

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

O.A. NO. 199 OF 2014

In the matter of:

MRS ALMITRA H. PATEL

:Petitioner


Vs

THE UNION OF INDIA & ORs.

: Respondents

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Through


(Tarunvir Singh Khehar)
Standing Counsel, National Green Tribunal,
Govt. of NCT of Delhi.

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

ORIGINAL APPLICATION NO. 199 OF 2014

IN THE MATTER OF		
Mrs. Almitra H. Patel	Applicant
	VERSUS	
Union of India and Ors.	...	Respondent

ADDITIONAL AFFIDAVIT

I, Sh. Pawan Pravesh, aged about 57 years, presently posted as Deputy Secretary, Department of Urban Development, Government of the National Capital Territory of Delhi, do hereby solemnly affirm and declare as under:

1. That I am the Deputy Secretary in the Department of Urban Development, Government of National Capital Territory of Delhi and I am authorized to file this affidavit on behalf of the Government of National Capital Territory of Delhi (herein after referred as "GNCTD"). It is to state that a number of meetings have been held regarding framing of Delhi Municipal Corporation Solid & Plastic Waste Management Bye-Laws, 2016, framing of a state policy and Solid Waste Management Strategy and other issues related to the implementation of Solid and Plastic Waste Management Rules, 2016, as notified by the Govt. of India, pursuant to which a Committee headed by Addl. Commissioner, SDMC was constituted to frame a State Policy and Solid Waste Management Strategy in Delhi.
2. I state that the last meeting was convened on 24.01.2017 under the Chairmanship of Principal Secretary, Urban

Development/Director (Local Bodies), GNCTD. The draft strategy formulated by the Committee was deliberated upon in depth to which certain points were raised by the representatives of various stakeholders like DDA, DPCC, APMC etc. The Principal Secretary, Urban Development directed that the DDA & MCD should work on the action plan for solid waste management committed before the Hon'ble Lt. Governor, Delhi to which both agreed. The Principal Secretary, Urban Development Department directed the Chairman of the Committee to finalize the draft state policy and strategy and submit the same urgently for finalization.

3. As regards finalization of Solid/Plastic Waste Management Bye-Laws, the representative of SDMC informed that all comments from various stakeholders have been incorporated. After detailed deliberations on the draft bye-laws, directions were given to the Committee to incorporate certain amendments, including a proper collection and enforcement mechanism of monthly user charges and penalties in the bye-laws itself.
4. The Principal Secretary, Urban Development Department directed to revise the draft solid/Plastic Waste Management Bye-Laws and submit it within one month so that the same could be finalized. The copy of the minutes of the meeting convened under the Chairmanship of Principal Secretary, Urban Development/Director (Local Bodies), GNCTD is

annexed herewith and is marked as ANNEXURE A/1 to the present affidavit.

5. The Environment Department, GNCTD has prepared action points with reference to judgment in the case of Kudrat Sandhu Vs GNCTD and Ors (Dated 2.12.2016), in the case of Almitra H.Patel Vs Govt of India & Ors (Dated 22.12.2016 & 10.01.2017) which annexed as Annexure A/2, A/3 and A/4.
6. I state that the documents annexed to the present affidavit are true copies of the respective original.


DEPONENT

VERIFICATION

I, the deponent above-named, do hereby solemnly affirm and declare that the contents of the present affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from.

Verified at New Delhi on this _____rd day of February 2017.


DEPONENT

Annexure-I
3/2
(4)

**GOVERNMENT OF NCT OF DELHI
URBAN DEVELOPMENT DEPARTMENT
9TH LEVEL, C-WING DELHI SECRETARIAT
I.P.ESTATE, NEW DELHI - 110002.**

F.13(183)/SWN-NP/MB/UD/16/479-502

Dated: 30/01/17

MINUTES OF MEETING

Subject:- Minutes of Meeting of the State Level Advisory Committee held on 24.01.2017 at 11.30 A.M. under the Chairmanship of Principal Secretary, Urban Development Department/Director (Local Bodies), Govt. of NCT of Delhi regarding framing of Delhi Municipal Corporation Solid & Plastic Waste Management By-laws, 2016, framing of a State Policy and Solid Waste Management Strategy and other issues related to the implementation of Solid and Plastic Waste Management Rules, 2016, as notified by Government of India.

