

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
AT EASTERN ZONE BENCH, KOLKATA
MEMORANDUM OF APPLICATION / APPEAL
O.A. NO. - 83/2024/EZ

IN THE MATTER OF:

NAGARIK SWARTHARAKSHA SANGRAM PARISAD

....PETITIONER/ APPLICANT

VERSUS

THE STATE OF ASSAM & OTHERS

....RESPONDENT(S)

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DATED: 22.05.2024

FILED BY:

Advocate

High Court, Calcutta

F/1661/1558/2016

1, Crooked Lane, 1st Floor
Room No. 115, Kolkata -
700069

Sl. No. 9125.....
Date 22/5/24

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
AT EASTERN ZONE BENCH, KOLKATA
MEMORANDUM OF APPLICATION / APPEAL
O.A. NO. - 83/2024/EZ

IN THE MATTER OF:

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.... PETITIONER/ APPLICANT

VERSUS

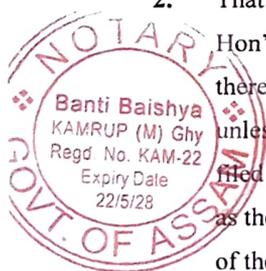
THE STATE OF ASSAM & OTHERS

.... RESPONDENT(S)

**COUNTER AFFIDAVIT ON BEHALF OF POLLUTION CONTROL
BOARD, ASSAM, RESPONDENT NO. 2**

I, Shri. Mukunda Madhab Bora, aged about 58 years, working as Addl. Chief Environmental Engineer in Pollution Control Board, Assam, having its office at Bamunimaidam, Guwahati – 781 021, Assam, do hereby solemnly affirm and state as follows:

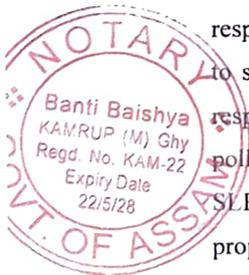
1. That the deponent is working as Addl. Chief Environmental Engineer in the Pollution Control Board, Assam, which has been impleaded through its Member Secretary as Respondent No. 2 in the present Application. I am well conversant with the facts and circumstances of the present case and being duly authorized to swear and affirm this Affidavit on behalf of the Respondent No. 2 being the answering respondent herein, and as such the deponent is competent to swear the present counter affidavit.
2. That the deponent has gone through the Application filed by the Applicant before the Hon'ble Tribunal being O.A. No. – 83/2024/EZ and understood the contents and meaning thereof. At the outset, the deponent denies each and every averment made by the Applicant unless the same is expressly admitted hereinafter. The instant Counter Affidavit is being filed for the limited purpose of replying to the contentions made in the Application, so far as the same concerns the Answering Respondent herein, and being limited in scope, no part of the application shall be deemed to be admitted by the Answering Respondent on account of non-traversal.
3. By virtue of an order dated 18.04.2024 passed by the Hon'ble Tribunal, the respondent no. 2 i.e., the Answering Respondent has been directed to file its Counter Affidavit to the Original Application being OA No. 83/2024/EZ preferred by the applicant. The present affidavit is being filed in terms thereof. In this connection, a copy of the said Order dated



22/5/24
Banti Baishya
NOTARY, GOVT. OF ASSAM
KAMRUP (Metro) Guwahati
Regd. No.: KAM-22

18.04.2024 passed by the Hon'ble Tribunal is annexed hereto and marked "ANNEXURE I".

4. The Deponent humbly submits that the instant affidavit is being filed with specific purpose to appraise this Hon'ble Tribunal regarding the counter affidavit on behalf of the Pollution Control Board, Assam, Respondent No. 2 herein.
5. With regards to paragraph nos. 1, 2 and 3 of the application, the answering respondent states that the submissions of the paragraphs of the application are matter of record, however no part of the averments contained in the said paragraphs shall be deemed to be admitted by the Answering Respondent on account of non-traversal.
6. With regards to averments made in paragraph nos. 1 to 10 under heading "Brief Facts of the Case" in the application, the answering respondent does not make any comment thereto.
7. With regards to averments made in paragraph no. 11 under heading "Brief Facts of the Case" in the application, the same are matters of record.
8. With regards to averments made in paragraph nos. 12 and 13 under heading "Brief Facts of the Case" in the application, the answering respondent does not make any comment thereto.
9. With regards to averments made in paragraph 14 under heading "Brief Facts of the Case" in the application, the same are matters of record and answering respondent does not comment therein.
10. With regards to averments made in paragraph 15 under heading "Brief Facts of the Case" in the application, save and except what are the matters of facts and records, the answering respondent denies and disputes each and every statement made therein. The applicant is put to strict proof of the statements made in the paragraphs under reference. The answering respondent states and submits that for prevention, control, prohibition or abatement of pollution, on or about 13.05.2021, the answering respondent carried out an inspection of SLRM Project Site at Silchar with regard dumping of Municipal Solid Waste/Garbage and proper segregation procedure of solid wastes. However, it appeared that the procedure followed by the SLRM Project Authority with regard dumping of Municipal Solid Waste/Garbage was not in terms of the Solid Waste Management Rules, 2016. In view of the above, the answering respondent issued letters to the Deputy Commissioner, Cachar on 14/07/2021 under Ref. No.: RLO/SLC/T-3148/2021-22/15/133 and the Executive Officer, Silchar Municipal Board on 25/08/2023 under Ref. No.: RLO/SLC/2010-11/G-13/Pt.VI/232/303 respectively seeking initiatives to be taken by the concerned authorities

