

प्रेषक,

अरुण कुमार,
अनु सचिव,
उत्तर प्रदेश शासन।

सेवा में,

1. आवास आयुक्त,
उ०प्र० आवास एवं विकास परिषद,
लखनऊ।
2. जिलाधिकारी / नियंत्रक प्राधिकारी
समस्त विनियमित क्षेत्र,
उत्तर प्रदेश।
3. अध्यक्ष,
समस्त विशेष क्षेत्र,
विकास प्राधिकरण, उ०प्र०।
4. उपाध्यक्ष,
समस्त विकास प्राधिकरण,
उ०प्र०।

आवास एवं शहरी नियोजन अनुभाग-3

लखनऊ : दिनांक : 31 मई, 2024

विषय :- ओ०ए० संख्या-606/2018 (IA No. 163/2021) (In respect of State of Kerala)
Compliance of Municipal Solid Waste Management Rules, 2016 and Other
Environmental Issues में पारित आदेश दिनांक 26.04.2024 के अनुपालन के संबंध में।

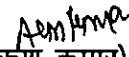
महोदय,

कृपया सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7, उ०प्र० शासन के पत्र संख्या-एन.जी.टी.-316/81-7-2024-01 (रिट)/2019 दिनांक 17.05.2024 (छायाप्रति संलग्न) का अवलोकन करने का कष्ट करें, जिसके माध्यम से प्रश्नगत प्रकरण में मा० अधिकरण द्वारा पारित आदेश दिनांक 26.04.2024 के अनुपालन में संलग्न प्रारूपों पर सूचनायें एक्सल फॉर्मेट में तैयार कर पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7, उ०प्र० शासन तथा उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सॉफ्ट कॉपी एवं हार्ड कॉपी में तत्काल उपलब्ध कराने का अनुरोध किया गया है।

2- इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि कृपया प्रश्नगत प्रकरण में मा० आयोग के आदेशों के अनुपालन में संलग्न प्रारूप पर सूचना मुख्य नगर एवं ग्राम नियोजक, नगर एवं ग्राम नियोजन विभाग, उ०प्र०, लखनऊ को शीघ्र उपलब्ध कराने का कष्ट करें।

संलग्नक: यथोक्त।

भवदीय,

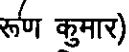

(अरुण कुमार)
अनु सचिव।

संख्या एवं दिनांक तदैव।

प्रतिलिपि मुख्य नगर एवं ग्राम नियोजक, उ०प्र०, लखनऊ को सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7, उ०प्र० शासन के पत्र दिनांक 17.05.2024 की प्रति संलग्न कर प्रकरण में अभिकरणों से प्राप्त सूचना संकलित कर समेकित सूचना ई-मेल (Email-soenvups@rediffmail.com) तथा उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ (ms@uppcb.in) पर सॉफ्ट कॉपी एवं हार्ड कॉपी में उपलब्ध कराते हुए उसकी एक प्रति आवास एवं शहरी नियोजन अनुभाग-3 को उपलब्ध कराने का कष्ट करें।

संलग्नक : यथोक्त।

आज्ञा से,


(अरुण कुमार)
अनु सचिव।

I/564423/2024

संख्या-एन.जी.टी.-318/81-7-2024-01(रिट)/2019

प्रेषक,

आशीष तिवारी,
सचिव,
उ०प्र० शासन।

सेवा में,

- 1- अपर मुख्य सचिव/प्रमुख सचिव,
नगर विकास/पंचायती राज/नमामि गंगे एवं ग्रामीण जलापूर्ति/
अवस्थापना एवं औद्योगिक विकास/आवास एवं शहरी नियोजन विभाग,
उ०प्र० शासन।
- 2- मुख्य कार्यपालक अधिकारी,
यूपीसीडा, कानपुर।
- 3- प्रबन्ध निदेशक,
उ०प्र० जल निगम (नगरीय)/
उ०प्र० जल निगम (ग्रामीण),
लखनऊ।
- 4- राज्य मिशन निदेशक,
स्वच्छ भारत मिशन (नगरीय),
उ०प्र०, लखनऊ।
- 5- मिशन निदेशक,
स्वच्छ भारत मिशन (ग्रामीण),
उ०प्र०, लखनऊ।
- 6- मुख्य कार्यकारी अधिकारी,
नोएडा विकास प्राधिकरण,
नोएडा।
- 7- सदस्य सचिव,
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
लखनऊ।

पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7 लखनऊ : दिनांक : 17 मई, 2024

विषय-मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन Original Application No. 606/2018 (IA No. 163/2021) (In respect of State of Kerala) Compliance of Municipal Solid Waste Management Rules, 2016 and Other Environmental Issues में पारित आदेश दिनांक 26.04.2024 के अनुपालन के संबंध में।

नितिन रमेश गोकर्ण महोदय,
अपर मुख्य सचिव,
आवास एवं शहरी नियोजन विभाग,
उत्तर प्रदेश शासन।

उपर्युक्त विषयक मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन Original Application No. 606/2018 (IA No. 163/2021) (In respect of State of Kerala) Compliance of Municipal Solid Waste Management Rules, 2016 and Other Environmental Issues में पारित आदेश दिनांक 26.04.2024 का कृपया अवलोकन करने का कष्ट करें, जिसके सुसंगत अंश निम्नवत् है :-

".....5. It is also noticed that the compliance report on different issues has not been filed by the State of Kerala in a systematic manner. Hence, we direct that in the forthcoming reports, the State of Kerala in addition to the other information, will also disclose the information in the following tabulated form:- (Annexure No. 1, 2, 3)

6. This be circulated to Chief Secretaries of all the State for disclosing the information in above tabulated form in the future reports."

2- मा० एन०जी०टी० द्वारा केरल राज्य की अनुपालन आख्या को व्यवस्थित ढंग से प्रस्तुत न किये जाने के दृष्टिगत सभी राज्यों को यह निर्देश दिये गये हैं कि भविष्य में प्रस्तुत की जाने वाली रिपोर्ट तालिका (आदेश में उल्लिखित) में प्रस्तुत की जाय।

WS (RW)

17/5/24
(प्रभाष कुमार)
उपसचिव,
आवास एवं शहरी नियोजन विभाग,
उत्तर प्रदेश शासन।

कार्य अंक-3
21/05/2024

मोहन
श्री (ती) ✓
29/5/24

94736/ACSM/24

VS (T)

17/5/24

455/VS/24
D.S

17.05.24

(उदय भानु त्रिपाठी)
विशेष सचिव
आवास एवं शहरी नियोजन विभाग,
उत्तर प्रदेश शासन।

I/564423/2024

3- इस संबंध में मुझे यह कहने का निदेश हुआ है कि प्रश्नगत प्रकरण में मा10 अधिकरण द्वारा पारित आदेश दिनांक 26.04.2024 के अनुपालन में संलग्न प्रारूपों पर सूचनायें Excel Format में तैयार कर पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7, उ0प्र0 शासन (Email-soenvups@rediffmail.com) तथा उ0प्र0 प्रदूषण नियंत्रण बोर्ड (Email-ms@uppcb.in) को सॉफ्ट कॉपी एवं हार्ड कॉपी में तत्काल उपलब्ध कराने का कष्ट करें।

संलग्नक-यथोक्त।

Digitally Signed by आशीष
तिवारी
Date: 16-05-2024 18:25:37
Reason: Approved

भवदीय,

(आशीष तिवारी)
सचिव।

16/05/2024
18:25:37
68777

M Gmail

No. 757 MSW/2024

computer cell <computercell978@gmail.com>

Fwd: ORDER passed in Original Application No. 606/2018 (In respect of State of Kerala)

