

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE , PUNE  
ORIGINAL APPLICATION NO.34 Of 2024**

In Re : News Item appearing in Purkar News

Dated 27/12/2023 titled "Pune faces rising

Concerns over increased burning and poor

air quality"

....Applicant

Vs

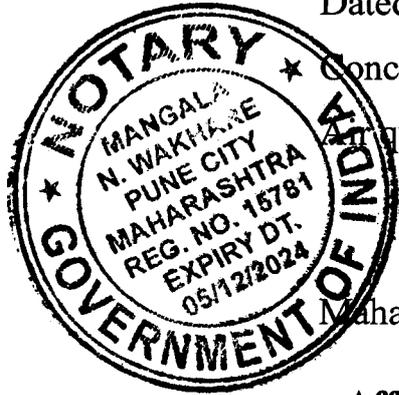
Maharashtra Pollution Control Board & Ors.

...Respondents

**Affidavit on behalf of Maharashtra Pollution Control Board**

I, Ravindra Andhale, Age-55 Adult, Occupation -Service , the Regional Officer of the Maharashtra Pollution Control Board at Pune, having my office address at Jog Centre 2<sup>nd</sup> Floor, Wakdewadi, Old Mumbai-Pune Highway, Pune-411 003, do hereby state on solemn affirmation as under:-

1. I say and submit that this Hon'ble Tribunal vide order dated 28/2/2024 directed the Respondent Board to file their reply as to what measures are being taken at their end with respect to bring down the air pollution.
2. I say and submit that the Registrar NGT , Pune vide email dated 9/2/2024 communicated the Notice and Order dated 25/1/2024 passed by the Hon'ble NGT to the Maharashtra Pollution Control Board, wherein Maharashtra Pollution Control Board (MPCB) is impleaded as a Party Respondent and informed that the matter is listed on 28/2/2024.



3. I say and submit that the said Notice and Order dated 25/1/2024 passed by the Hon'ble NGT was received to the Regional Officer, Pune from Head Office of the Maharashtra Pollution Control Board, Mumbai vide e-mail dated 9/2/2024, i.e on same day, which was inadvertently missed out by the Sub Regional Office, MPCB, Pune-I.

4. I say and submit I admitted that the e-mail dated 9/2/2024 was missed out by my office inadvertently. Therefore, I am tendering unconditional apology for non-filing of the Report on behalf of MPCB in the present matter. I say that non-filing of Report is purely unintentional.

5. I say and submit that henceforth, the Respondent Board will ensure compliance of the Order passed by this Hon'ble Tribunal.

6. I say and submit that in compliance of the Order dated 28/2/2024, I am filing the Report in the present matter. I sincerely regret the delay for filing the Report .

Solemnly affirmed on this **14 MAR 2024** Day of ....., 2024 at  
.....*Pune*.....



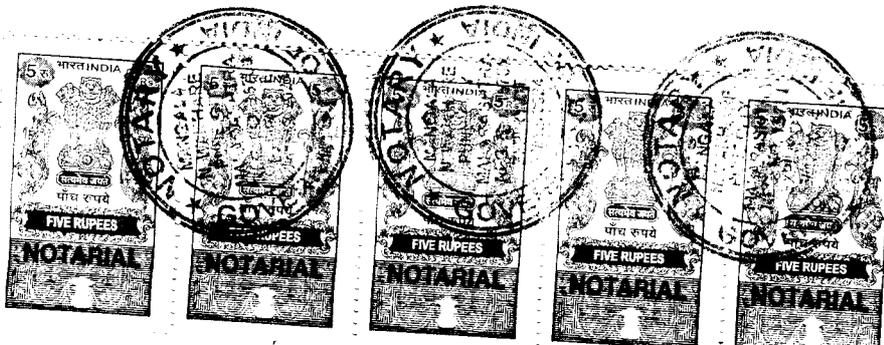
For and on behalf of Maharashtra Pollution Control Board

