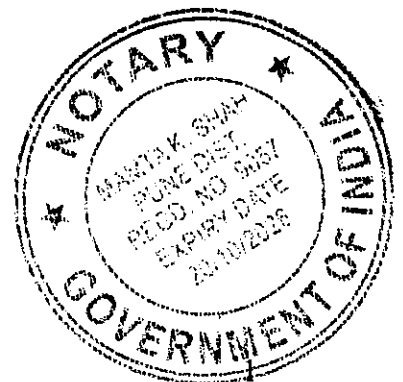


**BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO.134/2024(WZ)
EARLIER ORIGINAL APPLICATION
NO.571/2024(PB)**

**NEWS ITEM TITLED "HADAPSAR RESIDENTS
DEMAND ACTION AGAINST OPEN GARBAGE
BURNING" APPEARING IN THE HINDUSTAN
TIMES DATED 14/04/2024.**

**AFFIDAVIT IN REPLY ON BEHALF OF
RESPONDENT NO.1 PUNE MUNICIPAL
CORPORATION (PMC) TO THE APPLICATION
NO. 134 OF 2024.**

I, Sandip Kadam the Deputy Commissioner
Solid Waste Management Division, of the
Respondent Pune Municipal Corporation, having
my office at Pune Municipal Corporation Building
Shivajinagar Pune do hereby state on solemn
affirmation as under:



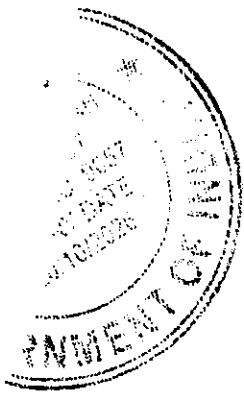
(1) I am working in the capacity of the Deputy Commissioner Solid Waste Management Division in the Pune Municipal Corporation.

(2) I am authorized by the Respondents to file this present Affidavit-in-Reply in my official capacity. I crave leave to file a further Additional Affidavit in Reply as and when necessary.

(3) I say and submit that the present Original Application is taken suo moto by Hon'ble Principal Bench in news titled "*Hadapsar residents demand action against open garbage burning*", which was published in the *Hindustan Times* dated 14.04.2024."

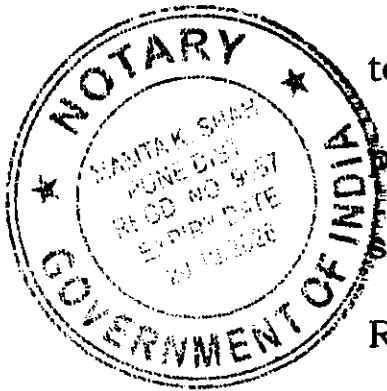
Thereafter, the present Original Application was transferred to this Hon'ble Tribunal (WZ).

(4) I say and submit that based on the news titled two meetings were held at the Regional Office, MPCB, Pune on 23/04/2024 and



17/05/2024 respectively. Accordingly, the answering respondent has submitted a reply dated 28/05/2024 stating that the site in question of this Application is within the Jurisdiction of the Pune Cantonment Board and is not within the limits of PMC.

- (5) I say and submit that in the same reply, it has been informed that the answering respondent has continuously taking actions to mitigate the open burning of waste by preparing an action plan. Additionally, with short-term and long-term measures.

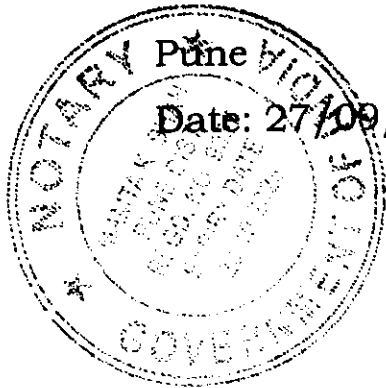


Reply dated 28/05/2024 hereto annexed and marked as **Annexure A**.

- (6) I say and submit that the issue in present Application has already been discussed and finally disposed by this Hon'ble Tribunal in Original Application 34 of 2024 (WZ) Earlier Original Application 65 of 2024 (PB) Citizens

of Area Sabha & Anr Vs Maharashtra
Pollution Control Board & Ors with In re
News item appearing in Pukar News dated
27.12.2023 titled "Pune faces rising concerns
over Increased garbage burning and poor air
quality".

Order dated 29/05/2024 hereto annexed and
marked as **Annexure B**.



