

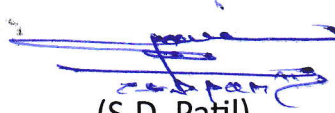
**Action taken report with respect to the order on complaint issued
by Hon'ble NGT in respect of the complaint lodged by Shri Prafulla
N. Mahajan r/o Sarmaspura, Achalpur, Dist. Amravati.**

Achalpur town is A class Municipal Council in Amravati district, having population 1,12,311 souls as per census 2011. The Municipal Solid Waste generation is 37.5 Metric Ton per day. The Municipal Council is having Municipal Solid Waste Treatment & Disposal site located at S.No.83/3, 117, Mouje Raipura, Tq. Achalpur, Dist. Amravati. The Municipal Council has obtained Authorization from Maharashtra Pollution Control Board which was valid up to 31.12.2003. They have provided material recovery facility (MRF) and composting facility at the said site. Shri. Prafulla N. Mahajan resident of Sarmaspura, Achalpur, Dist. Amravati is having his agricultural land adjacent to the SWM site. Shri. Prafulla N. Mahajan, (ex. Member of Municipal Council, Achalpur) lodged complaint in respect of nuisance from the SWM site of Municipal Council, Achalpur vide letter dtd. 11/05/2023. He has lodged the complaints in the said matter to the Maharashtra Pollution Control Board earlier also. The MPC Board has taken cognizance of his complaints. The Board Officials visited the site of the Municipal solid waste on 16/09/2020 to investigate the matter. During the visit huge quantity of legacy waste was observed on the SWM site. The Bio Mining of legacy Waste was observed at site, however, the same was observed inadequate. In respect of the non compliance observed the Show Cause Notice has been issued vide letter dtd. 28/01/2021. The copy of the SCN is annexed as **Annexure-I**. Again the SWM site has been visited on 13/03/2023. During the visit it was observed that the huge quantity of legacy waste is lying on the site. During the visit no bio mining activity of legacy waste was observed. The Warning Notice has been issued the said Municipal Council vide letter dtd. 14/03/2023. The copy of the warning notice is annexed as **Annexure-II**. The Show Cause Notice has been issued vide letter dtd. 26/07/2023. The copy of the SCN is annexed as **Annexure-III**. The M.P.C.B. has issued various directions to the said Municipal Council from time to time for the compliance of provisions of Solid Waste Management Rules, 2016. The copy of the directions dtd. 19/11/2018 is annexed as **Annexure-IV**.

Municipal Council has proposed a new site for establishing processing site for Solid Waste Management. In this regard, Tehsildar, Achalpur had issued letter to MPC Board on 25.01.2022 for opinion regarding the selected site by the

Municipal Council Achalpur at Sr.No.27 E-Class, Mouje-Khelghumat, Tal Achalpur Dist. Amravati. MPC Board vide letter dtd.15.02.2022 has communicated its opinion regarding the selected site wherein it is stated that the said site prima facie appears to be appropriate for setting up the new facility subject to obtaining NOC from town planning department and GSDA. The copy of the letter issued to Chief Officer, Municipal Council, Achalpur is annexed as **Annexure-V**.

The MPC Board has initiated action against the Achalpur Municipal Council in respect of the non compliance of the provisions of Solid Waste Management Rules, 2016.


(S.D. Patil) 22/02/2023
Regional Officer

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
 Fax: 24023516/24024068/24044531
 Website: www.mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor
 Opp. Cine Planet Cinema,
 Near Sion Circle, Sion (E)
 Mumbai- 400 022.

NO.MPCB/RO(HQ)/B- 4420

Date : 15/11/2018

To
 Chief Officer,
 Achalpur Municipal Council,
 Dist: Amravati.

Sub: Directions u/s 5 of the Environment (Protection) Act, 1986 read with Solid Waste Management Rules, 2016.

Ref: Directions issued by MPCB from time to time.

.....

WHEREAS, the Ministry of Environment, Forest and Climate Change, Government of India in exercise of the powers conferred by Section 3, 6 & 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management & Handling) Rules, 2000, has published the Solid Waste Management Rules, 2016 vide Notification bearing S.O.No.1357(E), dtd.8/4/2016.

AND WHEREAS, it is obligatory on the part of every Local Body, Operator of the Facility or any other Agency responsible for processing & disposal of solid waste, to comply with the provisions of the Solid Waste Management Rules, 2016.

AND WHEREAS, the Maharashtra Pollution Control Board has issued various directions to your Council to comply with the Solid Waste Management Rules, 2016. AND WHEREAS, the Board has also issued directions to make 25% budgetary provision out of total budget every year towards the management of sewage and solid waste.

