

NEXT DATE OF LISTING 13.04.2021

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO.172 OF 2019

IN THE MATTER OF:

RESIDENT OF VILLAGE ADAMPUR, PO

MASODI KHERA, DISTRICT DHOLPUR APPLICANT

VERSUS

STATE OF RAJASTHAN

RESPONDENT

I N D E X

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Filed By

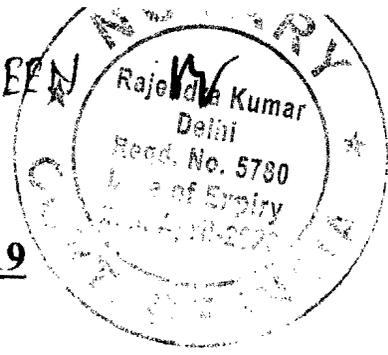

(PADHMALAKSHMI IYENGAR)

Additional Advocate General
Govt. of Rajasthan
Executive office No.4
Bikaner House New Delhi
Email: Padhmalakshmi.iyengar@gmail.com
Mob. 7021322188

ED961641869IN IVR:6968961641869
SP MAYUR VIHAR PHI SD <110091>
Counter No:2,23/03/2021,12:04
To:RESIDENT OF V,MASODI KHERA
PIN:328001, Dholpur HD
From:PADHMA LAKS,BIKANER HOUSE
Wt:120gms
Amt:47.20 (Cash)Tax:7.20
<Track on www.indiapost.gov.in>
<Dial 18002664400 for Stay Safe>



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



ORIGINAL APPLICATION NO.172 OF 2019

IN THE MATTER OF:

RESIDENT OF VILLAGE ADAMPUR, PO
MASODI KHERA, DISTRICT DHOLPUR

APPLICANT

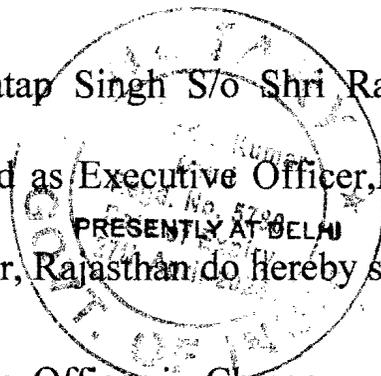
VERSUS

STATE OF RAJASTHAN

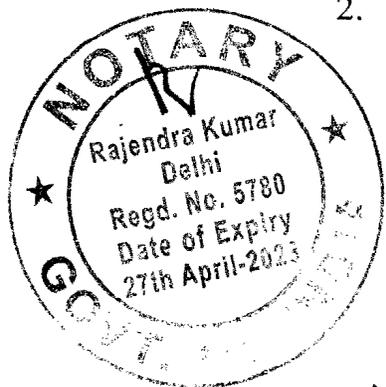
RESPONDENT

AFFIDAVIT CUM COMPLIANCE REPORT OF ORDER
DATED 22.07.2020 ON BEHALF OF THE
RESPONDENT/GOVERNMENT OF RAJASTHAN

I, Vijay Pratap Singh S/o Shri Radheshyam, aged 32 years,
presently posted as Executive Officer, Municipal corporation Bari,
District Dholpur, Rajasthan do hereby solemnly affirm as under:-



1. That I am Officer-in-Charge on behalf of respondent State and well versed with the facts of the present case and competent to file and swear this affidavit in the above-mentioned Original Application.
2. That it is submitted that the present OA was listed on 22.07.2020 before this Hon'ble Tribunal. On the said date the Hon'ble Tribunal has directed to answering respondent to furnish action taken report in Compliance of Municipal Solid Waste Management Rules, 2016 for solid waste and sewage.



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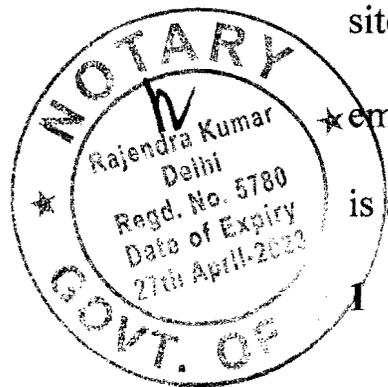
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3. That in compliance with the order dated 22.07.2020, Respondent humbly submits that various remedial action has taken by the Municipal Corporation Badi under the Solid Waste Management Rules, 2016 and Environment (Protection) Act 1986 which are mentioned as under.

4. That it is submitted that the Municipal Corporation Badi in compliance with Solid Waste Management Rules 2016 is engaged in door to door collection of garbage, segregation at source, sweeping, processing of wet and dry waste, transportation of waste within all the 35 wards of the City.