The list of participants is enclosed as Annexure "A".

The Principal Secretary (UD)/Director (Local Bodies), on the outset welcomed all the participants and inquired about the progress made by the Committee to frame the State Policy & Solid Waste Strategy and draft Solid/Plastic Waste Management By-laws, 2016. On asking whether comments of all the departments/agencies have been incorporated by MCD, Sh. G.S. Meena, Additional Commissioner, South Delhi Municipal Corporation/Chairman of the committee informed that the comments/views provided by the DPCC & other departments have been incorporated in the draft.

Finalization of State Policy & Solid Waste Management Strategy in Delhi :-

The representative of DDA informed that it did not receive the draft strategy and hence could not comment on it. To this the representative of the South MCD replied that the draft was e-mailed to VC, DDA, however DDA was asked to provide its comments on the relevant matter by today itself. Various other issues of provisioning of land for Solid Waste Management plants was discussed in the meeting. DDA representative resisted on the provisioning of lands at various places within Delhi for the Waste Management plants. The Principal Secretary Urban Development directed that the DDA & MCD should work on the Action Plan committed before the Hon'ble Lt. Governor, Delhi and the action plan filed before the Hon'ble Supreme Court of India. DDA & MCD both agreed to this.

The representative of DPCC pointed out that MCD should make separate provision for the Management of domestic hazardous waste and it should not be managed through the existing landfill sites. MCD & DPCC representatives agreed to domestic hazard management through TSDF site to be developed at Bawana Narela.

The representative of APMC informed that the 70 Acres of land has been earmarked for the development of Mandi and this land cannot be spared for the Waste Management plant. She further informed that this land will be used for the development of Mandi, so that the Azadpur Mandi could be decongested. She also informed that APMC will develop its own Waste Management plant in this Mandi and the Waste generated in this Mandi will be treated at the Mandi itself. She also informed that presently 150 tonnes of Waste being

(S) 2/c

managed through the MCD will be managed by APMC itself once its own Waste Management plants starts functioning.

The Principal Secretary Urban Development Department directed Sh. G.S. Meena, Additional Commissioner, South Delhi Municipal Corporation/Chairman of the committee to finalize the draft strategy and submit it immediately, so that the same could be finalized within a week.

Finalization of Solid/Plastic Waste Management bye- laws :-

The Principal Secretary (UD) inquired about the finalization of Solid/Plastic Waste Management Bye-laws. The representative of MCD informed that all comments received have been incorporated in the drafts. The Principal Secretary (UD) discussed the various issues of Solid Waste Management Bye-laws and directed to include the provision of State Level Committee to be made by the State Govt. which will coordinate the issues among the corporations. The Principal Secretary (UD) also directed that the 10 points discussed in the draft Solid Waste Management Bye-laws should be amended suitably keeping in view the situation of NCT of Delhi vis a vis other bigger state.

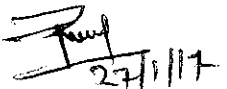
The representative of New Delhi Municipal Council agreed to adopt the draft Solid/Plastic Waste Management Bye-laws of MCDs, however the representative of Delhi Cantonment Board informed that they would frame their own Bye-laws.

On the collection of monthly user fees i.e. charges of the Solid/Plastic Waste Management it was decided that the proposed charges should be rational and reasonable. It should not be blindly linked to the property tax as it will be an extra burden only on the honest property tax payers which is only about 30 – 35% of total households in Delhi. There should be proper mechanism for the collection, monitoring and enforcement of this user fee collection. So that as far as possible all households in Delhi are covered.

It was also discussed & decided that a proper mechanism should be developed to impose penalty upon the defaulters and the delegation of power to impose the penalty should be defined in the draft bye-laws. The Principal Secretary (UD) also emphasised for inclusion of proper enforcement mechanism of penalty including the role of MCD, RWAs, fixing accountability and complaint mechanism. It was also agreed that the monthly user fee should be low and it should cover maximum houses, whereas the penalty should be high but it should be logically based.

The Principal Secretary Urban Development Department directed to revise the draft Solid/Plastic Waste Management Bye-laws accordingly and submit it within a month time so that the same could be finalized.