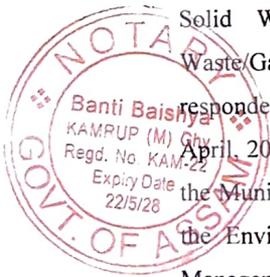


22/5/24

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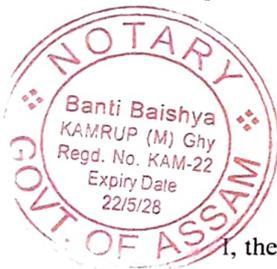
for proper management of Liquid and Solid waste as per the provisions of Solid Waste Management Rules, 2016. In this connection, copies of the said letters dated 14.07.2021 and 25.08.2023 are annexed hereto and collectively marked "ANNEXURE II (COLLY)".

11. With regards to averments made in paragraph nos. 16 and 17 under heading "Brief Facts of the Case" in the application, the same are matter of record.
12. With regards to averments made in paragraph nos. 18 and 19 under heading "Brief Facts of the Case" in the application, so far as the same concerns the Answering Respondent herein, the answering respondent relies on its letter dated 20.06.2022 under Ref. No.: WB/T-266/20-21/118/559 which was circulated to the Executive Officers of all Municipal Boards issuing directions under Section 5 of the Environment (Protection) Act, 1986 for compliance vis-à-vis implementation of the provisions of Solid Waste Management Rules, 2016 in view of the SWM Rules, 2016 notified by the Central Government under the Environment (Protection) Act, 1986 and guidelines passed by the Hon'ble Tribunal vide its Order dated 22/04/2022 in the matter of OA No. 288/22 and Central Pollution Control Board and thereby also seeking for an action report on the same from the municipal boards. In this connection, a copy of the said letter dated 20.06.2022 is annexed hereto and marked "ANNEXURE III".
13. With regards to averments made in paragraph nos. 20, 21 and 22 under heading "Brief Facts of the Case" in the application, the same are matter of record.
14. With regards to averments made in paragraph nos. 23, 24 and 25 under heading "Brief Facts of the Case" in the application, so far as the same concerns the Answering Respondent herein, the answering respondent relies on the abovementioned letters dated 14.07.2021, 25.08.2021 and 20.06.2022 which were issued by the answering respondent to various departments and concerned authorities seeking implementation of the provisions of Solid Waste Management Rules, 2016 towards dumping of Municipal Solid Waste/Garbage and proper segregation procedure of solid wastes. The answering respondent further states and submits that it has very recently issued a letter dated 23rd April, 2024 under Ref. No.: WB/T-266/20-21/141 to 236/167 to the Executive Officers of the Municipal Boards as per the list enclosed therein issuing directions under Section 5 of the Environment (Protection) Act, 1986 with regard implementation of Solid Waste Management Rules, 2016 and an action report has also been sought for on the same. In this connection, copy of the said letter dated 23.04.2024 is annexed hereto and marked "ANNEXURE IV".
15. With regards to averments made in paragraph nos. 26, 27 and 28 under heading "Brief Facts of the Case" in the application, the same are matter of record and answering respondent does not make any comment thereto.



m. l. u. y.
22/5/24
Banti Baishya
NOTARY, GOVT. OF ASSAM
KAMRUP (Metro) Guwahati
Regd. No.: KAM-22

16. With regards to averments made in paragraph no. 29 under heading "Brief Facts of the Case" in the application, so far as the same concerns the Answering Respondent herein, the answering respondent repeat and reiterate the statement made herein above and further relies upon the abovementioned letters dated 14.07.2021, 25.08.2021, 20.06.2022 and 23.04.2024 issued by the answering respondent on diverse dates to various departments and concerned authorities seeking implementation of the Solid Waste Management Rules, 2016 towards dumping of Municipal Solid Waste/Garbage and proper segregation procedure of solid wastes.
17. With regards to averments made in paragraph no. 30 under heading "Brief Facts of the Case" in the application, the same are matter of record and the answering respondent has acted so far, the answering respondent is concerned.
18. With regards to averments made in paragraph no. 31 under heading "Brief Facts of the Case" in the application and the Grounds mentioned thereto, so far as the same concerns the Answering Respondent herein, the answering respondent repeat and reiterate the statements made therein.
19. In reference to the prayers made in the said application, in so far as the answering respondent is concerned, the answering deponent submits that the answering respondent is duty bound to abide by and implement any direction and/or directions, order and/or orders passed by the Hon'ble Tribunal in the facts and circumstances of the present case.



