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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 606 OF 2018

IN THE MATTER OF:

Compliance of Municipal Solid Waste Management Rules, 2016

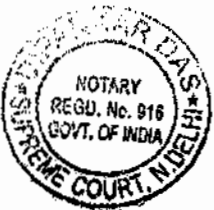
QUARTERLY REPORT ON BEHALF OF RESPONDENT-

(ANDAMAN AND NICOBAR ADMINISTRATION).

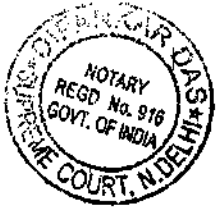
I, Chetan B. Sanghi, S/o. Dr. V.B. Sanghi aged about 53 years, holding the post of Chief Secretary, Andaman and Nicobar Administration having office at Secretariat, Port Blair, Andaman and Nicobar Islands, presently at New Delhi do hereby solemnly affirm and state that I am conversant with the facts and circumstances from the records of the case. Thus, I am competent to swear to this Quarterly Report by way of Affidavit on behalf of Andaman and Nicobar Administration.

1. That this Hon'ble Tribunal vide Order dated 06.05.2019 in Original Application being O.A No.606 of 2018 directed the Chief Secretary to furnish the quarterly report every three months. First such report shall be furnished by August,10,2019.This Hon'ble Tribunal after discussion with the Chief Secretary issued the following directions:

- i. Steps for compliance of Rule 22 and 24 of SWM Rules be now taken within six weeks to the extent not yet taken. Similar steps be taken with regard to Bio-medical Waste Management Rules and Plastic Waste Management Rules.
- ii. Apart from Port Blair City and Port Blair Town which have been declared as model city and town respectively, at least 3 villages in each district may be declared as model villages within two weeks and may be made compliance within six months. The remaining cities, towns and villages of the State may be made fully compliant in respect of environmental norms within one year.
- iii. A quarterly report be furnished by the Chief Secretary, every three months. First such report shall be furnished by August 10, 2019.
- iv. The Chief Secretary may personally monitor the progress, at least once in a month, with all the District Magistrates with special focus on solid waste management, bio-medical waste, sewage management, coastal zone pollution, sand mining, education of tourists about protection of environment.



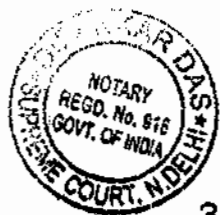
- v. *The District Magistrates may monitor the status of compliance of environmental norms, at least once in two weeks.*
- vi. *The District Magistrates or other Officers may be imparted requisite training.*
- vii. *Estimate of value of environmental degradation and cost of restoration be prepared and compensation be planned and recovered from polluters for environmental restoration and restitution on that basis.*
- viii. *Performance audit of functioning of all regulatory bodies may be conducted and remedial measures be taken within six months.*
- ix. *Introduction of a policy of giving ranking, based on performance on the subject of environment and giving of rewards or other incentives on that basis to individual areas, localities, institutions or individuals may be considered. This may also include encouraging students or other citizens significantly contributing to the cause of environment. The best practices may be evolved, if necessary, in the light of experiences on the subject. This may help in educating and involving public at large which may help in enhancing of environmental laws.*



x. The Chief Secretary may remain present in person before the Tribunal with the status of compliance in respect of various issues mentioned in para 22 as well as any other issues discussed in the above order on 25.11.2019. It is made clear that Chief Secretary may not delegate the above function and the further requirement of appearance before this Tribunal to anyone else. However, it will be open to him to change the date, by advance intimation by e-mail at nqt.filing@gmail.com to adjust their convenience.

A true copy of the Order dated 06.05.2019 passed by this Hon'ble Tribunal in O.A No.606 of 2018 is annexed and marked hereto as **Annexure-A-1(Pg Nos...170...to...192).**

2. It is submitted that the directions of this Hon'ble Tribunal have been complied with earnestly and the following status is informed to this Hon'ble Tribunal qua their directions/orders in the Order dated 06.05.2019.