Date: 27/09/2024


Respondents No. 1

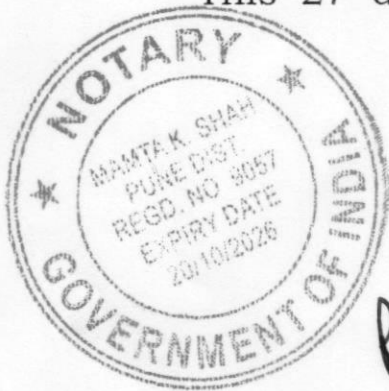
Pune Municipal
Corporation

VERIFICATION

I, Sandip Kadam, Age: 45, Deputy Commissioner Solid Waste Management Division, of the Respondent Pune Municipal Corporation, do hereby state on solemn affirmation that what is stated forgoing Para's is true and correct to my own knowledge and belief.

Solemnly affirmed at Pune

This 27 day of September, 2024



Sandip Kadam

Adv. for Respondents No. 1

Mamta K. Shah

Respondents No. 1

BEFORE ME

Mamta K. Shah

**MAMTA K. SHAH
NOTARY
GOVT. OF INDIA
PUNE DISTRICT**



NOTED AND REGISTERED

AT SR. NO. 16709/2024

DATE

27 SEP 2024



Solid Waste Management
Pune Municipal
Corporation
Outward no: SWMO/932
Date: 28/05/2024

To,
The Regional Officer,
Jog Centre, 3rd Floor, Wakdevadi
Maharashtra Pollution Control Board
Pune – 411 003

Subject: - Reply to Complaint Letter by MPCB dated 02/05/2024 Proposed Directions under section 31 A of the Air (Prevention & Control of Pollution) Act, 1981.

Reference: -

1. MPCB Letter Ref. No. MPCB/ROP/Non-Compliances- SWM/PD/24050220005
Dated 02/05/2024.

Respected Sir,

With reference to the mail received dated 08th May 2024 having subject Proposed Directions under section 31 A of the Air (Prevention & Control of Pollution) Act, 1981, from Regional Officer - Pune, MPCB. The Solid Waste Management (SWM) Department of Pune Municipal Corporation (PMC) is making sincere efforts in addressing the issues regarding burning of waste, within PMC jurisdiction. Please find the reply to following reported non-compliances:

Sr. No.	Non-Compliance	Reply
1.	You have dumped municipal solid waste in Hadapsar Industrial Area unscientifically without segregation.	<ul style="list-style-type: none"> ▪ The Mentioned area is the dumping site of Pune Cantonment Board, and no Municipal Solid Waste of Pune Municipal Corporation is being dumped in that area. ▪ PMC has installed a dry waste facility in the area, and the process rejects of the same are safely and scientifically disposed at Scientific Landfill at Uruli Devachi.
2.	You have not provided a proper collection system for the leachates.	<ul style="list-style-type: none"> ▪ The mentioned area is the dumping site of Pune Cantonment Board. ▪ The responsibility of management of Leachate falls with Pune Cantonment Board.
3.	You have not taken effective steps to avoid garbage burning issues in Hadapsar Industrial Area.	<ol style="list-style-type: none"> 1) Following the fire incident at the dumping facility of Pune Cantonment Board, for which PMC provided support to extinguish the fire. PMC has sent a letter to PCB mentioning to take precautions and implement mitigation measures so that such incident does not occur again. (Letter ref. no. SWM/253, dtd. 12/04/2024)(1) 2) Following measures have been taken by Hadapsar-Mundhwa and Dhole Patil Ward Office: <ul style="list-style-type: none"> ▪ Regular Investigations are being carried out at 4 identified spots where burning was observed. (Morning, Afternoon and Night Shifts)

		<ul style="list-style-type: none"> ▪ Fine are being imposed on any open burning case is found. ▪ It was found that, open burning was found in unutilised spaces, Ward offices have requested Hadapsar Police department to restrict access to these spaces, to avoid open burning of waste. <p>3) From January 2023 to 29th April 2023 PMC has collected Rs.9,99,000/- fine against 1722 cases of opening burning of waste. (Fine Details Attached with the Letter (2)).</p> <p>4) Action plan for mitigation of garbage burning has been mentioned below.</p>
4.	You have dumped mixed garbage at Magarpatta City near Canal Side.	No mixed garbage is dumped by PMC at Magarpatta City near Canal Side.

PMC is already taking actions to mitigate open burning of waste following is the Action plan for the same:

1. Pune city has robust arrangements for door-to-door collection of municipal solid waste with almost 100% coverage. The waste pickers cooperative SWaCH has been appointed by PMC for door-to-door collection of waste from residential, slums and commercial areas. There are around 3800 waste pickers engaged in door-to-door waste collection daily in the city. Each waste picker is allotted 200 to 250 Households. PMC has given a letter SWaCH that there waste pickers shall not segregate the waste openly and shall not burn any kind of waste roadside and along the canals. (Letter to SWaCH attached with the Letter(3)).
2. The total daily waste generation for the city is around 2200-2300 TPD which comprises of around 1200-1300 TPD dry waste and approx. 900-1000 TPD wet waste. PMC operates various dry and wet waste processing facilities with the designed capacity of more than 2400 TPD. All processing plants operates as per SWM and MPCB guidelines and their contribution to air pollution is very minimal.
3. SWM dept, PMC has more than 750 vehicles fleet for collection and transportation of municipal solid waste from feeder points to processing plants. This large fleet of different categories (Small bell truck, large bell truck, compactors, BRC etc.) is adequate for meeting the daily requirements of waste transportation in the city.
4. The SWM department has prepared a strategy and roadmap for elimination of Garbage vulnerable points (GVP)/Chronic spots across the city and it is being implemented at the ward and kothi level. The daily reporting of chronic spots monitoring is being done and reclaimed spot is being beautified.