Mukunda Madhab Bara

DEPONENT

VERIFICATION

I, the deponent herein above, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief, that no part of it is false and nothing material has been concealed therefrom.

Verified at Guwahati on this the nd 22 day of May, 2024.

Mukunda Madhab Bara

DEPONENT

Identified by

[Signature]
Advocate's Clerk

NOTARY COMMISSIONER
Guwahati
I, the undersigned, certify that I read over and Explained the contents to the declarant and that the declarant seemed perfectly to understand them.

Mukunda Madhab Bara
22/5/24

Banti Baishya
NOTARY GOVT OF ASSAM
KAMRUP (Metro) Guwahati
Regd. No. KAM-22

ANNEXURE - I

Item No.01

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.83/2024/EZ

Nagarik Swartharaksha Sangram Parisad

Applicant(s)

Versus

The State of Assam & Ors.

Respondent(s)

Date of hearing: 18.04.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Ms. Madhumita Bhattacharjee, Advocate (in Virtual Mode)

ORDER

1. This Original Application has been filed by the Applicant-Parishad alleging rampant dumping of garbage in the entire town of Silchar without any monitoring in terms of Solid Waste Management Rules, 2016 thereby threatening serious health hazard to the residents of the town of the Silchar. It is stated that the town of Silchar generates about 100 tons of garbage per day out of which 60 tons are dumped in Meherpur dumping ground whereas 40 tons are thrown all around the place including vacant grounds and drains.
2. It is alleged that this has led to drains in the town Silchar being totally clogged and contaminated with garbage dumping particularly in the rainy season when the town gets submerged and is contaminated with obnoxious water.
3. It is also alleged that the Applicant had sent a letter to the Respondent No.4, Executive Officer, Silchar Municipal Board, regarding cleanliness drive on the N.N. Dutta Raod, Silchar on 24.02.2022 to remove the garbage on the road and clean the drains in the town of Silchar but no action was taken.

4. A further letter was sent on 08.03.2022 to the Executive Officer, Silchar Municipal Board regarding disposal of garbage but nothing has been done.
5. Another letter was sent on 29.03.2022 to the Executive Officer, Silchar Municipal Board, to provide garbage collection buckets to the residents and shop owners of Chengcoorie Road on 29.03.2022.
6. A further letter dated 26.04.2022 was sent to the Executive Officer, Silchar Municipal Board, to provide garbage collection buckets to the residents and shop owners of Satsang Ashram Road Market and Azad Hind Road including Chengcoorie Road but nothing has been done so far.
7. Matter requires consideration.
8. Issue notice to the Respondents, returnable within four weeks.
9. Ms. Malabika Roy Dey, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the State Respondents, Respondent No.1, 3 and 5.
10. Mr. Shyambar Deb, learned Counsel states that he has instructions from the Respondent No.2, Assam State Pollution Control Board to take notice of this case.
11. Mr. Ashok Prasad, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No.6, Central Pollution Control Board.
12. Issue notice to the Respondent No.4, Silchar Municipal Board, returnable within four weeks.
13. All the Respondents shall file their counter-affidavits within four weeks.
14. The Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon Ms. Malabika Roy

Dey, Mr. Shyambar Deb and Mr. Ashok Prasad, Counsel for the Respondents within 48 hours.

15. **List on 24.05.2024.**

.....
B. Amit Sthalekar, JM

April 18, 2024,
Original Application No.83/2024/EZ
MN

.....
Dr. Arun Kumar Verma, EM

ANNEXURE - II (COLLY)



Pollution Control Board::Assam
 (An ISO 9001:2008 & BS OHSAS18001:2007 Certified Organisation)
 Head Office: Bamunimaidam, Guwahati-781021, Assam : India,
Regional Laboratory Cum Office, Silchar
 (Department of Environment & Forest:: Government of Assam)
 (1st. Floor of Silchar Development Authority Building; P.W.D. Road)
 P.O.: Silchar-1; Dist: Cachar, Assam.
 Phone No.-(03842-262205), E-mail:ro_silchar@pcbassam.org.



NO.RLO/SLC/T-3148/2021-22/15 | 1933

Dated Silchar, the 14th. July, 2021.

To.

The Deputy Commissioner, Cachar,
 O/O the Deputy Commissioner, Cachar, Silchar,
 P.O.: Silchar-01, Dist: Cachar, Assam.
 PIN:788001.

Sub: Dumping of Municipal Solid Waste/Garbage without following the Solid Waste Management Rules, 2016 by SLRM Project in the abandoned BRTF Campus- Regarding Inspection Etc.

Ref: The Principal, Cachar College Silchar Letter No.CC/SLRM Project/2021/06 Dtd. 24/05/2021.

