

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
Original Application No.675/2023**

In re : News Item appearing in Mid-day dated 15/10/2023 titled
"How residents of Maharashtra's Chauda Gaav are battling the ill
of a temporary dumping ground

**Action Taken Report on behalf of the Maharashtra Pollution
Control Board in compliance of the Order dated 03/11/2023
passed by this Hon'ble NGT.**

1. This Original application has been registered in suo-moto exercise of power on the basis of news item published on 15/10/2023 in Mid-day titled "How residents of Maharashtra's Chauda Gaav are battling the ills of a temporary dumping ground". The 14 villages as mentioned in the Mid-day news are : Bhandarli, Narivli, Bale, Dahisar, Dahisar Mori, Mokashipada, Uttarshiv, Goteghar, Waklan, Bamanliv, Nighu, Nevali, Pimpri and Nagav. Five Gram panchayat governs the 14 villages.

2. **Present status of Bhandarli MSW site:**

i. Maharashtra Pollution Control Board has granted MSW Authorization dtd 23/3/2022 under the provisions of the Solid Waste Management Rules, 2016 to Thane Municipal Corporation (TMC), to set up and operate Solid Waste

Processing/Recycling/ treatment/ disposal facility and scientific Sanitary landfill site for capacity of 615 MT/day at S. No. 104/3 to 104/21, Village Bhandarli, Dist: Thane, which is valid upto 31/1/2027. A copy of the Authorisation dated 23/3/2022 is annexed herewith as an **Annexue-'I'**.

- ii. Around 1039 MT/ day Municipal Solid waste is generated from the Thane city.
 - iii. TMC has started Bhandarli MSW site from 31/01/2023 after stopping Diva dump site.
 - iv. TMC has also applied for Decentralized MSW processing facilities (bio-Methanation plant, Organic waste composter, Mechanical composting etc.) of total capacity of 90 TPD.
3. In pursuance of the Order dated 3/11/2023 passed by this Tribunal, the officials of the Maharashtra Pollution Control Board have visited the MSW site located at Bhandarli on 20/11/2023 and observed as follows :
- a. During visit, Bhandarli site was not in operation. The representative informed that movement of MSW trucks stopped since last 20-25 days.
 - b. TMC has provided 01 No. of leachate well for collection.
 - c. TMC has removed all machineries from the site. Only one JCB observed, which was also not in operation.
 - d. TMC has not provided post closure plan and leachate treatment arrangement. A copy of the Visit report dtd.20/11/2023 is annexed herewith as an **Annexure-'II'**.

4. Present status of Diaghar MSW Site:

- i. Maharashtra Pollution Control Board has granted Authorization dtd.06/04/2018 to Thane Municipal Corporation, to set up and operate waste processing/ recycling/ treatment/ disposal facility (Waste to Energy Plant) with a capacity of 800 MT/day at S.No. 15,16,17,18 and 19 at Diaghar, Kalyan-Shilphata Road, Thane, which was valid upto 31/3/2023. A copy of the Authorisation dated 06/04/2018 is annexed herewith as an **Annexure- 'III'**.
- ii. TMC has applied consent to operate for Diaghar MSW site which is under process.

5. The officials of the Maharashtra Pollution Control Board have further visited to the MSW site located at Diaghar on 20/11/2023 and observed as follows :

- a. Pre-treatment part of MSW processing facility at Diaghar found in operation. It was informed during visit that plant is in operation since 18/10/2023.
- b. MSW facility operator's representative informed that daily Municipal solid waste received at site is 600-700 MT.
- c. Pre-processing facility consisting of MSW storage pit, size reduction equipment, primary separator, and secondary separator is installed.
- d. Effluent treatment system not provided for leachate generated from the facility. It was informed that

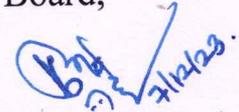
approximately 25 CMD leachate liquid is sent to Mumbra STP for further treatment.

- e. No work started for processing / composting activity of organic segregated part of the waste.
 - f. It was informed that organic part of the waste is sent to farmers at khopoli and karjat. Non-biodegradable part (Refused derived fuel- RDF) of the waste is sent to logistic facility at Pune; which is further sent to cement plant. A copy of the Visit report dtd.20/11/2023 is annexed herewith as an **Annexure-‘IV’**.
6. MPCB has issued Show Cause Notice to Thane Municipal Corporation vide letter dated 01/12/2023 for the following non-compliances.
- i. You have not provided proper leachate collection and treatment system for the treatment of generated leachate as per MSW authorization condition no. 19 for Bhandarli MSW processing facility.
 - ii. You have not started Bio-mining of Municipal Solid Waste at Bhandarli site.
 - iii. You have not provided proper effluent treatment system on site for the treatment of generated leachate for Diaghar MSW site.
 - iv. You have not provided shed for storage of processed solid waste material at Diaghar MSW site & and same was observed kept openly on land during board officials visit.

