

Item No. 04

Court No. 1

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

(BY HYBRID MODE)

Original Application No. 108/2023

(With report dated 25.04.2023)

Lokesh Kumar Khurana

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 09.05.2023

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

Applicant: Mr. Akash Vashishtha, Advocate

Respondent(s): Mr. Vibhav Mishra, Advocate for Meerut Nagar Nigam
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advocates for UPPCB

ORDER

1. Grievance in this application is against unscientific dumping of solid waste in Lohiyanagar Awasiya Yojna on Meerut Hapur road near Village Ghosipur by Nagar Nigam Meerut, UP.
2. Vide order dated 21.02.2023, the Tribunal sought a factual report in the matter from a joint Committee comprising State PCB, CPCB, Municipal Commissioner, Meerut Nagar Nigam and District Magistrate, Meerut.
3. Accordingly, report dated 25.04.2023 has been filed by the District Magistrate, Meerut with following observations and recommendations:

“3.1. Observations:

For Solid Waste Management

1. As per the information provided by the Municipal Corporation Meerut, total solid waste generated and collected in the Meerut city is approximately 900 TPD, whereas **no logbook for collection of solid waste day wise is maintained.**
2. Total 446 vehicles are being used for collection and transportation of generated fresh solid waste.
3. Collected fresh solid waste is being dumped in the land of Municipal Corporation, Meerut and Meerut Development Authority at Lohiya Nagar, Meerut.
4. **No Solid waste plant has been installed for processing of fresh solid waste generated in Meerut.**

For Legacy Waste Management

1. The MSW Processing Plant for processing of legacy waste (Herein after referred as "The plant") is located at Hapur Road, Lohiya Nagar, Meerut, Uttar Pradesh having processing capacity of 600 TPD.
2. As per information provided by Municipal Corporation Meerut, Plant is operational since August 2021. The Plant is being operated by M/s Environ Organic Work and Suppliers.
3. The plant has 1 ballast separator and 2 trommels (32 mm & 16mm mesh size). All the machineries were found operational during visit.
4. The operational details of the plant are summarized as below:
 - i. **Waste processing at the plant starts with windrow formation and spreading of culture on solid waste at Tipping Floor. The waste is mechanically lifted from tipping floor and subjected to screening/pre-sorting through Ballast Separators (01 no. of 30 MT/hr). The Ballast Separators primarily segregate inert material (stone, grits, cement blocks and ballast etc.) from the waste stream and further segregates waste into two streams as compostable waste and RDF (Refused derived fuel).**
 - ii. **Waste (>100 mm size) identified as RDF is being channalised to cement industries through vendors/authorised plastic recyclers eg. The Shakti Plastic, Bijendra Energy, Nepra Enviro. Solu., Kalpana Enterprises, Ramky Innov. P. Ltd., & others.**
 - iii. **Compostable waste (<100 mm) is further subjected to screening through a series of Trommels (02 nos. of trommel with screen size 32 mm and 16 mm)**
 - iv. **The under-pass material from Trommels is collected in shed is compost and sold to local farmers.**

5. ***During inspection, huge quantity of legacy waste was found dumped in the plant. As per information provided by Municipal Corporation, Meerut, approx. 7 lakh ton of legacy waste was lying on the plant. However, no assessment of dumped solid waste in plant has been carried out by Municipal Corporation, Meerut.***
6. *As per information provided by plant operator total legacy waste processed till date is approx. 3 lakh ton. Copy of the same is annexed as Annexure-1.*
7. *Logbook for processing of Legacy waste is maintained. As per logbook RDF and Compost produced in the month of March, 2023 are 1800 MT and 14400 MT respectively. Copy of the logbook is annexed as Annexure-2.*
8. *As per information provided by plant operator, the produced RDF is mostly sold to Cement or Energy Company respectively. List of the companies is annexed as Annexure-3.*
9. ***During visit it is also observed that fresh solid waste generated in city is being dumped in the plant and no weighing mechanism for collected fresh solid waste is installed at plant.***
10. ***During visit, it is observed that the plant has no proper leachate collection channelization and treatment system. Leachate was found spread within the plant premise.***
11. *During visit no carcass were found dumped on the site. It is to state that municipal corporation has filed FIR against the culprit in reference to such complaint received in past. The copy of the same is annexed as Annexure-4.*
12. *During visit it is observed that habitation developed around the plant due to employment potential.*
13. *Samples were collected from bore well installed in the plant and nearby the area of plant to check the quality of ground water. Analysis of Samples is under process in the laboratory of CPCB, RD Lucknow.*

3.2. Recommendations:

It is evident from the above observation that no solid waste processing plant has been installed at Meerut city. All solid waste is being dumped in open land, wherein only Legacy waste is being processed.