*Paw?*  
( Ravindra Andhale )  
Regional Officer-Pune

**BEFORE ME**

**MANGALA N. WAKHARE  
ADVOCATE & NOTARY  
GOVERNMENT OF INDIA**

**14 MAR 2024**



**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE , PUNE  
ORIGINAL APPLICATION NO.34 Of 2024**

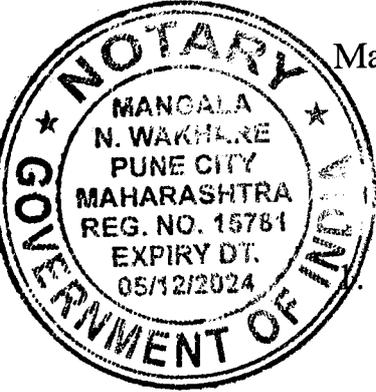
In Re : News Item appearing in Purkar News  
Dated 27/12/2023 titled "Pune faces rising  
Concerns over increased burning and poor  
Air quality"

....Applicant

Vs

Maharashtra Pollution Control Board & Ors.

...Respondents



**REPORT ON BEHALF OF RESPONDENT-MPCB**

The News Item appeared in Purkar News Dated 27/12/2023 titled "Pune faces rising Concerns over increased burning and poor Air quality" has been registered as Suo Moto Original Application bearing No.34/2024 by this Hon'ble Tribunal.

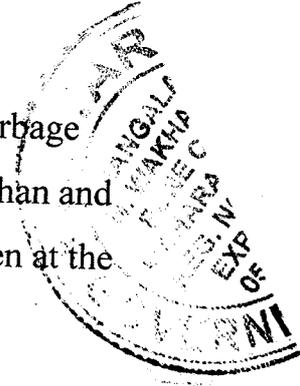
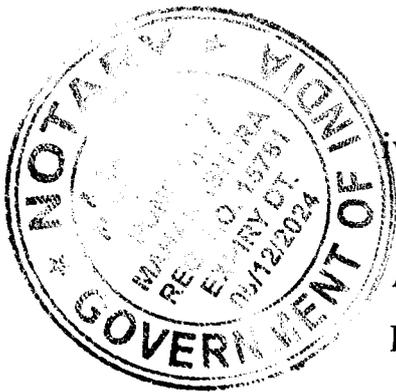
2. In the said matter, this Hon'ble Tribunal vide order dated 25/1/2024 impleaded Maharashtra Pollution Control Board (MPCB) as a Party Respondent and directed to file a response before the Hon'ble NGT.
3. Thereafter, the Hon'ble NGT vide Order dated 28/2/2024 directed to file reply as to what measures are being taken with respect to bring down the air pollution.

4. In compliance of Order dated 28/2/2024, the Official of the Respondent Board at Pune visited to the site in question on 4/3/2024 and observed as under :-

- i. During visit it was observed that the mixed garbage found dumped in the Pan Card Club Road Pashan and at the time of visit, trashes of burned waste seen at the site and waste spread in the premises.
- ii. At Hadapsar Baby Canal Road, mixed waste- wet & dry found dumped at site.
- iii. PMC Authority has not reported about illegal burning of incidence.
- iv. At the time of visit, no provision of CCTV observed to monitor source of garbage.

A copy of the visit report dated 4/3/2024 along with the Photographs is enclosed herewith and marked as an **Annexure-I**.

5. In views of the above non-compliances, the Respondent Board has issued Proposed Directions to the Deputy Commissioner, Solid Waste Management, Pune Municipal Corporation vide letter 11/3/2024; wherein, they were directed to submit action plan along with the short term measures and long term measures to scientific and proper solid waste management. A copy of the proposed directions