5. That in compliance with the departmental orders the waste is being collected and segregated as per category and disposed of in the dumping site of municipal corporation. Waste gathered within the Municipal limit is collected at the dumping site of the Municipal Corporation. The disposal site, including the landfill, are protected by a compound wall, fenced with barbed wire, and guarded. Entry to the dumping site is being restricted and limited to the corporation

employees. Copy of photograph of the Adampur Dumping Site is attached an annexed herewith and marked as **Annexure R-**

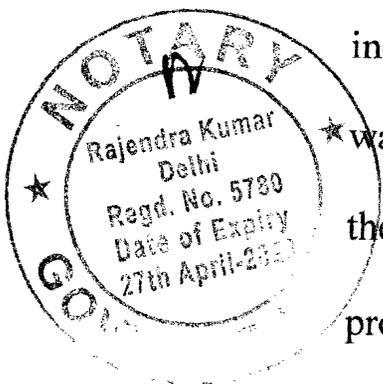


6. That it is submitted that the Municipal Corporation Badi for the purpose of maintenance and regular monitoring of

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dumping site has appointed two cleaning employees on permanent basis, shift wise. The said employees are working with the cleaning inspector of the municipal corporation for quick disposal of grievances that arise at the dumping site. A copy of the office order dated 25.02.2021 issued by the Executive Officer, Municipal corporation Bari in respect of the appointment of cleaners at the dumping site is annexed herewith and marked as **Annexure R-2**

7. That to protect the environment and in compliance with this Hon'ble Tribunal directions, the burning of garbage at the dumping site is absolutely prohibited. A copy of the order dated 19.05.2020 issued by the Executive Officer, Municipal corporation Bari is annexed herewith and marked as **Annexure R-3**
8. That it is submitted that a total of 28 TPD waste is generated in the limit of Municipal Corporation Badi, out of which 12 TPD is wet waste & 14 TPD is dry waste and the remaining is in C & D Category.
9. That the protocol has been devised in a holistic manner including the processing of wet and dry waste as per solid waste management rules. The wet waste is processed through the compost pit and compost machine and the dry waste processed through the MRF facility and the same has been developed with a capacity of 60 TPD/ per day. Copy of

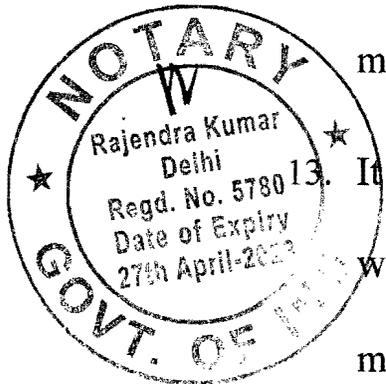


photograph of waste processing plan is attached herewith and marked as **Annexure R-4**

10. That it is submitted that Corporation has directed the M/s Parashar Construction Company to employed 20 cleaning workers at the MRF Facility in order to segregation of dry and wet waste. A copy of the letter dated 25.02.2021 and order dated 25.02.2021 issued by the Executive Officer, Municipal corporation Bari is annexed herewith and marked as **Annexure R-5**

11. That it is submitted that answering respondent in compliance with Hon'ble Tribunal Order dated 31.01.2020 in O.A. No.606/2018 conducted a survey in July 2020 for clearing of legacy waste. That as per the survey, legacy waste is 11458 CUM and expenditure for clearing of legacy waste as per the Solid Waste Management Rules, 2016 is around Rs 60 lacs.

12. That the answering respondent has already awarded tender dated 17.06.2020 for effective disposal of legacy wastes for the period of six months (01.10.2020 to 31.03.2021). A copy tender order dated 17.06.2020 is annexed herewith and marked as **Annexure R-6**



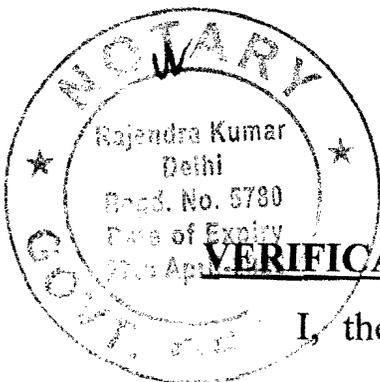
It is submitted that Biomedical must shall not be disposed of with general waste and if hospital waste combines with the municipal waste it may lead to many unknown diseases and in order to prevent the same respondent has addressed a letter

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dated 12.02.2021 to the chief medical officer to stop transporting biomedical waste for final disposal at the dumping site of municipal corporation and dispose of the hospital waste as per the Bio-Medical Waste Management. Rules, 2016. A copy of the letter dated 12.02.2021 issued by the Executive Officer, Municipal corporation Bari is annexed herewith and marked as **Annexure R-7**

14. That it is submitted in neither Ram Sagar pond nor soil of Village adampur is contaminating due to dumping of solid waste. It is submitted that the Dumping site at Adampur is maintained and monitored by Municipal Corporation Badi which is located at a 2.5 Km distance from Ram Sagar Pond and even otherwise no water flow is linked with the area nearby the dumpsite. Therefore, the polluting of the pond does not arise.

