

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

ORIGINAL APPLICATION NO. 199 OF 2014

IN THE MATTER OF:-

ALMITRA H PATEL & ORS.

...petitioner

Vs.

Union of india

...respondents

I n d e x

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1.	Affidavit filed by the secretary to government department urban development government of karanaaka	12177 12-187

Through

Devraj ashok
(advocate)

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IN THE HON'BLE NATIONAL GREEN TRIBUNAL
AT NEW DELHI

ORIGINAL APPLICATION NO.199 OF 2014

BETWEEN:

Almitra H. Patel & another PETITIONERS

AND:

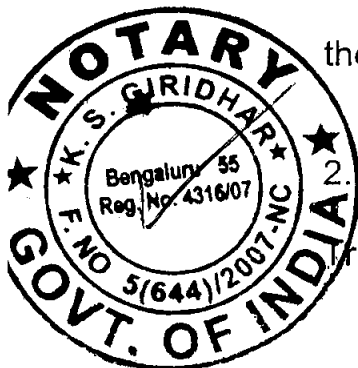
Union of India & others RESPONDENTS

AFFIDAVIT FILED BY THE
SECRETARY TO GOVERNMENT,
DEPARTMENT OF URBAN DEVELOPMENT,
GOVERNMENT OF KARNATAKA – RESPONDENT

I, T.K. ANIL KUMAR, S/o Sri T.K. Krishna Das; aged 44 years, working as Secretary to Government, Urban Development Department, Government of Karnataka, Vikasa Soudha, Bengaluru, Karnataka State, do hereby solemnly affirm and state on oath as follows :-

1. I submit that I have been working as Secretary to Government, Urban Development Department (UDD), Vikasa Soudha, Bangalore, since 9th July 2013 and I know the facts of the case and hence I am swearing to this Affidavit.

I have great respect for the orders passed by this Hon'ble Tribunal and I have been complying with the orders passed by



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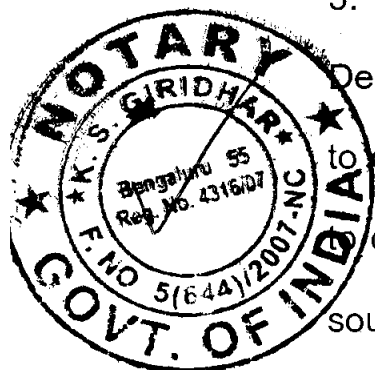
this Hon'ble Tribunal, whenever I have been called upon to do so.

WASTE COLLECTION AND PROCESSING IN URBAN LOCAL BODIES (OTHER THAN BBMP)

3. I respectfully submit that there are 219 Urban Local Bodies (ULBs) in the State and these ULBs generates approximately 8500-9000 tonnes of Municipal Solid Waste (MSW) every day, of which Bengaluru City itself generates 50% of the total waste and remaining City Corporations generates approximately 2000 tonnes, CMCs approximately generates 1500 tonnes, Town Municipal Councils and Town Panchayaths and Notified Area Committees approximately generates 1000 tonnes per day.

4. I respectfully submit that currently State has developed approximately 3400 tonnes processing facility to treat the MSW, mainly adopting composting and bio-methanisation technologies.

5. I respectfully submit that there the data received by the Deputy Commissioners of the State, 40 ULBs have 100% door to door waste collection in place, 132 ULBs have 60-90% door to door waste collection in place and 159 ULBs practice partial source segregation.



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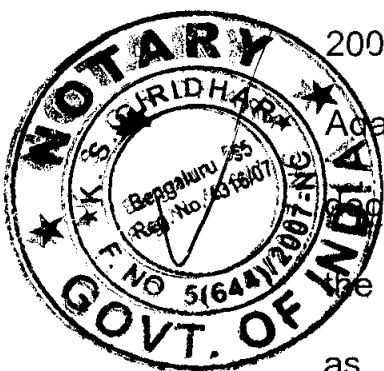
6. I respectfully submit that, SWM State Policy published in 2004, clearly gives direction regarding municipal solid waste processing technologies that needs to be adopted which was followed by publishing technical manual for waste processing & disposal which was circulated to all ULBs for adoption.

7. I respectfully submit that, repeated instructions are being in the form of Letters, Circulars (DMA: 12: SWM: 2014-15, dated 10-10-2014, DMA/SWM/Lok Adalath/CR-10/2010-11, dated 11-7-2014 and 17-9-2011) instructing ULBs not to indulge in open dumping of waste and to take steps required for scientific processing and disposal of waste.