Madam,

With reference to the above, I have the honour to inform you that the Officials of Pollution Control Board, Assam, Regional Laboratory Cum Office, Silchar have visited the site of SLRM Project for Dumping of Municipal Solid Waste/Garbage at the abandoned BRTF Campus, Trunk Road, P.O.: Silchar-01, Dist: Cachar and Cachar College, Silchar on 13/05/2021 and found that the management authority of SLRM project have not followed the Solid Waste Management Rules, 2016 for dumping of Municipal Solid Waste with proper segregation procedure of solid wastes. Due to violation of Solid Waste Management Rules, 2016 by SLRM Project Authority, the surrounding area of Trunk Road and western side of Cachar College has become an unhygienic and may lead to a serious health hazard due to air and water pollution etc.

In view of this, I request your honour kindly to look into the matter and necessary directions may be issued to the concerned authority for complying the Solid Waste Management Rules,2016.

This is for favour of your kind information please.

Yours faithfully

MC

(K. Basumary)

Regional Executive Engineer
 PCBA, RLO: Silchar.

Dated Silchar, the 14th. July, 2021.

Memo No.RLO/SLC/T-3148/2021-22/15A | 1933

- Copy to:
1. The Member Secretary, Pollution Control Board, Assam for favour of kind information.
 2. The Executive Officer, Silchar Municipal Board, Silchar for favour of kind information.
 3. The Principal, Cachar College, Trunk Road, P.O: Silchar-01, Dist: Cachar, (Assam), PIN: 788001 for favour of kind information.
 4. The Incharge, SLRM Project, Abandoned BRTF Campus, Trunk Road, P.O.: Silchar-01, Dist: Cachar, Assam, Pin: 788001 for information and necessary action.

(K. Basumary)

Regional Executive Engineer
 PCBA, RLO: : Silchar.



Pollution Control Board::Assam

(An ISO 9001:2008 & BS OHSAS18001:2007 Certified Organisation)

Head Office: Bamunimaidam, Guwahati-781021, Assam : India,

Regional Laboratory Cum Office, Silchar

(Department of Environment & Forests:: Government of Assam)

(1st. Floor of Silchar Development Authority Building; P.W.D. Road)

P.O.: Silchar-1; Dist: Cachar, Assam.

Phone No.-(03842-262205), E-mail:rosilchar.pcba@gmail.com



LIFE
Lifestyle For
Environment

NO.RLO/SLC/2010-11/G-13/Pt.VI/232

Dated Silchar, the 25th. August 2023

To,

The Executive Officer,
Silchar Municipal Board,
P.O.: Silchar-01, Dist: Cachar,
Assam, PIN:788001.



Sub: Serious water pollution created due to direct sewer line from the adjacent buildings to Rangirkhal, Silchar Town.

Ref: Nagarik Swartharaksha Sangram Parisad Letter No. NSSP/23-24/29/1851-54 Dtd.11/08/2023.

Sir,

This has a reference to the complaint petition received from Nagarik Swartharaksha Sangram Parisad, Church Road, Ambicapatty, Silchar-04, Dist: Cachar, Assam and inspection carried out by officials of PCBA, RLO: Silchar in order to verify that adjacent buildings of rangirkhal areas directly discharges their sewer and they have not constructed septic tank in their residences as per rules, which contaminates water of Rangirkhal and have been hampering the progress of the project "Road widening & providing heavy guard wall protecting both sides of Rangirkhal" which is executed by Executive Engineer, Department of Housing & Urban Affairs, Barak Valley Division, Kanakpur, Silchar, Cachar.

In view of these, I have the honour to request you kindly look into the matter and make necessary directions to the residential houses which are under the holding number of Silchar Municipal Board located at both bank of Rangirkhal starting point to end point areas to abstain from such type of discharging sewer directly to Rangirkhal also abstain from dumping practices of Municipal Solid Waste in the stream.

Moreover, I have the honour to request you kindly to take some initiative for proper Liquid and Solid Waste Management according to the provision of Rule 15 of the Solid Waste Management Rules,2016, notified by the Ministry of Environment, Forest & Climate Change, Govt of India, Vide Notification No.S.O.1357(E) dtd.8th. April,2016.

This is for favour of your kind information please.

Yours faithfully

Encl: As stated.

dc

(K. Basumatary)

Regional Executive Engineer
PCBA, RLO:: Silchar.

Memo No. RLO/SLC/2010-11/G-13/PT.-VI/232-A

Dated Silchar, the 25th. August, 2023.

- Copy to:
1. The Member Secretary, Pollution Control Board, Assam for favour of kind information.
 2. The District Commissioner, Cachar District, Silchar for favour of kind information.
 3. The Executive Engineer, Department of Housing & Urban Affairs, Barak Valley Division, Kanakpur, P.O: Silchar-06, Dist: Cachar, (Assam), PIN: 788006 for information please.
 4. The General Secretary (Shri Haridas Dutta), Nagarik Swartharaksha Sangram Parisad, Church Road, Ambicapatty, Silchar-04, Dist: Cachar, Assam, PIN: 788004 for information please.