Municipal Corporation should comply with the following: -

For fresh solid waste:

1. *Proper assessment of fresh solid waste generated and collected per day should be carried out by Municipal Corporation, Meerut and logbook for generation and collection of solid waste on daily basis should be maintained.*

2. *Integrated solid waste processing plant in accordance to solid waste generated per day, should be established at suitable location as per CPCB guideline and made operational at the earliest for the treatment of fresh solid waste.*
3. *Plant should comprise of processing facility, SLF(Secured Land Fill), ETP(Effluent Treatment Plant) etc. as per the Solid Wastes Management Rules, 2016.*
4. *To minimize adverse impact on the habitation around the plant, dumping of fresh solid waste must be stopped at plant. Fresh waste should be processed through integrated solid waste processing plant.*

For legacy waste

1. *Assessment of legacy waste dumped in the Lohiya Nagar Plant should be done by Municipal Corporation, Meerut and time bound action plan should be submitted for the processing of legacy waste dumped on plant area.*
2. *Proper Leachate collection and treatment system should be installed in the Lohiya Nagar plant. L FP with appropriate capacity should be established and operated for effective treatment of wastewater (leachate) generated in plant.*
3. *All effluent stream including Leachate, surface runoff should be integrated and routed through ETP.*
4. *Regular ground water monitoring should be carried-out.*
5. *Fire control system should be installed at plant for control at dumpsite.*
6. *Proper disposal of dumped fraction of solid waste viz. inert, RDF, compost, recyclable material, C & D Waste etc. shall be made as per Solid Waste Management Rules, 2016 and C & D Rules, 2016.*
7. *Municipal Corporation, Meerut should ensure compliance of provision of Solid Waste Management Rules, 2016 in totality.*

It is noteworthy that issue of solid waste management of whole state of U.P. is under consideration before Hon'ble NGT in OA No 606/2018 "Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues".

The above report is submitted for consideration please."

4. From the above, it is seen that there is no scientific management of waste. There is neither proper segregation at source nor processing capacity. The report finds that 7 lakh MT of legacy waste still exists and only 3 lakh MT was remediated. There is no waste processing plant and thus, 900 TPD is being just dumped. Thus, there is patent breach of statutory duties by the Corporation and failure of higher authorities in remedying the situation. No action is shown against the violators. Such

failure results in degradation of environment and adversely affects public health for which responsibility needs to be fixed. After expiry of statutory timelines, violations need to be taken seriously and violators brought to book.

5. The Tribunal has dealt with the matter in OA No. 606/2018 (in respect of State of UP), in pursuance of orders of Hon'ble Supreme Court dated 02.09.2014 in *W.P. No. 888/ 1996, Almitra H. Patel vs. Union of India & Ors.* (in respect of solid waste management) and in *Paryavaran Suraksha vs. Union of India, (2017) 5 SCC 326* (in respect of liquid waste), and the compliance status in the State of UP was reviewed by recent order dated 23.03.2023 in the presence of Chief Secretary, UP and issued further directions. Relevant extracts from the said order are:-

“ORDERS OF THE HON'BLE SUPREME COURT TRANSFERRING THE ISSUE OF SOLID WASTE MANAGEMENT AND LIQUID WASTE MANAGEMENT TO THIS TRIBUNAL:

Solid Waste Management

2. While transferring the issue of solid waste management vide Order dated 02.09.2014 in Writ Petition No. 888/1996, *Almitra H. Patel Vs. Union of India & Ors.*, the Hon'ble Supreme Court observed **“handling of solid municipal 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 and direction incidental to the purpose underlying the Rules such as upgradation of technology wherever possible. All these matters can, in our opinion, be best left to be handled by the National Green Tribunal established under the National Green Tribunal Act, 2010. The Tribunal, it is common ground, is not only equipped with the necessary expertise to examine and deal with the environment related issues but is also competent to issue in appropriate cases directions considered necessary for enforcing the statutory provisions.”**

