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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 199 OF 2014

IN THE MATTER OF:

ALMITRA H. PATEL AND ANR.

APPLICANTS

VERSUS

UNION OF INDIA & ORS.

RESPONDENTS

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BEFORE THE NATIONAL GREEN TRIBUNAL
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AND

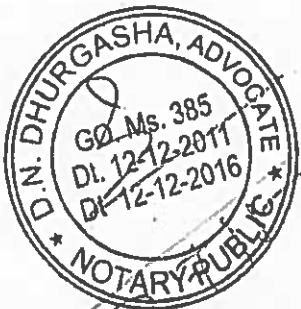
Thiru. K. Phanindra Reddy,
Principal Secretary to Government,
Municipal Administration and Water Supply Department,
State of Tamil Nadu
Secretariat, Chennai
Tamil Nadu

Respondent

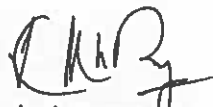
AFFIDAVIT REPRESENTING THE STATE OF TAMIL NADU

I, K. Phanindra Reddy, son of Venkata Reddy aged about 49 years, residing at X-II/III-2, SAF Games Villages, Koyambedu, Chennai - 600 107 do hereby solemnly affirm and sincerely state as follows:

I am the Principal Secretary to Government of Tamil Nadu, Municipal Administration and Water Supply Department, Secretariat, Chennai - 600 009, the administrative department pertaining to the subject matter and as such I am well acquainted



D.N. DHURGASHA, B.Sc., B.L.,
ADVOCATE - NOTARY PUBLIC
No. 114, IYAH MUDALI STREET,
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Principal Secretary to Government
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with the facts of the case from the available records and I have been authorised to file this affidavit.

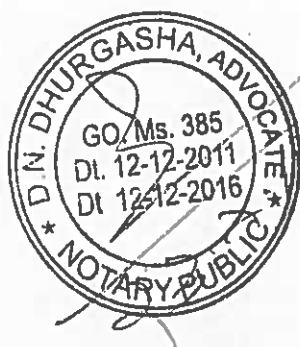
Hon'ble NGT had passed the following orders:

- i. Orders passed on 25.11.2014 in appeal No 70/2012
- ii. Order passed on 20.03.2015 in appeal No 70/2012


In addition to the orders of Hon'ble NGT on 05.02.2015 , Central Pollution Control Board had published a model indicative action plan for Solid Waste Management and the Ministry of Environment and Forest Department have published a Draft Municipal Solid Waste Management Rule 2015. With reference to the above directions, a detailed Action Plan was prepared and submitted before the Hon'ble NGT on 15.04.2015.

In continuation of this, the Hon'ble National Green Tribunal Principal Bench in its order dated:13.07.2015, has ordered as follows:-

All the States should positively file their status report with regard to the collection, storage and disposal of Municipal Solid Waste in the entire state. Further, they should clarify, if any, MSW disposal plant either RDF or Waste to Energy or any other more plants have been provided in the state or they are in the proposal stage in that behalf.



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Based on this, the present status report is submitted below;

Details of action taken subsequent to the filing of the affidavit before the Hon'ble NGT on 15.04.2015

I- State Level:

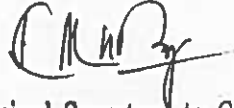
- (i) **Sanction of Funds:** On 17.04.2015 Special Solid Waste Management Committee has sanctioned a sum of Rs.76.68 crore for the Cluster Projects of Thiruchirappalli and Vellore cluster, Rs.146.38 crore for 10 ULBs and 214 Town Panchayats under Special Solid Waste Management fund and Rs. 81.33 Crore under Swacch Bharath Mission to procure vehicles for transportation, and integrated decentralized processing facilities. 6012 vehicles have been procured for Primary collection and Secondary Transportation in 10 Municipalities and 214 Town Panchayats, Decentralised processing facilities for composting and Bio-mining have also been taken up.

- (ii) **State level Discussion on the draft rules published by the Ministry of Environment and Forest:**

The Secretary to Government, Environment and Forest Department, convened meetings on 12.06.2015, 16.06.2015 and 06.07.15 with the Chairman Tamil Nadu



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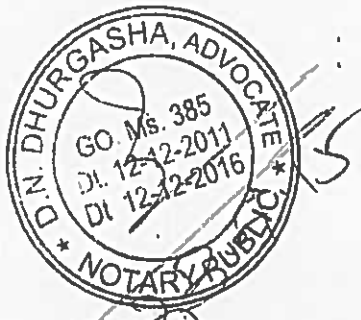
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Pollution Control Board, the Principal Secretary to Government, Municipal Administration and Water Supply Department, the Principal Secretary to Government, Rural Development and Panchayat Raj Development, the Principal Secretary/Commissioner of Chennai Corporation, the Director of Municipal Administration, and the Director of Town Panchayats to discuss the following subjects;


- a) To compare and analyze the provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000, Draft Municipal Solid Waste (Management and Handling) Rules, 2013, Draft Municipal Solid Waste (Management and Handling) Rules, 2015.
- b) Prevention of use of plastic carry bags of less than 40 micron thickness.
- c) Draft e-waste management and handling rules.