5. PMC operates fleet of more than 15 mechanized road sweepers across five zones in the city for maintaining cleanliness of main 4 lane roads network using vacuum sweeping technology and hydraulic cleaning by water spraying. Each road sweeper vehicle has an attached tipper vehicle and a group of labourers for cleaning of side footpath, dividers, medians and overall route areas. This helps in significantly minimizing the air pollution due to vehicular and construction dust particles.
6. PMC employs more than 8,000 sweepers across more than 250 kothis in the city. Each street sweeper has a dedicated sweeping beat which is cleaned everyday in the morning shift. This significantly reduces the air pollution due to dust particulate.
7. SWM Department, PMC has issued a notification for spot fine and penalty amount for violating the SWM Rules, 2016. Under the notification, the penalty for garbage burning is Rs 500 for every incident. PMC is in the process receiving administrative sanction for increasing the fine from Rs. 500 to Rs. 5000. Letter of the same attached with the letter (3) Ward wise daily reports are maintained for various offences as per spot fine notification for penalties collected from offenders. PMC has deployed flying squads with dedicated vehicles at wards level (4 vehicles operating now) for penalty collection & efficient monitoring by squads. Letter has been given to all 15 ward offices on 24th April 2024 regarding imposing fines and reducing incidents of open burning of waste (5).
8. SWM department has formed monitoring squads across 15 ward offices and 42 prabhags consisting of ward officials i.e. DSI, Sanitary Inspector (SI) and Mokadams for spotting and preventing the open burning of garbage at any place. The monitoring squad has been authorised to collect penalty under the spot fine notification.
9. To minimize pollution due to construction waste, PMC operates a Construction & Demolition (C&D) Waste processing plant of 250 TPD capacity and has designated C&D waste collection points across all wards with dedicated vehicles. A new C&D plant of 200 TPD capacity will be erected and commissioned in the south-west region of Pune city for managing increasing C&D waste, work order of the plant has been issued on 27/02/24.
10. Public awareness and IEC campaigns for mass awareness among citizens for discouraging open burning of garbage and sustainable waste management solutions.

In view of the above, SWM dept, PMC is focusing on reported garbage burning cases for preventing such incidents in future and taking steps to improve air quality.

Additionally, PMC is also following short & long-term measures are being considered and implemented for scientific and effective solid waste management in the city.

1. Decentralized Waste Management: PMC gives more focus on adopting decentralized or localised waste management system instead of centralized systems. This includes working with SWaCH waste

pickers for over a decade to institutionalize door step collection of municipal waste, encouraging segregation of waste at the source and implementing PMC bye-laws for incentivising on-site processing of wet-waste in Bulk Waste Generators (BWGs) and home composting practices. This approach will reduce the transportation cost of waste and efficiently reuse or recycle waste.

2. Waste Segregation: In compliance with SWM Rules 2016, and SBM guidelines, PMC is strictly enforcing waste segregation at the source in four categories (Dry, wet, sanitary waste and Domestic Hazardous waste). Different colour coded bins have been provided both at the level of SWaCH waste pickers as well as waste transportation vehicles. This plays a crucial role in improving waste management efficiency as dedicated processing facilities are operating for dry and wet waste.

3. IEC and Citizen Awareness Programs: SWM department, PMC is regularly organizing Ward and kothi level IEC campaigns for engaging with citizens on promoting doorstep collection and source segregation behaviour. This is being done in collaboration with various CSR partners and civil society organizations involving school students and citizens of all age groups and background. Also, regular seminars and workshops are conducted to educate the citizens about the importance of proper waste disposal technologies like composting, Waste to Energy, Biogas, BioCNG and others. The campaigns reinforce the value of the 3R (Reduce, Reuse, Recycle) practice and to encourage this behaviour, PMC has set up Resource Recycling Centres (RRC) in every ward for collection and forward linkage.

4. Scientific Landfill Management: The open dumping of municipal solid waste is banned in the city since 2020 as entire waste is processed at various waste processing facilities. At the same time, PMC has a Scientific landfill (SLF) at Devachi Uruli for scientific disposal of rejects/inerts generated at processing facilities after processing of municipal solid waste. The operation and management of SLF is being done to minimize environmental impacts. This includes measures such as regular monitoring of gas emissions and leachate collection and treatment. PMC has also issued work order for the construction a new SLF of 300 TPD capacity covering approx 8 acres area in PCB land parcel and the work is in progress for the same. The Tender process for an additional SLF of 300 TPD capacity covering area of approx. 4 acres at Devachi Uruli site is in progress.