- v. You are operating only pre-processing facility at Diaghar MSW site, for segregation of biodegradable and non-biodegradable waste.
- vi. You have not yet installed and operating Waste to Energy plant as per Authorization.

A copy of the Show Cause Notice dated 01/12/2023 is enclosed annexed herewith as an **Annexure-V**.

For & on behalf of
Maharashtra Pollution
Control Board,



(Kiran Hasabnis)
Regional Officer-Thane

Place : Thane
Date : 07/12/2023

ANNEXURE-I

(Bhandarli MSW Authorization)

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
 Fax: 24023516
 Website: <http://mpcb.gov.in>
 Email: rohq@mpcb.gov.in



Kalpataru Point, 2nd and
 4th floor, Opp. Cine Planet
 Cinema, Near Sion Circle,
 Sion (E), Mumbai-400022

No: BO/RO-HQ/MSW_AUTH/2203000001

FORM -II

[See - Rule 16 (1)]

Dated:

23/3/2022



Your Service is Our Duty

To,
 The Municipal Commissioner,
 Thane Municipal Corporation

Subject: Authorization under Solid Waste Management Rules, 2016

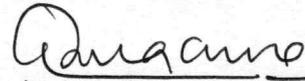
Reference: Your online application for grant of authorization UAN No. MPCB-MSW_AUTH-0000000710 and UAN No. MPCB-MSW_AUTH-0000000711 Dtd. 08/11/2021

The Maharashtra Pollution Control Board after examining the proposal hereby authorizes The Commissioner/Chief Officer, having administrative office at to set up and operate solid waste processing/ Recycling/ treatment/disposal facility and Scientific Sanitary Landfill site at S. No. 104/3, to 104/21, Vill-Bhandarli, Tal & Dist-Thane on the terms and conditions (including the standards to be complied with) attached to this authorization.

1. The authorization is hereby granted to set up and operate solid waste processing/Recycling/ treatment/disposal facility and Scientific Sanitary Landfill site
2. The Solid Waste Management authorization is valid for the period up to **31-01-2027**
3. The authorization is subject to the terms and conditions stated below and such conditions as may be otherwise specified in these rules and the standards laid down in Schedules I and II under these rules
4. The Maharashtra Pollution Control Board may at any time revoke any of the condition applicable under the authorization and shall communicate the same in writing.
5. Any violation of provisions of Solid Waste Management Rules, 2016 attracts the penal provisions of the Environment (Protection) Act, 1986 (29 of 1986).
6. This authorization is granted without prejudice or being prejudice of the order passed/ to be passed by Hon?ble High Court/NGT.
7. The Corporation/Council shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development.
8. The Corporation/Council shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time.

9. Corporation/Council shall provide Buffer Zone around the solid waste processing and disposal facility as per CPCB guidelines by carrying out study of area and solid waste management Rules, 2016.
10. Corporation/Council shall make an application for renewal of the Authorization at least 60 days before the date of the expiry of the Authorization.
11. This is issued with the approval of Consent Committee of the Board in its meeting held on 30.12.2021
12. The Corporation shall strictly follow the EIA Notification,2006.
13. Segregated Wet Waste at source only shall be received at the Windrow Composting site.

For and on behalf of the
Maharashtra Pollution Control Board.

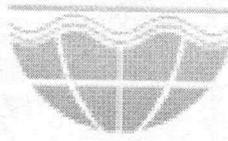

(Ashok Shingare IAS),
Member Secretary

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1. The District Collector, Thane - Being one of the implementing authorities having overall responsibility for the enforcement of the provisions of Solid Waste Management Rules, 2016, it is obligatory on your part to see that the Solid Waste is processed & disposed off in accordance with the said Rules.

Copy To:

1. Regional Officer, MPCB, Thane / Sub Regional Officer, MPCB, Thane I For necessary action and follow up.
2. Master File.



ANNEXURE - I

Terms & Conditions to Operate Municipal Solid Waste Processing/ Waste Disposal Facilities and sanitary landfill site at following location by The Municipal Commissioner, Thane as mention below.

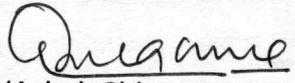
- 1 615 MT/Day of Solid Waste generated shall be processed and disposed as below:

Sr.No.	Operating Agency	Location of waste processing site	Municipal Waste	Method of Treatment
1	Thane Municipal Corporation	S. No. 104/3, to 104/21, Vill-Bhandarli, Tal & Dist-Thane	473.00 MT/ Day	1. Windrow composting 2. Mechanized material recovery facility (MRF facility)
2	Thane Municipal Corporation	S. No. 104/3, to 104/21, Vill-Bhandarli, Tal & Dist-Thane	142.00 MT/ Day	1. Sanitary landfill of Rejected waste.