AND WHEREAS, it is observed that your Council are not complying with the provisions of the Solid Waste Management Rules, 2016, especially for segregation at source, door-to-door collection, proper transportation of segregated waste, installation of processing & sanitary landfill facility.

AND WHEREAS, it is recognized that the effective implementation of these Rules would require a proper manpower, infrastructure like collection vehicles, processing and disposal facility and adequate financial resources.

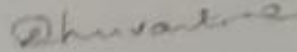
AND WHEREAS, the MPCB has constituted a Technical Advisory Committee to consider the requirement of resources and the Technical Advisory Committee after careful and detailed deliberations has proposed certain minimum requirements for an adequate Solid Waste Management System.

NOW THEREFORE, in exercise of the powers conferred upon me under Section 5 of the Environment (Protection) Act, 1986, you are hereby directed to comply with the following directions:

- (i) You shall deploy **at least** 50 numbers of persons per lakh of population for door-to-door collection of segregated solid waste for transportation to the collecting vehicles. These persons may be regular or contractual employees or outsourced employees or persons working with any NGO/Agency with whom the Council has an agreement. You shall deploy one Supervisor for not more than 15 Waste Collectors / Motor Loaders.
- (ii) You shall ensure adequate system for segregation of dry and wet waste at household level.
- (iii) A list of households who do not segregate waste shall be obtained from each Waste Collector every month.
- (iv) You shall ensure that unsegregated waste is not mixed up with segregated waste during collection and transportation.
- (v) You shall undertake continuous and focused IEC measures for achieving 100% segregation.
- (vi) Waste Collectors who ensure more than 75% segregation should be recognized and rewarded.
- (vii) You shall arrange small vehicles for door-to-door collection of segregated solid waste from households at the rate of **at least** 8 vehicles per lakh population.
- (viii) You shall establish **at least** one dry waste collection and sorting center per lakh population.
- (ix) You shall provide **at least** Rs.2 crores per lakh population for every year for collection and transportation of segregated solid waste to the processing and disposal facility.
- (x) You should have robust monitoring system for collection which shall meet the following requirements:
 - (a) Rigorous attendance system for waste collectors/motor loaders, who shall be assigned specified households for waste collection at specified times;
 - (b) The quantification of waste collected by each waste collector/motor loaders and in each ward and it shall be benchmarked against expected average collection based on a scale of 300 grams per capita per day ;
 - (c) GPS/Vehicle Tracking System (VTS) and geo fencing of vehicles.

- (xi) You shall comply with the directions issued by the Hon'ble National Green Tribunal, Principal Bench, New Delhi vide Order dated 31/08/2018 in the Original Application No.606/2018 in the matter of Compliance of Municipal Solid Waste Management Rules, 2016.
- (xii) All systems should be in compliance as per Solid Waste Management Rules 2016.

You shall submit your compliance report within a period of one month from the receipt of these directions, failing which, appropriate action will be initiated, which please note.



(Sudhir Shrivastava)
Chairman

Maharashtra Pollution Control Board

Copy to: Member Secretary, MPCB, Mumbai – for information.

Copy to:

1. Regional Officer(HQ)/Law Officer, MPCB, Mumbai – for information and necessary follow up.
2. Regional Officer, MPCB, Amravati / Sub-Regional Officer, MPCB, Amravati I - for information and necessary action. They are directed to pursue with the said Local Body and submit the compliance report.

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

प्रादेशिक कार्यालय, अमरावती

फोन नं. ०७२१-२५६३५९२/९३/९४

फॅक्स नं. ०७२१-२५६३५९७

ईमेल-roamravati@mpcb.gov.in

जा. क्र. मप्रनि/प्राका/अम/१४५/२०२२



सहकार सुरभी, बापटवाडी,
विवेकानंद कॉलनी, अमरावती.

पिन नं. ४४४६०६

दि. १५/०२/२०२२

प्रति,
मुख्याधिकारी,
नगर परिषद, अचलपुर,
जि. अमरावती.

विषय :- मौजा खेलघुमट, सर्व्हे नं. २७, ई-क्लास, क्षेत्र ९.१६ हे. आर ही जमिन नगर परिषद, अचलपुर ला घनकचरा व्यवस्थापना अंतर्गत प्रकल्प उभारणे करिता उपलब्ध करून मिळण्याबाबत.