15. That it is submitted that as mentioned in the above para the respondent has duly complied with the Solid waste management Rules and directions of this Hon'ble Tribunal.



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DEPONENT

I, the above named deponent, do hereby verify that the contents of the above Affidavit from paras 1 to 15 are true and

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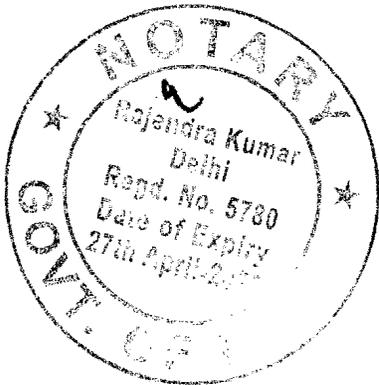
correct to my knowledge. Nothing false has been stated therein and nothing material has been concealed therefrom.

IDENTIFIED

verified at NEW DELHI on this 9 day of March, 2021.

09 MAR 2021

DEPONENT



ATTESTED

LAIV

RAJENDRA KUMAR
NOTARY, DELHI-R-5780
GOVERNMENT OF INDIA
SUPREME COURT OF INDIA
COMPOUND, NEW DELHI
Register Pg./Sl. No. 9899446209

09 MAR 2021

RAJENDRA KUMAR, NOTARY, Reg. No. 5780
F No.-5(486)
EMPOWERED TO ADMINISTER THE OATH
SECTION 139 OF CPC 1908
SECTION 297 OF CRPC 1973
DELHI HIGH COURT RULES 1967
PART-6, CHAPTER XVIII-227
EVIDENCE BY AFFIDAVIT BEFORE NOTARY
SUPREME COURT RULES, 2013
ORDER IX-7

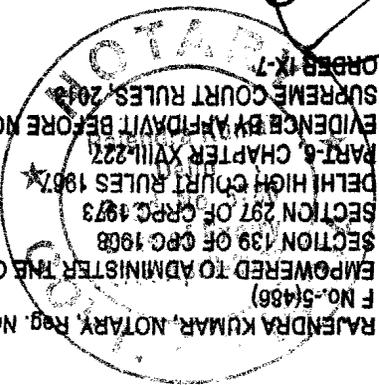
CERTIFIED THAT THE CONTENTS EXPLAINED TO THE
DEPONENT EXECUTIVE WHO IS SEEMED PERFECT TO
UNDERSTAND & AFFIRMED DEPOSED BEFORE ME AT
DELHI ON..... IDENTIFIED BY