2. The municipal authority shall comply with these rules as per the implementation Schedule laid down in Schedule I as per Solid Waste Management Rules, 2016.
3. The Corporation/Council shall submit its annual report in Form-IV to Maharashtra Pollution Control Board and the Secretary-in-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer in-Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30th day of June every year.
4. When an accident occurs of any municipal solid wastes collection, segregation, storage, processing, treatment and disposal facility or landfill site or during the transportation of such wastes, the municipal authorities shall forthwith report the accident in Form-VI to the Secretary In charge of the Urban Development. Department in metropolitan cities and to the District Collector in all other cases.
5. The inert created during handling and processing of MSW shall be properly land filled at authorized site.
6. The municipal authority will have to abide by the provisions of Solid Waste Management Rules, 2016.
7. Tipper and Dumper shall be avoided. Closed body bins can be used or compactor used for MSW collections.
8. Raw waste material shall not be dumped/stored temporary at this site.
9. All recyclable material shall be segregated at source and before receiving at disposal site.
10. All mitigation measures like odour, smoke, fire, dust, nuisance etc. shall be taken by the Corporation/Council
11. Environment Management Plan and Disaster Management Plan shall be prepared and implemented by the Corporation/Council.

12. Corporation/Council shall submit Bank Guarantee of Rs. 5 lacs towards compliance of authorization conditions to the Board within 15 days period from issuance of this authorization, which will be valid for a period of five year.
13. Corporation/Council shall implement the timely action plan for site selection, acquisition of land, treatment and processing of solid waste as per the Minutes of the Order dtd.2/4/2013 passed by Hon?ble High Court, Mumbai against the writ petition No.1740/1998.
14. The Corporation/Council shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development
15. The Corporation/Council shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time.
16. Corporation/Council of the facility shall disposed off inert material/ residue, as per Solid Waste Management Rule, 2016.
17. Corporation/Council of the facility shall not extract ground water without approval from Central Ground Water Authority (CGWA).
18. Corporation/Council of the facility shall ensure that, during the Manson adequate preventive measures are taken to erosion of MSW from site and doesn?t flow in to the drain and adjacent area.
19. Corporation/Council of the facility shall provide proper leachate collection and treatment system for treatment of generated leachates.
20. This authorization is granted without prejudice or being prejudice of the order passed/ to be passed by Hon?ble High Court/NGT.
21. Corporation/Council shall provide Buffer Zone around the solid waste processing and disposal facility as per CPCB guidelines by carrying out study of area and solid waste management Rules, 2016.
22. This is issued with the approval of Consent Committee of the Board in its meeting held on 30.12.2021

For and on behalf of the
Maharashtra Pollution Control Board.


(Ashok Shingare IAS),
Member Secretary

ANNEXURE-II

(Bhandarli MSW Visit Report)

MAHARASHTRA POLLUTION CONTROL BOARD

Sub-Regional Office, Navi Mumbai-II

Phone 022-27572740

Fax No.: 022-27562132

E-mail :-

sronavimumbai2@mpcb.gov.in

Website :- <http://mpcb.gov.in>



Raigad Bhavan, 7th Floor,
Sector 11, C.B.D. Belapur,
Navi Mumbai - 400 614

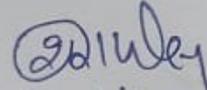
VISIT REPORT

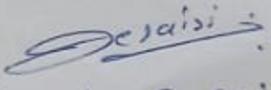
- 1) Name and Address of Industry :- m/s. Thane Municipal Corporation
(MSW Site) Sr. No. 104/3 to 104/21
Vill. Bhacholi, Tal & Dist Thane
- 2) Date of Visit :- 20/11/2023
- 3) Name of Industry Representative :- Not available at the time of visit
- 4) Contact No. of Industry :- -
- 5) Visited By :- S.R. Patil fo & Sachin Desai fo
- 6) MPCB Consent Status :- Auth. valid upto 31/01/2027

I.E:- m3/d D.E:- m3/d

7) Observations :-

- As per NGT order issued on 3/11/2023 site verified on 20/11/2023
- During visit to site found not in operation, adjacent representative ~~intormed~~ intormed that MSW truck stopped since last 20 to 25 days.
- TMC has provided 01 Nos of Leachate well for collection
- TMC has removed all machinery from site, only one JCB observed which is also not in operation.
- TMC has not provided post closure Leachate treatment arrangement.


Shashikant R. Patil
fo, SRONM-II


Sachin Desai
fo, SRONM-II

BHANDARLI MSW SITE VISIT PHOTOGRAPHS





ANNEXURE-III

(Diaghar MSW Authorization)

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24023516/24024068/24044531

Website: <http://mpcb.gov.in>

E-mail: enquiry@mpcb.gov.in



Kalpataru Point, 2nd, 3rd & 4th Floor

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai- 400 022. Date: 06/04/2018

No. BO/SWMA/B

RO-HQ/MSW-AUTH/1804000001 FORM -II
[Rule 16 (1)]

To,

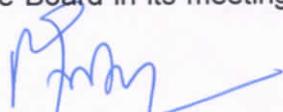
1. **The Municipal Commissioner,**
Thane Municipal Corporation,
Thane.
2. **M/s. Thane Clean Environment Pvt. Ltd.,**
Santacruz Mansion, Santacruz (E), Mumbai-400 055.