संदर्भ :- तहसिलदार अचलपुर यांचे पत्र क्र. प्रस्तुतकार-१/कावि-१७३/२०२२, दि. १९/०१/२०२२

महोदय,

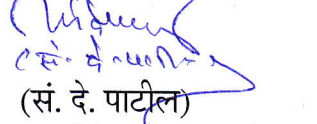
उपरोक्त संदर्भिय विषयाच्या अनुषंगाने आपणास कळविण्यात येते की, मौजा खेलघुमट, सर्व्हे नं. २७, ई-क्लास, क्षेत्र ९.१६ हे. आर ही जमिन नगर परिषद, अचलपुर ला घनकचरा व्यवस्थापना अंतर्गत प्रकल्प उभारणे करिता उपलब्ध करून मिळण्याबाबत पत्र या कार्यालयास प्राप्त झालेले असून सदर पत्राच्या अनुषंगाने या कार्यालयाचे क्षेत्र अधिकारी यांनी दिनांक ०४/०२/२०२२ रोजी उपरोक्त नमुद जमिनिस श्री. मुंगशिराम पोटे, शहर अभियंता, नगर परिषद, अचलपुर यांच्या समवेत प्रत्यक्ष भेट देवून पाहणी केली असता खालील प्रमाणे निरीक्षणे नोंदविण्यात आली:-

१. सदर जागेपासून सापन नदी अंदाजे ५० मीटर अंतरावर असल्याचे निर्देशनास आले.
२. सदर जागेपासून राज्य महामार्ग अंदाजे १.५ कि.मी. अंतरावर असल्याचे निर्देशनास आले.
३. सदर जागेपासून नागरीवस्ती अंदाजे १.२ कि. मी. अंतरावर असल्याचे निर्देशनास आले.
४. सदर जागेपासून नजीकच्या परिसरात पिण्याच्या पाण्याच्या विहीरी आढळून आल्या नाहीत.

सदर जागेपासून सापन नदिचे अंतर १०० मीटर पेक्षा जास्त ठेवणे बंधनकारक आहे. त्यामुळे सदर जागेचे मागणी करतांना सदर सर्व्हे नं. २७ मधील जमिन सापन नदिपासून १०० मी. अंतरापेक्षा जास्त अंतरावर असेल या प्रमाणे सिमांकन करणे आवश्यक वाटते.

सदर जागा घनकचरा व्यवस्थापन नियम, २०१६ मधील जागेबाबतच्या निकषांच्या अनुषंगाने प्रथम दर्शनी योग्य वाटते तथापी नगर रचना विभाग व भुजल संर्वेक्षण विभाग यांचे नाहरकत प्रमाणपत्र/अभिप्रायच्या अधिन राहून तसेच सापन नदिपासून १०० मी. पेक्षा जास्त अंतरावर सिमांकन करणे या अटी व शर्तीच्या अधिन राहून सदर जागेवर नागरी घनकचरा प्रक्रिया करण्याकरीता घनकचरा प्रकल्प उभारण्यास हरकत नाही.

आपला विश्वासू


(सं. दे. पाटील)

प्र.उप-प्रादेशिक अधिकारी,
म. प्र. नि. मंडळ अमरावती-१

o/c

प्रत माहितीकरीता सादर—

१. प्रादेशिक अधिकारी, म.प्र.नि. मंडळ, अमरावती.
२. तहसिलदार, अचलपुर, जि. अमरावती.

MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office Amravati

Tel. No. (0721)-2563593/94
 fax : (0721) -2563597
 e-mail : roamravati@mpcb.gov.in



Sahkar Surbhi Bapat Wadi, Near
 Vivekanand Colony, Amravati.
 Pin-444601.

No : MPCB/SCN/2307260010

Date :-26/07/2023

To,
 Chief Officer
 Municipal Council Achalpur
 Tal. - Achalpur, Dist.- Amravati

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

- Ref: -** 1) Complaint received from Mr. Praful N. Mahajan, regarding damage of crop due to MSW site located at S. No. 83/3, Mouje-Raipura, Tal.- Achalpur, Dist.-Amravati.
- 2) Authorization granted under Solid Waste Management Rules, 2016 on 22/09/2003, valid upto 31/12/2003.
- 3) Visit of Board Official at Solid Waste processing site on 16/09/2020.
- 4) Warning Notice for non compliance of Solid Waste Management Rules, 2016 issued by Sub-Regional Officer Amravati-I vide letter no. MPCB/SRO AMT-I/469/2020 dtd. 01/10/2020.
- 5) SCN issued vide letter no. MPCB/SCN/2101270011 dtd. 28/01/2021.
- 6) Visit of Board Officials dtd. 13/03/2023.
- 7) Warning Notice issued vide letter no. MPC/SRO/Amt-I/143/2023 dtd. 14/03/2023.