3. With regard to para 46(i) of the Order dated 06.05.2019 "Steps for compliance of Rules 22 and 24 of SWM Rules be now taken within six weeks to the extent not yet taken", it is submitted that the Andaman and Nicobar

Administration has taken all necessary action for overall periodic review of the measures taken by the local bodies for improvement of Solid Waste Management practices in compliance with the provisions of The Solid Waste Management Rules, 2016. The Major Steps taken by the Administration to address the issues of Solid Waste Management in compliance with the provisions of The Solid Waste Management Rules, 2016 in the Union Territory of Andaman and Nicobar Islands include the following:

- i) The Rural Development and Panchayat (RD&P) has initiated door to door collection from all commercial establishments which are the bulk waste generators in two (2) areas namely Swaraj Dweep (Havelock Island) and Shaheed Dweep (Neil Island).
- ii) The Rural Development and Panchayat (RD&P) with regard to scientific disposal of solid waste, has formulated and notified 24 clusters and proposed to develop Solid Waste Collection Centers for each of these clusters. A true copy of the Action Plan for implementation of Solid Waste Management is annexed and marked hereto as **Annexure-A-2(Pg Nos. 193 to 197).**

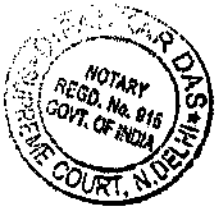


- iii) Out of 24 clusters, tenders have been floated for setting up of solid waste collection centers for 12 clusters involving collection of source segregated waste from residential and commercial units, construction of vermi compost pits for processing of wet waste for making organic compost and storage facility for organic compost. The segregated dry waste is proposed to be transported from each collection centre for onward transmission to mainland for recycling.
- iv) Section 37 of the A&N Islands (Panchayat) Regulation, 1994 and the rules framed thereunder viz "The A&N Islands Gram Panchayat (Levy of Taxes and Fees) Rules, 2002 empowers the Gram Panchayats to levy Taxes and Fees under its jurisdiction. Thus, the Director(RD), Directorate of RD, PRIs & Urban Local Bodies, Andaman and Nicobar Administration vide communication No.4-27/RD, PRIs/Levy of Taxes/2016/1335 dated 27.05.2019 advised the Pradhan, Gram Panchayat to implement the same to the Hotels in their respective jurisdiction in the first instance considering the overall problem of "Solid Waste



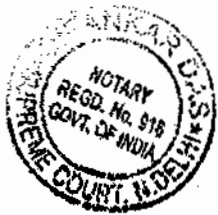
Management and disposal. Therefore, the Panchayats may generate revenue by imposing and collecting tax from the Hotel buildings operating in their respective jurisdiction charging them Rs.10/bed/day under framework of part II of the said Rules i.e "Tax on owner and occupier of building". A true copy of the Communication No.4-27/RD,PRIs/Levyof Taxes/2016/1335 dated 27.05.2019 issued by the Director(RD), Directorate of RD,PRIs & Urban Local Bodies, Andaman and Nicobar Administration to the Pradhan, Gram Panchayat is annexed and marked hereto as **Annexure-A-3(Pg Nos...195...to...199..)**.

- v) The Port Blair Municipal Council (PBMC) has initiated a pilot project for complete waste management in 6 wards wherein door to door collection of segregated waste is being done.
- vi) The Port Blair Municipal Council (PBMC) has dedicated 03 trucks for segregated collection of PET/Plastic, Glass, cardboard etc.
- vii) The Port Blair Municipal Council (PBMC) has recently constructed 01 unit of Solid Waste Resource Management (SWRM) Centre for



secondary collection of segregated waste at School line in Port Blair.

- viii) The Port Blair Municipal Council (PBMC) has set up 5 composting yards for disposal of wet waste at Brookshabad, Gandhi Park, Anarkali, School line and Junglighat in Port Blair.
- ix) The Port Blair Municipal Council (PBMC) has set up 3 dry resource centres for solid waste segregation of plastic, glass, metal, cardboard etc at Brookshabad, Anarkali and School line in Port Blair and the segregated waste is being sent to Mainland for recycling.
- x) A 250-kg capacity Bio-Digester has also been set up at Modern Fish Market at Junglighat for disposal of waste generated in the fish market at source.
- xi) The State Level Advisory Body (SLAB) for Solid Waste Management in the Union Territory of Andaman and Nicobar Islands in terms of Rule 23 of The Solid Waste Management Rules, 2016 has been constituted under Order No.359 dated 02.02.2018 by the Administration. In pursuance of the Order dated 16.01.2019 passed by this Hon'ble Tribunal in OA.No.606 of 2018 and in supersession of Order No.359 dated 02.02.2018, under Section