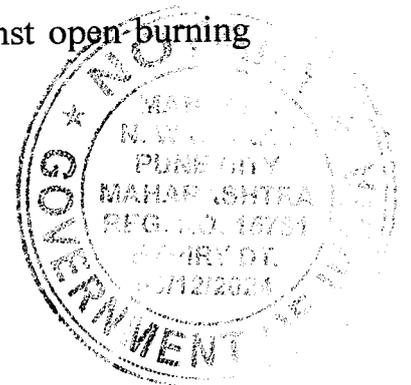


dated 11/3/2024 is enclosed herewith and marked as an **Annexure-II.**

6. Pune City has been identified as a non-attainment city under the National Clean Air Programme (NCAP) of MoEF&CC, GoI and MPC Board along with Pune Municipal Corporation (PMC) has prepared a comprehensive Clean Air Action Plan to achieve national level target of 20%–30% reduction of PM2.5 and PM10 concentration by 2024. Total Fund of Rs. 172.31 Cr. was released to PMC under NCAP & Fifteenth Finance Commission (XV-FC) out of which 60.75 Cr. is utilized for procurement of Electric Buses & special road maintenance vehicles, installation of C&D waste processing plant & Air Pollution Control systems for crematoriums, procurement of mechanical sweepers, creation of green cover, public awareness, capacity building, etc.

For open biomass burning following actions are taken by PMC:

- a) PMC has imposed prohibition/complete ban on garbage burning.
- b) Fine is imposed on defaulters for open burning.
- c) 'PMC Care' app is developed for compliant registration and respective ward office is instructed to take immediate action.
- d) Public awareness drives conducted against open burning of biomass, garbage, leaves etc.



e) Waste processing plants like bio-methanization, waste to energy incineration etc. are operational. Air Quality Index from November, 2023 to February 2024 is enclosed herewith & marked as an **Annexure-III**.

For and on behalf of Maharashtra  
Pollution Control Board



Place :  
Date :

*Ravi*  
( Ravindra Andhale )  
Regional Officer-Pune



**MAHARASHTRA POLLUTION CONTROL BOARD  
SUB-REGIONAL OFFICE – PUNE-I**

Ph. 020-25811694  
Fax. 020-25811029



Jog Center Bldg.  
2rd floor, Wakdewadi,  
Old Mumbai – Pune Highway,  
Pune 411003

**Date:- 4/3/2024**

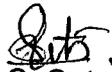
**Visit Report**

Visit is carried out as per Original Suo Motu Application No. 34/2024 regarding News appearing in Punekar News dated.27/12/2023 entitles "Pune faces rising concerns over increased garbage burning and poor air quality" in Hon'ble NGT.

During visit it is observed that,

1. Mixed garbage found dumped in the pan card club road Pashan & at the time of visit trashes of burned waste seen at the site & waste spread in the premises.
2. At Hadapsar near baby canal road mixed waste -wet & dry found dumped.
3. At Anjali villa road Baner- trashes of burned waste seen at site.
4. PMC authority has not reported about illegal burning of incident.
5. At the time of visit no provision of CCTV observed to monitor source of garbage.



  
J.S. Sutar  
Field Officer,  
Sub Regional  
Officer Pune – I



Photographs of MSW Dumping



MSW Burning Trashes

**NOTARY**  
MANGAL  
N. WAK  
PUNE CITY  
MAHARASHTRA  
REG. NO. 15781  
EXPIRY DT.  
05/12/2024  
**GOVERNMENT OF**



MSW Burning Trashes



MSW Burning Trashes

**NOTARY PUBLIC**  
MANGALAM  
N. WAKHARE  
PUNE CITY  
MAHARASHTRA  
REG. NO. 15781  
EXPIRY DT.  
05/12/2024  
**GOVERNMENT**



NOTAR  
MANGAL  
N. WAKHARE  
PUNE CITY  
MAHARASHTRA  
REG. NO. 15781  
EXPIRY DT.  
05/12/2024  
GOVERNMENT OF INDIA

**MAHARASHTRA POLLUTION CONTROL BOARD**      **Annexure II**  
**REGIONAL OFFICE - PUNE**

Phone No. 020-25811694  
Fax No. 020-25811701  
e-mail : [ropune@mpcb.gov.in](mailto:ropune@mpcb.gov.in)  
visit us : [www.mpcb.gov.in](http://www.mpcb.gov.in)



"Your Service is our Duty"

Jog Centre, 3<sup>rd</sup> Floor,  
Wakdewadi,  
Old-Pune Mumbai Road,  
Pune- 411003

