

51.8.01 10.8.2015

BEFORE THE NATIONAL GREEN TRIBUNAL , PRINCIPAL
BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 199 OF 2014

IN THE MATTER OF :

Almitra H. PatelApplicant

V/s.

Union of India & Ors. Respondents

INDEX

Sr. No.	Particulars	Pages
2.	Affidavit on behalf of Secretary, Urban Development Department ,State of Uttarakhand in terms of order dated 13.07.2015	11472-11483

*

New Delhi

Filed By:

Dated :10.8.2015

Rajiv Nanda
Standing Counsel for the State of Uttarakhand
Chamber No. 410, Block- III
Delhi High Court, New Delhi
Mob- 9810048686

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IN THE NATIONAL GREEN TRIBUNAL, DELHI
ORIGINAL APPLICATION NO.199 OF 2014

IN THE MATTER OF:

Almitra H. PatelApplicant

Versus

Union of India & Ors. ... Respondents

AFFIDAVIT ON BEHALF OF SECRETARY, URBAN
DEVELOPMENT DEPARTMENT, STATE OF UTTARAKHAND
IN TERMS OF ORDER DATED 13.7.2015

I, Darwan Singh Garbyal s/o Shri Khadak Singh Garbyal aged
about 58 years, presently posted as Secretary, Urban Development
Department, Government of Uttarakhand, Uttarakhand Secretariat,
Dehradun, Uttarakhand do hereby solemnly affirm on oath and state
as under:

1. that I am the Secretary, Urban Development Department,
Government of Uttarakhand, and representing State of
Uttarakhand in the aforesaid matter and in my official capacity I
am well acquainted with the facts and circumstances of the
present matter and competent to swear the present affidavit.



2. I say that this Hon'ble Tribunal vide order dated 13.7.2015
directed all the States to file within 3 weeks positively their
status report with regard to the collection, storage and disposal
of Municipal Solid Waste in the entire State and also to clarify
whether any MSW disposal plan either RDF or waste to energy

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or any other plant have been provided in the State or they are in the proposal stage.

3. In response to the aforesaid queries of this Hon'ble Tribunal, it is submitted that the State is currently generating approx. 1465 Metric tons per day of municipal solid wastes from its urban area and are able to be collected, handled, transported and disposed off in the existing dumpsite approx. 50% of the waste on a daily basis i.e. approx. 733 Metric tons of municipal solid waste per day.
4. I say that the Draft Urban Municipal Waste Management Action Plan for State of Uttarakhand prepared by Department of Urban Development has been approved by the Department of Forest and Environment, Section-3 vide letter no. 313/X-3-15-15(71)/2014 dated 22/04/2015, A copy of letter dated 22/04/2015 along with the approved state action plan is annexed herewith and marked as ANNEXURE -1.
5. I say that the total investment proposed under the said action plan is approx. Rs.786crores where in the State is putting its best efforts to encourage private players to invest 100% in SWM projects and also prepare self sustainable SWM projects. At the same time State government is also seeking support of Central Government to fund the approved projects.
6. That the State Government is putting lot of efforts at both Urban Local Body (ULB) and State level in line with the proposed draft action plan, so as to achieve the State's objective



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within the stipulated time period as proposed in the said action plan. . .

7. I say that the integrated solid waste management project for three cities (viz Haridwar, Dehradun and Nainital) as proposed under JnNURM in year 2007-08 achieved over 50% of its planned project compliance target till year 2012-13, but because of the delayed Environmental clearances and non-availability of land, the operational plan of the ULB was jeopardized which ultimately forced the concessionaire to withdraw their door to door waste collection services and transport operation in the area of Nainital and Dehradun urban local bodies. Only M/s KRL Pvt. Ltd., in Haridwar is still providing door to door waste collection services in 13 wards of Nagar Nigam Haridwar. Remaining two ULBs viz. Dehradun Nagar Nigam and Nainital Nagar Palika Parishad are providing door to door waste collection services on their own.



