

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

IN THE MATTER OF:-
Almitra H Patel & Anr.

....Petitioners

versus

Union of India & Ors.

....Respondents

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Filed by

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Place: New Delhi

Date: 01.02.2017



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

IN THE MATTER OF:-

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AFFIDAVIT ON BEHALF OF THE STATE OF SIKKIM

I, G. T. Bhutia, resident of Development Area, Gangtok, PCE cum Secretary, Urban Development & Housing Department, Government of Sikkim, Gangtok, Sikkim do hereby solemnly affirm and state as under:

1. The present affidavit is being filed by the State of Sikkim pursuant to the order dated 12.01.2017 passed by this Hon'ble Tribunal and on the basis of the instructions received from the Urban Development & Housing Department, Government of Sikkim, Gangtok, Sikkim.
2. It is submitted that even before the order dated 12.01.2017 passed by this Hon'ble Tribunal, the Urban Development & Housing Department, Government of Sikkim had commenced the process for formulating appropriate Rules for ensuring that centers for collection, segregation and storage of segregated


Kasang Choden Tamang
Oath Commissioner
High Court of Sikkim



wastes are incorporated in building plans. In this regard, it is important to note Rule 15 (ze) of the Solid Waste Management Rules, 2016 which reads as under:

"15 (ze) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex"

3. It is submitted that the Urban Development and Housing Department, Government of Sikkim convened a consultative workshop with the concerned stakeholders which inter alia included the Roads & Bridges Department, Public Health & Engineering Department, Forest Department etc. was held on 26.09.2016 to discuss and formulate the modalities of the Solid Waste Management Policy. A copy of the Notice dated 22.09.2016 for the said meeting is annexed hereto as **Annexure A**. Further, a copy of the news report published in Sikkim Scan on 27.09.2016 regarding the consultations held for formulating the Solid Waste Management Policy is annexed hereto as **Annexure B**. Furthermore, a list of the Nodal Officers appointed by the various Departments for the formulation of the State Waste Management Policy is annexed hereto as **Annexure C**.
4. It is humbly submitted and prayed by the answering State that appropriate time may be given to formulate and implement the Solid Waste Management Policy in the State of Sikkim in accordance with the Solid Waste Management Rules, 2016 and


Kesang Choden Tamang
Oath Commissioner
High Court of Sikkim



the directions passed by this Hon'ble Tribunal. It is further submitted that in the meanwhile, all on-going projects may be permitted to continue with their activities in consonance with the principles of sustainable development.

DEPONENT
[Handwritten signature]

Principal Chief Engineer-cum-Secretary
Urban Development & Housing Deptt.
Government of Sikkim Gangtok

VERIFICATION:

I, G. T. Bhutia, 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
[Handwritten signature]

Verified at Gangtok on this the 27 th day of January, 2017

Principal Chief Engineer-cum-Secretary
Urban Development & Housing Deptt.
Government of Sikkim Gangtok

IDENTIFIED BY:

[Handwritten signature]
Tsewang Gyatso Bhutia

Consultant-Swachh Bharat Mission(Urban)

[Handwritten text in Devanagari script]
... 27th
... by Shri/Smt./Ms.
G.T. Bhutia ...
... identified by Shri/Smt.
... Tsewang Gyatso Bhutia
... Swachh Bharat Mission,

[Handwritten signature]
Kesang Choden Tamang
Oath Commissioner
High Court of Sikkim
28.1.17

ANNEXURE - A



URBAN DEVELOPMENT & HOUSING DEPARTMENT GOVERNMENT OF SIKKIM

PHONE : SECRETARY : 202726
Office : 202900
FAX : 03592-205087
GANGTOK (SIKKIM)

No. 265/CRM(V) /UD & HD

Dated... 22/09/2016



To, Secretary / DG,
RMDD, FEEM, PHE, Health, DG Office,
R&B, Commerce & Industries,
G.O.S., Gangtok.

Sub: Consultative workshop on preparation of Solid Waste Policy for the State.

Sir,

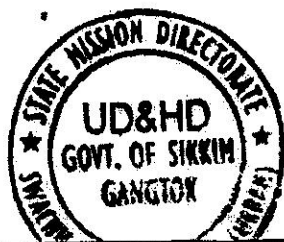
As you are aware, the Solid Waste Management Rules 2016, notified under the Ministry of Forests & Environment, Government of India mandates the formulation of a State Waste Policy by States and Union Territories. UD&HD has the responsibility of carrying this out.