1 message

CHIEF SECRETARY OFFICE GOVT OF UP <csup@nic.in>

Mon, May 6, 2024 at 5:13 PM

To: Principal Secretary <psecup.urbandev@nic.in>, Principal Secretary Environment & Forest GoUP <psforest2015@gmail.com>, "Member Secretary, Pollution Control Board, UP" <ms@uppcb.in>, "Computer Cell, Chief Secretary GoUP" <computercell978@gmail.com>

From: "Consultant Judicial-NGT(P.B.)" <judicial-ngt@gov.in>

To: "Dr K. S. Jawahar Reddy, IAS" <cs@ap.gov.in>, "Dharmendra" <cs-arunachal@nic.in>, "Dr. Ravi Kota" <cs-assam@nic.in>, "Chief Secretary, Bihar" <cs-bihar@nic.in>, "Chief Secretary Office" <csoffice.cg@gov.in>, "cs cg" <cs.cg@nic.in>, "Puneet Kumar Goel IAS Chief Secretary" <cs-goa@nic.in>, "cs@hry.nic.in", "Prabodh Saxena" <cs-hp@nic.in>, "cs-jandk" <cs-jandk@nic.in>, "L.Khiangte, IAS" <cs-jharkhand@nic.in>, "cs@karnataka.gov.in", "officeofcs@gmail.com", "DR VENU V IAS" <chiefsecy@kerala.gov.in>, "Veera Rana" <cs@mp.nic.in>, "cs@maharashtra.gov.in", "chiefsecretary@maharashtra.gov.in", "cs-manipur" <cs-manipur@nic.in>, "cso-meg" <cso-meg@nic.in>, "cs miz" <cs_miz@rediffmail.com>, "cs-mizoram" <cs-mizoram@nic.in>, "Jan e Alam, Chief Secretary Nagaland" <csngl@nic.in>, "Shri Pradeep Kumar Jena" <csori@ori.nic.in>, "Shri Pradeep Kumar Jena" <csori@nic.in>, "Chief Secretary Punjab" <cs@punjab.gov.in>, "csraj@rajasthan.gov.in", "Chief Secretary, Rajasthan" <cs-rajasthan@nic.in>, "Vijay Bhushan Pathak" <cs-skm@nic.in>, "cs@tn.gov.in", "Instateeoc@gmail.com", "CS Telangana" <cs@telangana.gov.in>, "cs-tripura" <cs-tripura@nic.in>, "cstriputra@gmail.com", "CHIEF SECRETARY OFFICE GOVT OF UP" <csup@nic.in>, "chiefsecyuk@gmail.com", "chief secretary" <cs-uttaranchal@nic.in>, "chief secretary" <cs-uttarakhand@nic.in>, "B P Gopalika" <cs-westbengal@nic.in>, "Chief Secretary Andamans" <cs-andaman@nic.in>, "Praful Patel" <l-admin@nic.in>, "Director, S&T" <l-dst@nic.in>, "Advisor to the Administrator UTL" <l-admin@nic.in>, "Shri Naresh Kumar" <csdelhi@nic.in>, "Dr Sharat Chauhan, I.A.S , Chief Secretary to Government, Government of Puducherry" <cs@py.gov.in>, "Dr Sharat Chauhan, I.A.S , Chief Secretary to Government, Government of Puducherry" <cs.pon@nic.in>, "Rajeev Verma" <adviser-chd@nic.in>, "Administrator DNH DD" <administrator-dd-dnh@nic.in>, "Office of the Administrator DNH DD" <administrator-dnh@nic.in>, "Personnel Department, Daman & Diu" <pers-dd@nic.in>, "Vijay Bhushan Pathak" <cs-skm@hub.nic.in>, "Advisor to LG" <advisor-ig-ladakh@gov.in>

Sent: Monday, May 6, 2024 4:00:59 PM

Subject: ORDER passed in Original Application No. 606/2018 (In respect of State of Kerala)

Respected Sir/Madam,

I am directed to forward a copy of the Order dated 26/04/2024 passed in Original Application No. 606/2018 (IA No. 163/2021) (In respect of State of Kerala) Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues. for your kind perusal & necessary action.

for further correspondence please send all the documents on the new mail-id i.e.

judicial-ngt@gov.in

Kindly acknowledge the same.