5. Strict Enforcement: PMC has notified penalties for various offences under SWM Rules 2016 for preventing waste dumping and waste collection at chronic spots in the city including ban on Single Use Plastic (SUP). Ward level monitoring squads and vehicles have been provided for enhancing penalty collections from the offenders.

6. Recycling Programs: PMC is rolling out in collaboration with SWaCH and various CSR partners for encouraging recycling behaviour within the community. In this context, focus is on establishing local recycling centers (RRCs) at ward levels, and incentivize people to recycle waste. This can be in the form of rewards or monetary benefits.


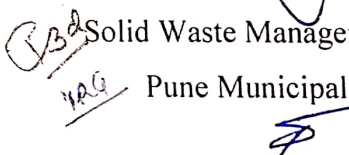
7. Legacy Waste Management: As dumping of waste is banned in the city, PMC has been doing biomining of existing legacy waste at the site of Devachi Uruli for past few years in phases for booming of legacy waste and land reclamation. In phase 1, around 11.75 lakh MT of legacy waste was biomined and approx. 22 acres of land was reclaimed. In 2nd phase, around 8 lakh MT of legacy waste was biomined and approx. 6.5 acres of land has been reclaimed. The reclaimed land will be used for the construction of new SLF at the site.

These short- and long-term measures and corrective action plan is being adopted by Solid Waste Management department of Pune Municipal Corporation for addressing the issues pointed by MPCB and for effective compliance of SWM Rules, 2016 and provisions under Air (Prevention and Control of Pollution) Act 1981 read with Environment (Protection) Act 1986. This will help in addressing the citizen complaints and effective solid waste management in the city.

We kindly request you to not take any prosecution action and levy any Environmental Compensation on us.

For your kind submission

Thanks


Deputy Municipal Commissioner
Solid Waste Management Department
Pune Municipal Corporation


Attachments:

1. Letter issued by PMC to PCB.
2. Fine Details January 2023 to 29th April 2024.
3. Letter to SWaCH
4. Letter for Approval of increased fine.
5. Letter to all 15 Ward offices to fine and reduce open burning of waste.

Item No.9

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

[Through Physical Hearing (with Hybrid Option)]

**ORIGINAL APPLICATION NO.34 OF 2024 (WZ)
[Earlier Original Application No.65 of 2024 (PB)]**

Citizens of Area Sabha & Anr

Applicants

Versus

Maharashtra Pollution Control Board & Ors.

Respondents

In re : News item appearing in Pukar News dated
27.12.2023 titled "Pune faces rising concerns over
Increased garbage burning and poor air quality"

Date of hearing : 29.05.2024

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicants : Ms. Ronita Bhattacharya, Advocate

Respondents : Ms. Pooja Natu, Advocate holding for Ms. Manasi Joshi,
Advocate for R-1/MPCB
Mr. Mayur Ovhal, Advocate holding for Mr. Rahul Garg,
Advocate for R-3/PMC along with Mr. Mukund Barve,
Executive Engineer, PMC and Dr. Ketki Ghatage,
Health Officer, PMC

ORDER

1. From the side of the applicants, learned counsel Ms. Ronita Bhattacharya has appeared and drawn our attention to the suggestions to be adopted by the relevant Authority to take care of the problem of garbage burning and pollution emitting out of it. The said suggestions have been filed on 15.04.2024, which are at pages 485 to 496 of the paper-book. In those suggestions, it is submitted that there are several chronic burning spots, such as the banks of streams and rivers, roadsides and service roads along highways, the foothills of hills and forest areas, scrap shops and scrap storage dump yards, industrial areas and open empty plots. According to her, these spots need to be identified, mapped and monitored regularly for which she says that a Joint Committee needs to be constituted, comprising representatives of (i)

Divisional Commissioner, Pune, (ii) Commissioner, Pune Municipal Corporation and (iii) Regional Officer, Maharashtra Pollution Control Board. Apart from this, experts from the reputed institutions such as Indian Institute of Tropical Meteorology (IITM), Pune, Indian Institute of Science Education and Research (IISER), Pune and Automotive Research Association of India (ARAI), Pune, may be coopted. Some members in the civil society may also be taken in the Committee as may be deemed appropriate by this Tribunal.

2. We are of the view that garbage dumping is a kind of activity, which may take place in any of the localities, monitoring of which would be difficult for the high level committee. The persons, who are working in the field, need to be asked to monitor on the garbage burning activity. We had also directed MPCB-respondent No.1 to submit an affidavit as to whether CCTVs can be installed in order to identify such kind of activities of garbage burning.

