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

IN THE MATTER OF:

ALMITRA H. PATEL AND ANR.
VERSUS
UNION OF INDIA & ORS.

APPLICANTS

RESPONDENTS

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1.	Affidavit Representing the State of Tamil Nadu		1 -
2.	Annexure I A true copy of modified action plan has been prepared for Tamil Nadu State		
3.	Annexure II A true copy of photograph showing Government sanctioned A sum of Rs. 8.36 crores to Tambaram Municipality for procuring 471 numbers Of such bins		

FILED BY

M. YOGESH KANNA
ADVOCATE FOR THE STATE OF TAMIL NADU
MOB: 9868129142
326, NEW LAWYERS CHAMBER
SUPREME COURT

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

Original Application No.199 of 2014

IN THE MATTER OF:

Almitra H. Patel & Anr.

Applicants

Versus

Union of India & Ors.

Respondents

AND

Thiru. K. Phanindra Reddy,
Principal Secretary to Government,
Municipal Administration and Water Supply Department,
State of Tamil Nadu
Secretariat, Chennai
Tamil Nadu

Respondent

AFFIDAVIT REPRESENTING THE STATE OF TAMIL NADU

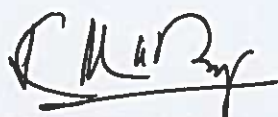
I, K. Phanindra Reddy, son of Venkata Reddy aged about 49 years, residing at X-II/III-2, SAF Games Villages, Koyambedu, Chennai - 600 107 do hereby solemnly affirm and sincerely state as follows:

I am the Principal Secretary to Government of Tamil Nadu, Municipal Administration and Water Supply Department, Secretariat, Chennai - 600 009, the administrative department pertaining to the subject matter and as such I am well acquainted with the facts of the case from the available records and I have been authorised to file this affidavit. That this Hon'ble National Green



No. of Correction : Nil
Page No. : 1

D.M. DHURGASHA, B.Sc., B.L.,
ADVOCATE - NOTARY PUBLIC
No: 114, IYAH MUDALI STREET,
CHINTADRIPET, CHENNAI-600 002.


Principal Secretary to Government
M.A. & W.S. Department
Secretariat,
Chennai - 600 009.

Tribunal Principal Bench was pleased to pass the order on 05.02.2015, in the above captioned case. The contents of the order are as under:

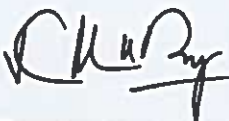
"The status report with complete reply/suggestions based upon and with reference to the judgment of the Tribunal in the case of "Capt. Mall Singh & Ors. Vs. Punjab PCB & Ors. Appeal No. 70 of 2012" will be submitted positively within three weeks from today.

The Central Pollution Control Board shall submit its independent comments in relation to formulation of a national policy with regard to collection and disposal of the municipal solid waste as a Model policy to be adopted. Let the CPCB also submit such proposal within two weeks from today and put it on their websites so that other State Board and State Governments shall also have advantage of that Report and take the same into consideration while submitting their status reports/suggestions in accordance with this order.

We hereby direct that every status report will specifically indicate if there is even a single district or village in the entire State/UT where the MSW is collected in its entirety segregated and disposed of in accordance with MSW Rules, 2000. It will also be stated as to how the MSW is being converted to an environment friendly beneficial end product, i.e. whether it is totally converted into the useable material/component or is it composted or recycled.

The State of Tamil Nadu has prepared a draft policy on integrated Solid Waste Management and it is in the process of approval by the Government. The following documents have been referred to and the modified action plan has been prepared for Tamil Nadu State and submitted in Annexure I.




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M.A. & W.S. Department
Secretariat,
Chennai - 600 009.

