

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 199 OF 2014

&

ORIGINAL APPLICATION NO. 281 OF 2016

(M.A. No. 1007/2016)

IN THE MATTER OF

ALMITRA H. PATEL & ANR Vs UNION OF INDIA & ORS.
&

KUDRAT SANDHU Vs Govt. of NCT & Ors.

INDEX

S. NO.	PARTICULARS	PAGE NO.
1.	AFFIDAVIT ON BEHALF OF THE CENTRAL POLLUTION CONTROL BOARD, PARIVESH BHAWAN, CBD-CUM-OFFICE COMPLEX, EAST ARJUN NAGAR, DELHI – 110032 IN COMPLIANCE OF THIS HON'BLE TRIBUNAL'S ORDER, DATED 13 th January, 2017 IN THE ABOVE MATTER	
	Annexure-I: Directions dt.10.11.14 u/s 18(1)(b) of Water Act, 1974 & Air Act, 1981 for implementation of MSW Rules, 2000	
	Annexure-II: Follow up letters dt. 05.01.2015 and 28.05.2015 to DPCC for compliance of directions issued u/s 18(1)(b) of air & water Act.	
	Annexure-III: Chairman, CPCB letter dt. 19.11.2014 to Chief Secretary, Govt. of Delhi to direct concern Department for submitting Action Plan.	
	Annexure-IV: CPCB letter dt. 30.03.2015 to EDMC asking to take action for proper collection and disposal of wastes	
	Annexure-V: Directions issued on 09.10.2015 u/s 5 of EPA to Commissioners, EDMC,SDMC, NDMC, North Delhi MC & Cantonment Board for implementation of MSW Rules, 2000	
	Annexure-VI: Follow up letter dt. 18.01.2016 & 11.03.2016 to EDMC to implement MSW Rules and time bound action plan	
	Annexure-VII: CPCB letter dt. 11.01.2017 to all SPCBs/PCCs including DPCC enclosing the judgment of Hon'ble NGT dated 22.12.2016	

Delhi 16.01. 2017


(M. K. Choudhury)

Scientist –E, Central Pollution Control Board
mantu.choudhury@rediffmail.com.

Mob: 9868129126

(Through Counsel)

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

ORIGINAL APPLICATION NO. 199 OF 2014

&

ORIGINAL APPLICATION NO. 281 OF 2016

(M.A. No. 1007/2016)

IN THE MATTER OF

ALMITRA H. PATEL & ANR Vs UNION OF INDIA & ORS.

&

KUDRAT SANDHU Vs Govt. of NCT & Ors.

AFFIDAVIT ON BEHALF OF THE CENTRAL POLLUTION CONTROL BOARD, PARIVESH BHAWAN, CBD-CUM-OFFICE COMPLEX, EAST ARJUN NAGAR, DELHI – 110032, IN COMPLIANCE OF THIS HON'BLE TRIBUNAL'S ORDER, DATED 13.01.2017 IN THE ABOVE MATTER.

I, Shri Mantu Kumar Choudhury, Scientist- 'E; in Central Pollution Control Board, Parivesh Bhawan, East-Arjun Nagar, Delhi – 110032 do hereby solemnly affirm and declare as under:

2. That I, in the capacity of Scientist-'E' of the Central Pollution Control Board (CPCB), am fully conversant with the facts of the case and hence competent to swear this affidavit.
3. That, this Hon'ble Tribunal Vide its order dated 13th January, 2017 directed as under;

"we would like to know from Central Pollution Control Board and Delhi Pollution Control Committee as to what action they have taken in relation to dealing with



municipal solid waste of Delhi and what directions have been issued to the authorities concerned; whether any action /prosecution have been taken against the Corporation and Delhi Government for violating the Municipal Solid Wastes (Management & Handling) Rules, 2000 and Solid Waste Management Rules, 2016."

4. It is humbly submitted that the Central Pollution Control Board (CPCB) issued Directions on 10.11.2014 under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & control of Pollution) Act, 1981 to Delhi Pollution Control Committee (DPCC) for implementation of the Municipal Solid Waste (management & Handling) Rules, 2000 including the followings;
- (i) To issue Directions to all Municipal Authorities for implementation of the Municipal Solid Wastes (Management & Handling) Rules, 2000 in the state.
 - (ii) DPCC to monitor the compliance of the standards regarding Groundwater, ambient air, leachate quality and compost quality including incineration standards as specified under schedule II, III & IV of the above rules.
 - (iii) DPCC to issue Directions to all Municipal Authorities for furnishing Annual Report in Form II on or before 30th June every year.
 - (iv) DPCC to ensure submission of Annual Report with regard to implementation of MSW Rules, 2000 to Central Pollution Control Board before 15th September every year in Form IV. The Annual Report to include important information like (a) quantity of waste generation, collection, treatment and disposal, (b) the number of treatment and disposal facilities,



(c) the details of treatment and disposal facilities established, operational, planned, etc.

The copy of the Directions is enclosed at **Annexure- I**. Further, CPCB followed up with DPCC vide letter dated 05.01.2015 and 28.07.2015 for providing the information on the Directions issued (**Annexure-II**)

5. It is humbly submitted that the Chairman, Central Pollution Control Board vide letter dated 19th November, 2014 addressed to Chief Secretary, Government of Delhi communicated the orders of Hon'ble NGT dated November 3, 2014 in the matter of Almitra H. Patel Vs Union of India (199/2014) with a request to direct the concerned Departments of State Government, Delhi to submit a time-bound action plan to the Central Pollution Control Board. The copy of the letter is enclosed at **Annexure-III**.
6. It is humbly submitted that the Central Pollution Control Board observed that no garbage was collected and transported to landfill site for proper disposal by East Delhi Municipal Corporation for 4 -- 5 days in March, 2015; thereby, leading to choke of the main roads and lanes with garbage. The problem was aggravated further due to burning of leaves/garbage and stinking of garbage on roads and drains. Observing the situation, the Central Pollution Control Board vide its letter dated 30th March, 2015 asked the Commissioner, East Delhi Municipal Corporation (EDMC) to take necessary action for ensuring proper collection of garbage and its disposal. The copy of the letter is enclosed at **Annexure-IV**.
7. It is also humbly submitted that the Central Pollution Control Board issued Directions on 09.10.2015 under section 5 of Environment Protection Act, 1986 to Commissioners, Municipal



Authorities of Delhi including the Commissioner, East Delhi Municipal Corporation for implementation of provisions of the Municipal Solid Wastes (Management and Handling) Rules, 2000. In the said Directions, emphasis was laid on formulating Action Plan in accordance with the MSW Rules and its implementation in a time bound manner. The copy of the Directions is enclosed at **Annexure- V**.

