

290

BEFORE THE NATIONAL GREEN TRIBUNAL AT NEW DELHI

OA.NO.606 OF 2018

IN THE MATTER OF:-

Compliance of Municipal Solid Waste Management Rules,2016

NODH:

INDEX

Sl. No.	Particulars	Page
1	Additional Report in compliance to the Order dated 16.01.2019 and 14.05.2019 in Original Application No. 606/2018 before National Green Tribunal, New Delhi, on Behalf of Union Territory of Lakshadweep	290-295
2	<u>Annexure R-1</u> A copy of the notification dated 28.02.2020.	296
3	<u>Annexure R-2</u> A copy of order dated 27.02.2020.	297
4	<u>Annexure R-3</u> A copy of the minutes of the meeting dated 05.03.2020	298
5	<u>Annexure R-4</u> Copy of the notification	299
6	<u>Annexure R-5</u> A copy of the minutes dated 04.03.2020.	300-301
7	Vakalatnama	
8	Proof of Service	30

THROUGH

Sunita Sharma
Advocate

Chamber No. 202,
C.K. Daphtary Lawyers Chamber
Supreme Court of India
New Delhi -110001
Mob. No. 9811602201
E-mail- sunitasharma361@gmail.com

NATIONAL GREEN TRIBUNAL
Principal Bench, New Delhi
File No. 494/20
17 MAR 2020
OFFICE OF RECEIVING OFFICER

Additional Report in Compliance to the Orders Dated 16.01.2019 and 14.05.2019 in Original Application No. 606/2018 before National Green Tribunal, New Delhi, on Behalf of Union Territory of Lakshadweep

The Advisor to the Hon'ble Administrator had filed the Third Quarterly Report in the first week of February 2020, pursuant to the order of the Hon'ble NGT of 14.05.2019 and in compliance to the directive at para 45(ii) to furnish quarterly report. As the Advisor has to appear before the Hon'ble NGT on 20.03.2020 this additional report is submitted indicating the progress for the period from 01.02.2020 to 10.03.2020 and compliance to other Court directions issued during the said period. The point wise progress is given below.

Compliance to Solid Waste Rules including Legacy Waste:

2. In the previous report the quantity of solid waste generation in UTL was mentioned as 35 MT per day out of which biodegradable (BD) is 18 MT and non-biodegradable (NBD) is 17 MT. In this regard it is submitted that the estimation of BD and NBD was not correct. The correct estimation of BD waste is approximately 32.5 MT per day which includes coconut husk, pith and leaves to the extent of about 21 MT per day or about 65%. The other BD waste is the household waste and other leaf litter on the roads. The NBD waste is about 2.5MT constituting about 7 to 8% of the total solid waste. The NBD includes recyclable waste such as plastics, fibres, rubber, tubes, tyres, glass, electric, electronic wastes and other scraps. The non-recyclable NBD includes plastic bottles, carry bags, package material and empty cement bags.
3. In order to dispose of empty cement bags amounting to 400 MT that have been lying as legacy waste in the Central Garbage Depositories in all the islands, the administration has signed an agreement with authorised recycling unit Geocycle India. The administration has already transported 57 MT for delivery to mainland to the said recycler and the balance quantity is expected to be removed by April, 2020.
4. The Administration is considering the possibility of disposing all the NBW waste for co-incineration in the mainland. In this regard the administration has invited Geocycle India who have expressed interest to take all the wastes for incineration to their cement plant at Coimbatore, to come to Lakshadweep and survey the wastes. If the proposal is feasible the administration may sign an agreement in this regard to transport all NBW waste for co-incineration to the mainland.
5. As stated in the earlier report the Kavaratti model of segregation and collection at source will now be extended to Agatti island. In this regard it is submitted that



new incinerator at Agatti has been commissioned on 29.02.2020. Further to implement door to door collection at source supply order has been placed for 3100 blue and green waste bins of 10 litre capacity as well as 30 red waste bins of 150 litre capacity for collection of sanitary napkins at Agatti island. The door to door collection will start from.20.03.2020.