The meeting ended with the thanks to the Chair.


(Pawan Pravesh)
Dy. Secretary (MCD)

9/

F.13(183)/SWN-NP/MB/UD/16/ 479-502

(6) 4/c
Dated: 30/11/2017

Copy to :

1. The Chairman, NDMC, Palika Kendra, New Delhi.
2. The Vice Chairman, DDA, Vikas Sadan, INA, New Delhi.
3. The Secretary, Environment, GNCT of Delhi, 6th level, C-Wing, Delhi Sectt., Delhi.
4. The Divisional Commissioner, Revenue Department, Govt of NCT of Delhi, 5 Sham Nath Marg, Delhi.
5. The Commissioner, Industry, Industries Department, Govt of NCT of Delhi, Udyog Sadan, Industrial Area, Patparganj, Delhi-54.
6. The Commissioner, North Delhi Municipal Corporation, Civic Centre, Jawaharlal Nehru Marg, New Delhi.
7. The Commissioner, South Delhi Municipal Corporation, Civic Centre, Jawaharlal Nehru Marg, New Delhi.
8. The Commissioner, East Delhi Municipal Corporation, Udyog Sadan, Industrial Area, Patparganj, Delhi-92
9. Chief Executive officer, Delhi Cantonment Board, Delhi.
10. The Member Secretary, Delhi Pollution Control Committee, GNCT of Delhi, 4th floor, ISBT Building, Kashmere Gate, Delhi-06.
11. Ms. Bharti Chaturvedi, Chintan Environment Research & Action Grout, C-14, 2nd Floor, Lajpat nagar, Part-3, New Delhi.
12. Delhi Agriculture Marketing Board, GNCTD.
13. Special Secretary (SBM), Urban Development, GNCT of Delhi, Delhi Secretariat, new Delhi.
14. Chief Executive Officer, Delhi Jal Board, Jhandewalan, Karol Bagh, New Delhi.
15. The Commissioner, Labour Department, GNCT of Delhi, 5, Sham Nath Marg, Delhi - 110054.
16. Pr. Secretary (PWD), Public Works Department, GNCT of Delhi, 5th level, B wing, Delhi Secretariat, New Delhi.
17. The Commissioner, Trade and Taxed Department, GNCT of Delhi, I.T.O, New Delhi.
18. Sh. Sanjay Jain, CE, North Delhi Municipal Corporation, Civic Centre, JLN Marg, New Delhi.
19. Prof. S.K. Singh, Delhi Technological University.
20. Deputy Director, Local Bodies, Delhi Secretariat, New Delhi.
21. All India Plastic Industries Association, 203, Hansa Tower, 25, Central Market, Ashok Vihar, Phase 1, Delhi - 110052.

Copy for information to:-

1. OSD to Chief Secretary, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi.
2. PS to Pr. Secretary (UD), Urban Development Department.
3. PA to Spl. Secretary (UD)-I, Urban Development Department


Dy. Secretary (MB)

ACTION POINTS W.R.T JUDGMENT IN CASE OF KUDRAT SANDHU Vs GNCTD AND ORS. (DATED 02/12/16)