23 of the Solid Waste Management Rules, 2016, the Administration vide Order No.414 dated 12.02.2019 constituted a State Level Advisory Committee of UT of A&N Islands under the chairmanship of the Chief Secretary. So far 6 monthly State Level Advisory Committee meetings have been convened and monthly monitoring of Solid Waste Management Rules, 2016, Plastic Waste Management Rules 2016 and Bio -Medical Waste Management Rules, 2016 is being done. A true copy of the Order No.359 dated 02.02.2018 and Order No.414 dated 12.02.2019 issued by the Administration constituting State Level Advisory Body and State Level Advisory Committee respectively is annexed and marked hereto as Annexure-A-4(Pg Nos.....to.....).

- xii) The Central Pollution Control Board vide letter No.B-13011/1/UPCD-II/OA-606/2019-20 dated 18.07.2019 prepared a Gap Analysis Report on action plans/compliance reports submitted by the States/Union Territories in pursuance of the Order dated 16.01.2019 passed by this Hon'ble Tribunal in O.A No.606 of 2018. The present status on the



Gap Analysis of the Compliance Report submitted by the Andaman and Nicobar Administration to this Hon'ble Tribunal in OA No.606 of 2018 with regard to Solid Waste Management was sent to Central Pollution Control Board vide letter No.7-14/PCC/NGT(O.A)606/2018/2019/194 dated 06.08.2019. A true copy of the Present Status Report submitted to the Central Pollution Control Board, New Delhi by the Administration is annexed and marked hereto as Annexure-A-5(Pg Nos.203.to.208.).

- xiii) The ANPCC(Andaman and Nicobar Pollution Control Committee) vide letter No.2-13/PCC/SWM(2016)/2016/174 dated 30.07.2019 submitted the consolidated Annual Report for the year 2018-2019 to the Central Pollution Control Board in terms of provision of Sub-rule (3) of Rule 24 of The Solid Waste Management Rules,2016. A true copy of the Consolidated Annual Report submitted to the Central Pollution Control Board is annexed and marked hereto as Annexure-A-6(Pg Nos.209.to.220.).

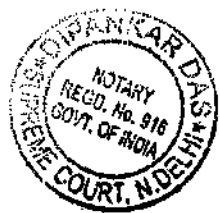


4. With regard to para 46(i) of the Order dated 06.05.2019- "Similar steps be taken with regard to Plastic Waste Management Rules, 2016", it is submitted that the Steps taken by the Administration to address the issues of Plastic Waste Management in compliance with the provisions of The Plastic Waste Management Rules, 2016 in the Union Territory of Andaman and Nicobar Islands include the following:

- i) The Rural Development and Panchayat (RD&P), with regard to scientific disposal of plastic waste, has formulated and notified 24 clusters and proposed to develop Plastic Waste Collection Centers for each of these clusters.
- ii) Out of 24 clusters, tenders have been floated for setting up of plastic waste collection centers for 12 clusters involving collection of source segregated waste from residential and commercial units, shredding of plastic waste and storage facility for plastic waste. The segregated plastic waste is either utilized for road construction activities in accordance with Notification No.07 dated 10.01.2019 or transported from each collection centre for onward transmission to mainland for recycling.



- iii) The Rural Development and Panchayat (RD&P), in the first phase, has initiated collection, segregation and transportation of plastic waste from Swaraj Dweep (Havelock Island) and Shaheed Dweep (Neil Island).
- iv) The A&N Administration vide Notification No. 202 dated 02.08.2010 has banned the use, manufacture and sale of plastic carry bags irrespective of its thickness, size, color and nature. The Andaman and Nicobar Administrationis conducting regular enforcement drives and 160kgs of plastic and non-woven cloth bags have been recovered from 50 No's of shops.
- v) The Andaman and Nicobar Administration vide Notification No.07 dated 10.01.2019 has made use of 8-10% of waste plastic in road construction mandatory. The ZillaParishad, South Andaman have used 50kg plastic for a rural road stretch of 105 meters from Park Hotel to Shakti House at Rangachang, Ward No.1, Beodnabad. Further, the ZillaParishad have projected utilization of 42,035 kgs of waste plastic in ongoing/sanctioned works in various ZillaParishad divisions. Accordingly, the office of the Superintending Engineer vide communication