IDENTIFY THE EXECUTIVE/DEPONENT WHO HAS
SIGNED IN MY PRESENCE

09 MAR 2021

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IDENTIFIED



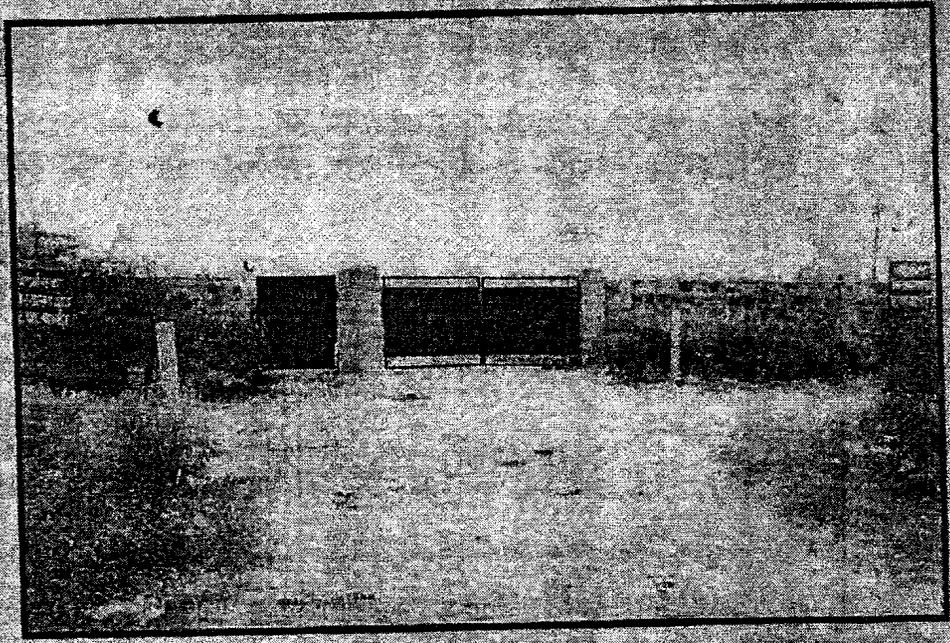
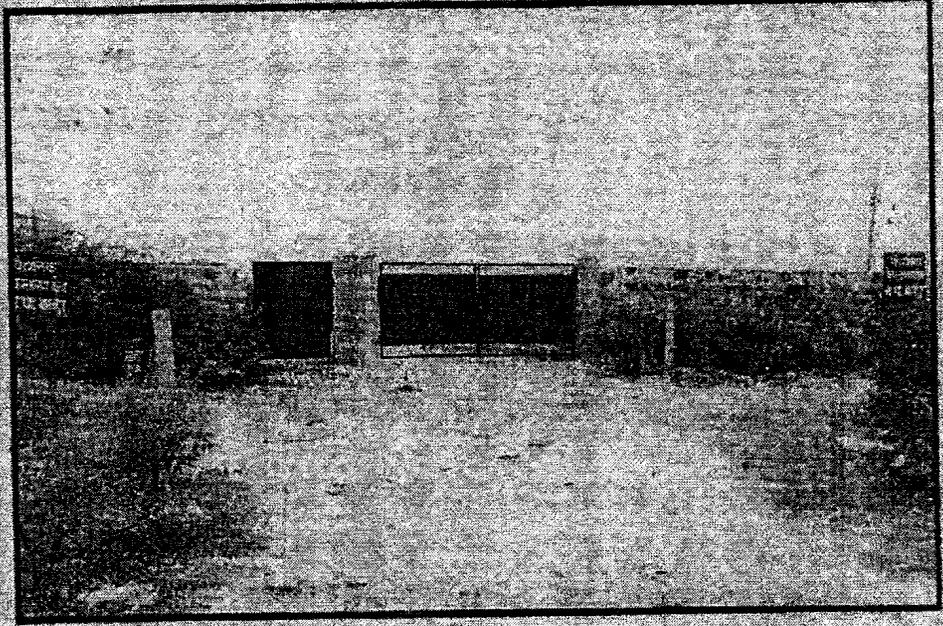
RAJENDRA KUMAR, NOTARY, Reg. No. 5780
F No.-5(486)
EMPOWERED TO ADMINISTER THE OATH
SECTION 139 OF CPC 1908
SECTION 297 OF CRPC 1973
DELHI HIGH COURT RULES 1967
PART-6, CHAPTER XVIII-227
EVIDENCE BY AFFIDAVIT BEFORE NOTARY
SUPREME COURT RULES, 2013
ORDER IX-7

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ANNEXURE - R-1

Point No 4



प्रमाणित

अभिजा साडर न्याहदीवारी, गेर इलाहा

नविराही अधिकारी
गाय-बहीवारी, गरी (वेबड)

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ANNEXURE .R.2

जन शक्ति
अभियान

कार्यालय नगर पालिका मण्डल बाडी (धौलपुर) राज0

E-Mail - lsg.emp.bri-ri@nic.in Bari.jalpur@yahoo.com

Phone No. - 05647-274530

क्रमांक - न.पा.बा/2021/146-50

दिनांक - 25-2-21

- कार्यालय आदेश -

कार्यालय आदेश क्रमांक 323-28 दिनांक 19.05.2020 के क्रम में डम्पिंग
गार्ड आदमपुर पर निम्नांकित सफाई कर्मचारियों की ड्यूटी लगाई जाती है -

1. श्री योगेन्द्र बागडी पुत्र रामभरोसी सफाई कर्मचारी समय प्रातः 6.00 बजे से 1.00 बजे तक
2. श्री मुकेश पुत्र गोपाल सफाई कर्मचारी दोपहर 1.00 बजे से सांय 6.00 बजे तक

उपरोक्त कार्मिक अपनी पारी के अनुसार ड्यूटी देंगे तथा गेट को हर समय बन्द रखेंगे। रात्रि के समय ताला बन्द करके आयेगे। डम्पिंग गार्ड में आबारा जानवरों व आम आदमी का प्रवेश पूर्णतया निषेध रहेगा तथा आम लगने की घटनाओं पर पूर्णतः पाबन्दी रहेगी। कचरा परिवहन गाडियों को चैक कर प्रवेश देंगे जिससे आग की घटना नहीं होने पाये। रजिस्टर में डिपो पर आने वाले वाहनों का इन्द्राज करेंगे तथा सफाई प्रभारी श्री सीताराम शर्मा को रिपोर्ट देंगे। मृत जानवरों को पृथक से बने गड्डों में डलवाया जावेगा। उपरोक्तानुसार पालना सुनिश्चित करेंगे। कार्य में लापरवाही अनुपस्थित पाये जाने पर सेवा नियमों के अनुसार कार्यवाही अमल में लाई जावेगी।

