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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO.199 OF 2014

IN THE MATTER OF:-

ALMITRA H. PATEL & ORS.

APPLICANT

VERSUS

UNION OF INDIA & ORS.

RESPONDENTS

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IN THE MATTER OF:-

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SUBMISSIONS OF THE APPLICANT ON THE REPORT DATED FEBRUARY 2016 FILED BY THE CENTRAL POLLUTION CONTROL BOARD IN COMPLIANCE OF THE ORDER DATED 18.02.2016 OF THIS HON'BLE TRIBUNAL.

MOST RESPECTFULLY SHOWETH:-

1. That the Applicant files its submissions to the Central Pollution Control Board (hereinafter referred to as 'CPCB') Consolidated Annual Review Report ('Report') dated 15.2.2016 on the state of Solid Waste Management in India during 2015. The Applicant submits that the aforesaid CPCB Report is based on reports from only 25 out of 34 SPCBs/PCCs. Clearly, reporting compliance levels have not improved. These 25 Annual Reports cover only 53% (2657 out of 5034) towns in India, and none of the 3894 small Census Towns.
2. Point 5.3 (page 12082) of the CPCB Review Report confirms that "Almost in all the States, disposal of waste is still continued through open dumping." As per Annexure VIII on page 12138 totals for Tons Per Day (TPD) are as follows:

Waste Generated = 140859 TPD

Waste Collected = 127533 TPD 90%

Waste Treated = 34434 TPD 24%

Therefore in the above mentioned facts and circumstances the Applicant reiterates her Prayer No 2 in the Miscellaneous Application No.843/2015 before this Hon'ble Tribunal for Directions to the Respondents to practice waste stabilization by unloading of waste in wind-rows and turning them weekly for a month. The Applicant prays that such practice be adopted immediately on existing open dumps instead of open dumping and levelling of raw waste.

3. Further CPCB Report correctly notes in the last paragraph on page 12081 that "collection of waste from doorstep is the most critical issue" and seeks "at Central level, a Technical Cell" to advise Urban Local Bodies (hereinafter referred to as ULBs). The Applicant agrees, and feels that Swachh Bharat Mission is now playing that role and recommends their Guidebook on their website: <http://swachhbharaturban.gov.in/writereaddata/sbm-newsletter-Nov.pdf> for the said purpose.
4. Further point 6.3 at page 12083 of the CPCB Report wants "indicating Buffer Zones around landfills and waste processing sites" included in amended MSW Rules. In this context, the Applicant reiterates her Prayer No 3 in the Miscellaneous Application No.843/2015 before this Hon'ble Tribunal for directions to the Respondents to promptly notify Buffer Zones around existing

open dumps and waste processing sites, as well as for the future ones.

5. Point 6.4 at page 12083 of the CPCB Report seeks uploading on websites of all "Annual reports of local bodies". The Applicant agrees and prays that this Hon'ble Tribunal would direct such transparency for public benefit.
6. The Applicant submits that CPCB Report is a good summary mirroring individual State/UT responses to this Hon'ble Tribunal, and hence Applicant is not preparing a separate Consolidated Rejoinder as permitted. However, only some Good Practices and Bad Practices mentioned in the CPCB Report are highlighted below for this Hon'ble Tribunal's convenience of issuing Directions as needed:

GOOD PRACTICES:

- (a) Compulsory use of shredded unrecyclable plastic in bitumen roads as have been done in the States of Tamil Nadu and Himachal Pradesh. It creates doubly-durable roads from waste which is too voluminous to transport as RDF.
- (b) Removing old open dumps and recycling land through bio-mining/ bioremediation as have been done in Kumbakonam (Tamil Nadu), Raichur in Karnataka, Pahalgam in Jammu and Kashmir.
- (c) This Hon'ble Tribunal had directed on 20 March 2015 that "first effort should be made for composting of wet waste".

Annexure VI on page 12133 to 12135 of the CPCB Report shows that during 2014-15, totally 591 ULBS set up new compost / vermicompost plants compared to 397 ULBs before that, with 114 ULBs planning them. However the said numbers are still far too few for India's 5034 ULBs plus 3894 Census towns. Hence the Applicant seeks a direction from this Hon'ble Tribunal to the Respondents for setting up of new Compost / Vermicompost Plants.

- (d) Increasing citizen-driven waste segregation and management at source.

BAD PRACTICES:

- a) Covering raw unstabilised garbage with earth, which is against MSW Rules. Must stabilize waste first, then use it, or coarse compost rejects, as cover instead of soil.
- b) Capping of open dumps which have no bottom or side liners. This forces landfill gases down into surrounding areas with disastrous results as seen at Malad in Mumbai.
- c) No monitoring of groundwater around existing dumps and waste processing sites as SPCBs/PCCs wait or plan to monitor only new lined ones which will be far less of a problem than existing pollution sources as per Annexure V on page 12132 of the CPCB Report . Hence this Hon'ble Tribunal ought to direct the Respondents to MONITOR GROUNDWATER AROUND ALL EXISTING OLD AND CURRENT DUMPSITES.

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The Applicant prays that the directions as sought for in the present submissions as well as the directions sought in the Miscellaneous Application 843/2015 be granted by this Hon'ble Tribunal.

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