8. That since the land is now available with both the Nagar Nigam of Dehradun and Haridwar and Environmental Clearance have also been received on both sites (land), efforts are being made to start the Processing and Disposal facility on PPP mode from the remaining funds of the earlier approved JnNURM scheme. Bid process management has been initiated at State level.

9. That since the project was conceptualized in year 2007-08 and till date ULBs have utilized almost 90-95% of the released grants, thus further implementation of the project will depend

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entirely on the availability of the grants/funds from State/Central Government and other resources. In this regard State Government has also approached NGRBA (National Ganga River Basin Authority) to include the SWM projects under "Namami Gange" mission. Also the Project costs have been revised and put up before Central Govt. for consideration under Swachh Bharat Mission & Smart City mission.

10. That the detailed ULB wise and Phase wise MSW compliance status is annexed herewith and marked as ANNEXURE -2.
11. That the Land identification, allocation and preparation of Detailed Project Reports of various ULBs Phase wise have been initiated at ULB and State level.



That four of the SWM DPRs for ULB viz - New Tehri, Pauri, Rishikesh and Haldwani have been prepared and forwarded to SPMG-NGRBA (National Ganga River Basin Authority) for approval and fund support.

13. That the State's conceptualized very first W2E project with a designed capacity to receive 500MT of waste daily wherefrom it will be able to produce electricity upto 25MW has recently been proposed at Roorkee. SIIDCUL shall be an executing agency in this project. The bid process management has been initiated along with seeking Environmental clearance on the proposed Roorkee site. The said project is expected to be

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commissioned very soon that will benefit almost 16ULBs including 3 municipal corporations i.e. Dehradun, Haridwar & Roorkee. The project is based on ultra high gasification technology in absence of oxygen, with zero emission and zero landfill.



[Signature]
DEPONENT

L.T. 1.
of shri
D.S. Garbajal
Attest

VERIFICATION:

Verified at Dehradun today on this 15 day of August, 2015 that the contents of the above affidavit from para are true and correct to my knowledge and belief. Nothing is wrong herein and nothing material has been concealed there from.

ATTESTED
[Signature]
HARPHOOL SINGH
Advocate & Notary
Court Compound, D.Dun

[Signature]
DEPONENT



Through

L.T. 1
of shri D.S. Garbajal
Attest

ATTESTED
[Signature]
HARPHOOL SINGH
Advocate & Notary
Court Compound, D.Dun

DR. ABHISHEK ATREY
Counsel for respondent No.2
319, New Block
Lawyer's Chamber,
Supreme Court of India
New Delhi - 110001

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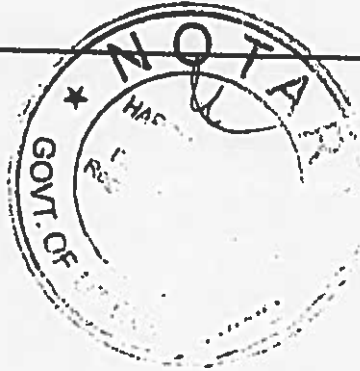
उत्तराखण्ड शासन
वन एवं पर्यावरण अनुभाग- 3
संख्या- 313 / X-3-15-15(71)/2014
देहरादून दिनांक- 22 अप्रैल, 2015

सचिव,
शहरी विकास विभाग,
उत्तराखण्ड शासन।

आपके पत्र संख्या-UUSDIP/SWM-14/1501, दिनांक 18 मार्च, 2015 के साथ उपलब्ध कराये गये राज्य नगरीय ठोस अपशिष्ट प्रबन्धन कार्ययोजना के प्रारूप पर इस विभाग की सहमति प्रदान की जाती है। कृपया तदनुसार प्रकरण पर अग्रेत्तर कार्यवाही करने का कष्ट करें।

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(डॉ० रणबीर सिंह)
प्रमुख सचिव