3. Before transferring the said proceedings, matter was monitored by Hon'ble Supreme Court for about eighteen years and orders passed include (2000) 2 SCC 679 and (2004) 13 SCC 538, directing scientific disposal of waste by setting up of compost plants/processing plants, preventing water percolation through heaps of garbage, creating

focused **'solid waste management cells'** in all States and complying with the Municipal Solid Waste Management Rules, 2000 (now replaced by SWM Rules, 2016). **It was observed that the local authorities constituted for providing services to the citizens are lethargic and insufficient in their functioning which is impermissible. Non-accountability has led to lack of effort on the part of the employees.** Domestic garbage and sewage along with poor drainage system in an unplanned manner contribute heavily to the problem of solid waste. The number of slums has multiplied significantly occupying large areas of public land. Promise of free land attracts more land grabbers. **Instead of "slum clearance" there is "slum creation" in cities which is further aggravating the problem of domestic waste being strewn in the open.** Accordingly, the Court directed that provisions pertaining to sanitation and public health be complied with, streets and public premises be cleaned daily, **statutory authorities levy and recover charges from any person violating laws and ensure scientific disposal of waste**, landfill sites be identified keeping in mind requirement of the city for next 20 years and environmental considerations, sites be identified for setting up of compost plants, steps be taken to prevent fresh encroachments and compliance report be submitted within eight weeks. Further observations in the judgment of the Hon'ble Supreme Court¹ are:

"3. The petitioner has handed over a note in the Court showing the progress that has been made in some of the States and also setting out some of the suggestions, including the suggestion for creation of solid waste management cell, so as to put a focus on the issue and also to provide incentives to those who perform well as was tried in some of the States. The said note states as under:

- "1. As a result of the Hon'ble Supreme Court's orders on 26-7-2004, in Maharashtra the number of authorisations granted for solid waste management (SWM) has increased from 32% to 98%, in Gujarat from 58% to 92% and in M.P. from NIL to 34%. No affidavits at all have been received from the 24 other States/UTs for which CPCB reported NIL or less than 3% authorisations in February 2004. All these States and their SPCBs can study and learn from Karnataka, Maharashtra and Gujarat's successes.
2. **All States/UTs and their SPCBs/PCCs have totally ignored the improvement of existing open dumps, due by 31-12-2001**, let alone identifying and monitoring the existing sites. Simple steps can be taken immediately at almost no cost by every single ULB to prevent monsoon water percolation through the heaps, which produces highly polluting black run-off (leachate). Waste heaps can be made convex to eliminate standing water, upslope diversion drains can prevent water inflow, downslope diversion drains can capture leachate for recirculation

¹ (2004) 13 SCC 538

onto the heaps, and disused heaps can be given soil cover for vegetative healing.

3. **Lack of funds is no excuse for inaction. Smaller towns in every State should go and learn from Suryapet in A.P. (population 103,000) and Namakkal in T.N. (population 53,000) which have both seen dustbin-free 'zero garbage towns' complying with the MSW Rules since 2003 with no financial input from the State or the Centre, just good management and a sense of commitment.**
4. **States seem to use the Rules as an excuse to milk funds from the Centre, by making that a precondition for action and inflating waste processing costs 2-3 fold.** The Supreme Court Committee recommended 1/3 contribution each from the city, State and Centre. Before seeking 70-80% Centre's contribution, every State should first ensure that each city first spends its own share to immediately make its wastes non-polluting by simple sanitising/stabilising, which is always the first step in composting viz. inoculate the waste with cow dung solution or bio culture and placing it in windrows (long heaps) which are turned at least once or twice over a period of 45 to 60 days.
5. Unless each State creates a focussed '**solid waste management cell**' and rewards its cities for good performance, both of which Maharashtra has done, compliance with the MSW Rules seems to be an illusion.
6. **The admitted position is that the MSW Rules have not been complied with even after four years.** None of the functionaries have bothered or discharged their duties to ensure compliance. **Even existing dumps have not been improved.** Thus deeper thought and urgent and immediate action is necessary to ensure compliance in future."

4. In this regard, reference may also be made to orders of Hon'ble Supreme Court in *Municipal Council, Ratlam vs. Vardhichand*² and *B.L. Wadhwa v. Union of India and Ors.*³ laying down that **clean environment is fundamental right of citizens under Article 21** and it is for the local bodies as well as the State to ensure that public health is preserved by taking all possible steps. **For doing so, financial inability cannot be pleaded.** We note that even after 26 years of monitoring, 18 years by Hon'ble Supreme Court and eight years by this Tribunal, ground situation remains unsatisfactory.