BUFFER ZONES IN URBAN LOCAL BODIES (OTHER THAN BBMP)

8. I respectfully submit that, instructions have been given to ULBs to develop a green fence along the compound wall made up of 5 rows of trees.

9. I respectfully submit that, as per provisions of MSW Rules 2000, instructions have been given to all ULBs (DMA/SWM/Lok Adalat/CR 10/2010-11, Dated 25-10-2012) to take steps to declare buffer zone around the landfill site. Issue of including the buffer zone in the town planning is being taken at the State as well as regional levels (DMA/63/SWM/2015-16, Dated 9.10.2015). Steps shall be taken to compensate village hosting



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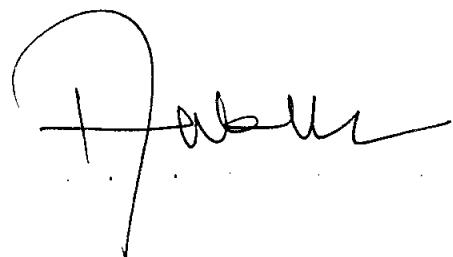
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waste processing sites as per the norms. Also ULBs have the liberty to carry out socio economic activities, such as conducting medical camps, development of roads, managing the waste generated in the surrounding villages, emergency water supply measures etc., to appreciate the contribution of villages in waste management.

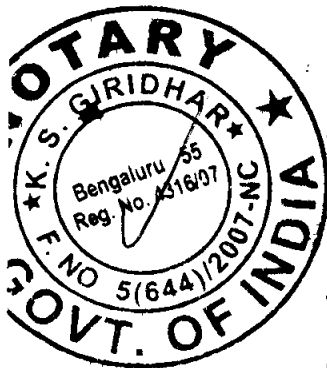
10. I respectfully submit that, Karnataka State Pollution Control Board vide Notification No. PCB/WMC/SEO/NDZ-Buffer Zone/MSW/2013-14/6272, dated 5-2-2014 has prescribed zones for various categories of landfill site (depending on extent of area of landfill site). This notification has been circulated to ULBs for compliance.

FUNDING AND IMPLIMENTATION OF SOLID WASTE MANAGEMENT IN URBAN LOCAL BODIES (OTHER THAN BBMP)

11. I respectfully submit that, steps have been taken to compulsorily earmark 25% of Central & State grants towards Solid Waste Management (14th Finance Commission Grants & State Finance Commission Grants). Apart from this, separate SWM budget grants have been released from the year 2013-14. So far Rs.125.91 Crores has been released by the Government towards this.

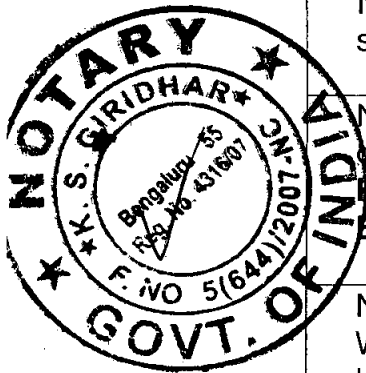


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12. I respectfully submit that, tipping fee is paid only in 2 Projects in the State and that too based on the tonne of the inert waste land filled (Shivamogga & Belgaum City Corporation) and the tipping fee has been paid only after processing of segregated waste into compost and land-filling of inert waste.

Total no. of ULBs in Karnataka (Excluding BBMP & 5 NACs) (10 CCs, 41 CMCs, 94 TMCs and 68 TPs)	213
No. of ULBs possessing landfill sites	207
No. of ULBs which are yet to procure landfill sites (Devanahalli, Vijayapura, Dandeli & Kolar)	4
No. of ULBs having common landfill sites (Ullala TMC in Mangalore City Corporation & Saligrama Town Panchayath in Udupi CMC)	2
No. of ULBs in which basic infrastructures at landfill sites are established	191
No. of ULBs in which sanitary landfill facilities are developed (Mangalore, Belgaum, Udupi, Shimoga, Karwar, Puttur, Kundapur, Gulbarga, Bellary, Bagalkot, Mudhol, Chitradurga and Mysore)	13
No. of ULBs in which composting facilities such as Windrow Platforms / Vermi Sheds are constructed / being constructed	155
Number of ULBs in which Door to Door collection of waste is carried out (partially)	205
Number of ULBs in which segregation is started (partially in few wards)	106
Recently 57 Grama Panchayaths have been converted as Urban Local Bodies. Similar steps are being taken in the upgraded 57 Urban Local Bodies.	



