

**UBEFOR THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

Original Application No.19/2025 (WZ)

Abhijit Madhukar Garad Applicant

v/s

Maharashtra Pollution Control Board & Ors. Respondents

**Affidavit on behalf of Respondent No.1-Maharashtra
Pollution Control Board**

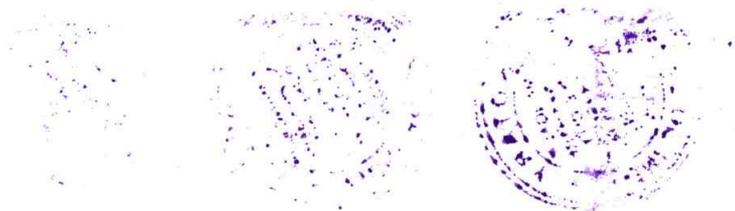
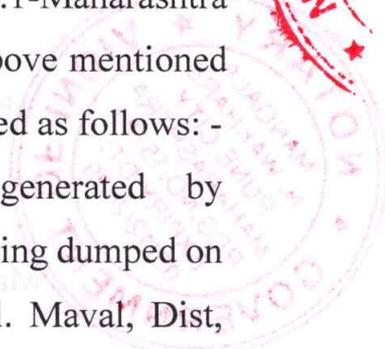
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I, Babasaheb Kukade, aged about 54 years, occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Pune-II, having office address at 2nd Floor, Jog Centre, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under –

1. I am filing this affidavit in compliance of the Order dated 17/2/2025 passed by this Hon'ble NGT.
2. I say and submit the Applicant has filed the present Application, regarding dumping of garbage by Respondent No.2-Gram Panchayat at Khadkale-Kamshet at dumping site at Gat No.217, Village: Usgaon-Khurd, Tal: Maval, Dist : Pune, which is huge quarry and adjacent to Applicant's Plot No.80 in the project of 180 bungalow namely "Florisaqua" at land bearing Gat No.217, 219, 220, 221, 222, 227, 228, 230 and 231 at Village: Khurd, Tal : Maval, Dist : Pune.

3. In compliance of the Order dated 17/02/2025 passed by this Hon'ble NGT, the Official of Respondent No.1-Maharashtra Pollution Control Board (MPCB) visited the above mentioned alleged dumping site on 21/05/2025 and observed as follows: -

- a. MSW Waste of above 5 MT/D generated by Grampanchayat Khadkale/ Kamshet was being dumped on Gat no. 217, village Kusgaon Khurd, Tal. Maval, Dist, Pune since 2020, which is owned by Shri Vijay Bandu Lalgude.
- b. During visit lots of plastic & other dry waste & wet waste found disposed / dumped in old quarry of village Kusgaon after segregation.
- c. Grampanchayat Khadkale is having 5 vehicles (3 Ghantagadi & 2 Tractors), 20 to 25 workers for collection and disposal of MSW at above mentioned site.
- d. Concrete compound wall is provided towards one side only i.e. towards "FORISAQUA PHASE 1" owned by Shri Premchand Zaveri.
- e. Grampanchayat Khadkale yet not provided compound wall from all sides. Metalled road, composting plant, fire extinguisher and any other processing plant for dry and wet MSW yet not provided.
- f. During Visit record regarding Municipal Solid Waste Collection, Segregation, Treatment, and final Disposal in rational manner not produced by the representative.
- g. Village Kamshet grampanchayat having population of about 25000 souls. A copy of the visit report dated





21/05/2025 is enclosed herewith and marked as an **Annexure-'I'**.

4. I say and submit that the Respondent Board vide letter dated 2/6/2025 informed to the Block Development Officer, Vadgaon Maval, Pune and Sarpanch, Grampanchayat Khadkale to immediately stop dumping of solid waste at Gat No.217 (part) at Village: Kusgaon Khurd, Tal: Maval, Dist: Pune and submit Action Taken Report. A copy of the said letter dated 2/6/2025 is enclosed herewith and marked as an **Annexure-'II'**.

5. I say and submit that one Shri Premchand Ratanchand Zaveri has filed a Writ Petition No.13825/2023 against the State of Maharashtra before the Hon'ble High Court of Judicature at Bombay in respect of dumping of municipal solid waste by Kamshet Gram Panchayat on the land bearing Gat No.217(Part) at Village: Kusgaon Khurd, Tal: Maval, Dist: Pune, which is adjacent to the Petitioner's Project at Gat No.217(part), 219 to 222, 227, 228, 231, Kusgaon Khurd, Tal: Maval, Dist: Pune. The said matter is pending before the Hon'ble High Court Bombay.