Further, CPCB vide its letter dated 18.01.2016 followed up with the Commissioner, EDMC for furnishing response to the above directions. The CPCB, Zonal Office - Lucknow vide letter dated 11.03.2016 also followed up with the Commissioner, EDMC for providing time-bound action plan in compliance of the MSW Rules (**Annexure-VI**).

8. It is humbly submitted that Hon'ble Tribunal vide its Order dated 22nd December, 2016 in the matter of Almitra H. Patel Vs Union of India & Ors. has directed to take the following actions;
- (i) To conduct physical survey on waste generation in the state/UT and provide current data on solid waste generation, collection, processing, landfill disposal including information on characteristics/components of waste.
 - (ii) Take necessary steps to implement provisions of the Solid Waste Management Rules, 2016
 - (iii) To prohibit open burning of wastes in the state/UT and impose fine for violation.
 - (iv) Survey and Research by monitoring the incidents of waste burning in the state/UT and submit report along with the analysis results to Hon'ble Tribunal.
 - (v) The Judgment of the Hon'ble Tribunal be translated into local vernacular and circulated among citizens.

In compliance to above directions, the Central Pollution Control Board forwarded the Order dated 22.12.2016 of Hon'ble NGT and



communicated the above action points to all State Pollution Control Boards/Pollution Control Committees including the Delhi Pollution Control Committee (DPCC) to ensure compliance of the Order (**Annexure-VII**).

The above information is incorporated in this affidavit from the official records of Central Pollution Control Board



DEPONENT

VERIFICATION :

The content of the para 1 to 8 of the above affidavit are true and derived from the official records of Central Pollution Control Board.

Delhi
16.01.2017



DEPONENT



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
(पर्यावरण एवं वन मंत्रालय, भारत सरकार)
(MINISTRY OF ENVIRONMENT & FORESTS, GOVT. OF INDIA)

F. No. B-11011/1/PCP/2014-15/ 5064-5098

Date: 10.11.2014

To,

Chairmen,
All SPCBs/PCCs

Sub: Direction under Section 18 (1)(a) of the Water (Prevention and control of pollution) Act, 1974 and section 18 (1) (b) of the Air (prevention and control of pollution) Act, 1981 for implementation of the MSW (Management and Handling) Rules, 2000 in the state/UT - reg.

WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 every municipal authority shall within the territorial area of municipality be responsible for the implementation of the provisions of these Rules for any infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority or an operator of a facility shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the State Board or the Committee in order to comply with implementation programme laid down in schedule-I.

WHEREAS, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority shall furnish its Annual Report in Form-I

- (i) to the Secretary-incharge of the Department of Urban Development of the concerned State or the case may be of the Union Territory, in case of metropolitan city; or

परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi - 110032
दूरभाष, Tel: +9102030 फॅक्स/Fax: 22305793, 22307078, 22307079, 22301932, 22304948
ई-मेल/E-mail: cpcb@nic.in, cpcb@rediffmail.com Website: www.cpcb.org.in

Note: Received on 13/1/2017
Time- 10.51 AM By Hand at Cust room
through M.


- (ii) to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

WHEREAS, as per rule 8 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000, the State Boards and Committees shall prepare and submit to the Central Pollution Control Board an Annual Report with regard to the implementation of these Rules by 15th of September every year in Form IV.

WHEREAS, the State Pollution Control Board/Committee responsible for implementation of the Rule 6 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 shall monitor the compliance of the standards regarding Groundwater, ambient air, leachate quality and the compost quality including incineration standards as specified under schedule II, III and IV of the said rules.

WHEREAS THE FACTS, Annual Reports received from the SPCBs/PCCS reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000 in the state/UT and the Annual Reports are not updated with regard to the current status on MSW management (including the quantity of MSW generation, collection, storage, Transportation, treatment, disposal, etc.), important for making plan/policy for MSW management at National level. It is also observed that no study is conducted by the SPCBs/PCCs to assess the status of Groundwater, ambient air, leachate quality and the compost quality including compliance to the incineration standards as specified under schedule II, III and IV of the said Rules, as a result, public resistance, protests, complaints and litigations with regard to MSW Management are increasing day by day.

NOW, THEREFORE, in view of the above observations on implementation of the provisions of the rules under the Municipal Solid Wastes (Management and Handling) Rules, 2000, I, the Chairman, Central Pollution Control Board (CPCB) in exercise of powers vested under section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 and section 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981 issue the following directions to Chairmen of all State Pollution Control Board /Pollution Control Committee;



273

1. The SPCB/PCC shall issue Directions to the all municipal authorities for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 in the state/UT.
2. The State Pollution Control Board/Committee shall monitor compliance of the standards regarding Groundwater, ambient air, leachate quality and the compost quality including incineration standards as specified under schedule II, III and IV of the said rules.
3. The state Pollution Control Board/Committee shall issue directions to all municipal authorities for furnishing Annual report in Form-II on or before 30th June every year.
4. The State Pollution Control Board/Committee shall ensure submission of the Annual Report with regard to implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 in the state/UT as per the Rule 8 (1) specified in the Rules to Central Pollution Control Board by the 15th of September every year in Form IV. The Annual Report shall also reflect vital information on (i) the quantity of MSW generation, collection, treatment and disposal, (ii) the number of treatment and disposal facilities, (iii) the details of treatment and disposal facilities established, operational, under planned, etc.

NOW, THEREFORE, the State Board/Committee shall submit the compliance of action taken on the above DIRECTIONS to CPCB before 30th November, 2014.


(Susheel Kumar)
Chairman

CPCB
BOOKED UNDER BNPL SCHEME
CODE No. 961-18
WEIGHT.....
E.....

केंद्रीय प्रदूषण नियंत्रण बोर्ड
निर्मित

दिनांक
०१/१२/१४

8





केंद्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
(Ministry of Environment, Forests and Climate Change, Govt. of India)

परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi: 110032

Tel. 22307078, 43102030, Telefax- 22307863

Website: www.cpcb.nic.in

F. No. B-11011/1/PCP/2014-15/

Date: 05.01.2015

To,

Member Secretary,
All SPCBs/PCCs

9883-9935

Sub: Directions issued u/s 18 (1)(b) of the Water/Air (Prevention and control of pollution) Act for implementation of the MSW (Management and Handling) Rules, 2000 in the state/UT—Action taken report.-reg.