**MPCB/ROP/ Directions/ SWM/240311001**

**Date: 11/03/2024**

To,  
**Deputy Commissioner,  
Solid Waste Management Division,  
Pune Municipal Corporation,  
Pune.**

**Sub:** Proposed Directions under section 31 A of the Air (Prevention & Control of Pollution) Act, 1981.

- Ref:** 1) MSW-Authorizations granted by the Board.  
2) News appeared in Punekar News on 27/12/2023 titled ' Pune Faces Rising Concerns Over increased garbage burning and poor air quality.'  
3) The Hon'ble NGT OA No. 34/2024 ( Suo Motu Application )  
4) Proposal for legal action submitted by the Sub Regional Officer, Pune - I vide no. 050324008 on 05/03/2024.

WHEREAS, the Ministry of Environment, Forest and Climate Change in exercise of the Powers conferred by section 3,6, and 25 of the Environment (Protection) Act, 1986 has published and the Solid Waste Management Rules, 2016.

AND WHEREAS, it is obligatory on the part of every local body, operator of the facility or any other agency responsible for processing and disposal of solid waste, to comply with the provisions of the Solid Waste Management Rules, 2016.

AND WHEREAS, It is obligatory on your part to facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on your own or with private sector participation or through any agency for optimum utilization of various components of solid waste adopting suitable technology and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the State / Central Pollution Control Board.

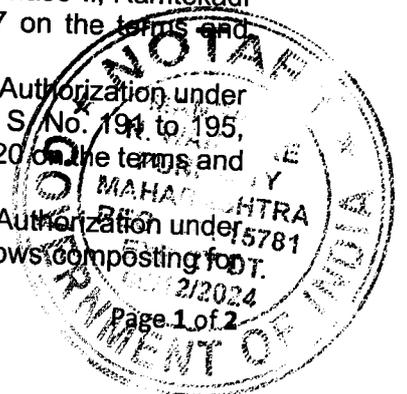
AND WHEREAS, the Maharashtra Pollution Control Board had granted Authorization under Solid Waste Management Rules, 2016 to set up and operate solid waste processing, recycling, treatment, disposal facility at total 48 sites at various locations and Scientific Sanitary Landfill site at Urali Devachi, Fursungi, Pune vide no. BO/MSW/B-1854 Dtd. 04/05/2017 on the terms and conditions ( included the standards to be complied with authorization).

AND WHEREAS, the Maharashtra Pollution Control Board had granted Authorization under Solid Waste Management Rules, 2016 for expansion at existing facility for additional RDF Compost, Plastic to fuel, finished compost, Plastic to fuel, briquetting- 500 MTD at Sr. No.191 to 195 Fursungi, uruli devachi , Pune granted on 16/1/2024 valid upo 31/10/2028.

AND WHEREAS, the Maharashtra Pollution Control Board had granted Authorization under Solid Waste Management Rules, 2016 for processing plants (Bio Methanation Plant) including electricity power generation by using Bio Gas from organic waste at P. No.88, Phase-II, Ramtekadi Industrial Estate, Hadapsar, Pune vide no. BO/SWMA/B-2663 Dtd.05/7/2017 on the terms and conditions ( included the standards to be complied with authorization).

AND WHEREAS, the Maharashtra Pollution Control Board had granted Authorization under Solid Waste Management Rules, 2016 for reclamation (Bio Mining Activity) at S/ No. 191 to 195, Urali Devachi, Fursungi, Pune vide no. BO/SWMA/B-203000005, Dtd.03/03/2020 on the terms and conditions ( included the standards to be complied with authorization).

AND WHEREAS, the Maharashtra Pollution Control Board had granted Authorization under Solid Waste Management Rules, 2016 for pre-processing for dry waste, windrows composting for



wet waste and refused derived fuel (RDF) at S. No. 191 to 195, Urali Devachi, Fursungi, Pune vide no. BO/SWMA/B-2101000007, Dtd. 21/01/2021 on the terms and conditions (included the standards to be complied with authorization).

AND WHEREAS, the news appeared in Punekar News as title Pune faces rising concerns over increased garbage burning and poor air quality on 27/12/2023.

