

Chapter-4
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Waste Management System

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Uttarakhand Pollution Control Board (UKPCB) was to enforce SWM Rules in the State. However, UKPCB did not review implementation of SWM Rules in all Urban Local Bodies (ULBs) as per mandated frequency during the period 2017-22. There was inter state movement of waste in two test check ULBs without intimation to both the State Pollution Control Boards of origin and destination states. ULBs were not submitting the annual reports timely and regularly. Complaints registration records were maintained only in five out of 13 test checked ULBs.

4.1 Inactive approach of Pollution Control Board regarding review of implementation of SWM Rules 2016

As per Rule 16 (1) (a) of SWM Rules, State Pollution Control Board was to enforce said SWM Rules in its jurisdiction. Accordingly, it was to review implementation of said SWM Rules in each ULB at least twice a year.

Table-4.1 below gives status of review of ULBs by four regional offices of Uttarakhand Pollution Control Board during 2018-22.

Table-4.1: Details of Reviews conducted

Name of the Regional Pollution Control Board	Number of ULBs under the RO, PCB	Number of ULBs reviewed	Number of ULBs not reviewed	Number of Reviews to be conducted during 2018-22	Actual Number of Reviews conducted (in per cent)
Dehradun	46	05	41	460	07(02)
Roorkee	14	02	12	140	05 (04)
Haldwani	25	01	24	250	03 (01)
Kashipur	17	04	13	170	05 (03)
Total	102	12	90	1020	20 (02)

Source: Information provided by the department.

The above table indicates:

- Eighty-Eight *per cent* of the ULBs were not reviewed even once in last five years.
- The percentage of review conducted in last five years was minuscule i.e. ranged between one to four *per cent*.

National Green Tribunal (NGT) issued (January 2020) directions for effective compliance of SWM Rules, 2016. It also laid down interim compensation scale¹ for violation of said SWM Rules. Now in compliance to NGT directives, Regional Office of the Uttarakhand Pollution Control Board at Haldwani reviewed implementation of SWM Rules in five ULBs and imposed (April 2020) a penalty of ₹ 1.20 crore (₹ 24 lakh

¹ Any such continued failure will result in liability of every local body to compensation at the rate of ₹ 10 lakh per month per Local Body for population of above 10 lakhs, ₹ five lakh per month per Local Body for population between five lakhs and 10 lakhs and ₹ one lakh per month per other Local Body from 01 April 2020.

each ULB). However, its head office was yet to approve proposed penalty (till December 2022).

The inactive approach of the Uttarakhand Pollution Control Board was also corroborated in joint physical inspections. During these physical inspections, Audit observed instances of dumping of mixed waste in forest land, dumping of waste near highways, rivers, water bodies and agricultural land.(Photographs below may be referred to).

(A)The mixed waste was dumped in the forest land in Khatima, U.S. Nagar



Photo-4.1: Aerial view (Geo tagged) of dump in forest land (14 January 2023), NPP Khatima



Photo-4.2: Photograph taken at the time of Joint Physical verification of Dumping site (14 January 2023), NPP Khatima

(B) The mixed waste was dumped in the agriculture land in Nagar Panchayat Dineshpur, U.S. Nagar



Photo-4.3: Aerial view (Geo tagged) of the Dumping site (31 January 2023), NP Dineshpur



Photo-4.4: Photograph taken at the time of Joint Physical verification of Dumping site (31 January 2023), NP Dineshpur

The Member Secretary, Uttarakhand Pollution Control Board (UKPCB) stated (December 2023) that due to manpower shortage lesser reviews were conducted. The draft service rules for appointment to various cadres/vacant posts in UKPCB has been sent to State Government for approval. Action regarding pending penalty proposal is under consideration and action will be initiated after replies of the ULBs are received.