(K. Basumatary)

Regional Executive Engineer
PCBA, RLO: : Silchar.

ANNEXURE-III



Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

অসম প্রদূষণ নিয়ন্ত্রণ পৰিষদ
(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

No.WB/T-266/20-21 / 118
559

Dated Guwahati, the 20th of June, 2022

To,

Executive Officer,
All Municipal Board

Subject: Direction under Section 5 of the Environment (Protection) Act, 1986

Whereas the Central government has notified the Solid Waste Management Rules, 2016 under the Environment (Protection) Act, 1986 to improve collection, segregation, transportation, processing and disposal of solid waste.

Whereas as per rule 15(zh) of the said rules, all ULBs have to stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over.

Whereas as per rule 15(zj) all ULBs shall investigate and analyze all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;

Whereas as per rule 15 (za) & (zb) all ULBs prepare and submit annual report in Form IV to State Pollution Control Board before 31st May of every year.

Whereas waste dumpsites with inadequate safety and pollution control measures is prone to catching fire and has adverse impacts on environment.

Whereas the Hon'ble NGT in its order dtd 22/04/22 in matter of O.A No. 288/2022 has stated that Dumpsites may be considered as isolated and vulnerable site which require On-site and Off-site fire and other disaster management plans.

Whereas CPCB has already prepared a comprehensive document on guidelines for disposal of Legacy wastes (Old Municipal Solid Waste)

Whereas PCBA has issued directions to the Directorate of Municipal Administration for preparing on-site/off-site emergency plans for the waste dumpsites.

Whereas the Central government vide notification S.O.327 (E) dtd 10/04/2001 has delegated the powers vested in it under section 5 of the Environment (Protection) Act, 1986 to the Chairman, Pollution Control Board Assam to issue any directions to any industry or any local or other authority for violation of the standard and rules relating to municipal solid waste rules including plastic waste rules notified under the Environment (protection) Act, 1986.

Therefore, in view of the above and in exercise of powers under section 5 of the Environment (Protection) Act, 1986 vested to the Chairman, PCBA, the following directions are issued for compliance.

1. Ensure implementation of the provisions of Solid Waste Management Rules, 2016.
2. Implement the on-site/off-site emergency for the dumpsite once they are prepared and approved by DDMA.
3. Until the preparation of on-site/off-site emergency plans, the following interim actions may be initiated immediately:

Head Office : Bamunimaidam, Guwahati - 781021, Assam : India.

Phone : 2652774 & 2550258 : Fax : 0361-2550259 ; Gram : POLLUTIONCONTOL

E-mail : membersecretary@pcbassam.org; Website : www.pcbassam.org

Regional Offices at : Dibrugarh, Golaghat, Sibsagar, Tezpur, Guwahati, Bongaigaon, Nagaon & Silchar.



Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

অসম প্রদূষণ নিয়ন্ত্রণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

- a) Ensure that fresh waste is not dumped in the old dumpsite where bio-mining of legacy waste is being undertaken.
- b) Methane gas detectors (on downward side) to be installed at dumpsite so that area with high methane concentration can be identified and preventive actions be undertaken.
- c) Temperature of the waste dumps to be monitored with non-contact infrared thermometer and records must be maintained. The temperature needs to be in the range of 35⁰ C to 59⁰ C.
- d) Install CCTV cameras at the site and maintain proper fencing around the boundary.
- e) Adequate fire safety measures to be taken immediately. Arrangements for adequate storage of sand/ chemical fire extinguishing medias such as foam or powder at the site to be made. Usage of water for extinguishing the fire to be avoided. All mobile equipment or vehicles should be fitted with fire extinguisher and spark arrester.
- f) Fire protection measures, safety equipments and PPEs to be provided to all workers of the dumpsite. Workers to be trained for detection of fire as well as necessary action to be taken in case of fire. Training of workers on waste handling also to be provided periodically.
- g) Periodic mock drills to be conducted to prevent fire accidents in the site. Fire safety and hazardous emission audits to be conducted.

You are hereby directed to submit an action taken report within 15 days from the receipt of this communication with all points covered.


(Arup Kumar Misra)
Chairman

ANNEXURE - IV



Pollution Control Board, Assam
(Department of Environment & Forests, Government of Assam)

অসম প্রদূষণ নিয়ন্ত্রণ পৰিষদ
(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

NABL Accredited Testing Laboratory : Certificate No. TC-11384



No.WB/T-266/20-21/141 to 236
167

Dated Guwahati, the 23rd of April, 2024

To,

All Urban Local Bodies, Assam
As per list

Subject: Direction under Section 5 of the Environment (Protection) Act, 1986 regarding implementation of Solid Waste Management Rules, 2016.

Whereas, the Central government has notified the Solid Waste Management Rules, 2016 under the Environment (Protection) Act, 1986 vide notification S.O. 1357(E) dtd 8th April, 2016 to improve collection, segregation, transportation, processing and disposal of solid waste.