Detailed discussions were held on the above rules and regulations for the effective implementation in the State of Tamil Nadu.

iii) Sensitization of Heads of Departments on various provisions of the new Draft Rules of Ministry of Environment and Forest Department:



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Besides at state level, the officials of the stakeholder department were sensitized to get familiar with the new provisions made in the various draft rules mentioned above, and to prepare a City-wise/ District-wise/ Region-wise action plans for the effective implementation and enforcement.

As per the discussions held, the Commissioners of Corporations, Municipalities and the Executive Officers of Town Panchayats have been instructed to study the city wise gaps in the implementation of Municipal Solid Waste activities in their respective cities in terms of primary collection, secondary transportation, processing and disposal to comply with the rules. They were also informed to prepare city wise action plan for implementation as per the new rules.


II Regional Level:

(i) Gap Analysis in each Urban Local Body:

The Executive Authorities of concerned urban local bodies are in the process of analyzing the gap in the implementation of each component of MSW. It is expected that this process will take atleast 60 days and will be completed by 30th September 2015.



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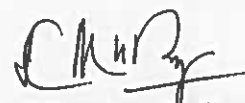
(ii) Planning for Establishing more number of Clusters;

It has been proposed to form more number of clusters in a phased manner to establish processing plants. Regional Directors of Municipal Administration and Assistant Directors of Town Panchayats were directed to study the feasibilities for the formation of new clusters incorporating adjacent municipalities, town panchayats, rural local bodies in the cluster areas. The following tentative norms have been proposed for the formation of clusters.

- a) The proposed location of the Processing unit should be within 10-15 KM radius.
- b) The total capacity of the plant should be 500-1000 tonnes per day.
- c) Material recovery facility centre should be established for handling 100 tonnes per day incorporating one or more adjacent local bodies.
- d) The following components should be mandatorily made available in the processing centre.
 - Bio waste processing unit to convert bio-waste as manure / biogas / bio-methanation plants
 - Construction and Demolition waste recycling and production unit with a capacity of 50-100 Tonnes per day.



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- Plastic Recycling Units
- Refuse Derived Fuel (RDF) unit
- Waste to Energy plant.

(iii) Capacity Building to Officers and Staff on SWM

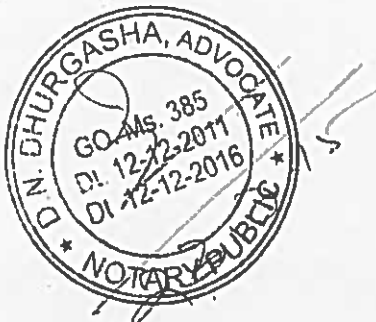
State Level Reform and Performance and Management Cell has been formed in the Directorate of Municipal Administration to impart training for capacity building. Special Solid Waste Management Training programmes have been organized in association with the Engineering Staff College of India, Hyderabad. Sixty officials have been trained as Trainer of Trainees (1st Batch - 8th to 12th June, 2015 & 2nd Batch 15th to 19th June, 2015) and further training will be imparted to the field functionaries and the schedules have been prepared.

III Urban Local Body Level

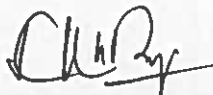
(a) Chennai Corporation

(1) Processing of Construction and Demolition Waste

Preparation of Detailed Project Report (DPR) for processing of Construction and Demolition waste has been entrusted to Indian Institute of Technology (IIT) – Madras. The DPR is expected by August 2015.



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(2) Proposal for New Integrated Solid Waste Management Facility

It has been proposed to establish two new integrated Solid Waste Management Facilities. Sites at Kodungaiyur and Perungudi have been selected. A transaction advisory consultant to take forward these new proposals will be appointed by 31.08.2015.

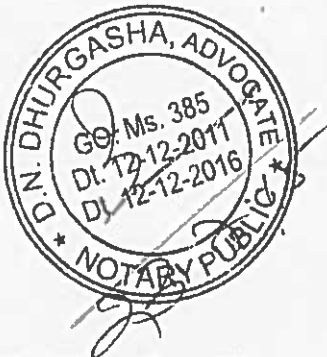
(3) Remediation and scientific closure of existing dump sites.

Corporation of Chennai has floated a tender on 16.07.2015 to appoint consultants to prepare Detailed Project Report. Some of the consultants have sought for extension of time and some have requested to furnish certain data available with Corporation of Chennai in order to furnish the DPR. Corporation of Chennai will be finalising the tender by Mid August. Meanwhile, Anna University and IIT have been requested to assist in evaluating technology options.

(b) Action Taken at other Urban Local Bodies:

1) **Door to Door Collection:** Door to Door collection is being carried out in 9935 wards out of 12801 wards.