REGARDS

CONSULTANT (Judicial)

● (N.G.T.) (P.B.) ● New Delhi ●

Handwritten notes: 24.10.24, 24/05/24, 921/ACSFI/11/24

Handwritten signature and stamp: A CS, Environment, Prim. Secy, Urban Dev. / CE

Stamp: 2031/USGM/24, US(DC)/507, PSK, 09.08.24, (धनश्याम मिश्र)

Stamp: 06.05.2024 (रवीन्द्र कुमार), विशेष सचिव एवं स्टॉफ आफिसर, मुख्य सचिव, उ० प्र० शासन।

Stamp: 08/05/2024, (राजीव कुमार), प्रकाश निजी सचिव, ऊपर मुख्य सचिव, पर्यावरण वन एवं जलवायु परिवर्तन विभाग, उत्तर प्रदेश शासन।

Stamp: 2449/SF/24, VS(GM)

Stamp: Original Application No. 606-2018, kerala.pdf, पर्यावरण वन एवं जलवायु परिवर्तन विभाग, उत्तर प्रदेश शासन।

Stamp: 08-05-24, (आशीष तिवारी), सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उत्तर प्रदेश शासन।

Handwritten note: SDPS, 09.05.24

Handwritten signature and stamp: राजीव कुमार, सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उत्तर प्रदेश शासन।

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

Original Application No.606/2018
(IA No. 163/2021)
(In respect of State of Kerala)

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

Date of hearing: 08.04.2024
Date of Uploading: 26.04.2024

**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(s): Mr. Nishe Rajen Shonker, Adv. for the State of Kerala
Mr. Jogy Scaria, Mrs. Beena Victor & Mr. Ashwani Kumar Soni, Advs. for
KSPCB
Dr. Venu V. IAS, Chief Secretary, State of Kerala
Smt. Sarada G. Muralcedharan IAS, Additional Chief Secretary, LSGD
(Waste Management Initiatives), State of Kerala
Dr. Rathan U. Khelkar IAS, Secretary, Environment Department, State
of Kerala
Er. Sreekala S., Chairperson, Kerala State Pollution Control Board
Dr. Sheela A M, Member Secretary, Kerala State Pollution Control Board

ORDER

1. In this Original Application, Tribunal is examining the issue of solid as well as liquid waste management, State-wise, as per orders 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.*, with regard to solid waste management and 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*, with regard to liquid waste management.
2. Today, matter has been taken up for examining the compliance by the State of Kerala.
3. The compliance report dated 05.04.2024 has been filed by the State of Kerala. Dr. Venu V. IAS, Chief Secretary, State of Kerala; Smt. Sarada

G. Muraleedharan IAS, Additional Chief Secretary, LSGD (Waste Management Initiatives), State of Kerala; Dr. Rathan U. Khelkar IAS, Secretary, Environment Department, State of Kerala; Er. Sreekala S., Chairperson, Kerala State Pollution Control Board and Dr. Sheela A M, Member Secretary, Kerala State Pollution Control Board are present virtually, who have been heard on the issue of compliance.

4. After hearing and after examining the report submitted by the State of Kerala, it is found that:-

[A] Solid Waste Management

(i) Correct figures about legacy waste have not been disclosed. Addition of legacy waste in the last two years on account of remaining unprocessed waste has also not been clarified. Further, details of break up of rejects management through Government Sector, private sector as well as by Cement plants with the quantities disposed, is not furnished.

(ii) It is disclosed that out of 3823 TPD of waste generation, 2944 TPD is bio waste which is predominantly processed Composting, biomethanation and Rendering plants and total existing capacity is 3026 TPD. However, there is no explanation about the quality of compost, its utilization channel and residue and reject management. In case of dry waste which has been estimated to be 879 TPD, processing facilities exist for only 771 TPD, resulting in a gap of about 100 TPD.

