

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

**Execution Application No. 55 of 2025 in
Original Application No. 458 of 2023**

IN THE MATTER OF:

Prakash Yadav

Applicant

Versus

State of Haryana& Ors.

Respondent

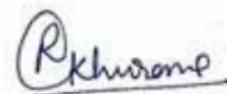
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Date: - 13.10.2025

Filed

Through



(Rahul Khurana)

Advocate-on-Record

Supreme Court of India

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Prakash Yadav

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Respondent

**COMPLIANCE AND ACTION TAKEN REPORT IN EXECUTION APPLICATION NO.
55/2025 IN O.A. NO. 458/2023; PRAKASH YADAV VERSUS STATE OF HARYANA & Ors.
ON BEHALF OF HARYANA STATE POLLUTION CONTROL BOARD.**

1. BACKGROUND:

Hon'ble NGT vide order dated 29.08.2025 in Execution Application No. 55/2025 in O.A. No. 458/2023; Prakash Yadav Versus State of Haryana & Ors. passed the following directions: -

“4. The Registry is directed to issue notices to the respondents requiring them to file their reply/response mentioning the steps taken for compliance with order dated 26.07.2024.

5. Replies/responses may be filed by the respondents at least two days before the next date of hearing fixed.

6. We also intend to make surprise visits to different districts in the State of Haryana in order to ascertain factual position with respect to compliance with order dated 26.07.2024 passed by this Tribunal and the date and time of such visit will be communicated to the respondents by the Registry in due course of time.

7. List on 14.10.2025 for further consideration”

**2. DIRECTIONS OF HON'BLE NGT ISSUED VIDE ORDER DATED
26.07.2024 IN O.A. NO. 458/2023; PRAKASH YADAV VERSUS STATE OF
HARYANA & Ors:**

Whereas, Hon'ble NGT vide order dated 26.07.2024, has directed Haryana State Pollution Control Board to submit the action taken report on the following matter:-

61. In its report HSPCB has not indicated the compliance status regarding review of implementation of the Rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department monitoring the environment standards of the operation of the solid waste processing and treatment facilities and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites, compliance with requirements of authorization, consents under respective enactments and views of other agencies, as may be applicable and submission of annual returns by all concerned in the State of Haryana collectively and District Rewari including Dharuhera separately as mandated by SWM Rules 2016. HSPCB has not taken any action in respect of violations of SWM Rules 2016 by Municipal Committee, Dharuhera.

62. The Member Secretary, HSPCB is directed to look into these aspects and take appropriate action and also to initiate appropriate proceedings for prosecution of the concerned officers and imposition and realization of environmental compensation on Municipal Committee, Dharuhera for past violations within three months and file action taken report in this regard.

67. Accordingly, we specifically direct that there shall be complete prohibition on littering/dumping of Solid Waste at unauthorized places particularly roadsides, rivers, water ways, wetlands, lakes, nalas, panchayat or revenue lands, land owned by PWD or other various authorities in the entire State of Haryana with effect from the date of this order and for each such incident of default, violator shall be liable to pay environmental compensation of Rs. 5,000/- in case of first instance and Rs. 10,000/- in case of any further instance of littering/dumping of solid waste not falling in the category of bulk waste and Rs. 25,000/- in case of first instance and Rs. 50,000/- in case of any further instance of littering/dumping of bulk waste by any bulk waste generator, concessionaire, ULB or any other person or body responsible for the same. The concerned Commissioner of Municipal Corporation or the concerned Executive Officer of Municipal Committee shall designate appropriate number of officers thereof for imposing

environmental compensation from the violators. In addition to such designated Officers of Municipal Corporation/Municipal Committee, the concerned Regional Officer of HSPCB shall also be entitled to impose environmental compensation from the violators. Environmental compensation so imposed/realized shall be deposited with the concerned Municipal Corporation/Municipal Committee/HSPCB. In case of non-payment the environmental compensation as mentioned above shall be recovered as arrears of land revenue by the Competent Authority in accordance with law. Environmental compensation so realized shall be utilized by the concerned Municipal Corporation/Municipal Committee/HSPCB for proper management and processing of Solid Waste within its respective jurisdiction.

68. The Chief Secretary, Government of Haryana and the Member Secretary, HSPCB are directed to ensure adequate publicity of above direction in the entire State through electronic and print media and also through hoardings, banners etc for due compliance by all concerned. The concerned Municipal Corporation/Municipal Committee shall also make due publicity through hoardings, banners etc. at appropriate places.