Sir,

This has reference to Directions issued by Chairman, CPCB to your Board/Committee on November 10, 2014 under section 18 (1) (b) of Air Act, 1981/Water Act, 1974 regarding implementation of Municipal Solid Waste (Management and Handling) Rules, 2000 in your states/UTs on November 10, 2014. As per the said directions, compliance report on the action taken on the following directions was to be submitted to this office by November 30, 2014. So far, CPCB has not received any information about action taken by your Board/Committee.

1. The SPCB/PCC shall issue Directions to the all municipal authorities for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 in the state/UT.
2. The State Pollution Control Board/Committee shall monitor compliance of the standards regarding Groundwater, ambient air, leachate quality and the compost quality including incineration standards as specified under schedule II, III and IV of the said rules.
3. The state Pollution Control Board/Committee shall issue directions to all municipal authorities for furnishing Annual report in Form-II on or before 30th June every year.
4. The State Pollution Control Board/Committee shall ensure submission of the Annual Report with regard to implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 in the state/UT as per the Rule 8 (1) specified in the Rules to Central Pollution Control Board by the 15th of September every year in Form IV. The Annual Report shall also reflect vital information on (i) the quantity of MSW generation, collection, treatment and disposal, (ii) the number of treatment and disposal facilities, (iii) the details of treatment and disposal facilities established, operational, under planned, etc.

SeD (MKC)

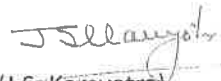
JSJ
09/01

9

[Handwritten signature]

It is therefore, requested that para-wise information on the action taken on the points of directions befurnished to CPCB by 20th January, 2015.

Yours faithfully,


(J.S. Kamyotra)
Director & I/c PCP

CC to: All I/c Zonal Office, CPCB

I/c Bhopal, Zonal office
I/c Zonal office Kolkata
I/c Zonal Office Lucknow
I/c zonal office Bangalore
I/c zonal office Vadodara
I/c zonal office Shillong
P.O. Agra

O/c




07-01-15

10





केंद्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार

(Ministry of Environment, Forests and Climate Change, Govt. of India)

परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi: 110032

Tel. 22307078, 43102030, Telefax- 22307863

Website: www.cpcb.nic.in

F. No. B-11011/1/PCP/2014-15/

Date: 28.07.2015

To,

Member Secretary,
All SPCBs/PCCs

4949-4988

Sub: Directions issued u/s 18 (1)(b) of the Water/Air (Prevention and control of pollution) Act for implementation of the MSW (Management and Handling) Rules, 2000 in the state/UT – Action taken report.-reg.

Sir,

The following Directions were issued by CPCB to your Board/ Committee on 10th November, 2014 under section 18 (1) (b) of the Air Act, 1981 and the Water Act, 1974 regarding implementation of Municipal Solid Waste (Management and Handling) Rules, 2000 in your states/UTs;

1. The SPCB/PCC shall issue Directions to the all municipal authorities for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 in the state/UT.
2. The State Pollution Control Board/Committee shall monitor compliance of the standards regarding Groundwater, ambient air, leachate quality and the compost quality including incineration standards as specified under schedule II, III and IV of the said rules.
3. The state Pollution Control Board/Committee shall issue directions to all municipal authorities for furnishing Annual report in Form-II on or before 30th June every year.

The State Pollution Control Board/Committee shall ensure submission of the Annual Report with regard to implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 in the state/UT as per the Rule 8 (1) specified in the Rules to Central Pollution Control Board by the 15th of September every year in Form IV. The Annual Report shall also reflect vital information on (i) the quantity of MSW generation, collection, treatment and disposal, (ii) the number of treatment and disposal facilities, (iii) the details of treatment and disposal facilities established, operational, under planned, etc.

pl speak
JSE
3/8

ADCM (K)

- 11 -

As per the said directions, compliance report on the action taken was to be submitted to this office by November 30, 2014, which is still awaited from your Board/Committee.

It is therefore, requested that the action taken report for compliance to the above directions may please be furnished to CPCB by 25th July, 2015.

Yours faithfully,

(J.S. Kamyotra)
Director

CC to:

- ✓(i) All I/c Zonal Office, CPCB - SPCBs/ with a request to follow up the matter personally with PCCs for ensuring submission of compliance report before 30th July 2015.
- (ii) PS to MS: - for information of MS please
- (iii) PS to CCB: - for information of CCB please.

(J. S. Kamyotra)
Director

01c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
नियंत्रण
दिनांक
31.07.15

- 12 -



Speed. Post

69

सुशील कुमार
अपर सचिव
SUSHEEL KUMAR, IAS
Additional Secretary
& Chairman, CPCB



सत्यमेव जयते

भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
नई दिल्ली - 110003
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
NEW DELHI-110003

D.O. No. B-11011/1/PCP/2013-14
November 19, 2014

Sub : Compliance to the Order dated November 3, 2014 of Hon'ble NGT - Delhi in the matter of Almitra H. Patel Vs. Union of India and Ors. - O.A. No. 199 of 2014 - reg.

Dear *Sri Spolia,*

The Hon'ble NGT Principal Bench, New Delhi in the matter of original application No. 199 of 2014, Almitra H. Patel Vs. Union of India and Ors. has observed that the SPCBs/PCCs have not filed periodical reports on waste management in the states to CPCB, mandatory under Section 8(1) of the Municipal Solid Waste (Management & Handling) Rules, 2000.

The said rule contemplates that it is the mandatory duty of State Pollution Control Boards and Pollution Control Committees to take steps in respect of Waste Management in the state concerned and file periodical reports to CPCB. The Hon'ble NGT on November 3, 2014 passed orders directing the SPCBs/PCCs to submit the report to CPCB within two weeks and also directed the State Government to file time bound action plan for the purpose of implementing the MSW Rules.

The relevant portion of the order is quoted below;

"We make it clear that every SPCBs/PCCs of this country shall file such report to the CPCB within two weeks from today after receipt of the copy of this order. And after receiving such status reports, the CPCB shall present the same with a comprehensive report before the Tribunal on the next date of hearing so as to enable the Tribunal to pass further orders. We have given two weeks time to the SPCBs/PCCs for the reason that as per the statutory rules the SPCBs/PCCs should have filed such reports even by the end of 15th September, 2014. Therefore, we make it clear to every state boards to comply with the such requirements within the time granted by this Tribunal" and

"Each of the State Governments shall also file their time bound action plan for the purpose of implementing the Municipal Solid Waste Management and Handling Rules before the Tribunal. We also make it clear that CPCB after receiving reports from each of the SPCBs/PCCS, such report shall also be forwarded to this Tribunal along with its comments in the form of chart".

The matter is listed for December 2nd, 2014 and as per the directions of the Hon'ble NGT, CPCB has to submit a comprehensive report before the Hon'ble NGT.