S.No	Action Points	Atr/ Remarks
1.	To ensure that the WtE plant at Narela and Ghazipur operate to their optimum capacity in accordance with law.	DPCC has issued Consent to Operate to both WtE plants
2.	All local authorities and development authorities to ensure that segregated MSW is supplied to WtE plants in Delhi.	To be ensured by local bodies
3.	EDMC to supply 1500 MT of waste to Gazipur so that after separation of inerts, 1300 MT is available for RDF production.	To be ensured by EDMC
4.	Gazipur to approach DPCC for enhancement of its capacity to 2000 MT. DPCC to dispose off this application within 2 months, in accordance with the law.	Gazipur has not yet approached DPCC
5.	DPCC to ensure that the C&D plant at Shashri Nagar becomes operational at the earlist.	CTO has been issued by DPCC on 15/12/16.
6.	NDMC to let Ramky collect 2400 MT/ day of MSW (as out of the present 2000 MT/D collected by it , 20% is inert and C&D waste.	To be ensured by NDMC
7.	DERC to step in between Ramky and NDMC over power purchase agreement and sharing.	----
8.	<p>Joint inspection team to inspect the WtE plants of Gazipur and Narela once in two months. The team shall be comprised of:</p> <ol style="list-style-type: none"> 1. MS, CPCB 2. MS, DPCC 3. Sr. Sc. – MOE&F <p>Nominated ; IIT Delhi</p> <p>Committee (joint team) to be supervisory in nature. Team to be selected by them from these organizations i.e. Gazipur and Ramky for reporting submitting day to day working report. Inspection by the team- once in two months. Day to day working shall be submitted by the team from org. to the Committee.</p> <p>In the event of default of Env. laws (by joint inspection team) by Gazipur and Narela, they shall be liable to pay environmental compensation of Rs. 5 lakh for each default.</p>	DPCC has already written to CPCB on 20/01/17 for constitution of the team. Reply awaited.
9.	All Corporations, DDA and other public authorities including GNCTD to take immediate steps for reduction and utilization of dumped waste	By local bodies and others.

	for other purposes. - PWD/ CPWD to take segregated waste from all 3 dumpsites for construction of road and embankment wherever possible.	
10	High level Committee under Addl. Secy, MOUD, GOI - Secretary, Env. GNCTD, - Chairman, CPCB - Chairman, DPCC - DDA - All Municipal Commissioners. - Any other person co-opted by MOUD This committee is to prepare a clear cut action plan for disposal of entire solid waste generated in Delhi and shall prepare a comprehensive plan for bio-stabilization of all the sites within one month.	DPCC is attending the meetings regularly
11	All corporations, public authorities, DDA including Ministry to make the use of usable waste while issuing tender for road construction.	---
12.	High level Committee to also submit report to NGT w.r.t. the possibility of providing landfill site for waste management in Delhi particularly out of the 24 sites stated in the MPD- 2021.	To be done by MOUD, GOI
13.	Public Authorities, Corporations and development Agencies to ensure that the dump sites are covered with clay and particularly disinfected as per SWM Rules, 2016.	DPCC has already given the directions to MCDs on 06/11/16
14.	Each Corporation, Development Agencies or Authorities to at least pick up two colonies, one from un-authorized and second from authorized, engage agencies to collect data w.r.t. MSW actually generated.	To be done by local bodies
15	Municipal Commissioners to submit a scheme for providing incentive to people for giving segregated waste and penalties who do not.	To be done by local bodies
16.	All major sources of MSW- hotels, restaurants, slaughter houses, vegetable markets to segregate waste. Non-compliant with this aspects or throwing waste over any drain or public palce to pay Rs. 10,000 per default as compensation fee.	To be ensured by DPCC (CMCs) and local bodies. This is also taken up by the Committee constituted in MOEF&CC vide order of NGT dated 10/01/17.
17.	DDA and MCD to collectively consider and submit proposal for fly ash manufacturing plant.	To be submitted by DDA and MCD
18.	Delhi Govt. to see that the directions in Flyash Notification are implemented in spirit and substance.	Being monitored by Department of Environment, GNCTD
19.	All fly-ash dumps to be sprinkled with water and particularly covered.	DPCC has already issued directions to

