</b>				
<b>S. No.</b>	<b>Operational processing facilities in Gurugram</b>	<b>Processing Status as on 13.05.2024 (TPD)</b>	<b>Processing Status as on 30.08.2024 (TPD)</b>	<b>Augmented Processing to be achieved by 31.12.2024 (TPD)</b>
1	Processing by BWGs	30	62	125
2	Beri Bagh MRF cum composting site	40	90	110
3	Badshahpur MRF cum composting site	40	50	125
4	Sector-44 MRF cum composting site	38	50	50
5	Opposite Paras Hospital MRF cum Bio-Gas	2	2	5
<b>Total</b>		<b>150</b>	<b>254</b>	<b>415</b>

**6. Present status of Waste Processing and Short Term Action Plan of MCF:**

The present combined capacity of waste processing is 254 Tons Per Day (TPD), whereas the waste generation is 1200 TPD. To address the remaining 946 TPD of waste, short-term action plan is proposed as under:

<b>Sr. No.</b>	<b>Ways for reducing untreated waste being sent to Bandhwari SLF</b>	<b>Processing (as on 13-05-2024)</b>	<b>Processing (at present)</b>	<b>Augmented Processing Capacity (31.12.2024)</b>
1.	Dry waste recovery	95 TPD	120 TPD	150 TPD
2.	Decentralised Waste Processing at Mujeri	80 TPD	100 TPD	120 TPD
3.	Decentralised Waste Processing at Pratapgarh	30 TPD	140 TPD	200 TPD
4.	Waste Processing by BWGs	30 TPD	45 TPD (from 181 complying units)	75 TPD (from 400 BWGs)
5.	Bio methanation plant	5 TPD	5 TPD	5 TPD
	<b>Total</b>	<b>240 TPD</b>	<b>410 TPD</b>	<b>550 TPD</b>

4. The timeline for clearing the waste from the Bandhwari landfill site has been disclosed in the report as under:

<b>Sr. No.</b>	<b>Particular(s)</b>	<b>Timeline</b>
1.	100% waste management of legacy waste.	31.12.2024
2.	MoU has been signed with NVVNL for setting up of Waste Processing Plant (Torrefied Charcoal) in Gurugram with a capacity of 1500 TPD.	Already signed on 20.07.2024
3.	Handing over of Land at Bandhwari to NVVNL for construction of the processing plant .	01.01.2025
4.	Construction of Waste Processing Plant (Torrefied Charcoal) plant in Gurugram with a capacity of 1500 TPD by NVVN.	01.03.2025. To 31.10.2026
5.	Testing of Torrefied Charcoal plant in Gurugram.	01.11.2026 to 15.12.2026

6.	<i>Commissioning of Torrefied Charcoal Plant at Bandhwari, Gurugram.</i>	16.12.2026
7.	<i>Processing of fresh waste expected to be generated from Jan 2025 to Dec 2026 at existing facility at Bandhwari.</i>	01.01.2025 to 31.12.2026

5. Learned Counsel for the Applicant referring to the photographs Annexure A-3 filed along with the additional affidavit dated 02.09.2024 has submitted that during this monsoon season, there was excessive flowing of leachate from the landfill site to the nearby areas and even to the road by the side of the landfill. In this regard, he has also referred to the letter dated 29.08.2024 sent by the Divisional Wildlife Officer, Gurugram to the CCF (WL) Annexure A-2 stating that the municipal waste and leachate had flown even to the forest area. The relevant extract of the said letter is as under:

“xxx .....xxx.....xxx  
*The undersigned inspected the area again on dated 28.08.2024 and found that the land and the water pond just behind the landfill inside forest area is encroached with municipal waste and leachate. This entire landscape of Aravalli have rich biodiversity with good number of wildlife like Leopard, Hyena, Jackal, Jungle Cat, Rusty Spotted cat etc. And these type of activities inside forest area may be life threat for Wild Animals.”*

6. In the reply of the HSPCB dated 15.05.2024, the results of groundwater analysis of that area were mentioned which reveal that at almost all the locations the results were found to be beyond the prescribed parameters. With the flowing of leachate during the current monsoon season, the groundwater must have been further contaminated. Therefor, a fresh report in respect of the quality of groundwater in the area concerned is required.