3. From the side of respondent No.1-MPCB, additional affidavit-in-reply dated 28.05.2024 has been filed, wherein it is recorded that they have installed CAAQMS (Continuous Ambient Air Monitoring Stations) at three locations i.e. Savitribai Phule Pune University, Katraj Dairy and Karve Road, Pune. Besides that, manual monitoring is being done at two locations i.e. MSEB Office, Nal Stop and Swargate near Traffic Police Chowky. Besides that, it is also recorded that mobile monitoring is being done at six locations, which are mentioned in paragraph No.4 of the said affidavit. The air quality which is monitored as per the CPCB Notification dated 18.11.2009 and analysis results for parameters such as Particulate Matter i.e. PM₁₀, PM_{2.5} and SO₂ are found to be within prescribed limit at the above locations which are mentioned in paragraph No.4 of the affidavit and NO_x is found exceeded at one location at Chhatrapati Sambhaji Maharaj Garden, JM Road, Shivajinagar. We direct that necessary steps be taken for ensuring that NO_x also is brought within

control at the said location. The measures to be taken to bring NO_x within control shall also be suggested within 15 days from the date of uploading of this order and those will be implemented within next 15 days.

4. Further it is mentioned in the aforesaid affidavit of respondent No.1 that PM₁₀, PM_{2.5} and NO_x are exceeding the limit prescribed in the Notification at five locations mentioned in paragraph 6 of the affidavit. We also direct that necessary steps be taken to bring those under control and suggestions be given in that regard within 15 days from the date of uploading of this order.

5. In the said affidavit of respondent No.1, there are several locations mentioned in paragraph No.7 where complaints are received by local residents regarding garbage burning, air pollution and occurrence of fire incident, regarding which, air quality monitoring by deploying mobile monitoring vans was carried out on 11.04.2024 and 12.04.2024 and that as per NAAQS (National Ambient Air Quality Standards), air quality monitoring analysis results show the parameters such as PM₁₀, PM_{2.5} and SO₂ are found to be within limits at these sites. It is also recorded that the Chief Executive Officer, Pune Cantonment Board, Pune has been issued proposed directions dated 02.05.2024 under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 for non-compliance with the provisions of the Solid Waste (Management) Rules, 2016 and the conditions prescribed in the MSW Authorization. A copy of the said proposed direction is annexed as Annexure-III. Further proposed directions were issued to the Deputy Commissioner, Solid Waste Management Division, Pune Municipal Corporation, Pune on 02.05.2024 under the same provisions cited above and a copy of the said proposed directions is annexed as Annexure-IV. It is also recorded that the answering respondent has deployed mobile monitoring vans for monitoring air quality at three places which are mentioned in paragraph

10 of the affidavit and Particulate Matters i.e. PM₁₀, PM_{2.5}, SO₂ and NO_x are found to be within prescribed limits.

6. It is further mentioned in the said affidavit of respondent No.1 that respondent No.3-PMC shall conduct monthly monitoring of air quality at the locations mentioned in paragraph No.12 of the affidavit. By e-mail dated 28.05.2024, action taken report has been submitted by the PMC to the answering respondent for improving air quality as follows:

“1. Public Transport Buses (PMPML): A total of 2079 buses of PMPML are operating for public transport out of which 1421 are CAN buses. The service of electric buses started in Pune city since February 2019. At present: 458 electric buses are operational in the city. The E-buses have covered more than 4.5 Cr kms of travel.

2. Registration of electric and BS-VI standard vehicles: In order to reduce the pollution caused by exhaust from vehicles and to keep the carbon footprint under control, the registration of vehicles with BS-VI engine in Pune city has been started through RTO. Also, the number of electric vehicles is increasing, and by the year 2023, more than 60,000 electric vehicles have been registered.

3. Pollution Control System in Crematorium: Air Pollution Control (APC) systems for wood fired crematoriums have been installed in 27 crematoriums through the Electric Department. In addition to these, 10 crematoriums have electric facility, and 19 crematoriums are installed with gas-based systems.

4. Pune Street Program Guidelines from ‘Urban Street Design Guidelines’ and ‘Pedestrian Policy’ are being used for road development work. Pune M.N.P. 100 km in the city by road department. Emphasis has been laid on footpaths and cycle tracks and a total of 65 km of roads have been developed by combining various roads.

5. Roads without potholes for smooth traffic: 4 special Road Maintenance Vehicles (RMVs) are operational in Pune city and connected through mobile application and 8 new RMVs are proposed.

6. Green Area: There are 211 parks in the city and the task of maintaining these parks is the responsibility of Pune Municipal Corporation. The trees on the hills are conserved by the Forest Department through the Joint Forest Management Committee.