6. The Solid Waste Management Byelaw 2018 has a provision to introduce user fees for the service on waste management. In this regard the administration has notified user fees from the individual households for the collection of solid waste with effect from 1st April 2020. A copy of the notification is at **Annexure -as R1. (296)**
7. UTL has placed order to procure 18 closed container vehicles (13 electric battery-operated three wheeler and 05 diesel four wheelers) for the transportation of solid waste in all Islands except Bitra which is very small. All the vehicles are expected to be supplied and put into use by the end of April,2020.
8. In so far as a Material Recovery Facility is concerned it is submitted that there are 10 Central Garbage Depositories, one each in 10 islands. All solid waste collected is stored in these depositories. The administration conveyed administrative approval and expenditure sanction for the construction of modern depository at Kavaratti with compound wall, storage and segregation centres, offices and other infrastructure facilities at a cost of Rs.4.02 crores. PWD department has a tendered the work which is expected to commence in first week of April,2020. The administration is planning the construction of similar such modern facilities in the other 9 islands also.

Compliance to Bio -Medical Waste Rules:

9. The total biomedical waste generated from 45 health care facilities from all islands is on an average about 150 to 200 Kg. per day. This includes all the waste under red, blue, yellow and white categories. Out of this about 15 to 20 kgs. of incinerable yellow waste is being sent to the incinerators at Kavaratti and Agatti where there are hospitals. In the rest of the 8 islands where the yellow waste quantity ranges from about 2 to 12 kg. the LPCC has given permission to the HCF to resort to deep burial as per the provisions and guidelines issued by the CPCB, till the establishment of incinerators.
10. Regarding the red, blue, white and yellow waste (expired discarded medicines) it is proposed to autoclave and transport them to the mainland for disposal to the authorised institution. In this regard it is submitted that the Department of Health

M. K. M.

has signed an MoU with Indian Medical Association, Kerala (IMAGE) for comprehensive bio-medical waste management in Lakshadweep. The delivery of the waste to IMAGE is expected to begin from mid April, 2020 after the supply of bar coded colour bags.

11. A Capacity Building Programme for Doctors and Para Medical Staff from all islands regarding Bio Medical Waste Management has been conducted on 26.02.2020 with resource personnel from Indian Medical Association, Kerala.
12. All the 45 HCF have submitted applications to the Lakshadweep Pollution Control Committee for grant of authorization. The LPCC has approved authorisation to 34 units under the white category(non-bedded). The remaining are under process.
13. The Department of Health had placed supply order for autoclave and shredders for installation in all Hospitals and Dispensaries in Lakshadweep. All shredders have been supplied and installed. Regarding autoclaves the supply and installation is expected to be completed by the end of March, 2020.
14. In compliance the order of NGT 22.01.2020 in OA No.710/2017 the Member Secretary has furnished the information to the CPCB vide letter dated on 14.02.2020. Further an updated report has been submitted vide letter No. LD-03003/1/2017-LPCC-UTILKS dated on 11.03.2020.

Air Quality Management

15. The administration has conducted capacity building programme for all the stakeholders regarding noise pollution on 03.03.2020 with resource personnel from Kerala Pollution Control Board.

Compliance to Hazardous Waste Rules:

16. The inventory of hazardous waste in Lakshadweep comprising used oil and batteries has been completed.
17. The administration has constituted the State Level Committee on Hazards Waste Management. Copy of the order is at **Annexure-R2. (297)**
18. The State Level Committee had its first meeting on 05.03.2020. The copy of the minutes of the meeting is at **Annexure-R3. (298)**



294

19. In terms of compliance of Hon'ble NGT orders dated 26.08.2019 in OA.No.814/2017 the Member Secretary had submitted report to the CPCB in the prescribed format on 15.02.2020. Further an updated report has been submitted on 11.03.2020 vide letter No.LD-03006/72019-LPCC-UT-LKS.