(iii) Details have not been furnished about rural solid waste management, though it is disclosed that 6722 TPD waste is processed against generation of 6857 TPD.

(iii) Information about each 93 ULBs has not been furnished for proper evaluation.

[B] Sewage management

(i) From the second six monthly report consolidated status of scwage management is not disclosed. No figures are disclosed about sewage generation, treatment and the gap at the state level and at individual ULBs level. Further, there is heavy reliance on septic tanks and soak pits,

therefore, there are chances of ground water contamination. About this, no clarification is given.

(ii) We have observed in the Order dated 7.7.2022 that 1192 MLD sewage and 2783 sullage is generated

(iii) Performance data of existing STPs in terms of compliance with Fecal coliform and also existing utilization capacities has been disclosed.

(iv) We find that there are proposals to upgrade, renovate, and create more facilities for sewage treatment but, no timelines are given. This indicates that, untreated sewage and sullage will continue to be discharged in receiving water bodies which is clear violation of Water Act, 1974.

5. It is also noticed that the compliance report on different issues has not been filed by the State of Kerala in a systematic manner. Hence, we direct that in the forthcoming reports, the State of Kerala in addition to

the other information, will also disclose the information in the following

tabulated form:-

(A) Legacy Waste:-											
(i) Names of Districts	(ii) Legacy waste site (District-wise)	(iii) Area covered by the legacy waste (District Wise)	(iv) Quantity of the Waste (in MT) in each site	(v) Composition of the Waste				(vi) Process adopted to remediate at each site	(vii) Timelines to process at each site	(viii) Final destination of the components at (v)	(ix) Action plan to remediate and recover the sites at (iii) (in sq km) with earmarked Budget (District Wise).
				a) Inerts (%) (Construction Waste, Wood, Glass, etc)	b) - Compost (%) organic.	c) RDF (%) Plastic	d) If any other material (%)				

(B) Daily Solid Waste generation & treatment details:-																	
(i) Names of Districts	(ii) Waste generation (in TPD) District-wise	(iii) Break up of Waste Generated District Wise (in TPD)		(iv) Method of Treatment in the District (in TPD)				(v) Final Destination of Each of components of (iv)	(vi) Break up details of waste processing District Wise					(vii) Action Plan to Process 100 % Waste			
		Urban Areas (ULB)	Rural Areas	a)	b)	c)	d)		Energy Plants (Waste to Energy Plants)	Bio Compost Units	Used in Cement Units	Land Fill Sites	Other uses of inerts	Time lines	Budget outlay	Proposal	
	State/UT																

(C) Daily Liquid Waste (Sewage) generation & treatment details:-

(i) Names of Districts	(ii) Sewage Generation District Wise with Populat ion.	(iii) Sewage Generation quality		(iv) Details of Treatment of Sewage (District Wise)					(v) Details of disposal of untreated Sewage (in MLD) (District Wise)					(vi) Action Plan to treat untreated sewage (District Wise).		(vii) Action Taken against the defaulting authority				
																			(a) Final Destination of Discharge of untreated sewage.	(b) If (a) above is let out in its quality
									Urban Area s	Rural Areas	By STP (MLD)	Type of STP	Disinf ection metho d in STP						Discharg e Water Quality from STP including Focal & E -Coli	Final discharg e of Treated STP Water (MLD)

6. This be circulated to Chief Secretaries of all the State for disclosing the information in above tabulated form in the future reports.

7. Let fresh action taken report be filed by the State of Kerala at least one week before the next date of hearing 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 covering the aspects noted above.

8. List the matter on 24.10.2024 for consideration of report in respect of State of Kerala.

9. For State of Himachal Pradesh, the matter be listed on 18.04.2024 as per earlier direction.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

April 08, 2024
Original Application No.606/2018
(IA No. 163/2021)
SN