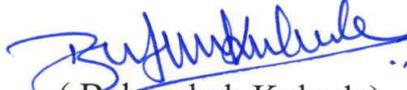


Solemnly affirmed on this 09th day of June, 2025 at Pune.

I know the affiant

For and on behalf of Maharashtra
Pollution Control Board i.e.
Respondent No. 1

ADVOCATE


(Babasaheb Kukade)
Sub-Regional Officer,
MPCB, Pune-II



BEFORE ME


MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA

09 JUN 2025



Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

Visit Report

General Information

IMIS ID : MPCB-UNCONSENTED-0000027208

Industry Name : M/s Kamshet (Khadkale) Grampanchayat,

Address : Kamshet, Tal-Maval, Dist-Pune.

Pincode : 410405

Category : Local Bodies(STP/MSW)

Email :

Phone :

Visit Scheduled On : 21/05/2025

Last date of visit : 23/05/2025

Visited by : Mrs. Varsha A. Kadam(FO-Pune II)



Visited On

Visited Industry on :21/05/2025

Email Address of Unit :grampanchayatkhadkala@gmail.com

Telephone Number of Unit :8830706596

Siting Criteria

Siting Criteria : No

Location

Notified Industrial area : No

Detail : NA

Planning Authority : NA

Visit For

Visit For : Surprise

Applied For : Complain

Previous Consent Detail

Consent UAN No.	Date	Validity	Capital Investment	Verified By
NA			0	NA

Environment Clearance

Is EC Applicable : No

Production Details

Product Name	Quantity(As consent)	Unit(As consent)	Quantity(Actual)	Unit(Actual)	Operational Issue
Local body-MSW	20	MT/Day	5	MT/Day	No : NA

Waste Water Management

Source of water :
 1) Surface
 Surface Detail : NA
 Authority Permission : NA

Deviation In:

Water Consumption : No

Detail: NA

Effluent : No

Detail: NA

Sewage : No

Detail: NA

Whether Industrial effluent generated : No**Whether Domestic effluent generated : No**

		Industrial		Domestic	Gardening
		Process	Cooling		
Generation in m3/day	As per consent				0
	Actual				0

Treatment System

	Industrial	Domestic
Primary :		
Secondary :		
Tertiary :		
Advanced :		

JVS sample collection (Water)

JVS sample collected for Water : No

Detail : NA

Previous JVS Records (Water)

Sr. No.	Unique id	Barcode Number	Sample Type	Sample Subtype	Payment Status	COA Generated	
Air Pollution Aspect							
1) Details of emission : No							
#	Source	Fuel Name	Fuel Quantity	Fuel Unit	Control Equipment Installed	Stack Height(mtrs)	Operational Issue
Record not found.							
2) Differential in existing source of emission : No							
JVS sample collection (Air)							
JVS sample collected for Air : No					Detail : NA		
Previous JVS Records (AIR)							
Sr. No.	Unique id	Barcode Number	Sample Type	Sample Subtype	Payment Status	COA Generated	
Hazardous Waste Generation							
Difference in exiting waste generation : No							
Non Hazardous Waste Generation							
Difference in exiting waste generation : No							
Any specific Conditions							
				Condition	Compliance		
Consent				NA	NA		
Directions				NA	NA		
Environment Clearance				NA	NA		
Any NGT / Court order				NA	NA		
Bank Guarantee							
BG Imposed :							
Remark							
#	Statutory Submissions	Financial Year	Within Time	Whether any deviation waste generation & disposal (less/more)			
Record not found.							
Penal Charges							
Penal Charges : No							

OCEMS

Is Mandatory : Not Mandatory

Detail :

