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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 199/2014

* ALMITRA H. PATEL & ANR

....APPELLANTS

V/S

UNION OF INDIA & ORS.

.....RESPONDENTS

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AFFIDAVIT IN REPLY ON BEHALF OF
THE STATE OF GOA IN RESPONSE
TO THE ORDER DATED 16/12/2015 OF
THIS HON'BLE TRIBUNAL

Filed by

Advocate for the State of Goa

Place: New Delhi

Dated: 13.01.2016

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 Respondent States, dated 4/09/2015.
 3. I state that, in reply to the affidavit filed by the Applicant dated 04.09.2015, this Respondent has filed an affidavit dated 14.10.2015 clarifying the stand of the State Government.
 4. I state that vide Order dated 16th December, the Hon'ble Tribunal had directed all the States to react to the below points.
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- a. Prayer No. 2 which is related to no open dumping of Municipal Solid Waste and other waste to prevent Methane emission and it should be strictly in accordance with the MSW Rules.
 - b. Prayer No. 3 related to development activity around the site should be stopped and there should be a proper buffer zone for the Municipal waste site in the Zonal/Master Plan itself.
5. In response to the Order passed by the Hon'ble National Green Tribunal dated 16.12.2015, a specific reply is being filed through this affidavit to address the issues regarding open dumping and buffer zones.
6. As informed by the Department of Urban Development
- i. there is no open dumping in the Municipal jurisdiction and all the Municipal Councils have waste disposal sites and biodegradable waste is treated in composting units, windrows composting or in organic waste convertors.
 - ii. Existing open dumps at Margao, Mormugao and Panaji have already been taken up for the process of removal through the process of bio-remediation. At Panaji, it is estimated that 30,000 cubic meters of openly dumped waste is in the process of being cleared as the work order for removal for the same has already been issued. In the case of Margao which has an estimated waste of 96,750 cubic meters and Mormugao which has waste of 72,500 cubic meters the tender process is currently in progress
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and the work order for removal shall be given in a period of 2 months (45 to 60 days).

7. As informed by the Town and Country Planning Department, with reference to the issue of Buffer Zone around Municipal Solid Waste Management site, there are no regulatory provisions under Goa Land Development and Building Construction Regulations, 2010. Some of the Major Municipal Solid Waste Sites have been provided with Buffer Zones such as Municipal Solid Waste Site at Calangute/Saligao and also at the plants coming up at Bainguinim and Cacora. However other sites earmarked at Panchayat Levels and Municipal Levels may not have adequate Buffer Zone earmarked. The State of Goa will finalize a policy of required setbacks for Municipal Solid Waste Management Sites as well as Rural Garbage Management Sites depending on the size of such units. Similarly the regulatory provisions to that effect will also be done.

8. 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.

9. I state that with respect to the plant at Saligao/Calangute the machinery and the equipment at the plant has already arrived and as soon as the machinery is installed the plant would be operational. I state that the Agency for setting up of the Facility at Cacora has been shortlisted and Concession Agreement is expected to be signed shortly. I state that it would take 18 months to setup the Facility at Cacora thereafter. I state that as far as Bainguinim Plant is concerned the terms of reference have been issued by the State Environmental Impact Assessment Authority. I state that Corporation of the City of Panaji/Goa State Infrastructure Development Corporation proposes to assign the task of carrying out the EIA Study at Bainguinim to NEERI, based on the Terms of Reference issued by the State Environmental Impact Assessment Authority.

10. 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 at

this day of January 2016

Deponent