5 to 28.....xxx.....xxx.....xxx

² (1980) 4 SCC 162

³ (1996) 2 SCC 594

Timelines under the SWM Rules and SC Judgment in Paryavaran Suraksha are mandatory and any violation is actionable

29. Needless to say that statutory timelines under SWM Rules under the EP Act are binding and mandatory as section 15 of the EP Act makes violation thereof criminal offence. Further, vide judgement of this Tribunal dated 22.12.2016 referred to in para 10 above, read with the orders of Hon'ble Supreme Court in Almitra Patel, quoted in para 2 earlier, there are already directions for strict adherence to the timelines. The judgment has attained finality and has thus to be strictly followed. Any overshooting of timelines is actionable in terms of criminal prosecution and compensation on polluter pays principle on account of serious consequences on environment and public health. Similarly, timelines for sewage treatment plant laid down in Supreme Court judgment in Paryavaran Suraksha, supra, quoted earlier in paras 5 and 6 are binding as far as this Tribunal is concerned and any overshooting thereof is actionable. We hope the State will go by rule of law and not take liberty of shifting timelines at will on any untenable grounds without extension of such timeline by the Hon'ble Supreme Court or in the law of the land. The Chief Secretary, UP may evolve mechanism for fixing accountability of the erring officers, following due process of law.

30. The Chief Secretary, Uttar Pradesh submits that there is improved governance on the subject and further initiatives are planned which will soon result in bridging the existing gaps in solid and liquid waste management. He submits that projects required to meet the gaps have been grounded and funds ring-fenced in respective project accounts. Without commenting of promised improvement in future, on the pattern of compensation awarded in respect of other States, compensation of Rs. 5000 crores may be liable to be levied for the past violations for discharge of untreated sewage but it has been stated by the Chief Secretary that the State has already ring fenced more amount than Rs. 5000 crore. We take the statement on record.

31. If necessary, the State may lay down mechanism for raising funds such as by way of user charges by households/contribution of corporate, business sectors, commercial establishments and the tourists who contribute to waste. Further steps have to be taken in a mission mode to comply with MSW Rules without further delay.

Solid Waste Management

32. Apart from collection, segregation and transportation of waste, scientifically handling of waste (processing and disposal) as per SWM Rules 2016 is required. Thus, while addressing the issue of bridging the gap in management of MSW, segregation of the solid waste at source and its earliest processing nearest to the point of generation with defined destination is imperative. In particular, adequate composting/ vermicomposting/ bio-methanation centers need to be set up and upgraded nearest to the source of generation of wet solid waste, listing people's involvement. This may also require establishing de-centralized and centralized waste processing facilities. Waste generators can themselves be required to process the waste under

guidance and handholding by the Administration, with the assistance of identified empaneled service providers and such details may be posted on State's/Center's GeM portal. This may perhaps reduce planned expenditure.

33. Though as per above data solid waste generated in urban areas is being processed through integrated MSW processing facilities with Composting Facilities (CFs) and Material Recovery Facilities (MRFs), however, end-users of the compost and the rejects are not given. If adequate waste processing facilities exist, one can expect that no further deposition of fresh waste will take place in any ULB site in the State.

34. We note that three Waste to Energy Plants with processing capacity of 268 TPD are in operation and five Bio-CNG plants and three new WTE plants are under plan/construction for which date of completion is March 2025. Corporations and other Municipalities need to provide required waste processing and utilization facilities with proper recycling/reuse of rejects to remedy the situation.

35. In case of rural waste, management of waste has to be ensured for all villages. Community compost pits prepared numbering 40558 need to be properly maintained and compost produced as per standards and fully utilized. It would be appropriate that standardized designs for compost pits and bio-gas plants are set up in villages involving Gram Panchayats and service providing extension/facilitation centers provided at District and Tehsil level.

36. Legacy waste sites must be maintained free from fires and other hazards till remediation. Safety of workers engaged should be ensured. Such sites may be fenced with row of trees or wall, as may be viable, for aesthetics, preventing foul smell and safety. Provisions of Schedule-I of the SWM Rules, 2016 may be strictly followed. Water quality in the vicinity of legacy waste dump sites may be periodically monitored. If any contamination is found, remedial action may be taken. Environmental safety aspects associated with legacy waste dump sites be complied with as specified in Schedule I of MSW Rules, 2016.