ATTESTED *[Signature]*
HARPHOOL SINGH
Advocate & Notary
Court Compound, D. Dun

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Urban
Development
Directorate
Dehradun



उत्तराखण्ड शासन



**URBAN MUNICIPAL WASTE MANAGEMENT
ACTION PLAN FOR STATE OF
UTTARAKHAND**

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ANNEXURE-2

Hon'ble NGT Compliance - O. A. No.: 199 of 2014

Phase-1 ULBs (Expected Date of Compliance Achievement - Dec 2016)

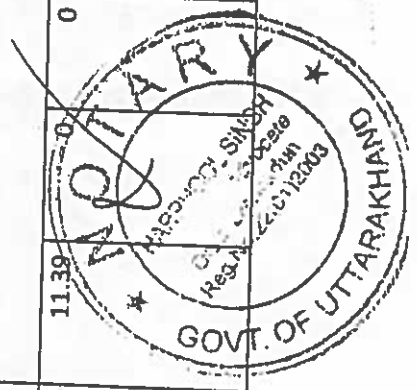
Sr.	Name of the ULB	Project Mode	Existing/ Proposed/ Approached Funding Agency	DPR/ Proposed Project Cost in Crore (Rs.)					Current Status
				Approved	Released	Utilized	Pending Grants	Available	
1	Nainital	PPP - ISWMP	JnNURM - 2008	9.31	2.33	2.15	6.98	0.18	JnNURM funding Closed. The project PPP concessionaire had withdrawn its services in year 2012, since then the D-2-D Collections in entire wards are being done by ULB. Land not yet transferred to ULB from Forest Dept. Once land is transferred rest action in compliance with the MSW Rules, 2000 shall be initiated.
2	Haridwar**	PPP - ISWMP	JnNURM - 2008	16.72	7.02	6.16	9.7	0.86	Just in 13 wards the D-2-D collection are being done by the concessionaire and in rest wards ULB are managing by its own. EIA has been received on the Land transferred to the ULB, but because of lack of funds, the further compliance action has not been initiated. JnNURM funding has also closed. Efforts are being made to get the remaining funds from the JnNURM and under other Central Govt. schemes. Once the same is received compliance action shall be initiated. Project costing too has also been revised, anticipating the market price fluctuations since 2008 & implementation time period



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3	Dehradun**	PPP - ISWMP	JnNURM - 2008	24.5	16.09	9.66	8.51	6.43	
4	Haldwani	PPP - ISWMP	JnNURM - 2013 (Based on Cluster approach, having 5 ULBs within 50Kms distance)	34.88	8.72	0	26.16	8.72	The Project PPP concessionaire had withdrawn its services in year 2013 since then the D-2-D Collection in entire wards are being carried by the ULB. EIA on the new transferred land had been received. Bid process management has been initiated on split basis of P&D and C&T separately. Efforts are being made to get the remaining funds from the JnNURM and under other Central Govt. schemes. Once the same is received further compliance action shall be initiated. Project costing too has also been revised, anticipating the market price fluctuations since 2008 & implementation time period D-2-D collection has started through local contractors. Land transfer matter from forest dept is awaited. Once received then the further compliance action shall be initiated
5	Lalkuan								
6	Bhimtal								
7	Kiccha (ADB)								
8	Rudrapur								
9	Kashipur	PPP - ISWMP	Proposed under SPMG, NGRBA (Based on Cluster Approach within 50Kms distance)	30.68	0	0	0	0	The DPR has been submitted to the Proposed funding Agency for the needful. Also ULB has been directed to search more lands, suitable for commissioning of such projects. Getting a suitable Land in the state is the biggest challenge before the UK Govt., and thus seeks experts' guidance, time and support.
10	Jaspur								
11	Ramnagar (ADB)								
12	Mahuadhabra								
13	Bazpur								
14	Pauri	PPP - ISWMP	Proposed under SPMG, NGRBA	11.39	0	0	0	0	The Project has been sent to SPMG, NGRBA for needful approval, guidance and help. Land availability is being checked through joint efforts of ULB and Forest Dept. Clustering with Srinagar is also under review.

