

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

Original Application No. 636/2023.

IN THE MATTER OF:

In re: News item appearing in The Tribune dated 03.10.2023 titled "Faridabad residents see red over inefficient waste disposal".

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Regional Officer,
Haryana State Pollution Control Board
Faridabad

Date: 25 .07.2024

Place: Faridabad

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

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In re: News item appearing in The Tribune dated 03.10.2023 titled "Faridabad residents see red over inefficient waste disposal".

REPORT ON BEHALF OF HARYANA STATE POLLUTION CONTROL BOARD BY
SANDEEP SINGH, REGIONAL OFFICER, HARYANA STATE POLLUTION CONTROL
BOARD, FARIDABAD:

MOST RESPECTFULLY SHOWETH:

Background.

- Earlier the Hon'ble NGT has issued notice dated 12.10.2023 to the Deputy Commissioner Faridabad and Haryana State Pollution Control Board about listing of the above subjected matter on 31.10.2023 with direction: - "Haryana State Pollution Control Board took the matter with the Deputy Commissioner, Faridabad for redressal of the grievance and necessary action through Municipal Corporation of Faridabad i.e. lifting & disposal of waste from the site in question".
- In response to the said notice Regional officer, Haryana State Pollution Control Board Faridabad submitted the Action taken Report in Hon'ble NGT on dated 30.10.2023. (Copy of Action Taken Report attached as Annexure-R/1)

Hon'ble NGT Direction In order dated 31.10.2023.

- Further the Hon'ble NGT Vide Order dated 31.10.2023 issued the following Directions: "The concerned authorities, remedial action has been taken, we deem it proper to direct the HSPCB to take appropriate action in accordance with law for the past violations and also to ensure that no garbage and solid waste is collected/stored on the spot in question by violating the environmental norms."

Factual Report.

- In compliance of the Hon'ble NGT order dated 31.10.2023. This office has issued Show cause notice for imposition of Environmental Compensation for Non- Compliance with Municipal Solid Waste (Management & Handling) Rules 2016 and Plastic Waste Management Rules, 2016 under Section-15 (B) of Environment Protection Act, 1986; vide letter no. No: I/241168/2024 on dated 18.01.2024.
- That Municipal Corporation, Faridabad has submitted the reply of the SCN on dated 09-02-2024 submitted that "the liability/penal action if to be impose under HWM rules, 2016 and other relevant rules/norms etc. should be impose on M/s Eco Green Energy Pvt Ltd, Unit No. 228-236, Tower A, Spaze I-Tech Park, Sector-49, Gurugram, Haryana.
- Environment Compensation of Rs. 224.34 Lacs was imposed by the Haryana State Pollution Control Board, Panchkula against Municipal Corporation, Faridabad vide Head office order no. I/253096/2024 dated 01-07-2024. **(Copy of Environment Compensation as Annexure-R/2).**
- That, Regional officer, Haryana State Pollution Control Board, Faridabad has issued direction for deposition the Environmental Compensation to the Municipal Corporation, Faridabad vide this office letter no. I/254306/2024 Dated 17-07-2024. **(Copy of Direction for deposition of Environmental Compensation as Annexure-R/3).**
- The Report is being submitted for kind consideration of this Hon'ble Tribunal. The direction passed by this Hon'ble Tribunal shall be complied with true letter and spirit.



Regional Officer,

Haryana State Pollution Control Board
Faridabad

Date: 25 .07.2024

Place: Faridabad

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

OA No. 636/2023

In re: News item appearing in The Tribune dated 03.10.2023 titled "Faridabad residents see red over inefficient waste disposal"

REPORT ON BEHALF OF SANDEEP SINGH, REGIONAL OFFICER, HARYANA STATE POLLUTION CONTROL BOARD, FARIDABAD

MOST RESPECTFULLY SHOWETH:

1. That after taking note of news item published in the newspaper 'the Tribune', this Hon'ble Tribunal has issued notice dated 12.10.2023 to the Deputy Commissioner Faridabad and Haryana State Pollution Control Board about listing of the above subjected matter on 31.10.2023.
2. That Haryana State Pollution Control Board took the matter with the Deputy Commissioner, Faridabad for redressal of the grievance and necessary action through Municipal Corporation of Faridabad i.e. lifting & disposal of waste from the site in question.
3. That the Deputy Commissioner, Faridabad vide letter dated 18.10.2023 requested the Commissioner, Municipal Corporation

of Faridabad (MCF) to take immediate necessary action and submit Action taken Report.

4. That vide letter dated 30.10.2023 issued on behalf of the Commissioner, MCF to the Deputy Commissioner, Faridabad, it has been reported that "due to the breakdown of vehicles and insufficient deployment on the part of M/s Ecogreen, the BPTP transfer station became filled with garbage, resulting in a temporary accumulation of waste outside the transfer station. In response to this issue, Municipal Corporation Faridabad (MCF) took swift and proactive measures to address the problem. The actions taken by MCF include:
- (i). Additional Resource Deployment & Garbage Lifted: To ensure the timely transfer of piled waste from the area, MCF deployed additional resources and vehicles. Specifically, four Hyva vehicles and two JCBS owned by MCF were mobilized to handle the accumulated waste.
 - (ii) Restoration: Currently, there is no waste dumped on the road portion in front of the transfer station. All the garbage accumulated under the bridge has been lifted and transported to Bandhwari site. The remaining garbage within and near the transfer station shall be systematically cleared and transported on a daily basis."

