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BEFORE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

**REPORT ON BEHALF OF JOINT COMMITTEE IN COMPLIANCE WITH
HON'BLE NGT ORDERS IN THE MATTER OF RAJESH KUMAR SINGH
VERSUS STATE OF HARYANA.**

1. Background:

Hon'ble National Green Tribunal vide its order dated 26.05.2023 has directed as follows:

" 3. The grievance is that there is illegal disposal of animal carcasses of dead animals along with municipal solid waste, by burning it, in violation of environmental laws on 32 acres area located adjacent to a residential Central colony of District Hisar at Central Raja Farm, 10 km Sirsa Road.

4. In our view, issue raised in the application, at the first instance can be looked into by the local authorities and in this regard, we constitute a Joint Committee comprising Haryana Pollution Control Board and District Magistrate, Hisar who shall look into the matter, collect relevant information and if finds any violation, would take appropriate, remedial and preventive action in accordance with law within two months.

5. District Magistrate, Hisar shall be the nodal agency for co-ordination and compliance of this order.

6. The factual as well as action taken report, if any, shall be submitted within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF, and he, if finds necessary for any further order, place the matter before the Bench.

Subject to above directions, the application is disposed of".

2. Compliance of Hon'ble NGT Directions:

In compliance of Hon'ble NGT directions, site was inspected on 30.06.2023 by the joint committee comprising following officers:

1. Sh. Niraj, IAS, ADC, Hisar (Representative of District Magistrate, Hisar).
2. Dr. Sunil Sheoran, Scientist-B (Representative of HSPCB).

The inspection Report dated 30.06.2023 along with photographs is annexed as **Annexure-R/1**.

3. Joint committee inspection findings:

Date of Inspection: 30.06.2023

Location: Adjacent to a residential Central colony of District Hisar at Central Raja Farm, 10 KM, Sirsa Road, Hisar.

Findings:

The site of complaint i.e. illegal disposal of animal carcasses of dead animals along with municipal solid waste, by burning it, in violation of environmental laws on 32 acres area located adjacent to a residential Central colony of District Hisar at Central Raja Farm, 10 KM, Sirsa Road inspected on 30.06.2023 by joint committee comprising of Sh. Niraj, IAS, ADC Hisar representative of District Magistrate, Hisar & Dr. Sunil Sheoran, Scientist-B, HSPCB Hisar Region, representative of HSPCB w.r.t. Hon'ble NGT order dated 26.05.2023 passed in the Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana.

During inspection, the above mentioned joint committee has made the following observations:

1. At the site of complaint illegal disposal of animal carcasses of dead animals found scattered with municipal solid waste.
2. Municipal Corporation Hisar has not provided proper infrastructure and facility for scientific disposal of dead animals.

HSPCB, Hisar Region asked vide letters No.808 dated 04.07.2023 and 889 dated 17.07.2023 to Municipal Corporation, Hisar to take necessary action as per guidelines for carcass disposal issued by CPCB, Delhi in November, 2020. Copy of letters dated 04.07.2023 and 16.07.2023 attached as **Annexure-R/2**. MC Hisar has submitted the reply of letter dated 04.07.2023 & 17.07.2023 vide their letter No. 2873/CSI dated 31.08.2023. Copy of MC Hisar letter dated 31.08.2023 is attached as **Anneure-R/3**.

Action taken by HSPCB:

The HSPCB has already levied Environment compensation of Rs. 39 lac on MC Hisar vide order No. 4259 dated 16.02.2023 (Rs. 34 Lacs) and 770 dated 28.06.2023 (Rs. 5 Lacs) for non compliances of Solid Waste Management Rules, 2016. Copy of orders dated 16.02.2023 and 28.06.2023 are attached as **Annexure-R/4**).

Recommendations:

The based on the aforesaid observations, committee made the following recommendations:

1. **Proper Facility for Carcass Management and Disposal:** The Municipal Corporation (MC) of Hisar should establish a proper mechanism & facility for the scientific management and disposal of animal carcasses, following the guidelines issued by the Central Pollution Control Board (CPCB), Delhi in November 2020.
2. **Segregation and Transportation:** MC Hisar should ensure waste collection from door-to-door and transportation for further processing as per SWM Rules, 2016.
3. **Legacy Waste & Fresh Waste Processing and Infrastructure at site:** Given that the existing dumpsite is used for legacy waste processing, MC Hisar is advised to construct a boundary wall, create a green belt, establish a garland drain system, and set up a leachate collection and treatment system.