Whereas, as per section 15 of the above rules, the duties and responsibilities of local authorities includes collection and transportation of segregated waste, processing of waste and its final disposal.

Whereas, as per section 15(b) of the above rules, Local bodies shall arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises.

Whereas, as per section 15(h) of the above rules, Local bodies shall setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste.

Whereas, as per section 15(i) & (j) of the above Rules, Local Bodies shall establish waste deposition centres for domestic hazardous waste and ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board.

Whereas, as per section 15(v) of the above Rules, Local Bodies shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency.

Whereas, as per section 15 (r) of the above Rules, Local Bodies shall undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure for disposal of residual wastes.

Whereas, as per section 15 (zg) of the above rules, local Bodies shall create public awareness through information, education and communication campaign and educate the waste generators to practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source and handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies.

Whereas, Necessary infrastructure for implementation of these rules shall be created by the local bodies within the timeframe specified in rule 22 of the above Rules.

Cont... p/2

-2-

Whereas as per section 15(zh) of the said rules, all ULBs have to stop land filling or dumping of mixed waste soon after the timeline as specified in rule 22 for setting up and operationalization of sanitary landfill is over.

Whereas, as per sections 15 (za) & (zb) of the above Rules, local bodies shall prepare and submit annual report in prescribed format to State Pollution Control Board by the 31st May of every year.

Whereas, it is observed that adequate infrastructure for collection, transportation, processing and disposal of Solid waste has not been setup by the Local bodies even after the expiry of the timeframe stipulated in rule 22 of the above Rules.

Whereas, State Pollution Control Boards are empowered to enforce the Solid Waste Management Rules, 2016 in their State through local bodies in their respective jurisdiction under section 16 of the above Rules.

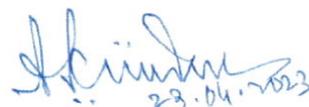
Whereas the Central government vide notification S.O.327 (E) dtd 10/04/2001 has delegated the powers vested in it under section 5 of the Environment (protection) Act, 1986 to the Chairman, Pollution Control Board Assam to issue any directions to any industry or any local or other authority for violation of the standard and rules relating to municipal solid waste rules including plastic waste rules notified under the Environment (protection) Act, 1986.

Therefore, in view of the above and in exercise of powers under section 5 of the Environment (Protection) Act, 1986 vested to the Chairman, PCBA, the following directions are issued for compliance.

1. To create awareness and direct households to practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source.
2. To arrange for door to door collection of all segregated solid waste including sanitary waste from all households.
3. To establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal.
4. To ensure safe disposal of domestic hazardous waste and used sanitary waste as per the provisions of the Solid Waste management rules, 2016 and guidelines issued by CPCB.
5. To stop land filling or dumping of mixed waste without treatment immediately.
6. To ensure setting up all necessary infrastructure like Material Recovery facility, Waste Processing Facility, SLF etc immediately.
7. To provide details of land identified/ procured for setting up of waste processing facilities/SLF and submit status of progress made in establishment of waste processing facilities and SLF.
8. To obtain prior Environmental clearance from SEIAA and prior Consent from PCBA for setting up of above facilities and notify buffer zones.
9. To Submit annual report in Form IV for the year 2023 on implementation of the Solid Waste Management Rules, 2016 to Pollution Control Board Assam within 31st May, 2024.

You are hereby directed to submit an action taken report within 15 days from the receipt of these directions.

o/c


 (Arup Kumar Misra)
 Chairman

Sl. No.	Name of the Urban Local Body	Letter No.
1	Abhayapuri M.B.	WB/T-266/20-21/141 Dated Guwahati, the 23rd of April, 2024
2	Amguri M.B.	WB/T-266/20-21/142 Dated Guwahati, the 23rd of April, 2024
3	B. Chariali M.B.	WB/T-266/20-21/143 Dated Guwahati, the 23rd of April, 2024
4	Badarpur M.B.	WB/T-266/20-21/144 Dated Guwahati, the 23rd of April, 2024
5	Barpathar M.B.	WB/T-266/20-21/145 Dated Guwahati, the 23rd of April, 2024
6	Barpeta M.B.	WB/T-266/20-21/146 Dated Guwahati, the 23rd of April, 2024
7	Barpeta Road. M.B.	WB/T-266/20-21/147 Dated Guwahati, the 23rd of April, 2024
8	Basugaon M.B.	WB/T-266/20-21/148 Dated Guwahati, the 23rd of April, 2024
9	Bihpuria M.B.	WB/T-266/20-21/149 Dated Guwahati, the 23rd of April, 2024
10	Bijni M.B.	WB/T-266/20-21/150 Dated Guwahati, the 23rd of April, 2024
11	Bilasipara M.B.	WB/T-266/20-21/151 Dated Guwahati, the 23rd of April, 2024
12	Bokajan M.B.	WB/T-266/20-21/152 Dated Guwahati, the 23rd of April, 2024
13	Bokakhat M.B.	WB/T-266/20-21/153 Dated Guwahati, the 23rd of April, 2024
14	Bakalia M.B.	WB/T-266/20-21/154 Dated Guwahati, the 23rd of April, 2024
15	Bongaigaon M.B.	WB/T-266/20-21/155 Dated Guwahati, the 23rd of April, 2024
16	Chabua M.B.	WB/T-266/20-21/156 Dated Guwahati, the 23rd of April, 2024
17	Chapakhowa M.B.	WB/T-266/20-21/157 Dated Guwahati, the 23rd of April, 2024
18	Chapar M.B.	WB/T-266/20-21/158 Dated Guwahati, the 23rd of April, 2024
19	Demow M.B.	WB/T-266/20-21/159 Dated Guwahati, the 23rd of April, 2024
20	Dergaon M.B.	WB/T-266/20-21/160 Dated Guwahati, the 23rd of April, 2024
21	Dhakuakhana M.B.	WB/T-266/20-21/161 Dated Guwahati, the 23rd of April, 2024
22	Dhekiajuli M.B.	WB/T-266/20-21/162 Dated Guwahati, the 23rd of April, 2024
23	Dhemaji M.B.	WB/T-266/20-21/163 Dated Guwahati, the 23rd of April, 2024
24	Dhing M.B.	WB/T-266/20-21/164 Dated Guwahati, the 23rd of April, 2024

