

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

Principal Bench, New Delhi

Original Application No. 627/2018

In the matter of: -

Awasiya Jan Kalyan Samiti (Regd.)

Applicant(s)

Versus

State of Haryana & Ors.

Respondent(s)

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(N. K. Gupta)
Scientist "E"

Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110032.

Place: Delhi

Date: 10.05.2021

Status report in the matter of O.A No 627/2018 before Hon'ble NGT.

1. Background:

Hon'ble NGT vide order dated 17.09.2020 directed CPCB as follows:

“Learned counsel for the Municipal Corporation states that it will take two years for the STP to become operational and that bioremediation and phyto-remediation is not possible as per opinion of NEERI. However, learned counsel for CPCB states that there are models which can be considered for bio-remediation/ phyto-remediation and if approached, CPCB can provide information in that regard.

Let CPCB provide such information to the Municipal Corporation, Faridabad within one month from today and on such information being received, the Municipal Corporation may take further steps expeditiously. The status of compliance as on 31.12.2020 be placed on record before next date 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.”

2. Compliance to Direction of Hon'ble NGT

Central Pollution Control Board vide letter no A-19014/50/09-UPC-I/8914 dated 16/10/2020 forwarded the report titled “Alternative Treatment Technologies for Waste Water Treatment in Drains “prepared by CPCB in the matter of O.A No 06 of 2012 titled Manoj Mishra Vs Union of India. (Copy enclosed at Annexure-I) .However MCF vide letter MCF/EE-II/2020/333 dated 23/11/2020 has informed CPCB that technology provided by your office is not applicable / feasible to execute by this corporation.(Annexure-II).

In response to letter of Municipal Corporation, Faridabad MCF/PA/2021/68 dated 02/03/2021, Central Pollution Control Board has provided the details of Central Public Health and Environmental Engineering Organisation (CPHEEO) manual for sludge treatment which duly addresses the issues raised by Municipal Corporation, Faridabad. (Copy enclosed at Annexure -III)



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. A-19014/50/09-UPC-I/ 8914

October 16, 2020

To,

The Commissioner, MCF
Municipal Corporation Faridabad
BK Chowk, Faridabad,
Haryana 121001

Subject: Directions of Hon'ble NGT in the matter of O.A No 627/2018

Sir,

Hon'ble NGT in the matter of O.A No 627/2018 vide order dated 17/09/2020 directed CPCB as follows (Copy enclosed):

Let CPCB provide such information to the Municipal Corporation, Faridabad within one month from today and on such information being received, the Municipal Corporation may take further steps expeditiously. The status of compliance as on 31.12.2020 be placed on record before next date 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.

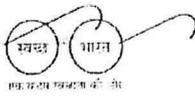
In compliance to above directions, Report titled "ALTERNATIVE TREATMENT TECHNOLOGIES FOR WASTEWATER TREATMENT IN DRAINS" prepared by CPCB in the matter of O.A No 6 of 2012 titled Manoj Mishra Vs Union of India is enclosed for further necessary action at your end please.

Enclosure: As above

Yours faithfully

[NK Gupta]

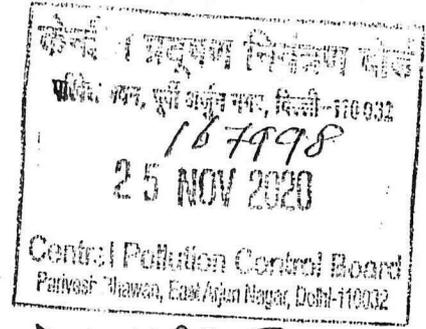
Divisional head- UPC-I



To

The Chairman,
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.
ccb.cpcb@nic.in

167998
25/11/20



Memo No. MCF/EE-II/2020/ 333
Dated:- 23/11/2020

DH-UPC-I
26.11.2020

Sub:- Technology for Scientific Disposal of the silt & sludge received from the sewerage system & storm water drains (open drains) (BIO-REMEDICATION & PHYTO-REMEDICATION)

Ref:- O.A. No. 627/2018 -- Awasiya Jan Kalyan Samiti (Regd.) Vs State of Haryana and Others.