		NTPC, Badarpur on 06/11/16.
20	Collective responsibility of Corporations, development Agencies and Fire department to ensure no fire at landfill sites.	DPCC has issued directions to MCD for ensuring this 06/11/16 and 23/11/16.
21	Composting and bio-methanation to be done as close to generation pt. as possible.	To be ensured by land agencies and local bodies
22	Corporation to segregate compostable and C&D waste from MSW. C&D waste to be used for construction activity particularly in relation to road embankment wherever needed and other allied construction project. All public authority, corporations, Cantonment Board and DDA to immediately stipulate such a condition in their tender document.	To be done by local bodies
23.	High Level Committee constituted to require NCT, Delhi and the govt. to provide fund for compliance of these directions and implementation of the project prepared there under.	To be done by MOUD, GOI
24	Corporation and the public authorities to invoke "Polluter Pays Principle"	MCD is in the process of making bye-laws.
25	Use of disposable plastic glasses is prohibited in entire Delhi at hotels, restaurants, and public as well as private functions from 01/01/2017. GNCTD to take appropriate steps against storage, sale and use at above places.	--
26.	Existing Dhalaos to be compartmentalized. One chamber for bio-degradable waste, second for non-biodegradable & recyclable waste and the third for hazardous and other waste. Where dhalaos are not there separate 3 bins to be kept and mechanically handled in accordance with SWM Rules.	To be ensured by local bodies
27.	Planning and MCD, while approving layout plans for new housing colonies exceeding 5000 sq m, to mandate the provision for decentralized processing of segregated, bio-degradable and compostable waste of the colony within its remises .	To be ensured by MCDs and DDA
28	All Municipal Authorities, public authorities including DDA and GNCTD to draw an integrated waste management plan for Delhi within two months. The Committee constituted shall examine and submit the same to NGT within the above specified period.	To be prepared by MOUD, GOI
29	All concerned authorities, Corporations, DDA, Cantonment Board, NDMC, all Boards, Project proponents, railway, NCT of Delhi to co-operate with each other and comply with the Rules. Otherwise to be proceeded against personally.	DPCC has issued directions to all local bodies on 31/12/16.

30	Both Committees constituted to submit their report within stipulated time and in any case not later than six weeks.	--
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**ACTION POINTS W.R.T. JUDGMENT IN THE CASE OF ALMITRA PATEL Vs
GOI AND ORS. (22/12/16)**

S.No	Action Points	ATR/ Remarks
1.0	State and Union Territory shall enforce and implement the Solid Waste Management Rules, 2016 in all respects and without any further delay	Detailed directions under section 5 of EPA read along with Solid Waste Management (SWM) Rules, 2016 have been issued by DPCC to all the local bodies for implementing the Rules in toto on 13.12.16. Detailed comments on the draft State Policy and Strategy and State Action Plan prepared by UD and local bodies respectively have already been submitted.
2.0	All the State Governments and Union Territories shall prepare an action plan in terms of the Rules of 2016 and the directions in this judgment, within four weeks from the date of pronouncement of the judgment.	Action plan has to be prepared by local bodies.
3.0	By way of last opportunity, we direct that the period of six months shall be reckoned w.e.f. 1st January, 2017 for preparation of National policy and strategy by Min. of UD, GOI.. There shall be no extension given to any stakeholders for compliance with these provisions any further.	To be done by MOUD, GOI
4.0	The period of one year (for formulation of state policy and solid waste management strategy) shall commence with effect from 1st July, 2017 . For this also, no extension shall be provided. Any State or Union Territory which now fails to comply with the statutory obligations as afore indicated shall be liable to be proceeded against in accordance with Section 15 of the Environment (Protection) Act, 1986. Besides that, it would also be liable to pay environmental compensation, as may be imposed by this Tribunal. In addition to this, the senior most officer in-charge in the State Government/Urban Local Body shall be liable to be personally proceeded against for violation of the Rules and orders passed by this Tribunal.	To be co-ordinated by department of UD, GNCTD.
5.0	State Governments, its departments and local authorities shall operate in complete co-ordination and cooperation	To be co-ordinated by Deptt of UD, GNCTD
6.0	Wherever a Waste to Energy plant is established for processing of the waste, it shall be ensured that there is mandatory and proper segregation prior to incineration relatable to the quantum of the	To be ensured by local authorities. Two of the WtEs have already installed

