NOTARY
ADV. R.V. KACHAROO
ISLAMPUR
Regd No. 6727
Expiry Dt. 14/05/2023
GOVT. OF INDIA

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO.69 OF 2022
WITH
ORIGINAL APPLICATION NO.114 OF 2023

IN THE MATTER OF-

Mr. Sunil Pharate, Sangli district
Head of Swantantra
Bharat Paksh. … APPLICANT

V/s.

STATE OF MAHARASHTRA THROUGH
& ORS …RESPONDENT

AFFIDAVIT IN REPLY ON BEHALF RESPONDENT NO. 18

I Rahul Mardhekar, son of Sarjerao Mardhekar, age :_45 years, occupation-Service, the authorized Officer, of Islampur Municipal Council. I am filing this affidavit on behalf of Respondent No – 18, Islampur Municipal Council, do hereby solemnly affirm state as under-

1) I am aware about the facts and circumstances of the present case and am able to depose the same.

2) At the outset, I deny each and every allegation, contentions, statements, and averments made in the recent original Application

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against the respondent No – 18, as if the same has been traversed in seriatim.

3) At the further outset I state that nothing mentioned in the present Original Application shall be deemed to have been admitted for the want of specific traverse.

4) At the further outset I submit that the Applicant in the present Original Application has suppressed the material facts from this Hon'ble Tribunal. Therefore, the Applicant has indulged in *suggestio falsi and Suppresio veri.*

5) I say that the Respondent No – 18, is filing the present affidavit for the limited purpose of bringing on record the status of the Sewage Treatment Plant (STP).

6) I further say that the Respondent No – 18, reserves its right to file the detailed Affidavit giving para-wise denials to the Original Application.

7) I say that vide the present Affidavit, I am also inviting the attention of this Hon'ble Tribunal to the status of the Order dated 18th October, 2022, passed by this Hon'ble Tribunal in Original Application No.74 of 2021(WZ), which was challenged by the Respondent No.18 vide Civil Appeal Diary No (s). 2522 of 2023 filed before the Hon'ble Supreme Court of India. I further say that the Hon'ble Supreme court vide its order dated 3rd October 2023 granting stay on the order dated 18th October 2022 passed by this Hon'ble Tribunal in Original Application No.74 of 2021. The Civil Appeal Diary No (s). 2522 of 2023, along with the application for Stay and Condonation of delay are annexed as ***Annexure – 1*** to the

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compendium of documents and the Order dated 3rd October 2023 to ***Annexure – 2***.

8) I say that in the Order dated 3rd October 2023, The Hon'ble Supreme Court of India was pleased to direct the Respondent No – 18, to file an Affidavit setting out the compliance made with the Solid Waste Management Rules 2016 and also further stating what preventive measures are being taken by the Respondent No – 18 to ensure that untreated Sewage water is not discharged in Krishna River.

9) I say that thereafter the Respondent No – 18 filed three Affidavits before the Hon'ble Supreme Court of India, giving details of compliance made with the Solid Waste Management Rules 2016 and also further stating what preventive measures are being taken by Respondent No – 18 to ensure that untreated Sewage water is not discharged in Krishna River, dated 12th January 2024, 6th March 2024 and 30th August 2024 respectively. The same has been Annexed and marked as ***Annexure - 3, Annexure - 4, and Annexure - 5*** respectively in the compendium of documents.

10) I say that in the Affidavit dated 30th August 2024, respondent No – 18 has mentioned that nearly more than 50 kilometers of the networking work for setting up and operating the sewage treatment plant has been completed and the remaining part of the work will be tentatively completed by January 2027.

11) I say that after the Civil Appeal Diary No (s). 2522 of 2023 filed before the Hon'ble Supreme Court of India was listed before for hearing on 9th December, 2024 and 8th January, 2025 and the satay order granted by the Hon'ble Supreme Court continues to

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stay in force. I further say that the next date of hearing before the Hon'ble Supreme Court of India is 24th February, 2025. This affidavit is therefore to present the update of Civil Appeal Diary No (s). 2522 of 2023 filed before the Hon'ble Supreme Court of India, till date.

12) In view of the submissions made above and documents relied upon in the compendium of documents, also taking into the consideration the fact that there is a stay order operating against the Order dated 18th October, 2022 in passed by this Hon'ble Tribunal in Original Application No – 74 of 2024 in the Civil Appeal Diary No (s). 2522 of 2023, which is sub-judice before the Hon'ble Supreme Court of India, I submit that the present Original Application should be dismissed because the issues raised in the present Original Application are similar to the issues involved in Original Application No.74 of 2021.

Advocate for Respondent No. 18

Chief Officer
Islampur Municipal Council
Respondent No.18
(Through its Authorized Signatory)

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NOTARY ADV R.V.KOPARDE ISLAMPUR Reg.No. 6727 Expiry Dt. 14/09/2028 GOVT. OF INDIA

VERIFICATION

I, Rahul Mardhekar, Indian Inhabitant, Age: 45 years, Occupation: Service, the Authorized Signatory of the Respondent No.18, do hereby state on solemn affirmation that whatever is stated in Paragraphs Nos. 1 to 11 is true and correct to the best of my knowledge and further based on the information and belief and I believe the same to be true.

Solemnly affirmed at Mumbai,

This 22 day of January, 2025

Chief Officer
Islampur Municipal Council

The Respondent No.18

Identified by,

(_____)

Solemnly affirmed before Me
Shri./Smt. The deponent.
Who is identified before Me by
Shri./Smt. Self Identified
Whom I Personally Known

BEFORE ME
R.V. KOPARDE
ADVOCATE & NOTARY
GOVT. OF IN... REG.No. 6727
MAHADEV NAGA... ISLAMPUR- 415 409
TAL. WALWA, DIST. SANGLI (M.S)

Advocate for Respondent No.18

Noted & Registered
At Serial Numbers 309/2025
Total Page No. 1

22 JAN 2025

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BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO.69 OF 2022

IN THE MATTER OF:

Mr. Sunil Pharate, Sangli District Head

Of Swatantra Bharat Paksha ...Applicant

Versus

State of Maharashtra, Through Secretary of

Environment and Climate Change Mantralaya

Mumbai – 400032 and Ors ...Respondents

COMPENDIUM OF DOCUMENTS RELIED UPON BY THE RESPONDENT NO. 18

Sr.No	Particulars	Page Nos.
1	Copy of Civil Appeal Diary No. 2522 of 2023 alongwith relevant Interim Applications filed by the Respondent No.18 against order dated 18th October, 2022 passed by the Hon'ble National Green Tribunal in O.A. No. 74/2021.	1-235

2	Order dated 3rd October, 2023 passed by the Hon'ble Supreme Court of India granting stay to the order dated 18th October, 2022 passed by the Hon'ble National Green Tribunal in O.A No. 74/2021.	236 – 237
3	Affidavit dated 12th January, 2024 filed by the Respondent No. 18 before the Hon'ble Supreme Court of India in Civil Appeal Diary No. 2522 of 2023 in pursuance of the order dated 3rd October, 2023.	238 – 306
4	Affidavit dated 6th March, 2024 filed by the Respondent No. 18 before the Hon'ble Supreme Court of India in Civil Appeal Diary No. 2522 of 2023 in pursuance of the order dated 3rd October, 2023.	307 – 571
5	Affidavit dated 30th August, 2024 filed by the Respondent No. 18 before the Hon'ble Supreme Court of India in Civil Appeal Diary No. 2522 of 2023 in pursuance of the order dated 3rd October, 2023.	572 – 581
6	Last Page	582

Advocate for Respondent No. 18

DIARY NO. 2522/2023

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2023

(Arising out of the impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ))

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Madhukar Shankar Sutar & Ors. …Respondents

WITH

I.A. NO. _____ OF 2023

[APPLICATION SEEKING AD-INTERIM EX-PARTE STAY]

AND

I.A. NO. _____ OF 2023

[APPLICATION FOR EXEMPTION FROM FILING CERTIFIED COPY OF THE IMPUGNED JUDGMENT]

AND

I.A. NO. _____ OF 2023

[APPLICATION SEEKING CONDONATION OF DELAY IN FILING THE INSTANT CIVIL APPEAL]

AND

I.A. NO. _____ OF 2023

[APPLICATION SEEKING CONDONATION OF DELAY IN RE-FILING THE INSTANT CIVIL APPEAL]

PAPER BOOK

(FOR INDEX KINDLY SEE INSIDE)

ADVOCATE FOR THE APPELLANT: **A. KARTHIK**

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RECORD OF PROCEEDINGS

S. No.	Date of Record of Proceedings	Remarks
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

INDEX

Sr. No.	Particulars of document	Page No. of part of which it belongs		Remarks
	Court fee			
(i)	(ii)	(iii)	(iv)	(v)
	Court fee			
1.	O/R Limitation	**A**	**A**	
2.	Listing proforma	**A1-A2**	**A1-A2**	
3.	Cover page of Paper Book		**A3**	
4.	Index of record of proceedings		**A-4**	
5.	Limitation report prepared by the registry		**A-5**	
6.	Defect List		**A-6**	
7.	Note Sheet		**NS1 to ....**	
8.	Synopsis and List of Dates	**B – I**		
9.	Impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ)	**1 – 9**		
10.	Civil Appeal with Affidavit	**10 – 28**		
11.	**ANNEXURE A-1:** A true typed copy of the notification dated 27.07.2018 issued by Urban Development Department of Government of	**29 – 85**		

	Maharashtra			
12.	**ANNEXURE A-2:** A true copy of the Memorandum of Writ Petition No. 3573 of 2021 dated 19.01.2021 filed before the Hon'ble High Court of Judicature at Bombay	**86 – 111**		
13.	**ANNEXURE A-3:** A true copy of the order dated 15.02.2021 passed by the Hon'ble High Court Judicature at Bombay in Writ Petition No. 3573 of 2021 registered as Writ Petition (ST) No. 1505 of 2021	**112**		
14.	**ANNEXURE A-4:** A true typed copy of the reply dated March, 2021 filed by the Appellant before the Hon'ble High Court Judicature at Bombay in Writ Petition No. 3573 of 2021 registered as Writ Petition (Stamp) No. 1505 of 2021	**113 – 124**		
15.	**ANNEXURE A-5:** A true typed copy of the legal notice dated 12.04.2021 issued by the Adv. Amit Kisanrao Shinde on behalf of his client Mr. Sanjay Vishnu Shinde	**125 – 134**		

16.	**ANNEXURE A-6:** A true typed copy of the letter dated 11.05.2021 issued by Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli to the Appellant	**135 – 138**		
17.	**ANNEXURE A-7:** A true copy of the original application in OA No. 74 of 2021 dated 08.10.2021 filed before the Hon'ble National Green Tribunal, Western Zone Bench at, Pune	**139 – 154**		
18.	**ANNEXURE A-8:** A true copy of the order dated 15.11.2021 passed by the Hon'ble National Green Tribunal, Western Zone Bench at, Pune in OA No. 74 of 2021 (WZ)	**155 – 156**		
19.	**ANNEXURE A-9:** A true copy of the order dated 17.11.2021 passed by the Hon'ble High Court Judicature at Bombay in W.P. No. 3573/2021	**157**		
20.	**ANNEXURE A-10:** A true typed copy of the joint inspection report dated 01.12.2021 along with photographs	**158 – 166B**		

21.	**ANNEXURE A-11:** A true copy of the reply affidavit dated 04.12.2021 on behalf of Sub Regional Officer, Maharashtra Pollution Control Board at Sangli before the Hon'ble High Court Judicature at Bombay in W.P. No. 3573/2021	**167 – 170**		
22.	**ANNEXURE A-12:** A true copy of the order dated 02.02.2022 passed by the Hon'ble High Court Judicature at Bombay in W.P. No. 3573/2021	**171**		
23.	**ANNEXURE A-13:** A true copy of the order dated 16.08.2022 passed by the Hon'ble National Green Tribunal, Western Zone Bench at, Pune in OA No. 74 of 2021 (WZ)	**172 – 173**		
24.	**ANNEXURE A-14:** A true copy of the review application in OA No. 74 of 2021 dated 18.11.2022 before the Hon'ble National Green Tribunal, Western Zone Bench at, Pune	**174 – 187**		
25.	**ANNEXURE A-15:** A true copy of the miscellaneous application in OA No. 74 of 2021	**188 – 200**		

	dated 18.11.2022 before the Hon'ble National Green Tribunal, Western Zone Bench at, Pune			
26.	**I.A. NO. OF 2023** Application Seeking Ad-Interim Ex-Parte Stay	**201 – 204**		
27.	**I.A. NO. OF 2023** Application For Exemption From Filing Certified Copy of The Impugned Judgment	**205 – 207**		
28.	**I.A. NO. OF 2023** Application Seeking Condonation of delay in filing the instant Civil Appeal	**208 – 210**		
29.	**I.A. NO. OF 2023** Application Seeking Condonation of delay in Re-filing the instant Civil Appeal with affidavit	**211 – 215**		
30.	F/M		**216**	
31.	V/A		**217 – 218**	
32.	MEMO OF PARTIES		**219 – 220**	

A

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO._____OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Madhukar Shankar Sutar & Ors. …Respondents

OFFICE REPORT ON LIMITATION

1. The Petition is/are within time
2. The Petition is barred by time and there is a delay of **1** days in filing the same against interim common order dated 18.10.2022 and petition for condonation of **1** days has been filed.
3. There is a delay of ____ days in refilling the Petition and petition for condonation of ____ days delay has been filed.

SECTION OFFICER

Filed on: 16.01.2023

A1

PROFORMA FOR FIRST LISTING

SECTION:

The case pertains to (Please tick/ check the correct box):

[√] Central Act: (Title): **N.A.**

[ ] Central Rule: (Title) **N.A.**

[ ] Rule No(s): **N.A.**

[ ] State Act: **N.A.**

[ ] Section: **N.A.**

[ ] State Rule: (Title) **N.A.**

[ ] Rule No(s): **N.A.**

[ ] Impugned Interim: **N.A**

[√] Impugned Final Orders/ Decree**: (Date) 18.10.2022**

[ ] High Court: **N.A.**

[√] Name of Judges: **Hon'ble Mr. Justice Dinesh Kumar Singh, Judicial Member and Hon'ble Dr. Vijay Kulkarni, Expert Member.**

[√] Tribunal/ Authority: (Name) **In The National Green Tribunal, Western Zone Bench, Pune.**

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1. Nature of matter: **[√] Civil** [ ] Criminal
2. (a) Appellant: **The Islampur Municipal Council**
   (b) e-mail ID: **N.A.**
   (c) Mobile phone number: **N.A.**
3. (a) Respondents: **Madhukar Shankar Sutar & Ors.**
   (b) e-mail ID: **N.A.**
   (c) Mobile phone number: **N.A.**
4. (a) Main category classification:
   (b) Sub classification:

A2

5. Not to be listed before: **N.A.**

6. **(a) Similar disposed of matter with citation, if any, & case details:** No any similar disposed case.
(b) Similar pending matter with case details: No any similar pending case.

7. Criminal Matter: **N.A.**

   (a) Whether accused/ convict has surrendered: **N.A.**

   [ ] Yes [ ] No

   (b) FIR No. **N.A.** Date: **N.A.**

   (c) Police Station: **N.A.**

   (d) Sentence Awarded: **N.A.**

   (e) Period of Sentence: **N.A.**

   Under including detention / custody undergone

8. Land Acquisition Matters:

   (a) Date of Section 4 notification: **N.A.**

   (b) Date of Section 6 notification: **N.A.**

   (c) Date of Section 17 notification: **N.A.**

9. Tax Matters: State the tax effect: **N.A.**

10. Special Category (first petitioners/ appellant only):

[ ] Senior citizen > [ ] SC/ST [ ] Woman/ child [ ]

Disabled [ ] Legal Aid case [ ] In custody [√] None

11. Vehicle Number (in case of Motor Accident Claim matter): **N.A.**

Date: 16.01.2023

AOR for Petitioners(s)/ appellant(s)

Name: **A. KARTHIK**
Registration No. 2475
E-mail: aor@aklawoffice.in

SYNOPSIS

The present civil appeal under Section 22 of the NGT Act, 2010 is being preferred against the erroneous final order and judgment passed by the Hon'ble National Green Tribunal (Western Zone Bench), Pune in OA No. 74 of 2021, whereby, after setting the Appellant *ex parte*, the Tribunal has proceeded to pass the following directions against the Appellant:

(a) For non-establishment of Sewage Treatment Plant (STP) environmental compensation of INR 10 Crores and INR 5 Lachs per day as O&M cost component since 11.09.2019.

(b) Direction to Respondent No. 2/Maharashtra Pollution Control Board (MPCB) to launch prosecution under Section 41 of the Water (Prevention of Pollution and Control) Act, 1974.

(c) Compensation for non-compliance of Legacy Waste Management at the rate of INR 1 Lakhs per day from 01.04.2020 till compliance to be recovered by Respondent No. 2 from the Appellant.

The Appellant submits that the said order has been passed in the absence of the Appellant and have been made without appreciating the proper facts, including the pendency of a writ petition before the Hon'ble High Court of Judicature at Bombay ("Hon'ble High Court"). Even though the MPCB is a party before the Hon'ble High Court in the said petition, none of these facts including of the interim orders passed therein, were informed to the Hon'ble NGT.

The Appellant who is a municipal council under Part IX-A of the Constitution of India prays for interference by this Hon'ble Court with the impugned judgment on the following principal grounds:

(a) The impugned order was passed *ex parte* after holding that no one had appeared for the Appellant despite sufficient service. The Appellant

submits that from a review of official records it appears that the appellant was never served with the notice of the said OA No. 74 of 2021.

(b) The impugned order finds against the Appellant for non-establishment of STP without noticing that by order dated 15.02.2021 (Annexure A-3) the Hon'ble High Court in WP (C) No. 3573 of 2021 filed by a resident of Islampur, had passed a status quo order with respect to the land earmarked for STP. As such, the Petitioner has not been able to establish the same owing to the currency of the said interim order.

(c) Pertinently, the MPCB which is also party before the Hon'ble High Court and aware of the said proceedings and interim order failed to bring it to the attention of the Hon'ble NGT.

(d) Moreover, the NGT directs compensation for non-compliance of Legacy Waste Management when the same was not even subject matter of the underlying original application.

Hence the present civil appeal.

