

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION No. 199 of 2014**

IN THE MATTER OF:-

ALMITRA H. PATEL & ANR

.... PETITIONER

Versus

UNION OF INDIA & ORS

.... RESPONDENTS

COMPLIANCE AFFIDAVIT ON BEHALF OF THE STATE OF NAGALAND

I, Shri Jyoti Kalash, S/o R.N. Srivastava, having Office at 29, APJ Abdul Kalam Road, Nagaland House, New Delhi, do hereby solemnly affirmed and state as under:-

1. That I am the Principal Resident Commissioner, Government of Nagaland, posted in Nagaland House, Delhi and as such authorized to depose by way of this Compliance Affidavit on behalf of the said respondent.
2. That it is respectfully submitted that this Compliance Affidavit has been prepared on the basis of the instructions received from the Department of Municipal Affairs, Government of Nagaland. Hence, I am competent to swear this affidavit
3. That the deponent humbly submits that the instant Compliance Affidavit has been filed pursuant to the Hon'ble Tribunal's Order

dated 22.12.2016 and 12.01.2017, wherein a show cause notice was issued with certain directions to all the States.

4. That the deponent submits that the State of Nagaland on receipt of the directive from the Ministry of Environment Forest and Climate Change vide D.O. No. 18-3/2004-HSMD dated 13.04.2016, the Department of Municipal Affairs Department on 25.07.2016 vide letter No. DMA/CC/T-207/2015/120 has issued directives to all Urban Local Bodies for enforcing and implementing Solid Waste Management as per the Solid Waste Management Rules 2016. However, it may be mentioned that out of the 32 ULBs in Nagaland, Kohima Municipal Council already has a solid waste management system put in place making full utilization of the Multi facilities created by the ADB funded NERUPD SWM Project. Secondly, already SWM Project for Dimapur is ongoing, while for Mokokchung Town a project is in the pipeline. Similarly, solid waste management projects for the other smaller urban local bodies will be taken up in a phase-wise manner depending on the availability of fund as there is a huge resource crunch in the State at the moment.

Copy of the said letter dated 25.07.2016 is marked and annexed herewith as **ANNEXURE-R1**

5. That the Hon'ble Tribunal in the instant matter on 22.12.2016 directed all the States and Union Territories to implement Solid Waste Management Rules, 2016 and to prepare action plan in terms of several directions given in that order and Solid Waste Management Rules, 2016. In pursuant thereof, the status of Solid Waste Management for the State of Nagaland and way forward has been prepared and appended.

Copy of the said Action
Plan is marked and
annexed herewith as

ANNEXURE-R2

6. It is respectfully submitted that in accordance with Rule 15 of the Management Solid Waste Rules 2016, necessary directives will be issued within six months w.e.f 1st January 2017. Further, Rule 11 (a), 11 (f), 15 (e) and 22 of Rules 2016 is noted for compliance and accordingly State Government will address the issue for framing State Policy on Waste Management along with strategies in consultation with all Stakeholders. Already land has been allotted to Kohima Municipal Council and Dimapur Municipal Council for accommodating such projects. Meanwhile, the State land Acquisition Authority is already considering allotment of land for setting up solid waste management projects in Mokokchung. Similarly, proposal for allotment of land for setting up solid waste management projects for the other smaller towns will be taken up within the next 1 year w.e.f. 1st July 2017.

7. It is respectfully submitted that capacity building in sensitizing the citizens on Solid Waste Management as per Rules 2016 will be taken up as directed.
8. It is respectfully submitted that the concerned State Government department such as the Municipal affairs and Urban Development Department will co-ordinate and co-operate with the urban local bodies while the PHED will address the issues in the Villages for the management, processing and disposal of the Solid Waste generated.
9. It is humbly submitted that Kohima Landfill site is proposed to be used for bio-stabilization to prevent leachate and generation of methane and for depositing of inert waste and rejects which are to be segregated which are to be used for filling up of appropriate areas.
10. It is submitted that for the purpose of discharge of Extended Producer Responsibility, the Kohima Municipal has already set up committee centers in every ward for collection and require residents of the locality to deposit the domestic hazardous waste for recycling. The same model will be replicated in Dimapur, Mokokchung and the other towns within the State.
11. It is submitted that public awareness programs such as the facilities available, processing of the waste, obligations of the public at large, public authorities, concessionaire and facility operators under the Rules have already been conducted at various

levels under the Information Education & Communication component of Swachh Bharat Mission.

12. It is respectfully submitted that present Affidavit is being filed in compliance of orders of this Hon'ble Tribunal and the deponent craves leave of this Hon'ble Tribunal to file further Affidavit as and when necessary and required by this Hon'ble Tribunal.
13. That the facts stated in the above Affidavit are based on the information derived from official record, believed by me to be true and correct. No part of the same is false and nothing material has been concealed therefrom.

DEPONENT

VERIFICATION

I, the Deponent above named do hereby verify that the facts stated in the above Affidavit are based on the information derived from official records, believed by me to be true and correct. No part of the same is false and nothing material has been concealed therefrom.

Verified at New Delhi on this 27th day of February, 2017

DEPONENT