37. Dump sites in operation as well as the legacy waste dump sites occupy huge area of valuable public lands. They remain source of air, water and land pollution resulting in damage to environment and public health. They emit intolerable smell and cause hazardous and unsafe environment for inhabitants in the vicinity. Their life is hell which is denial of their constitutional and human rights. In terms of money also, huge loss is caused to public health and environment. This situation is not acceptable in a civilized society governed by rule of law. For victims of situation, there is no governance. In recent order of the Tribunal dated 18.08.2022 in RA No. 21/2022 in OA No. 286/2022, two scientific studies on the subject of extent of environmental damage have been referred to.....

38 to 54.....xxx.....xxx.....xxx

Need to consider change in approach for administrative processes

55. We have suggested change in approach in realizing that remedial action cannot wait for indefinite period nor loose ended time lines without accountability can be a solution. Responsibility of the State is to have comprehensive time bound plan with tied up resources to control pollution which is its absolute liability. If there is deficit in budgetary allocations, it is for the State alone to have suitable planning by reducing cost or augmenting resources. People must be involved in the problem by appropriate awareness and strategies to encourage public participation and contribution. At the cost of repetition, health issues cannot be deferred to long future. Long future dates breach of which has taken place frequently in the past without accountability is not a convincing solution. It is poor substitute for compliance within laid down timelines for long past. This approach may project lack of concern or not realizing the grim ground situation crying for emergent remedial measures on priority. There is no time for leisure, reflected in timelines proposed for bridging the acknowledged gaps.

56. It is the mindset and determination to act in a mission mode which can produce results.

57. Thus, it may be necessary to brain storm with available experts and other stake holders in the State at different levels, evolve models for both solid and sewage management which can be fast replicated, initiate special campaigns with community/media involvement in the larger interest of protecting environment and public health with determination for prompt action. Such brain storming sessions may enable capacity enhancement of the regulators and the processes. Campaigns and community involvement may result in reducing the financial and administrative load on the administration. The Chief Secretary may also entrust responsibility to Senior Secretaries to monitor waste management for establishments governed by non-municipal entities-

58. Compliance of environmental norms on the subject of waste management has to be on high on priority. It is high time that the State realizes its duty to law and to citizens and adopts further monitoring at its own level.

59 & 60.....xxx.....xxx.....xxx

Adhering to the timelines

61. Since the issue has been pending since long and there are adverse effects of continuing delay on environment and public health, it cannot be a matter of satisfaction that some steps are taken till the entirety of the problem is tackled on war footing. Planning has to be to resolve the problem without any further delay, in shortest possible time. Whatever timeline is laid down, it should not be breached. If breached, adverse consequences for such failures must follow on the designated accountable officers instead of loose-ended processes.

Community involvement

62. Another important subject is community involvement not only for IEC activities but also for planning and execution of waste management activities. Welfare associations, corporates, religious, educational and charitable institutions can play their role. The District Environment Plans must have authentic and updated database which can be helpful for policy making and execution of projects. Regularly monitor of bridging of gaps in sewage and solid waste management in districts is required by the Chief Secretary through a suitable nodal officer, preferably of the rank of Additional Chief Secretary. Status of sewage and solid waste management with respect to each city, town and village be placed on State's portal and be made part of District environment Plan. This may be done in next two months.

Further observations to explore implementation mechanism

63. In the light of above observations, it appears that there is need for paradigm shift in handling of the situation. The nagging problem of waste management stares the administration in the face and remains unresolved to the detriment of environment and public health. First change required is to set up a **centralized single window mechanism for planning, capacity building and monitoring of waste management at the State level**. Of course, local authorities have to do their duty and stocktaking at the district levels may continue but subject to supervision and control of such mechanism. **It should be headed by an officer of the rank of Additional Chief Secretary with representation from concerned departments – Urban Development, Rural Development, Environment and Forest, Agriculture, Water Resources, Fisheries and Industries**. The mechanism should be working on fulltime basis. Its functions should include preparing a comprehensive blue print, periodic review of progress in bridging the gaps in sewage and solid waste management and establishing, continuous interaction with the stakeholders, including experts and institutions, concerned departments, community members and all other stakeholders. There must be a continuous training programme for those involved in execution of waste management projects. In this regard reference is made to recent order of the Tribunal dated 23.01.2023 in M.A. No. 98/2022 in OA No. 180/2021, Mukul Kumar vs. State of Uttar Pradesh & Ors. It was held that training must be planned for probationers and in service officers, particularly those who have to serve as District Magistrates to implement DEPs including sewage and solid waste management. The operative part of the order is reproduced below:

“17. The Tribunal noted that while DEPs have been prepared and uploaded on websites in about 640 out of 738 districts (about 90%), execution thereof remains a challenge. There are huge gaps in compliance of environmental norms to the detriment of environment and public health. District Magistrates have to provide leadership on the subject at grassroot level. We are not sure whether the subject is part of training imparted in academies for probationers and in-house officers such as LBS National Academy of Administration, Mussoorie, IIPA, New Delhi and other State Academies. It may be desirable that need for such training is considered. National Judicial Academy at Bhopal has included the

subject as part of its training to judicial officers. On that pattern, with such further modifications as found necessary, syllabus of Administrative Training Institutes may need to include the subject. We request the Secretary, DoPT, GoI and Chief Secretaries of all States/UTs to consider this aspect in coordination with the Directors of the Academies in question. Such training programs may include not only academic discussion but also undertaking field visits to places where successful environmental compliance models exist. Infact such training may be required in Police Academies/Public Prosecutors also. In the first instance, training may be imparted to all existing District Magistrates and thereafter to others who may have potential to work as District Magistrates or other positions where they may have to deal with such issues.

18. Let the Secretary, DoPT, GoI and Chief Secretaries of all States/UTs consider the issue and file their respective action taken reports with the Tribunal within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. CMC may continue its monitoring and file its further report of compliance status as on 31.03.2023 by April 15, 2023 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.”

Service Providers

64. Best practices be evolved and followed for selecting service providers and simplifying procedures for fixing terms of engagement. Mechanism be considered to engage service providers by due diligent process who may execute work relating to solid and sewage management simultaneously throughout the State – all districts, cities and towns. Selection of service providers may be done taking into account of his past performance and number of projects and capacity to handle successfully. There is also need for evolving key indicators and its monitoring by independent Social/Environmental Agencies about functioning of STP and solid waste management programs.

65. “Integrated Solid Waste Management for local Governments a practical guide”⁴ brought out by Asian Development Bank published in 2017 details out solid waste management, planning and segregation of waste categories, waste collection methods, waste processing, waste to energy and diversion land fill development, operation and its management of landfill and also including contract issues by involving public private partnership. The document has been prepared based on the experience and the practices followed in several Asian Countries. The State of Uttar Pradesh may look into and consider this report to handle solid waste generated, particularly the cost effective technologies mentioned in the report.

66 to 68.....xxx.....xxx.....xxx

⁴ <https://www.adb.org/sites/default/files/institutional-document/324101/tool-kit-solid-waste-management.pdf>

Conclusion

69. We hope in the light of interaction with the Chief Secretary, the State of Uttar Pradesh will take further measures in the matter by innovative approach and stringent monitoring, ensuring that legacy waste as well as unprocessed waste and liquid waste generation and treatment are bridged at the earliest, shortening the proposed timelines, adopting alternative/interim measures to the extent and wherever found viable. Restoration plans need to be executed at the earliest simultaneously in all districts/cities/ towns/ villages in a time bound manner without further delay with well laid monitoring mechanism at State and District level. District Magistrates must take ownership for monitoring of sewage and solid waste management and regularly providing report to Chief Secretary on monthly basis and overall compliance be ensured by Chief Secretary for which regular meetings be conducted.

70. to 72.....xxx.....xxx.....xxx

73. Further, six monthly progress reports with verifiable progress may be filed by the Chief Secretary with a copy to the Registrar General of this Tribunal 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. Copies thereof may be furnished to the NMCG, MoUD, CPHEEO (MoUD) and CPCB and also be placed on the website of the State Government.”

6. In view of factual position depicted above, the Chief Secretary, UP may look into the matter and take further measures. He may include the action taken in the matter in his report to be filed in OA No. 606/2018 (in respect of State of UP) in terms of order dated 23.3.2023.

7. Apart from the above, Commissioner, Meerut Municipal Corporation may also file action taken report in the light of observations in this order within one month from today 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. The Commissioner, Meerut Municipal Corporation may remain present before the Tribunal on the next date by video conference.

List for further consideration on 08.08.2023.

A copy of this order be forwarded to the Chief Secretary, UP and Commissioner, Meerut Municipal Corporation by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 9, 2023
Original Application No. 108/2023
DV