May I request your personal intervention and request you to direct the concerned departments of your State Government including your Pollution Control Board to forward the required consolidated report to CPCB by November 25th 2014 so that CPCB can file the comprehensive report to Hon'ble NGT by the next date of hearing i.e. December 2, 2014 in compliance of the given directions.

With regards,

Yours sincerely,

(Susheel Kumar)

Shri Deepak Mohan Spolia
Chief Secretary
5th Level, Secretariat, I.P. Estate,
New Delhi

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

etc

20/11/14

13



MSCB/33/2015/

7947

30th March, 2015

To

The Commissioner
East Delhi Municipal Corporation
419, Udyog Sadan, Patparganj Industrial Area
New Delhi - 110 096


Subject : **Municipal Solid Waste not being collected and disposed in various wards of East Delhi**

Sir,

It has been observed that during last 4-5 days that the municipal solid waste generated in various wards of East Delhi is not collected properly for its final disposal to the landfill sites. The main roads and lanes are choked with the garbage and it has also consists of non-biodegradable thermocole and plastic glasses. The drains are choked with garbage. Further, the problem has aggravated due to burning of leaves and garbage. Under raising temperature conditions and also by rain and humid conditions, there are possibilities of microbial infections due to stinking of garbage.

It is to request that East Delhi Municipal Corporation to take necessary action for ensuring urgently to collect the garbage for its proper disposal. Littering of garbage, burning and its un-scientific disposal frequently is not in accordance with the Municipal Solid Wastes (Management & Handling) Rules, 2000.


Yours faithfully,


(A.B. Akolkar)

✓
30/03/2015

14



Pl. B4

30/3/15
Sudh
Shobhina



in all forms
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. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,
East Delhi Municipal Corporation
419, Udyog Sadan Patparganj Industrial Area
New Delhi - 110 096

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **WHEREAS**, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (MSW) generation in the country is 143499 MT/day and only 38771 MT/day of waste is processed/treated.
- (2) **WHEREAS**, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental issues.
- (3) **WHEREAS**, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that;
 - (i) Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW rules.
 - (ii) The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

15

- (iii) Foul odour prevails at the MSW disposal sites. The slow and continuous ignition / burning of garbage is causing air pollution at the dumping/landfill site.
- (iv) Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available.
- (v) Most of the Municipalities do not have Action Plan for management of MSW.
- (4) **Whereas**, thin uncollected plastic carry bags, Thermocol and laminated plates and containers used for eating purpose in Marriages, Parties and other functions along with polystyrene cups and saucers as well as Gutka pouches, etc., remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.
- (5) **Whereas**, the Religious places and Tourists Centres are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **WHEREAS**, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swatch Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Vasai Virar shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Vasai Virar and its operators of a facilities shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the Maharashtra State Board in order to comply with implementation of these Rules.

16



(10) **WHEREAS**, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in Form-II as applicable;

(i) to the Secretary-incharge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or

(ii) to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **WHEREAS**, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under;

"..It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities –entrusted with the work of pollution control –cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as – 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall

17



endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.."

(14) **WHEREAS**, the Hon'ble Supreme Court of India in its Record of Proceeding in the matter of WP(C) No. 888/1996 Almitra H. Patel & Anr. Vs Union of India & Ors. issued order dated 04.10.2004 that;

"..It is necessary and appropriate to make a beginning that an action plan for management of MSW in respect of metro-cities and state capitals is prepared by Ministry of Urban Development in consultation with all concerned, including, Ministry of Environment and Forests and Central Pollution Control Board so that implementation, based on said plan, can be commence without further delay in the State Capitals and metro cities to be followed by other cities..."

(15) **WHEREAS**, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr. Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that;

"... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable, taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible..."

(16) **WHEREAS**, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel & Anr. Vs Union of India & Ors. (199 of 2014) issued the following directions vide Order dated 5th February, 2015;

18



- i) *"The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes (Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques"*
- ii) *"As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste, particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or he firms authorized for handling recyclable plastic and allied waste or for making RDF...."*

NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are being issued to the Commissioner, Municipal Corporation of Vasai Virar;

1. Authorization and Annual Report:

- i) Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii) Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in **Form II** on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established, operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and Steps will be taken to ensure segregation and house to house collection of waste.

(19)



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers.
- v. Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
- viii. Seek public participation and viability of roping of NGOs and other voluntary groups for organizing Rag pickers/ waste-pickers in the campaign for primary collection and segregation of MSW. The emphasis should be given on segregation of waste at source i.e. at house hold/source level.
- ix. Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

20



- xii. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste, etc.

3. Waste Processing and Disposal:

The waste generated in the city shall be processed and disposed in accordance with Schedule II,II and IV of MSW Rules, which shall include;

- i. The collected waste shall not be dumped in landfills but, should be utilized by adopting appropriate environmentally safe and sound waste processing technologies. The inert waste and process rejects if further found to be not usable, then to be landfilled. The ultimate aim should be to achieve zero-landfill i.e. minimize landfill operation.
- ii. Undertake monitoring of ambient air quality, the ground water and surface water sources around dumping/landfill sites to assess any damages caused to the environment and implement action plan for its remediation.
- iii. Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

NOW, THEREFORE, the Commissioner, Municipal Corporation of East Delhi is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31st December, 2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be

- 21 -




forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall be brought in public domain through appropriate means.

The commissioner according to these rules shall comply with the above directions. In case of failure to comply with the said directions, action under section 15 of the Environment (Protection) Act, 1986 shall be initiated against the Commissioner, Municipal Corporation of East Delhi.

Copy to:

(i) Chief Secretary, Govt. of Delhi


(Arun Kumar Mehta)
Chairman

Am

← 22 →

Am



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. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,
New Delhi Municipal Council
Palika Kendra, Parliament Street,
New Delhi-110001

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **WHEREAS**, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (MSW) generation in the country is 143499 MT/day and only 38771MT/day of waste is processed/treated.
- (2) **WHEREAS**, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental issues.
- (3) **WHEREAS**, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that;
 - (i) Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW rules.
 - (ii) The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

-23-

- (iii) Foul odour prevails at the MSW disposal sites. The slow and continuous ignition / burning of garbage is causing air pollution at the dumping/landfill site.
- (iv) Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available.
- (v) Most of the Municipalities do not have Action Plan for management of MSW.
- (4) **Whereas**, thin uncollected plastic carry bags, Thermocol and laminated plates and containers used for eating purpose in Marriages, Parties and other functions along with polystyrene cups and saucers as well as Gutka pouches, etc., remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.
- (5) **Whereas**, the Religious places and Tourists Centres are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **WHEREAS**, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swatch Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of New Delhi Municipal Council shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of New Delhi and its operators of a facilities shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the DPCC in order to comply with implementation of these Rules.