3. COMPLIANCE AND ACTION TAKEN REPORT IN EXECUTION APPLICATION NO. 55/2025 IN O.A. NO. 458/2023; PRAKASH YADAV VERSUS STATE OF HARYANA & Ors.

- A).** That in reply of para No. 61 and 62, it is submitted that HSPCB has taken action against Municipal Committee, Dharuhera for past violation regarding unscientific disposal of municipal solid waste. Accordingly, the Regional Officer Rewari has recommended the imposition of environmental compensation of Rs.111.67 lakhs against MC, Dharuhera alongwith the prosecution action against Secretary, MC, Dharuhera which will be filed before Hon'ble Civil Court, Rewari. Further, Municipal Committee, Dharuhera has identified the land of 3.7 acre at Malpura and Rajpura village, Tehsil Dharuhera, District Rewari, Haryana for Integrated Solid Waste Management Project of 24.5 TPD. The MC, Dharuhera has applied for Environment Clearance and the public hearing under EIA notification was also conducted on dated 20.08.2025. Once the Environment Clearance will be granted for the proposed project, same will be established after following due procedure for scientific disposal of municipal solid waste.

B). That in reply of para No. 67 and 68, it is submitted that HSPCB has widely publicized the direction issued by Hon`ble NGT vide para No.67 through publication in one major national daily newspaper and one Regional Vernacular daily newspaper in Hindi on dated 08.11.2024 (Copy of advertisement annexed as **Annexure-1**). The HSPCB, Rewari has imposed penalty of Rs. 5.25 Lakhs against Municipal Council, Rewari, Rs. 25,000/- against HSIIDC Bawal, Rs. 25,000/- against NHAI, Rs. 25,000/- against HSVP and Rs. 5,000/- against Deputy Director, Agriculture Department, Rewari, Rs. 25000/- against BDPO, Dharuhera for illegal dumping, littering and burning of solid waste.

The above Compliance and Action Taken Report (ATR) may kindly be considered and taken on record by the Hon`ble National Green Tribunal.

Dated: - 13.10.2025


13/10/25
Regional Officer
HSPCB, Rewari Region

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Annexure-1

HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Website-www.hspcb.org.in
E-Mail- hspcb-solidwaste@gmail.com
Tele Fax No. - 0172-2577870-73

06-11-2024

To

The Director General,
Information, Public Relations & Cultural Affairs Department,
Haryana, Chandigarh.

Sub: Notice for publication regarding Complete prohibition on littering/dumping of solid waste at unauthorized places particularly roadsides, rivers, waterways, wetlands, lakes, nalas, panchayat or revenue lands, land owned by PWD or other various authorities in the entire State of Haryana.

On the subject cited above and in this regard, I have been directed to enclose herewith a copy of notice and to request you to publish aforesaid notice in one major national daily newspaper and one Regional Vernacular daily newspaper in Hindi on DAVP rates:

The advertisement should appear on or before **09.11.2024** in the leading newspapers and bill on DAVP rates.

DA/ Public Notice for Advertisement

Signed by
Vikas Chand

Env Engineer (H.C.)
Date: 07-11-2024 09:56:43
For Chairman

CC:

1. All Branch Incahrges , Head Office
2. All Regional Officers, HSPCB
3. Sr. Account Officer, HSPCB
4. Sr. Environmental Engineer(IT), HSPCB. He is requested to uploaded the public notice on the website of the Board.
5. P.A to Member Secretary, HSPCB
6. P.S to Chairman, HSPCB.

HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Website-www.hspcb.org.in
E-Mail- hspcb-solidwaste@gmail.com
Tele Fax No. - 0172-2577870-73

PUBLIC NOTICE

Subject: Complete prohibition on littering/dumping of solid waste at unauthorized places particularly roadsides, rivers, waterways, wetlands, lakes, Nalas, Panchayat or Revenue lands, Land owned by PWD or other various authorities in the entire state of Haryana and penal action of environment compensation against violators.

Ministry of Environment, Forest & Climate Change (MoEF&CC) Govt, of India notified the Solid Waste Management Rules, 2016. Rule 4 (2) of these rules says that no waste generator shall throw, burn or burry the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies. Further as per rule 4 (a) of these rules, every waste generator shall have to segregate and store the waste generated by them in three separate streams, namely, bio-degradable, non-bio-degradable and domestic hazardous waste in suitable bins and handover segregated wastes to authorized waste pickers or waste collectors as per the direction or notification by the local authorities from time to time.