1. The orders of the Honorable NGT in OA No.199 of 2014. (Almitra H. Patel Vs Union of India Ors) issued on 5th Feb, 2015.
2. The orders of the Honorable NGT in OA No.199 of 2014. (Almitra H. Patel Vs Union of India Ors) issued on 20th March, 2015.
3. Suggestion/indicative Action plan for Management and Municipal Solid Waste prepared by CPCB (Central Pollution Control Board).
4. The draft Solid Waste Management Rules 2015 of Ministry of Environment, Forests and Climate Change.
5. Punjab & Gujarat Cluster based MSWM projects

Summary of the proposed Action Plan for improving Solid Waste Management in Tamil Nadu is given below and the detailed action plan is given in Annexure I

**Summary of Proposed Action Plan for Improving Solid Waste Management
in Tamilnadu**

Component of MSW Management	List of activities	Responsibility	Time frame
Preparation of Detailed Project Report	A Detailed Project Report (DPR) will be prepared for ULBs or Cluster of ULBs in accordance with MSW Rule/ Indicative Guidelines brought out by CPCB to cover the following (i) Waste segregation, Collection, Storage & Transportation	1) Commissioner of Chennai Corporation 2) Director of Municipal Administration 3) Director of Town Panchayat	12 Months



	<ul style="list-style-type: none"> (ii) Processing Plants (iii) Bio-methanation plants (iv) C&D Waste recycling plant (v) Sanitary Landfill (vi) Dumpsite capping 		
Source segregation	Different IEC Activities would be devised and carried out to ensure source segregation as per MSW Rules 2015	<ul style="list-style-type: none"> 1. Commissioner of Chennai Corporation 2. Concerned ULB Commissioners & RDMA's, for other corporations and Municipalities 3. Concerned Executive officers Assistant Directors at District Level for Town panchayats 	12 Months
Door to Door Collection	<p>Organised daily door to door collection would be achieved by different IEC Activities and ULB Employee Training and Monitoring</p> <p>Personal protective equipments such as masks, gloves, etc would be provided to all Sanitary Workers at regular intervals</p>	<ul style="list-style-type: none"> 1. Commissioner of Chennai Corporation 2. Concerned ULB Commissioners & RDMA's, for other corporations and Municipalities 3. Concerned Executive officers Assistant Directors at District Level for Town panchayats 	12 Months
Improving MSW Transport	<ul style="list-style-type: none"> (i) All Vehicles would be covered either by net or by fabricated metal covers. (ii) Vehicles will be kept clean by adequate vehicle washing (iii) All vehicles would 	<ul style="list-style-type: none"> 1. Commissioner of Chennai Corporation 2. Concerned ULB Commissioners & RDMA's, for other corporations and Municipalities 	12 Months



	<p>be maintained properly to reduce spillage</p> <p>(iv) Ageing fleet would be replaced periodically</p> <p>(v) Odourous waste from fish markets ,chicken shops etc. will be collected and transported in closed bins</p> <p>(vi) Use of Bin & Vehicle tracking systems</p> <p>(vii) Route optimization</p>	3.Concerned Executive officers Assistant Directors at District Level for Town panchayats	
Implementation of Waste Processing and Sanitary Land fill facilities	<p>Type of Plants</p> <p>Based on financial viability (i) processing facility would be setup at decentralized / ULB Level/ Cluster Level</p> <p>(ii) Sanitary Land fill would be developed at ULB Level / Cluster Level</p> <p>Technology</p> <p>Based on quantity of waste, land availability, financial aspects, suitable waste processing technology such as composting, vermi-composting, RDF making, WTE, etc., would be selected and implemented in all ULBs</p>	<p>1.Commissioner of Chennai Corporation</p> <p>2.Concerned ULB Commissioners & RDMA's, for other corporations and Municipalities</p> <p>3.Concerned Executive officers Assistant Directors at District Level for Town panchayats</p>	24 Months
C&D Waste Management	<p>(i) Separate C&D Waste Collection would be carried out</p> <p>(ii) Recycling plants would be setup in 12 Corporations in Phase-I & remaining ULBs in Phase-II</p>	<p>1.Commissioner of Chennai Corporation</p> <p>2.Concerned ULB Commissioners & RDMA's, for other corporations and Municipalities</p> <p>3.Concerned Executive officers Assistant Directors</p>	<p>12 Months</p> <p>Phase I-24 Months & Phase- II - 48 Months</p>