LIST OF DATES AND EVENTS

DATES	EVENTS
27.07.2018	A Resolution was passed on 22.11.2007 declaring intention under Section 23 (1) of the Maharashtra Regional & Town Planning Act, 1966 ("**MRTP Act**") to prepare a Draft Development Plan in respect of the area of jurisdiction of the Urun Islampur Muncipal Council. Notices came to be issued under Section 26 (1) of the MRTP Act inviting objections and suggestions in

lieu of the draft development plan on 28.06.2010 and 18.10.2012. After due consideration of the objections and suggestions, a draft development plan was forwarded by the Petitioner to the State Government for sanction under Section 30 (1) of the MRTP Act. The Development Plan of Urun-Islampur Municipal Council came to be sanctioned by the State Government under Section 3 (1) of the MRTP Act by way of government notification published on the gazette dated 27.07.2018. It is pertinent to the instant proceedings that the said Development Plan in Entry No. 77 in respect of Survey Nos. 128/4-B/1 and 128/4-B/2, the same was reserved for a Sewage Treatment Plant ("**STP**").

19.01.2021 While so, a writ petition in Writ Petition No. 3573 of 2021 entitled "*Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors.*" came to be filed before Hon'ble High Court of Judicature at Bombay (**"Hon'ble High Court"**), *inter alia*, for quashing and setting aside the government notification dated 27.07.2018 issued by Urban Development Department of Government of Maharashtra. The Petitioner therein approached the Hon'ble High Court asserting that he is the owner of the lands that had been reserved for Sewage treatment Plant in the aforesaid Development Plan.

15.02.2021 In the aforesaid petition, the Hon'ble High Court was pleased to issue an ad-interim order on dated 15.02.2021 directing that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject

property." The Appellant submits that said ad-interim order continues to hold the field.

March, 2021 The Appellant herein entered appearance through counsel and filed a detailed response to the aforesaid writ petition.

12.04.2021 A legal notice dated 12.04.2021 came to be issued to the Appellant by one Adv. Amit Shinde behalf of his client, one Mr. Sanjay Vishnu Shinde, resident of Islampur, Dist. Sangli, raising objections on the site of proposed STP i.e. on Survey No. 128/4-B/1 and 128/4-B/2 and requested to change the site of proposed STP. It is pertinent to note that the said legal notice was also issued to District Collector, Sangli as well as the Sub Regional Officer of the Maharashtra Pollution Control Board, Sangli.

11.05.2021 Pursuant to the said legal notice the Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli has issued a letter dated 11.05.2021 to the Appellant and requested to submit a reply to said legal notice and arrange a site visit for the proposed STP.

08.10.2021 While matters stood thus, one Madhukar Shankar Sutar preferred Original Application No. 74 of 2021 before the National Green Tribunal, Western Zone Bench, Pune (**"NGT"**) under Sections 14 and 15 read with Sections 18 and 20 of the National Green Tribunal Act, 2010 ("**NGT Act**"). The Applicant therein prayed, *inter alia*, for a direction to search for alternate site to the establish the STP to a location beyond the Residential

Area and cultivable agricultural land.

15.11.2021 When the aforesaid OA came up for admission hearing, no notices were issued by the Learned NGT to the Respondents. Instead the NGT directed that a Joint Inspection Committee be constituted of the 2nd Respondent (MPCB) and 3rd Respondent (District Collector) therein to cause inspection of the open *nala*/sewage line that formed subject matter of the application. The matter was accordingly directed to be listed on 04.01.2022..

17.11.2021 Meanwhile, the aforesaid communications between Mr. Shinde and the Maharashtra Pollution Control Board were brought to the attention of the Hon'ble High Court. By way of order added dated 17.11.2021 the High Court was pleased to allow Maharashtra Pollution Control Board ("**MPCB**") as Respondent No. 5 in the aforesaid writ petition. By order dated 29.11.2021, the Hon'ble High Court was pleased to direct the MPCB to file an affidavit in the said matter.

01.12.2021 Thereafter MPCB and the Appellant herein jointly carried out site visit of the site reserved for the proposed STP feasibility of proposed STP at of Survey No. 128/4-B/1 and 128/4-B/2 at Kapuskhed road, Islampur on 01.12.2021..

04.12.2021 The aforesaid joint inspection report was placed on record of the Hon'ble High Court by way of an affidavit filed on behalf of SRO MPCB, Sangli. Pertinently, in the said affidavit, the MPCB noted that *prima facie* the

said location is suitable for the proposed STP subject to the condition that the Appellant herein take necessary measures prevent any nuisance from the STP and abide by the guidelines regarding STP issued by the Central Pollution Control Board.

02.02.2022 The matter was last heard by the Hon'ble High Court on 02.02.2022 and till date said matter has not come up on board, and hence the ad-interim grated by the Hon'ble High Court still holds the field.

16.08.2022 On the next date of hearing viz. 16.08.2022, the Learned NGT was pleased to observe that since notice had not been issued in the original application, fresh notices be issued to all the Respondents including the Appellant herein. The Applicant therein was also directed to take necessary steps to provide a copy of the application and relevant documents to the Respondents within a week, and to take steps for service upon by the Respondents by both ways and through email.

It is pertinent to note that the Appellant, on examination of the its official records upon coming to know of the impugned judgment, found that no notices were received in relation to the said OA.

18.10.2022 The Hon'ble Tribunal passed an Order dated 18.10.2022 directing the MPCB to proceed against the Appellant under the provisions of Section 41 of the Water Act by launching prosecution at the earliest and to pay final compensation at the rate of Rs. 1,00,000/- (Rupees One Lakh Only) per day from 01.04.2020 for the non-

compliance of Legacy Waste Management till the compliance is done for restitution the environment. It is pertinent to note that the Learned NGT has merely observed as under regarding the service status of the Appellant herein:

> "8. None has appeared on the side of the respondent no. 1. We are therefore, proceeding ex parte against the respondent no. 1."

The Appellant submits that a drastic set of directions have been passed against the Appellant by the Learned NGT merely on the basis of the reports of the 2nd Respondent MPCB. Moreover, the MPCB, which is a party to the proceedings before the Hon'ble High Court wherein a direction of *status quo* had been passed regarding the STP, failed to inform the Learned NGT of the correct position regarding the same. Notably, suppressing the factum of the *status quo* order passed by the Hon'ble High Court, the 2nd Respondent MPCB advanced submissions regarding a notice dated 19.09.2022 allegedly issued by them to the Appellant under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974. The aforesaid suppression is grave as the same is (a) during the currency of the order passed by the Hon'ble High Court, and (b) for non-provision of an STP in the concerned area. In fact, the finding of the Learned NGT is solely on the basis of the reporting of the 2nd Respondent-MPCB that the STP had

not been established.

18.11.2022 Upon coming to know of the impugned final order and judgment of the Hon'ble NGT, the Appellant preferred a review application in OA No. 74 of 2021 seeking review. The Appellant had also preferred an application to set aside the ex parte order impugned order under Rule 21 of the NGT (Practice and Procedure) Rules, 2011. Both were lodged on 18.11.2022, however, thereafter, upon taking legal advice, the Appellant has decided to approach this Hon'ble Court. As such, the aforesaid review application has remained in defects and has not been moved before the Hon'ble NGT.

17.01.2023 Hence, the Appellant prefers the instant civil appeal under Section 22 of the NGT Act, 2010.

Item No.5 (Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

(By Video Conferencing)

ORIGINAL APPLICATION NO.74 OF 2021 (WZ)

Madhukar Shankar Sutar ....Applicant

Versus

The Islampur Municipal Council and Ors. ....Respondent(s)

Date of hearing: 18.10.2022

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

Applicant	:	Mr. Chetan Nagare, Advocate
Respondents	:	Mr. Vilas Jadhav, Advocate for R-2/MPCB Mr. Aniruddha Kulkarni, Advocate for R-4/CPCB

ORDER

1. This application has been moved with a prayer to direct respondent No.1-Islampur Municipal Council to prevent the water and soil pollution caused due to open nala/sewage line, to clean and cover the open nala/sewage line in and around the city and restore the environmental degradation caused due to open discharge of untreated water of nala/sewage line in Krushna river. Respondent No.1-Council be also directed to pay compensation for causing environmental degradation and it be also directed to search for an alternate site to establish the Sewage Treatment Plant (STP) near the water bodies and beyond residential area.

2. The applicant has averred that respondent No.1 – Islampur Municipal Council was established in 1953 and the population of the said town is around 1 lakh to 1.50 lakh. As of now, about 120-150 families are residing in Takalai Nagar which is located on Islampur – Kapus Khed road. There is an open nala/sewage line of Islampur Municipal Council

adjoining to the Islampur – Kapus Khed road flowing from East to West, which is not covered and is spreading a lot of pungent smell in the vicinity leading to cause various health hazards such as spreading serious diseases like dengue, malaria, cholera and water borne diseases. The said open nala/sewage line ultimately flows through the fertile agricultural land and merges into the larger nala which ultimately merges into Krushna river. The applicant has enquired from the office of respondent No.1 and it was informed to him that there was a proposal for establishment of Sewage Treatment Plant (STP) at Survey Nos.128/4-B/1 and 128/4-B/2 situated at Islampur, Taluka Walwa, District Sangli, which is 50 meters from the present residence of the applicant. Respondent No.1 has reserved the property bearing Survey No.128/4-B/1 and 128/4-B/2 for establishing the STP, which site is completely inadequate as the said area is residential area and there is cultivable fertile land in the vicinity wherein crops like sugarcane and other crops are cultivated by the farmers. The applicant, therefore, has made the above mentioned prayers.

3. After receipt of the Original Application, a Joint Committee was constituted and notices were directed to be issued on 15.11.2021. In pursuance to that, the Joint Committee has submitted its report dated 31.12.2021 wherein the following observations have been made :-

> ***"The observations/facts recorded during the inspection are:-***
>
> *> The Islampur Municipal Council is established in the year 1856.*
>
> *> The council is of 'B' class municipal council.*
>
> *> As per (2011) Census the total population of the council is 67.391.*
>
> *> The sources of water supply for the city is from Krishna River.*
>
> *> Total water consumption is about 10 MLD.*
>
> *> Total domestic effluent generation is about 8.0 MLD.*

> At present no any Sewage Treatment Plant (STP) provided by the council for treatment of domestic effluent.

> From the area of Islampur Municipal Council; 02 nos. of major domestic effluent carrying nallas are observed as under

a) Nalla flowing towards East side of the city having Latitude 17.0383° and Longitude 74.2836° is found flow of turbid, pale-whitish/Blackish coloured of untreated domestic effluent. The said nalla flows and finally meets to Krishna River.

b) Nalla flowing towards West side of the city having Latitude 17.0553° and Longitude 74.2836° on Kapuskhed Road is also found flow of turbid pale, blackish/whitish coloured domestic effluent with plastic & other waste materials. The said nalla located near the house of applicant which facing the problem of smell nuisance. The untreated domestic effluent of the council flowing through this nalla is also finally meets into Krishna River.

c) These above 02 domestic effluents carrying nallas also having the percolations/ seepages of water from agriculture field and natural water mixed with said domestic effluent.

d) As shown by the applicant, the committee has also visited and verified the agricultural land of the applicant, however the land is not found with mixing of domestic effluent of the council. The adjacent land is having the sugarcane crop. No crop is in applicant land observed.

> As reported by the Chief Officer, islampur Municipal Council the location of proposed Sewage Treatment Plant (STP) has been decided as per the development plan Urun-lslampur Municipal and Maharashtra Regional & Town planning Act, 1986 on Gat Numbers 128/4/B/l and 128/1/B/2 at Islampur-Kapuskhed road which is within the council area.

> The joint vigilance samples of untreated domestic effluent flowing through East and West side of nallas and from the nalla near agriculture land of applicant has been collected for analysis.

> The samples of krushna river water near confluence point of these 02 nallas Down stream (D/s) of Bahe village and Walwa city has been collected for analysis.

> The photographs showing the details of nallas/sewage line, agriculture land etc. have been taken during the joint inspection."

4. In response to the notice, respondent No.2-MPCB has filed its reply-affidavit wherein the analysis result of the water sample has been mentioned in paragraphs 9 and 10, which is reproduced hereinbelow :-

"I) Krishna River water sample near confluence point of D/s of Bahe village :

Sr.No.	Parameters	Results	Unit
1	pH	8.1	Mg/1
2.	Total Dissolved Solids (TDS)	380.0	Mg/1
3.	Suspended Solids (SS)	18.0	Mg/1
4.	Biochemial Oxygen Demand (BOD)	1.8	Mg/1
5.	Chloride	22.14	Mg/1
6.	Chemical Oxygen Demand (COD)	25.2	Mg/1
7.	Sulphates	20.98	Mg/1
8.	Oil & Grease	BDL	Mg/1

II) Krishna River water sample near confluence point of D/s of Walwa City :

Sr.No.	Parameters	Results	Unit
1	pH	8.1	Mg/1
2.	Total Dissolved Solids (TDS)	384.0	Mg/1
3.	Suspended Solids (SS)	16.0	Mg/1
4.	Biochemial Oxygen Demand (BOD)	1.6	Mg/1
5.	Chloride	23.39	Mg/1
6.	Chemical Oxygen Demand (COD)	26.0	Mg/1
7.	Sulphates	21.98	Mg/1
8.	Oil & Grease	BDL	Mg/1

III) Islampur Municipal Council, Islampur – Kapuskhed Nalla :

Sr.No.	Parameters	Results	Unit
1	pH	7.5	Mg/1
2.	Total Dissolved Solids (TDS)	619.0	Mg/1
3.	Suspended Solids (SS)	38.0	Mg/1
4.	Biochemial Oxygen Demand (BOD)	12.0	Mg/1
5.	Chloride	70.63	Mg/1
6.	Chemical Oxygen Demand (COD)	58.0	Mg/1
7.	Sulphates	17.75	Mg/1
8.	Oil & Grease	BDL	Mg/1

IV) Islampur Municipal Council, Islampur – Mayakka Mandir Nalla :

Sr.No.	Parameters	Results	Unit
1	pH	7.3	Mg/1
2.	Total Dissolved Solids (TDS)	645.0	Mg/1
3.	Suspended Solids (SS)	35.0	Mg/1
4.	Biochemial Oxygen Demand (BOD)	10.0	Mg/1
5.	Chloride	70.53	Mg/1
6.	Chemical Oxygen Demand (COD)	54.0	Mg/1
7.	Sulphates	20.50	Mg/1
8.	Oil & Grease	BDL	Mg/1

The report related to above result has also been annexed.

5. Rest of the respondents have not filed reply-affidavit despite sufficient service.

6. Heard the arguments of learned counsel for the applicant as well as respondent No.2. The learned counsel for respondent No.2 has drawn our attention to the notices issued to respondent No.1 by respondent No.2/MPCB dated 11.09.2019, 14.10.2020, 28.07.2021 and 19.09.2022, apart from the contents of the Joint Committee report. By notice dated 11.09.2019, the following directions were issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 to respondent No.1:-

> "(a) To submit the time bound action plan for 100% treatment of the generated sewage and achieving effluent discharge standards for STPs.
>
> (b) Prepare and furnish action plan for utilization of treated sewage
>
> (c) Why the Municipal Corporation shall not be levied by MPC Board the maximum amount of environmental compensation (total capital cost component amount i.e. Rs.10 Cr. as well as O & M cost component i.e. Rs.5 Lacs per day) recommended for untreated/partially treated sewage discharge as mentioned in the NGT order dated 28.08.2019 in Original Application No.593/2017 in Paryavaran Suraksha Samiti & anr. v/s Union of India."

However, no reply was given from the side of respondent No1. Thereafter vide notice dated 14.10.2020, respondent No.1 was directed to submit its action plan in respect of compliance of the directions mentioned in the said notice, which are quoted hereinbelow:-

> "1. The STPs being operated in cities and towns having population less than a Million by Municipal Corporations, Municipalities, Local Bodies or any other concerned Body shall install `Online Effluent Monitoring Systems' for the parameters namely Ph, TSS, COD, BOD and Flow Meter before 31/07/2021.
>
> 2. STP Operating Authority shall connect and upload the online effluent monitoring data with the server of the Maharashtra Pollution Control Board and Central Pollution Control Board in a time bound manner but not later than timelines as mentioned above.

3. STP Operating Authority shall ensure regular maintenance and operation of the online system with temper proof mechanism with facilities for calibration.

4. STP Operator should follow guidelines prescribed by CPCB for Online Continuous Monitoring System for effluents and Standard Operating Procedure (SOP) for verification of installation and Calibration of UV-Vis Dual Beam Scanning & Multipoint calibration mechanism technology based OCEMS (Effluent) used in STPs."

No reply was given to the aforesaid notice by respondent No. 1.

7. Thereafter, notice dated 28.07.2021 was issued directing respondent No.1 to pay final compensation at the rate of Rs.one lakh per month from 01.04.2020 in compliance towards the non-compliance or Legacy Waste Management as respondent No.1 had not started biomediation work of lgacy waste. However, even to that, no response was given. Thereafter notice dated 19.09.2022 was issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, mentioning therein the following non-compliances:-

"1. You have not provided Sewage Treatment Plant to the sewage generated (approximately 8 MLD) through your local body.

2. Nalla flowing towards West side of the city having latitude 17.0553o and Longitude 74.2836o on Kapuskhed road was observed with flow of turbid pale, blakish/whitish coloured domestic effluent with plastic & other waste materials and is located near the applicant's house causing the problem of smell nuisance.

3. During visit, two numbers of major domestic effluent carrying nallas were observed meeting to river Krishna without any treatment.

4. During visit these two domestic effluent carrying nallas also observed with percolations/seepages of water from the agricultural field and natural water observed mixed with said domestic effluent."

AND

"1. You are operating the MSW site without obtaining valid Authorization since 31/12/2020 and yet not applied for the authorization for further period.

2. Your council has not provided scientific segregation and only mix waste with plastic and inert material and organic waste was observed unscientifically dumped on the said site (Approximately 18 MT/D).

3. Your Municipal Council have yet not completed constructin work of RCC Platform and shed. Only one shed is completed.

4. Your Municipal council has yet not installed plant and machinery.

5. During visit large amount of fire nuisance was observed at MSW site & till date full fledge Fire fitting system not provided.

6. You have provided only 30.0 no. of windrows composting (15 Nos. of RCC and 15 Nos. HDPE) which are inadequate.

7. You have provided single screening of dry waste, which was not found in operation during the visit.

8. You have yet not provided concreted or paved approach/internal roads and dust emissions and clay muds were recorded during vehicular movements.

9. During visit provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection plastic tank were not found in operation.