AND WHEREAS, accordingly Sub Regional Officer, Pune-I submitted legal action proposal, therein reported that,

- (1) You have not reported any accident / incident at any solid waste processing or treatment or disposal facility or landfill site in Form – VI.,
- (2) You have not submitted any emergency measures taken for fire hazards, you have not submitted the details of fire tender / fire hydrant,
- (3) You have not submitted details of fire protection equipment's,
- (4) You have not submitted CCTV arrangement details.
- (5) You have not submitted the details of re-use of treated water for the fire incident from nearby STPs.

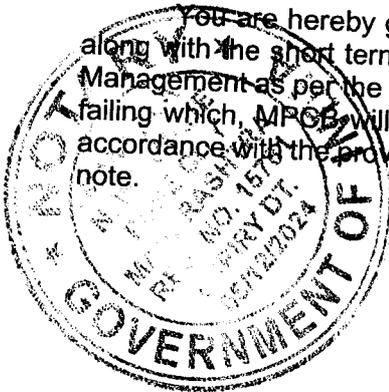
AND WHEREAS, due to burning/ illegal dumping of solid waste and aforesaid dumping sites, the nuisance of air pollution was caused in the surrounding area.

AND WHEREAS, after examining the record of your case and reports of the officers of the Board, it has been concluded that, you have failed to comply with the conditions stipulated in the Authorization (CCA) granted by the Board and provisions of the Air (Prevention and Control of Pollution) Act, 1981 and thereby causing air pollution into the environment and also you have failed to comply with the provisions of the Solid Waste (Management) Rules, 2016.

NOW THEREFORE, in exercise of the powers conferred upon me under section 31A of the Air (Prevention & Control of Pollution) Act, 1981; I, Ravindra Andhale, Regional Officer of the M.P.C. Board at Pune hereby issue directions as under-

1. Why shall stringent legal action not be initiated against you under the provisions of various environmental enactments?
2. Why shall the Bank Guarantee not be forfeited for aforesaid non-compliances?

You are hereby given an opportunity to respond within 15 days with corrective action plan along with the short term measures and long term measures to scientific and proper Solid Waste Management as per the Solid Waste Management Rules, 2016, from issuance of these directions, failing which, M.P.C.B. will initiate legal action against your unit without giving any further notice in accordance with the provisions of the Air (Prevention & Control of Pollution) Act, 1981, which please note.



For and on behalf of  
Maharashtra Pollution Control Board

*Ravi*

(Ravindra Andhale)  
Regional Officer,  
M. P. C. Board Pune

Copy Submitted for information to :-

1. The Member, Secretary, M.P.C. Board, Mumbai.
2. The Hon'ble District Collector, Pune.
3. The Commissioner, Pune Municipal Corporation, Pune.
4. Joint Director (APC), M.P.C. Board, Mumbai.
5. Regional Officer (HQ), M.P.C. Board, Mumbai.
6. Law & Policy Div. M.P.C. Board Mumbai.

Copy to- The Sub-Regional Officer, M.P.C. Board, Pune-I :- You are directed to serve this directions and keep the follow up and report the compliance from time to time.

AQI for the month of November, December-2023 & January, February -2024					
Sr.No.	Location	November	December	January	February
1	Katraj Dairy	110	96	101	105
2	Pune University	125	142	128	119
3	Pune Karve Road	87	116	121	125

AQI	Remarks	Colour code	Possible Health impact
0-50	Good		Minimal impact
51-100	Satisfactory		Minor breathing discomfort to sensitive people
101-200	Moderate		Breathing discomfort to the people with lungs, asthma and heart diseases
201-300	Poor		Breathing discomfort to most people on prolonged exposure
301-400	Very poor		Respiratory illness on prolonged exposure
401-500	Severe		Affects healthy people and seriously impacts those with existing diseases.

Note:- From the AQI it is stated that

1. In month of November katraj dairy & Pune University AQI is moderate & Karve Road AQI is satisfactory.

2. In month of December katraj dairy AQI is satisfactory & Pune University & Karve Road AQI is Moderate.

3. In month of January & February AQI for katraj dairy, Pune University & Karve Road AQI is Moderate.