7. *Management of road dust: 18 Mechanical Street Sweeper Machines are used for mechanical cleaning of main roads by Solid Waste Management Department. Approx. 120 km per day is swept with these machines. Street cleaning and water sprinkling system is done regularly.*

8. *Waste & Biomass-Dumping & Burning: There is ban on open burning of plastic, garbage, tree leaves etc. Inspection squads deployed for checking and controlling burning incidents and imposing fine on defaulters. Projects like bio-methanization, waste to energy incineration etc. are implemented successfully in the city.*

9. *Use of renewable energy: In the city of Pune, solar energy projects with a capacity of 443 kilowatts by roof top solar system Resco model and 825-kilowatt capacity by roof top solar system Capex model have been set up on buildings of PMC and has completed the installation of 1.25 megawatt capacity project.*

10. *Air Quality Monitoring: 03 CAAQMS (Continuous Ambient Air Quality Monitoring Stations) are installed by MPCB and 02 stations are proposed. In addition, Indian Institute of Tropical Meteorology, Ministry of Earth Sciences, Government of India, Pashan have installed 10 Air Pollution Monitoring systems under the program SAFAR-System for Air Quality Forest and Research.*

11. *Control of dust from construction activities: (i) New construction technology has increased the use of ready-mix concrete (RMC) as a good construction practice in the city and it is transported only in enclosed vehicles. Also, pre-cast and ready-mix concrete is used in big projects. This technology reduces the dust emission by in-situ concrete mixing. (ii) In order to reduce the amount of Particulate Matter (PM_{10} $PM_{2.5}$) mixed in the air during the handling/transportation of construction materials, the Pollution Control Board has instructed to take measures such as water sprinkling, installing barricades between the construction site and other buildings, etc. The inspection work of various construction sites has been started and notices have been issued to 534 construction professionals till December 2023. (iii) A special team has been appointed through Pune Mahametro to control the dust emitted at the ongoing construction sites, water sprinkler system has been installed at the places where construction materials are loaded and unloaded, barricading/green net has been installed around the construction site.*

12. *Public Transport (Metro): (i) Total 22 km of metro lines is operational (ii) The work of Hinjewadi to Shivajinagar metro line is in progress.*

13. *Subsidy to electric rickshaws: Electric auto rikshaws registered with Pune RTO are given subsidy of Rs. 25000 per rickshaw.*

14. *Public Awareness: (i) A public appeal was made by the Pune Municipal Corporation through the local newspaper as well as through the social media to celebrate an environmentally friendly Diwali festival (ii) All 161 LED display boards of Smart City have been showing air pollution related video clips since October 2023.”*

7. From the side of respondent no.3-PMC additional affidavit dated 27.05.2024 has been filed, in which it is submitted that during months of November and December, 2023 incidents of garbage burning in few areas of the city had occurred regarding which a news item had been published in Punekar News, cognizance of which has been taken by this Tribunal by way of present proceedings.

8. In paragraph 8 of the aforesaid additional affidavit it is submitted that respondent no.1-MPCB had pointed out four major non-compliances on part of respondent no.1-PMC as follows:

Sr. No.	Non-Compliance	Reply
1	<i>PMC have dumped municipal solid waste in Hadapsar Industrial Area unscientifically without segregation</i>	<ul style="list-style-type: none"> <i>In the Mentioned non-compliance, the area of land belongs to Pune Cantonment Board and Pune Municipal Corporation is not involved in any dumping of waste in that area.</i> <i>However, PMC and PCB have jointly installed a dry waste facility in the area in June 2023 and all the wastes is scientifically treated and disposed at PMC SLF.</i>
2	<i>PMC have not provided a proper collection system for the leachates.</i>	<ul style="list-style-type: none"> <i>It is under the management of Pune Cantonment Board and necessary action to be taken by them.</i>
3	<i>PMC have not taken effective steps to avoid garbage burning issues in Hadapsar Industrial Area.</i>	<p>1) <i>After the fire incident at the waste facility of Pune Cantonment Board, PMC also provided support the extinguish a fire. PMC has also sent a letter to PCB mentioning to take precautions and implement</i></p>

		<p>mitigation measures so that in future any such incident does not occur again (Letter ref. no. SWM/253, dtd. 12/04/2024).</p> <p>2) Following measures have been taken by Hadapsar – Mundhwa and Dhole Patil Ward Office:</p> <ul style="list-style-type: none"> • Regular observations are being carried out at 4 identified spots where burning was observed (Morning, Afternoon and Night Shifts). • Fines are being imposed if any open burning of waste is found. • It was observed that, open burning was done in unutilized spaces, ward offices have requested Police Department to help and keep vigil in these spaces, to avoid open burning of waste. <p>3) From January 2023 to 29th April 2023 PMC have collected Rs.9,99,000/- fine against 1722 cases of open burning of waste.</p>
4	<p>PMC have dumped mixed garbage at Magarpatta City near Canal Side</p>	<p>No mixed garbage is dumped by PMC at Magarpatta City near Canal side. But regular checking is done to avoid any dumping.</p>

9. When an inquiry was made to learned counsel for respondent no.2-PMC, it is submitted that Hadapsar and Hadapsar-Belley Canal road are falling in the jurisdiction of Pune Cantonment Board (PCB). Therefore, action in that regard is to be taken at their end and not at the end of PMC and this relates to the problem of collection system for leachates and it is not the issue involved herein as per the news item.