no.1-38/SE(PRI)/PB/2018-19/87 dated 02.08.2019 submitted the details of use of Waste Plastic in Road Construction/Maintenance to the Director(RD), Andaman and Nicobar Administration. A true copy of the communication no.1-38/SE(PRI)/PB/ 2018-19/87 dated 02.08.2019 sent by the Superintending Engineer to the Director(RD), Andaman and Nicobar Administration is annexed and marked hereto as Annexure-A-7(Pg Nos. 221 to 232).

- vi) Further, the Assistant Engineer(Works), Office of the Chief Engineer, Andaman Public Works Department (APWD) vide Communication No.WS/9-20(Plastic waste)/CE/2019-20/4681 dated 07.08.2019 requested all Executive Engineers' under APWD to identify at least 2 Roads from ongoing/sanctioned projects in each division where plastic waste would be utilized for road construction/repair. A true copy of the Communication No.WS/9-20(Plastic waste)/CE/2019-20/4681 dated 07.08.2019 sent by the Assistant Engineer(Works), Office of the Chief Engineer, Andaman Public Works Department (APWD) is annexed and marked hereto as Annexure-A-8(Pg Nos. 233 to 234).



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vii) Further, Port Blair Municipal Council vide Letter No.32/EE-III/WKS/RWKS/MC/18-19/202 dated 07.08.2019 informed the Secretary, Science and Technology that Council is going to utilize approximately 9.5 tonnes of plastic for construction of black top road under CRF as well as other plan schemes. These initiatives are expected to give a much desired impetus to reuse of plastic waste generated in the Union Territory of Andaman and Nicobar Islands. A true copy of the Letter No.32/EE-III/WKS/RWKS/MC/18-19/202 dated 07.08.2019 sent by the Port Blair Municipal Council to the Secretary, Science and Technology annexed and marked hereto as Annexure-A-9 (Pg Nos. ²³⁴.....to.....).

viii) The Port Blair Municipal Council has launched a Plastic Waste Management Scheme with cash prize and employment for depositing maximum quantity of plastic at Port Blair Municipal Council Plastic collection centers under the Garbage Free City initiative and 30 MT of plastic has been collected under the scheme. The cash prize ranging from



Rs.2000 to 10,000 for top 20 collectors were sponsored by M/s Andaman & Nicobar Island Integrated & Development Corporation (ANIIDCO) under Corporate Social Responsibility (CSR). Further, the top 5 collectors were also eligible for preferential enrolment in the sanitary section of the Port Blair Municipal Council on muster roll basis.

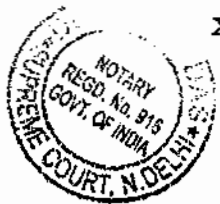
- ix) The Port Blair Municipal Council is planning to send 850 tons of plastic waste to Mainland for recycling through authorized dealer by the end of August, 2019.
- x) The Port Blair Municipal Council & Rural Development and Panchayat (RD&P), Andaman and Nicobar Administration have amended their bye-laws to include spot fines against the violators and so far 6228 spot fines were made and Rs.21,49,200 have been recovered.
- xi) The Draft Notification on ban on single use plastic items in the Union Territory of Andaman and Nicobar Islands and the objections/suggestions received have been reviewed during the 6th State Level Advisory Committee Meeting. A Committee has been constituted vide Office Order No.69 dated 19.07.2019 for examining the import of single use plastic items/packaging and to put in place Extended



Producers Responsibility(EPR) modalities under Rule 9 of the Plastic Waste Management Rules, 2016. Twomeetings have been convened on 29.07.2019 and 07.08.2019 respectively. The final Draft Notification for ban on single use plastic will be submitted for an approval of the Competent Authority after receiving the recommendations of the said Committee. A true copy of the Office Order No.69 dated 19.07.2019 issued by the Department of Science and Technology, Andaman and Nicobar Administration is annexed and marked hereto as **Annexure-A-10(Pg Nos.235 to.....)**.

