

IN THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

OA NO. 108/2022

IN THE MATTER OF:

LOKESH KHURRANA

...Petitioner

Versus

STATE OF UTTAR PRADESH

...Respondents

ACTION TAKEN REPORT BY MEERUT NAGAR NIGAM**MOST RESPECTFULLY SHOWETH:**

1. That the present matter was listed before this Hon'ble Court on 08.08.2023, whereby this Hon'ble Court was pleased to pass the following order:

"3. Learned Counsel appearing for the Municipal Corporation has submitted that approximately 3 LMT solid waste (legacy) have been treated and remainder is approximately 7 LMT which is under process of disposal and likely to be disposed within a year.

4. In view of the statement and report submitted by the Municipal Corporation, respondent is directed to submit the further action taken report and progress with regard to disposal of legacy waste and further ensure that current waste must be disposed of, as early as possible and further action taken may be filed within three 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."


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2. At present, Meerut has two legacy waste sites, one situated at: Lohiya Nagar and another at Mangatpuram. The details of the work being undertaken at Lohiya Nagar Legacy Waste Site is, *supra*, whereas for Mangatpuram Site, the tender for bioremediation Legacy Waste Site has been floated and technical evaluation is in process.
3. The Meerut Municipal Corporation (MMC) has made significant progress in addressing the solid waste issue in the city. Out of the 10 lakh tonnes of legacy waste at the Lohiya Nagar dumpsite, 3 lakh tonnes was disposed-off by July 2023- the information of which was submitted before this Hon'ble Tribunal and since then, approximately 80,000 tonnes Legacy Waste has been cleared as on date. By 30th November, 2023, the target is to achieve disposal of another 20,000 tonne, thereby totaling disposal of 1,00,000 Tonne Legacy Waste since July, 2023. The MMC remains committed to responsibly disposing of the remainder 6 lakh tonnes of waste and bioreclamation of the Legacy Waste Site.
4. That unseasonal heavy rains and monsoon hampered the target of timely disposal of legacy waste and reclamation of land. That Meerut Nagar Nigam has fixed the target to reclaim Lohiya Nagar Site by November, 2024. The work is going on in full-swing after the Monsoon is over.
5. In total 4 transfer stations were planned. Out of the four garbage transfer stations which were to be constructed in Meerut, two have been completed. Two transfer stations are under construction. These garbage transfer stations


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will play a crucial role in improving Meerut's waste management system by facilitating the efficient transfer of waste from collection points to disposal sites. The completion of these garbage transfer stations will significantly enhance Meerut's capacity to handle and manage the city's waste effectively.

6. Meerut city is building 11 Material Recovery Facilities (MRF) plants to improve waste management. Civil works of four of these plants is complete, and the other seven are in progress.
7. Fresh waste, after door-to-door collection, is sent to the transfer stations. From transfer station, the biodegradable waste is sent to the composting site.
8. For Bio-degradable Waste, MNN has created Bio-Degradable composting site at Gawari Jalaluddinpur using both Pit and Windrow Method techniques. The capacity of the site is 500 TPD. At Gawari there is one 150 TPD capacity Ballistic Separator, which works in 2 shifts thereby achieving 300 TPD capacity just to make sure that there is no contamination of NBD waste.
9. Fresh NBD waste generation in Meerut is about 280 TPD, which goes to waste-to energy plant located at Partaapur, which is 5 MW plant.
10. The capacity of Lohiya Nagar legacy waste processing plant is $300 \text{ TPD} \times 2 = 600 \text{ TPD}$. The processing plant consists of a Ballistic separator of capacity of 30 TPH and 2 Trommel of capacity of 15 TPH having a total manpower of 25 employees.
11. That the work of installation of Integrated Recycling Plant at Gawari is being hampered because of the Stay Order dated 05.04.2019 passed by the Hon'ble


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High Court of Judicature at Allahabad in Writ No. 3312 of 2019. There is no other suitable land with such measurement in Meerut for the installation of the Integrated Recycling Plant at Gawari.

12. The information is submitted to this Hon'ble Tribunal for kind perusal and necessary directions in this regard.

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Nagar Swasthya Adhikaari

Meerut Nagar Nigam

Through Counsel



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Date: 20.11.2023

Place: New Delhi



Case :- WRIT - C No. - 3312 of 2019

Petitioner :- Organic Recycling Systems Pvt. Ltd.

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Syed Mohd. Fazal, Sri S.G. Hasnain (Senior Advocate)

Counsel for Respondent :- C.S.C., Pankaj Srivastava

Hon'ble Pradeep Kumar Singh Baghel, J.

Hon'ble Pankaj Bhatia, J.

On previous occasion, learned counsel for the petitioner was directed to serve respondent no.3. An affidavit of service has been filed on behalf of the petitioner. It appears that due to wrong address the notice could not be served.

During the course of the submissions, Sri Pankaj Srivastava, learned counsel for the respondent has handed over e-mail address of the third respondent.

Sri S.G. Hasnain, learned Senior Advocate assisted by Sri Syed Mohd. Fazal, learned counsel for the petitioner seeks for and is granted twenty four hours' time to send the notice to the third respondent by e-mail.

We had also asked learned counsel for the respondents to produce the record as stand taken by the respondents was that the third respondent has now started functioning. However, from the record learned counsel for the respondents could not satisfy the Court that pursuant to the Letter of Intent in favour of the third respondent, he has started the functioning.

The facts as pleaded by the petitioner are that the respondent no.2 invited expression of interest through advertisement in the various newspapers for installation of a Plant of 800 TPD MSW and the petitioner in pursuance to the said expression of interest filed his tender documents and three companies were short listed in pursuance to the said advertisement dated 1.12.2016.

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Out of the said three bidders the petitioner was issued a letter of intent on 31.12.2016 and a concessionaire agreement was executed in between the petitioner and the respondent no.2 (Annexure-5 to the writ petition) on 2.1.2017. The said agreement was for 800 TPD. It is also stated that the physical possession of the land was granted to the petitioner on 8.7.2017 and the petitioner submitted the necessary DPR vide its letter dated 8.9.2017. Later on the respondent no.2 by means of a letter dated 30.11.2017 clarified that the project of one Plant of 800 TPD shall be split into two phases each phase having a Plant capacity of 400 TPD. The petitioner claims that in pursuance to the Concessionaire agreement dated 2.7.2017, the petitioner made considerable investment for implementation of 800 TPD Plant, however, the petitioner also agreed for two Plants of 400 TPD each as was proposed by respondent no.2.

The grievance of the petitioner is that with regard to the first phase of Plant having been accepted of 400 TPD, the petitioner was given the project, however, with regard to the second phase, the petitioner arbitrarily and in contravention of the concessionaire agreement dated 2.1.2017 is proceeding to give the second phase to the respondent no.3 which wholly arbitrary and illegal.

Considering the averments made at the bar and the fact that the third respondent has not even been allotted the land and has not started the functioning, we heard the matter for considering the question of grant of interim order. On the basis of the averments made, we direct that the parties shall maintain status-quo till the next date of listing.

Put up this case on 15th April, 2019 in the additional cause list before the appropriate Bench.

The matter shall not be treated as tied up or part heard to this Bench.

Rejoinder affidavit to the counter affidavit of respondent no.1 and affidavit of service filed today, are taken on record.

Order Date :- 5.4.2019
Hasnain