Ascertained quantum of Legacy waste and timeline for processing of waste be submitted by MC, Hisar.

Proper Action Plan be submitted by MC, Hisar regarding processing & disposal of fresh waste as per SWM Rules, 2016.

4. **Development of Waste Processing & Scientific landfill facility:** MC Hisar should develop a suitable site for solid waste processing facility and landfill facility in compliance with relevant rules. An action plan outlining the timeline for establishment of proper facility should be submitted to the Haryana State Pollution Control Board (HSPCB) immediately.
5. **Awareness Activities:** MC Hisar needs to conduct intensive information, education, and communication activities. This can include installing permanent hoardings in prominent places within the city to promote source segregation of solid waste and captive management of biodegradable waste. Targeted awareness campaigns should also be conducted in primary schools, educational institutes, and households.
6. **Legacy Waste processed utilization Guidelines:** MC Hisar should process legacy waste according to CPCB guidelines. Compost that exceeds the prescribed limits of parameters mentioned in Schedule-II of the solid waste management rules should not be used for food crops, but can be utilized for other purposes i.e. horticulture, low lying area filling.


Regional Officer
HSPCB, Hisar Region


District Magistrate
Hisar

Date: 04-09-2023

Place: Hisar

Sh. Niraj
Niraj

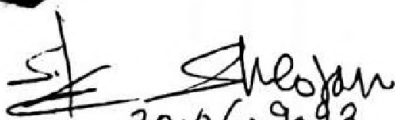
INSPECTION REPORT


The site of complaint i.e. Illegal disposal of animal carcasses of dead animals along with municipal solid waste, by burning it, in violation of environmental laws on 32 acres area located adjacent to a residential Central colony of District Hisar at Central Raja Farm, 10 KM, Sirsa Road inspected today i.e. 30.06.2023 by joint committee comprising of Sh. Niraj, IAS, ADC Hisar representative of Deputy Commissioner, Hisar & Dr. Sunil Sheoran, Scientist-B, HSPCB Hisar Region, representative of HSPCB w.r.t. Hon'ble NGT order dated 26.05.2023 passed in the Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana.

During inspection, the above mentioned joint committee has made the following observations:

1. At the site of complaint illegal disposal of animal carcasses of dead animals found scattered with municipal solid waste.
2. Municipal Corporation Hisar has not provided proper infrastructure and facility for scientific disposal of dead animals.

The joint committee has decided to send the letter to concerned department i.e. Municipal Corporation, Hisar to take necessary action as per guidelines for carcass disposal issued by CPCB, Delhi in November, 2020.


30.06.2023
Dr. Sunil Sheoran
Scientist-B
Representative of
HSPCB, Hisar


Sh. Niraj, IAS,
ADC, Hisar
Representative of
DC, Hisar

Photographs of site inspection conducted on 30.06.2023 w.r.t. Hon'ble NGT order dated 26.05.2023 passed in the Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana







Regional Office, Hisar Region
Haryana State Pollution Control Board



Regional Office: Bays No. B-7, 8, Urban Estate-II, Hisar -125005

Website - www.hspcb.gov.in E-Mail Id- hspcbrohr@gmail.com

No. HSPCB/HR/2023/ 808

Dated: 04-07-23

To
The Municipal Commissioner,
Municipal Corporation, Hisar.

Sub: **Regarding Hon'ble NGT order dated 26.05.2023 passed in the Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana.**

In this connection, it is intimated that the complaint about illegal disposal of animal carcasses of dead animals along with municipal solid waste, by burning it, in violation of environmental laws on 32 acres area located adjacent to a residential Central colony of District Hisar at Central Raja Farm, 10 KM, Sirsa Road filed in Hon'ble NGT & same is registered with Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana.