Sub: Authorization under the Solid Waste Management Rules, 2016.

Ref: Your online application for grant of authorization dated 06/03/2018.

The **Maharashtra Pollution Control Board** after examining the proposal hereby authorizes **The Commissioner**, having administrative office at **Thane Municipal Corporation**, Mahanagarpalika Bhavan, Dr. Almeda Road, Chandanwadi, Panchpakhadi, Thane-400 602 to **set up and operate waste processing/recycling / treatment/disposal facility (Waste to Energy Plant) at S. No. 15,16,17,18 & 19, Village- Diaghar, Kalyan Shil Phata Road, Thane site** on the terms and conditions (including the standards to be complied with) attached to this authorization in Annexure I.

1. The authorization is hereby granted to operate the facility for processing, recycling, treatment and disposal of solid waste
2. The validity of the authorization is till **31/03/2023** after the validity, renewal of authorizations is to be sought.
3. The authorization is subject to the terms and conditions stated below and such conditions as may be otherwise specified in these rules and the standards laid down in Schedules I and II under these rules
4. The Maharashtra Pollution Control Board may at any time revoke any of the condition applicable under the authorization and shall communicate the same in writing.
5. Any violation of provisions of **Solid Waste Management Rules, 2016** attracts the penal provisions of the **Environment (Protection) Act, 1986 (29 of 1986)**.
6. **This authorization is granted without prejudice or being prejudice of the order passed/ to be passed by Hon'ble High Court/NGT.**
7. The Corporation shall strictly follow the EIA Notification, 2006.
8. The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development
9. The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time.
10. This is issued with the approval of Consent Committee of the Board in its meeting held on 23rd & 24th March, 2018.


(Dr. P. Anbalagan, IAS)
Member Secretary

D. A. - Annexure- I

Copy f. w. cs- The District Collector, Thane - Being one of the implementing authorities having overall responsibility for the enforcement of the provisions of Solid Waste Management Rules, 2016, it is obligatory on your part to see that the Solid Waste is processed & disposed off in accordance with the said Rules.

Copy to: Regional Officer, MPCB, Thane / Sub Regional Officer, Thane-I - For necessary action.

A handwritten signature in blue ink, consisting of a stylized 'P' followed by 'm' and a long horizontal stroke extending to the right.

Part A-Responsibilities of Local Body

Terms & conditions to set up and operate Municipal Solid Waste Processing / Waste Disposal Facility i.e. Waste to Energy Plant by **The Commissioner, Thane Municipal Corporation**, Mahanagarpalika Bhavan, Dr. Almeda Road, Chandanwadi, Panchpakhadi, Thane at **S. No. 15,16,17,18 & 19, Village- Diaghar, Kalyan Shil Phata Road, Thane .**

1. The municipal authority shall comply and strictly abide with the conditions stipulated in Schedule I, II, III and IV of Municipal Solid Waste (Management & Handling) Rules 2000.
2. 800 MT/day of Municipal Solid Waste generated shall be processed and disposal as below:
 - I. Waste to energy Plant from which 13 MW energy generated.
 - II. Segregated waste like Metallic paper, plastic etc. shall be Disposed through rag pickers by sale for recycle.
 - III. The non-biodegradable inert waste, residues of waste processing facilities as well as pre-processing rejects from waste processing facilities shall be disposed off at authorised landfill site only.
3. The municipal authority shall furnish its annual report in Form-II, to the District Magistrate or the Deputy Commissioner with a copy to the Maharashtra Pollution Control Board, on or before of the 30th day of June every year.
4. Whenever an accident occurs due to any municipal solid wastes collection, segregation, storage, processing, treatment and disposal facility or landfill site or during the transportation of such wastes, the municipal authorities shall forthwith report the accident in Form-V to the Secretary In charge of the Urban development Department in metropolitan cities and to the District Collector in all other cases.
5. The inert created during handling and processing of MSW shall be properly land filled.
6. The council shall establish / setup and operate the facility within six months to comply with the rules.
7. The authorization is issued without prejudice to Hon'ble High Court/NGT order issued and being issued in the matter.
8. The Corporation shall submit a Bank Guarantee of Rs. 10,00,000/- (Rupees Ten Lacs only) to Regional Officer, Pune, within 15 days from the date of this authorization for compliance of the stipulated conditions of the authorization.
9. This authorization as per Sr. No. 5 of Schedule authorizes only M/s. Thane Clean Environment Pvt. Ltd, Santacruz mansion, Santacruz (E), Mumbai as operator of waste processing facility, on behalf of Thane Municipal Corporation for processing of municipal solid waste.
10. The corporation shall apply and submit the list of other facility provider involved in municipal solid waste management system as per Schedule II of the MSW Rules.
11. The Local Body shall inform to Board on addition, deletion of change of facility provider.