10. Your council has not provided the provisions for washing of transport vehicles carrying solid waste and 100% storm water drain and the surface runoff water and same is diverted from the different solid waste locations also mixed with the surface runoff water.

11. Your council has not yet constructed 100% wind breaking wall only 50% constructed wall is provided and remaining is found fencing only.

12. Green plantation around MSW site is not carried out.

13. Your council has completely failed to comply with the SCHEDULE II [see rule 16(1), (b), (e), 16 (4) (Standards of processing and treatment of solid waste) as per MSW Rule, 2016]."

Even to the aforesaid notice, no response was submitted.

8. None has appeared from the side of respondent No.1. We are, therefore, proceeding exparte against respondent No.1.

9. On the basis of the evidence placed before us as well as the observations made by the Joint Committee in its report and from the affidavit of respondent No.2, it is apparent that Sewage Treatment Plant (STP) has not been established for treatment of sewage water, which is found to be turbid pale, blackish/whitish coloured, which is being flown in Krishna river. It is apparent from record that the STP was required to be established which has not been done. Therefore, violation is there on the part of respondent No.1 in this regard, for which respondent No.2 has imposed environmental compensation (total capital cost component) amount of Rs.10 crores and Rs.5 lacs per day as O & M cost component since the date of issuance of notice i.e. 11.09.2019. It has been communicated to respondent No.1 by respondent No.2, but the same has not been paid by it. On realisation of the said amount, it shall be used for restitution of the environment. On our query to respondent No.2 as to why steps have not been taken, it was submitted that they have to proceed by launching prosecution against respondent No.1 under Section 41 of the Water (Prevention of Pollution and Control) Act, 1974.

10. We direct that respondent No.2/MPCB shall proceed against respondent No.1-Municipal Council under the provisions of aforesaid Section of the Water Act by launching prosecution at the earliest.

11. We also find that respondent No.2 has issued notice to respondent No.1 for non-compliance of Legacy Waste Management for which final compensation has been calculated at the rate of Rs.one lac per day from 01.04.2020 till the compliance is done, but even that notice has not been responded to. We direct that respondent No.2/MPCB shall realize the entire amount of environmental compensation on account of non-compliance of Legacy Waste Management, which shall be done within a period of two months from now and same shall be used for restitution of

the environment. Whatever amount is being realised shall be adjusted in future against any payment made subject to any order in respect of the non-compliances.

12. With the above directions, we dispose of the Original Application.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

October 18, 2022
Original Application No.74 of 2021
npj

//TRUE COPY//

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2023

(Arising out of the impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ))

Arising out of Original Application No. 74 of 2021 (WZ)

IN THE MATTER OF:-

POSITION OF PARTIES

		BEFORE THE NGT	**IN THIS HON'BLE COURT**
	THE ISLAMPUR MUNICIPAL COUNCIL Through its Chief Officer, Having its office at:- Islampur, Taluka-Walwa, District: Sangli, Pin- 415409, Maharashtra.	Respondent No. 1	Appellant
	VERSUS		
1.	**MR. MADHUKAR SHANKAR SUTAR** Residing at:- Takalai Nagar,	Applicant	Contesting Respondent No. 1

	Islampur, Taluka:- Walwa, District:- Sangli, Pin:- 415409, Maharashtra.		
2.	**THE SUB REGIONAL OFFICER (SANGLI)** Maharashtra Pollution Control Board, Having its office at:- 300/2, Udyog Bhavan, Near Govt. Rest House, Vishrambagh, Sangli, Pin-416416, Maharashtra.	Respondent No. 2	Contesting Respondent No. 2
3.	**THE DISTRICT COLLECTOR SANGLI** Having its office at: Islampur, Sangli, Mahaarshtra-415409.	Respondent No. 3	Contesting Respondent No. 3
4.	**THE CENTRAL POLLUTION CONTROL BOARD** Through Its Officer, Having its office at:- Parivesh Bhavan, CBD – Cum Office Complex, East Arjun Nagar, Delhi-110032.	Respondent No. 4	Contesting Respondent No. 4

TO,

HON’BLE THE CHIEF JUSTICE OF INDIA

AND HIS HON'BLE COMPANION JUDGES
OF THE SUPREME COURT OF INDIA

THE HUMBLE APPEAL OF THE
APPELLANT ABOVE NAMED.

MOST RESPECTFULLY SHOWETH:

1. The present Civil Appeal is being preferred under Section 22 of National Green Tribunal Act, 2010 ("**NGT Act**") against the order dated 18.10.2022 ("**impugned order**") arising out of Original Application No 74 of 2021 passed by the Hon'ble National Green Tribunal, Western Zone, Pune ("**NGT**"), wherein the Hon'ble NGT has set the Appellant *ex parte* and passed severe directions regarding penalties and compensation to the tune of INR 1 Lakhs per day from 01.04.2020 to be realized by Respondent No. 2 from the Appellant within two months of the impugned order.
2. **QUESTIONS OF LAW:**

   The following substantial questions of law arise for consideration by this Hon'ble Court:

   A. Whether the Hon'ble NGT erred in setting the Appellant *ex parte* without ascertaining the true position of service of notice on the said Appellant?
   B. Whether the directions passed by the Hon'ble NGT are grossly in violation of the principles of natural justice?
   C. Whether the directions passed by the Hon'ble NGT are *per incuriam* inasmuch as the same does not consider the order dated 15.02.2021 passed by the Hon'ble High Court?
   D. Whether the Hon'ble NGT erred in finding that the Appellant was prevented from continuing with the work of the Sewage

Treatment Plant owing to the order dated 15.02.2021 passed by the Hon'ble High Court in W.P. No. 3573 of 2021 which continues to be in vogue?

E. Whether the Hon'ble NGT has erred in passing the impugned judgment on the basis of the submissions of the 2nd Respondent-MPCB which is guilty of wanton suppression of material facts viz. the pendency of the proceedings before the Hon'ble High Court and orders passed thereon?

F. Whether the Hon'ble NGT erred in passing directions above and beyond the pleadings in the original application?

3. The brief facts leading to the filing of present appeal are as follows, which is stated below as per the chronological sequence of events:

a) The Appellant is the Authority constituted under the provisions of Maharashtra Municipal Councils, Nagar Panchayat and Townships Act, 1965 and is also a planning authority under the provisions of Section 2(19) of the Maharashtra and Regional Town Planning Act 1966.

b) A Resolution was passed on 22.11.2007 declaring intention under Section 23 (1) of the Maharashtra Regional & Town Planning Act, 1966 ("**MRTP Act**") to prepare a Draft Development Plan in respect of the area of jurisdiction of the Urun Islampur Muncipal Council. Notices came to be issued under Section 26 (1) of the MRTP Act inviting objections and suggestions in lieu of the draft development plan on 28.06.2010 and 18.10.2012. After due consideration of the objections and suggestions, a draft development plan was forwarded by the Petitioner to the State Government for sanction under Section 30 (1) of the MRTP Act. The

Development Plan of Urun-Islampur Municipal Council came to be sanctioned by the State Government under Section 3 (1) of the MRTP Act by way of government notification published on the gazette dated 27.07.2018. It is pertinent to the instant proceedings that the said Development Plan in Entry No. 77 in respect of Survey Nos. 128/4-B/1 and 128/4-B/2, the same was reserved for a Sewage Treatment Plant ("**STP**"). A true typed copy of the notification dated 27.07.2018 issued by Urban Development Department of Government of Maharashtra is herewith marked and annexed as **Annexure A-1 (Pages 29 to 85).**

c) While so, a writ petition in Writ Petition No. 3573 of 2021 entitled "*Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors.*" came to be filed before Hon'ble High Court of Judicature at Bombay (**"Hon'ble High Court"**), *inter alia,* for quashing and setting aside the government notification dated 27.07.2018 issued by Urban Development Department of Government of Maharashtra. The Petitioner therein approached the Hon'ble High Court asserting that he is the owner of the lands that had been reserved for Sewage treatment Plant in the aforesaid Development Plan. A true copy of the Memorandum of Writ Petition No. 3573 of 2021 dated 19.01.2021 filed before the Hon'ble High Court of Judicature at Bombay is herewith marked and annexed as **Annexure A-2 (Pages 86 to 111).**

d) In the aforesaid petition, the Hon'ble High Court was pleased to issue an ad-interim order on dated 15.02.2021 directing that,

"In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." The Appellant submits that said ad-interim order continues to hold the field. A true copy of the order dated 15.02.2021 passed by the Hon'ble High Court Judicature at Bombay in Writ Petition No. 3573 of 2021 registered as Writ Petition (ST) No. 1505 of 2021 is herewith marked and annexed as **Annexure A-3 (Pages** 112 **to** xxxx **).**

e) The Appellant herein entered appearance through counsel and filed a detailed response to the aforesaid writ petition. A true typed copy of the reply dated March, 2021 filed by the Appellant before the Hon'ble High Court Judicature at Bombay in Writ Petition No. 3573 of 2021 registered as Writ Petition (Stamp) No. 1505 of 2021 is annexed herewith and marked as **Annexure A-4 (Pages** 113 **to** 124 **).**

f) A legal notice dated 12.04.2021 came to be issued to the Appellant by one Adv. Amit Shinde behalf of his client, one Mr. Sanjay Vishnu Shinde, resident of Islampur, Dist. Sangli, raising objections on the site of proposed STP i.e. on Survey No. 128/4-B/1 and 128/4-B/2 and requested to change the site of proposed STP. A true typed copy of the legal notice dated 12.04.2021 issued by the Adv. Amit Kisanrao Shinde on behalf of his client Mr. Sanjay Vishnu Shinde is herewith marked and annexed as **Annexure A-5 (Pages** 125 **to** 134 **).** It is pertinent to note that the said legal notice was also issued to District Collector, Sangli as well as the Sub Regional Officer of the Maharashtra Pollution Control Board, Sangli.

g) Pursuant to the said legal notice the Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli has issued a letter dated 11.05.2021 to the Appellant and requested to submit a reply to said legal notice and arrange a site visit for the proposed STP. A true typed copy of the letter dated 11.05.2021 issued by Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli to the Appellant is annexed herewith and marked as **Annexure A-6 (Pages** 135 **to** 138 **).**

h) While matters stood thus, one Madhukar Shankar Sutar preferred Original Application No. 74 of 2021 before the National Green Tribunal, Western Zone Bench, Pune (**"NGT"**) under Sections 14 and 15 read with Sections 18 and 20 of the National Green Tribunal Act, 2010 ("**NGT Act**"). The Applicant therein prayed, *inter alia*, for a direction to search for alternate site to the establish the STP to a location beyond the Residential Area and cultivable agricultural land. A true copy of the original application in OA No. 74 of 2021 dated 08.10.2021 filed before the Hon'ble National Green Tribunal, Western Zone Bench at, Pune is annexed herewith and marked as **Annexure A-7 (Pages** 139 **to** 154 **).**

i) When the aforesaid OA came up for admission hearing, no notices were issued by the Hon'ble NGT to the Respondents. Instead the NGT directed that a Joint Inspection Committee be constituted of the 2nd Respondent (MPCB) and 3rd Respondent (District Collector) therein to cause inspection of the open *nala*/sewage line that formed subject matter of the application. The matter was accordingly directed to be listed on

04.01.2022. A true copy of the order dated 15.11.2021 passed by the Hon'ble National Green Tribunal, Western Zone Bench at, Pune in OA No. 74 of 2021 (WZ) is annexed herewith and marked as "**Annexure A-8 (Pages 155 to 156).**

j) Meanwhile, the aforesaid communications between Mr. Shinde and the Maharashtra Pollution Control Board were brought to the attention of the Hon'ble High Court. By way of order dated 17.11.2021 the High Court was pleased to allow Maharashtra Pollution Control Board ("**MPCB**") as Respondent No. 5 in the aforesaid writ petition. A true copy of the order dated 17.11.2021 passed by the Hon'ble High Court Judicature at Bombay in W.P. No. 3573/2021 is annexed herewith and marked as **Annexure A-9 (Pages 157 to xxx).** By order dated 29.11.2021, the Hon'ble High Court was pleased to direct the MPCB to file an affidavit in the said matter.

k) Thereafter MPCB and the Appellant herein jointly carried out site visit of the site reserved for the proposed STP feasibility of proposed STP at of Survey No. 128/4-B/1 and 128/4-B/2 at Kapuskhed road, Islampur on 01.12.2021. A true typed copy of the joint inspection report dated 01.12.2021 along with photographs is annexed herewith and marked as "**Annexure A-10 (Pages 158 to 166).**

l) The aforesaid joint inspection report was placed on record of the Hon'ble High Court by way of an affidavit filed on behalf of SRO MPCB, Sangli. A true copy of the reply affidavit dated 04.12.2021 on behalf of Sub Regional Officer, Maharashtra Pollution Control Board at Sangli before the Hon'ble High

Court Judicature at Bombay in W.P. No. 3573/2021 is herewith marked and annexed as **Annexure A-11 (Pages** 167 **to** 170**).** Pertinently, in the said affidavit, the MPCB noted that *prima facie* the said location is suitable for the proposed STP subject to the condition that the Appellant herein take necessary measures prevent any nuisance from the STP and abide by the guidelines regarding STP issued by the Central Pollution Control Board.

m) The matter was last heard by the Hon'ble High Court on 02.02.2022 and till date said matter has not come up on board, and hence the ad-interim grated by the Hon'ble High Court is still continued. A true copy of the order dated 02.02.2022 passed by the Hon'ble High Court Judicature at Bombay in W.P. No. 3573/2021 is herewith marked and annexed as **Annexure A-12 (Pages** 171 **to** xxxx **).**

n) On the next date of hearing viz. 16.08.2022, the Hon'ble NGT was pleased to observe that since notice had not been issued in the original application, fresh notices be issued to all the Respondents including the Appellant herein. The Applicant therein was also directed to take necessary steps to provide a copy of the application and relevant documents to the Respondents within a week, and to take steps for service upon by the Respondents by both ways and through email. Thereafter, the matter was directed to be listed on 20.09.2022. A true copy of the order dated 16.08.2022 passed by the Hon'ble National Green Tribunal, Western Zone Bench at, Pune in OA No. 74 of 2021 (WZ) is annexed herewith and marked as "**Annexure A-13 (Pages** 172 **to** 173**).**

It is pertinent to note that the Appellant, on examination of the its official records upon coming to know of the impugned judgment, found that no notices were received in relation to the said OA.

o) The Hon'ble Tribunal passed an Order dated 18.10.2022 directing the MPCB to proceed against the Appellant under the provisions of Section 41 of the Water Act by launching prosecution at the earliest and to pay final compensation at the rate of Rs. 1,00,000/- (Rupees One Lakh Only) per day from 01.04.2020 for the non-compliance of Legacy Waste Management till the compliance is done for restitution the environment. It is pertinent to note that the Hon'ble NGT has merely observed as under regarding the service status of the Appellant herein:

"8. None has appeared on the side of the respondent no. 1. We are therefore, proceeding ex parte against the respondent no. 1."

p) The Appellant submits that a drastic set of directions have been passed against the Appellant by the Hon'ble NGT merely on the basis of the reports of the 2nd Respondent MPCB. Moreover, the MPCB, which is a party to the proceedings before the Hon'ble High Court wherein a direction of *status quo* had been passed regarding the STP, failed to inform the Hon'ble NGT of the correct position regarding the same. Notably, suppressing the factum of the *status quo* order passed by the Hon'ble High Court, the 2nd Respondent MPCB advanced submissions regarding a notice dated 19.09.2022

allegedly issued by them to the Appellant under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974. The aforesaid suppression is grave as the same is (a) during the currency of the order passed by the Hon'ble High Court, and (b) for non-provision of an STP in the concerned area. In fact, the finding of the Hon'ble NGT is solely on the basis of the reporting of the 2nd Respondent-MPCB that the STP had not been established.

q) Upon coming to know of the impugned final order and judgment of the Hon'ble NGT, the Appellant preferred a review application in OA No. 74 of 2021 seeking review. As such, the aforesaid review application has remained in defects and has not been moved before the Hon'ble NGT. A true copy of the review application in OA No. 74 of 2021 dated 18.11.2022 before the Hon'ble National Green Tribunal, Western Zone Bench at, Pune is annexed herewith and marked as "**Annexure A-14 (Pages** 174 **to** 187**).** The Appellant had also preferred an application to set aside the ex parte order impugned order under Rule 21 of the NGT (Practice and Procedure) Rules, 2011. A true copy of the miscellaneous application in OA No. 74 of 2021 dated 18.11.2022 before the Hon'ble National Green Tribunal, Western Zone Bench at, Pune is annexed herewith and marked as "**Annexure A-15 (Pages** 188 **to** 200**).**

r) Both the above was lodged on 18.11.2022, however, thereafter, upon taking legal advice, the Appellant has decided to approach this Hon'ble Court. Aggrieved by the aforesaid directions passed by the Hon'ble NGT, the Appellant prefers

the instant appeal under Section 22 of the NGT Act, 2010 on the following among other grounds, which are taken without prejudice to each other:

4. The Appellant states that no other appeal/petition has been filed by the Appellant against the Impugned Order before this Hon'ble Court or any other Court/Tribunal.

5. **GROUNDS**:

A. The impugned final order and judgment of the Hon'ble NGT is contrary to settled propositions of law, and the record. The Hon'ble NGT's impugned order suffers from the vice of non-application of mind and is contrary to the settled principles of natural justice.

B. The impugned final order and judgment of the Hon'ble NGT is passed in gross violation of the principles of natural justice. The Appellant herein was proceeded *ex parte* and saddled with dire consequences in view of the compensation directed in the impugned judgment. Notice of the proceedings was issued by order dated 16.08.2022 and the Applicant therein was directed to take steps to serve the notice of the proceedings and entire set of the documents to the Appellant, however, the same was not complied with. On the very next date of hearing, without ascertaining the exact service position, the Hon'ble NGT mechanically proceeded as under:

> ""8. None has appeared on the side of the respondent no. 1. We are therefore, proceeding ex parte against the respondent no. 1."

The Appellant submits that the Hon'ble NGT before setting the Appellant *ex parte* ought to have ascertained the true position of service of notice pursuant to the order dated 16.08.2022. Having

not done so, the Appellant submits that this is in gross violation of the settled principles of natural justice.