xii) The Administration has conducted one(1) exhibition displaying Alternatives to single use plastic in the month of May 2019 for promoting smooth transition to non-plastic alternatives once the ban on single use plastic is notified. The 2nd such exhibition is planned in the month of August 2019.

xiii) The Central Pollution Control Board vide letter No. B-13011/1/UPCD-II/OA-606/2019-20 dated 18.07.2019 prepared a Gap Analysis Report on action plans/compliance reports submitted by the States/Union Territories in pursuance of the order



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dated 16.01.2019 passed by this Hon'ble Tribunal in O.A.No.606 of 2018. The Present Status on the Gap Analysis of Compliance Report submitted by Andaman and Nicobar Administration to this Hon'ble Tribunal with regard to plastic waste management was sent to Central Pollution Control Board vide Letter No.7-14/PCC/NGT(O.A(606/2018/2019/194 dated 06.08.2019. A true copy of the Present Status Report submitted to the Central Pollution Control Board by the Andaman and Nicobar Administration is annexed and marked hereto as **Annexure-A-11(Pg Nos.....to.....).**

xiv) The ANPCC(Andaman and Nicobar Pollution Control Committee) vide Letter No.2-16/PCC/PWM(2016)/2016/176 dated 30.07.2019 has submitted the Annual Report for the year 2018-2019 in Form VI to the Central Pollution Control Board in terms of provision of Sub-rule (3) of Rule 17 of The Plastic Waste Management Rules,2016. A true copy of the Annual Report submitted by the ANPCC (Andaman and Nicobar Pollution Control Committee) is annexed and marked hereto as **Annexure-A-12(Pg Nos.....to.....).**



5. With regard to para 46(i) of the Order dated 06.05.2019- "Similar steps be taken with regard to Bio-Medical Waste Management Rules, 2016", it is submitted that the Steps taken by the Administration to address the issues of Bio-Medical Waste Management in compliance with the provisions of Bio-Medical Waste Management Rules, 2016 in the Union Territory of Andaman and Nicobar Islands include the following:

i) At present, there is no common Bio-Medical Waste disposal system in the Union Territory of Andaman and Nicobar due to geographical expanse and lower waste volumes generated per unit area. Hence, the incinerator installed at GB Pant Hospital with a capacity of disposing 100 kg per hour is being utilized for disposing Bio-Medical Waste being generated at Port Blair town by Government and as well as private Health Care Facilities (HCFs).

ii) At present, 6 incinerators at various Health Care Facilities (HCFs) are operational in South Andaman District, North and Middle Andaman District and Nicobar District as per the following details:

Sl.No.	District	Name of the HCFs	Capacity
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1.	South Andaman	GB Pant Hospital	100 kg/hour
		CHC Bambooflat	50 kg/hour
2.	Nicobar	CHC Nancowry	50 kg/hour
3.	North and Middle Andaman	Dr. R.P Hospital Mayabunder	50 kg/hour
		CHC Diglipur	50 kg/hour
		CHC Rangat	50g/hour

The above mentioned Bio-Medical incinerators are being utilized for disposing Bio-Medical waste generated in the Government Health Care Facilities (HCFs) as well as Private Health Care Facilities (HCFs) and in other small Health Care Facilities (HCFs), the Bio-Medical waste are being disposed through deep burial in accordance with the provisions of Bio-Medical Waste Management Rules, 2016.

- iii) The Directorate of Health Services has initiated proposal for procurement of 5 BMW incinerators at different Health Care Facilities (HCFs) as per the following details:

Sl.No.	District	Name of the HCFs	Capacity
1.	South Andaman	PHC Garacharma	100 kg/hour
		PHC Hutbay	50 kg/hour
		PHC SwarajDweep (Havelock)	50 kg/hour
2.	Nicobar	BJR Hospital Car Nicobar	50 kg/hour
		PHC Campbell bay	50 kg/hour

The work is expected to be completed by March, 2020. A true copy of the Action Taken Report



submitted by the Director of Health Services, Office of the Nodal Officer, Bio-Medical Waste Management(BMWM)is annexed and marked hereto as Annexure-A-13(Pg Nos.263 to.....).