Compliance to E-Waste Rules:

20. The inventory of e-waste has been completed.

21. The administration has constituted State Level Management Committee on E-waste Management. The copy of the notification is at **Annexure-R4. (299)**

22. The State Level Committee on E-waste conducted its first meeting on 04.03.2020. The copy of the minutes is at **Annexure-R5. (300-301)**

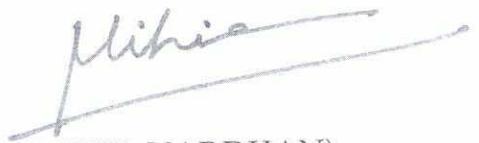
Status of STP and re-use of treated water:

23. It was stated in the previous report that proposal to install Bio-toilets in all islands/households in long run is also under consideration to prevent the contamination of ground water. In this regard it is stated that UTL has approved and issued expenditure sanction for construction of 1400 bio-toilets in Kavaratti at an estimated cost of 14 crores. The e-tender in this respect has been floated.

Rejuvenation of Water bodies:

24. In the previous report it was submitted that on 14 thematic areas in OA No.606/2018 issued by the Central Pollution Control Board, Delhi on 27.12.2019. the Member Secretary of the LPCC had forwarded a compliance report to the CPCB. In this regard it is submitted that an updated status report has been submitted by the Member Secretary on 11.03.2020 vide letter No.C-18018/1/2019-LPCC-UT-LKS to the CPCB.

25. In compliance to the order dated 25.02.2020 of Hon'ble NGT in M.A.26/2019 in Original Application No.325/2015 directing States/UTs to furnish information to CPCB as per indicative guidelines for restoration of water bodies it is submitted that the information is under preparation and will be submitted before 31.03.2020.


(R MIHIR VARDHAN)
Advisor to Administrator

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
Original Application No.606/2018

295

In the matter of:

Compliance of Municipal Solid Waste Management Rules,2016

REPORT OF ADVISOR TO THE ADMINISTRATOR UNION TERRITORY OF
LAKSHADWEEP, INDICATING COMPLIANCE TO ORDER DATED 14.05.2019.

I Asar Pal Singh, S/o Shri Jagat Singh, Age 63 years holding the post of Residential Commissioner of Union Territory of Lakshadweep and having its office at Lakshadweep House, Chanakyapuri, New Delhi, and as authorised by Hon'ble Administrator do hereby solemnly affirm and declare as under;

1. That the afore cited matter relates to Integrated Solid Waste Management as per the directions of Hon'ble NGT in its orders of OA No. 606/2018 dated 16.01.2019, 14.05.2019 and 12.09.2019.
2. It is to submitted that the status up to October, 2019 was submitted to the Hon'ble NGT along with back ground information on 09.11.2019.
3. The present report of the Advisor is pursuant to the order of the Hon'ble Tribunal of 14.05.2019 wherein the following direction has been issued: -

"A quarterly report be furnished every three months. First such report shall be furnished by August 10, 2019".

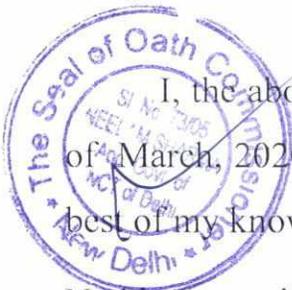
4. In compliance to aforesaid direction enclosed the third quarterly report of the Adyvisor showing the progress up to 31.01.2020. It contains compliances in terms of various other directives of the Hon'ble NGT.

Verification

19 7 MAR 2020

I, the above named Deponent verify at..... on the ... day of March, 2020 that the contents of the above compliance affidavit are true to the best of my knowledge and as borne out of the official records.

Nothing material has been concealed therefrom.