	waste.	segregation system and third one (at Okhla) is in the process of installing the same.
7.0	Buffer zone and green belt are essential and their extent would have to be decided on a case to case basis. The buffer zone necessarily need not be of 500 meters wherever there is a land constraint. The purpose of the buffer zone should be to segregate the plant by means of a green belt from surrounding areas so as to prevent and control pollution, besides, the site of the project should be horticulturally beautified. This should be decided	CPCB is in the process of finalizing the same
8.0	Committees constituted under Rule-5 (i.e. Central monitoring committee under the Chairmanship of Secretary, MOE&F) would meet at least once in three months and not once in a year as stipulated under the Rules of 2016. The minutes of the meeting shall be placed in the public domain.	To be ensured by MOE&F, GOI
9.0	The State Government and the local authorities shall issue directives to all concerned, making it mandatory for the power generation and cement plants within its jurisdiction to buy and use RDF as fuel in their respective plants, wherever such plant is located within a 100 km radius of the facility.	There is no cement plant in Delhi. Only gas based plants are in operation as of now in Delhi.
10.0	In Waste to Energy plant by direct incineration, absolute segregation shall be mandatory and be part of the terms and conditions of the contract between the WtE plant and local authorities.	To be ensured by local bodies.
11.0	The tipping fee, wherever payable to the concessionaire/operator of the facility, will not only be relatable to the quantum of waste supplied to the concessionaire/operator but also to the efficient and regular functioning of the plant. Wherever, tipping fee is related to load of the waste, proper computerised weighing machines should be connected to the online system of the concerned departments and local authorities mandatorily.	Action is between the operator and local authority.
12.0	Wherever, the waste is to be collected by the concessionaire/operator of the facility, there it shall be obligatory for him to segregate inert and C&D waste at source/collection point and then transport it in accordance with the Rules of 2016 to the identified sites.	Action to be taken by Operator of the facility and supervised by local authority
13.0	The landfill sites shall be subjected to bio-stabilisation within six months from the date of pronouncement of the order.	The policy on this aspect is being prepared by MOUD, GOI
14.0	Landfills should preferably be used only for depositing of inert waste and rejects. However, if the authorities are compelled to use the landfill for good and valid reasons, then the waste (other than	The entire solid waste management plan for Delhi is being prepared by

	inert) to be deposited at such landfill sites be segregated and handled in terms of Direction 13.	MOUD, GOI as per orders of NGT
15.0	The deposited non-biodegradable and inert waste or such waste now brought to land fill sites should be definitely and scientifically segregated and to be used for filling up of appropriate areas and for construction of roads and embankments in all road projects all over the country.	The entire solid waste management plan for Delhi is being prepared by MOUD, GOI as per orders of NGT
16.0	The State Government, Local Authorities, Pollution Control Boards of the respective States, Pollution Control Committees of the UTs and the concerned departments would ensure that they open or cause to be opened in discharge of Extended Producer Responsibility, appropriate number of centers in every colony of every district in the State which would collect or require residents of the locality to deposit the domestic hazardous waste like fluorescent tubes, bulbs, batteries, electronic items, syringe, expired medicines and such other allied items.	Directions to follow the SWM Rules, 2016 in toto have already been issued to local bodies.
17.0	We direct MoEF&CC, and the State Governments to consider and pass appropriate directions in relation to ban on short life PVC and chlorinated plastics as expeditiously as possible and, in any case, not later than six months from the date of pronouncement of this judgment.	---
18.0	The directions and orders passed in this judgment shall not affect any existing contracts. (between operators and MCD)	---
19.0	We specifically direct that there shall be complete prohibition on open burning of waste on lands, including at landfill sites. For each such incident or default, violators including the project proponent, concessionaire, ULB, any person or body responsible for such burning, shall be liable to pay environmental compensation of Rs. 5,000/- (Rs. Five Thousand only) in case of simple burning, while Rs. 25,000/- (Rs. Twenty Five Thousand only) in case of bulk waste burning . Environmental compensation shall be recovered as arrears of land revenue by the competent authority in accordance with law.	DPCC has already issued directions to Bhalaswa and Gazipur landfill sites for environmental compensation and for ensuring that no landfill burning takes place.
20.0	All the local authorities, concessionaire, operator of the facility shall be obliged to display on their respective websites the data in relation to the functioning of the plant and its adherence to the prescribed parameters . This data shall be placed in the public domain.	All the WtE plants operating in Delhi have on-line monitoring stations with their data linked to DPCC. They have already been directed to place their data in public domain.
21.0	We direct the CPCB and the respective State Boards to conduct survey and research by monitoring the incidents of such waste burning and to submit a report to the Tribunal as to what pollutants are emitted by such illegal and unauthorized burning of waste.	DPCC has requested CPCB for a joint team to be formed.