 (Dr. P. Anbalagan, IAS)
 Member Secretary

Part B- Responsibilities of Operator of Waste Processing Facility

Terms & conditions to set up and Operate Municipal Solid Waste Processing / Waste Disposal Facility i.e Waste to Energy Plant by **M/s. Thane Clean Environment Pvt. Ltd**, Santacruz mansion, Santacruz (E), Mumbai-400 055 at **S. No. 15,16,17,18 & 19, Village- Diaghar, Kalyan Shil Phata Road, Thane.**

1. 800 MT/day of Municipal Solid Waste generated shall be processed by the way of Waste to energy Plant from which 13 MW energy generated.
2. The operator of facility shall comply and strictly abide with the conditions stipulated in Schedule-II,III & IV of Solid Waste Management Rules,2016.
3. Whenever an accident occurs due to any municipal solid wastes processing and treatment the operator of the facility shall forthwith report the accident in Form-V to the Secretary In charge of Urban Development, Department in metropolitan cities and to the District Collector with a copy to the Boards in all other cases.
4. The inert created during handling and processing of MSW shall be properly handed over to Corporation for scientific land filled within period of 15 days.
5. The operator of the facility shall establish / setup and operate the facility on behalf of local body, within six months periods.
6. The authorization is issued without prejudice to Hon'ble High Court/NGT order issued and being issued in the matter.
7. The Operator of the facility shall submit a Bank Guarantee of Rs. 10,00,000/- (Rupees Ten Lacs only) to Regional Officer, Pune, within 15 days from the date of this authorization for compliance of the stipulated conditions of the authorization.
8. The Operator of facility shall comply and abide by the conditions of concession agreement made between corporations.


(Dr. P. Anbalagan, IAS)
Member Secretary

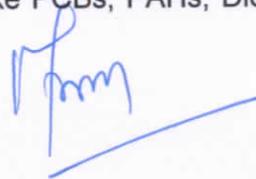
ANNEXURE -I

Terms & Conditions to set up and operate waste processing/recycling/treatment/disposal facility by **The Municipal Commissioner, Thane Municipal Corporation, Mahanagarpalika Bhavan, Dr. Almeda Road, Chandanwadi, Panchpakhadi, Thane operated by M/s. Thane Clean Environment Pvt. Ltd at S.No. 15,16,17,18 & 19, Village- Diaghar, Kalyan Shil Phata Road, Thane.**

1. **800 MT/ Day of Municipal Solid Waste generated shall be processed and disposed as below-**
 - I. Waste to energy Plant from which 13 MW energy generated.
 - II. Segregated waste like Metallic paper, plastic etc. shall be Disposed through rag pickers by sale for recycle.
 - III. The non-biodegradable inert waste, residues of waste processing facilities as well as pre-processing rejects from waste processing facilities shall be disposed off at authorised landfill site only.

Note :

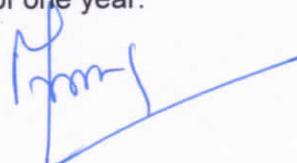
- 1] The odour nuisance from the site can be controlled by periodic spraying of microbial culture or any suitable method.
 - 2] At the initial stage of collection of Municipal Solid Wastes the waste minimization and segregation shall be carried out at source to avoid burden on the waste processing site.
2. The municipal authority shall comply with these rules as per the implementation Schedule laid down in **Schedule I** as per Solid Waste Management Rules, 2016.
 3. Every municipal authority shall, within the territorial area of the municipality, be responsible for the implementation of the provisions of these rules, and for the infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.
 4. All municipal solid waste generated in a city or a town, shall be managed and handled in accordance with the compliance criteria and the procedure laid down in **Schedule-I**.
 5. **The corporation shall submit its annual report in Form-IV to Maharashtra Pollution Control Board and the Secretary-in-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer in -Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30th day of June every year.**
 6. **When an accident occurs of any municipal solid wastes collection, segregation, storage, processing, treatment and disposal facility or landfill site or during the transportation of such wastes, the municipal authorities shall forthwith report the accident in Form-VI to the Secretary In charge of the Urban Development Department in metropolitan cities and to the District Collector in all other cases.**
 7. The ash generated shall be handled properly and shall be stored in a covered shed and disposed off to the enduser and record of it shall be maintained.
 8. The gas **cleaning** system shall be installed with comprehensive scrubbing system and shall be analyzed monthly for parameters like PCBs, PAHs, Dioxins, Furans, H₂S, CS₂ etc.



9. The inert created during handling and processing of MSW shall be properly land filled at authorised
10. The municipal authority will have to abide by the provisions of Solid Waste Management Rules, 2016.
11. Tipper and Dumper shall be avoided. Closed body bins can be used or compactor shall be used for MSW collections.
12. Segregation of MSW at source and frequency as per action plan.
13. Raw waste material shall not be dumped/stored temporary at this site.
14. All recyclable material shall be segregated at source and before receiving at disposal site.
15. Process remediates and inert material upto i.e. 25 % of the waste received for processing shall be disposed scientifically to authorised landfill site.
16. All mitigation measures like odour, smoke, fire, dust, nuisance etc. shall be taken by the corporation.
17. Environment Management Plan and Disaster Management Plan shall be prepared and implemented by the corporation.
18. Corporation shall to measure, continuously improve and achieve the eight items of the Service Level Benchmarking defined and desired by the Ministry of Urban Development, Govt. of India which are as below.