- iv) The Health Department is organizing Bio-Medical Waste management training for doctors in collaboration with Central Pollution Control Board, Zonal Office Kolkata.
- v) The Central Pollution Control Board vide letter No. B-13011/1/UPCD-II/OA-606/2019-20 dated 18.07.2019 prepared a Gap Analysis Report on action plans/compliance reports submitted by the States/Union Territories in pursuance of the Order dated 16.01.2019 passed by this Hon'ble Tribunal in O.A No.606 of 2018. The Present Status on the Gap Analysis of the Compliance Report submitted by the Andaman and Nicobar Administration to this Hon'ble Tribunal with regard to Bio-Medical Waste Management was sent to Central Pollution Control Board vide Letter No.7-14/PCC/NGT(O.A(606/2018/2019/194 dated 06.08.2019. A true copy of the Present Status Report submitted by the Andaman and



Nicobar Administration is annexed and marked hereto as Annexure-A-14(Pg Nos. ²⁶⁴.....to.....).

vi) The Andaman and Nicobar Pollution Control Committee vide Letter No.2-15/PCC/BMW(2016)/2016/175 dated 30.07.2019 submitted an Annual Report for the year 2018-2019 to the Central Pollution Control Board in terms of provision of Sub-rule (2) of Rule 13 of The Bio-Medical Waste Management Rules,2016. A true copy of the Annual Report submitted by the Andaman and Nicobar Pollution Control Committee is annexed and marked hereto as Annexure-A-15(Pg Nos. ²⁶⁵.....to.....²⁷⁰).

6. With regard to para 46(ii) of the Order dated 06.05.2019- "Apart from Port Blair City and Port Blair Town which have been declared as model city and town respectively, at least 3 villages in each district may be declared as model villages within two weeks and may be made compliance within six months. The remaining cities, towns and villages of the State may be made fully compliant in respect of environmental norms within one year" it is submitted that :



- i) The following 3 villages of South Andaman District have been selected for model villages for waste management:
- a) Gram Panchayat, Chouldhari;
 - b) Gram Panchayat, Shaheed Dweep (Neil Island); and
 - c) Gram Panchayat, Netaji Nagar, Little Andaman.
- ii) The following 3 villages of Nicobar District have been selected for model villages for waste management:
- a) Gandhi Nagar;
 - b) Rajiv Nagar, Ward No. 4; and
 - c) Kamal Basti.
- iii) Similarly, in the North and Middle Andaman District, the following 3 villages have been selected:
- a) Radhanagar Panchayat, Diglipur Tehsil;
 - b) Rampur Panchayat, Mayabunder Tehsil; and
 - c) Shivapuram Panchayat, Rangat Tehsil.



7. With regard to para 46(iii) of the Order dated 06.05.2019- "A quarterly report be furnished by the Chief Secretary every 3 months" it is submitted that the next quarterly report will be submitted by 10.11.2019 before this Hon'ble Tribunal before the next date of hearing on 25.11.2019.
8. With regard to para 46(iv) of the Order dated 06.05.2019- "the Chief Secretary may personally monitor the progress,

atleast once in a month, with all the District Magistrates with special focus on Solid Waste Management, Bio-Medical Waste, sewage management, coastal zone pollution, sand mining, and education of tourists about protection of environment”, it is submitted that the Andaman and Nicobar Administration vide Order No.414 dated 12.02.2019 constituted a State Level Advisory Committee headed by Chief Secretary as Chairman. Till date, the Committee has convened six meetings as per the orders of this Hon’ble Tribunal and regular review on compliance of the directions issued by this Hon’ble Tribunal are being carried out. A true copy of the Minutes of the 4th, 5th and 6th Meetings of State Level Advisory Committee held on 03.06.2019, 19.06.2019 and 01.08.2019 respectively is annexed and marked hereto as

Annexure-A-16(Pg Nos. 271 to 282).

9. With regard to para 46(v) of the Order dated 06.05.2019- “The District Magistrates may monitor the status of compliance of environmental norms, at least once in two weeks”, it is submitted that a District Level Task Force Committee was constituted and review meetings also held under the Chairmanship of Deputy Commissioner, South Andaman to monitor the status of compliance of



environmental norms with all stakeholder departments of the Administration, local bodies and Private Organizations.

