

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

Original Application No. 606/2018
(I.A. No.163/2021)

(In respect of State of Chhattisgarh)

Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues.

Date of hearing: 04.04.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. B.S. Rajesh Agrajit, Dy. AG with Ms. Ankita Sharma & Mr. Arjun D. Singh, Advs. for the State of Chhattisgarh
Ms. R. Shangeetha, Secretary, Housing & Environment Department (Through VC)
Dr. Basavaraju S., Secretary, Urban Administration & Development (Through VC)
Mr. Shashank Pandey, CEO, State Urban Development Agency (Through VC)
Mr. Ajay Tripathi, Deputy Secretary, Panchayat & Rural Development (Through VC)
Chief Engineer, Urban Administration & Development, Mr. Umesh Kumar Dhalendra (Through VC)

ORDER

1. The Tribunal is examining the issue of solid as well as liquid waste management at the State level in this OA in pursuance to the order of the Hon'ble Supreme Court dated 02.09.2014 in *Writ Petition No. 888/1996*, in the matter of *Almitra H. Patel vs. Union of India & Ors.*, and the order dated 22.02.2017 in *W.P. No. 375/2012*, reported in (2017) 5 SCC 326 in the matter of *Paryavaran Suraksha vs. Union of India*.

2. Today, the matter has been taken up in respect of the compliance by the State of Chhattisgarh.

3. The second six monthly report at the instance of the Chief Secretary, Govt. of Chhattisgarh has been filed on 01.04.2024 and a

presentation by Chief Secretary, Govt. of Chhattisgarh has been separately filed (page 661). We have some doubt about figures which have been disclosed in the said report/presentation. In respect of solid waste management in the urban area, it is stated that 100% source segregation is done at the urban area and nearly 100% (2048 TPD out of 2051 TPD) is done at the rural area which is difficult to believe. Similar is the position in respect of the other disclosures made in the report like:

- i. No clarification on operation of SLRM with reference to waste processing, utilization of products and management of residues/rejects.
- ii. On waste generation, quantities reported in the year 2023 and now, are same and without any variation.
- iii. In case of legacy waste, out of 10,17,440 MT legacy waste, 6,56,900 MT has been remediated except at Raipur and Rajnand Gaon. However, in Annexure C (page 561 of second six monthly report) no details of legacy waste in quantitative terms are given.

In case of sewage management, still there is a gap of 373.3 MLD in sewage treatment and in respect of 8 STPs, capacity of utilization is below the designed capacity. Further, no timeline has been given for completion of STPs for 423.7 MLD.

4. Hence, we are of the opinion that an independent Committee needs to be constituted to find out the correctness of the disclosures made in the report/presentation.

5. Hence, we form a Committee comprising of the Regional Officer, Ministry of Environment, Forest and Climate Change (MoEF&CC), Raipur, Senior representative from Central Public Health Environmental

Engineering Organization (Ministry of Housing and Urban Affairs, GoI), and representative of the Member Secretary of Central Pollution Control Board (CPCB). The RO, MoEF&CC will act as a nodal agency. The Joint Committee will thoroughly examine the second six monthly report dated 01.04.2024 and the presentation submitted by the Chief Secretary, State of Chhattisgarh and ascertain the correctness of the disclosures made therein after collecting the information from ground level. The Committee will submit its report within a period of four weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

6. Meanwhile, it will be open to the Chief Secretary, State of Chhattisgarh to place on record the status of creation of ring-fence account of Rs. 1,000 crores in terms of the statement of Chief Secretary as recorded in the order of the Tribunal dated 31.03.2023 in this OA and its utilization.

7. List on 08.07.2024 for consideration of report in respect of State of Chhattisgarh.

8. For State of Kerala, the matter be listed on 08.04.2024 as per earlier direction.

9. A copy of this order be forwarded to the Regional Officer, MoEF&CC, Raipur, Central Public Health Environmental Engineering Organization (Ministry of Housing and Urban Affairs, GoI) and Member Secretary, CPCB by e-mail for compliance.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

April 04, 2024
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DV

Dr. A. Senthil Vel, EM