

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI
Original Application No. 199 of 2021

Sri Shankar Narayanan Bala Krishnan & Ors Applicant

Versus

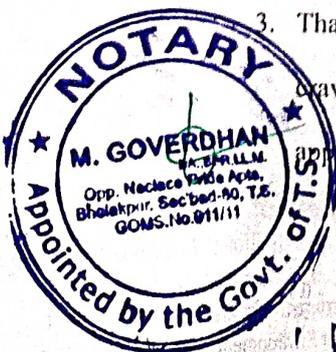
State of Telangana & OthersRespondent

**COUNTER AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE (RESPONDENT No. 2)**

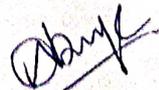
MOST RESPECTFULLY SHOWETH:

I, Dr. E. Arockia Lenin, currently working as Scientist C in the Ministry of Environment, Forest and Climate Change (MoEFCC), Integrated Regional Office, Hyderabad, do hereby solemnly affirm and state as under: -

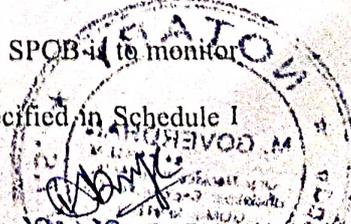
1. That I, Dr. E. Arockia Lenin in my official capacity of Scientist C in the Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Hyderabad i.e. Respondent No. 2 in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.
2. It is submitted at the very outset that the Respondent No. 2 denies each averment and/or submission made in the application which is contrary to and inconsistent with the averments made and facts stated in the present reply. It is submitted that the nothing stated in the application may be deemed to have been admitted by the Respondent No. 2 unless and until the same is expressly admitted in the present reply.
3. That a short affidavit is being filed by the answering respondent at this stage and I hereby give leave and liberty to file a detailed Counter Affidavit to the aforesaid application, as and when required.



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डॉ. इ. आरोकिया लेनिन/Dr. E. Arockia Lenin
वैज्ञानिक 'सी'/Scientist 'C'
पर्यावरण वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, हैदराबाद-500 004.
Integrated Regional Office, Hyderabad-500 004.

4. That, it is submitted that the Ministry vide S.O. 1357 (E) dated 8th April, 2016 issued the Solid Waste Management (SWM) Rules, 2016 which superseded the old Municipal Solid Waste (Management and Handling) Rules, 2000.
5. That, it is submitted that Rule 15 of the SWM rules, 2016 specifies the '*Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations*'. The duties *inter-alia* include prohibition to land filling or dumping of mixed waste as per the timelines prescribed in the Rules, for setting up and operationalisation of sanitary landfill is over. Further, the local authorities allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities are allowed to go to sanitary landfill sites.
6. That, it is submitted that schedule-I of the SWM rules, 2016 categorically states the '*Specifications for Sanitary Landfills*' which *inter-alia* includes the Criteria for site selection; Criteria for pollution prevention; Criteria for water quality monitoring; Criteria for ambient air quality monitoring; Criteria for development of facilities at the sanitary landfills; Criteria for specifications for land filling operations and closure on completion of land filling; etc.
7. That, it is further submitted that as per Schedule-I, the Criteria for pollution prevention mentions that the provisions for management of leachates including its collection and treatment shall be made. The treated leachate shall be recycled or utilized as permitted, otherwise shall be released into the sewerage line, after meeting the standards specified in Schedule-II. In no case, leachate shall be released into open environment.
8. That, as per Rule 16 of SWM rules, 2016 *inter-alia* the concerned State Pollution Control Board has to enforce the provisions of Solid Waste Management Rules, 2016, as amended, through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department. Further, the concerned SPCB is to monitor environmental standards and adherence to the conditions specified in Schedule I and Schedule II for waste processing and disposal sites.


 डॉ. इ. आरुक्मिणी लेनिन/Dr. E. Arockia Lenin
 वैज्ञानिक, सी०/Scientist, C-3
 पर्यावरण वन और जलवायु परिधान मंत्रालय,
 Ministry of Environment Forest & Climate Change
 एकीकृत क्षेत्रीय कार्यालय, हैदराबाद-500 004.
 Integrated Regional Office, Hyderabad-500 004.

9. That in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s).

DEPONENT

डॉ. इ. आरोकिया लेनिन/Dr. E. Arockia Lenin
वैज्ञानिक 'सी'/Scientist 'C'
पर्यावरण वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, हैदराबाद-500 004.
Integrated Regional Office, Hyderabad-500 004.

VERIFICATION

I, Dr. E. Arockia Lenin, Scientist C the above named deponent do hereby verify that the contents of the above affidavit are true and correct on the basis of official record maintained by the Respondent No. 2 in daily course of its business, no part of it is false and nothing material has been concealed there from.

Verified at IRO, Hyderabad on this the 10th of December, 2021.

ATTESTED



M. GOVERDHAN
BA., BPR, LL.M.
H. No. 6-4-353/4, (GOMS 911/11)
Opp. Necklace Pride Apt. Bholakpur,
SECUNDERABAD-500 080, T.S.

DEPONENT

डॉ. इ. आरोकिया लेनिन/Dr. E. Arockia Lenin
वैज्ञानिक 'सी'/Scientist 'C'
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