-24-



- (10) **WHEREAS**, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in **Form-II** as applicable;
- (i) to the Secretary-in-charge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or
 - (ii) to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPDCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) **WHEREAS**, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under;

"..It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities –entrusted with the work of pollution control –cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as – 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall

→ 25 ←



endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.."

(14) WHEREAS, the Hon'ble Supreme Court of India in its Record of Proceeding in the matter of WP(C) No. 888/1996 Almitra H. Patel & Anr. Vs Union of India &Ors.issued order dated 04.10.2004 that;

"..It is necessary and appropriate to make a beginning that an action plan for management of MSW in respect of metro-cities and state capitals is prepared by Ministry of Urban Development in consultation with all concerned, including, Ministry of Environment and Forests and Central Pollution Control Board so that implementation, based on said plan, can be commence without further delay in the State Capitals and metro cities to be followed by other cities.."

(15) WHEREAS, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr. Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that;

"... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable, taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible...."

(16) WHEREAS, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel &Anr. Vs Union of India &Ors. (199 of 2014) issued the following directions vide Order dated 5th February, 2015;

→ 26 ←



- i) "The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes (Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques"
- ii) "As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste, particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or he firms authorized for handling recyclable plastic and allied waste or for making RDF...."

NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are being issued to the Commissioner, North Delhi Municipal Corporation;

1. Authorization and Annual Report:

- i) Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii) Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in Form II on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established, operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and Steps will be taken to ensure segregation and house to house collection of waste.

- 27 -



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers.
- v. Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
- viii. Seek public participation and viability of roping of NGOs and other voluntary groups for organizing Rag pickers/ waste-pickers in the campaign for primary collection and segregation of MSW. The emphasis should be given on segregation of waste at source i.e. at house hold/source level.
- ix. Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- 28 -



- xii. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste, etc.

3. Waste Processing and Disposal:

The waste generated in the city shall be processed and disposed in accordance with Schedule II,II and IV of MSW Rules, which shall include;

- i. The collected waste shall not be dumped in landfills but, should be utilized by adopting appropriate environmentally safe and sound waste processing technologies. The inert waste and process rejects if further found to be not usable, then to be landfilled. The ultimate aim should be to achieve zero-landfill i.e. minimize landfill operation.
- ii. Undertake monitoring of ambient air quality, the ground water and surface water sources around dumping/landfill sites to assess any damages caused to the environment and implement action plan for its remediation.
- iii. Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

NOW, THEREFORE, the Commissioner, Municipal Corporation of Commissioner, is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31st December, 2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be

-29-



forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall be brought in public domain through appropriate means.

The commissioner according to these rules shall comply with the above directions. In case of failure to comply with the said directions, action under section 15 of the Environment (Protection) Act, 1986 shall be initiated against the Commissioner, North Delhi Municipal Corporation,

Copy to:

(i) Chief Secretary, Govt. of Delhi.


(Arun Kumar Mehta)
Chairman



- 30 -





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. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,
North Delhi Municipal Council
Dr. S.P.M. Civic Centre,
Minto Road, New Delhi - 100 002

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **WHEREAS**, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (MSW) generation in the country is 143499 MT/day and only 38771 MT/day of waste is processed/treated.
- (2) **WHEREAS**, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental issues.
- (3) **WHEREAS**, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that;
 - (i) Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW rules.
 - (ii) The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

31 -

- (iii) Foul odour prevails at the MSW disposal sites. The slow and continuous ignition / burning of garbage is causing air pollution at the dumping/landfill site.
- (iv) Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available.
- (v) Most of the Municipalities do not have Action Plan for management of MSW.
- (4) **Whereas**, thin uncollected plastic carry bags, Thermocol and laminated plates and containers used for eating purpose in Marriages, Parties and other functions along with polystyrene cups and saucers as well as Gutka pouches, etc., remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.
- (5) **Whereas**, the Religious places and Tourists Centres are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **WHEREAS**, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swatch Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of South Delhi Municipal Corporation shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority South Delhi and its operators of a facilities shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the DPCC in order to comply with implementation of these Rules.



(10) WHEREAS, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in **Form-II** as applicable;

(i) to the Secretary-incharge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or

(ii) to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

(11) WHEREAS THE FACTS, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc.

(12) WHEREAS, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) WHEREAS, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under;

"..It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities –entrusted with the work of pollution control –cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as – 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall

endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.."

(14) WHEREAS, the Hon'ble Supreme Court of India in its Record of Proceeding in the matter of WP(C) No. 888/1996 Almitra H. Patel & Anr. Vs Union of India &Ors.issued order dated 04.10.2004 that;

"..It is necessary and appropriate to make a beginning that an action plan for management of MSW in respect of metro-cities and state capitals is prepared by Ministry of Urban Development in consultation with all concerned, including, Ministry of Environment and Forests and Central Pollution Control Board so that implementation, based on said plan, can be commence without further delay in the State Capitals and metro cities to be followed by other cities..."

(15) WHEREAS, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr. Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that;

"... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable, taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible...."

(16) WHEREAS, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel &Anr. Vs Union of India &Ors. (199 of 2014) issued the following directions vide Order dated 5th February, 2015;

-34-



- i) "The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes (Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques"
- ii) "As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste, particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or he firms authorized for handling recyclable plastic and allied waste or for making RDF...."

NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are being issued to the Commissioner, North Delhi Municipal Corporation;

1. Authorization and Annual Report:

- i) Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii) Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in **Form II** on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established, operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and Steps will be taken to ensure segregation and house to house collection of waste.

-35-



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers.
- v. Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
- viii. Seek public participation and viability of roping of NGOs and other voluntary groups for organizing Rag pickers/ waste-pickers in the campaign for primary collection and segregation of MSW. The emphasis should be given on segregation of waste at source i.e. at house hold/source level.
- ix. Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste, etc.

3. Waste Processing and Disposal:

The waste generated in the city shall be processed and disposed in accordance with Schedule II,II and IV of MSW Rules, which shall include;

- i. The collected waste shall not be dumped in landfills but, should be utilized by adopting appropriate environmentally safe and sound waste processing technologies. The inert waste and process rejects if further found to be not usable, then to be landfilled. The ultimate aim should be to achieve zero-landfill i.e. minimize landfill operation.
- ii. Undertake monitoring of ambient air quality, the ground water and surface water sources around dumping/landfill sites to assess any damages caused to the environment and implement action plan for its remediation.
- iii. Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

NOW, THEREFORE, the Commissioner, Municipal Corporation of Commissioner, is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31st December, 2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be




forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall be brought in public domain through appropriate means.

