

GOVERNMENT OF TELANGANA
ABSTRACT

EFS&T Department - Prohibition of open burning of Waste and Utilization of Refused Derived Fuel (RDF) as a fuel in Power Generation and Cement Plants - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (For.III) DEPARTMENT

G.O.Ms.No. 27

Dated: 10-07-2017

Read the following:-

1. Government of India, Ministry of Environment, Forest and Climate Change Notification No. S.O. 1357(E), dt. 08.04.2016 notifying the Solid Waste Management Rules, 2016.
2. G.O. Ms. 79, E.F.S. & T. (For.III), Dept., Dated 30.12.2016.
3. Orders of Hon'ble NGT, New Delhi, dt. 22.12.2016 in OA No. 199/2014 filed by Mrs. Almitra H. Patel.
4. From the MS, TSPCB, Hyderabad, letter No. TSPCB/MSW/U-IV/NGT-199/2016-3103, dt. 14.02.2017.

ORDER:

In exercise of the powers conferred by sections 3,6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Waste (Management & Handling) Rules, 2000, the Central Government notified Solid Waste Management Rules, 2016, under Environment (Protection) Act, 1986.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi vide order dt. 22.12.2016 in OA No. 199 of 2014 filed by Mrs. Almitra H. Patel Vs. UOI & Ors. directed that:

- " a. *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.*
- b. *The 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.*
- c. *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."*

P.T.O

:2:

The Member Secretary, Telangana State Pollution Control Board has requested for orders accordingly, vide letter dated 14.2.2017 in the fourth read above.

Government, after careful consideration of the matter, and in exercise of the powers conferred under section 5 read with section 23 of the Environment (Protection) Act, 1986 read with sub Rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 and in compliance of the judgment pronounced by the Hon'ble National Green Tribunal in Original application No.199 of 2014 hereby order that :

- A) The power generation plant and cement plants in Telangana State shall buy and use Refuse Derived Fuel (RDF) as fuel in their respective plants, wherever RDF plant is located within 100 km radius.
- B) There shall be complete prohibition on open burning of waste on lands, including at landfill sites for each such incident or default, violators including project proponent, concessionaire, Urban Local Bodies, any person or body responsible for such burning Environmental compensation shall be levied Rs.5,000/- (Rupees Five Thousand only) for simple burning and Rs.25,000/- (Rupees Twenty Five Thousand only) for bulk waste burning. The Environmental compensation will be recovered as arrears of land revenue by the competent authority.
 - I) the concerned Urban Local Body / Gram Panchayat is the competent authority for levy of environmental compensation for open waste burning done by public, concessionaire, project proponent (Private), communities etc.
 - II) the Telangana State Pollution Control Board is the competent authority for levying the environmental compensation for open waste burning done by Urban Local Bodies / Gram Panchayats.

The Environmental Compensation shall be utilized for creating awareness among general public on environmental issues and open burning of waste.

As per Rule 15 (v) (b), the Local Authorities and Village Panchayats of census towns and urban agglomeration shall establish waste to energy processes including Refused Derived Fuel (RDF) for combustible fraction of waste or supply as feed stock to solid waste based power plants to Thermal Power Plants & Cement Plants.

In case of Thermal Plants & Cement Plants are not existing within 100 km radius of local bodies / RDF plants, the concerned Urban Local Bodies /Refused Derived Fuel (RDF) plant shall bear the transport cost for transporting Refused Derived Fuel to the nearby Thermal Plants & Cement Plants.

:3:

These orders shall come into force with immediate effect.

Copy of this order is available on Internet and can be accessed at www.goir.telangana.gov.in.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. RAJAT KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner, Printing & Stationery, Chanchalguda.(for notification of the above G.O. in the Extraordinary issue of State Gazette.)

All District Collectors.

The Municipal Administration & Urban Development Department.

The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

The Panchayat Raj and Rural Development Department.

The Commissioner, Panchayat Raj & Rural Development Department.

The Industries & Commerce Department.

The Revenue (Endowment) Department.

The Food & Civil Supplies Department.

The Animal Husbandry, Dairy Development & Fisheries Department.

The Information & Technology Communication Department.

The Commissioner, Endowment Department.

The Director General of Police, Hyderabad.

The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad.

The Member Secretary, Telangana State Pollution Control Board, Hyderabad.

Copy to:

The Secretary to Chief Minister (SS)

The P.S. to Minister (EFS&T).

The P.S. to Chief Secretary.

The Law (c) Department, T.S. Secretariat, Hyderabad.

S/F & S/C.

// FORWARDED :: BY ORDER//

SECTION OFFICER