

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

Original Application No. 606/2018
(I.A. Nos. 163/2021, 299/2024 & 20/2025)
(In respect of State of Sikkim)

Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues.

Date of hearing: 16.01.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. R. Telang, Chief Secretary, Mr. Pradeep Kumar, Secretary, Forest & Environment, Mr. Norting Tsering, Secretary, RDD, Mr. N.W. Tawang, Member Secretary, SPCB, Mr. Shailendra Sharma, P.C.E., UDD & Other Senior Officers (Through VC) with Mr. Rahul Kumar, Advocate for the State of Sikkim

ORDER

1. In this original application, Tribunal is monitoring the issue of solid as well as liquid waste management as per orders of the Hon'ble Supreme Court dated 02.09.2014 in *Writ Petition No. 888/1996, Almitra H. Patel vs. Union of India & Ors.*, about solid waste management and order dated 22.02.2017 in *W.P. No. 375/2012, reported in (2017) 5 SCC 326, Paryavaran Suraksha vs. Union of India*, about liquid waste management (sewage).

2. Today, the matter has been taken up in respect of compliance by the **State of Sikkim.**

3. We have heard Mr. R. Telang, Chief Secretary, Mr. Pradeep Kumar, Secretary, Forest & Environment, Mr. Norting Tsering, Secretary, RDD, Mr. N.W. Tawang, Member Secretary, SPCB, Mr. Shailendra Sharma, P.C.E.,

UDD & Other Senior Officers (Through VC) and Mr. Rahul Kumar, Advocate for State of Sikkim and perused the report filed on 6.1.2025.

4. We have observed the following deficiencies in the report and also the factual status not reflected in the report;

[A] Solid Waste Management

- (i) There is no disclosure about the quantity of solid waste generated daily for each Urban Local Body (ULB), its processing and the gap and time-bound plan to plug the gap.
- (ii) With regard to remediation of legacy waste site at Gangtok (Martam site), one lakh MT is still remains which will be remediated by December, 2025. However, it is not disclosed on the characteristics of good earth and also total area reclaimed on account of clearing 1.29 lakh MT of waste.
- (iii) Details of gaps in waste processing, and assessment of legacy waste in ULBs should be disclosed in the next report.
- (iv) Processing methodologies adopted by each ULB and routing of products and the rejects/ residues to different destinations are not disclosed.
- (v) Besides disclosing above details, the status in respect of each ULB should be reported in the following formats;

Solid waste management in the State

(1) Waste Generation (TPD)*	(2) Composition of Waste			(3) Waste collected	(4) Waste Transported	(5) Final destination of transported waste
	Biodegradable	Dry / Recyclable	Inerts			

* Whether based on per capita / or weighment

6) Waste Processing					
(A) 6.1) Composting					
a) Intake quantity	b) Method adopted	c) Output quantity as Compost	d) Quality	e) Residue and Rejects and Management	f) Utilization of compost

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6) Waste Processing					
(B) 6.2) Refuse Derived Fuel					
i) Capacity of Plant	ii) Sources of waste for making RDF	iii) RDF Produced	iv) Residue / Reject management		vi) Utilization of RDF

6) Waste Processing					
(C) 6.3) Waste to Energy (Thermal / Methanation route)					
a) Plant capacity	b) Daily inputs of feed	c) Sources of waste	d) Output (Energy)	e) Residue / Rejects management	f) Fly ash and Bottom Ash management

6) Waste Processing			
(D) 6.4) Other Processing			
a) Quantity of inputs	b) Quality of inputs	c) Products and it's utilization	d) Residue / Reject management

7. Gap in Waste generation and Processing	Time bound plan to fill up the Gap

8. Legacy Waste								
1) Number of legacy waste dump sites	2) Quantity of legacy waste reported on.....	3) Present quantity of legacy waste	4) Daily legacy waste being added as unprocessed waste	5) Quantification and utilization of out of Bioremediation and bio mining				6) gap in legacy waste remediation and time bound plan
				Digested material	Plastics	Rubber	Inerts and others	

[B] **Sewage Management**

- (i) It is stated that the estimated sewage generation in the State is 40 MLD, but no ULB-wise details are provided in the report.
- (ii) Details of existing STPs for Gangtok have been provided but, no disclosure has been made about extent of households connected and unconnected households relying on septic tanks. Further, the performance results of STPs are not provided.
- (iii) The details of performance of mobile sewage treatment units (MTU), their technical features, performance and overall utility have not been provided.
- (iv) There is no disclosure of efforts made to adopt decentralized STPs (modular) for sparse populations.
- (v) The next report relating to sewage management should be given for each ULB in the following format;

Sewage management in the State

(A) Sewage Status Estimation and Measurement	(B) Sewage Conveyance/sewers		
*Total Sewage Generation per day (in MLD) (1)	Targetted Household to be connected to sewers (2)	House holds connected (3)	Time targets to complete connectivity (gap in connectivity) (4)

*Basis of estimation (based on 80% of lpcd water supply/or measured)

(C) Drains					
Sewage and Sullage flowing in open drains (Storm water drains / concretised drains / unlined/katcha drains) (No. of drains) (5)	**Flow in each drain (MLD) (6)	Quality / Characteristics of effluent (7)	Quantity of industrial effluent discharged in drain (MLD) (8)	Final point of discharge of drain (9)	Time bound action plan to prevent sewage discharge into drain (10)

** Whether this quantity added in Column [A]

(D) Sewage treatment and Utilisation							
Installed Treatment capacities of existing STPs (MLD) (11)	Utilisation capacity of existing STPs (MLD) (12)	Gap in sewage generation and treatment (MLD) (13)	Time bound plan to set up and operationalise STPs (14)	Performance of STPs with reference to Standards (15)	Final point of discharge of treated effluent (16)	Level of Utilisation of Treated sewage (17)	Sludge generation and its management (18)

[C] Ring fence Account

It was informed that Rs. 50 crore has been ring-fenced, and entire amount has been utilised but, the activities in which such amount is utilised have not been disclosed. Next report should give the following details.

9. Ring Fence Account				
1) Amount to be ring fenced	2) Whether single dedicated account has been opened	3) Date of opening account	4) Amount utilized	5) Plan of utilization

5. Let a fresh action taken report be filed by the State of Sikkim covering the aspects noted above at least one week before the next date of hearing by way of affidavit through e-filing.

6. List the matter on 14.10.2025 for consideration of report in respect of State of Sikkim.

7. For State of Punjab, matter be listed on 27.01.2025 as per earlier direction.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

January 13, 2025
Original Application No. 606/2018
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