10. Our attention is also drawn to paragraph 9 of the said additional affidavit by the learned counsel representing respondent no.3-PMC, wherein it is stated that the article has been published in the newspaper Times of India dated 06.03.2024, which shows that air quality of Pune is now in the category of good and satisfactory. It is also recorded in this affidavit that earlier, a fine of Rs.500/- used to be imposed for burning of garbage and now it is raised to Rs.5,000/-. This change has been made with effect from 22.05.2024. A copy of the Office Circular dated 22.05.2024 in that regard is submitted before us today, which is taken on

record and marked as "X" for identification purpose. We direct that a copy of the said circular be provided to the learned counsel for the applicants by the learned counsel for respondent no.3-PMC today through email.

11. In paragraph 11 of the additional affidavit of respondent no.3-PMC, referred to above the steps, which have already be taken, have been mentioned in order to mitigate the problem of garbage burning, which are as follows:

- a. *Pune city has robust arrangements for door-to-door collection of Municipal Solid Waste with almost 100% coverage. The waste pickers cooperative SWaCH has been appointed by PMC for door-to-door collection of waste from residential, slums and commercial areas. There are around 3800 waste pickers engaged in door-to-door waste collection daily in the city. Each waste picker is allotted 200 to 250 Households. PMC has given a letter SWaCH that their waste pickers shall not segregate the waste openly and shall not burn any kind of waste roadside and along the canals. (Letter to SWaCH attached with the Letter(3).*
- b. *The total daily waste generation for the city is around 2200-2300 TPD which comprises of around 1200-1300 TPD dry waste and approx. 900-1000 TPD wet waste. PMC operates various dry and wet waste processing facilities with the designed capacity of more than 2400 TPD. All processing plants operates as per SWM and MPCB guidelines and their contribution to air pollution is very minimal.*
- c. *SWM Department, PMC has more than 750 vehicles fleet for collection and transportation of municipal solid waste from feeder points to processing plants. This large fleet of different categories (Small bell truck, large bell truck, compactors, BRC etc.) is adequate for meeting the daily requirements of waste transportation in the city.*
- d. *The SWM department has prepared a strategy and roadmap for elimination of Garbage vulnerable points (GVP)/Chronic spots across the city and it is being implemented at the ward and kothi level. The daily reporting of chronic spots monitoring is being done and reclaimed spot is being beautified.*
- e. *PMC operates fleet of more than 15 mechanized road sweepers across five zones in the city for maintaining cleanliness of main 4 lane roads network using vacuum sweeping technology and hydraulic cleaning by water spraying. Each road sweeper vehicle has an attached tipper vehicle and a group of labourers for cleaning of side footpath, dividers, medians and overall route areas. This helps in significantly minimizing the air pollution due to vehicular and construction dust particles.*
- f. *PMC employs more than 8,000 sweepers across more than 250 kothis in the city. Each street sweeper has a dedicated*

sweeping beat which is cleaned every day in the morning shift. This significantly reduces the air pollution due to dust particulate.

- g. SWM Department, PMC has issued a notification for spot fine and penalty amount for violating the SWM Rules, 2016. Under the notification, the penalty for garbage burning is Rs 500 for every incident. PMC is in the process receiving administrative sanction for increasing the fine from Rs. 500 to Rs. 5000. Letter of the same attached with the letter (3) Ward wise daily reports are maintained for various offences as per spot fine notification for penalties collected from offenders. PMC has deployed flying squads with dedicated vehicles at wards level (4 vehicles operating now) for penalty collection & efficient monitoring by squads. Letter has been given to all 15 ward offices on 24th April 2024 regarding imposing fines and reducing incidents of open burning of waste (5)*
- h. SWM department has formed monitoring squads across 15 ward offices and 42 Prabhags consisting of ward officials i.e. DSI, Sanitary Inspector (SI) and Mokadams for spotting and preventing the open burning of garbage at any place. The monitoring squad has been authorised to collect penalty under the spot fine notification.*
- i. To minimize pollution due to construction waste, PMC operates a Construction & Demolition (C&D) Waste processing plant of 250 TPD capacity and has designated C&D waste collection points across all wards with dedicated vehicles. A new C&D plant of 200 TPD capacity will be erected and commissioned in the south-west region of Pune city for managing increasing C&D waste, work order of the plant has been issued on 27/02/24.*
- j. Public awareness and IEC campaigns for mass awareness among citizens for discouraging open burning of garbage and sustainable waste management solutions.
In view of the above, SWM dept, PMC is focusing on reported garbage burning cases for preventing such incidents in future and taking steps to improve air quality.”*