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		at District Level for Town panchayats	
Bio methanation of waste from Hotel and Restaurants/ Slaughter House waste	(i) Bio methanation plants would be setup in Phase-II for the left out ULBs	1. Commissioner of Chennai Corporation	24 Months
	(ii) Large Hotels & Restaurants generating more than 200Kg per day would be urged to setup their own plant	2. Concerned ULB Commissioners & RDMAs, for other corporations and Municipalities	36 Months
	(iii) Bio-methanation of Slaughter House waste	3. Concerned Executive officers Assistant Directors at District Level for Town panchayats	36 Months
Dump site capping and reclamation	(i) Dump site capping and reclamation would be carried out based on location, area of dump site and quantity of waste available in dump site, age of waste etc.,	1. Commissioner of Chennai Corporation 2. Concerned ULB Commissioners & RDMAs, for other corporations and Municipalities 3. Concerned Executive officers Assistant Directors at District Level for Town panchayats	36 Months
Cost Recovery / User Charges	(i) 100% cost recovery from users	1. Commissioner of Chennai Corporation	12 Months
		2. Concerned ULB Commissioners & RDMAs, for other corporations and Municipalities	24 Months
		3. Concerned Executive officers Assistant Directors at District Level for Town panchayats	36 Months
Funding for SWM Projects	Swacch Bharat Mission, SWM Fund, ULB Fund, etc., would be suitably	1) Commissioner of Chennai Corporation	As per requirement



(Signature)
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Secretariat,
Chennai - 600 009.

	obtained for different projects	2) Director of Municipal Administration 3) Director of Town Panchayat	
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Further the detailed current status of MSW management in Tamilnadu is also enclosed in annexure II . However, some of the implemented initiatives are given below.

Innovative MSWM Project Implemented in Tamil Nadu

a) Deep Bin (State of the Art) waste collection system:

An innovative initiative has been taken up by Tambaram Municipality to place Deep bin (colour coded three bin system) in five pilot areas to store the different types of waste. State Government had sanctioned a sum of Rs. 8.36 Crores to Tambaram Municipality for procuring 471 numbers of such bins. Photos are given in 3.1.3 of Annexure -II.

b) Bins with RFID cards

Radio Frequency Identity cards (RFID) are being used to track lifting of waste bins in the Tiruchirappalli, Coimbatore and few more Municipal Corporations.

c) State of the Art Vehicle Tracking System

GPS has been fixed in many Solid Waste Management Transportation vehicles to monitor the frequency of collection and quantum of collection and number of trips made in a day etc to Transfer stations, processing plant (or) dumpsite. This helps to



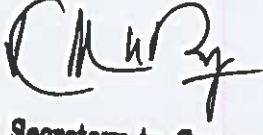
○ ensure the collection efficiency and fuel efficiency of the secondary transportation vehicle.

d) Bio-methanation Projects: All the urban local bodies are taking sincere efforts for the segregated collection. With continuous efforts, source segregation activities are gradually gaining momentum. However, all possible Bio-Waste from Bulk waste generators such as Hotels, Marriage halls, Markets, etc are collected separately and are being taken up for processing either for Bio-Methanation or for composting. In Tamil Nadu State, five Bio-methanation plants have been commissioned. Two at Chennai Corporation, one at Arcot Municipality and one each at Mamallapuram and Thiruneermalai Town Panchayats. At present works have been taken up to establish 45 Bio-Methanation plants covering 9 Corporations and 24 municipalities. Details are given in 5.1 of Annexure -II.

