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BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

O.A. No. 19 OF 2014

IN THE MATTER OF :

DR KASHMIRA KAKATI

..... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS



NEXT DATE: - 18.07.2024

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Through:


SULTAN AHMED
NOTARY (Govt. of Assam)
Margherita Sub.-Dvn.
Regd. No. MRT-02

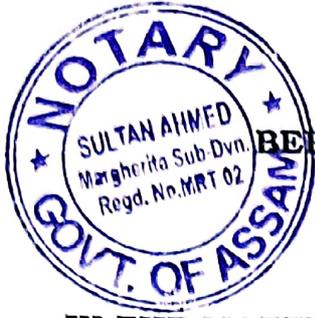
(**RAJNISH PRASAD**)
Advocate-on-Record, Supreme Court of India
Advocate for Respondent No. 11
Chamber No. 1, R. K. Garg Block,
Supreme Court of India,
New Delhi - 110001
Email: rajnishprasadaorsc@gmail.com
Mob.: 9811775390

DATED: 12th July, 2024



Sudhish Dutta Choudhury

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BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI.

O.A. No. 19 OF 2014

IN THE MATTER OF :

DR KASHMIRA KAKATI

..... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

**UPDATED STATUS CUM ADDITIONAL AFFIDAVIT ON BEHALF
OF THE RESPONDENT NO. 11:**

I, Sudip Dutta Choudhury, son of Late Satyendra Kumar Dutta Choudhury, aged about 57 years, and working as Chairman, Digboi Municipal Board, having its office at Muliabari, Digboi, Post Office and Police Station – Digboi, District – Tinsukia, Assam, Pin - 786171, do hereby solemnly affirm and state as under:

1. That I being the Elected Chairman of Digboi Municipal Board (earlier known as Digboi Town Committee), the Respondent No. 11 herein, is well conversant with the facts of the case as brought out in the official Records pertaining to the matter and as such I am competent to file this Updated Status cum Additional affidavit on behalf of the Respondent No. 11 and am duly authorized to do so.

SULTAN AHMED
NOTARY (Govt. of Assam)
Margherita Sub.-Dvn.
Regd. No. MRT-02

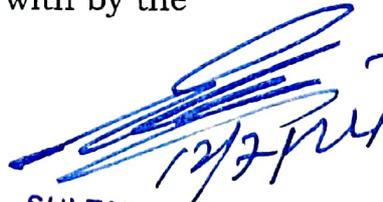
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Sudip Dutta Choudhury

2. That at the outset it is respectfully submitted that the answering Respondent holds the highest regard and respect for this Honorable Tribunal and its orders and directions.
3. That the present **Updated Status cum Additional affidavit** is being filed as per the liberty granted by this Hon'ble Tribunal vide its order dated 8.4.2024 with a view to apprise this Hon'ble Tribunal with regard to present status of the steps taken by answering respondent no. 11 till date as also the ground situation. This Updated status cum Additional Affidavit may be read in addition to the Reply cum Objection Affidavit already filed by Respondent No. 11.
4. That it is respectfully submitted that this Hon'ble Tribunal vide its order dated 8.12.2017 passed several directions where the Digboi Municipal Board (Respondent No. 11) is specifically addressed in directions No. 6, 9, and 11.
5. That in our previous reply cum objection affidavit it was stated that the answering Respondent No.11 (Digboi Municipal Board) is only concerned with Direction No. 6 and it has fully complied with the said direction which has been duly acknowledged and confirmed by the Committee's report. It was also stated that the Direction No. 9 and 11 cannot possibly be complied with by the



Sudip Dutta Choudhary


SULTAN AHMED
NOTARY (Govt. of Assam)
Margherita Sub.-Dvn.
Regd. No. MRT-02

Answering Respondent No.11 (Digboi Municipal Board) as the area in question mentioned in both the directions is out of the territorial jurisdiction of Digboi Municipal Board.

6. That in compliance with Direction No. 6 of the Hon'ble Tribunal, Respondent No. 11 (Digboi Municipal Board) has stopped depositing waste at the previous dumping site and presently running a fully scientific solid waste management project at the newly acquired Government Land at Golai No. 5, spanning 10 Bighas, designated under Dag No. 77 in the Makum Mouza within the Margherita Revenue Circle where the Municipal waste collected from the township are being disposed and treated scientifically at present with the installation of Trommel Screen Machine, Plastic/Multi-purpose Shredder Machine, and Balling Press Machine. In addition 24 Nos compost making pits and an Organic Waste Converter Machine are operational at this new site where organic compost are being produced and sold in the market through exhibition. A true copy of recent photographs depicting exhibition for sale of organic compost by Digboi Municipal Board is annexed as **ANNEXURE-R13**.