C. The Appellant submits that the Hon'ble NGT has erred in *per incuriam* as it does not consider the order dated 15.02.2021 passed by the Hon'ble High Court in W.P. No. 3573 of 2021. It is submitted that the aforesaid writ petition has been preferred by an individual claiming to be the owner of the land that has been reserved as per the Development Plan for the setting up of the Sewage Treatment Plant. The Hon'ble High Court on 15.02.2021, during motion hearing was pleased to direct as under:

> "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property"

Further, the Appellant has been contesting the writ petition before the Hon'ble High Court and on the last effective date of hearing of the same viz. 02.02.2022, the Hon'ble High Court extended the interim direction given in the case. The matter has not come on board since and as such, the interim order dated 15.02.2021 holds the field.

The Appellant submits that the aforesaid writ petition seeks quashing of the reservation of the plot for the proposed site of the STP and as such, no work on the setting up of the STP has proceeded since 15.02.2021. However, without reference to the same, the Hon'ble NGT has come to the following findings which are *per incuriam*:

> "9. On the basis of the evidence placed before us as well as the observations made by the Joint Committee in its report and from the affidavit of respondent No.2, it is apparent

that Sewage Treatment Plant (STP) has not been established for treatment of sewage water, which is found to be turbid pale, blackish/whitish coloured, which is being flown in Krishna river. It is apparent from record that the STP was required to be established which has not been done. Therefore, violation is there on the part of respondent No.1 in this regard,..”

The Appellant submits that the aforesaid finding of the Hon’ble NGT is unsustainable in view of the orders passed by the Hon’ble High Court.

D. The Appellant submits that the Hon’ble NGT erred in passing the impugned judgment solely on the basis of the report of the MPCB—2nd Respondent herein. The 2nd Respondent herein is guilty of gross suppression insofar as:

(a) It is party to the aforesaid writ petition pending before the Hon’ble High Court by virtue of the order of the High Court dated 17.11.2021.

(b) It has filed an affidavit regarding the progress of the STP and the location of the same after a joint visit held on 01.12.2021 by the Appellant and the 2nd Respondent herein. The details of the said joint inspection also was suppressed.

(c) The alleged notices referred to in the impugned judgment claimed to have been issued to the Appellant were never received, and in any case, the latest notice dated 19.09.2022 alleged to have been issued to the Appellant (and relied upon by the Hon’ble NGT at paragraph 7) is premised on the non-setting up of the STP. However, this

premise is plainly contrary to the governing order of the Hon'ble High Court.

(d) Pertinently, even in the affidavit dated 04.12.2021 filed by the MPCB before the Hon'ble High Court there is no mention of any of the notices that had been issued to the Appellant herein.

E. The Hon'ble NGT erred in directing compensation to be paid by the Appellant for shortcoming on account of Legacy Waste Management. Firstly, the issue of Legacy Waste Management was not part of the original application pending before the Hon'ble NGT. In fact, there is no pleading whatsoever regarding the same in the original application. Secondly, the purported reasoning of the Hon'ble NGT is the alleged notice dated 01.04.2020 issued by the 2nd Respondent calculating final compensation for Legacy Waste Management. It is submitted that by directing the recovery of the same within a period of two months, the Hon'ble NGT has by-passed any right available to the Appellant in responding to the said notice, even assuming that the said notice was in fact received by the Appellant. Thirdly, the Hon'ble NGT's finding is only with respect to the non-setting up of the STP. However, for the same the NGT has directed that that prosecution against the Appellant under Section 41 of the Water (Prevention of Pollution and Control) Act, 1974. However, the aforesaid notices are without jurisdiction in view of the order of the Hon'ble High Court.

F. The Hon'ble NGT erred in passing the impugned directions as the same is contrary to the principle of *res judicata*. The issue pending before the Hon'ble High Court in W.P. No. 3573 of 2021

(which was preferred earlier in time) directly relates to the setting up of the STP on the subject premises by the Appellant. The parties to the said petition include the Appellant as well as the 2nd Respondent-MPCB. There is an interim order dated 15.02.2021 that is governing the field insofar as the construction of the STP is concerned. The relief sought by the Applicant in the present case also relates to the setting of the STP at an alternative site. The finding rendered by the Hon'ble NGT is in relation to the non-setting up of the STP on the site proposed. However, the Hon'ble NGT has not taken note of the orders passed by the Hon'ble High Court or the fact of pendency of the same. In fact, the 2nd Respondent which is a statutory body, which was a party to the said writ petition ought to have brought forth these material facts before the Hon'ble NGT. Absent the same, the proceeding is void *ab initio* as being barred by *res judicata*.

G. Moreover, insofar as the direction regarding Legacy Waste Management is concerned, it is submitted that the same is beyond the scope of the original application and the prayers contained therein.

6. **MAIN PRAYER:**

In view of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to:

(a) Allow the appeal and set aside the impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ); and

(b) Pass such other order and further order(s) as this Hon'ble Court may be pleased to consider just and necessary in the interest of justice.

AND FOR THIS ACT OF KINDNESS THE APPELLANT AS DUTYBOUND SHALL EVER PRAY

DRAWN BY:

GOVIND MANOHARAN

ADVOCATE

FILED BY:

(A. KARTHIK)

ADVOCATE FOR THE APPELLANT

DRAWN ON: 11.01.2023

FILED ON: 17.01.2023

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2023

IN THE MATTER OF:

THE ISLAMPUR MUNICIPAL COUNCIL

...APPELLANT

VERSUS

MADHUKAR SHANKAR SUTAR & ORS.

...RESPONDENTS

AFFIDAVIT

I, Mr. Vaibhav Sable aged 29 years, Chief Officer of Islampur Municipal Council, having office at Islampur, Tehsil Islampur, District Sangli, Maharashtra do hereby solemnly affirm and state as follows:

1. That I am the authorized representative of the Appellant in the above filed Civil Appeal and I am fully conversant with the facts and proceedings of the case.
2. That I have read and understood the contents of the Civil Appeal at pages 10 to 28 and Synopsis and List of Dates and events at pages B to I and I say that the facts stated therein are true and correct to the best of my knowledge and legal submissions are based on the advice received from the Counsel which I believe to be true. Parties to the present petition are the same as they were before the Courts below.
3. That I have read and understood the contents of the Applications and I say that the contents thereof are true and correct to the best of my knowledge.

4. That the Annexures to the Civil Appeal are true copies of its originals.
5. That I have not filed any other Civil Appeal in this Hon'ble Court against the impugned judgment and order.
6. I state that no new facts have been pleaded therein that has not been pleaded before the Hon'ble High Court.

Urun-Islampur Municipal Council
Tal. Walwa, Dist. (Sangli)

DEPONENT
मुख्याधिकारी
इस्लामपूर नगरपरिषद
Chief Officer,
Islampur Municipal Council

VERIFICATION:

I, the deponent above named, do hereby verify and state on solemn affirmation that the contents of the paras 1 to 6 are true and correct to best of my knowledge and I believe the same to be true and that nothing material has been concealed therefrom.

Verified by me at Sangli on this 12th day of January, 2023

Identified by me

Advocate

DEPONENT
मुख्याधिकारी
इस्लामपूर नगरपरिषद
Chief Officer,
Islampur Municipal Council

Urun-Islampur Municipal Council, Tal. Walwa, Dist. (Sangli)

Solemnly affirmed
BEFORE ME

Adv. S. M. Chougule
Notary Government of India
Iral. Dist. Sangli Reg.No.9135
12 JAN 2023

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

ANNEXURE - A1

NOTIFICATION

Government of Maharashtra Urban Development

Department, Mantralaya, Mumbai 400 032

Date:- 27/07/2018.

Maharashtra Regional and Town Planning Act 1966

No.TPS-2014/696/CR-166/14/UD-13- Whereas, the Urun-Islampur Municipal Council (Dist. Regional and Sungli) (hereinafter referred to as "the said Planning Authority") being the Planning Authority within its jurisdiction under clause (19) of Section 2 of the Maharashtra Regional and Town Planning Act 1966 (Maharashtra Act No.XXXVII of 1966) (hereinafter referred to "the said Act") vide its Resolution No.72, dated 22/11/2007 declared its intention under Section 23, read with Section 38 of the said Act to prepare Draft Development Plan (hereinafter referred as the said draft Development Plan) for the area within the limits of the Urun-Islampur Municipal Council and Notice of such declaration was published at Page No.37 & 38 in the Maharashtra

Government Gazette, Pune Division Supplement dated 10/01/2008:

And whereas, the Said Planning Authority after carrying out Survey of the entire land within its jurisdiction as required under Section 25 of the Said Act, published a Notice in Official Gazette, dt. 18/10/2012 to dt.24/10/2012 on Page No.18 & 19 for inviting Objections and Suggestions to the Said Development Plan of Urun-Islampur Municipal Council prepared by it under Sub-Section (1) of Section 26 of the Said Act:

And whereas, after considering the Suggestions and Objections received in respect of the Said draft Development Plan, within stipulated time limit the Planning Committee, constituted under Section 28 (2) of the Said Act, submitted its Report to the said Planning Authority:

And whereas, in accordance with the provisions of Sub-Section (1) of Section 30 of the Said Act, the said Planning Authority has submitted the Said draft Development Plan to the Government of Maharashtra for Sanction vide its Marathi letter No.6362, dt.17/09/2013;

And whereas, in accordance with the amended provisions of Section 31(1) of the said Act, the Government of Maharashtra vide Notification No.TPS-1714/151/CR-14/D.P.Sanction UD-13, Dated 14/08/2015 sanctioned a part of the said Draft Development Plan, excluding modifications of substantial nature which were published as EP-01 to EP-79 & EPR-01 to EPR 17 (hereinafter referred to "the said Excluded Part") for inviting suggestions and/or objections from the general public, vide Notice No.TPS-1714/151/CR-42/14/EP-Publish/UD-13. Dt. 14/08/2015, published in the Maharashtra Government Gazette. Pune Division supplement Dated 18/08/2016 to 24/08/2016, on page No.31 to 48:

And whereas Joint Director of Town Planning, Pune Division, Pune was appointed as an Officer to give hearing on suggestions and/or objections received from the general public, and submit his Report to the Government in respect of the said excluded Part EP-01 to EP-79 & EPR-01 to EPR 17;

And whereas, the Joint Director of Town Planning, Pune Division, Pune after giving hearing in respect of the suggestions and/ or objections received from the general public, regarding the said Excluded Part No.EP-01 to EP-79 & EPR-01 to 17, has submitted his Report

to the Government vide letter **No. F.S. Urun – Islampura.S.) u/s 31(1)/E.P. 1 to 79/E.P.R./1 to 17/P.C. Report/Joint Property/1261 dt. 31/07/2017**

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 31 of the said Act and all other powers enabling it in that behalf, the Government of Maharashtra after consulting the Director of Town Planning, Maharashtra State Punce hereby:-

a. Sanctions the said Draft Development Plan of the excluded part area of Urun-Islampur Municipal Council (EP-01 to EP-79 & EPR-01 to EPR 17) as specified in **Schedule-A** appended hereto.
b. Fixes the date after one month of the publication of this notification in the Maharashtra Government Gazette to be the date on which the Sanctioned Development Plan

of the excluded part area as described in the **Schedule-A** shall come into force.

Copy of the Plan showing the said Sanctioned Development Plan of the excluded part area of Urun-Islampur Municipal Council,(EP-01 to EP-79 & EPR-01 to EPR 17) as sanctioned by the State Government shall be kept open for inspection by the general public during working hours for a period of one year in the office of the Chief Officer Urun-Islampur Municipal Council, (Dist.Sangli) on all working days.

This Notification shall also be published on the Government website www.maharashtra.gov.in (rules and regulations)

By order and in the name of Governor of Maharashtra.

-Sd- Illegible

(R.M. Pawar)

Under Secretary to Government,

SCHEDULE-A

Development Plan of Urun-Islampur

SUBSTANTIAL MODIFICATIONS SANCTIONED BY GOVERNMENT U/S 31(1) OF MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1996

(Appended Government Notification No. TPS-2014/496/CR-166/14/UD-13, Dt. 27/07/2018)

Sr. No.	**EP No.**	**Proposal as per published plan u/s-26**	**Proposal as per submitted plan u/s 30**	**Substantial Modification published by Govt. u/s 31 Of M.R.& T.P. Act 1966**	**Substantial Modification Sanctioned by Govt. u/s 31(1) Of M.R.& T.P. Act 1966**
1	EP-1	Site No 1/1-"**Children's Play Ground**"	**M-1** Area under Site No. 1/1 "**Children's Play Ground**" is deleted & proposed to be included in	**EP-I** Area under is Site No. 1/1 "**Children's Play Ground**" is to be deleted & area there under is to be included in **Residential Zone**.	**EP-1 Sanctioned as proposed**

			Residential Zone.		
2	EP-2	Site No. 1/2 "**Primary School & Play Ground**"	**M-2** A) Land under Site No. 1/2- "**Primary School & Play Ground**" is deleted and proposed to be included in **Residential Zone**. B) 7.5 mt. wide East-West Road is widened to 9 mt as shown on Plan.	**EP-2** A) Site No. 1/2- "**Primary School & Play Ground**" is to be deleted and be included in **Residential Zone** B) 7.5 mt wide East-West Road is to be widened to 9 mt. as shown on Plan	**EP-2** A) Site No. 1/2 "**Primary School & Play Ground**" is to be deleted and be included in **Residential Zone**. B) Width of Road from CT S No 3343 3156 up to C.TS No 3310 is kept as 7.5 mt. wide as per submitted Plan u/s 30. and remaining width of the road is kept as

					9.00 mt as shown on Plan
3	EP-3	Site No. 1/5 "**Primary School**"	**M-5** Site No. 1/5 - "**Primary School**" is deleted and area there under is proposed to be included in "**Residential Zone**,	**EP-3** Site No. 1/5 -"**Primary School**" is to be deleted and area there under is to be included in "**Residential Zone.**"	**EP-3 Sanctioned as proposed**
4	EP-4	Site No. 1/7- "**Dispensary & Maternity Home**"	M-7 Site No. 1/7 is deleted and area there under is proposed to be included in **Residential Zone**	**EP-04** Site No. 17 "**Dispensary & Maternity Home**" is to be deleted and area there under is to be included in **Residential Zone**	**EP-04 Sanctioned as proposed**
5	EP-5	Site No. 1/8- "**Children's Play Ground**"	**M-8** Site No. 1/8 is deleted and and area there under is	**EP-05** Site No. 1/8 is to be deleted and and area there under is to he included in Residential	**EP-05 Sanctioned as proposed**

			proposed to be included in **Residential Zone**	Zone	
6	EP-6	Site No. 1/9- "**Primary School & Play Ground".**	**M-9** The area of the land bearing C.TS. No. 1496 is proposed to be retained as Site No. 1/9 "P**rimary School & Play Ground**" and the remaining area occupied by the houses, Cattle shed, and Open space is proposed to be deleted from Site No. 1/9- and included in **Residential Zone**.	EP-06 The area of the land bearing C.TS. No. 1496 is to be retained as Site No. 1/9 **Primary School & Play Ground**" and the remaining area occupied by the houses, Cattle shed, and Open space is to be deleted from Site No. 9 and be included in **Residential Zone** as shown on Plan	**EP-06 Sanctioned as proposed**
7	EP-7	Site No. 1/10 "**Dispensar**	**M-10** Land under Site No. 1/10--	**EP-07** Site No. 1/10- "**Dispensary**" is to be	**EP-07 Sanctioned as proposed**

		y"	"**Dispensary**" is proposed to be deleted and included in **Residential Zone**	deleted and area there under is included in **Residential Zone**.	
8	EP-8	Site No. 1/11 "**Library**"	**M-11** Total Area under Site No. 111 "**Library**" is proposed to be deleted and included in **Residential Zone**	**EP-08** Total Area under Site No. 1/1L "**Library**" is to be deleted and included in **Residential Zone**.	**EP-08** **Sanctioned as proposed**
	EP-9	Site No. 1/12 "**Primary School**"	**M-12** Total Area under Site No. 1/12- "**Primary School**" is proposed to be deleted and included in **Residential Zone**,	**EP-09** Total Area under Site No. 1/12-"**Primary School**" is proposed to be deleted and included in **Residential Zone**.	**EP-09** Site No. 1/12- **Primary School**" is reinstated as perthe Plan published u/s 26,
10	EP-10	Site No. 1/22 "**Primary School**"	**M-17** Site No. 1/22- "**Primary School**" is	**EP-10** Site No. 1/22-"**Primary School**" is to be deleted and area there	**EP-10** **Sanctioned as proposed**

			proposed to be deleted and area there under is included in **Residential Zone**.	under is be included in **Residential Zone**	
11	EP-11	Site No. 1/PL "**Public Latrine**"	**M-20** Site No. IPL is proposed to be deleted and area there under is partly shown as **Existing Public Latrine** and % remaning area is included in the **Residential Zone**	**EP-11** Site No. 1/PL is proposed to be deleted and area there under is partly shown as **Existing Public Latrine** and % remaining area is included in the **Residential Zone**	**EP-11** **Sanctioned as proposed**
12	EP-12	Site No. II/I- "**Dispensary**"	**M-21** Total Area under Site No. II/1- "**Dispensary**" is proposed to be deleted and	**EP-12** Total Area under Site No. 11/1- "**Dispensary**" is to be deleted and included in **Residential Zone**	**EP-12** **Sanctioned as proposed**

			included in **Residential Zone**.		
13	EP-13	Site No. 11/3 "**Primary School**"	**M-22** Total Area under Site No. 11/3 "**Primary School"** is proposed to be deleted and included in **Residential Zone**	EP-13 Total Area under Site No. 11/3- "**Primary School**" is to be deleted and included in **Residential Zone**.	**EP-13 Sanctioned as proposed**
14	EP-14	Site No. 1/4 "**Children's PlayGround**"	**M-23** Arca under Site No. 1/4 "**Children's Play Ground**" is proposed to be deleted and included in **Residential Zone**.	**EP-14** Area under Site No. 11/4 "**Children's Play Ground**" is to be deleted and included in **Residential Zone**.	**EP-14 Sanctioned as proposed**
15	EP-15	Site No. 11/5 "**Primary School**"	**M-24** The 50% area of the land situated towards Northern side	**EP-15** The area situated towards Southern side and admeasuring about 4000 Sq.m. of the site No. 11/5	**EP-15 Sanctioned as proposed**

			of Site No. II/5 is proposed to be deleted and included in **Residential Zone**. The remaining Southern portion of the said reservation is retained as site No. 11/5 "**Primary School**"	is to be retained as site No. II/5- "**Primary School** and Remaining area situated towards Northern side of the Site No. 11/5 is to be deleted and included in **Residential Zone** as shown on Plan	
16	EP-16	Site No. II/6 - "**Play Ground**"	**M-25** The Rectangular area of Site No II/6 up to 30 m. depth situated towards Northern side of the Site No. 11/6 is proposed to be retained as Site No. 11/6 "**Play Ground**"& remaining	**EP-16** The area which is occupied by existing structures is to be deleted & be included in **Residential Zone** as shown on Plan & remaining portion of the said reservation is retained as Site No. 11/6 "**Play Ground**"	**EP-16 Sanctioned as proposed**

			portion of the said reservation is proposed to be deleted & included in **Residential Zone**		
17	EP-17 -	Site No. 11/7- "**Vegetable Market**".	**M-26** The land under the Site No. II/7 is from sanctioned lay out and the said Land is N.A Land therefore Site No.11/7- "**Vegetable Market**" is proposed to be deleted and included in **Residential Zone**.	**EP-17** Site No. 11/7-Total area is to be deleted and included in **Residential Zone** as shown on Plan.	**EP-17 Sanctioned as proposed**
18	EP18	Site No. 11/9- "**High School &**	**M-28** Site No. 11/9 is occupied by Existing	**EP-18** Part portion of the Site No. 11/9 is occupied by Existing Structures	**EP-18 Sanctioned as proposed**