Hon'ble National Green Tribunal issued directions vide judgment dated 26.07.2024 in the matter of O.A No. 458 of 2023 titled as Mr. Prakash Yadav Versus State of Haryana and others in respect of the compliance on Municipal Solid Waste Rules, 2016, wherein, Hon'ble Tribunal has directed that there shall be complete prohibition on littering/dumping of solid waste at unauthorized places particularly roadsides, rivers, waterways, wetlands, lakes, nalas, panchayat or revenue lands, land owned by PWD or other various authorities in the entire State of Haryana with effect from the date of this order and for each such incident of default, violator shall be liable to pay environmental compensation of Rs. 5,000/- in case of first instance and Rs. 10,000/- in case of any further instance of littering/dumping of solid waste not falling in the category of bulk waste and Rs. 25,000/- in case of first instance and Rs. 50,000/- in case of any further instance of littering/dumping of bulk waste by any bulk waste generator, concessionaire, ULB or any other person or body responsible for the same. The concerned Commissioner of Municipal Corporation or the concerned Executive Officer of Municipal Committee shall designate appropriate number of officers thereof for imposing environmental compensation from the violators. In addition to such designated Officers of Municipal Corporation/Municipal Committee, the concerned Regional Officer of HSPCB shall also be entitled to impose/ realise environmental compensation on violators. Environmental Compensation so imposed/realised shall be deposited with the concerned Municipal Corporation/Municipal Committee/HSPCB. In case of non-payment of the environmental compensation as mentioned above shall be recovered as arrears of land revenue by the Competent Authority, in accordance with law. Environmental Compensation so realized shall be utilized by the concerned Municipal Corporation/Municipal Committee/HSPCB for proper management and processing of solid waste within its respective jurisdiction.

In view of above, all concerned stake holders including solid waste generators in the State of Haryana are hereby informed through this public notice not to litter/dump solid waste at unauthorized places and ensure its proper segregation and storage in suitable bins and to handover their solid waste to authorized waste pickers or waste collectors as per the directions or notification by the local authorities, issued from time to time.

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Any non-compliance/violation in respect of above attracts action including penal actions as per provisions of applicable Act/ Rule/Policy by the designated authorities.

Dated: 04-11-2024

Chairman, HSPCB

हरियाणा राज्य प्रदूषण नियंत्रण बोर्ड

सी-11, सेक्टर-6, पंचकुला

वेबसाइट-www.hspcb.org.in

ई-मेल-hspcbssolidwaste@gmail.com

टेली फैक्स सं. 0172-2577870-73

सार्वजनिक सूचना

विषय : पूरे हरियाणा राज्य में अनधिकृत स्थानों, विशेष रूप से सड़क के किनारे, नदियों, जलमार्गों, आर्द्रभूमि, झीलों, नालों, पंचायत या राजस्व भूमि, पीडब्ल्यूडी या अन्य विभिन्न प्राधिकरणों के स्वामित्व वाली भूमि पर ठोस अपशिष्ट को फेंकने/डंप करने पर पूर्ण प्रतिबंध और उल्लंघनकर्ताओं के खिलाफ पर्यावरण क्षतिपूर्ति की दंडात्मक कार्रवाई।