7. Hence, we direct the CPCB to obtain the samples of the groundwater from the locations which are mentioned in the reply of the

HSPCB dated 15.05.2024, get it tested and analysed and submit the analysis report before the Tribunal along with the next report.

8. Since, the documents filed by the Applicant clearly reveal that the leachate has flown outside the landfill and that even the solid waste and leachate has spread over the forest area, therefore, appropriate action of imposition of environmental compensation is required to be taken by the HSPCB for this violation as well as the past violation of not clearing the landfill site till now.

9. Hence, Member Secretary, HSPCB is directed to take appropriate punitive action and file a report by way of affidavit at least one week before the next date of hearing.

10. List on 17.12.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

September 03, 2024  
Original Application No. 172/2021  
Original Application No.109/2022  
(IA No 757/2023)  
dv..

Item Nos. 09&amp;10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 172/2021

Poonam Yadav

Applicant

Versus

M/s Eco-green Energy Private Limited &amp; Ors.

Respondent(s)

**WITH**

Original Application No. 109/2022  
(I.A. No. 757/2023)

Vivek Kamboj

Applicant

Versus

Union of India &amp; Ors.

Respondent(s)

Date of hearing: 17.12.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Itisha Awasthi, Adv. for Applicant in OA 109/2022

Respondent: Mr. Rahul Khurana, Adv. for HSPCB, MCG & MCF with  
Dr. Balpreet, Additional Commissioner, Municipal Corporation  
Gurugram,  
Mr. Akhilesh, HCS Joint Commissioner, SBM, Municipal Corporation  
Gurugram,  
Mr. Nijesh, Executive Engineer, SBM, Municipal Corporation Gurugram,  
Mr. O.P. Goyal, Consultant, SBM, Municipal Corporation Gurugram,  
Mr. Sharad Bhatnagar, Consultant, MCG,  
Mr. Rajesh, Junior Engineer, MCG &  
Mr. Sunil, Junior Engineer, MCG  
Mr. Raj Kumar, Adv. for CPCB

**ORDER**

1. In these original applications, the Tribunal is considering the issue of failure to comply with the environmental norms and improper solid waste management at Bandhwari landfill site at Gurugram.

2. The Tribunal by the order dated 03.09.2024 had directed the Central Pollution Control Board (CPCB) to obtain the sample of the groundwater from the location and submit the sample analysis report.

3. Learned Counsel appearing for the CPCB submits that the samples have been taken and the report is awaited. He has sought two weeks' time to file the report.

4. In terms of the previous direction, the Haryana State Pollution Control Board (HSPCB) has filed the report dated 16.12.2024 indicating the punitive action taken, including the imposition of Rs. 5.6 crores as environmental compensation (Rs. 2.8 crores deposited by MCG) and filing prosecution case vide no. 820/2024.

5. The action taken report on behalf of the Municipal Corporation Gurgaon (MCG) was also filed on 16.12.2024, disclosing the steps that are being taken at Gurgaon and Faridabad for managing solid waste. The disclosure made by the Municipal Corporation Gurgaon in the report is as under:

**“2.1 Status of Legacy Waste: -**

*The Legacy waste piled up at Bandhwari, Gurugram SLF site is being managed by MCG by Bioremediation & Bio Mining. The fractions obtained after biomining are Bio Soil, RDF, Inert and C&D Waste. The RDF is being sent to cement plants, waste to energy plants and pre- processing units authorized by SPCB. The Bio Soil is being utilized to fill the low lying area and by the farmers to enrich the soil. The target to process the entire legacy waste was fixed for 31.12.2024. The detail of legacy waste and its processing is given as under:-*

<b>Sr. No.</b>	<b>Description</b>	<b>Quantity in Lac MT</b>
1	Total legacy waste assessed in January 2023	30.43
2	Fresh waste received from Jan 2023 to Dec 2023	6.06

3	Fresh waste received from Jan 2024 to 30 <sup>th</sup> November, 2024	6.10
<b>Total waste received (A)</b>		42.59
4	Waste Processed from Jan 2023 to Dec 2023	16.50
5	Waste Processed from Jan 2024 to 30 <sup>th</sup> November, 2024	17.25
<b>Total waste processed (B)</b>		33.75
<b>Balance waste to be processed as on 01.12.2024 (A-B-C)</b>		8.84