12. In paragraph 12 of the aforesaid additional affidavit, short term and long term measures, which have been considered and implemented for scientific and effective solid waste management in the city, have been mentioned, which are as under:

- a. **Decentralized Waste Management:** PMC gives more focus on adopting decentralized or localised waste management system instead of centralized systems. This includes working with SWaCH waste pickers for over a decade to institutionalize door step collection of municipal waste, encouraging segregation of waste at the source and implementing PMC bye-laws for incentivising on-site processing of wet-waste in Bulk Waste Generators (BWGs) and home composting practices. This*

approach will reduce the transportation cost of waste and efficiently reuse or recycle waste.

- b. **Waste Segregation:** In compliance with SWM Rules 2016, and SBM guidelines, PMC is strictly enforcing waste segregation at the source in four categories (Dry, wet, sanitary waste and Domestic Hazardous waste). Different colour coded bins have been provided both at the level of SWaCH waste pickers as well as waste transportation vehicles. This plays a crucial role in improving waste management efficiency as dedicated processing facilities are operating for dry and wet waste.
- c. **IEC and Citizen Awareness Programs:** SWM department, PMC is regularly organizing Ward and kothi level IEC campaigns for engaging with citizens on promoting doorstep collection and source segregation behaviour. This is being done in collaboration with various CSR partners and civil society organizations involving school students and citizens of all age groups and background. Also, regular seminars and workshops are conducted to educate the citizens about the importance of proper waste disposal technologies like composting, Waste to Energy, Biogas, Bio CNG and others. The campaigns reinforce the value of the 3R (Reduce, Reuse, Recycle) practice and to encourage this behaviour, PMC has set up Resource Recycling Centres (RRC) in every ward for collection and forward linkage.
- d. **Scientific Landfill Management:** The open dumping of municipal solid waste is banned in the city since 2020 as entire waste is processed at various waste processing facilities. At the same time, PMC has a Scientific landfill (SLF) at Devachi Uruli for scientific disposal of rejects/inerts generated at processing facilities after processing of municipal solid waste. The operation and management of SLF is being done to minimize environmental impacts. This includes measures such as regular monitoring of gas emissions and leachate collection and treatment. PMC has also issued work order for the construction a new SLF of 300 TPD capacity covering approx 8 acres area in PCB land parcel and the work is in progress for the same. The Tender process for an additional SLF of 300 TPD capacity covering area of approx. 4 acres at Devachi Uruli site is in progress.
- e. **Strict Enforcement:** PMC has notified penalties for various offences under SWM Rules 2016 for preventing waste dumping and waste collection at chronic spots in the city including ban on Single Use Plastic (SUP). Ward level monitoring squads and vehicles have been provided for enhancing penalty collections from the offenders.
- f. **Recycling Programs:** PMC is rolling out in collaboration with SWaCH and various CSR partners for encouraging recycling behaviour within the community. In this context, focus is on establishing local recycling centres (RRCs) at ward levels, and incentivize people to recycle waste. This can be in the form of rewards or monetary benefits.
- g. **Legacy Waste Management:** As dumping of waste is banned in the city, PMC has been doing biomining of existing legacy waste at the site of Devachi Uruli for past few years in phases for

booming of legacy waste and land reclamation. In phase 1, around 11.75 lakh MT of legacy waste was biomined and approx. 22 acres of land was reclaimed. In 2nd phase, around 8 lakh MT of legacy waste was biomined and approx. 6.5 acres of land has been reclaimed. The reclaimed land will be used for the construction of new SLF at the site.

h. These short and long-term measures and corrective action plan is being adopted by Solid Waste Management department of Pune Municipal Corporation for addressing the issues pointed by MPCB and for effective compliance of SWM Rules, 2016 and provisions under Air (Prevention and Control of Pollution) Act 1981 read with Environment (Protection) Act 1986. This will help in addressing the citizen Complaints and effective solid waste management in the city.”

13. Besides above, lastly it is mentioned in the aforesaid affidavit that mobile app has been developed by the name “PMC CARE”, wherein citizens can register their complaints.

14. The measures, which appear to have been taken by respondent no.3-PMC, appear to be good steps in the direction of mitigating the problem of garbage burning and similarly because of enhancement in the imposition of fine for garbage burning, it would have deterrent effect for such happening in future.

15. We dispose of this Original Application with a direction that Deputy Commissioner, Solid Waste Management Department of Pune Municipal Corporation-respondent no.3 shall conduct review of garbage burning measures on monthly basis and whatever action that would be taken, would be posted on the website of PMC for public purposes.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

May 29, 2024
O.A. No.34/2024(WZ)
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