क्रमांक - न.पा.बा/2021/146-50
प्रतिलिपि सूचनार्थ -

1. श्री सीताराम शर्मा सफाई प्रभारी नगर पालिका बाडी
2. श्री योगेन्द्र बागडी पुत्र श्री रामभरोसी सफाई कर्मचारी नगर पालिका बाडी
3. श्री मुकेश पुत्र गोपाल सफाई कर्मचारी नगर पालिका बाडी
4. गार्ड फाइल

अधिकारी अधिकारी
नगर पालिका बाडी (धौलपुर)
दिनांक - 25-2-21

अधिकारी अधिकारी
नगर पालिका बाडी (धौलपुर)
दिनांक - 25-2-21

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ANNEXURE-R-3



जल शक्ति
अभियान

कार्यालय नगर पालिका मण्डल बाडी (धौलपुर) राज0

E-Mail - isg.cmo.bri-ri@nic.in Bari, Jaipur@yahoo.com Phone No. - 05647-274530

क्रमांक - न.पा.बा / 2020 / 922

दिनांक 13-5-20

- कार्यालय आदेश -

श्री सीताराम शर्मा सफाई प्रभारी
नगर पालिका बाडी

वि.सं. 2

विषय - कचरा संग्रहण स्थल आदमपुर पर कार्य कराने काबल।

उपरोक्त विषयान्तर्गत लेख है कि पोल्यूशन कंट्रोल बोर्ड भरतपुर की टीम द्वारा कचरा संग्रहण केन्द्र आदमपुर का मौफा निरीक्षण रिपोर्ट के अनुसार निम्न अनियमितता पाई गई थी।

1. कचरा स्थल में आवारा जानवर घूमते रहते हैं तथा कचरे को जानवरों द्वारा फीलाने से गन्दगी बढ़ती है। आवारा जानवरों को डम्पिंग गार्ड में जाने पर प्रतिबन्ध लगाया जावे।
2. कचरा में डम्पिंग गार्ड में आग लगी हुई रहती है। जिससे धुआं हाने पर आस-पास वायु प्रदूषण होता है। आग की घटनाओं को पूर्ण निरोधित किया जावे।
3. कचरा डिपो में दो कर्मचारियों की ड्यूटी लगाई जावे तथा इनसे प्रतिदिन वाहनों का रजिस्टर में संधारण कराया जावे आपके द्वारा प्रतिदिन निरीक्षण किया जाना सुनिश्चित करें।

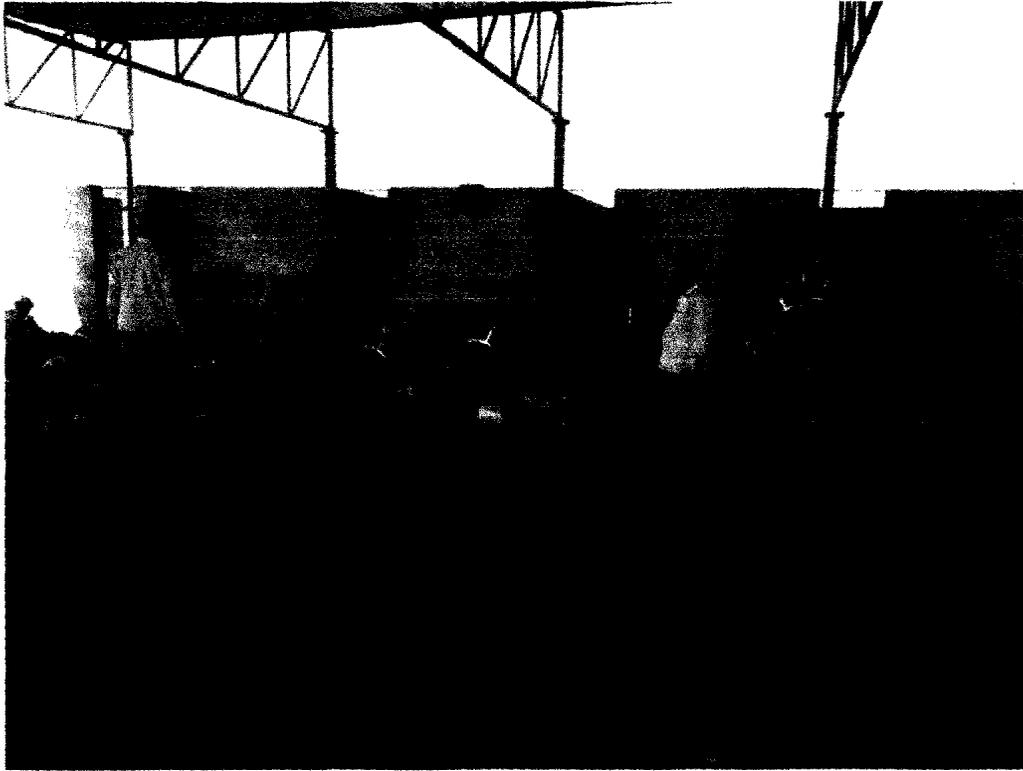
उपरोक्तानुसार निर्देशों की पालना सुनिश्चित की जाकर प्रत्येक रिपोर्ट कार्यालय में पेश करें। भविष्य में शिकायत प्राप्त होने पर आपके विरुद्ध नियमानुसार कार्यवाही अमल में लाई जावे।