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (एमओईएफ और सीसी), भारत सरकार ने ठोस अपशिष्ट प्रबंधन नियम, 2016 को अधिसूचित किया है। इन नियमों के नियम 4 (2) में कहा गया है कि कोई भी अपशिष्ट उत्पादक अपने द्वारा उत्पन्न ठोस अपशिष्ट को सड़कों, अपने परिसर के बाहर खुले सार्वजनिक स्थानों या नाली या जल निकायों में नहीं फेंकेगा, जलाएगा या दबाएगा। इसके अलावा, इन नियमों के नियम 4 (ए) के अनुसार, प्रत्येक अपशिष्ट उत्पादक को अपने द्वारा उत्पन्न अपशिष्ट को तीन अलग-अलग धाराओं में अलग करना होगा, अर्थात् जैव-निम्नीकरणीय, गैर-जैव-निम्नीकरणीय और घरेलू खतरनाक अपशिष्ट को उपयुक्त डिब्बों में संग्रहित करना होगा और समय-समय पर स्थानीय अधिकारियों द्वारा दिए गए निर्देश या अधिसूचना के अनुसार अलग किए गए कचरे को अधिकृत कचरा बीनने वालों या कचरा संग्रहकर्ताओं को सौंपना होगा। माननीय राष्ट्रीय हरित अधिकरण ने नगरपालिका ठोस अपशिष्ट नियम, 2016 के अनुपालन के संबंध में श्री प्रकाश यादव बनाम हरियाणा राज्य एवं अन्य शीर्षक वाले 2023 के ओ.ए. संख्या 458 के मामले में दिनांक 26.07.2024 के निर्णय के माध्यम से निर्देश जारी किए, जिसमें माननीय अधिकरण ने निर्देश दिया है कि पूरे हरियाणा राज्य में इस आदेश की तिथि से अनाधिकृत स्थानों विशेषकर सड़क के किनारे, नदियों, जलमार्गों, आर्द्रभूमि, झीलों, नालों, पंचायत या राजस्व भूमि, पीडब्ल्यूडी या अन्य विभिन्न प्राधिकरणों के स्वामित्व वाली भूमि पर ठोस अपशिष्ट फेंकने/डंप करने पर पूर्ण प्रतिबंध रहेगा और चूक की ऐसी प्रत्येक घटना के लिए, उल्लंघनकर्ता को पहली बार में 5,000/- रुपये का पर्यावरण मुआवजा और थोक अपशिष्ट की श्रेणी में न आने वाले ठोस अपशिष्ट को फेंकने/डंप करने की किसी भी अन्य घटना के मामले में 10,000/- रुपये और पहली बार में 25,000/- रुपये और दूसरी बार में 30,000/- रुपये का पर्यावरण मुआवजा देना होगा। किसी भी थोक अपशिष्ट जनरेटर, रियायतकर्ता, यूएलबी या इसके लिए जिम्मेदार किसी अन्य व्यक्ति या निकाय द्वारा थोक अपशिष्ट को फैलाने/डंप करने के किसी भी अन्य मामले के मामले में 50,000/- का जुर्माना लगाया जाएगा। संबंधित नगर निगम के आयुक्त या नगर समिति के संबंधित कार्यकारी अधिकारी उल्लंघनकर्ताओं से पर्यावरण मुआवजा लगाने के लिए अपने उचित संख्या में अधिकारियों को नामित करेंगे। नगर निगम/नगर समिति के ऐसे नामित अधिकारियों के अतिरिक्त, एचएसपीसीबी के संबंधित क्षेत्रीय अधिकारी भी उल्लंघनकर्ताओं पर पर्यावरण मुआवजा लगाने/वसूली करने के हकदार होंगे। इस प्रकार लगाया/वसूली गई पर्यावरण क्षतिपूर्ति संबंधित नगर निगम/नगर समिति/एचएसपीसीबी के पास जमा की जाएगी। ऊपर उल्लिखित पर्यावरणीय मुआवजे का भुगतान न करने की स्थिति में कानून के अनुसार सक्षम प्राधिकारी द्वारा भूमि राजस्व के बकाया के रूप में वसूल किया जाएगा। इस प्रकार प्राप्त पर्यावरणीय मुआवजे का उपयोग संबंधित नगर निगम/नगर समिति/एचएसपीसीबी द्वारा अपने संबंधित अधिकार क्षेत्र में ठोस अपशिष्ट के उचित प्रबंधन और प्रसंस्करण के लिए किया जाएगा। उपरोक्त के मद्देनजर, हरियाणा राज्य में ठोस अपशिष्ट उत्पादकों सहित सभी संबंधित हितधारकों को इस सार्वजनिक नोटिस के माध्यम से सूचित किया जाता है कि वे अनधिकृत स्थानों पर ठोस अपशिष्ट न डालें और उचित कूड़ेदानों में इसका उचित पृथक्करण और भंडारण सुनिश्चित करें तथा स्थानीय अधिकारियों द्वारा समय-समय पर जारी निर्देशों या अधिसूचना के अनुसार अपने ठोस अपशिष्ट को अधिकृत कचरा बीनने वालों या कचरा संग्रहकर्ताओं को सौंपें। उपरोक्त के संबंध में कोई भी गैर-अनुपालन/उल्लंघन नामित प्राधिकारियों द्वारा लागू अधिनियम/नियम/नीति के प्रावधानों के अनुसार दंडात्मक कार्रवाई सहित कार्रवाई को आकर्षित करेगा।

दिनांक : 04-11-2024

अध्यक्ष, एचएसपीसीबी

PRDH- 1029/11/158/2025/30100/C/67/7