		Play Ground"	Structures and religious area of the Muslim Community. Total area of site No.11/9 is proposed to be deleted and included in **Residential Zone** as shown on Plan.	and religious area of the Muslim Community. The above portion is to be deleted from reservation and included in **Residential Zone** and remaining land is to be retained in reservation and resegnated as Site No. 11/9"**Parking**" as shown on Plan	
19	EP-19	Site No. 11/10 "**Parking**"	**M-29** The land under the Site No. II/10 is proposed to be deleted and area there under is included in **Residential Zone**.	**EP-19** Total area of Site No. 11/10 is to be deleted and area there under is to be included in **Residential Zon**e.	**EP-19 Sanctioned as proposed**
20	EP-20	Site No. 11/11 "**Garden**"	**M-30** Site No. 11/11 is proposed to	**EP-20** Total area of Site No. II/H is to be deleted and area	**EP-20 Sanctioned as proposed**

			be deleted and area there under included in **Residential Zone**.	there under is to be included in **Residential Zone**.	
21	EP-21	Site No. 11/12 "**Public Latrine**"	**M-31** Site No. 11/12 is proposed to be deleted and area there under is included in **Residential Zone.**	**EP-21** Total area of Site No. 11/12 is to be deleted and area there under included in **Residential Zone**	**EP-21 Sanctioned as proposed**.
22	EP-22	Site No. 11/13- "**Play Ground**"	**M-32** Site No. II/13 is proposed to be deleted and area there under is included in **Residential Zone.**	**EP-22** Total area of Site No. II/13 is to be deleted and area there under is to be included in **Residential Zone.**	**EP-22 Sanctioned as proposed**
23	EP-23	Site No. 11/14 "**Garden**".	**M-33** Site No. II/14 is proposed to be deleted and area there	**EP-23** Total area of Site No. 11/14 is to be deleted and area there under is to be included in	**EP-23 Sanctioned as proposed**

			under is included in **Residential Zone**.	**Residential Zone**.	
24	EP-24	Site No. 11/15 "**Children's Play Ground**"	**M-34** Site No. II/15 is proposed to be deleted and area there under is included in **Residential Zone.**	**EP-24** The land under the Site No. 11/15 is deleted and area there under is to be included in **Residential Zone**	**EP-24 Sanctioned as proposed**
25	EP-25	Site No. 11/17 "**Primary School & Play Ground**"	**M-35** Site No. 11/17 is deleted and instead of the said reservation, the existing land use of Dyaneshwar Education Society is proposed to be shown on the Development Plan.	**EP-25** Total area of Site No. 11/17 is to be deleted and area there under is included in the **Public-Semi Public Zone.**	**EP-25 Sanctioned as proposed**
26	EP-26	Site No.	**M-37**	**EP-26**	**EP-26**

		11/19 "**Primary School**"	Site No. 11/19- "**Primary School**" is proposed to be deleted and area there under is included in the **Residential Zone**.	The land under the Site No. 11/19 "**Primary School**" is to be deleted and area there under is to be included in **Residential Zone**.	**Sanctioned as proposed.**
27	EP-27	Site No. 14 "**Dispensary and Maternity Home**"	**M-41** Site No. III/4 is proposed to be deleted and area there under is included in **Residential Zone**.	**EP-27** Site No. II/4"**Dispensary and Maternity Home**" is to be deleted and area there under is to be included in **Residential Zone**.	**EP-27 Sanctioned as proposed.**
28	EP-28	The Site No. III/6 "**Garden**"	**M-43** The Site No. III/6"Garden "is proposed to be shifted in land bearing S.No. 118 and area under Original Site No. III/6 is	**EP-28** A) 50% area of the land underSite No. III/6, situated towards the Southern side of the said reservation (u/s.26) is retained as Site No. 1/6 "**Garden** " and remaining area of the	**EP-28 Sanctioned as proposed**

			included in **Residential Zone**.	said reservation is deleted and included in **Residential Zone** B) Refuse to accord sanction to Shifting of Reservation	
29	EP-29	Site No. 111/7 "**Extension to Gurukul Vidyalaya**"	**M-44** Site No. III/7 "**Extension to Gurukul Vidyalaya**" is proposed to be deleted & areathere under is included in **Residential Zone**. Site No. III/15 High School" M-48	**EP-29** Total area of Site No. III/7-is to be deleted & and area there under is included in **Residential Zone**.	**EP-29 Sanctioned as proposed**
30	EP-30	Site No. 111/15 "**High School**"	**M–48** Site No. III/15 - "**High School**" is proposed to be deleted and area there	**EP-30** Site No. III/15 - "**High School**" is to be deleted and area there under is included in	**EP-30 Sanctioned as proposed**.

			under is included in **Residential Zone**	**Residential Zone**.	
31	EP-31	Site No. III/16-"**Play Ground**"	**M-49** Site No. III/16-"**Play Ground**" is proposed to be shifted on to the land bearing R. S. No. 130. and area under Original Site No. III /16-"Play Ground" is proposed to be deleted & included in **Residential Zone**	**EP-31** A) Original Site No. III/16 "**Play Ground**"is to be deleted and area there under is included in **Residential Zone.** B) Refuse to accord sanction to	**EP-31** **Sanctioned as proposed**
32	EP-32 Site	Site No. III/20 - "**Dispensary**"	**M-51** Site No. III/20 - "**Dispensary**" is proposed to be deleted & included in **Residential**	**EP-32** Land under Site No. 111/20 "**Dispensary**" is to be deleted & and area there under is to be	**EP-32** **Sanctioned as proposed.**

			Zone.	included in **Residential Zone**.	
33	EP-33	Site No. IV/I "**Shopping Centre & Vegetable Market**"	**M-53** Site No. IV/1 is deleted and area there under is shown as per the Zoning of Existing Land Use Map	**EP-33** Site No. IV/- is to be deleted and area there under is shown as per the Existing Land Use Map.	**EP-33** **Sanctioned as proposed**
34	EP-34	Site No. IV/3- "**Play Ground**"	**M-54** Site No. IV/3- "**Play Ground**" is proposed to be deleted & area there under is included in **Residential Zone**. Site for "**Play Ground**" is proposed towards the North-West side on the adjacent land	**EP-34** A) Site No. IV/3 "**Play Ground**" is to be deleted and area there under is included in **Residential Zone**. B) Refuse to accord sanction to Shifting of Reservation.	**EP-34** **Sanctioned as proposed**.
35	EP-35	Site No.	**M-55**	**EP-35**	**EP-35**

		IV/4- "**Public Latrine**"	Land under Site No. IV 4 "**Public Latrine**" is proposed to be deleted & area there under is included in **Residential Zone**.	Site No. TV/4 "**Public Latrine**" is to be deleted and area there under is included in **Residential Zone.**	**Sanctioned as proposed**
36	EP-36	Site No. IV/5 "**Parking**"	**M-56** Site No. IV 5 "**Parking**" is proposed to be deleted & area there under is included in **Residential Zone**.	**EP-36** Site No. IV/5 is to be deleted and area there under is included in **Residential Zone**.	**EP-36 Sanctioned as proposed**.
37	EP-37	Site No. IV/10- "**Public Latrine**"	**M-60** Site No. IV /10 - "**Public Latrine**" is proposed to be deleted & area there under is included in **Residential Zone.**	**EP-37** Site No. IV /10 - is to be deleted & area there under is included in **Residential Zone**.	**EP-37 Sanctioned as proposed**

38	EP-38	Site No. IV/11- "**High School & Play Ground**"	**M-61** Site No. 1V /11 "**High School & Play Ground**" is proposed to be deleted & included in **Residential Zone**. Original Site No. IV/11 is proposed to be shifted on the Land bearing R.S.No. 152	**EP-38** A) Original Site No. IV /11 is to be deleted & area there under is included in **Residential Zone**. B) Refuse to accord sanction to Shifting of Reservation.	**EP-38** **Sanctioned as proposed**
39	EP-39	Site No. IV/16- "**Public Latrine**"	**M-64** Site No. IV/16- "**Public Latrine**" is proposed to be deleted & area there under is included in **Residential Zone**.	**EP-39** Sine No. IV 16 "**Public Latrine**" is to be deleted & area there under is included in **Residential Zone.**	**EP-39** **Sanctioned as proposed**
40	EP-40	Site No. IV/18 "**Dispensary and**	**M-65** Land under the Site No. IV/18- "**Dispensary**	**EP-40** Site No. IV /18 is to be deleted & area there under is	**EP-40** **Sanctioned as proposed**.

		Maternity Home"	**and Maternity Home**" is proposed to be redesigned as **Primary School**.	included in **Public-Semi Public Zone**.	
41	EP 41	Site No. IV/21- "**Cultural Centre**"	**M-66** Site No. IV/21 "**Cultural Centre**" is proposed to be deleted & area there under is included in **Residential Zone**.	**EP-41** Site No. IV/21 "**Cultural Centre**" is to be deleted & area there under is included in **Residential Zone.**	**EP-41 Sanctioned as proposed**
42	EP-42	Site No. IV/23- "**Burial Ground**" ii) Site No. IV/24- "**Burial Ground**"	**M-68** The new Site for **Cremation Ground, Burial Ground & Garden** is to be proposed the Site No. IV/23 & IV/24 are retained	**EP-42** A)Site No. IV/23 "**Burial Ground**" is to be reinstated as per the Plan published under section 26. B)Site No. IV/24- "**Burial Ground**" is to be reinstated as per the Plan published under section 26.	**EP-42** A)Site No. IV/23 is retained Northern side of Site No IV/23 is reserved for **Burial Ground** and Southern side

				C) The new Site for **Cremation Ground, Burial Ground & Garden** is to be retained as per the Plan submitted under section- 30	of Site No IV/23 is reserved for "**Cremation Ground** "as shown on Plan B) Site No. IV/24- "**Burial Ground**" is to be reinstated as per the Plan published under section 26. C) The new Site for **Cremation Ground, Burial Ground & Garden** is to be retained as per the Plan

					submitted under section-30.
43	EP-43	Site No. IV/26- "**Fire Brigade**"	**M-69** Municipal Council has developed the reservation of "**Fire Brigade**" in the land bearing R.S.No. 129, hence Site No. IV/26 is proposed to be deleted and land there under is included in **Residential Zone**. Also two new Sites are proposed as given below. i) Site No. IV/32 - "**Housing for Dishoused**"	**EP-43** A)Site No. IV/26 -"**Fire Brigade**" is to be reinstated as per the Plan published under section 26. B) Site No. IV/35- "Multipurpose Hall "on the land bearing R. S. No. 129, Area 4000 sq.mt. is to be retained as per the Plan submitted under section 30.	**EP-43 Sanctioned as proposed**

			Area 17900 sq.mt. ii) Site No. IV/35- "Multipurpose Hall "on the land bearing		
44	EP-44	Site No. V/4 "**Dispensary & Maternity Home**" ii) Site No. V/S "**Shopping Centre**"	**M-73** Part area of the land of Site No, V/4 is proposed to be shown as **Mutton Market & Fish Market** & remaining land is kept for "**shopping centre**" as shown on the Plan. Area under existing Residential Houses of Site No.V/5 is proposed to be deleted &	**EP-44** i) Land under Site No. V/4- "**Dispensary & Maternity Home**" is to be shown in **Commercial Zone** instead of the Reservation. ii) Site No. V/S "**Shopping Centre**" is to be shown in **Commercial Zone** instead of the Reservation.	**EP-44** **Sanctioned as proposed**

			included **Residential Zone**. Remaining area of Site to re-designated as S**hopping Centre & Dispensary**		
45	Ep-45	Site No. V/6- "**Shopping Centre**" ii) Site No. V/7 "**Garden**" iii) Site No. V/8- "**Shopping Centre**"	**M-74** A) Site No. V/6- "**Shopping Centre**" is proposed to be deleted & included in **Public Semi Public Zone**. B) Site No. V/7 - "**Garden**" is proposed to be deleted & included in **Public-Semi Public Zone**. C) Site No. V/8- "**Shopping Centre**"	**EP-45** A) Site No. V/6 "**Shopping Centre**" is reinstated as per the Plan published under section 26. B) Site No. V/7- "**Garden**" is to be deleted and area there under is included in **Residential Zone**. C) Site No. V/8"**Shopping Centre**" is reinstated as per the Plan published under section 26 D) Refuse to accord sanction to Shifting of Reservation.	**EP-45** A) Site No. V/6- "**Shopping Centre**" is deleted and area there under is shown as Existing Play Ground. B) Site No. V/7- "**Garden**" is deleted and area there under is shown as Existing Play Ground.

			proposed to be deleted & included in **Public-Semi Public Zone** D)Also a new site for **Shopping Centre** is to be proposed for **Shopping Centre** as shown on the Plan.		C) Site No. V/8- "**Shopping Centre**" is deleted and area there under is shown as Existing Play Ground D) Refuse to accord sanctionto Shifting of Reservation New site for **Shopping Centre is deleted**
46	EP-46	Site No. V/9 "**Library, Gymnasium and Patrakar Bhavan**"	**M-75** Land under reservation of Site No. V/9 is proposed to be deleted & area there under is included in **Residential Zone**	**EP-46** Site No. V/9 is to be deleted & area there under is included in **Residential Zone**	**EP-46** **Sanctioned as proposed**.

47	Ep-47	Site No. V/10 "**E.W.S. Housing**"	**M-76** Site No. V/10- "**E.W.S. Housing**" is proposed to he deleted & area there under is included in **Residential Zone**	**EP-47** Site No. V/10 is to be deleted & area there under is included in **Residential Zone.**	**EP-47 Sanctioned as proposed**.
48	**EP-48**	Site No. V/22 and V/23- "**Extension for R.I.T**"	**M-80** The area the Site No. V/22 and V/23 - "**Extension for R.LT**" is to be deleted and included in **Residential Zone**	**EP-48** Total area of Site No. V/22 and V/23 is to be deleted and included in **Residential Zone.**	**EP-48 Sanction as proposed**
49	EP-49	Site No. V/26 "**Dispensary & & Maternity Home**"	**M-82** Area under Site No. V/26 - "**Dispensary & Maternity Home**" is proposed to be deleted & included	**EP-49** Site No. V/26 - "**Dispensary & Maternity Home**" is to be deletedand area there under is to be included in the **Residential Zone**.	**EP-49 Sanctioned as proposed**.

			Residential Zone.		
50	EP-50	Site No. V/30 "**Shopping Centre**"	**M-86** Land under Original Site No. V/30 is Proposed to be deleted & included in **Residential Zone**. ii) Original Site No. V/30 is proposed to be shifted adjoining to the 120 m wide D.P.Road as shown on Plan.	**EP-50** A) Land under Original Site No. /30 is to be deleted & included **Residential Zone**. B) Original Site No. V/30 is to be shifted adjoining to the 12.0 m.wide D.P.Road as shown on Plan.	**EP-50** **Sanctioned as proposed.**
51	EP-51	Site No. V/31 "**Cremation Ground**"	**M-87** Site No. V/31 is retained as per the Plan published under section 26 with additional 6000 sq. mt ares	**EP-51** A) Area and boundary of Site No. V/31 are to be changed. Area of the said reservation is increased up to Northern boundary of **Shopping Centre**.	**EP-51** **Sanctioned as proposed.**

			adjoining to the said reservation. Which is clubbed with the Original site No V/31.	B) Additional area of 6000 sq mt (which is reserved for **Cremation Ground**) is deleted and included in the **Residential Zone**.	
52	EP-52	Site No. V/34 "**Botanical Garden**"	**M-90** Land under Site No. V/34 is proposed to be shifled in the R.S.No.130 on the lands Chamed by Municipal Council with partly proposed 6.0 m. wide North South Roads to the East-West sides of the reservation as shown on the Plan The land under Original Site No. V/34 is proposed to be deleted and	**EP-52** Accord to refuse shifting of Site No V/34- "**Botanical Garden**" Original Site No. V/34 "**Botanical Garden**" is to be deleted & area there under is included in the **Green Zone No Development Zone**.	**EP-52 Sanctioned as proposed.**

			area there under is included in Green Zone No Development Zone		
53	EP-53	Site No. V/35 "**Slaughter House**"	**M-91** A)Original Site no. V/35' "**Slaughter House"** is deleted and area thereunder is included in **Agricultural Zones.** B)Original Site NO. V/35 is proposed to be shifted on the land Owned by Municipal Council (aread admeasuring 13 acre) and used for Compost Depot, as	**EP-53** A)Original Site no. V/35' "**Slaughter House"** is to be deleted and area thereunder is included in **Agricultural Zones.** B)Shifted reservation of Site No. V/35- "**Slaughter House"** is to be retained as per the Plain submitted under Section 30 (On the land Owned by Municipal Council, area admeasuring 13 acre.)	**EP-53** **Sanctioned as proposed.**

			shown on the plan		
54	EP-54	Site No V1/7 "**Dispensary & Maternity Home**"	**M-94** Site No. VI7 is proposed to be deleted & area there under is included in **Residential Zone**.	**EP-54** Sile No. V1/7"**Dispensary & Maternity Home**" is to be deleted and area there under is to be included in the **Residential Zone**,	**EP-54 Sanctioned as proposed.**
55	EP-55	Site No. V1/11 "**Vegetable Market**"	**M-95** Original Site No. V1/11 is proposed to be deleted & area there under is included in **Residential Zone**. Original Site No. V/11 is proposed to be shifted on the land bearing S.No. 916 near the Islampur-Sangli State Highway	**EP-55** Original Site No. V1/11 is to be deleted & area there under is included in **Residential Zone**. Shifted reservation of Site No. V1/11"**Vegetable Market**" is reained as per the Plan submitted under section 30.	**EP-55 Sanctioned as proposed.**