I solemnly swear that the above statement is true & explained to the deponent
Admitted to be correct
Oath Commissioner, New Delhi

19 7 MAR 2020

असर पाल सिंह/Asar Pal Singh
स्थानिक आयुक्त/Resident Commissioner
(Deponent)
केन्द्र प्रशासित प्रदेश लक्षद्वीप/UT Admn. of Lakshadweep
लक्षद्वीप हाऊस/Lakshadweep House
चाणक्यापुरी, नई दिल्ली/Chanakyapuri, New Delhi

असर पाल सिंह/Asar Pal Singh
स्थानिक आयुक्त/Resident Commissioner
(Deponent)
केन्द्र प्रशासित प्रदेश लक्षद्वीप/UT Admn. of Lakshadweep
लक्षद्वीप हाऊस/Lakshadweep House
चाणक्यापुरी, नई दिल्ली/Chanakyapuri, New Delhi

296

Annexure - R1

भारत सरकार/ GOVT. OF INDIA

लक्षद्वीप संघ राज्य क्षेत्र प्रशासन / U.T of LAKSHADWEEP ADMINISTRATION

पर्यावरण एवं वन विभाग/Department of Environment & Forest

कवरत्ती द्वीप/Kavaratti Island - 682555

E-mail: myenvironment11@gmail.com Ph : 04896 262592

F. No.66/1/2017 - E&F(Part) | 39

दिनांक: 28/02/2020

NOTIFICATION

In exercise of powers conferred under Section 5(a) of the "Lakshadweep Solid Waste Management Bye-Law, 2018", the Administrator, Union Territory of Lakshadweep Administration hereby imposes user charges from the stakeholders of all Islands for the services rendered by the Administration for collection /segregation/scientific disposal of solid waste from the households, shops, hotels, restaurants and business entrepreneurs etc. with effect from 1st April, 2020. The amount for user fee shall be as follows: -

Sl.No.	Particulars	Fee
1.	User fee from households (Door to Door Solid Waste Collection)	Rs.10/- (Rupees Ten only) per month per house.
2.	User fee from Bulk Waste Generating Shops/Hotels etc.	Rs.50/- (Rupees Fifty only) per month per shop
3.	User fee from Bulk Waste Generator of Cement Bags (Construction Contractors)	Rs.0.5/- (Fifty Paise only) per Bag

This is issued with the approval of Hon'ble Administrator vide Diary No.462, dated 28/02/2020.


(Damodhar A.T.) IFS
Secretary (Environment & Forest)


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297

File No.LD-03006/8/2019-LPCC-UT-LKS



Annexure-R-2

भारतसरकार/GOVT. OF INDIA

लक्षद्वीपप्रशासन/ LAKSHADWEEP ADMINISTRATION

विज्ञानएवंप्रौद्योगिकीविभाग/ DEPARTMENT OF SCIENCE & TECHNOLOGY

कवरत्तीद्वीप 682 555/ KAVARATTI ISLAND -682 555

F.No. LD-03006/8/2019-LPCC-UT-LKS

Dated 27.02.2020

ORDER

Subject: Formation of State Level Monitoring Committee for proper implementation of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016

Considering the non compliance of the Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016, the Hon'ble National Green Tribunal (NGT), on 12th April, 2019, had issued an order (O.A. No. 804 of 2017) with directions to all the states/UTs for effective implementation of the HOWM Rules, 2016. Hon'ble Tribunal has further given directives for effective implementation of the recommendations need to be fully implemented and monitored by the Chief Secretaries at every state.

