

68

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

ORIGINAL APPLICATION NO 199/2014

In the matter of :

Almitra H. Patel &Anr.

.... Applicants

//Versus//

Union of India and Ors.

.....

Respondents

INDEX

Sr. No.	Particulars
1.	Affidavit on behalf of State of Gujarat In Compliance order dated 11.09.2015.
2.	<u>ANNEXURE-GJ/1</u> Copy of Action taken by Government of Gujarat together for prayer 2,3 and 4 as mentioned in MA 843 as per order dt. 11.09.2015.

HEMANTIKA WAHI

Advocate for State of Gujarat

M.C. Setalvad Block,

Supreme Court of India Bhagwandas Road,

New Delhi-11001

Telephone No. 23070125

(VINAKSHI-KADAN)

Advocate Ms. Vinakshi Kadan.

9818814032

19/11/2015 Vinakshi, Kadan @ gmail.com

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

ORIGINAL APPLICATION NO 199/2014

**In the matter of :**

Almitra H. Patel &Anr.

.... Applicants

//Versus//

Union of India and Ors.

..... Respondents

**AFFIDAVIT ON BEHALF OF STATE OF GUJARAT**  
**IN COMPLIANCE ORDER DATED 11.09.2015**

I, Yogesh B Patel, Deputy Secretary, Government of Gujarat, Urban Development & Urban Housing Department, Sachivalaya, Gandhinagar, Gujarat, Presently at Gandhinagar solemnly affirm and state as under :

1. That I have read the order dated 19.09.2015 passed by Hon'ble tribunal and being acquainted with the subject matter and also duly authorized by the Government I am competent to file this affidavit.
2. That I have read the affidavit and collective reply by Mrs. Almitra Patel to the Hon'ble Tribunal. That the action taken by Government of Gujarat together for Prayer 2,3 and 4 as

mentioned in MA 843 as per Order dt 19 Sept 2015 with relevant documents are annexed herewith and marked as **Annexure- GJ/1.**

DEPONENT

**VERIFICATION:**

I, the deponent above named do hereby verify that contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from.

Verified at Gandhinagar on the    day of November, 2015.

DEPONENT

**Annexure- GJ/1:**

**Action taken by Government of Gujarat together for Prayer 2,3 and 4 as mentioned in MA 843 as per Order dt 19<sup>th</sup> Sept 2015.**

Prayer 2: Waste Stabilisation. 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 wind-rows (long heaps maximum 2.5 meters high and about 3.5meter 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.

*Yes, The State of Gujarat has begun processing of Municipal Solid Waste since 2008, presently 2650 TPD Municipal Solid Waste is processed on daily basis, Municipal Solid Waste is being unloaded at the processing site making wind-rows having dimensions of 13 mt by 42 mt, while partially de-composting of organic matter in 56 C and D Class ULBs with 2 mtheight \* 2mtwidth \* 13mtlength approx dimensions per unit of Vermi pit is done, which are turned over once a week for stabilization, the process of turning continues for four weeks, making end product as vermi compost.*

Prayer 3: Buffer Zones which are mandatory as per MSW Rules. PLEASE SPELL OUT YOUR 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.

*Case of Ahmedabad City:*

*The 500 mt. area referred as Buffer zone around Land fill sites is designated as residential zone in the Development Plan of Ahmedabad Urban Development Authority. Also there are Town Planning Schemes, which are prepared by the Ahmedabad Municipal Corporation & sanctioned by the State Government. Within this area there are residents occupying and using buildings. To control the development in the aforesaid area PIL no. 47 of 2012 was filed in the High Court of Ahmedabad. Hon'ble High Court vide its judgment dated 17.02.14 disposed of the matter with direction. Following the Judgment, Principal Secretary, Forest & Environment Department had called upon a meeting and reviewed the follow up of the Implementation of the judgment. In the meeting it was directed that no development should be allowed in the aforesaid buffer zone. The municipal corporation & the Authorities are required to implement the judgment of the Hon'ble High Court. Therefore there is no necessity to declare any development zone i.e. Buffer zone.*

Prayer 4: 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 your action taken or specific plans for biomining.

*Budgetary priority for waste management is there, as such no direct provision for specific Waste stabilization and biomining for landfill is there. Payment is made to the NGO's for processing of municipal solid waste. GUDC has awarded (from 2008) the O & M contract of VCPs managed by GUDC to NGOs based on the production capacity of the VCPs. As per the agreement, the agency shall carry out at least 20 per cent vermicomposting of the total waste received at VCP, sell 75 per cent of the compost produced and credit Rs. 2.00 per kilogram of compost sold to GUDC. In turn GUDC would reimburse Rs. 1.00 per kilogram of compost sold to the agency towards marketing cost.*

*As Gujarat is first among the MSW Management and the concept was quite new to all ULBs, initial hand holding was required to be given to Nagarpalikas for O & M of VCPs. In view of the same GUDC had taken help of Karnataka Compost Development Corporation, (A Government of Karnataka Unit) and divided the State in 13 zones and trained the NGOs on nonprofit basis and said NGOs were awarded the O & M activities. Instruction were given to follow the VCPs O & M activity on pilot basis initially while the period of O & M of NGO in fellow citizens sanitation and hygiene interest.*