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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW
DELHI ORIGINAL APPLICATION NO. 199 OF 2014

IN THE MATTER OF:

Almitra H. Patel & Anr.

...Applicants

Versus

Union of India & Ors.

...Respondents

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1.	Affidavit on behalf of State of Sikkim	

Filed by

**M/S. ARPUTHAM ARUNA & CO.
ADVOCATES FOR STATE OF SIKKIM**

Place: New Delhi
Date: 01.02.2016

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IN THE MATTER OF:

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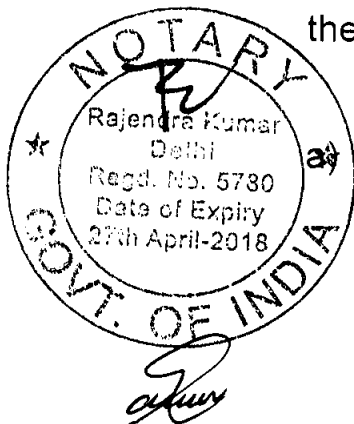
...Respondents

AFFIDAVIT ON BEHALF OF STATE OF SIKKIM

I, Govind Mohan, Principal Secretary and Principal Resident
Commissioner, Government of Sikkim, Sikkim House, Chanakyapuri,
New Delhi, do hereby solemnly affirm and state as under :

1. That I am the Principal Secretary and Principal Resident
Commissioner, Government of Sikkim, Sikkim House,
Chanakyapuri, New Delhi. I know the facts of the instant
case. I am competent to swear, affirm and file this affidavit.

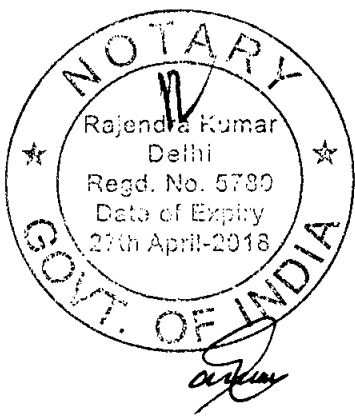
2. That in compliance with order dated 16.12.2015 of this
Hon'ble Tribunal, in Original Application No. 199 of 2014,
the State of Sikkim is filing the status report with regard to:



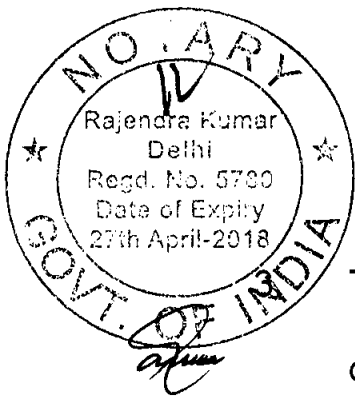
Prayer No.2 which is related to no open dumping of
municipal solid waste and other waste which should
be strictly in accordance with the MSW Rules. It is
submitted that open dumping was an old practice

which has now been stopped in the state of Sikkim after the opening of 2 landfill sites, one at Martam in East Sikkim and other at Sipshu in West Sikkim. It is submitted that the Municipal Solid Waste generated in Sikkim is much less as compared to the rest of the country. It is further submitted that these scientific landfills are only covered after its full storage capacity is reached. Martam landfill having a capacity of 60 MT will be covered after it has reached its full capacity.

To address this issue and many others a revamped strategy has been prepared under the Swachh Bharat Mission ("SBM"). Under the SBM, Detailed Project Reports for each Urban Local Body of Sikkim has been prepared. In these reports what has been planned for each ULB is Waste Segregation into Wet (Organic), Dry (Recyclables) and Inert (Non-recoverable). Wet waste is to be used for Individual Household Composting or submitted to Waste Collection Centres/Eco Banks for community composting. Therefore, the wet/organic waste will not be reaching the landfill site and this will prevent the release of methane gas from such landfills.



b) Prayer No.3 relates to stopping the Development activity around the site and the creation of a proper buffer zone for a municipal waste site in the zonal/master plan itself. In response to this, it is submitted that the regional landfill of Martam is located in East Sikkim and is approximately 15kms from Gangtok city and Sipshu is six kms away from Jorethang town in West Sikkim. Both these sites are located outside the ULB boundaries and planning area. In addition, none of the towns in Sikkim have statutory master plans but depend on development guide plans for urban development. Therefore, marking of the buffer zone for sites handling municipal waste is not possible in the development guide plans as they fall outside the municipal boundaries. However, the municipal waste handling sites are operated only after clearance from the State Pollution Control Board and hence all requirements such as maintaining of buffer zones and other parameters as underlined in the MSW (Management and Handling Rules) 2000 are followed.



That the facts and details stated hereinabove are true and correct as per the records maintained in Urban Development

and Housing Department, Government of Sikkim, Gangtok,
Sikkim.

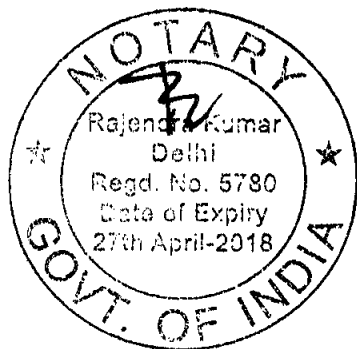
4. That the Answering Respondent craves leave of this Hon'ble Tribunal to file additional documents and make further submissions as and when required for the proper adjudication of the dispute.


DEPONENT

Govind Mohan, IAS
Principal Resident Commissioner
Government of Sikkim
Sikkim House, New Delhi

VERIFICATION:

I, Govind Mohan, the above named deponent, do hereby verify that the contents of paras 1 to 4 of the above affidavit are true and correct to the best of my knowledge and belief as derived from the records, no part thereof is false and nothing material has been concealed therefrom.




DEPONENT

Govind Mohan, IAS
Principal Resident Commissioner
Government of Sikkim
Sikkim House, New Delhi


Verified at New Delhi on this the 27th day of January, 2016

RAJENDRA KUMAR, NOTARY, Reg No. 5780
F No.-5(486)
EMPOWERED TO ADMINISTER THE PART
SECTION 139 OF CPC 1908
SECTION 297 OF CRPC 1973
DELHI HIGH COURT RULES 1967
PART-6, CHAPTER XVIII-227
EVIDENCE BY AFFIDAVIT BEFORE
SUPREME COURT RULES, 2013
ORDER IX-7

CERTIFIED THAT THE CONTENTS EXPLAINED TO THE
DEPONENT EXECUTANT WHO IS SEEMED PERFECT TO
UNDERSTAND & AFFIRMED DEPOSED BEFORE ME AT
DELHI ON 27.01.2016 IDENTIFIED BY
IDENTIFY THE EXECUTANT/DEPONENT WHO HAS
SIGNED IN MY PRESENCE

IDENTIFY THE EXECUTANT/DEPONENT
WHO HAS SIGNED IN MY PRESENCE
012780

ATTESTED,


RAJENDRA KUMAR
NOTARY, DELHI-R-5780
GOVERNMENT OF INDIA
SUPREME COURT OF INDIA
COMPOUND, NEW DELHI
Register Pg./Sl. No. 27.01.2016
Ph. 9212491692
9899446209