State Level Monitoring Committee for effective implementation of HOWM Rules for Union Territory of Lakshadweep is hereby formed comprising of the following members, namely:-

- | | |
|--|------------|
| 1. Advisor to the Administrator, UT of Lakshadweep | - Chairman |
| 2. Secretary, Science & Technology, UTL | - Member |
| 3. Secretary (E&F)/ Conservator of Forests, E&F, UTL | - Member |
| 4. Director, Port, Shipping & Aviation, UTL | - Member |
| 5. Director, Industries, UTL | - Member |
| 6. Director, Fisheries, UTL | - Member |
| 7. Executive Engineer, Electricity, UTL | - Member |
| 8. Member Secretary, Lakshadweep PCC | - Convener |

The role of State Level Committee will be as follows:

1. The Committee shall meet at least once in three months to monitor the implementation of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016.
2. States/UTs to submit the biannually compliance report to CPCB by collecting information from State Government/Departments like Labour/Industries/Environment and Pollution Control Committee.
3. State Level policies to monitor implementation of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016


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Annexure-23Minutes of the State Level Committee on Hazardous & other Waste held in the Chamber of Advisor to the Administrator on 05.03.2020 at 10:30AM.

Present: 1. Shri R.Mihir Vardhan IAS, Advisor to the Administrator
 2. Dr.S.Sundaravadivelu IAS, Secretary (S&T)
 3. Shri P.Pookoya, Member Secretary, LPCC
 4. Dr. Shashipal Dabas, Director(IT)
 5. Shri Abdul Latheef, EE(Ele.)
 6. Shri Mohammed Kasim.K, Director(Fisheries)
 7. Shri K.P. Cheriyaakoya, RFO, E&F
 Special Invitee: 1. Shri C.N.Shajahan, SE (LPWD)

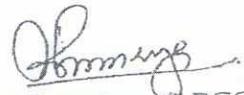
The Member Secretary, LPCC welcomed the members. The Chairman explained the importance of this Committee and Orders of the Hon'ble NGT. After deliberations the following decisions have been taken.

1. **Inventory of Hazardous waste:-** The Member Secretary informed that inventory of used oil has been completed. The inventory of battery waste is in progress and will be completed in the next few days. He informed that the only these two types of hazardous waste are present in Lakshadweep. Chairman directed to complete the task by 10th of March 2020.
Action: Dept. (S&T)/Electricity
2. **Identification of Buyer:-** Member Secretary informed that the process of identification of authorised buyer for used oil at mainland has been initiated and this process will be completed by the end of March 2020.
Action: Dept. of S&T
3. **Nodal Officer:-** It was decided that the EE(Ele.) will be the Nodal Officer for the purpose of arranging the collection of used oil and batteries from the Fisheries and Port department and arrange to transport to the Mainland. All the used batteries in various departments and workshops shall hand over to the Dept. of Electricity in the islands for transporting to mainland for final disposal.
Action: Dept. of Electricity/Fisheries/Port and All Department

Chairman emphasised that the coordination between all departments is very essential for success in the collection and disposal of Hazardous waste as mandated by the Hon'ble NGT.

Meeting ended with a vote of thanks.

This issue with the approval of Advisor to the Administrator vide D.No.1470 dated 06.03.2020


 Member Secretary (LPCC)


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299

File No.LD-03006/5/2019-LPCC-UT-LKS-Part(1)



Annexure-R4

भारत सरकार

लक्षद्वीप प्रशासन

लक्षद्वीप प्रदूषण नियंत्रण समिति

कवरत्ती द्वीप 682 555

File No: LD-03006/5/2019-LPCC-UT-LKS-Part(1)

Dated 27.02.2020

ORDER

Subject: Formation of State Level Monitoring Committee for proper implementation of E-Waste Management Rules, 2016

In view of the compliance of the E-Waste Management Rules, 2016 in the UT of Lakshadweep, the Hon'ble Administrator, Lakshadweep is pleased to constitute a State Level Monitoring Committee for effective implementation of E-Waste Management Rules,2016 for Union Territory of Lakshadweep is hereby formed comprising of the following members, namely:-

- | | |
|--|------------|
| 1. Advisor to the Administrator, UT of Lakshadweep | - Chairman |
| 2. Secretary, Science & Technology, UTL | - Member |
| 3. Secretary (E&F)/ Conservator of Forests, E&F, UTL | - Member |
| 4. Director, Information Technology, UTL | - Member |
| 5. Director, Industries, UTL | - Member |
| 6. Member Secretary, Lakshadweep PCC | - Convener |

The role of State Level Committee will be as follows:

1. The Committee shall meet at least once in three months to monitor the implementation of E-Waste Management Rules, 2016.
2. State Level policies to monitor for implementation of E-Waste Management Rules, 2016.
3. State Government to prepare integrated plan for effective implementation of these provisions, and to submit annual report to Ministry of Environment, Forest and Climate Change.