**NOTE: The entire legacy waste assessed in Jan 2023 i.e. 30.43 Lac MT has already been processed. Further, 3.32 Lac MT waste received after Jan 2023 has also been processed. This indicates that a total quantity of 33.75 Lac MT fresh and legacy waste has been processed by MCG since January 2023. The fresh waste processing is a continuous process and shall be continued till any alternative arrangement becomes operational, namely, Torrefied Charcoal Project by NVVNL, details of which are as under:**

Assuming a population of Gurugram about 30 Lac and of Faridabad about 25 Lac, by 2030, the total waste generation is projected to be 1500 TPD in Gurugram and 1200 TPD in Faridabad. Steps are being taken to manage future projections of Waste in these two cities: An MoU for setting up of MSW to Torrefied Charcoal Plant with **NTPC Vidyut Vyapar Nigam Ltd (NVVN)** has been signed on 20-07-2024 for processing of 1500 TPD of MSW for Gurugram and 1200 TPD for Faridabad.

Timeline of both the projects is as under:

<b>Sr. No.</b>	<b>Particulars</b>	<b>Timeline</b>
1	MoU has been signed with NVVNL for setting up of Waste Processing Plant (Torrefied Charcoal) in Gurugram with a 20.07.2024 capacity of 1500 TPD.	Already signed on 20.07.2024
2	Handing over of Land at Bandhwari for Gurugram plant and at Mothuka for Faridabad plant, to NVVNL for construction of the processing plants.	01.02.2025
3	Construction of Waste Processing Plant (Torrefied Charcoal) plant in Gurugram and Faridabad with a capacity of 1500 TPD and 1200 TPD by NVVN, respectively.	01.03.2025 To 31.10.2026
4	Testing of Torrefied Charcoal plants.	01.11.2026 to

		15.12.2026
5	Commissioning of Torrefied Charcoal Plants	16.12.2026
6	Processing of fresh waste expected to be generated till the final commissioning of Plants will continue at the existing site.	

**2.2 Hindrances faced by MCG in achieving the target of processing of Legacy waste at Bandhwari landfill site in Gurugram:-**

- i) *Rainfall during this year's Monsoon has been excessive in comparison to previous years and during the July-September 2024, processing of waste was adversely affected and decreased considerably. Decentralized waste processing site are also not functioning at their full capacity during the rainy season.*
- ii) *The average waste processing in April, May, June 2024 was 8000 TPD which reduced to 4000 TPD during July (due to the completion of work of two agencies) and further reduced to 1700 TPD during August 2024 (due to heavy rains).*
- iii) *03 tenders for legacy waste processing (05 Lakh MT, 05 Lakh MT & 04 Lakh MT quantities) have been floated and are in process.*
- iv) *For fresh waste processing MCG has made effort to take over land at Daultabad (Gurugram) and to acquire land at Indri (Nuh) but due to large scale public protest the same could not be developed as fresh waste processing sites. Now MCG has requested MD, HSIIDC to allocate 15 acres land at village Fazil was out of 1128 acres land acquired by HSIIDC for expansion of IMT Manesar, on rental basis.*
- v) *In the absence of alternate site/s for fresh waste dumping at Faridabad and Gurugram, the numbers of vehicles plying to and from Bandhwari site is very large and this frequently leads to bunching of vehicles and resulting delay in unloading.*

**3. Status of Leachate Management**

*That with regard to Leachate Management, it is submitted that the legacy leachate stored at Bandhwari SLF site has been disposed off. It is further, submitted that approximately 200 KLD leachate is being generated at dump site which increase during rainy season, depending upon the quantum of rainfall, moisture content and meteorological condition. Shifting of leachate through tankers is being ensured by the Municipal Corporation, Gurugram for treatment of 120 MLD (i.e. 120000 KLD) STP of GMDA at Behrampur, Gurugram. There is no discharge of leachate on the land surrounding to Bandhwari SLF. The samples are being tested on daily basis by GMDA at inlet and outlet of STP and same have also been got tested by HSPCB and reports are found satisfactory.*

*This quantity of the leachate is 0.166 % of total capacity of the STP, which is very less and practically, there is no effect on the treatment process of STP. Further, as pointed out by Hon'ble NGT, mechanism of disposal has been strengthened, as GMDA verifies the disposal at STP before release of any payment to the agency operating the tankers.”*

6. In the said report, Municipal Corporation Gurgaon has also disclosed the status and details of bulk waste generators in Gurgaon and Faridabad and the status of decentralised waste processing in the two ULBs.