In this regard, the first Stakeholders Meet is being convened in order to discuss and work out the modalities so that a robust policy could be put in place. Your presence is requested at the said meeting as your valued suggestions/deliberations are required during this crucial meeting being held on 26.9.16 at Hotel Keepsa Residency, Kazi Road, Gangtok scheduled between 10.30 AM to 1.30 P.M.

Thanking You.

Yours sincerely,

PCE cum Secretary
UD&HD



// TRUE COPY //

SINGLE WINDOW
R. R No.
Buildings & Housing Deptt.
Date of Report ... 10.6.

ANNEXURE-C



STATE MISSION DIRECTORATE, SWACHH BHARAT MISSION (U)
URBAN DEVELOPMENT & HOUSING DEPARTMENT
GOVERNMENT OF SIKKIM



Email id: pmusikkim@gmail.com
Website: smbansikkim.nic.in

Ref. 289 /SBM-(U)/UD&HD/GOS/2016

Dated: 6.10.2016

To,
PCC cum Secretary WSEPHE, R&B, B&H
Principal Secy, Commerce & Ind, Labour Dept
PCCF cum PS Forest Env & WM
Secy RMDD, Tourism
Dy cum Secy, H&HSD, F&D
~~Dy Secy, Police~~



Subject: Follow up action regarding workshop on State Waste Policy held on 26.09.2016.

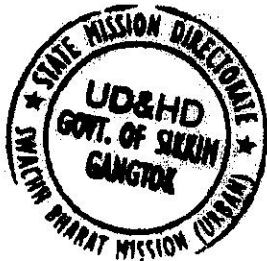
Sir,

With reference to the above, as you are aware the UD&HD is in the process of formulating the State Waste Policy for Solid Waste Management; the first consultative workshop was held on 26.09.16 at Hotel Keepra Residency, Gangtok which had the participation of representatives of your department. In order to expedite matters for the Waste Policy formulation, may I request you to kindly nominate an officer of your department in the rank of Deputy Secretary and above as the nodal officer to liaise with UD&HD for the said purpose. The nodal officer's name, designation, contact details/ coordinates may kindly be mailed to Deputy Secretary, Swachh Bharat Mission (Urban): pmusikkim@gmail.com / karnitmitlepcha@gmail.com contact No. 8116156301/ 9800245637.

Thanking you.

Yours Sincerely,

[Handwritten Signature]
PCC cum Secretary
Principal Secy cum-Secret.
Urban Development & Housing Deptt.
Government of Sikkim, Gangtok



[Handwritten Signature]
6

o/c

List of Nodal Officers nominated by Departments to State Waste Management Policy:

Sl.No	Name of the Nodal Officer	Name of the Department	Designation	Contact Number	E-mail address
1	Mr. ZimbaPintsoBhutia	WS & PHE	Deputy Secretary		
2	Ms. Tashi Wangmu Sherpa Mr. Shiromani Neopane cy	Labour Department	Deputy Labour Commissioner I Deputy Labour Commissioner II	94743-51262 94343-18409	
3	Mr. Kumar Bhusal	Building & Housing Deptt.	Divisional Engineer (Planning)	98323-19188 9474056860	
4	Mr. Satyam Kumar Pradhan	RMDD	Deputy Secretary (Sanitation)	99339-99001	
5	Mr. Deepak Singh	Roads & Bridges	Divisional Engineer (Planning)	88607-54616	
6	Mrs. Tsewang Doma Bhutia	Commerce & Industries	Deputy Secretary	99323-93418	
7	Mr. Bindey Kumar Chettri	Forest Env. & Wildlife Management	Sr. Scientific Officer	94342-57475	
8	Mr. Marcus Prabal Rai	Tourism Deptt.	Deputy Secretary	96473-47458	
9	Mr. Thotup Targain	HC, HS & FWD	Deputy Director (Sanitation)	9434357906	Thotup.targain@yahoo.com
10	Ms. Bishnu Kri Rai	Sikkim Police	Additional Superintendent of Police		

// TRUE COPY //