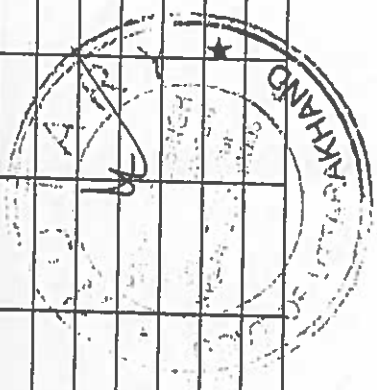


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15	New Tehri	PPP-JSWMP	Proposed under SPMG, NGRBA	37.38	0	0	0	0	0	The Project has been sent to SPMG, NGRBA for needful approval, guidance and help. Land availability is being checked through joint efforts of ULB and Forest Dept.		
15	Roorkee (ADB)	PPP / W2E Project	Proposed under SPMG, NGRBA (Based on Cluster Approach within 50Kms distance)	56.88	0	0	0	0	0	The DPR has been submitted to the Proposed funding Agency for the needful. A bigger cluster having almost 17 ULBs have been formed, to support the W2E proposed Project. The W2E project requires 500MT of waste daily and able to produce electricity upto 25MW. SIIDCUL shall be the executing agency in this project. The said project is expected to be commissioned by Oct-2016, benefiting almost 16ULBs including 3 municipal corporations i.e. Dehradun, Haridwar & Roorkee.		
16	Manglaur (ADB)											
17	Jhabrera											
18	Laksar											
19	Landhore											
20	Bhagwanpur											
21	Shivalik Nagar											
22	Rishikesh											
23	Muni ki Reti											
24	Swargasharam											
25	Narendra Nagar											
26	Doiwala											
27	Herbertpur											
28	Vikasnagar											
29	Mussoorie											

Phase-2 ULBs (Expected Date of Compliance Achievement - Dec 2018)

30	Chamoli-Gopeshwar									DPR preparation work is under progress. ULBs have been directed to identify suitable lands for setting up the facility that can process the MSW generated within the ULB. Few clusters are also proposed keeping the distance and land availability criteria into consideration. Once the land is made available with an ULB, then the cluster can be finalized.	
32	Nandprayag										
33	Karnaprayag										
34	Rudraprayag										
35	Gauchar										
36	Augustmuni										
37	Srinagar										
38	Kirti Nagar										
39	Chinyalisaur										



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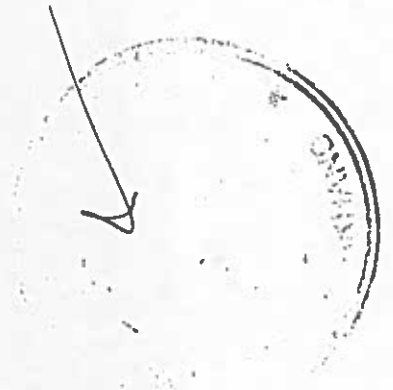
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69	Champawat															
70	Berinag															
71	Gangolighat															
72	Kapkot															
73	Bageshwar															
74	Chaukutiya															
75	Dwarahat															
76	Mahuakheraganj															
77	Sultanpur Patti															
78	Kelakhera															
79	Gadarpur															
80	Kotdwar															
81	Dogadda															

Pl. Note**

- 1) The revised project costing of Dehradun Integrated Municipal Solid Waste Management Action Plan is approx. Rs.47.94Cr., as worked for year 2015.
- 2) The revised project costing of Haridwar Integrated Municipal Solid Waste Management Action Plan is approx. Rs.38.13Cr., as worked for year 2015.

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ATTENDED
HARPHOOL SINGH
Advocate & Notary
Court Compound, D.Dum