Sl. No.	Name of the Urban Local Body	Letter No.
25	Dhubri M.B.	WB/T-266/20-21/165 Dated Guwahati, the 23rd of April, 2024
26	Dibrugarh M.B.	WB/T-266/20-21/166 Dated Guwahati, the 23rd of April, 2024
27	Digboi M.B.	WB/T-266/20-21/167 Dated Guwahati, the 23rd of April, 2024
28	Diphu M.B.	WB/T-266/20-21/168 Dated Guwahati, the 23rd of April, 2024
29	Doboka M.B.	WB/T-266/20-21/169 Dated Guwahati, the 23rd of April, 2024
30	Dokmoka M.B.	WB/T-266/20-21/170 Dated Guwahati, the 23rd of April, 2024
31	Donkamokum M.B.	WB/T-266/20-21/171 Dated Guwahati, the 23rd of April, 2024
32	Doom Dooma M.B.	WB/T-266/20-21/172 Dated Guwahati, the 23rd of April, 2024
33	Guwahati Municipal Corporation	WB/T-266/20-21/173 Dated Guwahati, the 23rd of April, 2024
34	Gauripur M.B.	WB/T-266/20-21/174 Dated Guwahati, the 23rd of April, 2024
35	Goalpara M.B.	WB/T-266/20-21/175 Dated Guwahati, the 23rd of April, 2024
36	Gohpur M.B.	WB/T-266/20-21/176 Dated Guwahati, the 23rd of April, 2024
37	Golaghat M.B.	WB/T-266/20-21/177 Dated Guwahati, the 23rd of April, 2024
38	Goreswar M.B.	WB/T-266/20-21/178 Dated Guwahati, the 23rd of April, 2024
39	Gossaigaon M.B.	WB/T-266/20-21/179 Dated Guwahati, the 23rd of April, 2024
40	Haflong M.B.	WB/T-266/20-21/180 Dated Guwahati, the 23rd of April, 2024
41	Hailakandi M.B.	WB/T-266/20-21/181 Dated Guwahati, the 23rd of April, 2024
42	Hamren M.B.	WB/T-266/20-21/182 Dated Guwahati, the 23rd of April, 2024
43	Hojai M.B.	WB/T-266/20-21/183 Dated Guwahati, the 23rd of April, 2024
44	Howly M.B.	WB/T-266/20-21/184 Dated Guwahati, the 23rd of April, 2024
45	Howraghat M.B.	WB/T-266/20-21/185 Dated Guwahati, the 23rd of April, 2024
46	Jorhat M.B.	WB/T-266/20-21/186 Dated Guwahati, the 23rd of April, 2024
47	Kajalgaon M.B.	WB/T-266/20-21/187 Dated Guwahati, the 23rd of April, 2024
48	Kampur M.B.	WB/T-266/20-21/188 Dated Guwahati, the 23rd of April, 2024