This is issued with the approval of the Administrator, UT of Lakshadweep vide e-Office Note #4 Dated 27.02.2020

(P.POOKOYA)

Director, Science & Technology

To

✓ 1) PA to the Hon'ble Administrator, UT of Lakshadweep.

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Minutes of the 1st State Level Committee on E-Waste meeting held in the Chamber of Advisor to the Administrator on 04.03.2020 at 4:00PM.

- Present: 1. Shri R.Mihir Vardhan IAS, Advisor to the Administrator
 2. Dr.S.Sundaravadivelu IAS, Secretary (S&T)
 3. Dr. Shashipal Dabas, Director (IT)
 4. Shri P.Pookoya, Member Secy., LPCC
 5. Shri K.P.Cheriyakoya, RFO, E&F
- Special Invitee: 1. Shri Satyaki Choudry, LITSS
 2. Adv. Lisha Hidayath, E&F

The Member Secretary, LPCC welcomed the members. The Chairman explained the importance of this Committee and Orders of the Hon'ble NGT. After deliberations the following decisions have been taken.

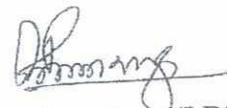
1. **Inventory of E-Waste:-** Director(IT) informed that in two islands the inventory has been completed and in the rest of the island it is almost completed. Chairman directed that the task should be completed within the next 2 days and complete inventory submitted to the Member Secretary. Further it was decided that Director (IT) will inform all departments concerned which are in possession of E-Waste that they should arrange to transport it during the working hours to the CGD in each island and hand over to the in-charge concerned. The CGD in-charge will make arrangements to store it and maintain the records. It was decided that batteries of E-waste will be dealt under hazardous waste and should be transported to the office of the Electricity Dept. of concerned island for shipment to mainland.
Action: Director (IT)/Dept. of E&F and all Dept.
2. **Identification of the Nodal Officer:-** It is decided that for the purpose of making inventory and arranging for transport to the CGDs the Chief Operations Officer (LITSS) will be the Nodal Officer and for the purpose of transporting the material from CGD to mainland, the RFO (HQ) will be the Nodal Officer.
Action: Director(IT)/Dept. of E&F
3. **IEC Plan:-** The Committee directed the Chief Operations Officer (IT) to prepare an IEC plan and submit within 15 days.
Action: Director (IT)
4. **Enforcement:-** For the purpose of enforcement, it was decided that each island should have a Committee headed by the DC/SDOs with one officer in-charge of Environment and one officer in-charge of LITSS in the concerned island as members.
Action: M.S, LPCC
5. **Identification of Buyer:-** Member Secretary informed that the process of identification of authorised buyer at mainland has been initiated and this process will be completed by the end of March 2020.
Action: M.S, LPCC


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Chairman emphasised that the coordination between all departments is very essential for success in the collection and disposal of E-waste as mandated by the Hon'ble NGT.

Meeting ended with a vote of thanks.

This issue with the approval of Advisor to the Administrator vide D.No.1470 dated 06.03.2020



Member Secretary (LPCC)


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302

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION 606 OF 2018

IN THE MATTER OF:-

Compliance of municipal solid waste management
... APPLICANT

VERSUS Rules, 2016

.....
...RESPONDENTS

PROOF OF SERVICE

S. NO.	ADVOCATE NAME	SIGNATURES
1	None	
2	Need for service	
3	other parties this matter	
4	is Suo moto	
5	(SONITA SHARMA)	
6	Adv.	
	M-9811602201	
7		
8		
9		
10		