

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

**ORIGINAL APPLICATION No. 199/2014**

Almitra H Patel and anr. .... Applicant

v/s

Union of India and ors. .... Respondents

**AFFIDAVIT ON BEHALF OF THE STATE OF GOA**

I, Srinet N Kothwale, son of Narendra Kothwale, major of age, resident of Aroba Pernem Goa, the Director, Department of Environment, Government of Goa, the Respondent above named most respectfully state and submit as under:

1. I state that I am the Director, Department of Environment, Government of Goa and am authorized to file the present Affidavit.
2. I state that the Applicant in the present matter has filed a collective reply to the affidavits filed by the Respondents States, dated 4/09/2015.

3. I state that vide the said collective reply the applicant has summarized the key points in the affidavits filed by the respondents in the present matter as follows;

  - I. The country still continues with open dumping:
  - II. Open dumping should be replaced with waste stabilization option.
  
4. I state that in this regard, the State of Goa proposes to establish three Solid Waste Management Facilities in the State for treatment and disposal of waste generated in the State. I state that in fact the State proposes to set up two of these facilities at locations which were earlier utilized for dumping of waste and are degraded sites. I state that the Solid Waste Management Facilities at these two sites will treat and process the existing dumped waste and will also remediate the said sites. I state that on processing the waste, the non biodegradable waste will be sent for recycling/co-incineration in cement plants and only the inert waste will be disposed off in the landfill.
  
5. I state that in so far as the Saligao Solid Waste Management Facility is concerned the said plant construction has already reached an advanced stage of completion, and the plant is scheduled to be functional in December 2015.

6. I state that the State Government is in the process of remediating an existing dump at Sonsodo at Margao Municipal Council and at Sadaa Mormugao Municipal Council in a similar manner. I state that the State Government has initiated door to door collection in most of the Municipal Councils and Village Panchayats. I state that State Government has also amended the Goa Non Biodegradable Act, making it mandatory for the occupier to segregate waste at source and has also provided for stiff penalties in case of non compliances. I state that the State Government is not considering windrows composting as an option as this technique requires large stretches of land, and land is a scarce resource in Goa.
7. I state that with regard to the contention of the applicant regarding compliance with the order of the Hon Supreme Court dated 28/7/1997, passed in WP(C)888/1996; the Municipal Solid Waste (Management and Handling) Rules, were notified in the year 2000 and the CPCB has thereafter notified various guidelines in this regard.
8. I state that vide the said collective reply the applicant has also referred to the directions sought for in MA no 843/2105 as well as the applicants submissions dated 19<sup>th</sup> and 20<sup>th</sup> May 2015. I state that with regard to the issue of the inclusion of disposal sites in the Land use Plan of the Town Planning

Department; the State Government has formulated a Regional Plan wherein the disposal sites have been notified. I state that with regard to the buffer zones, all the proposed Solid Waste Management facilities will have a green cover surrounding the facilities. I state that that the three proposed Solid Waste Management Facilities are on a design, build, finance, operate and transfer basis and the payments will be based on the performance which will be evaluated through an expert committee.

9. I state that with regard to the aspect of extended producers liability the same are already specified in the Plastic Waste (Management and Handling) Rules 2011 on the basis of which the State Government has amended the Goa Non Biodegradable Garbage Control Act, 1996 and has imposed a two per cent cess on all products sold in non biodegradable packaging. I state that the State Government has proposed Solid Waste Management facilities based on the cluster approach and one plastic to fuel plant. I state that some of the Municipal councils and village panchayats will continue to operate existing facilities and upgrade the same from time to time so as to comply with the Municipal Solid waste rules. The three Solid Waste Management facilities will have biomethanation facilities.

10. I state that the State Government has constituted an Expert committee under the Chairmanship of Padma Shree Dr. Sharad Kale and scientists of NEERI and IIT Bombay and BIITS Pilani Goa to examine, approve and monitor the design, execution, construction and operation of these facilities.
11. I state that a detailed Action plan has been filed before this Hon'ble Tribunal a summary of the same in a graphical format is annexed with this affidavit as **Annexure - A** .
12. I state that whatever stated herein above is based on the records available with the office of the Respondent Department of Environment to which I have access and which I believe to be true and correct.

Solemnly affirmed on

this 14<sup>th</sup> day of October 2015

**DEPONENT**