

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

Original Application No. 199 of 2014

And

Original Application No. 61 of 2017

(Earlier OA No. 199 of 2014)

And

Original Application No. 281 of 2016

(M.A. No. 1007/2016 & M.A. No. 395/2017)

IN THE MATTER OF:

ALMITRA H. PATEL & ANR. APPLICANTS

VERSUS

UNION OF INDIA & ORS..... ..RESPONDENTS

**AFFIDAVIT ON BEHALF OF RESPONDENT
- DEPARTMENT OF URBAN DEVELOPMENT,
STATE OF MAHARASHTRA**

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ADVOCATE ON BEHALF OF
STATE OF MAHARASHTRA,
URBAN DEVELOPMENT DEPARTMENT (RESPONDENT)

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NEW DELHI
May 2017

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**Affidavit on behalf of Respondent Urban Development Department,
State of Maharashtra**

I, Shri Sudhakar D. Bobade, Deputy Secretary, Urban Development Department, Government of Maharashtra, Mumbai 400032, do hereby state on solemn affirmation that I am filing this Affidavit in the aforesaid matter in pursuance to the orders passed by this Hon'ble Tribunal on 25th April, 2017.

1. I say and submit that the Action Plan for the Solid Waste Management in the State was prepared and enclosed as Annexure - IV with the affidavit dated 21st February 2017 submitted to Hon'ble Tribunal [pages 329 to 375]. The Central Pollution Control Board (CPCB) has examined the action plan of the State and given

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comments / recommendation by their affidavit dated 28th March 2017 submitted to the Hon. Tribunal.

2. I further say and submit that the reply to the comments / recommendations given by the CPCB as follows:

- (1) State policy is prepared and have been issued on 29th April, 2017 in line with SWM Rules 2016 and it focuses on sustainable management of solid waste. Policy focuses on segregation at source and decentralized composting, recycling and recovery from waste.
- (2) State is in the process of constituting the State Advisory Board and the same will be constituted before June 2017.
- (3) DPR preparation process has started in February 2017 and presently 15 DPRs have already been prepared. The State plans to complete the preparation of all DPRs by March 2018. Already three empanelled agencies have been appointed for DPR preparation process and another three agencies will be appointed in due course.
- (4) Before the preparation of DPRs, all ULBs are instructed to start segregation at source wide GR No. SMM 2017/CR60/UD34, dated 29th April, 2017. State has also asked all ULBs to make immediate measures for separate collection of dry, wet and domestic hazardous waste. State has also conducted workshops for all ULBs including their public representatives to start segregation at source and decentralized processing including composting.



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- (5) State policy clearly emphasizes on processing of organic waste by bulk generators within their premises. All ULBs are instructed to take necessary actions towards processing of waste by bulk generators within their premises. For e.g. ULB will provide technical support for composting, support for sale of compost, awareness generation, fines etc. ULBs have been advised that there should be separate collection system for bulk generators and only to collect dry waste from bulk generators.
- (6) Most of the ULBs in the state have land for solid waste management and ULBs which do not have such land have been instructed to identify the land and initiate process of possession of land with support from the respective district magistrate.
- (7) State already started mass awareness campaign from 1st May 2017 for segregation of waste at source. Every month, the focus will be on 50 ULBs to achieve 100% segregation at source. Awareness campaigns are focusing on segregation of waste in three categories dry, wet and domestic hazardous waste. ULBs have been instructed to use CSR funds for distribution of dustbins to households and undertake awareness programmes from IEC and Capacity Building (CB) funds provided to the city under Swachh Bharat Mission.
- (8) State has decided to have Reclamation / biomining of old waste dumps as integral part of SWM DPRs to be prepared under Swachh Bharat Mission. Cities which have old waste dumps



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will have to include suitable technical options for biomining or reclamation.

3. I further say and submit that the reply to comments made by the CPCB in paragraph 5 of its Affidavit is as follows:

(i) All ULBs and consultants appointed for DPR preparation have been strictly instructed to follow one of the processes described in CPHEEO manual for quantification and characterization of MSW generated in the cities.

(ii) Selection of technology in the DPRs will be based on the quantification and characterization of waste done as per the CPHEEO manual. This will be ensured during the review of the DPRs.

(iii) and (iv) All ULBs in the state have been asked to prepare detailed action and implementation plans as part of the DPRs with realistic timelines. The same is being monitored by the state.

(v) State policy clearly focuses on *in situ* treatment of waste by bulk waste generators. ULBs are making necessary provisions for the same in DPRs

(vi) The state has already initiated a mass awareness campaign (as explained in para 2 (7) of this affidavit).

(vii) All ULBs are strictly instructed not to burn waste and prepare bye-laws and impose fines for the burning of waste on



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VERIFICATION

I, Shri Sudhakar D. Bobade, Occupation, Govt. service at present working as Deputy Secretary, Urban Development Department, Mantralaya, Mumbai, do hereby State on solemn affirmation that the contents of this affidavit are on the basis of the office record and information which I believed to be true and correct. Hence it is verified on this 8th day of May, 2017 at Mumbai.

DEPONENT

Identified by me




Nilesch Potdar,
Section Officer,
UDD, Mantralaya.



(Sudhakar D. Bobade)
Deputy Secretary,
Urban Development Department

SOLENNY AFFIRMED
BEFORE ME BY THE DEPONENT
SHRI Sudhakar D. Bobade
TO WHOM I PERSONALLY KNOW


8.5.17

Mumbai, Joint Secretary
Law and Judiciary Department
Dated & Oath Officer Appointed
under Oaths Act, 1969



streets. The state is also planning to frame model bye-laws for ULBs including provision of fines for burning of waste.

(viii) The state assures the Hon'ble Tribunal that the state and ULBs from the state will actively participate in workshops organized by the CPCB on SWM Rules 2016.

4. I further say and submit that the State is committed towards scientific disposal of Municipal Solid Waste Management in accordance with the principle of sustainable development in its true spirit as directed by the Hon'ble Tribunal and assures this Hon'ble Tribunal of diligently following its directives.

DEPONENT



(Sudhakar D. Bobade)
Deputy Secretary,
Urban Development Department

Place: Mumbai
Date: 8th May, 2017