The commissioner according to these rules shall comply with the above directions. In case of failure to comply with the said directions, action under section 15 of the Environment (Protection) Act, 1986 shall be initiated against the Commissioner, North Delhi Municipal Corporation,

Copy to:

(i) Chief Secretary, Govt. of Delhi.


(Arun Kumar Mehta)
Chairman



38 -





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. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,
South Delhi Municipal Corporation
Dr. S.P.M. Civic Centre,
Minto Road, New Delhi - 100 002

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **WHEREAS**, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (MSW) generation in the country is 143499 MT/day and only 38771 MT/day of waste is processed/treated.
- (2) **WHEREAS**, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental issues.
- (3) **WHEREAS**, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that;
 - (i) Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW rules.
 - (ii) The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- 29 -

- (iii) Foul odour prevails at the MSW disposal sites. The slow and continuous ignition / burning of garbage is causing air pollution at the dumping/landfill site.
- (iv) Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available.
- (v) Most of the Municipalities do not have Action Plan for management of MSW.
- (4) **Whereas**, thin uncollected plastic carry bags, Thermocol and laminated plates and containers used for eating purpose in Marriages, Parties and other functions along with polystyrene cups and saucers as well as Gutka pouches, etc., remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.
- (5) **Whereas**, the Religious places and Tourists Centres are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **WHEREAS**, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swatch Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of South Delhi Municipal Corporation shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority South Delhi and its operators of a facilities shall make an application in **Form-I**, for grant of authorization for setting up waste processing and disposal facility including landfills from the DPCC in order to comply with implementation of these Rules.

— 40 —



- (10) **WHEREAS**, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in **Form-II** as applicable;
- (i) to the Secretary-incharge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or
 - (ii) to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) **WHEREAS**, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India &Ors [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under;

"..It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities –entrusted with the work of pollution control –cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as – 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall endeavor to protect and improve the environment and to safeguard the forests and

— 41 —



wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.."

(14) WHEREAS, the Hon'ble Supreme Court of India in its Record of Proceeding in the matter of WP(C) No. 888/1996 Almitra H. Patel & Anr. Vs Union of India &Ors.issued order dated 04.10.2004 that;

"..It is necessary and appropriate to make a beginning that an action plan for management of MSW in respect of metro-cities and state capitals is prepared by Ministry of Urban Development in consultation with all concerned, including, Ministry of Environment and Forests and Central Pollution Control Board so that implementation, based on said plan, can be commence without further delay in the State Capitals and metro cities to be followed by other cities..."


(15) WHEREAS, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr. Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that;

"... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable, taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible...."

(16) WHEREAS, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel &Anr. Vs Union of India &Ors. (199 of 2014) issued the following directions vide Order dated 5th February, 2015;

i) *"The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes*

- 42 -



(Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques”

ii) “As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste, particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or he firms authorized for handling recyclable plastic and allied waste or for making RDF....”

NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are being issued to the Commissioner, Municipal Corporation South Delhi;

1. Authorization and Annual Report:

- i) Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii) Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in Form II on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established, operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and Steps will be taken to ensure segregation and house to house collection of waste..

43 -



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers.
- v. Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
- viii. Seek public participation and viability of roping of NGOs and other voluntary groups for organizing Rag pickers/ waste-pickers in the campaign for primary collection and segregation of MSW. The emphasis should be given on segregation of waste at source i.e. at house hold/source level.
- ix. Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste, etc.

3. Waste Processing and Disposal:

The waste generated in the city shall be processed and disposed in accordance with Schedule II,II and IV of MSW Rules, which shall include;

- i. The collected waste shall not be dumped in landfills but, should be utilized by adopting appropriate environmentally safe and sound waste processing technologies. The inert waste and process rejects if further found to be not usable, then to be landfilled. The ultimate aim should be to achieve zero-landfill i.e. minimize landfill operation.
- ii. Undertake monitoring of ambient air quality, the ground water and surface water sources around dumping/landfill sites to assess any damages caused to the environment and implement action plan for its remediation.
- iii. Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

NOW, THEREFORE, the Commissioner, Municipal Corporation of South Delhi, is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31st December, 2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be

-45-

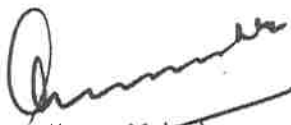


forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall be brought in public domain through appropriate means.

The commissioner according to these rules shall comply with the above directions. In case of failure to comply with the said directions, action under section 15 of the Environment (Protection) Act, 1986 shall be initiated against the Commissioner, Municipal Corporation of South Delhi.

Copy to:

(i) Chief Secretary, Govt. of Delhi


(Arun Kumar Mehta)
Chairman



-46-





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. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Executive Officer,
Office of Cantonment Board
Sadar Bazar, Delhi Cantt-10

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **WHEREAS**, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (MSW) generation in the country is 143499 MT/day and only 38771 MT/day of waste is processed/treated.
- (2) **WHEREAS**, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental issues.
- (3) **WHEREAS**, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that;
 - (i) Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW rules.
 - (ii) The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water.
 - (iii) Foul odour prevails at the MSW disposal sites. The slow and continuous ignition /

burning of garbage is causing air pollution at the dumping/landfill site.

परिवेश भवन, पूर्व अर्जुन नगर, दिल्ली-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

47-

- (iv) Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available.
- (v) Most of the Municipalities do not have Action Plan for management of MSW.
- (4) **Whereas**, thin uncollected plastic carry bags, Thermocol and laminated plates and containers used for eating purpose in Marriages, Parties and other functions along with polystyrene cups and saucers as well as Gutka pouches, etc., remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.
- (5) **Whereas**, the Religious places and Tourists Centres are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **WHEREAS**, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Cantonment Board shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Cantt. Board and its operators of a facilities shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the DPCC in order to comply with implementation of these Rules.

48



(10) **WHEREAS**, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in Form-II as applicable;

(i) to the Secretary-in-charge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or

(ii) to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **WHEREAS**, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India &Ors [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under;

"..It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities -entrusted with the work of pollution control -cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as - 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall endeavor to protect and improve the environment and to safeguard the forests and

49-



wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.."

(14) WHEREAS, the Hon'ble Supreme Court of India in its Record of Proceeding in the matter of WP(C) No. 888/1996 Almitra H. Patel & Anr. Vs Union of India &Ors.issued order dated 04.10.2004 that;

"..It is necessary and appropriate to make a beginning that an action plan for management of MSW in respect of metro-cities and state capitals is prepared by Ministry of Urban Development in consultation with all concerned, including, Ministry of Environment and Forests and Central Pollution Control Board so that implementation, based on said plan, can be commence without further delay in the State Capitals and metro cities to be followed by other cities..."