Public Private Partnership in Waste Processing facilities: Waste Processing Facilities have been developed in Coimbatore, Madurai, Salem, Trichy, Erode Corporations and in Namakkal, Mettupalayam, Conoor, Pollachi and Udumalpet Municipalities. Details are given in 4 of Annexure -II.

Sanitary Landfills have been developed in Coimbatore at Kavundampalayam and Ondipudur and Madurai Corporations




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under JnNURM scheme. PPP operator has developed a sanitary landfill for Salem Corporation.

Levy of SWM service and processing charges

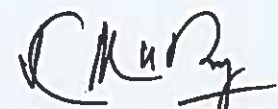
Already many urban bodies have notified byelaws for the collection of special cleaning charges from the commercial institutions. Sembakkam municipality is collecting SWM service charges from the residential properties also. Based on Punjab and Haryana, state of Tamilnadu would fix the minimum and maximum rates to be collected from all the waste generators as solid waste management service and processing charges based on the categories of the urban local bodies and based on the tax structure (as graded tariff)

Status of Cluster based MSWM Projects in Tamilnadu

Cluster Based WTE Projects: Tamilnadu has already developed a cluster model for the urban local bodies at Venkatamanagalam village in an extent of 50 acres and a Waste To Energy project is taken up at a cost of Rs.99 crore and will be commissioned in the month of June'2015. Details are given in 5.2 of Annexure -II.

Cluster Based Holistic Waste Management Projects: Further Detailed Project Reports have been prepared for establishing regional cluster facilities in the 5 identified clusters Tiruchirappalli, Tiruppur, Thoothukudi, Vellore and Nagercoil covering 4




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Corporations and 25 municipalities and the Government have made announcements to implement the project with a total cost of Rs.631.39crore. Schematic diagrams of the above clusters are given Annexure II.

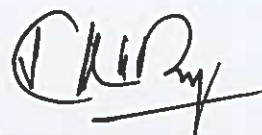
Feasibility study would be taken up soon to plan for establishing similar clusters in order to bring all the urban local bodies and the other rural local bodies existing within such clusters proposed. Details are given in 5.3 of Annexure -II.

Comprehensive Solid Waste Management Projects:

Integrated Solid Waste Management projects are taken up in 4 Corporations, 14 Municipalities and 77 Town Panchayats at a cost of Rs. 206.43 Crores during the year 2013-14 and 2014-15 involving the following components. (Details are given in 6.2 of Annexure - II)

- a) Primary Collection - For providing facilities such as push carts, tricycles, plastic bins, plastic bags, common bins and semi underground deep bins to promote segregation at source and for effective door to door collection
- b) Secondary Transportation - For providing facilities such as mini vehicles and modern mobile compactors.
- c) Processing - For providing facilities such as basic infrastructures, segregation shed, concrete windrow platform, high roof cover for 1/3rd windrow pad for storage and processing during




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○ rainy season, shredding machines, mini aero tiller, screening machines, bailing equipments.

d) Processing - For establishing construction and demolition waste conversion plant, bio-mining plant, bio-methanation plants.

In view of the above facts and circumstances stated herein, it is humbly prayed that this Hon'ble Tribunal may be pleased to record the Compliance affidavit filed by this State Government and to issue such orders as it deems fit and thus render justice.



Deponent

**Principal Secretary to Government
M.A. & W.S. Department
Secretariat,
Chennai - 600 009.**

VERIFICATION

I, the above named deponent, do hereby declare that the facts and information stated in the above stated paras are true and correct to the best of my knowledge and belief, no new plea is made and no material fact has been concealed there from and verified the same on this the day of March 2015 at Chennai.


Deponent

Principal Secretary to Government
M.A. & W.S. Department
Secretariat,
Chennai - 600 009,

Identified by me


D.N. DHURGASHA, B.Sc., B.L.
ADVOCATE - NOTARY PUBLIC
No: 114, IYAH MUDALI STREET,
CHINTADRIPER, CHENNAI-600 009.


Filed through

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