7. We, however, find that progress has been very slow in the remediation of legacy waste and setting up of waste processing facilities.

We find that:

- (i) balance waste to be remediated as of 30.08.2024 was 9.59 lakh metric tonnes. Whereas waste remaining to be processed as of 01.12.2024 is 8.84 lakh MT. It has not been disclosed how much expenditure has been incurred and the area of land reclaimed/recovered so far. Further, it has not been substantiated by the figures as how much quantity of RDF is going to cement plants and waste to energy plants. It has also not been disclosed if bio-soil being given to farmers and disposed of in low-lying areas has no toxicity backed up by analytical results.
- (ii) We find that due to insignificant facilities existing for waste processing, the Bandhwari landfill site is receiving waste of about 1400 TPD and this is after excluding 310 TPD of waste processed by MCG and 400TPD of waste processed by MCF.

8. The Applicant has also filled additional affidavit enclosing therewith the documents relating to the violation of norms.

9. Since the report from CPCB is awaited, the learned Counsel for MCG and MCF submits that he will duly look into the material that has been filed along with the additional affidavit dated 16.12.2024 by the Applicant and corrective measures will be taken.

10. Hence, we grant four weeks' time to the CPCB, MCG and MCF to file the further affidavit.

11. The Chief Secretary, Haryana will duly monitor the progress of the remedial measures as disclosed in the affidavit by the MCG and MCF including clearing of legacy waste at concerned landfill sites and setting up of waste processing facilities with squeezed timelines.

12. List on 14.04.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

December 17, 2024  
Original Application No. 172/2021  
and Original Application No. 109/2022  
(I.A. No. 757/2023)  
dv..

Photographs taken by CPCB are given below:

Photographs of 13 ground water locations collected on 26.11.2024 (Fig 1 to Fig 13):



Fig 1: Teen Murti Hanuman Mandir, Bandhwari



Fig 2: Mandir, Village Bandhwari



Fig 3: Sh. Pawan Farm house, Bandhwari



Fig 4: House of Sh. Lala Ram house



Fig 5: House of Sh. Vipin Kalra, Bandhwari



Fig 6: House of Sh. Anant Lal, Bandhwari



Fig 7: Govt. School Baliwas



Fig 8: Borewell from Ram Mandir Gawal Pahadi

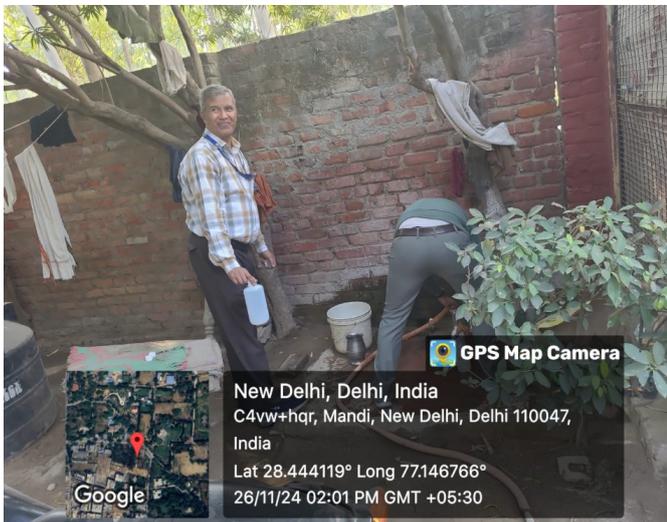


Fig 9: Borewell from village Mandir, Vidya Chowk



Fig 10: Hanuman Mandir near petrol pump



Fig 11: Borewell from Farm House, Manger



Fig 12: Sansad Saheed petrol pump



**Fig 13: Borewell from Police Station, Manger**

The photographs of Leachate samples collected on 26.11.2024 (Fig 14-Fig 16)



**Fig 14: Leachate pond inside the site**



**Fig 15: Leachate pond near Faridabad road**



**Fig 16: Leachate pond along peripheral wall near forest area**