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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI

M.A.No.843 OF 2014

IN

ORIGINAL APPLICATION NO.199 OF 2014

IN THE MATTER OF:

ALMITRA H. PATEL AND ANOTHER ... APPLICANTS

VERSUS

UNION OF INDIA AND OTHERS ... RESPONDENTS

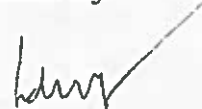
INDEX OF FILING

SL.. NO	DESCRIPTION	COPIES	COURT FEES
1.	Reply affidavit on behalf of Respondent ( <u>Andaman and Nicobar Administration</u> )	1+5	Nil
2.			
3.			
4.			
5.			

New Delhi

Dated: 19.11.2015

Filed by



**(G. INDIRA)**

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**REPLY AFFIDAVIT ON BEHALF OF RESPONDENT**

**(ANDAMAN AND NICOBAR ADMINISTRATION).**

I, Kuldip Singh Thakur, S/o Shri Roshan Lal Thakur aged about 46 years, working as Deputy Resident Commissioner having office at 12, Chanakyapuri, Andaman and Nicobar Bhawan, New Delhi do hereby solemnly affirm and state that I am conversant with the facts and circumstances from the records of the case. Thus, I am authorized and competent to swear to this Affidavit on behalf of Andaman and Nicobar Administration.



1. With regard to the submission made by the Applicant that "Waste stabilization - Have you begun in even a single one of your ULBs to stop unloading waste in a big airless heap at an open dump and instead tried

unloading it in daily windrows (long heaps maximum 2.5 meters high and about 3.5 meter wide at base) which are turned over once a week for 4 weeks. Waste sanitization option has been described in 4 page detail in my earlier submissions”, it is submitted that Andaman and Nicobar Islands is having only one ULB (namely Port Blair Municipal Council), at present the municipal wastes area disposed in layers by compacting loose earth over it and spraying disinfectants, this islands has rainy season which lasts over half an year however, wind-rows in open area is considered and the possibilities will be explored as suggested.

2. With regard to the submission made by the Applicant that Buffer Zones which are mandatory as per MSW Rules. “Please spell out you exact policy and report where Buffer Zones have actually been notified around existing and planned waste processing and disposal sites. For your information the guidelines from Karnataka State Pollution Control Board are attached. Please, file similar policy statements for your respective States and Union Territories”, it is submitted that present dumping yard is 500 meter away from residential/ commercial

establishment and no construction activities have been taken till date. Request to notify existing area to be



declared as buffer zone is made to Andaman and Nicobar Pollution Control Committee. It will be notified within three months and will be requested to incorporate in the Town and Country Planning Unit, APWD for no development zone.


3. With regard to the submission made by the Applicant that "Budgetary priority for waste stabilizing and biomining rather than capping of old waste and no tipping fees for receipt of raw waste. Please, spell out your exact policies for waste processing payments and you action taken or specific plans for biomining", it is submitted that Port Blair Municipal Council disposes dry recyclable/waste to energy garbage through authorized persons by PCC (Pollution Control Committee) to mainland. Processing of biodegradable waste through vermi composting is done departmentally. No private firm is engaged for this purpose. However, Port Blair Municipal Council has passed redrafted MSWM Byelaw with a provision to amend it time to time as per the requirements.



Keeping in view of the factual position stated above, the question in respect of any impediment does not come in

the way of implementation of directions, if any issued by this Hon'ble Tribunal and Andaman and Nicobar Administration will implement the same in true letter and spirit.

5. In the light of the factual circumstances stated above, this Hon'ble Tribunal may be pleased to pass appropriate Order as deemed fit and proper and thus render justice.

  
**W.D. SINGH THAKUR**  
Deputy Resident Commissioner  
Andaman, & Nicobar Administration  
12, Chanakyapuri, New Delhi-110021  
Ph:-26871443 Fax:-26882116


VERIFICATION

Verified at New Delhi on this the 18<sup>th</sup> day of November, 2015 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.


IDENTIFIED BY

*G. Indhu*



  
ATTESTED  
Notary Public, Delhi  
Govt. of India  
Regd. No. 10678/14

*18/11/15*

  
**W.D. SINGH THAKUR**  
Deputy Resident Commissioner  
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