

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

IN

ORIGINAL APPLICATION NO. 606 OF 2018

IN THE MATTER OF:

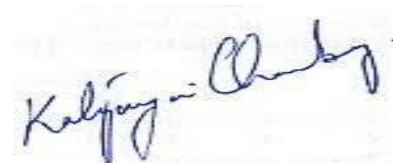
**COMPLIANCE OF MUNICIPAL SOLID WASTE MANAGEMENT RULES, 2016 AND
OTHER ENVIRONMENTAL ISSUES**

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Dated: 08.07.2026

New Delhi



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**Observation note by the Amicus Curiae to Status Report/ Compliance Affidavit filed by
the Respondent State of Sikkim**

It is respectfully submitted that the undernoted observations emerge from the Compliance report filed in the above-captioned matter by the States of Sikkim. This observation note refers to Affidavits filed by the State of Sikkim in the months of May 2026 and July 2026.

S.NO	TOPIC	OBSERVATION
1.	Population	i. Total population in the State- 610, 577 (2011 census) ii. Total ULBs- 7 iii. Literacy rate- 81.42 %
2.	Solid waste (p. 735/ 779/	i. GAP: -17.65 TPD (+ 12.23 TPD transportation gap) ii. Total waste generated- 73.12 TPD (May affidavit p. 736) (75.72 TPD from 7 ULBs, pg 779) iii. Total waste collected- 73.12 TPD iv. Total waste transported Gap- 12.23 TPD (p.736 May 26) v. Total waste processed- 57.45 TPD (July affidavit 60. 572 TD) vi. Total waste disposed in landfill- information not clear

		vii. WTE Plant- Not installed viii. RDF Plant- not feasible for Sikkim (p. 781 July Affidavit) ix. C& D plant- no information provided x. Sanitary waste collection & processing- no information provided xi. Inert- landfill xii. Compost processed- 27.25 TPD xiii. Compost sample report- Compliant (p. 759) xiv. Other information- RDF @ 29142.21 MT is sent to cement plants (p. 764) xv. Future gap remediation plan for daily waste- p. 741 xvi. Future sewage generation shows significant increasing trend- p. 768 xvii. Automatic Waste Segregation Machine (AWSM) has been installed. The segregation technology has not been disclosed.
3.	Legacy waste (p. 738)	i. GAP- Nil at Martam landfill (p. 738) (Martam is the only LWS mentioned in the Affidavit, does the entire State disposes only in 1 Legacy waste facility?) ii. Total identified LWS- 1 (Martam) iii. Total legacy waste- 0 (100% processed) iv. WTE Plant- not installed v. Inert & Silt- nil vi. Leachate disposal- information not provided vii. Quantity of legacy waste remediated- 2,33,823 tonnes by 1.06.23 and 0.134 more viii. Total land recovered- the state has not answered ix. Site Remediation plan for LWS (soil & ground water)- no information x. Utilisation plan for recovered land from LWS- no information
4.	Liquid waste (p. 742 /748)	i. GAP- 13.88 MLD ii. Total sewage generation- 29.51 MLD iii. Drains- 50 (flow 11.28 MLD, pg. 746- FC is high)

		iv. Final discharge from drains- roru chu, rani chu, manay khola, tests khola, rangpo chu, rangeet chu. (chu is a river, khola is a small stream) v. River/ lake quality report (March 26)- test results are on record, but names of river/ lake are not mentioned. vi. Total STPs- 6 (p. 749- 2 installed but not operational yet) vii. STP installed capacity- 22.71 MLD viii. STP utilised capacity- 15.63 MLD ix. STP final discharge- rivers, cho, khola x. Treated water reuse- no use as of now, the State proposes to utilise treated water in future for fire extinguishing, construction and suppression of dust. (p.784) xi. Water quality analysis of STP outlet- normal PH, TSS and BOD, and FC (p. 798 onwards) xii. Water quality analysis of rivers/ streams- (March 26)- names of river/ lake not mentioned (p. 776) xiii. Number of storm water drains used for sewage disposal- 50 xiv. Household connections- targeted 32092, connected- 27335 (p. 742- timeline for completion was March 27) STPs and household connections will be completed by September 2028 (p. 784 July Affidavit) xv. Flood plain zoning of streams/ rivers/ storm drains/ water bodies- nil xvi. STP sludge utilisation- info not provided xvii. Sludge from household- brought to STPs in respect of unconnected HH.
5.	Ring fenced account (p. 738/ 752 Annexure)	i. Single dedicated Account opened- no ii. Amount sanctioned- 39,321.95 lakhs iii. Amount Utilised- 21,576.3 lakhs (p. 738- Rs. 82.11 cr)

SUGGESTIONS:

Accordingly, the following suggestions are respectfully proposed to ensure time-bound compliance, strengthen institutional accountability, enhance environmental safeguards, and align implementation with statutory mandates and judicial directions.

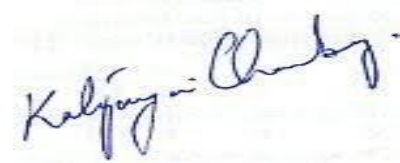
1. An online public grievance/complaint portal for solid waste, legacy waste and sewage-related complaints be set up by the State, with monthly status reports of complaints received and resolved placed before this Hon'ble Tribunal.
2. Is Martam the only legacy waste site in the entire State, across 7 ULBs, rural and hills areas- the State must confirm the accurate and true information.
3. What specific remediation work was undertaken after recovery of land from Martam LWS and does the State plan to use it?
4. Provide the information not provided
 - a) C& D waste
 - b) Sanitary and bio- medical waste
 - c) Names of specific rivers tested
 - d) STP Sludge utilisation pathways
 - e) Total landfill sites in ULBs, Rural and hill areas.
5. Given that an RDF plant and Waste-to-Energy plant have both been found infeasible for the State's hill terrain and low waste volumes, the State be directed to strengthen decentralised, ward/ULB-level composting and bio-methanation infrastructure instead of pursuing centralised high-capex options unsuited to Sikkim's topography, consistent with Rule 15(zg) read with Schedule I of the SWM Rules, 2016.
6. State may clarify whether the installed Automatic Waste Segregation Machine (AWSM) is equipped to segregate non-ferrous and e-waste streams, and if not, to disclose the parallel arrangement (if any) for such streams, in compliance with the source-segregation mandate under Rule 4 of the SWM Rules, 2016.
7. The two STPs shown as '*installed but not operational*', together accounting for a substantial part of the 7.08 MLD idle installed capacity, be commissioned within a fixed timeline to be reported to this Hon'ble Tribunal.
8. Admittedly 50 drains are adding up faecal coliform contamination to rivers, streams and rivulets (p.746), the State be directed to disclose a time- bound plan for interception and diversion of these drains to STPs and/ or D- STPs.

9. The State be directed to apprise about opening of a single dedicated ring- fenced account as per directions of the Hon'ble Tribunal.

The observation note is respectfully submitted for the kind perusal of the Hon'ble National Green Tribunal, Principal Bench, New Delhi.

AND FOR THIS ACT OF KINDNESS, THE ADVOCATE AS IN DUTY BOUND SHALL EVER BE GRATEFUL.

Dated: 08.07.2026
New Delhi

A handwritten signature in blue ink, appearing to read 'Katyayni - Chaudhary'.

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