SLB No in UD's GL	Performance Indicator of UD's SLB	Level Desired
SLB 1	House Hold Level Coverage of SWM Services(house hold covered Doorstep/Total House Hold)	100%
SLB 2	Efficiency of Collection of MSW(MSW collected in Tones per day/MSW generated in T/day)	100%
SLB 3	Extent of Segregation of MSW(MSW segregated in Four Components in T/day/Total MSW Collected)	100%
SLB 4	Extend of Recovery of Solid Waste Collected(MSW Processed and Recycled T/d/Total MSW Collected)	80%
SLB 5	Extent of Scientific Disposal of MSW(Total authorized waste component disposed in T/day in SLF/Total MSW Disposed in Dumping sites, grounds, places and SLF)	100%
SLB 6	Efficiency of Redressal of Customer complaints(MSWM complaints received in a month/MSWM complaints Redressed in the month)	80%
SLB 7	Extent of Cost Recovery in SWM Services(Total O & M expenses on MSWM/Total O & M Revenue)in the same period)	100%
SLB 8	Efficiency in Collection of SWM Charges(Revenue Collected/Charges Billed in the same period)	90%

19. Corporation shall submit the time bound program for implementation of processing facility within 15 days.
20. Corporation shall submit Bank Guarantee of Rs. 10 lakhs towards compliance of authorization conditions to the Board within 15 days period from issuance of this authorization, which will be valid for a period of one year.



21. Corporation shall implement the timely action plan for site selection, acquisition of land, treatment and processing of solid waste as per the Minutes of the Order dtd.2/4/2013 passed by Hon'ble High Court, Mumbai against the writ petition No.1740/1998.
22. The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development.
23. The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time.
24. This authorization is granted without prejudice or being prejudice of the order passed/ to be passed by Hon'ble High Court/NGT
25. This is issued with the approval of Consent Committee of the Board in its meeting held on 23rd & 24th March, 2018.



(Dr. P. Anbalagan, IAS)
Member Secretary

ANNEXURE-IV

(Diaghar MSW Visit Report)

MAHARASHTRA POLLUTION CONTROL BOARD



Tel No. 25829582

Email - srothane1@mpcb.gov.in

Sub Regional Office, Thane-
Office Complex Bldg.,
5th Floor, Wagle Estate,
Near Mulund Check Naka,
Thane - 400604

VISIT REPORT

1. Name & Address of the Site : M/s. Thane Clean Environment Pvt Ltd. S. No.
2. Date of Visit : 20-11-2023
3. Industry Representative : Mr. Ajay Singh (O 2 m) Plant Incharge
4. Consent Status : Applied for CTO.
5. Observation :

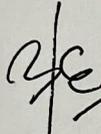
Visit in respect of application received for consent to operate, visited facility along with TRC representative; During visit following observations are made;

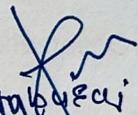
1. Solid waste processing facility found in operation. during visit PPE processing part of facility was found in operation.
2. PP has installed shed of 100x30 for processing of solid waste. PP installed following machinery: ① Grabber (EOT crane) for feeding of solid waste to terminator (size reduction). ② size reduction machine. ③ Ballister (Primary separator) ④ Multistar hurrikam (Light fraction separator using blower) ⑤ Multistar (secondary separator) ⑥ Ballister (separation of light weight material & fine parts).

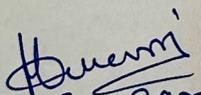
- 7) PP representative informed that capacity of plant is 800 TPD.
- 8) Daily 600-700 Ton waste receive at facility.
- 9) PP has provided 1800 m³ MSW storage pit (1000 MT).
- 10) After preprocessing ^{that} solid waste output is divided in 3 parts ① Large size RDF approx 130-170 MT ② small size RDF 215-250 MT ③ Organic fraction - ~~2070~~ 270-280 MT. Project representative informed that RDF material is sent to storage & logistic facility located at pune, further sent to cement plant and organic fraction sent to farmer at Khopol & Karjat, excess of RDF & organic fraction was not available at site.
- 11) Processed RDF & organic fraction (solid waste) material observed stored on open land. No any shed provided.
- 12) Effluent treatment system is not yet provided for leachate generated from facility. PP representative informed that leachate is collected from this site and send to mumbai STP for treatment through Jetty vehicle. (Approx 25 CMD - Daily quantity)
- 13) Excavated pit observed at site filled with water & vs of the same is collected.
- 14) Leachate sample collected from solid waste storage pit.
- 15) No any work started for preprocessing or composting activity.
- 16) PP representative informed that PP plant is started since 18-10-2023.

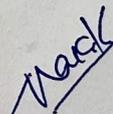
PP shall following details.