In reference to your office F.No. A-19014/50/09-UPC-I/8914, dated 16-10-2020 vide which report titled as "ALTERNATIVE TREATMENT TECHNOLOGIES FOR WASTEWATER TREATMENT IN DRAINS" for scientific disposal of the sludge / silt coming out from open drains / sewerage system (Bio-Remediation & Phyto-Remediation) as per the directions of Hon'ble NGT.

In this connection, it is intimated that the technology provided by your office is not applicable / feasible to execute by this Corporation, hence you are requested to provide any other technology, if available, with your department so that MCF could take immediate necessary action in this regard.

Executive Engineer-II

Copy to:-

- 1- District Attorney, MCF for kind information, please.
- 2- Chief Engineer, MCF for kind information, please.
- 3- Superintending Engineer-I, for information, please.

27/11

shrg.



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. A-19014/50/09-UPC-I/

Date: 15/03/2021

To,

The Commissioner, MCF
Municipal Corporation Faridabad
BK Chowk, Faridabad,
Haryana 121001

Subject: Technology for Scientific Disposal of the silt / sludge received from the sewerage system and storm water drains (open drains)

Reference:

- i. O.A no. 627/2018- Awasiya Jan Kalyan Samiti (Regd.) Vs State of Haryana and Ors.
- ii. CPCB's letter no. A-19014/50/09-UPC-I/8914 dated 16/10/2020
- iii. MCF's letter no. MCF/PA/2021/68 dated 02/03/2021

Sir,

With reference to above, this is to inform that CPCB has forwarded the Report titled "Alternative Treatment Technologies for Wastewater Treatment in Drains" prepared in the matter of O.A No 6 of 2012 titled Manoj Mishra Vs Union of India for treatment of wastewater of drains vide letter dated 16/10/2020. It is to further submit that Central Public Health and Environmental Engineering Organization (CPHEEO) under Ministry of Housing Urban Affairs has published Manual on Sewerage and Sewage Treatment Systems wherein Chapter - 6 describes Sludge Treatment Facilities and same can be downloaded using link http://cpheeo.gov.in/upload/uploadfiles/files/engineering_chapter6.pdf for reference.

Yours faithfully

[NK Gupta]

Divisional head- UPC-I

Item No. 03

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 627/2018

(With report dated 16.09.2020)

Awasiya Jan Kalyan Samiti (Regd.)

Applicant(s)

Versus

State of Haryana

Respondent(s)

Date of hearing: 17.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**Respondent(s): Mr. Rahul Khurana, Advocate for HCPB and MCF
Mr. Mukesh Verma, Advocate for CPCB**ORDER**

1. The issue for consideration is the remedial action for discharge of untreated sewage causing contamination of underground water and adversely affecting the public health in Sector - 48, Faridabad.
2. In the light of the complaint received on the subject, vide order dated 17.09.2018, this Tribunal directed the Haryana State Pollution Control Board (HSPCB) to verify the facts and furnish a report. A report of action taken was also sought from the Municipal Corporation Faridabad (MCF).

3. After considering the report dated 13.01.2019, acknowledging that sewer line in Sectors 48 and 49, Faridabad was choked, causing overflow of sewer and no adequate remedial measures had been taken, this Tribunal directed the State to take preventive and remedial measures and also required the Chief Secretary to furnish an action taken report. The CPCB was directed to constitute a Committee to examine the extent of damage and the manner in which the accountability should be fixed. Pending such assessment, the MCF was required to deposit a sum of Rs. 50 Lakhs by way of interim compensation to meet the cost of restoration of the environment.

4. The matter was thereafter reviewed on 16.05.2019, 14.10.2019 and 02.12.2019 in the light of the status reports filed. The Tribunal noted the repeated failure of the concerned authorities in remedying the damage to the environment being caused by discharge of untreated sewage and directed further remedial action. The Tribunal further directed:

"1to7 xxx

xxx

xxx

8. Though the status reports mention proposal for the project of laying sewer network and desilting of sewerage network, it is not clear as to where the sludge is being remediated after desilting. Let such information be also given before the next date. Since the plan is part of Yamuna action plan, the timelines laid down in the order dealing with the Yamuna river may be strictly adhered to as already directed."