The inactive approach of the UKPCB towards review of implementation of SWM Rules can also be seen from the following events-

4.1.1 Regional Offices, Pollution Control Board ignorant of the inter state movement of waste

As per Rule 16 (6) of solid waste management rules, 2016, the duties of State Pollution Control Board were to regulate inter state movement of waste. Rule 18 (3) of the hazardous and other wastes (Management and Transboundary Movement) Rules, 2016 provides that in case of transportation of hazardous and other waste for final disposal to a facility existing in a State other than the State where the waste is generated, the sender shall obtain 'No objection certificate' from the State Pollution Control Board of both the States. Further, to regulate inter state movement of waste the Municipal Commissioner, Executive Officer, Member Secretary and Regional Officers Pollution Control Board were responsible.



Photo-4.5: Waste transported through Trucks in NPP Mussoorie (10 October 2022)

The regional offices of the State Pollution Control Board informed audit that no ULB/ other agency has intimated Pollution Control Board, regarding inter state movement of waste under their jurisdiction.

However, during audit of the test checked ULBs, it was noticed that inter state movement of waste was undergoing in two² out of 13 test checked ULBs without intimation to the State Pollution Control Board of both the States.

While accepting the facts Member Secretary, UKPCB stated (December 2023) that urban local bodies had not informed Uttarakhand Pollution Control Board regarding transfer of waste, however, the matter will be investigated. Board has issued letters to Director, Urban Development and all ULBs for compliance.

4.1.2 Uttarakhand Pollution Control Board's directions not complied by the Private Concessionaire

Uttarakhand Pollution Control Board gave (March 2018) consolidated consent to Dehradun Waste Management Pvt. Ltd. to establish and operate solid waste management facility. Subsequently, based on various inspections and complaints³, the board noticed violations of SWM rules /environmental laws and imposed certain

² Nagar Palika Parishad Mussoorie and Nagar Nigam Haridwar.

³ PCB inspected the site thrice (01 August 2019, 23 January 2020 & 19 February 2020) in the year 2019-20, apart from this, the PCB also inspected the site on complaint basis (03 April 2018, 12 July 2018 & 17 February 2022).

penalty. However, the same could not be collected till December 2022 due to ineffective pursuance of the matter, as detailed below:

- The Pollution Control Board (PCB) calculated environmental damages at ₹ 0.16 lakh per day from 01 August 2018 due to non-compliance with standards. However, the PCB did not follow up on the issued letter. Further, the firm had also not paid any environmental damage. After audit pointed out in September 2022, a letter was sent to the Municipal Commissioner, Dehradun, in October 2022, indicating that PCB consent should be obtained before finalizing financial/ administrative case of the firm. The firm submitted a bank guarantee of ₹ five lakh in lieu of compliance with environmental standards. However, the same had expired in March 2021 and the PCB did not initiate any action to renew the bank guarantee.
- A case was lodged against the firm in the designated court, Additional Chief Judicial Magistrate (ACJM) Dehradun, on 02 September 2022 for non-compliance with environmental standards. However, the case was lodged after the process of termination of the concessionaire agreement was initiated (June 2022) between the firm and the Nagar Nigam Dehradun.

While accepting the facts it was informed by the Member Secretary, UKPCB (December 2023) that earlier imposed penalty was not followed up due to shortage of staff, however, notice of ₹ 1.57 crore penalty has been issued to the firm by the Pollution Control Board. The recovery will be done at the earliest.

4.1.3 Submission of incomplete Annual Reports to CPCB

Rule 24 (3) of SWM Rules states that each State Pollution Control Board (SPCB) shall prepare and submit the consolidated annual report to the Central Pollution Control Board (CPCB) and Ministry of Housing and Urban Affairs on the implementation of the said Rules and action taken against non-complying local body by the 31st day of July of each year in prescribed form. The responsibility for preparation/review/submission of Annual Reports lies with the Municipal Commissioner/ Medical Health Officer (MHO), Executive Officer of the respective ULB and Member Secretary/Regional Officer Pollution Control Board.