Copy of letter dated 30.10.2023 is enclosed as **Annexure-R/1**.

5. That the MCF should ensure proper functionality of BPTP Transfer Station and waste should be immediately shifted to designated site on regular basis.



Sandeep Singh
Regional Officer,
Haryana State Pollution Control Board
Faridabad

Date: 30.10.2023

I/253096/2024

Annexure R/2



HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Ph-0172-577870-73, Fax No. 2581201

Office Order.

Whereas, Hon'ble National Green Tribunal (NGT) has issued directions to impose the penalty on the non-complying polluting units and to levy compensation on the Principles "Polluter Pays" to recover the Environment compensation for the restoration of the Environment damages caused.

Whereas, the Hon'ble NGT in the matter of Paryavaran Surksha samiti & Ors. Vs Union of India & Parveen Kakkar & Ors. Vs MOEF & Ors. it was held that:

"11. Needless to say that it will be open to the SPCBs/Committees and CPCB to take coercive measure including recovery of compensation for the damage to the environment on "Polluter Pays" as well as also to direct taking of such precautionary measure as may be...."

Whereas in 63rd conference of Chairman and Member Secretary of PCBs/Committees held on 18.03.2019 it was decided that SPCBs/PCCs may frame their guidelines on environmental compensation based on CPCB's report circulated in the agenda of the said meeting and to provide their inputs environmental compensation report.

Whereas, the Board has decided to adopt the methodology suggested by CPCB for assessment, imposing, collection and utilization environment compensation from the polluting units in the state of Haryana. Accordingly a policy was framed by the board vide order dated 29.04.2019 and dated 20.12.2019 in this regard, which have been superseded on 22.12.2021.

Whereas, the Board has constituted environment assessment compensation committee from time to time and presently the committee constituted vide order no. HSPCB/PLG/2022/138645, dated 20.10.2022 is in force to assess the environment compensation of the units found operating in violation of the provisions of the environmental acts.

Whereas, the Regional Officer, HSPCB, Faridabad vide letter dated 26.04.2024 recommended the case for imposing environmental compensation penalty for violation of the provisions of Municipal Solid Waste Rules, 2016 committed by M/s Municipal Corporation, Faridabad. As per contents provided by Regional Officer, Faridabad in his recommendation, Hon'ble NGT has taken cognizance in the matter on publication of a news item regarding illegal & unscientific collection & storage of garbage / Solid Waste in violation of the provision of MSW Rules. Hon'ble NGT vide order dated 31.10.2023 has directed the HSPCB for taking appropriate action in accordance with law for past violation. The matter was placed before the Committee constituted for assessment of environmental compensation in it's meeting held on 24.04.2024. Accordingly, the committee has calculated the environmental compensation as under taking the environmental externality factor 0.01 (Lacs Rs. per day), so the environmental

I/253096/2024

compensation has been finalized by the ECAC of Rs. 224.34 Lacs by applying the formula i.e. EC (Lacs Rs.) = 2.4 (92.7) + 0.02 (92.7) x 1 + 0.01 x 1 = 224.34 only

Therefore, in view of above, M/s Municipal Corporation, Faridabad is hereby directed to deposit Rs. 224.34 Lacs only towards environmental compensation penalty for the damage caused to the environment, with the Haryana State Pollution Control Board in it's account no. 100053543757 having IFSC code no. INDB0000164 in INDUSIND BANK situated at Sector-9, Panchkula, within a period of 30 days, failing which unit shall be liable for action under the applicable provisions for non compliance of the directions of the Board.

Dated: Panchkula **PARDEEP KUMAR**
01-07-2024 **Member Secretary**

Endst. to the following for information and necessary action please:-

1. The Commissioner, Municipal Corporation, Faridabad.
2. Regional Officer, Faridabad Region HSPCB. He is directed to pursue the matter for payment of environmental compensation as stated above and to submit the compliance report in this regard within the prescribed time period.
3. Sr. Account Officer, HSPCB Panchkula.

Signed by

Vikas Chand

Date: 01-07-2024 10:40:07

Environmental Engineer (HQ)
For Member Secretary

I/254306/2024

Annexure R/13



**HARYANA STATE POLLUTION
CONTROL BOARD**
Faridabad Region, Opp. Hewo Appmt.,
Sector-16A, Faridabad
Email: hspcbrofr@gmail.com Website:
www.hspcb.gov.in



To

The Commissioner,
Municipal Corporation,
Faridabad.

Sub: Direction for deposition of Environmental Compensation of Rs. 224.34 Lacs.

Ref: Head Office letter No. I/253096/2024 Dated 01-07-2024.

In this connection it is submitted that whereas by doing improperly and unscientifically disposing Municipal solid and plastic waste under Municipal jurisdiction and The Environmental Compensation for above said non-compliance has been levied/ imposed of Rs. 224.34 Lacs vide order no. under reference, which to be paid by you. (copy of order attached).

In view of above, you are hereby requested to deposit the Environmental Compensation amount of Rs. 224.34 Lacs in the account of Haryana State Pollution Control Board Account No. 100053543757 having IFSC code No. INDB0000164 in INDUSIND BANK situated at Sector-9, Panchkula immediately If failed to deposit the Environmental Compensation, the action will be initiated against you as per Acts/Rules and case shall be sent to Worthy Deputy Commissioner, for recovery of Environmental Compensation under Land Arrear Recovery Method.

DA/as above

Signed by
Sandeep Singh
Date: 17-07-2024 17:01:01
Regional Officer
Faridabad Region