56	EP-56	Site No. VI/12 "**Parking**"	**M-96** Site No. VI/12-- "**Parking**" is proposed to be deleted & area there under is included in the **Residential Zone**	**EP-56** Site No, VI/12-"Parking" is to be deleted & area there under is included in the **Residential Zone**	**EP-56 Sanctioned as proposed**
57	EP-57	Site No. V1/ 19 "**Cremation Ground**"	**M-101** Site No. VI/19 is proposed to be deleted & area there under is included **Residential Zone**	**EP-57** Site No. VU19 is to be deleted & area there under is included **Residential Zone**	**EP-57 Sanctioned as proposed**
58		Site No VII/1 "**Water Supply Centre**"	**M-102** Area occupied by Existing Structures from the Site No. VII/I is proposed to be deleted from the said reservation & included in	**EP-58** A) Area occupied by Existing Structures from the Site No. VII/I is to be deleted from the said reservation & included in **Residential Zone**. B) Existing Open Space situated towards Southern Side of the said	**EP-58 Sanctioned as proposed**

			Residential Zone. Existing Open Space situated towards Southern Side of the said reservation (L Shape) is clubbed with the remaining area of the said reservation and this clubbed area is shown as Site No. VIII- "**Water Supply Centre**"	reservation (1.Shape) is to be clubbed with the remaining area of the said reservation and this clubbed area is to be shown as Site No. VII/1- "**Water Supply Centre**"	
59	EP-59	Site No VII/2 "**Shopping Centre**"	**M-103** Site No VII/2 is proposed to be deleted & area there under is included in **Residential Zone**.	**EP-59** Site No. VII/2 is to be deleted & area there under is included in **Residential Zone**	**EP-59** **Sanctioned as proposed**
60	EP-60	Site No	**M-104**	**EP-60**	**EP-60**

		VII/3 "**Burial Ground**"	Site No. VII/3 is proposed to be deleted & area there under is included in Residential **Zone**	Site No. VII/3 is to be deleted & area there under is included in **Residential Zone**	**Sanctioned as proposed**
61	EP-61	Site No. VII/6 :**Shopping Centre & Vegetable Market**"	M-107 Site No. VII/6 is proposed to be deleted & area there under is included in **Residential Zone**. This original Site No. VII/6 is proposed to be shifted on the land as per the Plan submitted U/s 30	**EP-61** Original Site No. VII/6 is to be deleted and area there under is to be included in the **Residential Zone** Refine to accord sanction to Shifting of Reservation	**EP-61 Sanctioned as proposed**
62	EP-62	Site No. VII/8 "**Truck Terminus**"	**M-108** Site No. VII/8 is proposed to be deleted de area there under is included in the	**EP-62** Site No. VII/8 is to be deleted & the area there under is included in the **Residential Zone.**	**EP-62 Sanctioned as proposed**

			Residential Zone		
63	EP-63	Site No. VII/9 "**Collage**" -	**<u>M-109</u>** Site No. VII/9 is proposed to be deleted. Area occupied by the Educational trust is deleted from the said Reservation & included in P**ublic -Semi Public Zone**. & remaining area of the Site No. VII is proposed to be deleted & included in **Residential Zone.**	**<u>EP-63</u>** Site No. VII/9 is to be deleted. Area occupied by the Educational trust is deleted from the said Reservation & included in **Public Semi Public Zone** & remaining ares of the Site No. VI1/9 is deleted & are there under is included in **Residential Zone**	**EP-63** Site No. VII/9 is deleted. Area occupied by the Educational trust is deleted from the said Reservation & included in **Public -Semi Public Zone** & remaining area of the Site No. VIL9 is deleted & area there under is included in **Residential Zone**
64	EP-64	Site No. VII/10 "**Primary**	M-110, M-111 Land under Site No. VII/10-	**<u>EP-64</u>** Site No. VII/10 "**Primary School**" is to be deleted &	**<u>EP-64</u> Sanctioned as proposed**

		School". i) Site No. VII/11 "**Garden**"	"**Primary School**" is proposed to be deleted & included in Residential Zone Site No. VIII Garden is proposed to be re-designated as **Primary School**	area there under is to be included in **Residential Zone** ii) Site No. VII/11 "Garden" is to be retained with change in designation as "Primary School	
65	EP-65	Site No. VII/12- "**Electric Sub Station**"	M-112 Land under Site No. VII/12 in R.S.No. 58 is proposed to be deleted & shifted in the deleted proportion of Site for HSPG in R.S.No. 24 as shown on the Plan Also the remaining site for HSPG in the S.No. 24 is proposed to be	**EP-65** Original Site No. VII/12 is to be deleted & area there under is to be included in **Residential Zone**, Refuse to accord sanction to Shifting of Reservation.	**EP-65** **Sanctioned as proposed**

			redesignated		
66	EP-66	Site No. VI/13- "**Primary School**".	**M-113** Area under Site No. VII/13 **Primary School** is proposed to be deleted & included in **Residential Zone**	**EP-66** Site No. VII/13 is to be deleted & area there under is included in **Residential Zone**.	**EP-66 Sanctioned as proposed.**
67	EP-67	Site No. VII/16 "**Garden**"	**M-116** Area under Site No. VII/16"**Garden** " is proposed to be deleted & included in **Residential Zone**	**EP-67** Site No. VII/16 is to be deleted & area there under is included in **Residential Zone**.	**EP-67 Sanctioned as proposed.**
68	**EP-68**	Site No. VH17- "**Dispensary & Maternity Home**"	M-117 Area under Site No. VII/17- "**Dispensary & Maternity Home**" is proposed to be deleted &	**EP-68** Site No. VII/17- "**Dispensary & Maternity Home**" is to be deleted & area there under is included in **Residential**	**EP-68 Sanctioned as proposed**

			included in **Residential Zone**	**Zone**.	
69	**<u>EP-69 is deleted wide corrigendum no. TPS-2016/CR-610/16/UD-13, dated. 04/10/2016</u>**				
70	EP-70	Site No. VII/19 "**Shopping Centre & Vegetable Market**"	M-119 Area under Site No. VII/19 "**Shopping Centre & Vegetable Market**" is proposed to be shifted on the adjoining land bearing R.S.No. 971 along the Kameri Road. The area under original Site No. VII/19 is to be included in **Residential Zone** Also the new site for **Garden & Water Tank** is	**<u>EP-70</u>** Original Site No. VII/19 is to be deleted & area there under is to be included in **Residential Zone**. Refuse to accord sanction to Shifting of Reservation.	**<u>EP-70</u>** **Sanctioned as proposed**

			proposed along the shifted Site No. VII/19 with 9.0 m. wide Road		
71	EP-71	Site No. VII/20 "**Hospital**"	**M-120** Area under Site No. VII/20 - "**Hospital**" is proposed to be deleted & included in **Residential Zone**	**EP-71** Site No. VII/20 - is deleted & area there under is to be included in **Residential Zone**	**EP-71 Sanctioned as proposed.**
72	EP-72	Site No. VII/21- "**Primary School**"	**M-121** Area under Site No. VII/21 "**Primary School**" is proposed to be deleted & included in **Residential Zone**	**EP-72** Site No. VII/21 is to be deleted & area there under is included in **Residential Zone**.	**EP-72 Sanctioned as proposed.**
73	EP-73	Site No. VII/29 "**Stadium**"	**M-127** i) Original Site No. VII/29 is proposed to be deleted & area	**EP-73**) Original Site No. VII/29 is to be deleted & area there under is included in **Residential**	**EP-73** i) Original Site No. VII/29 - "**Stadium** "is

			there under is included in **Residential Zone**. ii) Original Site No. VII/29 is proposed to be shifted on the land bearing R.S.No.46 near Datta Hill	**Zone**. ii) Original Site No. VII/29 is to be shifted on the land bearing R.S.No.46 near Datta Hill.	retained as per the plan published U/S 26 with modified boundaries , with area 4.00 Hact as shown on Plan. ii) Shifted Reservation is deleted
74	EP-74	Site No: VH/30 "**Burial Ground**"	**M-128** Area under the Site No. VII/30 is proposed to be deleted & included in **Residential Zone**	**EP-74** Site No. VII/30 - is to be deleted & area there under is included in **Residential Zone**.	**EP-74** **Sanctioned as proposed**
75	EP-75	Site No. VII/31 "**Play Ground**"	**M-129** Land under proposed site is fully occupied by Gunthewari, hence Site No.	**EP-75** Site No. VII/31 is to be deleted & area there under is included in **Residential Zone**.	**EP-75** **Sanctioned as proposed**

			VII/31 is proposed be deleted & land there under is to be included in **Residential Zone**		
76	EP-76	Proposed **Elevated Water Tanks** Storage at various places Site No. IV/31, V/38, VII/33, VII/19-C 1I1/22 IV/33, VII/34, V/36	M-130 **Elevated Water Storage Tanks** at various places are proposed by the Planning Authority as given below) R.S.No. 130 at village Islampur, near Islampur-Kapaskhed Read (Area 1000 sq.mt.) i) Lay out of Harijan Co-op Hig Soat village Islampur, near Takari Road	**<u>EP-76</u>** i) Site No. IV/31 For E. W. S. T. on the **RS.No, 130 at village Islampur, Rear Islampur-Kapuskhed Road (Area 1000 sq.mt.)** is to be sanctioned as per the Plan submitted under section 30 i) Site No. V/38 for E. W. S. Ton the **Lay out of Harijan Co- op Hsg.Soat village Islampur, near Takari Road (Area 900 sq.mt.)** is to be sanctioned as per the Plan submitted under section 30 ii) Site No. VII/19-C, for E. W. S. T (**R.S.No. 971**	**<u>EP-76</u>** **(i)to(viii) Sanctioned as Proposed**

			(Area 900 sqm) iii) R.S.No. 971 at village run. iv) R&No. 46 at village Islampur v) R.S.No.112 at village Islampur vi) R.S.No. 162 Land of Sadguru Jungli Maharaj Education Trust. vil) RS.No 55 at village Islampor. viii) R.S.No.112 at village Islampur	**at village Urun**) is to be sanctioned as per the Plan submitted under section 30. iv) Site No. VII/33 for E. W. S. T (**RS.No. 46 at village Islampur**) is to be sanctioned as per the Plan submitted under section 30 v) Site No. 111/22for E. W. S. T (**R.S.No.112 at village Islampur**) is to be sanctioned as per the Plan submitted under section 30. vi) Site No. IV/33 Site for E. W. STRS. (**on the Land bearing RS No162 of Sadguru Jangli Maharaj Education Trust**) is to he deleted and area there under is to be included in the Residential Zone vii) Site No. VII/34 for E.W.S.T (**R.S.No.55 at village Islampur**) is to be sanctioned as per the Plan submitted under	

				section 30, vii) Site No. V/36for E. W. S. T (**R.S.No.21,47,48, NINAINAGAR Islampur**) is to at be sanctioned as per the Plan submitted under section 30	
77	EP-77	Residential Zone	**M-131** Site No. 1V 22-**WT.P**, is to be proposed as shown on the Plan (ii)Site No IV/34- **ST.P**, is to be proposed as shown on the Plan (iii) Site No V/37 **STP** is to be proposed as shown on the Plas	**EP-77** (i)Site No. IV/22-**W.T.P**, is to be deleted and area there under is included in the Residential Zone (ii)Site No IV/34- **S.T.P**, is to he deleted and area there under is included in the Residential Zone (iii)Site No V/37-**S.TP** is to be retained as per the Plan submitted under section 30	**EP-77** i) Site No. IV/22-**W.T.P.** is retained as per the Plan submitted U/S 30 (ii) Site No IV/34- **S.T.P.** is retained as per the Plan submitted L/S 30 m) Site No V/37-**S.T.P** is retained as per the Plan submitted under section 30

78	EP-78	Site No IV/32- "**Housing for Dishoused**"	**.M-132** R.S.No. 162. (admeasuring about 900 sqm) and land Owned by Dindayal & Jayprakash Housing Society is proposed to be clubbed together and this clubbed area is proposed to be reserved for Site No.FV-33 "**Housing for poor Civilians**"	**EP-78** Site No. IV/32- "**Housing for Dishoused**"is to be deleted & area there under is included in **Residential Zone**.	**EP-78** **Sanctioned as proposed.**
79	**EPR 1**	Proposed 24.0m. Road Widening in RS.No. 111, 118. 119, 127, 108, 110, C.T.S.No. 752.	**MR-2** The Road width is proposed to be reduced to 12.0 m. from Peth Naka to Kapuskhed Road in Remaining portion of Road	**EPR-1** The Road width is to be reduced to 120 m from Peth Naka to Kapuskhed Road portion. Remaining portion of Road Widening is to be deleted due to Residential Development	**EPR-1** i) The proposed RoadWidening in RS.No. 111, 118. 119, 127, 108, 110, CTS.No.752 as per Plan

		Residential Zone.	Widening is proposed to be deleted due to Residential Developmen		published u/s 26 is deleted, however considering the surrounding road network and to maintain continuity of the adjoining roads, directives are Municipal Council Council shall propose network u 173 Maharashtra Council, Nagar Industrial Township as shown on Plan ii) Remaining portion said road

					widening deleted due to development
80	**EPR-2**	**Proposed 18 m. Road Widening**	**MR-10** i) The Road Widening in the land bearing S. No. 16 & 17 is proposed to be reduced 18 mt. to 9.0 mt. in Nana Patil Nagar ii) The Road Widening between Peth Road to Takari Road is proposed to be reduced from 18 mt. to 9.0.m. width iii) The alignment of proposed Road is slightly changed because of existing Road	**EPR-02** Width of 18 m wide D.P. Road is to be reduced from 28 m to 9 m	**EPR-02** **Sanctioned as proposed**

			as shown on Plan		
81	**EPR-3**	**Proposed 12.0 m Road Widening**	**MR-12** The Road Widening of 120 m. in S.No. 126 & 128 is proposed to be reduced to 9.0 m. as per the Site Situations.	**EPR-3** Width of 12 m wide DP Road is to be reduced from 12 m to 9 m	**EPR-3 Sanctioned as proposed**
82	**EPR-4**	**Proposed 12.0 m Road Widening**	**MR-32** The Road Widening of 120 m. i is proposed to be reduced to 6.0 m. as shown on Plan.	**EPR-4** 12 M Road Widening is to be deleted and 6 mt Road Widening is sanctioned with equal widening on both side as shown on Plan	**EPR-4 Sanctioned as proposed**
83	**EPR-5**	**Proposed 18.0 m. Road Widening.**	**MR-51** The 18 mt. Road Widening is to be reduced to 12. m. and area there under is proposed to be included in **Residential**	**EPR-5** The 18 mt Road Widening is to be reduced to 12. m. and area released is included **Residential Zone** as shown on Plan	**EPR-5 Sanctioned as proposed**

			Zone as shown on Plan		
84	**EPR 6**	**Proposed 12.0 m. Road Widening, Residential Zone.**	**MR-57** i) The 12.0 m. Road Widening in S. No. 69 A. 69 B. 62, 63, 64 is proposed to be deleted and area there under is proposed to be included in **Residential Zone** as shown on Plan ii) The North-South Road is proposed to be continued up to 4.5 m. of S.No.16.	**EPR-6** i) 12 mt Road Widening is to be deleted and area under Road Widening is included in **Residential Zone** as shown on Plan ii) North-South Road is to be cancelled and area under Road Widening is included in **Residential Zone** as shown on Plan	**EPR-6** i) 12 mt Road to be deleted and under is included **Residential Zone** on Plan, however Council should winding to the on South side shown on Plan the Maharashtra Council, Nagar and Industrial Act 1965. ii) North-South canceled and under is **Residential Zone** on Plan.
85	**EPR -7**	**Proposed 18 m. Road**	**MR-61** i) The 18 m.	**EPR-7** i) Proposed 18 m. road	**EPR-7** **Sanctioned**

		Widening.	Road between Shivpuri Road to Old Kameri Road is proposed to be deleted an land there under is proposed to be included in **Residential Zon**e as shown on Plan ii) Two 6.o m. new North-South Roads are proposed along the barrage.	widening is to be deleted and area under road widening is included in **Residential Zone** as shown on Plan ii) 2 new 6 mt. road alignments are to be cancelled and area under these 2 Roads is to be included in **Residential Zone** as shown on Plan	**as proposed**
86	**EPR 8**	**Residential Zone.**	**MR-70** The proposed East-West 4.5 m. wide New Road behind Anant Ganga is proposed as per the existing Site situation and as per the	**EPR-8** Alignment of 4.5 mt Road is to Alignment of be sanctioned as per the Plan submitted under section - 30.	**EPR-8** Alignment of 4.5 mt Road is to Alignment of be sanctioned as per the Plan submitted under section