WHEREAS, in accordance with the above cited subject matter, the MPC Board has granted authorization under Solid Waste Management Rules, 2016 stipulating certain term and conditions (ref.no. 2).

AND WHEREAS, this has a reference of Complaint received from Mr. Praful N. Mahajan, regarding damage of crop due to Solid Waste Management site located at S. No. 83/3, Mouje-Raipura, Tal.- Achalpur, Dist.-Amravati.

AND WHEREAS, for the investigation of complaint board official has visited the Municipal Solid Waste Processing Site of the Municipal Council on 16/09/2020 and observed following non-compliances:

1. The Solid Waste Management site is filled with Legacy Waste, the total area of this site is 25,175 M² on which there is about 20,092 M³ legacy waste is dumped without any treatment as per Solid Waste Management Rules, 2016.
2. The Bio-Mining activity of the Legacy Waste was found in operation, but Bio-mining was started since May-2020. Out of total legacy waste i.e. 20,092 M³ only 2,500 M³ Bio-Mining was completed.
3. Heaps of legacy waste was observed at the boundary wall of Solid Waste Management site.
4. Municipal Council neither developed the segregation, processing facility, secured land fill for Solid Waste Management nor taken effective steps towards the same.

AND WHEREAS, Sub-Regional Officer Amravati-I has issued Warning Notice for non compliance of Solid Waste Management Rules, 2016 vide letter cited at ref. no. 4.

AND WHEREAS, the Show Cause Notice has also been issued vide letter referred above at sr. no. 5, wherein the non compliances observed during the visit dtd. 16/09/2020 has been communicated.

AND WHEREAS, the Board Officials visited the MSW site on 13/03/2023 and observed the following non compliances:

- 1) During the visit it was observed that the Municipal Council is disposing the solid waste generated within their jurisdiction at the solid waste site in an improper manner.
- 2) The large quantity of solid waste was observed dumped at the site. Bio-mining of legacy waste was not carried out in full-fledged manner.

AND WHEREAS, the warning notice in this regard has also been issued vide letter referred above at ref. no. 7.

AND WHEREAS, above non-compliances shows your negative attitude towards implementation of Environmental Laws and violating the provisions of Solid Waste Management Rules, 2016 **AND WHEREAS**, it seems that, you are knowingly and willingly causing the damages to the Environment by creating nuisance in the nearby area.

THEREFORE, you are hereby directed to **show cause** as to why stringent action shall not be taken against your ULB for above lapses under the provision of Solid Waste Management Rules, 2016. Your reply, if any, shall reach this office within 15 days positively else further legal action may be initiated against your ULB please, note.

**FOR AND ON BEHALF OF THE
MAHARASHTRA POLLUTION CONTROL BOARD**


(Sanjay D. Patil)
Regional Officer, Amravati

Copy submitted to :-

1. The Hon'ble Member Secretary, MPC Board, Mumbai
2. The Joint Director (APC), MPC Board, Mumbai.
3. The Law Officer (HQ), MPC Board Mumbai.

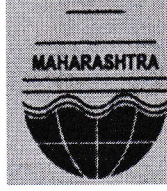
Copy to :-

Sub-Regional Officer, MPCB, Amravati-I.

It is instructed to ensure the reply from the local body within stipulated time and submit the compliance report accordingly.

13
MAHARASHTRA POLLUTION CONTROL BOARD
SUB-REGIONAL OFFICE- AMRAVATI-I

Ph. No: (0721) 2563594
Fax : (0721) 2563572
Email:
sroamravati1@mpcb.gov.in



“Sahkar Surbhi” Bapatwadi, Near
Vivekanand Colony,
Amravati- 444606.

No. MPC /SRO / AMT-I/143/2023

Dtd.14.03.2023

To,
Chief Officer,
Municipal Council, Achalpur
Tal.Achalpur,Dist. Amravati.

Sub: - Warning Notice for Non -compliance of provisions made under Solid Waste Management Rules, 2016.

Ref. :- 1. Authorization granted under MSW Rules vide letter dtd.
22/09/2003, valid upto 31/12/2003.
2. Visit dtd. 13.03.2023.


The Board officials have visited the solid waste site located at S.No. 116, 117, 83/3, Mouje Raipura, Tq. Achalpur, Dist. Amravati on 13.03.2023 for checking compliance of the provisions of Solid Waste Management Rules, 2016. During the visit the following observations were made:-

1. During the visit it was observed that the municipal council is disposing the solid waste generated within their jurisdiction at the solid waste site in an improper manner.
2. The large quantity of solid waste was observed dumped at the site. Bio mining of legacy waste was not carried- out in full fledged manner.
3. The machinery (MRF) provided for processing of the solid waste.