2) **Waste Processing facilities:** The Waste Processing has increased to 1215 MT of waste going for windrow composting in 10 Municipalities and 461 Town Panchayats. 241 MT is going for vermicomposting. In Town panchayats house hold composting, roof garden, backyard kitchen garden, road side composting, drum composting and vertical type composting is being encouraged.



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3) Bio methanation of waste from Hotel and Restaurants/

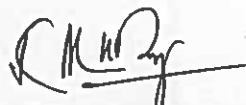
Slaughter House: 45 Bio-methanation plants are sanctioned in the 1st phase. Out of this 4 plants at Corporation of Chennai and One plant at Arcot Municipality have been commissioned. 5 plants at Kumbakonam, Pollachi, Pallipalayam, Mettur and Gopichettipalayam are under trial run. The rest of the Bio-methanation plants will be functional by Dec'2015. Smaller units of Biogas plant at Puliyur and Punjaipugalur in Karur District and Kannankuruchi Town Panchayat in Salem District for handling food waste and slaughter house waste have been established. Instructions have been given to go for Base Line Survey for establishing such Bio-methanation plants in the 2nd phase wherever feasible.

4) Integrated Solid Waste Management Project: Tamilnadu has already developed an integrated Solid Waste Management Project for the urban local bodies of Tambaram and Pallavapuram at Venkatamanagalam village in an extent of 50 acres and a Waste To Energy project is taken up at a cost of Rs.99 crore. Presently the Refuse Derived Fuel (RDF) plant has started functioning. At present 100 Tonnes of waste is being processed on daily basis. It will be increased to 300 MT by accommodating Pammal, Anakaputhur and Sembakkam Sanitary landfill. Waste to Energy component will be commissioned in the month of March 2016.

5) Satellite Town Scheme under GOI: Sriperumbudur Town Panchayat was taken up for Satellite Town Scheme under GOI



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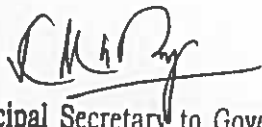
scheme at a cost of Rs.4.44 crore. The success of this scheme is being monitored by ensuring that 50% of household and commercial establishments are going for processing through aerobic composting.

6) **Dump site capping and reclamation:** Dumpsite reclamation has been carried out by Bio-mining in Kulithalai and Pallipalayam ULBs. Namakkal, Kumbakonam and Mayiladuthurai ULBs have also been sanctioned for Bio-mining. Final Detailed Project Report for Dumpsite capping under preparation for Tiruchirappalli Corporation and 10 Municipalities

7) **Construction and Demolition Waste Management:** It is proposed to establish a plant of 100 TPD capacity in Coimbatore City Corporation for the disposal of Construction and Demolition waste. Necessary DPR has been prepared. A series of discussions were held to decide a sustainable operation model by adopting PPP mode or Built Operate Own and Transfer (BOOT) Model. The outcome of the series of discussions held in addition to the study of existing two plants in Delhi gives inference that there would be a recurring Operation and Maintenance expenditure for which the local bodies are framing new regulations to generate revenue by way of collection of fees from the waste generators. Similarly, a new design was developed by the Director of Municipal Administration for establishing and handling 50 TPD C&D waste, which would cater the need of the corporation with 5-10 lakhs population. In the 1st phase 5 Corporations namely, Coimbatore, Madurai, Tiruppur, Vellore and Thiruchirappalli have been instructed to prepare DPR for C&D waste.



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8) **Behavior Change Campaign:** 13396 Behavior Change Communication Campaigns have been conducted by Self Help Group, NGOs, Community Based Organisations and 1903 campaigns have been conducted at various schools.

9) **Cost Recovery / User Charges:** Sembakkam and Avadi Municipalities have passed resolutions for collection of user charges.

In view of the above facts and circumstances stated herein, it is humbly submitted that Municipal Administration and Water Supply Department of Tamil Nadu is taking all earnest efforts for the effective management of Municipal Solid Waste and it is prayed that this Hon'ble Tribunal may be pleased to record the Compliance affidavit and the status report filed by this State Government and to pass such orders as it deems fit and thus render justice.



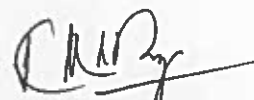

Deponent

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VERIFICATION

I, the above named deponent, do hereby declare that the facts and information stated in the above stated paras are true and correct to the best of my knowledge and belief, no new plea is made and no material fact has been concealed there from and verified the same on this the day of July 2015 at Chennai.



Deponent

Principal Secretary to Government
M.A. & W.S. Department
Secretariat,
Chennai - 600 009.

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Identified by me

D.N. DHURGASHA, B.Sc., B.L.,
ADVOCATE - NOTARY PUBLIC
No: 114, IYAH MUDALI STREET,
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Filed through

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Chamber No.326, New Lawyer's Chamber,
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New Delhi - 110001 Mob. 9868129142