

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

Original Application No. 606/2018
(IA No. 163/2021 & IA No. 299/2024)
(In respect of State of Telangana)

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

Date of hearing: 22.08.2024

Uploaded on: 12.09.2024

**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. S. Niranjan Reddy, Senior Advocate with Mr. Sravan Kumar, Ms. Akhila Palem, Mr. Saaketh Kasibhatla, Mr. Tayade Pranali Gowardhan & Mr. Shireesh Tyagi, Advs. alongwith Mr. R. Satyalingam, OSD (F&L), Mr. M. Satyanarayana, Executive Director & Mr. D. Sudershan, Director-Projects-1
Mr. Dhananjay Baijal, Adv. for Telangana PCB

ORDER

1. In this Original Application, Tribunal is examining the issue of solid as well as liquid waste management in respect of different States as per 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.*, 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 the matter is listed to examine the compliance by the State of Telangana.

3. The half yearly progress report for the period from October 2023 to March 2024 has been filed by the State of Telangana on 09.07.2024 and

the miscellaneous document has been filed on 22.08.2024. After hearing - Mr. S. Niranjan Reddy, Senior Advocate for State of Telangana and examination of the report it is noticed that:

I. Overall analysis indicates that there is no substantial progress in bridging the gap in the treatment, utilisation and disposal of liquid and solid waste management. We have found following deficiencies and gaps based on examination of the Third Six Monthly Progress Report dated 9.7.2024 signed by Chief Secretary reporting progress for a period from October 2023 to March 2024:-

[Solid Waste Management]

- (i) There is a gap of 2281.0 TPD in waste processing in 141 ULBs (2475). Therefore, each day, unprocessed waste is added to the legacy waste.
- (ii) There has been a change in the legacy waste figure of 59.0 lakh MT reported earlier which is now reassessed to 38.46 lakh MT. The entire waste is expected to be remediated by 30.6.2025.
- (iii) We could not ascertain the details of waste being processed by GHMC which is estimated to be 7251 TPD.
- (iv) It has been admitted that 1,20,00,000 MT has been capped (page 2416) and whereas at another place this figure is 12 MT (reported at page 2410). Hence, it is to be clarified. It is not disclosed if there is any further dumping or landfilling taking place.

[Sewage Management]

- (i) No relevant fact can be gathered in respect of sewage management from the data furnished in Annexure III (page 2507) and Annexure IV (page 2525). The data has been given in respect of polluted river stretches. Annexure IV discloses that existing 50 STPs are having treatment capacities of 1273.1 MLD but, it is not disclosed that how much sewage is actually being treated.
- (ii) On examination of performance data given in Annexure-V regarding functioning of STPs, we find that extent of utilisation of treatment capacities and final point/ mode of disposal of treated sewage, has not been disclosed. Further, Telangana PCB is required to clarify on the Standards prescribed in CFO with regard to Fecal Coliform as they are in variance with regard to the Standards set out by the Tribunal in order dated 30.09.2018 passed in OA 1069/2018.
- (iii) Annexure III and Annexure IV need to be further elaborated by giving figures of sewage generation, treatment and gap for each 141 ULB.
- (iv) Factual status on sewage generation for GHMC, installed capacities and utilisation of existing STPs, performance of STPs and final mode of disposal, has not been disclosed.

II. State of Telangana has sought permission to utilize environment compensation for restoration measures which is estimated to be Rs. 3800 crores but in view of Para 50 to 53 of the

order dated 29.09.2022 and observations made in the order dated 21.12.2023, no further clarification is required.

III. We find that Schedule I of MSW rule is violated and also there is non-compliance with the provisions of Water Act, 1974 and the directions of the Hon'ble Supreme Court in Paryavaran Suraksha.

4. Let fresh action taken report be filed by the Chief Secretary, State of Telangana in light of the observations made above at least one week before the next date of hearing by way of affidavit.

5. List the matter on 06.03.2025 for consideration of report in respect of State of Telangana.

6. For State of Chhattisgarh, matter be listed on 28.08.2024 as per earlier direction.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

September 12, 2024
Original Application No. 606/2018
(IA No. 163/2021 & IA No. 299/2024)
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