A Joint Committee comprising of Sh. Nishant, IAS, ADC Hisar representative of Deputy Commissioner, Hisar & Dr. Sunil Sheoran, Scientist-B, HSPCB Hisar Region, representative of HSPCB w.r.t. Hon'ble NGT order dated 26.05.2023 passed in the Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana were directed to look into the matter, collect relevant information and if finds any violation, would take appropriate, remedial & preventive action in accordance with the law within two months by e-mail at judicial-ngt@gov.in (Copy of NGT order dated 26.05.2023 is attached as **Annexure-1**).

During inspection conducted on 30.06.2023, the above mentioned joint committee has made the following observations:

1. At the site of complaint illegal disposal of animal carcasses of dead animals found scattered with municipal solid waste.

2. Municipal Corporation Hisar to provide proper infrastructure/ mechanism for scientific disposal of dead animals.

It is requested to direct concerned officers to take necessary action as per guidelines for carcass disposal issued by CPCB, Delhi in November, 2020 (copy attached as **Annexure-2**) and submit ATR to this office within 07 days, so that same can be submitted before Hon'ble NGT in the above said matter within stipulated time period.

 SHAKTI SINGH
Regional Officer
Hisar Region

Endst. No. HSPCB/HR/2023/89

Dated: 04-07-23

A copy of above is forwarded to the Deputy Commissioner, Hisar for kind information, please.

 SHAKTI SINGH
Regional Officer
Hisar Region
Digitally signed by SHAKTI SINGH
Date: 2023.07.04 14:08:11



Regional Office, Hisar Region
Haryana State Pollution Control Board
Regional Office: Bays No. B-7, 8, Urban Estate-II, Hisar -125005
Website - www.hspcb.gov.in E-Mail Id- hspcbrobr@gmail.com



No. HSPCB/HR/2023/889

Dated: 17/07/23

To

The Municipal Commissioner,
Municipal Corporation, Hisar.

Sub:

Regarding Hon'ble NGT order dated 26.05.2023 passed in the Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana.

Ref:

In continuation of this office letter No. 808-809 dated 04.07.2023.

In this connection, it is again intimated that the complaint about illegal disposal of animal carcasses of dead animals along with municipal solid waste, by burning it, in violation of environmental laws on 32 acres area located adjacent to a residential Central colony of District Hisar at Central Raja Farm, 10 KM, Sirsa Road filed in Hon'ble NGT & same is registered with Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana.

A Joint Committee comprising of Sh. Nisraj, IAS, ADC Hisar representative of Deputy Commissioner, Hisar & Dr. Sunil Sheoran, Scientist-B, HSPCB Hisar Region, representative of HSPCB w.r.t. Hon'ble NGT order dated 26.05.2023 passed in the Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana were directed to look into the matter, collect relevant information and if finds any violation, would take appropriate, remedial & preventive action in accordance with the law within two months by e-mail at judicial-ngt@gov.in (Copy of NGT order dated 26.05.2023 is attached as **Annexure-1**).

During inspection conducted on 30.06.2023, the above mentioned joint committee has made the following observations:

1. At the site of complaint illegal disposal of animal carcasses of dead animals found scattered with municipal solid waste.
2. Municipal Corporation Hisar to provide proper infrastructure/mechanism for scientific disposal of dead animals.

It is again requested to direct concerned officers to take necessary action as per guidelines for carcass disposal issued by CPCB, Delhi in November, 2020 (copy attached as **Annexure-2**) and submit ATR to this office within 07 days, so that same can be submitted before Hon'ble NGT in the above said matter within stipulated time period.

 SHAKTI SINGH
Digitally signed by Shakti Singh
Date: 2023.07.17 10:51:06
+05'30'
Regional Officer
Hisar Region

Dated: 17/07/23

Endst. No. HSPCB/HR/2023/890

A copy of above is forwarded to the Deputy Commissioner, Hisar for kind information, please.