- ① Pointwise compliance of previous authorization obtained.
- ② Record of solid waste receive at site, RDF disposed to cement plant & organic fraction distributed to farmers & details of treatate send to Mumbai STP.
- ③ PP shall submit timeline along with Bar-chart for installation and operation of waste to energy (power generation) plant.


 19/11/2023 14:00
 (C. Jay Singh)
 Project Representative


 (Shantabai Kamble)
 The Representative
 Chief Sanitary
 Inspector.

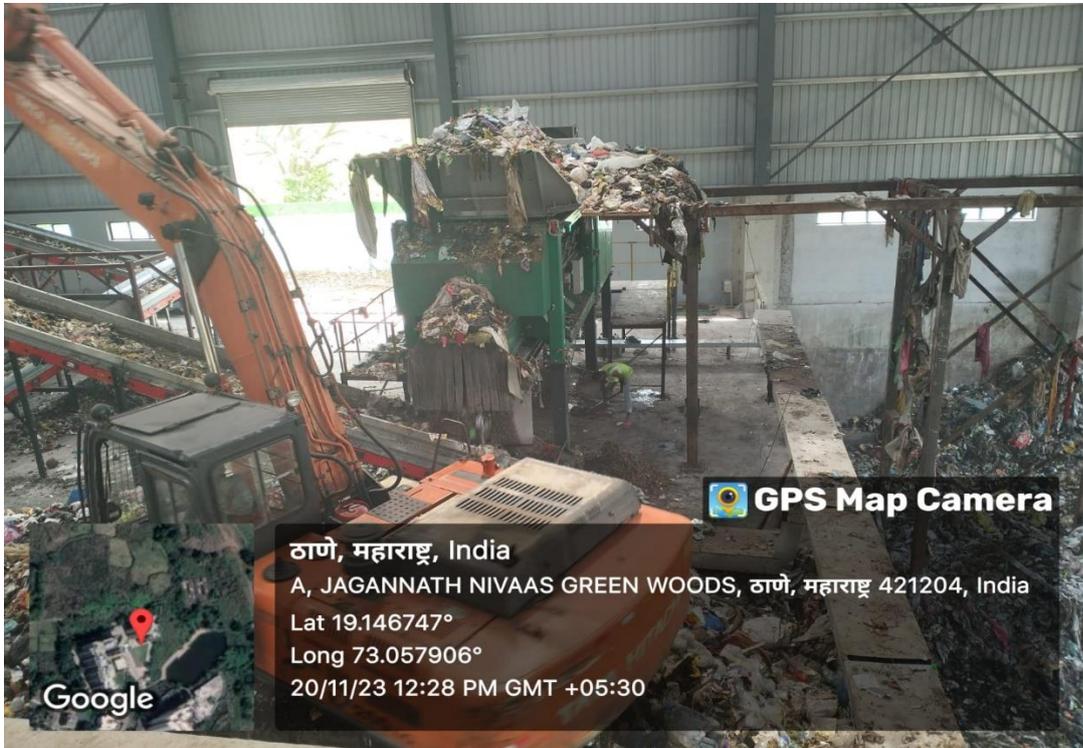

 (C. R. S. Same)
 Field officer
 MPCB Thane-1


 (Shalini Shaitan)
 sub-Regional officer
 MPCB Thane-1

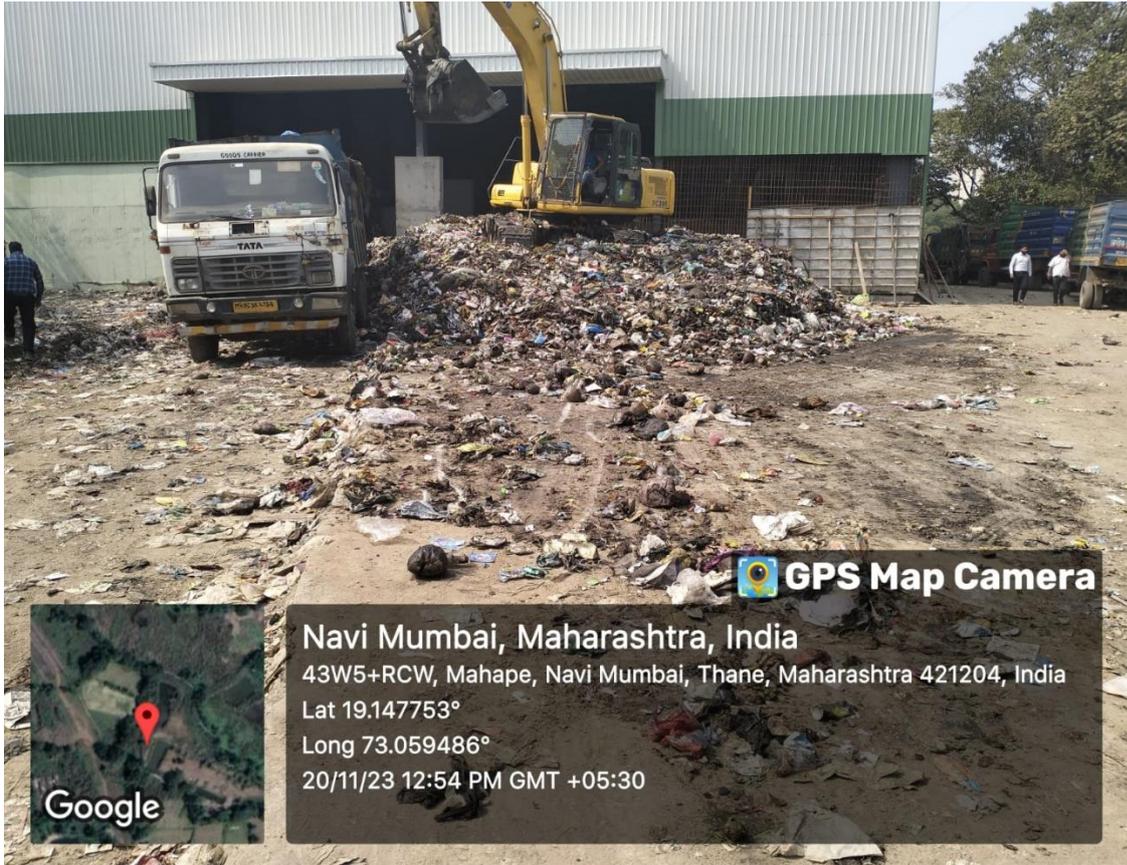
Diaghar MSW site Photographs



MSW storage Pit



Size reduction and seperator



RDF for Cement plant

ANNEXURE-V

(Show Cause Notice to TMC)

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272		Regional Office, Thane
Fax : 25805398		5 th Floor, Office Complex Bldg.,
Website: http://mpcb.gov.in		Near Mulund Check Naka,
E-mail Id: rothane@mpcb.gov.in		Wagle Estate, Thane-400 604.
"Your Service is Our Duty"		

No. MPCB/ROT/SCN-P/2312010011

Date:- 01/12/2023

To,
Deputy Municipal Commissioner (Solid Waste Management),
 M/s. Thane Municipal Corporation,
 Panchpakhadi Thane.

Sub: - Show Cause Notice for non-compliance of Solid Waste Management Rules, 2016.

Ref :- 1) Authorization under Solid Waste Management Rules, 2016 granted by Board dtd. 23/03/2022.
 2) New appeared in Mid Day newspaper Thane, dtd. 15/11/2023.
 3) Principal Bench of NGT suo-moto an original application OA No. 675/2023.
 4) Board officials visit dtd. 20/11/2023.
 5) Action proposal submitted by Sub- Regional Officer, Thane-II vide Legal Unique No. MPCB-LEGAL_ACTIONS- 301123007, dt. 1/12/2023.

WHEREAS, Maharashtra State is declared as Water Pollution Prevention Area under the Water (Prevention & Control of Pollution) Act, 1974

AND WHEREAS, it is mandatory and obligatory on your part to obtain Consent from the Maharashtra Pollution Control Board under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention & Control of Pollution) Act, 1981 and Hazardous Waste (Management & Trans boundary Movement) Rules, 2016 and authorization under Solid Waste Management Rules, 2016.