Sl. No.	Name of the Urban Local Body	Letter No.
49	Karimganj M.B.	WB/T-266/20-21/189 Dated Guwahati, the 23rd of April, 2024
50	Kharupetia M.B.	WB/T-266/20-21/190 Dated Guwahati, the 23rd of April, 2024
51	Kokrajhar M.B.	WB/T-266/20-21/191 Dated Guwahati, the 23rd of April, 2024
52	Lakhipur M.B.(Cachar)	WB/T-266/20-21/192 Dated Guwahati, the 23rd of April, 2024
53	Lakhipur M.B.(Goalpara)	WB/T-266/20-21/193 Dated Guwahati, the 23rd of April, 2024
54	Lala M.B.	WB/T-266/20-21/194 Dated Guwahati, the 23rd of April, 2024
55	Lanka M.B.	WB/T-266/20-21/195 Dated Guwahati, the 23rd of April, 2024
56	Lumding M.B.	WB/T-266/20-21/196 Dated Guwahati, the 23rd of April, 2024
57	Mahur M.B.	WB/T-266/20-21/197 Dated Guwahati, the 23rd of April, 2024
58	Maibong M.B.	WB/T-266/20-21/198 Dated Guwahati, the 23rd of April, 2024
59	Makum M.B.	WB/T-266/20-21/199 Dated Guwahati, the 23rd of April, 2024
60	Mangaldai M.B.	WB/T-266/20-21/200 Dated Guwahati, the 23rd of April, 2024
61	Margherita M.B.	WB/T-266/20-21/201 Dated Guwahati, the 23rd of April, 2024
62	Moran M.B.	WB/T-266/20-21/202 Dated Guwahati, the 23rd of April, 2024
63	Moriani M.B.	WB/T-266/20-21/203 Dated Guwahati, the 23rd of April, 2024
64	Morigaon M.B.	WB/T-266/20-21/204 Dated Guwahati, the 23rd of April, 2024
65	N. Lakhimpur M.B.	WB/T-266/20-21/205 Dated Guwahati, the 23rd of April, 2024
66	N.Guwahati M.B.	WB/T-266/20-21/206 Dated Guwahati, the 23rd of April, 2024
67	Nagaon M.B.	WB/T-266/20-21/207 Dated Guwahati, the 23rd of April, 2024
68	Naharkatia M.B.	WB/T-266/20-21/208 Dated Guwahati, the 23rd of April, 2024
69	Nalbari M.B.	WB/T-266/20-21/209 Dated Guwahati, the 23rd of April, 2024
70	Namrup M.B.	WB/T-266/20-21/210 Dated Guwahati, the 23rd of April, 2024
71	Narayanpur M.B.	WB/T-266/20-21/211 Dated Guwahati, the 23rd of April, 2024
72	Nazira M.B.	WB/T-266/20-21/212 Dated Guwahati, the 23rd of April, 2024

Sl. No.	Name of the Urban Local Body	Letter No.
73	Palasbari M.B.	WB/T-266/20-21/213 Dated Guwahati, the 23rd of April, 2024
74	Patacharkuchi M.B.	WB/T-266/20-21/214 Dated Guwahati, the 23rd of April, 2024
75	Pathsala M.B.	WB/T-266/20-21/215 Dated Guwahati, the 23rd of April, 2024
76	Raha M.B.	WB/T-266/20-21/216 Dated Guwahati, the 23rd of April, 2024
77	Rangapara M.B.	WB/T-266/20-21/217 Dated Guwahati, the 23rd of April, 2024
78	Rangia M.B.	WB/T-266/20-21/218 Dated Guwahati, the 23rd of April, 2024
79	Sapatgram M.B.	WB/T-266/20-21/219 Dated Guwahati, the 23rd of April, 2024
80	Sarthebari M.B.	WB/T-266/20-21/220 Dated Guwahati, the 23rd of April, 2024
81	Sarupathar M.B.	WB/T-266/20-21/221 Dated Guwahati, the 23rd of April, 2024
82	Silapathar M.B.	WB/T-266/20-21/222 Dated Guwahati, the 23rd of April, 2024
83	Silchar M.B.	WB/T-266/20-21/223 Dated Guwahati, the 23rd of April, 2024
84	Simaluguri M.B.	WB/T-266/20-21/224 Dated Guwahati, the 23rd of April, 2024
85	Sivasagar M.B.	WB/T-266/20-21/225 Dated Guwahati, the 23rd of April, 2024
86	Sonai M.B.	WB/T-266/20-21/226 Dated Guwahati, the 23rd of April, 2024
87	Sonari M.B.	WB/T-266/20-21/227 Dated Guwahati, the 23rd of April, 2024
88	Sorbhog M.B.	WB/T-266/20-21/228 Dated Guwahati, the 23rd of April, 2024
89	Tangla M.B.	WB/T-266/20-21/229 Dated Guwahati, the 23rd of April, 2024
90	Teok M.B.	WB/T-266/20-21/230 Dated Guwahati, the 23rd of April, 2024
91	Tezpur M.B.	WB/T-266/20-21/231 Dated Guwahati, the 23rd of April, 2024
92	Tihu M.B.	WB/T-266/20-21/232 Dated Guwahati, the 23rd of April, 2024
93	Tinsukia M.B.	WB/T-266/20-21/233 Dated Guwahati, the 23rd of April, 2024
94	Titabar M.B.	WB/T-266/20-21/234 Dated Guwahati, the 23rd of April, 2024
95	Udalguri M.B.	WB/T-266/20-21/235 Dated Guwahati, the 23rd of April, 2024
96	Umrangshu M.B.	WB/T-266/20-21/236 Dated Guwahati, the 23rd of April, 2024