प्रमाणित
छाया प्रतिलिपी
अधिसायी अधिकारी
नगर पालिका बाडी

अधिसायी अधिकारी
नगर पालिका बाडी

Ashwini Kumar
Ashwini Kumar

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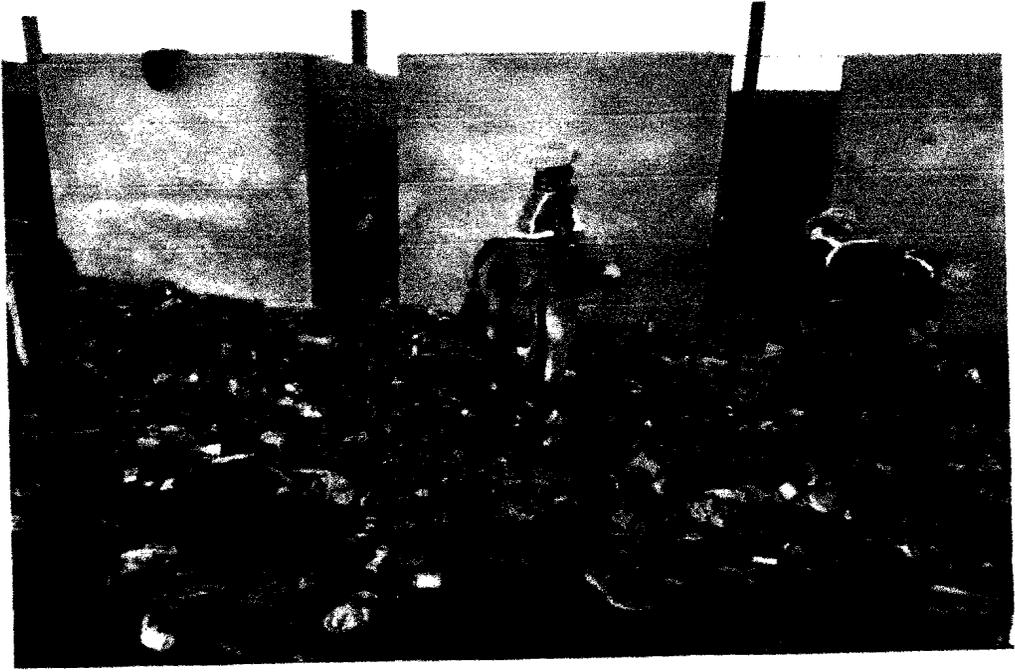