 SHAKTI SINGH
Digitally signed by Shakti Singh
Date: 2023.07.17 10:51:06
+05'30'
Regional Officer
Hisar Region

Municipal Corporation Hisar

To

Regional Officer, Hisar Region,
Haryana State Pollution Control Board
Bays No. B-7,8, Urban Estate-II,
Hisar- 125001

Memo No. 2873 / CSI Dated 31/8/23
Subject:- Regarding Hon'ble NGT order dated 26-05-2023 passed in the Original Application No. 312/2023 in the matter of Rajesh Kumar Singh Vs State of Haryana

On cited subject above and in refrence to your good office letter no. HSPCB/HR/2023/808 dated 04-07-2023 and HSPCB/HR/2023/889 dated 17-07-2023. the action taken report is as below:

Sr. No.	Subject	Reply
1	At the site of complaint illegal disposal of animal carcasses of dead animals found scattered with municipal solid waste.	Municipal Corporation Hisar has given contract to Sh. Vivek Kumar S/o Sh. Deepak Kumar for lifting of dead animals from municipal area. Now, he has been directed strictly for proper disposal of dead animal carcasses. At present, no scattered carcasses of dead animals is on the spot.
2.	Municipal Corporation Hisar to provide proper infrastructure/mechanism for scientific disposal of dead animals.	Municipal Corporation Hisar has allotted land for disposal of dead animals to the contractor near village Dhandhoor. It is pertinent to highlight that the present site is within the periphery of 10 km of Hisar Airport and therefore, as per norms of Civil Aviation Department, a permanent plant for disposal of dead animals carcasses can't be installed within the radius of 10 km. Keeping in view the above norms, the Municipal Corporation has requested to Additional Chief Secretary to Government of Haryana, Animal Husbandary & Dairying Department and Director Urban Local Bodies Haryana vide this office letter no. 599-603/LO Dated 17-07-2023 for purchase of 55 Acres 06 Kanal 16 Marla piece of land of Government Live Stock Farm, Hisar for Solid Waste Processing and Management Plant. Out of this land, adequate piece of land will be earmarked for scientific disposal of dead animals. This proposal of transfer of land is in pipeline at the level of State Government and is likely to be finalized very shortly. As and when the Municipal Corporation gets the land, a proper infrastructure/mechanism for scientific disposal of dead animals will be installed keeping in view the "Guidelines For Carcass Disposal" issued by Central Pollution Control Board, Delhi, November, 2020.


Commissioner,
Municipal Corporation,
Hisar

Tele No. 01662-250890

Regional Office
Haryana State Pollution Control Board,
 Regional Office: Bays No. B-7, 8, Urban Estate-II, Hisar -125005
 Email-hspcbrohr@gmail.com



No. HSPCB/HR/2023/ 4259

Dated: 16-02-2023

To

The Executive Engineer,
 Municipal Corporation, Hisar.

Sub:

Directions under the provisions of Solid Waste Management Rules, 2016 regarding non-compliance of NGT directions in the matter of OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana and regarding deposition of Environmental Compensation on Municipal Corporation Hisar for the said non-compliance.

Ref:

NGT order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana and E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG), HSPCB.

Whereas, the Hon'ble NGT vide order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana has directed the Urban Local Body/ Govt. of Haryana to pay environment compensation, if any of defaults in compliances of Solid Waste Management as per SWM Rules, 2016, and the amount is to be deposited with SPCB.

The relevant part of NGT order is reproduced below:-

"Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal".

Whereas, the Head Office, HSPCB vide E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG) HSPCB has directed to issue directions to the concerned authority and Head Of Departments of the respective department operating solid waste management site in view of order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana, to deposit the Environment Compensation with HSPCB under intimation to HSPCB, Hisar Region.

Whereas, the Municipal Corporation Hisar solid waste management site was visited by concerned Field Officer of HSPCB on 22.06.2022 in presence of representative of MC Hisar. During inspection the following deficiencies were observed:

1. Not complying w.r.t Rule No. 15 of Solid Waste Management Rules, 2016
2. Wet waste was found dumped on ground, which is a big source of contamination of ground water and foul smell in the area.
3. Not provided proper Green Belt along the boundary wall.

4. Solid waste containing lot of plastic waste is found thrown in open area within the legacy waste dump site, which is also source of nuisance in nearby area.

Whereas, the violations mentioned above clearly indicate non compliances of Solid Waste Rules 2016 operational deficiencies which have not been rectified till date of the order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Therefore, in compliance of Head Office directions and order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana, it is hereby directed to deposit Rupees 1,00,000 per month with SPCB with copy to HSPCB Hisar with 1 month from this order in compliance of NGT order dated 16.04.2021 (from 31.03.2020 onwards) i.e. Rs. 100000 X 34 = Rs. 34,00,000/- for failure to adhere to the directions of honorable NGT as per the order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Submitted for information and further necessary action.