22.0	The directions contained in the judgment of the Tribunal in the case of 'KudratSandhu Vs. Govt. of NCT & Ors', O.A. No. 281 of 2016, shall <i>mutatis mutandis</i> apply to this judgment and consequently to all the stakeholders	ATR placed in separate table at Flag 'E'.
23.0	That any States/UTs, local authorities, concessionaires, facility operators, any stakeholders, generators of waste and any person who violates or fails to comply with the Rules of 2016 in the entire country and the directions contained in this judgment shall be liable for penal action in accordance with Section-15 of the Environment (Protection) Act, 1986 and shall also be liable to pay environmental compensation in terms of Sections 15 & 17 of the National Green Tribunal Act, 2010 to the extent determined by the Tribunal.	----
24.0	That the State Governments/UTs, public authorities, concessionaire/operators shall take all steps to create public awareness about the facilities available, processing of the waste, obligations of the public at large, public authorities, concessionaire and facility operators under the Rules and this judgment. They shall hold program for public awareness for that purpose at regular intervals.	A public notice has already been issued by DPCC on ban of open burning. It is being re-issued.
25.0	We expect all the concerned authorities to take note of the fact that the Rules of 2016 recognize only a landfill site and not dumping site and to take appropriate actions in that behalf.	--
26.0	Every Advisory Committee in the State shall also act as a Monitoring Committee for proper implementation of these directions and the Rules of 2016.	To be co-ordinated by UD department, GNCTD
27.0	Copy of this judgment be circulated to all the Chief Secretaries/Advisers of States/UTs by the Registry of the Tribunal. The said authorities are hereby directed to take immediate steps to comply with all the directions contained in this judgment and submit a report of compliance to the Tribunal within one month from the date they receive copy of this judgment.	UD Department, GNCTD is the nodal department for MSW management

ALMITRA PATEL Vs UOI & ORS. (Dated 10/01/17)

S.No	Action Points	ATR/ Remarks
1.	<p>The mass generators of waste in NCT, Delhi cannot be equated to a simple household generating waste and have to be kept in a separate category. The following Committee to be constituted to submit a details and comprehensive report to the Tribunal on compliance directions, status and compliance of rules and directions contained in the judgments. The committee shall consists of the following:</p> <ul style="list-style-type: none"> a) Representative of MOEF&CC, GOI b) Representative of DGHS, GNCTD c) Representative of MCI d) Representative of DDA e) Representative of all Municipal Corporations f) Representative of Govt. of NCT, Delhi g) Representative of MOUD, GOI h) Representative of CPCB i) Representative of Indian Railways j) Representative of DPCC k) Four Independent Experts viz: <ul style="list-style-type: none"> ➤ Sh. G. K. Pandey, Former Member, NGT ➤ Sh. D. K. Aggarwal, Former Member, NGT ➤ Dr. R. Dalwani, Advisor, MOEF&CC ➤ Dr. Rashid Hasan, former Advisor, MOEF&CC <p>In addition to the above, the Additional Secretary, MOEF&CC would be entitled to form different sub-committees from amongst above which will visit the various locations of Delhi where the mass generator of waste are located and submit their report to the Tribunal. The places to be inspected are:</p> <ul style="list-style-type: none"> ➤ All four and five star hotels ➤ All hospitals which are more than 200 bedded (both Pvt.& Govt.) ➤ Co-operative Group Housing Societies having more than 300 flats ➤ Markets ➤ Shopping malls having built-up area of more than 50,000 sq. m. ➤ Colleges having hoetel and accommodating more than 500 students ➤ And such other places. <p>The Committee is to report upon the solid waste management, bio-medical waste management (in hospitals), and the waste waster management (sewage) from the above institutions as per law. In the event of non-compliance to the law, they may be given notices for environmental compensation.</p> <p>Report to be submitted in six weeks from the date of order.</p>	<p>The Committee has been formed and DPCC is attending the meetings regularly.</p> <p>The Committee in turn has formed four sub-committees for inspecting the places as per FCC zones of MCD. DPCC has deputed 5 EEs to these subcommittees as per the demand of the sub-committees.</p>
2.	<p>A joint team of CPCB and DPCC to inspect bio-medical waste plants (CBWTFs) in Delhi. A complete and comprehensive report be submitted about their performances, capacity and results of treating such para-medical wastes.</p>	<p>As per the information, the same sub-committees as above are also inspecting CBWTFs located in Delhi.</p>