Connected to MPCB server : No

Detail : NA

Green Coverage

Green Coverage : No

Detail : NA

Any Specific Observation

Any Specific Observation : This office visited the site on 22/05/2025 for checking the compliance of Interim Directions dated 04/08/2023 and following re the observations during the visit. • MSW Waste of approximately 20 MT/D generated by Grampanchayat Khadkale/ Kamshet is dumed on gat no. 217, village Kusgaon Khurd, Tal. Maval, Dist, Pune which is owned by Shri Vijay Bandu Lalgude. It is dumped since 2020. • During visit lots of plastic & other dry waste & wet waste found disposed / dumped in old quarry of village Kusgaon after segregation. • Grampanchayat Khadkale is having 5 vehicles (3 Ghantagadi & 2 Tractors) , 20 to 25 workers for collection and disposal of MSW at above mentioned site. • Concrete compound wall is provided towards one side only i.e. towards " FORISAQUA PHASE !" owned by Shri Premchand Zaveri. • Grampanchayat Khadkale yet not provided compound wall from all sides, metalled road, composting plant, fire extinguisher and any other processing plant for dry and wet MSW. • PP has yet not complied ID dated 04.08.2023. • No record regarding Municipal Solid Waste Collection, Segregation, Treatment, and final Disposal in rational manner available during the visit • Village Kamshet grampanchayat having population of about 25000 souls.

Previous legal action detail

Sr. No.	Legal Action Details	Legal Direction/Notice Details
1	MPCB-LEGAL_ACTIONS-150922009 Initiated By: Shri. Sameer S. Vastre(FO-Pune II)	Proposed Direction Outward No: MPCB/PD/2303030003 Issued By: Jagannath Salunkhe(RO-Pune) Issued On: 03/03/2023
2	MPCB-LEGAL_ACTIONS-150922009 Initiated By: Shri. Sameer S. Vastre(FO-Pune II)	Interim Direction Outward No: MPCB/ID/2308040006 Issued By: Jagannath Salunkhe(RO-Pune) Issued On: 04/08/2023

Whether unit complied

Whether unit complied : No

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Annexure- II

MAHARASHTRA POLLUTION CONTROL BOARD

SUB-REGIONAL OFFICE, PUNE- 2

Ph. 020-25811694
Fax. 020-25811029
E-mail-sropune2@mpcb.gov.in



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

Ref. No.MPCB/ SROP-II/

Date: 02/06/2025

To

250602-FTS-0112

1. The Block Development Officer,
Vadgaon Maval, Tal. Maval, Dist. Pune.
2. Sarpanch, Grampanchayat. Khadkale-Kamshet.
Tal. Maval, Dist. Pune.

Sub : Regd. Original Application No.19/2025(WZ) filed by
Abhijit Madhukar Garad v/s Maharashtra Pollution Control
Board and Ors.

Abhijit Madhukar Garad has filed an Original Application No.19/2025 against MPCB and Ors. before the Hon'ble National Green Tribunal, Western Zone, Pune in respect of dumping of garbage by Grampanchayat Khadkale-Kamshet at Gat No.217, Village : Kusgaon-Khurd, Tal: Maval, Dist : Pune etc.

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 Solid Waste Management Rules, 2016.

One Shri Premchand Ratanchand Zaveri has filed a Writ Petition No.13825/2023 against the State of Maharashtra before the Hon'ble High Court of Judicature at Bombay in respect of dumping of municipal solid waste by Kamshet Gram Panchayat on the land bearing Gat No.217(Part) at Village: Kusgaon Khurd, Tal: Maval, Dist: Pune, which is adjacent to the Petitioner's Project at Gat No.217(part), 219 to 222, 227, 228, 231, Kusgaon Khurd, Tal: Maval, Dist: Pune. The said matter is pending before the Hon'ble High Court Bombay.

The Officer of the Maharashtra Pollution Control Board (MPCB) at Pune visited the above mentioned landfill dumping site on 11/03/2025 and observed that your Grampanchayat Khadkale-Kamshet has generated solid waste above 5 MT/D and dumped mixed waste with dry waste generated from your Grampanchayat area into the quarry at Gat no. 217, village Kusgaon Khurd, Tal. Maval, Dist, Pune since 2020, which is owned by Shri Vijay Bandu Lalgude. Also you have not obtained Authorization under MSW Rules 2016.

In view of above you are directed to immediately stop the dumping of solid waste at the aforesaid site and submit the Action taken Report immediately.

(Babasaheb Kukade)
Sub -Regional Officer, Pune-II

Copy to: Regional Officer, M.P.C. Board, Pune.

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MAHARASHTRA POLLUTION CONTROL BOARD

SUB-REGIONAL OFFICE, PUNE- 2

Ph. 020-25811694
Fax. 020-25811029
E-mail-sropune2@mpcb.gov.in



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

Ref. No.MPCB/ SROP-II/

Date: 02/06/2025

250602-FTS-0112

To

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- ✓ 2. Sarpanch, Grampanchayat. Khadkale-Kamshet.
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