After verification of the Officer record it is observed that, the authorization granted to you was valid upto 31.12.2003. You have not submitted the application for Renewal of the said authorization till to date. Also you have not obtained the consent for segregation and composting unit provided at the site.

In view of the above you are instructed to take immediate steps to comply with the above mentioned points. Your reply in this matter if any shall reach this office within 5 days from the date of receipt of this letter on failure of which, suitable action under the provisions of Solid Waste Management Rules, 2016 will be recommended against the Municipal Council.

Please treat this as most urgent.


Sub-Regional Officer,
MPC Board, Amravati-I.

Copy submitted for information:
Regional Officer, MPC Board, Amravati.

MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office Amravati

Tel. No. (0721)-2563593/94

fax : (0721) -2563597

e-mail : roamravati@mpcb.gov.inSahkar Surbhi Bapat Wadi, Near
Vivekanand Colony, Amravati.
Pin-444601.

No : MPCB/SCN/2101270011

Date :-28/01/2021

To,
Chief Officer
Municipal Council Achalpur
Tal. - Achalpur, Dist.- Amravati

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

- Ref: -** 1) Complaint received from Mr. Praful N. Mahajan, regarding damage of crop due to MSW site located at S. No. 83/3, Mouje-Raipura, Tal.- Achalpur, Dist.-Amravati.
- 2) Authorization granted under Solid Waste Management Rules, 2016 on 22/09/2003, valid upto 31/12/2003.
- 3) Visit of Board Official at Solid Waste processing site on 16/09/2020.
- 4) Warning Notice for non compliance of Solid Waste Management Rules, 2016 issued by Sub-Regional Officer Amravati-I vide letter no. MPCB/SRO AMT-I/469/2020 dtd. 01/10/2020.

WHEREAS, in accordance with the above cited subject matter, the MPC Board has granted authorization under Solid Waste Management Rules, 2016 stipulating certain term and conditions (ref.no. 2).

AND WHEREAS, this has a reference of Complaint received from Mr. Praful N. Mahajan, regarding damage of crop due to Solid Waste Management site located at S. No. 83/3, Mouje-Raipura, Tal.- Achalpur, Dist.-Amravati.

AND WHEREAS, for the investigation of complaint board official has visited the Municipal Solid Waste Processing Site of the Municipal Council on 16/09/2020 and observed following non-compliances:

1. The Solid Waste Management site is filled with Legacy Waste, the total area of this site is 25,175 M² on which there is about 20,092 M³ legacy waste is dumped without any treatment as per Solid Waste Management Rules, 2016.

...2...

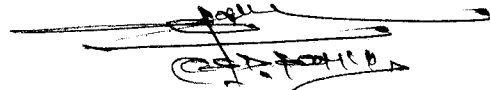
2. Presently the Bio-Mining activity of the Legacy Waste was found in operation, but Bio-mining was started since May-2020. Out of total legacy waste i.e. 20,092 M³ only 2,500 M³ Bio-Mining was completed.
3. Currently heaps of legacy waste was observed at the boundary wall of Solid Waste Management site.
4. Municipal Council neither developed the segregation, processing facility, secured land fill for Solid Waste Management nor taken effective steps towards the same.

AND WHEREAS, Sub-Regional Officer Amravati-I has issued Warning Notice for non compliance of Solid Waste Management Rules, 2016 vide letter cited at ref. no. 4.

AND WHEREAS, above non-compliances shows your negative attitude towards implementation of Environmental Laws and violating the provisions of Solid Waste Management Rules, 2016 **AND WHEREAS**, it seems that, you are knowingly and willingly causing the damages to the Environment by creating nuisance in the nearby area.

THEREFORE, you are hereby directed to **show cause** as to why stringent action shall not be taken against your ULB for above lapses under the provision of Solid Waste Management Rules, 2016. Your reply, if any, shall reach this office within 15 days positively else further legal action may be initiated against your ULB please, note.

FOR AND ON BEHALF OF THE
MAHARASHTRA POLLUTION CONTROL BOARD



(Sanjay D. Patil)

I/c Regional Officer, Amravati

Copy submitted to :-

1. The Hon'ble Member Secretary, MPC Board, Mumbai
2. The Joint Director (APC), MPC Board, Mumbai.
3. The Law Officer (HQ), MPC Board Mumbai.

Copy to :-

Sub-Regional Officer, MPCB, Amravati-I.

It is instructed to ensure the reply from the local body within stipulated time and submit the compliance report accordingly.