DA/ NGT order dated 16.04.2021 in OA No. 612/2019

and E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG), HSPCB.

 SHAKTI
SINGH
Regional Officer
Hisar Region

Dated: 16-02-2023

Endst. No. HSPCB/HR/2023/ 4260

A copy of above is forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for kind information, please.

 SHAKTI
SINGH
Regional Officer
Hisar Region

Dated: 16-02-2023

Endst. No. HSPCB/HR/2023/ 4261

A copy of above is forwarded to the SEE (PLG), Head office, HSPCB w.r.t. letter No. I/1/153365/2023 dated 15.02.2023 for kind information and further necessary action, please.

 SHAKTI
SINGH
Regional Officer
Hisar Region

Tele No. 01662-250890

Regional Office
Haryana State Pollution Control Board,
Regional Office: Bays No. B-7, 8, Urban Estate-II, Hisar -125005
Email-hspcbrohr@gmail.com



No. HSPCB/HR/2023/ 770

Dated: 28.06.23.

To

The Executive Engineer,
Municipal Corporation, Hisar.

Sub:

Directions under the provisions of Solid Waste Management Rules, 2016 regarding non-compliance of NGT directions in the matter of OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana and regarding deposition of Environmental Compensation on Municipal Corporation Hisar for the said non-compliance.

Ref:

NGT order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana and E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG), HSPCB.

Whereas, the Hon'ble NGT vide order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana has directed the Urban Local Body/ Govt. of Haryana to pay environment compensation, if any of defaults in compliances of Solid Waste Management as per SWM Rules, 2016, and the amount is to be deposited with SPCB.

The relevant part of NGT order is reproduced below:-

"Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body from 01.04.2020 till compliance. If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal".

Whereas, the Head Office, HSPCB vide E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG) HSPCB has directed to issue directions to the concerned authority and Head Of Departments of the respective department operating solid waste management site in view of order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana, to deposit the Environment Compensation with HSPCB under intimation to HSPCB, Hisar Region.

Whereas, the Municipal Corporation Hisar solid waste management site was visited by concerned Field Officer of HSPCB on 22.06.2022 in presence of representative of MC Hisar. During inspection the following deficiencies were observed:

1. Not complying w.r.t Rule No. 15 of Solid Waste Management Rules, 2016
2. Wet waste was found dumped on ground, which is a big source of contamination of ground water and foul smell in the area.
3. Not provided proper Green Belt along the boundary wall.

4. Solid waste containing lot of plastic waste is found thrown in open area within the legacy waste dump site, which is also source of nuisance in nearby area.

Whereas, the violations mentioned above clearly indicate non compliances of Solid Waste Rules 2016 operational deficiencies which have not been rectified till date of the order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Therefore, in compliance of Head Office directions and order of Hon'ble NGT dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana , it is hereby directed to deposit Rupees 1,00,000 per month with SPCB with copy to HSPCB Hisar with 1 month from this order in compliance of NGT order dated 16.04.2021 (from 01.02.2023 to 30.06.2023) i.e. Rs. 100000 X 5 = Rs. 5,00,000/- (Five Lakh only) for failure to adhere to the directions of honorable NGT as per the order dated 16.04.2021 in OA No. 612 of 2019 titled as Vinod Kumar Bansal Vs State of Haryana.

Submitted for information and further necessary action.

DA/ NGT order dated 16.04.2021 in OA No. 612/2019

and E-Office letter No. I/153365/2023 dated 15.02.2023 of SEE (PLG), HSPCB.

 SHAKTI SINGH
Regional Officer
Hisar Region

Dated: 28-06-23.

Endst. No. HSPCB/HR/2023/ 771 .

A copy of above is forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for kind information, please.

 SHAKTI SINGH
Regional Officer
Hisar Region

Dated: 28-06-23 .

Endst. No. HSPCB/HR/2023/ 772 .

A copy of above is forwarded to the SEE (PLG), Head office, HSPCB w.r.t. letter No. I/I/153365/2023 dated 15.02.2023 for kind information and further necessary action, please.

 SHAKTI SINGH
Regional Officer
Hisar Region