			Existing Land Use Plan.		- 30.
87	**EPR -9**	**Residential Zone.**	**MR-71** The approach Road from Nagesh Jadhav House to Revenue Road is widened (East-West) to 6 m as shown on Plan.	**EPR-9** The approach Road from Nagesh The proposed Jadhav House to Revenue is to be widened (East-West) to 6 as shown on Plan	**EPR-9** The proposed Road widening is deleted and area under proposed Road widening is included in the Residential Zone
88	**EPR 10**	**Residential Zone, Site No.III/11.**	**MR-72** The approach Road from Ghanasham Jadisav House to land bearing C. T. S. No. 3912 and R. S. No.115 is widened to (upto Kapuskhed	**EPR-10** The proposed 6 m. wide new approach Road from Ghanasham Jadhav House to land bearing C. T. S. No. 3912 and R. S. No.115 is to be deleted.	**EPR-10** **Sanctioned as proposed**

			boundary) to 6 m. as shown on Plan		
89	**EPR 11**	**Residential, Public Semi-Public Zone**.	**MR-77** The 6 m. wide New Road is proposed in such a way that it should join 12 mt. Road in the land bearing R. S. No. 8 (Islampur) and Peth- Sangli Road as shown on Plan	**EPR-11** The 6 m. wide New Road is to be The 6 m. wide Sanctioned in such a way that it deleted and land should join 12 mt. Road in the is included in land bearing R. S. No. 8 Residential use (Islampur) and Peth Sangli Road Plan published as shown on Plan	**EPR-11** The 6 m. wide new road is deleted and land there under is included in Reservations / Residential use as shown on Plan published u/s 26.
90	**EPR-12**	**Residential Zone**	**MR-78** The 6 m. wide New Road passing through the land bearing R. S. No.88 and joining Pratik Petrol Pump to Crusher Road	**EPR-12** The 6 m wide New Roadpassing through the land bearingR. S. No:88 and joining Pratik Petrol Pump to Crusher Road is to be Sanctioned as shown on Plan	**EPR-12** **Sanctioned as proposed**

			is proposed as shown on Plan		
91	**EPR-13**	**Proposed 12 m Road Widening**	**MR-80** 12 m. Road Widening nearTaluka Sports Centre is to be deleted and Land there under is included in the reservation of SiteNo. 127-Taluka Sports Centre as shown on Plan.	**EPR-13** 12 m. Road Widening near **Taluka Sports Centre** is to be deleted and Land there under is included in the reservation of Site No. 1/27-**Taluka Sports Centre** as shown on Plan.	**EPR-13 Sanctioned as proposed**
92	**EPR-14**	Proposed 9 m Road Widening	**MR-81** Alignment of 9 m. wide D.P.Road is shown as per the existing 4.5 mt Wide Road which is developed towards Southern Side	**EPR-14** Proposed 9 m Road Widening is to be deleted	**EPR-14 Sanctioned as proposed**

			on Development Plan		
93	**EPR-15**	**Residential Zone.**	**MR-86** The 6 m. Road between Gawade House to Kameri Road is to be Sanctioned as shown on Plan.	**EPR-15** The 6 m. Road between Gawade House to Kameri Road is to be Sanctioned as shown on Plan.	**EPR-15 Sanctioned as proposed**
94	**EPR- 16**	**Water Body.**	**MR-97** The Zoning of Water Body at Maner Chowk is proposed to be deleted and area there under is included in **Residential Zone.**	**EPR-16** The Zoning of Water Body ar Maner Chowk is to be deleted and area there under is included in **Residential Zone**	**EPR-16 Sanctioned as proposed**
95	**EPR-17**	**Proposed 12 mit Road** widening.	**MR-100** 1) The 12 m. Road joining Kapuskhed	**EPR-17** 1) The 12 m. Road joining Kapuskhed Road to Taklai Nagar is to be	**EPR-17 Sanctioned as proposed**

			Road to Taklai Nagar is proposed to be deleted and area under 12 m. Road is included in **Residential Zone** as shown on Plan 2) The new 9.mt Road is proposed on the common boundary of the land bearing R.S.No.128 and 130 as shown on Plan	deleted and area under 12 m Road is included in **Residential Zone** as shown on Plan 2) The new 9mt Road on the common boundary of the land bearing R.S.No.128 and 130 is to be deleted.	

-sd-
R.M Pawar
Under Secretary
Government of Maharashtra

//TRUE TYPED COPY//

ANNEXURE – A2

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL, APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 3573 OF 2021

DISTRICT: SANGLI

Shri. Eknath Hindurao Jadhav ...Petitioner

V/s.

The State of Maharashtra & Oths ...Respondents

INDEX

Sr. No	**Exhibits**	**Particular**	**Page No.**
1.		Synopsis	I-II
2		Memo of Petition	1-22
3	“A”	The copy of the 7/12th Extract of these properties	23-26
4	“B”.	The true copies of the photographs	27-28
S	“C”	The copy of impugned order dated 27th July, 2018.	29-39
6	“D”	The copy of the Notification dated 14th August, 2015.	40-85
7	"E"	The copy of that order dated 27th July, 2018	86-89
8	“F”	The Copy of that letter dated 5th	90-92

		May, 2017	
9	“G”	The copy of representation made by Islampur Municipal Council	93-94
10	“H”	The copy of the representation dated 04.07.2012	95-96
11	“I”	The copy of the letter dated 03.11.2014	97-98
12	“J”	The copy of the letters dated 25.08.2016 and 02.05.2017	99-102
13	“K”	The copy of the 7/12th Extract of the land bearing Survey No. 129/3	103-
14	“L”	The copy Government Resolution dated 03.05.2018	104-106
15		Vakalatnama	107-109
		Last Page	109-

THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. OF 2021

DISTRICT: SANGLI

Shri. Eknath Hindurao Jadhav ... Petitioner

V/s.

The State of Maharashtra & Oths ...Respondents

SYNOPSIS

DATES	EVENTS
	The Petitioner states that the property bearing Survey No. 128/4-B/1 and 128/4-B/2 totally admeasuring 1 H 46 Ares situated at Islampur, Tal. Walwa, Dist Sangli and out of said property 35 Are is affected area/ is the subject matter of the present Writ Petition. The Petitioner and his family has developed the said property and established Vermicompost (Gandul Khat) plant, a developed 150 cow catted shed, Gobargas plant etc. Petitioner states that adjacent to said property there is Ashram School of near about 320 residents students and1 800 non-residents students and all students use the drinking water from the said well.
10/01/2008	under the provisions of the Maharashtra

	Regional Town Planning Act, a Resolution was passed on 22nd November, 2007 declaring intention to prepare the Draft Development Plan in respect of the area of jurisdiction of Uran Islampur Municipal Council to prepared the Development Plan and Notice in that behalf was published in the Maharashtra Government Gazette on 10th January, 2008 at pages 37 and 38.
03.11.2014	the Petitioner has raised the objection to the Respondent No 3 thereby specifically requesting him to cancel the reservation of WTP and STP put on the Petitioner's land bearing Gat No. 128/4/b/1 and 128/4/b/2 on the ground hat Petitioner's proposal to start the "VidyaNiketan" is pending before the Government and by the said scheme of Vidyaniketan the students belonging to VJNT will get benefit.
14.08.2015	Development Plan was given the mal sanction by the State Government in part and in respect of the remaining area since there were modification of substantial nature no sanction was given and for the purpose of inviting objection/ suggestion from the members of the public at large by the Government Notice dated 14th August, 2015 the Notice was published inviting objection.

27.07.2018	the Government of Maharashtra thereafter consulted the Director of Town Planning and passed the order der the provisions of Section 31 of the MRTP Act. The order was passed on 27th July, 2018.
27.07.2018	EP-77, [1] Site No. IV/22 WTP is retained as per the plan submitted under Section 30. Similarly, another endorsement has been made in the last column site No. IV/34 STP in the plan submitted under section 30, of the MRTP Act. feeling is aggrieved by this relevant entry viz. Entry No. 77 in the table attached to the final notification dated 27th July, 2018. Hence this petition.

POINTS TO BE URGED:

This Hon'ble Court be pleased to direct the Respondents setting aside the notification bearing No.TPS-2014/696/Pra.Kra. 166/14/Na. Vi-13 dated 27th July, 2018 issued by the Urban Development Department the provisions of Entry No. 77 in respect of Survey No. 128/4-B/1 and 128/4-B/2, in respect of the schedule attached to the aforesaid notification dated 27th July, 2018 be hold illegal as contrary to the provision of Maharashtra Regional & Town Planning Act and restrain from taking any action against the land at Survey no.128/4-B/1 and 128/4-B/2 of the Petitioner on the basis of the impugned order dated 27th July 2018, reserving the said property.

ACTS TO BE REFERRED:

1. The Maharashtra Regional Town Planning Act, 1966
2. The Maharashtra Municipal Councils, Nagar Panchayats And Industrial Townships Act, 1965
3. Constitution of India
4. Maharashtra Project affected Persons Rehabilitation Act of 1999

AUTHORITIES TO BE RELIED UPON:

At present nil.

Sd- Illegible-

Advocate for the Petitioners.

THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. OF 2021

DISTRICT: SANGLI

Shri. Eknath Hindurao Jadhav ... Petitioner

V/s.

The State of Maharashtra & Oths ...Respondents

IN THE MATTER OF ARTICLE 226 OF THE CONSTITUTION OF INDIA 1950.

AND

IN THE MATTER OF ARTICLE 300-A OF THE CONSTITUTION OF INDIA, 1950.

AND

IN THE MATTER OF ARTICLE 14,19 & 21 OF THE CONSTITUTION OF INDIA.

AND

IN THE MATTER OF SECTION 26 & 31 OF THE MAHARASHTRA REGIONAL TOWN PLANNING ACT, 1966

AND

IN THE MATTER OF PROVISIONS OF THE MAHARASHTRA MUNICIPAL COUNCILS, NAGAR PANCHAYATS AND INDUSTRIAL TOWNSHIPS ACT, 1965

AND

IN THE MATTER OF PROVISIONS OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013

Shri Eknath Hindurao Jadhav
Age- years, Occupation –
Agriculture and Social Service,
Residing at Malgalli, Near Gramin
Rugnalaya, Islampur,
Taluka -Walwa, District-Sangli.

)..... PETITIONER

V/s.

1. Islampur Municipal Council,
Islampur, Tal: Walwa,

Dist: Sangli 415 409.

2. The Chief Officer,
Islampur Municipal Council,
Islampur, Tal: Walwa,
Dist.: Sangli-415 409.

3. Asst. Director,
Town Planning, Sangli
Division, Sangli.

4. State of Maharashtra
Urban Development
Department,Mantralaya,

Mumbai.

..... RESPONDENTS

TO,
THE HON'BLE CHIEF JUSTICE AND THE HON'BLE PUISNE JUDGES THIS HON'BLE HIGH COURT OF JUDICATURE AT BOMBAY.

THE HUMBLE PETITION OF THE PETITIONER ABOVENAMED

MOST RESPECTFULLY SHEWITH:

1. The Petitioner states that Petitioner is citizen of India and residing at the address mentioned hereinabove. The Respondent No.1 is the Islampur Municipal Council which is an Authority constituted under the provisions of Maharashtra Municipal Councils, Nagar Panchayat & Industrial Townships Act, 1965 & is also a Planning Authority under the provisions of Section 2(19) of the Maharashtra Regional & Town Planning Act, 1966. The Respondent No. 2 is the Chief Officer of the Respondent No.1 Municipal Council. The Respondent No. 3 is the Designated Officer & Asst. Director, Town Planning who is an Officer appointed under the provisions of The Maharashtra Regional & Town Planning Act, 1966. The Respondent No.4 is the State of Maharashtra which is the appointing Authority under the provisions of the Maharashtra Regional & Town Planning Act, 1966. The Respondents are State within the

meaning of Article 12 of the Constitution of India and are amenable to the extra
ordinary Writ Jurisdiction of this Hon'ble Court.

2. The Petitioner states that, feeling aggrieved by the Government Resolution PPS-2014/696/Pra Kra. 166/ 14/ Na. Vi-13, Urban Development Department, Government of Maharashtra Mantralaya, Mumbai -400032, issued under the provisions of Section 31 of the Maharashtra Regional & Town Planning Act by which the final sanction has been given in respect of various E, P, which inter alia include EP 77 at Sr. No.77, in the table enclosed to the said Government Resolution in respect of the Petitioner's property by which WTP (Water Treatment Plan) and STP (Swage Treatment Plan), these two reservation have been claimed and confirmed so far as the Petitioner's properties are concerned, Petitioner is approaching the Hon'ble High Court under Article 226 of the Constitution of India. Petitioner states that by way of present Writ Petition, he is also seeking necessary directions against the Respondents to refrain from acquiring any portion of the property belonging to the Petitioner's family for the purpose of reservation No. IV/34 of Sewage Treatment Plant (S.T.P).

3. Petitioner states that brief facts rise to file the present Writ petition are as under:

I. The Petitioner states that the property bearing Survey No. 128/4-B/1 and 128/4-B/2 totally admeasuring 1 H 46 Ares situated at Islampur, Tal.

Walwa, Dist Sangli and out of said property 35 Are is affected area/ is the subject matter of the present Writ Petition and is hereinafter referred to as the "said Property" for the sake of property. Petitioner states that this property belong to the Petitioner and Petitioner is due owner of the Property. Hereto annexed and marked as **EXHIBIT A** is the copy of the 7/12th Extract of these properties.

II. The Petitioners state that the said property is purchased by the Petitioner in the year 1990 by 4 different sale deeds and became the absolute owner of the said property. Petitioner states that as on today the Petitioner is the legal owner of the property and in possession and occupation of the said property.

III. The Petitioner states that, he and his family has developed the said property by taking loan from the State Bank of India and dug a well, established Vermicompost (Gandul Khat) plant, a developed 150 cow catted shed. .Gobargas plant etc. Petitioner states that adjacent to said property there is Ashram School residents students and all students use the drinking water from the said well. Hereto annexed and marked as **EXHIBIT B COLLY** are the true copies of the photographs showing that these properties have been subjected to the various uses.

IV. The Petitioner states that, accept the present property the Petitioner and his family members do not have any other property in the city and the action

of putting reservation on the Petitioner's property is the politically motivated.

V. The Petitioner submits that the Petitioner is also running. Aashram Shala viz. Sadguru Aashram Shala.

VI. The Petitioner submits that the said property comes within the jurisdiction of the Ismampur Municipal Council District Sangli (Planning Authority).

VII. The Petitioner submits that the said Islampur Municipal Council is the Respondent No. 1 herein and is a Planning Authority within the meaning of Section 2(19) of the Maharashtra Regional & Town Planning Act.

VIII. The Petitioner submits that so far as this Municipal Council is concerned the final sanction has been given by the Government of Maharashtra by the impugned order dated 27th July, 2018. Hereto annexed and marked as **EXHIBIT C** is the copy of impugned order dated 27th July, 2018,

IX. The Petitioner submits that, under the provisions of Section 38 read with Section 23 (1) of the Maharashtra Regional Town Planning Act, a Resolution was passed on 22nd November, 2007. This Resolution was passed by the General Body of Islampur Municipal Council. This was Resolution No. 72 declaring intention of the said Uran Islampur Municipal Council which is a planning Authority within the meaning of Section 2 (15) of the Maharashtra Regional Planning Act, declaring its

intention to prepare the Draft Development Plan in respect of the area of jurisdiction of Uran Islampur Municipal Council (Nagar Parishad), District- Sangli. This intention to prepare the Development Plan and Notice in that behalf was published in the Maharashtra Government Gazette on 10th January, 2008 at pages 37 and 38.

X. The Petitioner submits that, Under Section 25 of MRTP Act, the said Planning Authority made the Survey of the lands within its jurisdiction and prepared the Development Plan and invited objection and suggestion from the members of the Public at large was published on 18th October, 2012. This notice was published in the Government Gazette published for the period of 18th October, 2012 to 24th October 2012.

XI. The Petitioner submits that, The Planning Committee was constituted for the purpose of making enquiry into the objection and suggestion that may be raised by the public at large and the planning committee was constituted u/s 28 (2) of the MRTP Act.

XII. The Petitioner submits that, The Planning Committee accordingly heard the objections and the suggestions made to it and submitted its report to the Planning authority viz. Uran Islampur Municipal Council (Nagar Parishad).

XIII. The Petitioner submits that, As per the provisions of Section 30 (1) of the MRTP Act the said Planning

Authority viz. Uran Islampur Municipal Council submitted to the State Government, the Draft Development Plan for the approval of 17th September, 2013.

XIV. The Petitioner submits that, On 14th August, 2015, U/s 31 (1) of MRTP Act, in respect of the part of the area of the Planning Authority viz. Uran Islampur Municipal Council on 14th August, 2015, the Development Plan was given the final sanction by the State Government in part and in respect of the remaining area since there were modification of substantial nature no sanction was given and for the purpose of inviting objection/ suggestion from the members of the public at large by the Government Notice dated 14th August, 2015 the Notice was published inviting objection the Government Gazette dated 18th to 24th August, 2015. Hereto annexed and marked as **EXHIBIT D** is the copy of the Notification dated 14th August, 2015 u/s 31 (1) of the MRTP Act.

XV. The Petitioner submits that, The Joint Director of the Town Planning Pune Region, Pune was appointed as the authority for the purpose of hearing the objection in respect of EPR 01 to EPR 17 viz. the excluded part.

XVI. The Petitioner submits that, On 31st July, 2017, as per the provisions of Section 30 (1) of the MRTP Act, the Joint Director of the Town Planning, Pune region, Pune has in respect of the excluded area submitted within the prescribed time his report after

considering the objection and suggestion made and the report was submitted to the Urban Development Department of the Government of Maharashtra.

XVII. The Petitioner submits that, On 21st July, 2018, the Government of Maharashtra thereafter consulted the Director of Town Planning and passed the order under the provisions of Section 31 of the MRTP Act. The order was passed on 27th July, 2018. Hereto annexed and marked as **EXHIBIT E** is the copy of that order dated 27th July, 2018

XVIII. The Petitioner submits that, the Petitioner is concerned with E.P. 77. The Relevant portion thereof is also is enclosed to the impugned Notification.

XIX. The Petitioner submits thai, Perusal of E.P. 77 inter alia refers to Survey No. 128/4 b/1 and 128/4 b/2 the land of Petitioner and Sadguru Jangali Maharaj Education Trust. The decision which has been taken in respect of this land is as under:-

"Site No. IV/34 site for Sewage Treatment Plan STP and
Water Treatment Plan (WTP) on land bearing
Survey No.
128/4 b/1 and 128/4 b/2 of the Petitioner and Sadguru
Jangli Maharaj Education Society (Education Trust) are
to be deleted, and the area, is to be included, in the Residential Zone."

XX. The Petitioner also had written the letter on 5th May, 2017 addressing to Deputy Director of Town Planning in respect of deletion of reservation on the present suit property vide EP No.77. Here to annexed and marked as **Exhibit F** is the Copy of that letter dated 5th May, 2017. It is pertained to note that The Islampur Municipal Council also made a representation to exclude the present property of the Petitioner from the reservation. Here to annexed and marked as **Exhibit G** is the copy of said representation.

XXI. The Petitioner submits that, as per the provision of Section 30, the Joint Director of the Town Planning excluded area considering the objection and suggestion prepared the plan within prescribed period and submitted the plan for the approval, to District Government on 27th July, 2017.

XXII. The Petitioner submits that, on 27th July, 2018, in the impugned order EP-77, [1] Site No. IV/22 WTP is retained as per the plan submitted under Section 30. Similarly, another endorsement has been made in the last column site No. IV/34 STP-n the plan submitted under section 30, of the MRTP Act.