For effective monitoring and enforcement of the directions of this Hon'ble Tribunal, a monitoring committee was also constituted under the Chairmanship of Revenue Inspector for surprise check of vendors and a District Enforcement Committee was constituted under the Chairmanship of the Additional District Magistrate to monitor the clinical establishments.

10. With regard to para**46(vi)** of the Order dated 06.05.2019, "The District Magistrate or other Officers may be imparted requisite training", it is submitted that a one-day workshop in consultation with Central Pollution Control Board, Kolkata for all senior officers of the Administration on effective implementation of Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016 and Bio-Medical Waste Management Rules, 2016 will be conducted during the 3rd week of August.



11. With regard to para**46(vii)** of the Order dated 06.05.2019, "Estimate of value of environmental degradation and cost of restoration be prepared and compensation be planned

and recovered from polluters for environmental restoration and restitution on that basis”, it is submitted that Central Pollution Control Board, Kolkata has nominated National Environment Engineering Research in Nagpur for taking up the estimation work for environmental degradation and cost of restoration. The Port Blair Municipal Council has collected Rs.21,49,200 against 6228 spot fines from the violators. The amount collected by Port Blair Municipal Council (PBMC) is being utilized as per the provisions of Port Blair Municipal Council (PBMC) Bye-laws for protecting the environment.

12. With regard to para 46(viii) of the Order dated 06.05.2019, “Performance audit of functioning of all regulatory bodies may be conducted and remedial measures be taken, within six months”, it is submitted that a Performance audit was conducted during June 18-20. It has been pointed out that lack of technical manpower hampered the effective enforcement and monitoring of the Rules by Andaman and Nicobar Islands Pollution Control Committee. The report has been placed before the State Level Advisory Committee and it has been decided that there will be engagement of technical staff on short term contractual basis until such time the regular posts are created. A true copy of the Performance Audit Report is



annexed and marked hereto as Annexure-A-17(Pg Nos. 283, 290 to.....).

13. With regard to para 46(ix) of the Order dated 06.05.2019, "Introduction of a policy of giving ranking, based on performance on the subject of environment and giving of rewards or other incentives on that basis to individual areas, localities; institutions or individuals may be considered. This may also include encouraging students or other citizens significantly contributing to the cause of environment. The best practices may be evolved, if necessary, in the light of experiences on the subject. This may help in educating and involving public at large which may help in enhancing of environmental laws", it is submitted that Andaman and Nicobar Islands Pollution Control Committee (ANPCC) is in the process of formulation of the policy which will be rolled out by end of August, 2019.



14. With regard to para 46(x) of the Order dated 06.05.2019, "Submission of Compliance Report and Presence of Chief Secretary before this Hon'ble Tribunal", it is submitted that the Compliance Report is being filed by way of present Quarterly Report for kind consideration of this Hon'ble Tribunal and the 2nd Quarterly Report will be filed on

10.11.2019 in the present case before this Hon'ble Tribunal for its consideration.

15. In view of the factual position stated above and in view of the directions issued by this Hon'ble Tribunal vide Order dated 06.05.2019 in Original Application being OA No.606 of 2018, the Administration has taken all necessary action for its compliance in toto. Thus, keeping in view of the position stated above, the question in respect of any impediment does not come in the way of implementation of directions, if any, issued by this Hon'ble Tribunal and the Andaman and Nicobar Administration will implement the same in true letter and spirit.

16. In the light of the factual circumstances stated above, this Hon'ble Tribunal may be pleased to pass appropriate Order as deemed fit and proper and thus, render justice.




DEPONENT

Chetan B. Sanghi, IAS
Chief Secretary
Andaman & Nicobar Administration
Secretariat, Port Blair

VERIFICATION

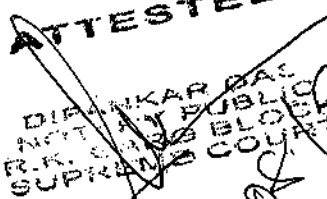
Verified at New Delhi on this the 09th day of August, 2019 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.


DEPONENT
Chetan B. Sanghi, IAS
Chief Secretary
Andaman & Nicobar Administration
Secretariat, Port Blair



IDENTIFIED

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ATTESTED

DIANIKAR DAS
NOTARY PUBLIC
R.K. CROSS BLOCK
SUPREME COURT

09.08.19