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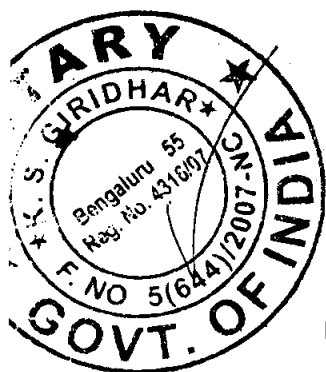
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13. I respectfully submit that, under SBM, 20% VGF is made available for Solid Waste Management projects to make the project sustainable.

14. I respectfully submit that, steps are being taken to circulate the model processing units based on composting technology for 25 TPD, 50 TPD and 100 TPD so that ULBs can readily adopt the models depending upon the quantity of waste generated.

15. I respectfully submit that, following is the implementation status of waste management in the State ;

16. I respectfully submit that, steps have been taken for preparation of integrated SWM DPRs in all the Municipalities of the State under Swachh Bharat Mission (SBM). By doing this, ULBs will have pre-determined model required for carrying out systematic & scientific waste management in all ULBs. As per the SBM Guidelines, it is projected that about Rs.2125 Crores is required for 100 percent compliance of waste management. By looking at the magnitude of fund requirement, it is evident that SWM facilities in all ULBs can't be ensured at once, but has to be implemented in a phased manner. Accordingly, waste management in larger Urban Local Bodies, such as City Corporations & CMCs will be taken up on a priority basis.



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17. I respectfully submit that, High Power Committee (HPC) has been constituted under the Chairmanship of Chief Secretary, Government of Karnataka, which has been delegated powers of the Cabinet to accord administrative approval to SWM DPRs in the State.

18. I respectfully submit that, the first HPC meeting held on 05.10.2015, accorded approval to 500 TPD processing facilities proposed at Hubli-Dharwad and Tumakuru City Corporations. Proposals from Davanagere, Vijayapura and Mysuru City Corporations and Kanakapura GMC for development of 760 tonnes of waste processing and disposal facilities are being appraised and will be shortly approved.

WASTE COLLECTION AND PROCESSING IN BRUHATH BENGALURU MAHANAGARA PALIKE

19. Bangalore generates around 3500 Tones of Municipal Solid Waste daily. The BBMP is carrying out collection, street sweeping, transportation, processing and disposal of the Municipal Solid Waste as per the Municipal Solid Waste Rules, 2000. BBMP has made mandatory for 3 type segregation i.e., Wet, Dry and Sanitary waste, for which massive door to door campaign have been conducted involving all stakeholders and also to minimize waste going into landfills. To encourage segregation at source, the BBMP has established 188 Dry



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Waste Collection Centres, which collect only dry waste from Wards. Bulk Generators of waste like Hotels, Restaurants, Kalyan Mantaps, Apartments etc., have been notified to establish a system to handle Municipal Solid Waste generated in their premises or through empanelled service providers. Seven sites have been identified for disposal of construction and demolition waste in the city. BBMP has set up 13 decentralized Bio-Methanisation Plants.

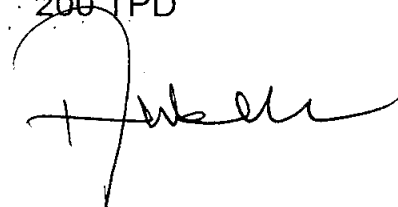
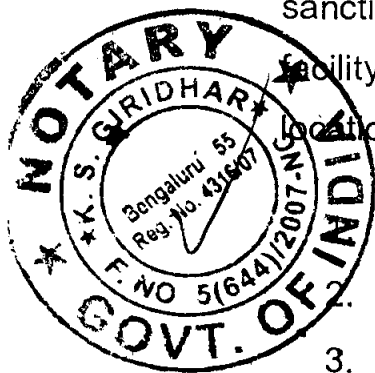
20. After taking all these measures, the quantum of waste which being received at the BBMP processing centres is around 3000 TPD. The same is being managed through Private Processors and the details along with the locations are furnished below :

- | | | |
|----|-------------|-----------|
| 1. | Terrafirma | - 850 TPD |
| 2. | MSGP | - 500 TPD |
| 3. | KCDC | - 300 TPD |
| 4. | Mavallipura | - 300 TPD |

To achieve 100% processing of waste, Government has sanctioned setting up of six new facilities and up-gradation of one facility. These new facilities are established at the following locations in:

- | | | |
|----|-------------------|-----------|
| 1. | Kannahalli | - 500 TPD |
| 2. | Seegehalli | - 200 TPD |
| 3. | Doddabidarakallu | - 200 TPD |
| 4. | Lingadeeranahalli | - 200 TPD |
| 5. | Subrayanapalya | - 200 TPD |

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| 6. | Chikkanagamangala | - | 500 TPD |
| 7. | KCDC (up gradation
of existing facility) | - | 500 TPD |

Total - 2300 TPD

The 6 new plants have already functioning. This would ensure 100% processing of waste being generated in the city. In addition to these, approvals have been given to the following Waste Management Plants on PPP framework.