(15) WHEREAS, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr. Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that;

"... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable, taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible...."

(16) WHEREAS, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel &Anr. Vs Union of India &Ors. (199 of 2014) issued the following directions vide Order dated 5th February, 2015;

i) *"The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes*

- 50 -



(Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques"

- ii) *"As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste, particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or the firms authorized for handling recyclable plastic and allied waste or for making RDF..."*

NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are being issued to the CEO, Delhi Cantt. Board;

1. Authorization and Annual Report:

- i) Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii) Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in Form II on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established, operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and Steps will be taken to ensure segregation and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers.
- v. Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
- viii. Seek public participation and viability of roping of NGOs and other voluntary groups for organizing Rag pickers/ waste-pickers in the campaign for primary collection and segregation of MSW. The emphasis should be given on segregation of waste at source i.e. at house hold/source level.
- ix. Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

52



- xii. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste, etc.

3. Waste Processing and Disposal:

The waste generated in the city shall be processed and disposed in accordance with Schedule II,II and IV of MSW Rules, which shall include;

- i. The collected waste shall not be dumped in landfills but, should be utilized by adopting appropriate environmentally safe and sound waste processing technologies. The inert waste and process rejects if further found to be not usable, then to be landfilled. The ultimate aim should be to achieve zero-landfill i.e. minimize landfill operation.
- ii. Undertake monitoring of ambient air quality, the ground water and surface water sources around dumping/landfill sites to assess any damages caused to the environment and implement action plan for its remediation.
- iii. Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

NOW, THEREFORE, the Commissioner, Municipal Corporation of Chief Executive Officer, is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31st December, 2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall

→ 53 ←



be forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall be brought in public domain through appropriate means.

The commissioner according to these rules shall comply with the above directions. In case of failure to comply with the said directions, action under section 15 of the Environment (Protection) Act, 1986 shall be initiated against the CEO, Delhi Cantonment Board.

Copy to:

(i) Chief Secretary, Govt. of


(Arun Kumar Mehta)
Chairman



-54-





Speed Post / Regd.

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. B-19011/1/PCP/2015-16

Date: 18.01.2016

To,

The Commissioner/ CEO
Municipal Corporation/Council
(As per List Enclosed)**Sub: Directions Issued by CPCB under Section 5 of EPA to 46 Metro-cities and 20 State Capitals for implementation of MSW Rules, 2000 and Action Plan thereof- reg.**

Sir,

The Central Pollution Control Board (CPCB) issued Directions vide letter on 09.10.2015 under Section 5 of EPA to Commissioners/CEO of Municipal Authorities of 46 Metro-cities and 20 State Capitals for implementation of MSW Rules, 2000 and preparing Action Plan thereof. The copies of the Directions were forwarded to the concerned SPCBs/PCCs and also available on CPCB's website.

So far, CPCB has not received any response to the directions issued including the action-plan for implementation of the MSW Rules, 2000 from your Municipal Authority.

I would therefore, suggest that your response to the said Directions be forwarded to CPCB by 31st January, 2016. Other-wise, CPCB will have no option; but to file a case in the Court of Law.

Yours faithfully,

(A. B. Akolkar)
Member Secretary

Cc to :

- (i) Chairman, all SPCBs/PCCs
- (ii) I/c Zonal Office, CPCB- (Lucknow, Bhopal, Kolkata, Bangalore, Vadodara & Shillong)
- For follow up action pl.
- (iii) PS to Chairman, CPCB – for kind information, pl.

- 55 - o/c

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

List of ULBs not Responded

S.no	Address of Commissioners, Municipal Corporations
1.	Commissioner, Greater Visakhapatnam Municipal Corporation Tenneti Bhavan, Ram Nagar, Visakhapatnam, Andhra Pradesh ✓
2.	Commissioner, Patna Nagar Nigam, Buddha marg, Patna - 800 001 ✓
3.	Commissioner, East Delhi Municipal Corporation 419, Udyog Sadan Patparganj Industrial Area ✓ New Delhi - 110 096
4.	Commissioner, South Delhi Municipal Corporation Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 100 002 ✓
5.	Commissioner, New Delhi Municipal Council Palika Kendra, Parliament Street, New Delhi-110001 ✓
6.	Commissioner, North Delhi Municipal Council Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 100 002 ✓
7.	Chief Executive Officer, Office of Cantonment Board Sadar Bazar, Delhi Cantt-10 ✓
8.	Commissioner, Rajkot Municipal Corporation, Dhebarbhai Road, Rajkot (Gujarat) ✓
9.	Commissioner, Surat Municipal Corporation Muglisara, Main Road, Surat - 395003 ✓

10.	Commissioner, Vadodara Mahanagar Seva Sadan Khanderao Market, Vadodara-390209	✓
11.	Commissioner, Srinagar Municipal Corporation Head Office, Karan Nagar, Srinagar (J&K)	✓
12.	Commissioner, Dhanbad Municipal Corporation Bank More, Dhanbad Jharkhand	✓
13.	Commissioner, Ranchi Municipal Corporation, Kutchary Ranchi- 834001	✓
14.	Commissioner, BruhatBangaloreMahanageraPalike, N. R. Square, Bengaluru : 560 002 Karnataka	✓
15.	Commissioner, Bhopal Municipal Corporation, Harshwardhan complex, Mata Mandir, Bhopal	✓
16.	Commissioner, Gwalior Nagar Nigam Mukhyalay, Commissioner Office, City Center, Gwalior (MP)	✓
17.	Commissioner, Jabalpur Municipal Corporation, Near Teen Patti Chowk, Jabalpur (Madhya Pradesh)	✓
18.	Commissioner, Nashik Municipal Corporation Rajiv Gandhi Bhavan, Sharanpur Road, Nashik	✓
19.	Commissioner, Pune Municipal Corporation; PMC Building, Near Mangla Theatre, Shivajinagar, Pune-411 005	✓