Sudip Dutta Choudhury

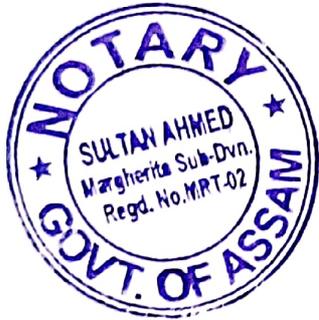

 SULTAN AHMED
 NOTARY (Govt. of Assam)
 Margherita Sub.-Dvn.
 Regd. No. MRT-02

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7. That in addition to the above existing Solid waste management project running at the new dumping site, Digboi Municipal Board has recently called a fresh tender for construction of another Solid Waste Management Plant at the new dumping site vide NIT No. DIGMB/II-7/SBM/2023-24/1969 Dated 12/02/2024 and the Formal Work Order of which was handed over to Bidder 1 Contractor M/S Call & Fix of AIDC, Guwahati on 14.3.2024 and the work is likely to start within a month. As a result of this new Solid Waste Management Plant the capacity of the waste management process of Digboi Municipal Board at new dumping site will increase substantially and so it will become more efficient and sustainable. A true copy of work order dated 14.3.2024 is annexed as **ANNEXURE-R14**

8. That on the issue of disposal of legacy waste from the earlier dumping site the answering respondent reiterates averments given in its earlier Reply cum Objection Affidavit at para 12 to 15. The answering respondent is fully dependent on State Govt for release of the required fund for the purpose.



SULTAN AHMED
NOTARY (Govt. of Assam)
Margherita Sub-Dvn.
Regd. No. MRT-02

9. That it is further reiterated as stated in our earlier Reply cum Objection Affidavit that realizing the priority of the matter, the answering respondent had established rigorous correspondence with the Indian Oil Corporation, Digboi, urging them to treat the legacy waste at the old dumping site as they too were dumping their township waste at the same site and presently dumping their waste of their Oil township at the newly built dumping site of Digboi Municipal Board. As a result of those effort Indian Oil Corporation Limited IOCL(AOD), Digboi has called a Tender dated 08.05.2023 for Bio mining of legacy waste and after award of tender and work order, the work of treating the legacy waste has already started at the old dumping site which is being also observed by the technical team of Digboi Municipal Board. According to the information received by technical team of Digboi Municipal Board out of total approximately 13000 tons of legacy waste, approximately about 5000 tons of legacy waste has been processed with the help of two trammel screen machine, one plastic balling press machine and the remaining legacy waste at old site is - likely to be processed by December 2024 as per information provided by the contractor to the technical team.



A handwritten signature in blue ink, appearing to be "Sultan Ahmed", written over the notary seal.

SULTAN AHMED
NOTARY (Govt. of Assam)
Margherita Sub.-Dvn.
Regd. No. MRT-02

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It is however clarified that exact details regarding quantum of legacy waste processed by IOCL Contractor can be furnished in a more authoritative way by IOCL. A true copy of recent photographs showing treatment of legacy waste at old site is annexed as **ANNEXURE-R15**.

10. That in conclusion it is again respectfully submitted that direction No. 9 and 11 contained in order dated 8.12.2017 cannot possibly be complied by answering respondent Digboi Municipal Board and therefore it is respectfully prayed to suitably modify that direction in a manner whereby answering respondent is not responsible to comply with the said two directions.



PRAYER

In purview of the detailed submissions made above it is respectfully prayed that the Direction No. 9 and 11 contained in order dated 8.12.2017 be suitably modified in a manner whereby answering respondent no. 11 Digboi Municipal Board is not responsible to comply with the said two directions.

A handwritten signature in blue ink, appearing to be "SULTAN AHMED", written over a date "12/12/17".

SULTAN AHMED
NOTARY (Govt. of Assam)
Margherita Sub.-Dvn.
Regd. No. MRT-02

Sudip Dutta Choudhury
DEPONENT

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VERIFICATION

I, Sudip Dutta Choudhury, son of Late Satyendra Kumar Dutta Choudhury, Chairman, Digboi Municipal Board, having its office at Muliabari, Digboi, Post Office and Police Station – Digboi, District – Tinsukia, Assam, Pin - 786171, do hereby verify that the contents of the above Updated Status cum Reply Affidavit containing Paras No: 1 to 10 are true and correct to the best of my knowledge derived from the relevant office record which are regularly maintained by the answering respondent and is also believed to be correct upon information received from the concerned officers. No part of it is false and nothing material has been concealed there from. The Annexures R13 to R15 annexed along with the Updated Status cum Additional Affidavit are true copies of their respective originals.



