

LAY NOTE BEFORE THE HON'BLE MEMBER
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
M.A No. 11/2025/EZ

in

O.A. No. 68/2022/EZ
Sunrise Colony

Vs.

State of Nagaland & ors

Date:

In the present case, allegation was that the Dimapur Municipal Council, Respondent No.4, was dumping solid waste and other wastes at the dumping site near the Applicant's colony, i.e., Sunrise Colony, Burma Camp Dimapur, Nagaland, in complete violation of the Solid Waste Management Rules, 2016. It was alleged that the dumping site was ill-maintained and located in the low-lying area which percolated and contaminated the groundwater resources through leaching and, therefore, had a direct effect upon the life and health of the residents of the area including flora and fauna. The case has been disposed off vide order dt. **03.02.2023** with the following observations:

"16. Be that as it may, the work of Bio-mining and Bio-remediation cannot be delayed any further merely because the machinery and equipment has been delivered late. Since the machinery and equipment has been delivered, even if late, we direct the Dimapur Municipal Council to ensure completion of all the Bio-mining process by 31.05.2024 and file an affidavit of compliance in this regard by 01.07.2024.

19. We, therefore, direct the State Government to take necessary steps for acquisition of land within a period of six months for the new dumpsite, ensuring compliance of the Solid Waste Management Rules, 2016, so far as Siting Criteria is concerned, and thereafter, steps shall be taken for re-location of waste from the present dumping site to the new site within a further period of six months.

26. We, therefore, direct as follows:-

(i) So far as finding of alternative land for a new dumpsite through land acquisition proceeding is concerned, we have already given a timeline of one year i.e., six months for completion of acquisition proceedings and further six months for shifting of the present dumpsite to the new dumpsite by 31.01.2024.

(ii) With regard to preparation of Action Plan, we direct the Dimapur Municipal Council to prepare an Action Plan for Waste Management within a period of three months i.e., by 30.04.2023.

(iii) With regard to implementation of strict enforcement of Waste Segregation from source, we find that it is a continuous process and, therefore, no timeline can be given but the same must be commenced within one month, if not already being undertaken by the Dimapur Municipal Council.

(iv) With regard to Bio-remediation process, as already noted hereinabove, the same is to be completed by 31.05.2024 and affidavit of compliance in this regard shall be filed by 01.07.2024.

(v) With regard to creation of Green Belt and Buffer Zone, the same shall be completed within a period of six months i.e., by 30.09.2023.

(vi) With regard to installation of Weigh Bridge in the dumpsite, the same shall be completed within a period of three months i.e., by 31.05.2023.

- (vii) With regard to construction of a Concrete Slab for Waste Processing (Segregation Process), the same shall also be completed within a period of four months i.e., by 31.05.2023.
- (viii) With regard to construction of Linear Drainage inside the periphery of the dumpsite to protect the water and soil environment, the same shall also be constructed and completed within a period of three months i.e., by 31.05.2023.
- (ix) So far as construction of Effluent Treatment Plant (ETP) is concerned, we direct that the same shall be completed by 31.05.2024. We are aware that the construction of ETP would require sanction of budget by the State Government and, therefore, the Chief Secretary, State of Nagaland, is directed to expedite the matter and ensure sanction of funds in this regard.
- (x) With regard to construction of Faecal Sludge Treatment Plant (FSTP) with higher capacity, the same shall also be completed by 31.05.2024 as it requires sanction of budget by the State Government. The Chief Secretary, Government of Nagaland, is directed to expedite the matter and ensure sanction of funds in this regard.
- (xi) As regards the Bio-mining Process is concerned, as we have already noted hereinabove that the same shall be completed by 31.05.2024.
- (xii) With regard to dump site to be fenced completely and additional fencing on the sides towards River Dhansiri, till the alternate site is found and alternate dumpsite is established, we direct that the present dumpsite shall be fenced completely with additional fence on the sides facing the river Dhansiri, ensuring that there is no contamination of solid and liquid wastes from the dump site in any manner with river water.
- (xiii) So far as installation of CCTV cameras for monitoring of the dumpsite for any fire or untoward incidence is concerned, we direct the CCTV cameras to be installed/set-up within a period of six months i.e., by 31.05.2023.

27. To ensure effective compliance of all the remedial measures suggested by the Committee, we direct the Chief Secretary, Government of Nagaland, to constitute a Committee which shall include the Principal Secretary, Urban Development Department and the Municipal Affairs Department, Government of Nagaland, the Municipal Commissioner, Dimapur Municipal Council, Chairman/Member Secretary, Nagaland State Pollution Control Board and any other Member whom the Chief Secretary may consider necessary in his wisdom to include in the Committee for proper and complete execution of the above directions.

28. Needless to say, the Chief Secretary, Government of Nagaland, shall be the Chairman of the Committee. The Committee shall conduct quarterly review of the remedial measures suggested by the Committee and ensure compliance of the directions given by us hereinabove.

29. A comprehensive affidavit of compliance in this regard shall be filed by the Committee on or before 01.07.2024.

30. With the aforesaid directions, the Original Application No. 68/2022/EZ is accordingly disposed of."

In this regard, it is submitted that no affidavit of compliance has been filed by the aforesaid committee in terms of above mentioned directions as on date.

Therefore, if directed, M.A. may be registered in the instant case for the purpose of compliance of order of the Hon'ble Tribunal as the O.A. has already been disposed off.

Placed for appropriate order/direction.

Sd/-
Ld. Deputy Registrar

Sd/-
Section Officer

Sd/-
Ld. Registrar

Sd/-
Hon'ble Expert Member

Sd/-
Hon'ble Judicial Member