AND WHEREAS, Principal Bench of Hon'ble NGT has registered suo-moto an original application OA No. 675/2023 and directed MPC Board through an order vide dtd. 03/11/2023 to file an action taken report within 04-weeks. **AND WHEREAS**, Board officials have visited the Municipal Solid Waste treatment site located at Bhandarli & Diaghar on dtd 20/11/2023 and the observations / non-compliances are reported vide ref. 4 above. The non-compliances are as below:

- 1) You have not provided proper leachate collection and treatment system for the treatment of generated leachate as per MSW authorization condition no. 19 for Bhandarli MSW processing facility.
- 2) You have not started Bio-mining of municipal solid waste at Bhandarli site.
- 3) You have not provided proper effluent treatment system on site for the treatment of generated leachate for Diaghar MSW site.
- 4) You have not provided shed for storage of processed solid waste material at Diaghar MSW site & and same was observed kept openly on land during board officials visit.
- 5) You are operating only pre-processing facility at Diaghar site, for segregation of biodegradable and non-biodegradable waste.
- 6) You have not yet installed and operating Waste to Energy plant as per Authorization.

AND WHEREAS, this amounts to blatant violation of Solid Waste Management Rules, 2016 and clearly shows your gross negligence attitude towards pollution control.

NOW THEREFORE, you are hereby directed to show cause as to why legal action shall not be initiated against your corporation?

: 2 :

Your reply shall reach this office within a week of receipt of this Show Cause notice failing which, further legal action will be initiated which may result in closure of your site, which please note.



(Kiran N. Hasabnis)
Regional Officer, Thane

Copy submitted to:-

Assistant Secretary (Technical), MPC Board, Sion, Mumbai – 22

Copy to:

Sub-Regional Officer, MPC Board, Thane I – He is directed to serve the SCN to corporation and submit compliance.