Sudip Dutta Choudhury
DEPONENT

Through:

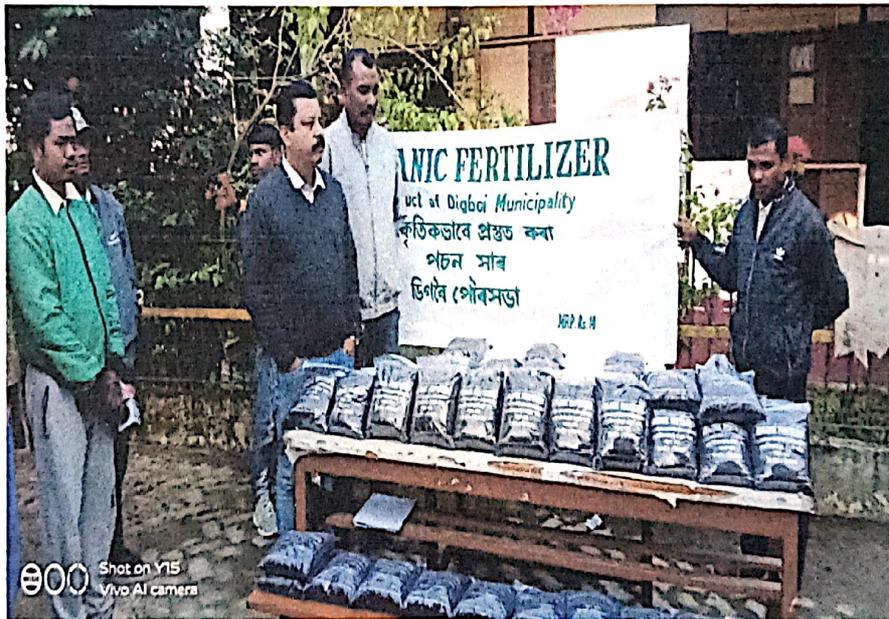
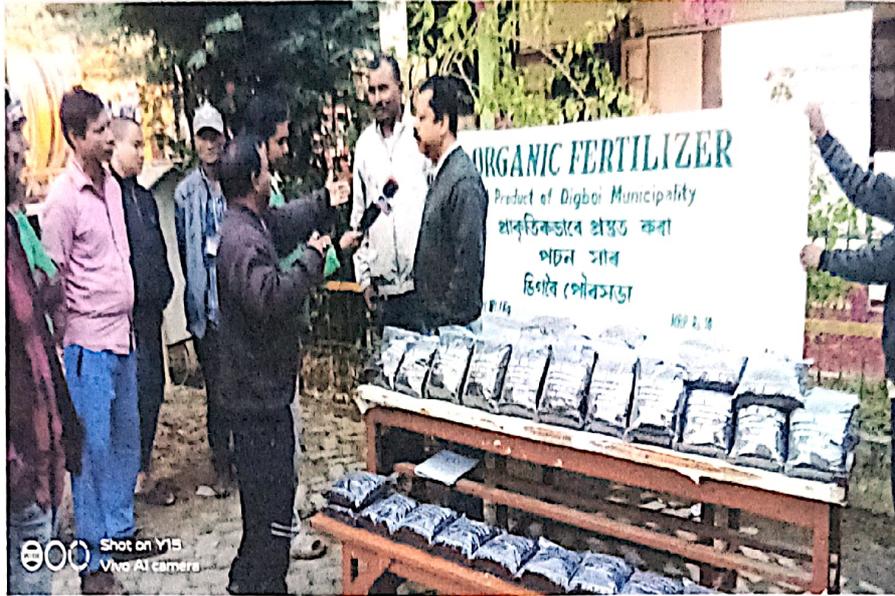
(**RAJNISH PRASAD**)
Advocate-on-Record, Supreme Court of India
ADVOCATE FOR RESPONDENT NO. 11,
Chamber No. 1, R. K. Garg Block,
Supreme Court of India,
New Delhi – 110001
Email: rajnishprasadaorsc@gmail.com
Mob.: 9811775390

DATED: 12th July, 2024

Identified By :-

D. Sonowal
(DIMPI SONOWAL)
ADVOCATE

[Signature]
12/7/24
SULTAN AHMED
NOTARY (Govt. of Assam) Page 7
Margherita Sub.-Dvn.
Regd. No. MRT-02



Sudip Dutta Choudhury

Photographs of exhibition for sale of organic compost produced at new dumping site by Digboi Municipal

Sultan Ahmed
SULTAN AHMED
 NOTARY (Govt. of Assam)
 Margherita Sub.-Dvn.
 Regd. No. MRT-02