It was noticed that the SPCB was compiling the reports received from regional offices/ULBs and furnishing the annual reports to CPCB in the prescribed time limit. However, cross verification of the annual reports with the individual reports furnished by the regional offices/Urban Local Bodies (ULBs) revealed following deficiencies:

- All the ULBs did not submit Annual reports to the SPCB.
- SPCB submitted consolidated annual report to the CPCB in time. Accordingly, data in respect of ULBs which submitted their annual report after due date could not be incorporated in consolidated annual report of the SPCB.

In respect of 13 test checked ULBs, Audit observed that:

- The annual report was submitted by five ULBs after the due date.

- No records regarding submission/non-submission of annual reports to SPCB was available in 10 ULBs (2017-18), six ULBs (2018-19), three ULBs (2019-20) and one ULB each (2020-21 & 2021-22).
- No action was taken by the SPCB against ULBs for not submitting their annual reports.

On this being pointed out, the regional offices of SPCB replied that the annual reports were not submitted timely by the ULBs, and regional office submitted Reports to SPCB after receiving it from ULBs. Further, letters will be issued to ULBs for timely submission of annual reports.

While accepting the facts Member Secretary, UKPCB stated (December 2023) that annual reports will be furnished to Central Pollution Control Board after receiving reports from all the ULBs. Instructions will be issued to all the ULBs for timely submission of Annual Report.

4.2 Complaint Redressal System

A complaint redressal system⁴ creates a platform for citizens to voice their complaints and grievances regarding provision of Municipal Solid Waste Management services and also helps in promoting efficiency and transparency at the ULB level. The ULB, through an analysis of the complaints or grievances it receives, is able to identify lacunae and bridge gaps in service delivery. The time taken for resolution of grievances and the action taken are also monitored and recorded through this system. Multiple channels or a combination of different channels may be adopted for receiving complaints (phone calls to a centralised customer service or complaint number, SMS messages to notified mobile numbers, automated generated complaints sent to commissioners for their records, walk-in complaint registration, online complaint registration). The Sanitary Inspector & Supervisor were responsible for record maintenance & compliance and Municipal Commissioner /Executive Officer. Regional Officers Pollution Control Board were responsible for assessment of Complaint Redressal System for SWM.

Scrutiny of the records related to compliant redressal system revealed as under:

- Complaints registration records were maintained only in five out of 13 test checked ULBs.
- In these five ULBs, 78 to 91 *per cent* registered complaints were attended. In remaining nine to 22 *per cent* cases of complaints, the complaint's disposal comments were not mentioned in the Complaint registers.
- All six channels⁵ were not being used to receive complaints from stakeholders

⁴ Municipal Solid Waste Management Manual, 2016 - Part II, Para 6.4-.A complaint redressal system is an effective tool which facilitates effective complaint management and expedites the redressal process in a Transparent manner.

⁵ In Nagar Nigam Dehradun five channels (CM portal, e-mail, by post, DM Office and Telephone/SMS), in Nagar Nigam Haridwar two channel (Telephone and DM Office), in Nagar Nigam Rudrapur three channels (Walk-in, CM portal and e-mail), in Nagar Palika Parishad Mussoorie two channels (Telephone, Walk-in), and in Nagar Nigam Haldwani two channels (telephone and CM portal) were adopted.

While accepting the facts the Additional Secretary stated that instructions will be issued to all the ULBs for maintaining the records. The State Government further replied (December 2023) that CM Helpline, CPCB's Single Use Plastic (SUP) Grievance Portal, Swachhata Portal under Swachh Bharat Mission were available for complaints related to Solid Waste Management. However, the fact remains that test checked ULBs were not using /adopted multiple channels or a combination of different channels for receiving complaints as per Manual.

4.3 Initiatives for promoting Public Awareness through Information, Education and Communication (IEC)

Rule 15 (zg) SWM Rules 2016 envisages creation of public awareness through information, education and communication campaign and education of waste generators on SWM practices and behaviours⁶. The responsibility of public awareness through IEC lies with Municipal Commissioner/Medical Health Officer, Executive Officer of the respective ULB.