[Signature]
T.C

प्रमाणित
छाया प्रतीलिपी

अधिशायी अधिकारी
जनपद पालिका बाँदी

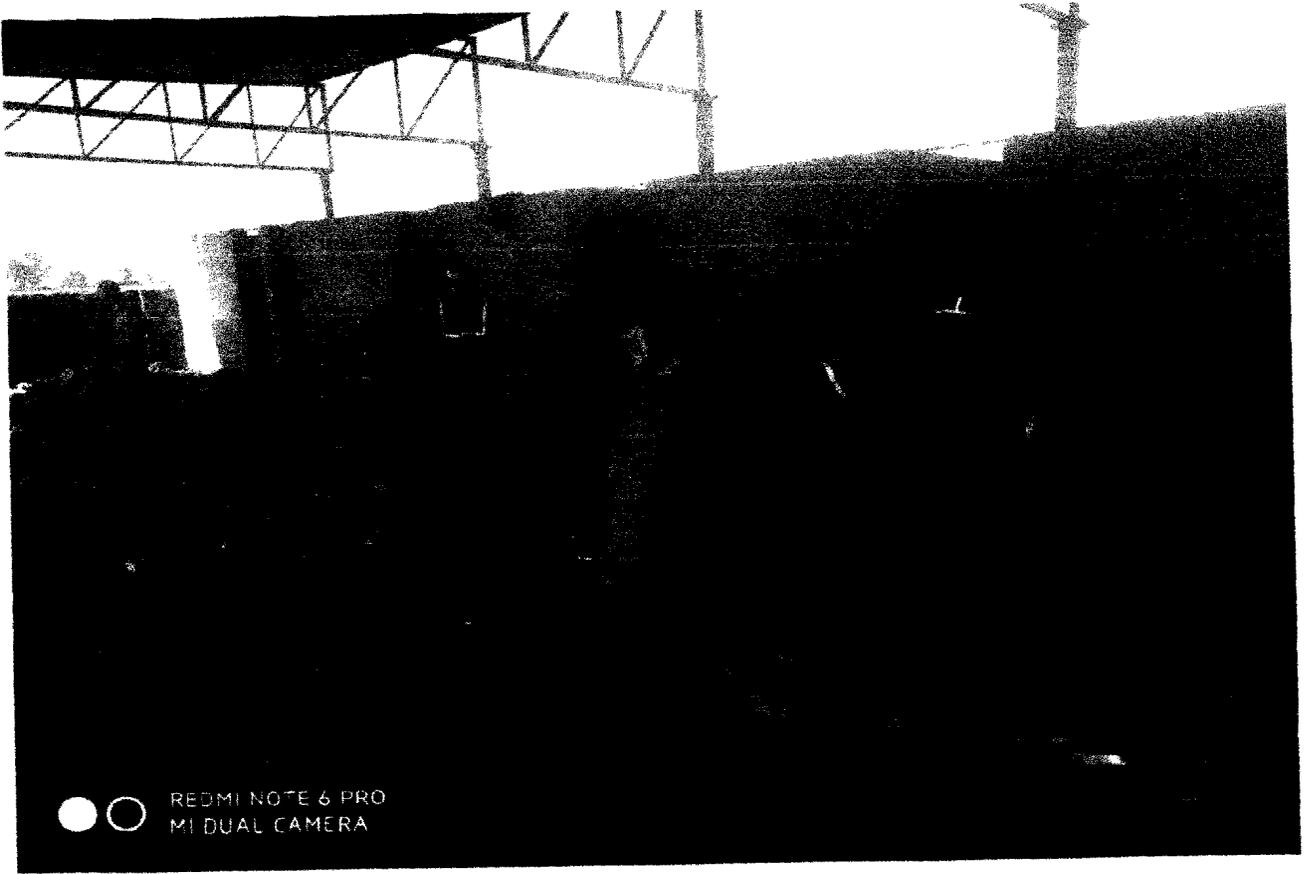
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प्रमाणित
छाया प्रतीलिका
अधिसापी अधिकारी
नगर पालिका बाडी

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प्रमाणित
छाया प्रतीलिपी
अधिसापी अधिकारी
नगर पालिका बाँदी

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प्रमाणित
छाया प्रतीलिपी
अधिशायी अधिकारी
नगर पालिका बाँदी

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ANNEXURE-R-5.

जन शक्ति
भाविप न



कार्यालय नगर पालिका मण्डल बाडी (धौलपुर) राज0

E-Mail - lsg.cmo.bri-rj@nic.in Bari.jaipur@yahoo.com

Phone No. 05647-274530

क्रमांक - न.पा.बा/2021/151-54

दिनांक - 25-2-21

मैसर्स पाराशर कन्स्ट्रक्शन कम्पनी

(तेज कुमार पाराशर)

हथियापौर बाडी

विषय - डम्पिंग यार्ड आदमपुर में 20 सफाई श्रमिक उपलब्ध कराने बाबत।

उपरोक्त विषयान्तर्गत लेख है कि कचरा डम्पिंग यार्ड आदमपुर में कचरा पृथक्कीकरण का कार्य कराया जा रहा है। इस कार्य के लिये आप 20 सफाई श्रमिक कचरा पृथक्कीकरण के लिये सफाई निरीक्षक श्री सीताराम शर्मा को डम्पिंग यार्ड आदमपुर उपलब्ध करायेंगे व पालना रिपोर्ट कार्यालय में पेश करेंगे। आपको इनका भुगतान निविदा अनुबन्ध दर अनुसार कराया जावेगा।

क्रमांक - न.पा.बा/2021/151-54

प्रतिलिपि सूचनार्थ -

1. श्री सीताराम शर्मा सफाई प्रभारी को भेजकर लेख है कि उक्त कारिवा में कचरा पृथक्कीकरण का कार्य कराया जाना सुनिश्चित करेंगे।
2. सामान्य शाखा
3. गार्ड फायल

अधिशायी श्री सीताराम शर्मा
नगर पालिका मण्डल बाडी
हथियापौर बाडी (धौलपुर)

अधिशायी श्री सीताराम शर्मा
नगर पालिका मण्डल बाडी
हथियापौर बाडी (धौलपुर)

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ANNEXURE - R-6

Office of The Municipal Board Bari (Dholpur) Raj.