20.	Commissioner, Thane Municipal Corporation, Mahapalika Bhavan, Chandan Wadi Pachpakhadi, Thane 400602, Maharashtra	✓
21.	Commissioner, Kalyan Dombivali Municipal Corporation, ShankarraoChowk, Kalyan West - 421301	✓
22.	Commissioner, Amritsar Municipal Corporation Municipal Corporation Amritsar Town Hall, Amritsar, Punjab.	✓
23.	Commissioner, Ludhiana Municipal Corporation Mata Rani Chowk, Ludhiana.	✓
24.	Commissioner, Jaipur Municipal Corporation - Head Quarter, Jaipur Nagar Nigam, Jaipur, Rajasthan	✓
25.	Commissioner, Jodhpur Municipal Corporation, Polytechnic College Campus, Residency Road, Jodhpur	✓
26.	Commissioner, Corporation Of Chennai, Ripon Building, EVR Salai, Chennai - 600003	✓
27.	Commissioner, Coimbatore Municipal Corporation Corporation of Coimbatore, Coimbatore - 641 001	✓
28.	Commissioner, Madurai Municipal Corporation Thallakulam, Madurai, Tamilnadu - 625002	✓
29.	Commissioner, Agra Municipal Corporation Agra Nagar Nigam, Near Sur Sadan, Agra-82002, Uttar Pradesh	✓

30.	Commissioner, Ghaziabad Municipal Corporation Near Navyug Market Ghaziabad-201001	✓
31.	Commissioner, Howrah Municipal Corporation HMC Central Office, 4, M.G. Road, Howrah - 711101,	✓
32.	Commissioner, Gandhinagar MahanagarSevaSadan First Floor, M. S. Building, Nr. Family Court, Sector-11, Gandhinagar-382011	✓
33.	Commissioner, Municipal Corporation of Thiruvananthapuram, VikasBhavan ,Thiruvananthapuram Kerala-695 033	✓
34.	Commissioner, Dehradun Municipal Corporation Near Doon Hospital, New road, Dehradun, Uttarakhand-248001	✓
35.	Commissioner, Guwahati Municipal Corporation Pan Bazar, Guwahati, Assam,	✓
36.	Chief Executive Officer, Shillong Municipal Board, Bishop Cotton Road, Shillong 793001	✓
37.	Commissioner, Imphal Municipal Corporation Imphal - 795 001 Manipur	✓
38.	Chief Executive Officer, Agartala Municipal Council-Head Office City Centre Complex, Paradise Chowmuhan Agartala-799001	✓
39.	The Authority, Port Blair Municipal Council, Port Blair.	✓

40.	Chief Officer, Silvassa Municipal Council ShahidChowk, Near Town Hall, U.T. of Dadra & Nagar Haveli, Silvassa- 396230	✓
41.	Chief Officer, Daman Municipal Council Daman	✓
42.	Commissioner, Kota Municipal Corporation Rajeev Gandhi Bhawan Opp. DussheraGround,C.A.D Circle,Kota, Rajasthan.	✓
43.	Commissioner, Greater Hyderabad Municipal Corporation CC Complex Tank Bund Road, Lower Tank Bund Hyderabad: 500029	✓
44.	Commissioner, Allahabad Nagar Nigam Civil Lines, Allahabad, Uttar Pradesh 211001	✓
45.	Commissioner, Kanpur Nagar Nigam Motijheel, Kanpur 208 001 Uttar Pradesh	✓
46.	Commissioner, Lucknow Nagar Nigam Lucknow, Uttar Pradesh	✓
47.	Commissioner, Varanasi Nagar Nigam Sigra Varanasi Uttar Pradesh	✓
48.	Commissioner, Meerut Nagar Nigam, Dharmashala, Meerut, Uttar Pradesh 250002,	✓
49.	Commissioner, Bhubaneswar Municipal Corporation, Vivekananda Marg, Bhubaneswar - 751014	✓
50.	Commissioner, Shimla Nagar Nigam Mall Rd, Shimla, Himachal Pradesh 171001	✓



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
ऑचलिक कार्यालय (उत्तर) लखनऊ
ZONAL OFFICE (NORTH) LUCKNOW

(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forests & Climate Change, Govt. of India)

ZOL/Tech/ Direction CCB/ 153/ ११०

March 11, 2016

To,

The Commissioner,
East Delhi Municipal Corporation
419, Udyog Sadan Patparganj Industrial Area
New Delhi-110096

Sub: Status of Directions issued under Section 5 of Environment (Protection) Act, 1986-for implementation of the Municipal Solid Waste (Management and Handling) Rules, 2000-reg.

Sir,

Kindly refer to directions issued under Section 5 of the Environment (Protection) Act, 1986 to the Commissioner/ Executive Officer/ Municipal Authorities in respect of Management of the Municipal Solid Waste vide this office letter No B-11011 /1 / PCP / 2015-16 dated October, 09, 2015. In this regard, Municipal Corporation was required to submit a time bound action plan for compliance of the directions to CPCB before 31/12/2015. The compliance status of the directions is yet to be received.

It is therefore, requested to provide time bound action Plan for compliance of the directions at the earliest to CPCB H.O Delhi endorsing a copy of the same to CPCB, Zonal Office (North) Lucknow.

Yours faithfully,

PCP

(S.K. Gupta)
Scientist-D

Encl. : As above

ADCH/EGJ JCH
18/3

Copy to:

P.S. to MS CPCB : For kind information of MS please

S. K. Gupta


CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

'PariveshBhawan' C.B.D.Cum-Office Complex,

East Arjun Nagar, Shahdara, Delhi-110032

Tel. 22307078, 43102030, Telefax- 22307863

Website: www.cpcb.nic.in

F. No. B-19011/1/PCP/2016-17

Date: 11.01.2017

To,

 The Member Secretary,
All SPCBs/PCCs

Sub: Judgement of Hon'ble NGT dated 22nd December, 2016 in the matter of OA. No. 199 of 2014, Almitra H. Patel Vs Union of India & Others on management of municipal solid waste-reg.

Sir,

Please find enclosed herewith copy of the judgment dated 22.12.2016 passed by the Hon'ble Tribunal in the matter of OA No. 199/2014, Almitra H. Patel & anr Vs. Union of India & Ors. regarding management of Municipal Solid Wastes in the country. The Hon'ble NGT in its judgment has directed CPCB and SPCBs/PCCs to initiate actions for implementation of Solid Waste management Rules, 2016 as under;

1. To conduct physical survey on waste generation in the state/UT and provide current data on solid waste generation, collection, processing, landfill disposal including information on characteristics/components of waste.
2. Take necessary steps to implement provisions of the Solid Waste Management Rules, 2016
3. To prohibit open burning of wastes in the state/UT.
4. Survey and Research by monitoring the incidents of waste burning in the state/UT and submit report along with the analysis results to Hon'ble Tribunal.
5. The Judgment of the Hon'ble Tribunal may be translated into local vernacular and circulated among citizens.

It is requested that actions as required be initiated immediately to ensure compliance of the Hon'ble NGT Order dated 22.12.2016 and action taken report submitted to the Hon'ble Tribunal with a copy endorsed to this office.

Yours faithfully,

Encl: NGT Judgment

 (M. K. Choudhury)
Addl. Director

-62-

IR-1-17