All 13 tests checked ULBs conducted IEC activities, encouraging waste generators to 'segregate waste into wet and dry' and 'not to litter' by issue of bills, banners, stickers, wall paintings, etc.

The status of various modes of communication used in the test checked ULBs were as per the **Table-4.2** below.

Table-4.2: Modes of communication used in the test checked ULBs

Sl. No.	Modes of communication used	Number of ULBs	
		Yes	No
1.	Audio	13	0
2.	Video	04	09
3.	Mass communication	10	03
4.	Wall Paintings	11	02
5.	Schools	11	02
6.	Hoardings	11	02
7.	Pamphlets	11	02
8.	Other mode of communication (Nukkad Natak, Meetings, Banner etc)	12	01

Source: Information provided by the test checked ULBs.

The Additional Secretary stated in the Exit Conference (September 2023) that instructions will be issued to all the ULBs for regular and effective IEC activities in their ULBs. The State Government further replied (December 2023) that the IEC programmes prescribed by the Ministry of Housing and Urban Affairs, Government of India are being implemented at the ULB level. A mega cleanliness drive was organized

⁶ Not to litter; minimise generation of waste; reuse the waste to the extent possible; practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source; practice home composting, vermi-composting, bio-gas generation or community level composting; wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste; storage of segregated waste at source in different bins; handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.

with the active participation of the High Court, Nainital between 12th to 18th June 2023.

Though tests checked ULBs were taking initiatives for promoting public awareness, however, the same was not so effective on the ground as mixed waste were being handed over to the waste pickers, monthly user fee or charges were not paid by the households on regular basis etc.

4.4 Deficiency in the post of Supervisory level resulted in weakness in monitoring and evaluation processes

Rule 15 of Solid Waste Management Rules 2016 envisages the duties and responsibilities of local authorities in relation to SWM activities. The Municipal Solid Waste Management Manual, 2016 describes that the Chief Executive of the ULBs (Municipal commissioner, Secretary, or Executive Officer) was responsible for implementing the MSWM plan. The head of the SWM department is responsible for monitoring and evaluation.

Scrutiny of the records revealed that there was zero to 100 *per cent* vacancies in supervisory cadres of SWM activities in test checked 13 ULBs, as detailed in **Table-4.3** below:

Table-4.3: Sanctioned strength & Men in Position of Supervisory level in test checked ULBs (As on March 2022)

Designation	Sanctioned Strength	Men-in-position	Vacant (in per cent)
Sahayak Nagar Ayukt (SNA)	06	06	0
Executive Officer	11	10	01 (09)
Mukhya Nagar Swasthya Adhikari	02	02	0
Zonal Sanitary Officer	06	00	06 (100)
Chief Sanitary Inspector/ Sanitary Inspector	46	17	29 (63)
Environment Supervisor (Safai Nayak)	135	97	38 (28)

Source: Information provided by the ULBs.

While, there was 100 *per cent* vacancy at the level of Zonal Sanitary Officer, 63 *per cent* in Chief Sanitary Inspector/Sanitary Inspector and 28 *per cent* in Environment Supervisor. Due to vacancy in supervisory level, effective implementation of Solid Waste Management in ULBs was lacking i.e. Waste Management Plans were not prepared, segregation at source was done partially and recovery of material etc. was partially done.

The State Government replied (December 2023) that the recruitment process is underway for 515 posts against a total of 816 vacancies in 102 bodies.

4.5 Recommendations

- *The State Government should ensure frequent Information, Education & Communication activities and create awareness in public about the harmful effects of ineffective SWM management on health and environment;*

- *The State Pollution Control Board needs to ensure that all concerned, involved in Solid Waste Management functioning, obtain necessary authorisation for their functioning and should enforce adherence to prescribed standards by reviewing implementation as per norms;*
- *The State Government may scientifically assess workload of each ULB and accordingly sanction/deploy human resources.*

Dehradun
The 4 October 2024



(PRAVINDRA YADAV)
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Countersigned



New Delhi
The 7 October 2024

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