GOVT. OF ASSAM
OFFICE OF THE DIGBOI MUNICIPAL BOARD
DIGBOI

No.DIG.MB/II-7/SBM/2023-24/2156-

Dated Digboi the 14th March'2024

FORMAL WORK ORDER

To : M/s Call & Fix
AIDC, Guwahati
Assam

Sub : Construction of Proposed Solid Waste Management Plant at Digboi ULB of Assam under SBM on Engineering, Procurement and Construction(EPC) Mode-I Basis

Ref : NIT No.DIGMB/II-7/SBM/2023-24/1969 dated Digboi the 12.02.2024
Your bid dated 20.02.2024

Sir,

With reference to the subject cited above I am pleased to inform you that you have executed necessary agreement with the undersigned on 14th March'2024 for the above mentioned work, i.e "Construction of Proposed Solid Waste Management Plant at Digboi ULB of Assam under SBM on Engineering, Procurement and Construction(EPC) Mode-I Basis" on the contract price amounting to Rs. 2,94,97,000.00 (Rupees two crore ninety four lakh ninety seven thousand) only is hereby accepted by the office of the undersigned.

In this regard, the design, drawing, estimate etc. are to be submitted and got approval from the state Mission Directorate, SBM (Urban) and technically approval from the competent authority within 1(one) month from the date of issue of this order. The execution will be started just after approval of the Detailed Project Report.

Time of Completion : 1(one) year.

Sd/-
Chairman,
Digboi Municipal Board,
Digboi.

Memo No.DIG.MB/II-7/SBM/2023-24/2152-2164

Dated Digboi the 14th March'2024

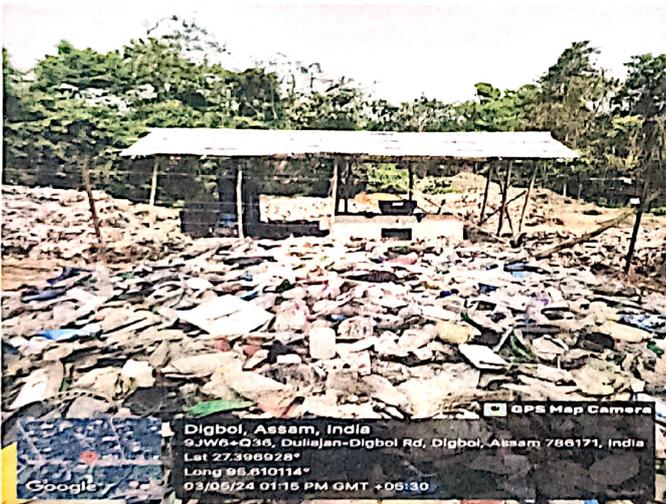
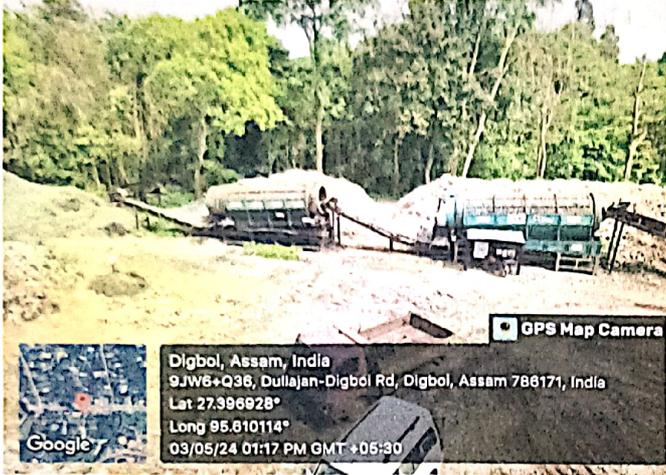
Copy forwarded to kind information and necessary action -

1. The Director of Municipal Administrative Department, Dispur, Guwahati-06
2. The Mission Director, Swachh Bharat Mission (Urban) Dispur, Guwahati-06
3. The Deputy Commissioner, Tinsukia District, Tinsukia
4. The Sub-Divisional Officer (C), Margherita Sub-Division, Margherita
5. The Executive Officer, Digboi MB
6. The Asstt. Engineer, Digboi MB
7. The Junior Engineer, Digboi MB
8. Office File.

Sd/-
Chairman,
Digboi Municipal Board,
Digboi.

Sd/-
SULTAN AHMED
NOTARY (C) DISTRICT
Margherita Sub-Divn.
Regd. No. NRT-02

Sudip Dutta Choudhury



Sudip Datta Choudhury

Photographs showing Biomining and treatment of Legacy waste at old dumping site

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12/2/24

SULTAN AHMED
NOTARY (Govt. of Assam)
Margherita Sub.-Dvn.
Regd. No. MRT-02