5. The matter was last considered on 22.01.2020 in the light of status report dated 20.01.2020 filed by the Municipal Corporation Faridabad which was found to be unsatisfactory. The Tribunal directed further remedial measures as follows:-

"In pursuance of the above, status report has been filed on 20.01.2020 by the Municipal Corporation Faridabad which shows equal lack of concern on the part of the authorities dealing with the

situation. Contrary to the earlier directions, instead of taking immediate action, long term plan is being proposed with no concern for the immediate remedial measures. No information has been furnished as to how the sludge is being remediated and why immediate steps, atleast by way of phyto-remediation or bio-remediation, are not being initiated. This exposes the Municipal Corporation Faridabad and its officers to liability for action in terms of the prosecution of the Chief Executive Officer and recovery of compensation for the damage, apart from fixing personal responsibility of the erring officers by way of entry in ACRs and recovery from the salaries. Before giving such directions, we give last opportunity to take responsible and tangible action after preparing an appropriate action plan within one month by e-mail at judicial-ngt@gov.in. The action may be overseen by the Committee headed by Justice Pritam Pal, former Judge, Punjab & Haryana High Court.”

6. Accordingly, the Municipal Corporation Faridabad has filed its reports on 03.01.2020 and 16.09.2020 which mention the steps taken/ proposed. Since there is a later report, which supersede the earlier one, we referred to the report dated 16.09.2020 which is as follows:-

“3. That with respect to issue of remedial action of sludge / silt, it is submitted that the Corporation has requested the Chairman, Central Pollution Control Board, IIT Delhi and the Jamia Millia Islamia University New Delhi to provide technology for scientific disposal of silt /sludge received from the sewerage system and storm water drains. The copy of request letter dated 04.02.2020 sent to the CPCB is annexed as Annexure R/1. However, no response has been received from anyone.

4. That with respect to status of phyto-remediation or bio-remediation, it is submitted that NEERI was requested by Municipal Corporation, Faridabad for the purpose of Bio-remediation of drains. For this purpose, samples were taken by NEERI twice from Gaunchhi drain and Bhudiya Nallah. However, no official communication has been received but **it has been intimated by NEERI officers that keeping in view the quantum of waste water and non-availability of additional sufficient space along these drains, Bio-remediation/ Phyto-remediation is not possible for these drains.**

5. That with respect to laying of sewer line for the purpose of covering all of MCF area, for 450 KM length sewerage network was to be laid under C.M. Announcement and AMRUT Scheme. It is humbly submitted that 346 KM of sewer line has been laid but much progress could not be achieved during the lock-down period due to outbreak of novel Corona Virus Pandemic. However, the Corporation have written letters to the Contractors to expedited the progress of work as per the agreement. The copy of letters issued by Corporation to the contractors are annexed as Annexure R/2 (Colly).

6. That with respect to the status of STPs in Faridabad, it is humbly submitted that a status report dated 17.02.2020 by the Chief Secretary, Haryana has been filed specifically on this issue in OA No.6/2012 in compliance of order dated 22.01.2020. **Thereafter, after completion of tender process, the letter of acceptance for construction of two nos. STPs of 100 MLD and 80 MLD has been issued to L-1 Agency namely M/s H.N.B. Engineers Pvt. Ltd. on 10.09.2020.**

7. That in compliance of recommendations of Joint Committee, an amount of Rs. 1.65 crores has been deposited with CPCB (Central Pollution Board). The copy of covering letter and the demand draft of Rs. 1.15 Crores is annexed as Annexure R/3.

8. That in compliance of recommendations of Joint Committee, the vacant land in question has been protected from dumping of any waste by putting barbed fencing around it by Haryana Shahari Vikas Pradhikarna (HISVP).”

7. The Committee headed by Justice Pritam Pal has also given its report dated 18.02.2020 which mentions its visit and interaction with the concerned Officers and suggestions for interim and final solution. The final solution suggested is to pump the sewage into the STP.

8. Learned counsel for the Municipal Corporation states that it will take two years for the STP to become operational and that bio-remediation and phyto-remediation is not possible as per opinion of NEERI. However, learned counsel for the CPCB states that there are models which can be considered for bio-remediation/ phyto-remediation and if approached, CPCB can provide information in that regard.

9. Let CPCB provide such information to the Municipal Corporation, Faridabad within one month from today and on such information being received, the Municipal Corporation may take further steps expeditiously. The status of compliance as on 31.12.2020 be placed on record before next date 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.

List for further consideration on 28.01.2021.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 17, 2020
Original Application No. 627/2018
A