- | | | | |
|----|-------------------------|---|----------|
| 1) | M/s.Satarem Enterprises | - | 1000 TPD |
| 2) | M/s.Organic Waste India | - | 600 TPD |
| 3) | M/s.Essel Group | - | 600 TPD |

These plants are on PPP framework and would take minimum 2 years' time to its establish.

Also the following waste to energy projects are in pipeline :

1. M/s Green Elephant Engineering Pvt Ltd - 50 TPD of Wet Waste
2. M/s D&S Renergies Pvt ltd - 200 TPD of wet waste
3. M/s Nexis Novus -600 TPD

Once all the above facilities are made fully functional, the city would have facilities catering to the requirement of Waste Management. BBMP has created the processing capacity much more than the present requirement. In the newly established 6 plants it is ensured that wet and dry waste are transported in segregated form only.



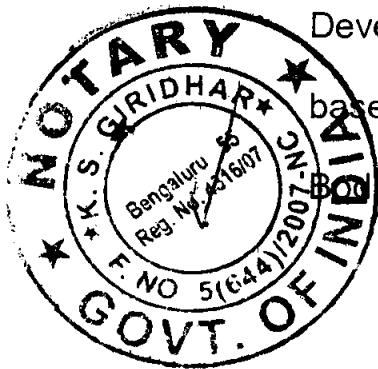
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**BUFFER ZONES IN BRUHATH BENGALURU
MAHANAGARA PALIKE**

21. Process of declaration of Buffer zones around the Processing/landfill sites has been initiated as per the Karnataka State Pollution Control Board Guidelines vide Notification No.PCB / WMC /SEO /NDZ -Buffer Zone /MSW /2013-14/6272 dated 05.02.2014. GIS survey is almost completed and on ground survey to de mark the boundaries and identifying the land details is nearly competition. The process to compensate through economic instruments to those villages hosting waste-processing sites has been taken up on priority and also health check up camps is also being hosted. And formulation of policies to compensate those properties falling within their Buffer Zones is also being taken up on priority. Also infrastructure development like construction of roads and drains, establishment of RO plants and fencing of lakes are also taken up around plants surrounding villages.

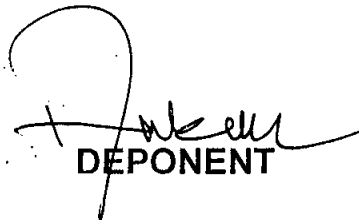
22. I respectfully submit that the Department of Urban Development in the State of Karnataka is swearing this Affidavit based on the information gathered from all the Urban Local Bodies through District Urban Development Cells.



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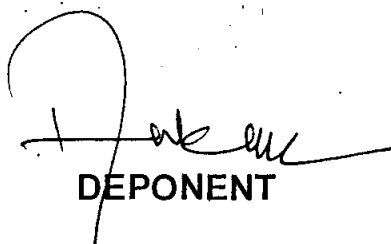
WHEREFORE, I respectfully pray that this Hon'ble Tribunal may be pleased to take this affidavit on record, in the interest of justice and equity.

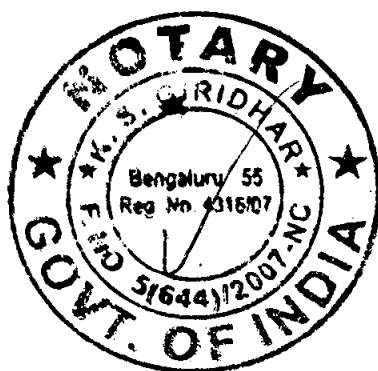

DEPONENT

VERIFICATION


I, the above named Deponent do hereby verify that all the facts stated in the affidavit are true to the best of my knowledge and nothing material in concealed there from.

Verified at Bangalore on this day, the 25th January, 2016

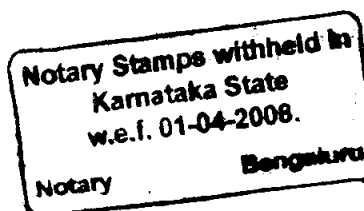

DEPONENT



SWORN TO BEFORE ME


K S GIRIDHAR
M Com B Ed./L.L.B
ADVOCATE & NOTARY
314 Milk Colony, 2nd Stage
Rajajinagar BENGALURU-560 055

25 JAN 2016



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