Date-

for VISION

Work Order

S. Amar Sharma, Plot No. 16 Near Complex

M. P. Nagar Bhopal (M.P.)

Work Name Remediation of legacy waste Dumping - Colonial Adanya Bari

Your Tender Dated 17.6.2020 for the above mentioned work has been accepted on behalf of the Municipal Board Bari Raj. At your tendered percentage of 85% % below/above G-Schedule amounting Rs. 45,22,200/- work order amount Rs. 45,22,200/- Rupees only. Financial Limit is the G-Schedule Amount.

You are hereby directed to start the work at once. Please note that the time allowed for the carrying out work as entered in the tender shall be reckoned from the date of this order commence work. This letter of acceptance together with the tender submitted by you embodying all the conditions there in constitutes the contract agreement between you and the Municipal Board Bari Distt. Dholpur Raj. For this aforesaid work 114,56/- rupees non judicial stamp.

Conditions

- 1- Defective Liabilities Period will be Years from date of Complete Successfully.
- 2- Payment Will be made as per Financial Condition of Municipal Board. No interest shall be paid for any type delayed
- 3- Quality Control Testing must be done on contractor Responsibilities
- 4- The Contractor must be produce the videography and photographs of work before commencement and after completion of work.
- 5- The Contractors shall abide by the labour laws
- 6- No Extra Payment will be done for this work.

Time of Completion Six Months

Date of Comm. 01-10-2020

Date of Comp. 31-03-2021

No-DEV/2020/ 4166-68

- 1- The Chairman Municipal Board Bari
- 2- Executive /Assistant/Junior Engineer Municipal Board Bari
- 3- The Accountant Municipal Board Bari

Executive Officer
Municipal Board Bari
Date 22/9/2020

Executive Officer
Municipal Board Bari

C- Rahul Saini Data/maint ji folder work

[Handwritten signatures and stamps]
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ANNEXURE-R-7.

कार्यालय नगर पालिका मण्डल बाडी (धौलपुर) राज0

E-Mail - lsg.cma.bri-ri@nic.in Bari.jaipur@yahoo.com

Phone No. - 05647-274530

क्रमांक - न.पा.बा/2021/

दिनांक -

प्रमुख चिकित्सा अधिकारी

सामान्य चिकित्सालय बाडी

विषय - बायो मेडिकल वेस्ट मैनेजमेन्ट व सॉलिड वेस्ट मैनेजमेन्ट रूल्स 2016 के सन्दर्भ में।

महोदय

उपरोक्त विषयान्तर्गत लेख है कि आज दिनांक 11.02.2021 को पोल्यूशन कन्ट्रोल बोर्ड भरतपुर के अधिकारियों द्वारा डम्पिंग यार्ड आदमपुर का निरीक्षण करने पर इसकी गम्भीरता से लिया है कि सामान्य चिकित्सालय व अघीनस्थ चिकित्सालय का बायो मेडिकल वेस्ट नगर पालिका के डम्पिंग यार्ड आदमपुर में भिजवाया जा रहा है। जिससे यह कचरा सॉलिड वेस्ट के साथ मिक्स हो रहा है। यह बायो मेडिकल वेस्ट मैनेजमेन्ट नियम 2016 की अवहेलना है।

अतः आपको पुनः सूचित किया जा रहा है कि हॉस्पिटल वेस्ट का बायो मेडिकल वेस्ट मैनेजमेन्ट नियम 2016 के अनुसार कलेक्शन व प्रोसेसिंग का कार्य कराया जाना सुनिश्चित करें। अन्यथा माननीय एनजीटी में होने वाली कार्यवाही के आप जिम्मेदार होंगे।

पत्र को प्राथमिकता की जावें।

क्रमांक - न.पा.बा/2021/475-80

प्रतिलिपि सूचनार्थ व आवश्यक कार्यवाही हेतु प्रेषित है -

1. श्रीमान जिला कलक्टर महोदय धौलपुर
2. श्रीमान आर0 ओ0 राजस्थान प्रदूषण कन्ट्रोल बोर्ड भरतपुर
3. श्रीमान उपखण्ड अधिकारी महोदय बाडी
4. श्री मुख्य चिकित्सा अधिकारी धौलपुर
5. ब्लोक मुख्य चिकित्सा अधिकारी बाडी
6. कनिष्ठ अभियन्ता नगर पालिका बाडी

अभिजात सिंह

अधिशायी अधिकारी
नगर पालिका बाडी (धौलपुर)

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अधिशायी अधिकारी
नगर पालिका बाडी
दिनांक - 12/02/2021

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अधिशायी अधिकारी
नगर पालिका बाडी

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