XXIII. The Petitioner submits that, Petitioner at this junction states and submits that the Social Welfare, department of the State of Maharashtra vide Government Resolutions No.1) VAS-1090/P.K.135/MVK-6 dated 6.11.1995, 2) VAS-1090/P.K. 135/Part-2 dated 31.07.1996 and 3) VBS

2011/P.K. 182/V.J.B.J-2 dated 16.05.2012 have initiated a scheme namely 'Vidyaniketan' for the students belonging to Denotified Tribes (Vimukta Jati) and Nomadic tribes for providing good education. Petitioner states and submits that, since petitioner is running 7 Ashram Schools and was having good experience to run schools for the students belonging to backward class of citizens, and hence, he showed his willingness and wrote a letter to the Additional Commissioner, Social Welfare, Sangli thereby requesting to allow his Sanstha to start "Vidyaniketan" for the students belonging to Denotified Tribes and Nomadic Tribes on the Petitioner's land bearing Survey No. 128/4 b/1 and 128/4 b/2. Hereto annexed and marked as **EXHIBIT H** is the copy of the representation dated 04.07.2012 made by the Petitioner to the Additional Commissioner, Social Welfare, Sangli.

XXIV. The Petitioner states and submits that, on 3.11.2014 the Petitioner has raised the objection to the Respondent No 3 thereby specifically requesting him to cancel the reservation of WTP and STP put on the Petitioner's land bearing Gat No. 128/4/b/1 and 128/4/b/2 on the ground Petitioner's proposal to start the “VidyaNiketan” is pending before the Government and by the said scheme of Vidyaniketan the students belonging to VJNT will get benefit. Hereto annexed and marked as EXHIBIT I is the copy

of the letter dated 03.11.2014 written by the Petitioner to the Respondent No. 3.

XXV. The Petitioner states and submits that, Petitioner again on 25.08.2016 and 02.05.2017 wrote letter to the Respondent No. 2 Chief Officer and requested him to cancel the reservation of WTP and STP put on the Petitioner's land bearing Gat No. 128/4/b/1 and 128/4/b/2 vide EP-77, on the ground that Petitioner's proposal to start scheme namely "VidyaNiketan" under the various Government Resolution, for the students belonging to VINT castes is pending before the Government and by the said scheme of Vidyaniketan the students belonging to VINT will get benefit for lifetime and all such backward class students will get free education under the said Scheme. Hereto annexed and marked as **EXHIBIT J** is the copy of the letters dated 25.08.2016 and 02.05.2017 written by the Petitioner to the Respondent No. 2.

XXVI. The Petitioner further states and submits that, plot of 3.5. Acres bearing survey No. 129/3 belonging to the Respondent No. 1 Municipal Council which is situated adjacent to the present WTP Plant of the Municipal Council and therefore it is very convenient to use the said land for the WTP plant and STP Plant. Hereto annexed and marked as **EXHIBIT K** is The copy of the 7/12th Extract of the land bearing Survey No.129/3 belonging to the Respondent No. 1.

4. In view of the facts and circumstances mentioned hereinabove, feeling is aggrieved by this relevant entry viz. Entry No. 77 in the table attached to the final notification dated 27th July, 2018, Petitioner is approaching this Hon'ble High Court under the provision of Article 226 of the Constitution of India on following amongst other grounds, which grounds are taken without prejudice to each other.

GROUNDS

a) The Petitioner submits that, the impugned order dated 27th July, 2018 is barred by limitation and hence ought to be canceled in the light of the provisions of the MRTP Act. It is pertained to note that the plan was submitted on 17th September 2013 for approval with the government and hence, the impugned order dated 27th July, 2018 is illegal and bad in law.

b) Further the Petitioner submits that, it is clear that the Joint Director of the Town Planning had submitted the proposal and in that proposal it was submitted that the WTP in respect of Site No. IV/22 and the reservation of STP in respect of Site No. IV/34 should be deleted and it should be included in the residential zone. If that is what the Joint Director of the Town Planning has submitted then the decision of the State Government under Section 31 of the retaining the WTP and retaining the STP, is without any reasons or without any application of mind and with an ulterior motive. The Petitioner most respectfully prays that If the Hon'ble High Court calls for

the records and the noting from the office of Respondents, it will be crystal clear that except the political intervention there was no legal and technical reason or an Application of mind to retained the reservation on the present disputed property of the Petitioner. The Petitioner further states that, the action of the respondents is arbitrary in the nature and therefore, it is vocative of Article 14 of the Constitution of India, for these reasons the impugned order, dated 27th July, 2018 to the extent of the EP No. 77 pertaining to survey No. 128/4-B/1 and 128/4-B/2 is illegal and bad in law and therefore, the said impugned is required to be quashed and set aside.

c) That Petitioner's representations/proposals to the Respondent are pending for starting the Educational Schemes namely Vidyaniketan initiated by the State Government for the students belonging to Nomadic Tribes and Denotified Tribes. Said proposals are under consideration since 2012 and Petitioner has reminded time to time and again to the Respondents, but without taking into consideration the importance and the necessity of the proposal the Respondents have only with the political motive retained the EP No. 77.

d) The Petitioner states that, has made various representations/proposals to Respondent Government to start scheme on his subjected land bearing Gat No. 128/4/b/1 and 128/4/b/2 namely “VidyaNiketan" under the various Government Resolution, for the students belonging to VJNT castes and those are still pending before the Government and by the said scheme of

Vidyaniketan the students belonging to VJNT will get benefit for lifetime and all such backward class students will get free education under the said Scheme. Petitioner states that he is a social worker and he is running Educational Trusts and Ashram Schools. Petitioner therefore is intending the said Vidyaniketan Scheme on his land bearing Gat No. 128/4/b/1 and 128/4/b/2. Petitioner states that if the said scheme is implemented the students belonging to backward class like Vimukta Jatis and Nomadic Tribes will get free education for lifetime. However if the said land is acquired for reservation purposes then all the students of VJNT Category will be deprived their right to free education and this loss would not be compensated in terms of money. However, since the alternate land is available with Respondent No.1, the Respondents would not cause any loss if the reservation on Petitioners land is cancelled.

e) Petitioner states that, Petitioner is making various correspondent Government time and again and is requesting to implement said Vidyaniketan Scheme. Petitioner was in high hopes that his representations would be considered and still is in hopes that Government would consider his proposals. Therefore, if there is delay in filing present Petition the said is not intentional and deliberate and the said may be considered in the interest of Justice.

f) The Petitioner states and submits that, the present Water Treatment Plant (WTP) is adjacent to the wide Streamlet/ Odha at survey No.128/4-B/1 and 128/4-B/2. The

Streamlet is around 15 ft. wide and connects the krushna river at around 8 Km. The Petitioner further states that, total more than Hector Government land is vacant and available besides the present Water Treatment Plant (WTP), in spite of the legal and technical provisions for STP and WTP the respondents are only with political motive reserved the Petitioner's land which is nowhere suitable for the particular purposes. The Petitioner states and submits that, apart from the land besides WTP there is around 4 to 5 acres land available with Municipal Council in the same vicinity. The Petitioner states and submits that, since it is mandatory to place a WTP/STP along the sides of free water flow to avoid the pollution in the vicinity. The petitioner relies upon the government GR dated 3.5.2018 and old and amended DCPR. Here to annexed and marked as **EXHIBIT L** is the copy of Government Resolution Dated 03.05.2018.

g) The Petitioner states and submits that, the Petitioner made several representation before and after publication of order dated 27th July, 2018 to the Respondents and the Department of Assistant Commissioner, Social Welfare, Sangli. The Petitioner states that, on every occasion the Petitioner was made assured that, they will look into the issue and sort it out for the betterment of children from lower strata and hence, the Petitioner was having hopes that the reservation will be removed from the subject land for the purpose of "Vidyaniketan" Scheme but after several follow ups the Petitioner has realized that respondents are about the take the possession of the subject land and

therefore, Petitioner approaches this Hon'ble High Court without any delay. The Petitioner further states that, if there is any delay, it was not intentional and the Petitioner had hopes that respondents will do the needful but now there is no other remedy available for the Petitioner and hence, this present Writ Petition.

5. The Petitioner craves leave to add, to alter, amend, delete, and /or modify any of the foregoing paras as and when found necessary.

6. The Petitioner has no other alternate equally, efficacious and/or speedy remedy but to approach this Hon'ble Court and as such the present Writ Petition is filed under Article 226 of the Constitution of India, 1950 for the reliefs claimed herein below. Hence this petition is maintainable.

7. The Petitioner has not filed any other appeal, application, Revision or petition either in this Hon'ble Court or in the Hon'ble Supreme Court of India, touching the subject matter of this Writ Petition.

8. The Petitioner is seeking interim/ad-interim reliefs as sought for hereunder. Looking to the facts and circumstances of the case, the Petitioner has strong prima-facie case of success. Therefore, interim relief is earnestly required. In case interim relief is not granted, Petitioner is bound to suffer great injustice, prejudice and irreparable loss. Per-contra in case of its grant, Respondent is not likely to suffer any thing. In absence of interim relief, the

entire petition itself is bound to frustrate. Balance of convenience also lies in favour of Petitioner.

9. The Petitioner has not received any notice of Caveat Application filed by the Respondents in this Hon'ble Court.

10. Proper Court fees stamp is paid.

11. The Cause of action has arisen in District Sangli Viz. within the extraordinary territorial jurisdiction of this Hon'ble High Court. Hence this Hon'ble High Court has jurisdiction to try, entertain and decide this petition.

12. The Petitioner undertakes to give the English translation of Marathi documents when so required by the Hon'ble High Court.

13. The Petitioner, therefore, prays that by way of appropriate, writ, order or direction, this Hon'ble Court may be pleased;

a) That this Hon'ble High Court be pleased to issue a writ mandamus or writ in the nature of mandamus or any other appropriate writ direction and order under Article 226 of the Constitution of India, quashing and setting aside the notification bearing No. TPS 2014/696/Pra.Kra.166/14/Na. Vi-13 dated 27th July, 2018 issued by the Urban Development Department of Government of Maharashtra in general and alternatively the provisions of Entry No. 77 in respect of Survey No. 128/4-B/1 and 128/4-B/2, in respect of the schedule

attached to the aforesaid notification dated 27th July, 2018 be hold illegal as contrary to the provision of Maharashtra Regional & Town Planning Act and violate of Article 14 of the Constitution of India.

b) That pending final disposal of this Writ Petition as and by way of interim relief the Respondent may be restrain from taking any action against the land at Survey no.128/4-B/1 and 128/4-B/2 of the Petitioner on the basis of the impugned order dated 27th July 2018, reserving the said property.

c) Ad interim relief in terms of prayer Clause (B) and any other relief as this Hon'ble High Court thinks fit and proper be awarded in favour of the Petitioner.

d) That the costs of this Writ Petition be awarded in favour of Petitioner against Respondent, by this Hon'ble High Court.

e) For such other orders as justice and convenience may demand from time to time be passed in favour of the Petitioner by this Hon'ble High Court.

AND FOR THIS ACT OF KINDNESS THE ABOVE NAMED PETITIONER SHALL DUTY BOUND EVER PRAY.

-SD-Illegible

ADVOCATÉ FOR THE PETITIONER

PLACE: Illegible-

DATE : 19 Jan 2021

VERIFICATION

I, Shri Eknath Hindurao Jadhav age, adult, the Petitioner abovenamed do hereby verify and declare on solemn affirmation, that whatever is stated in the foregoing paragraphs of the above Petition is true and correct to the best of my knowledge, information and belief and I believe the same to be true and correct.

Solemnly affirmed at Mumbai)
This 19th day of January, 2021)
19 JAN 2021
Identified by me,

Before me,

Advocate for the Petitioner

//TRUE TYPED COPY//

ANNEXURE - A3

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO. 1505 OF 2021

Eknath Hindurao Jadhav ... Petitioner

Versus

The State of Maharashtra and others ... Respondents

.....

Ms. Shakuntala Wadekar alongwith Ms. Bhavana Punalekar for the Petitioner.
Ms. S.D. Vyas, 'B' Panel Counsel for the State.
None for Respondent Nos.1 to 3.

.....

CORAM : S.J. KATHAWALLA AND
VINAY JOSHI, JJ.

DATED : FEBRUARY 15, 2021.

P.C. :-

None for the Respondent Nos.1 to 3. The Learned AGP representing the State seeks time to take instructions in the matter. Stand over to 3rd March, 2021, when the Chief Officer, Islampur Municipal Corporation is directed to remain present in Court by himself and/or through his Advocate alongwith the Affidavit-in-Reply. The Advocate for the Petitioner shall serve a copy of this order on Respondent Nos.1 to 3 by hand-delivery. In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property.

(VINAY JOSHI, J.) **(S.J. KATHAWALLA, J.)**

Kanchan P Dhuri

//TRUE COPY//

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ANNEXURE – A4

IN THE HIGH COURT OF JUDICATURE AT MUMBAI

CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.1505 OF 2021

DIST. SANGLI

Shri Eknath Hindurao Jadhav .... Petitioners

Versus

State of Maharashtra & ors. ... Respondents

AFFIDAVIT IN-REPLY OF RESPONDENT NOS. 1 AND 2.

I, Nikhil Ashok Bhure, Age – 26 years, working as Assistant Town Planner with Islampur Municipal Council, Islampur, do hereby state on solemn affirmation as under :-

1. I state that I have gone through the contents of the aforesaid petition and annexure thereto. I am filing this affidavit for a limited purpose of opposing admission of this petition and/or grant of any interim and/or ad-interim relief. I say that by filing present affidavit I want to bring on record true and correct facts. I deny all the allegations, averments and contentions of the Petitioners in toto. I say that any statement and/or averment of the present Petition, which is not dealt specifically by me, shall not be construed as admission thereof unless it is

specifically admitted. I crave leave of this Hon'ble Court to file further detail affidavit, if found necessary.

2. At the outset I state that the Petitioner has suppressed several material facts from this Hon'ble in order to obtain favourable orders, therefore, this petition deserves to be dismissed on the ground of suppression of facts. I state that the Petitioner has not brought to notice of this Hon'ble Court that the Petitioner has received notices of acquisition under Section 21 (1) (4) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as "said Act of 2013") and reply to the said notice, the Petitioner has requested the Sub-Divisional Officer, Islampur that the land of the Petitioner should be purchased by private settlement and not under the said Act. In the said reply, Petitioner has demanded compensation as per market rate. Thus, it is clear that the Petitioner has accepted and participated in the acquisition proceeding and showed his willingness to handover the subject land to the Municipal Corporation under private negotiation and agreement. I state that the Petitioner has not brought to the notice of this Hon'ble Court that the Petitioner has filed Regular Civil Suit No. 76 of 2021 in the Court of Civil Judge, Senior Division, Islampur for injunction against the present Respondents from disturbing his peaceful possession of the said land. Hereto annexed and marked as Exhibit "R-1" (collectively), are the copies of Notice dated 27th July 2020 under Section 21 (1) (4) of the said Act, Reply Letter of the Petitioner dated 27th August, 2020 and copy of

plaint and application for temporary injunction in RCS No.76 of 2001.

3. I state that before dealing with the contentions of the Petitioner parawise, I want to bring before this Hon'ble Court factual matrix of the case as follows :-

a) I say that Urun-Islampur Municipal Council (Planning Authority) after declaring its intention on 22.11.2007 under sec 23 (1) of Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as 'MRTP Act') to prepare draft development plan (II Revision) carried out survey of the entire Land within its jurisdiction as required under section 25 of the MRTP Act, thereafter published a Notice under sub-section (1) of Section 26 of the said MRTP Act on 28/06/2010, regarding publication of the Draft Development Plan at page no. 18 to 19 in Maharashtra Government Gazette, Pune division supplement, dated 18.10.2012 for inviting objections and suggestions to the published the Draft Development Plan (hereinafter referred to "the said Draft Development Plan"). The Municipal Council after considering the objections and/or suggestions received within the stipulated time limit laid under Section 28 of the said MRTP Act from general public, modified the said Draft Development Plan in accordance with the provisions of Section 28 (2) of the said MRTP Act. The Municipal Council with publication of the Development Plan as required under Section 28 (4) submitted the said Draft Development Plan to

the State Government vide letter no. 6362 dated 17.09.2013 for sanction, under Sub-Section (1) of Section 30 of the said MRTP Act. The Development Plan of Urun-Islampur Municipal Council was sanctioned by the State Government under Sec. 31 (1) of the said MRTP Act, with modifications appended to Government Notification No. TPS-1714/151/CR-42/14 DP-Sanction/UD-13 dated 14.08.2015 and Excluded substantial Modifications appended to Government Notification No. TPS-2014/696/CR-166/14/UD-13 dated 27.07.2018. I say that Site No. IV/34- for Sewage Treatment Plant is proposed on the Development Plan U/s 30 of the said MRTP Act, thereafter Substantial Modification Sanctioned by Govt. U/s 31 (1) of the said MRTP Act where petitioners site No.IV/34 retained as per the plan submitted under Section 30.

b) I state that after the publication of a Development plan of Islampur, land is required or reserved for any of the public purposes specified in the plan under MR & TP Act, 1966, the Planning Authority may proceed for acquisition of land required for public purposes under Sec. 126 of the said MRTP Act, specified in plans by agreement by paying an amount agreed, therein the land owner Shri Eknath Hindurao Jadhav was given two notices dated 18.08.2018 and 26.10.2018 respectively by the Planning Authority for acquisition of petitioners land under reservation with agreement.

c) I state that after the publication of a Development plan land is required or reserved for any of the public purposes specified in the plan under MR & TP Act, 1966 at any time the Planning Authority may proceed for acquisition of land required for public purposes under Sec. 126 of the said MRTP Act, specified in plans by agreement by paying an amount agreed, therein the Land Owner Shri Eknath Hindurao Jadhav was given a notice on by the Planning Authority for acquisition of petitioners land under reservation with agreement. The reply filed by the land owner to the notice dated 18.08.2018 of mutual agreement where he had refused acquisition for mutual agreement. Therefore, the Respondent No.2 requested the Collector District Sangli letter dated 31.05.2019 to acquire the reserved land by the provisions and manner provided under the said Act of 2013. Hereto annexed and marked as Exhibit "R-2" is a copy of letter dated 31.05.2019 issued by the Respondent No.2.

d) I state that for the purposes of enabling the Planning Authority to determine the extent of land to be acquired shall be lawful for any officer, either generally or specially authorised by such Government in this behalf, and for his servants and workmen to set out the boundaries of the land proposed to be taken u/s 20 of the said Act of 2013, the owner has been afforded a reasonable opportunity to be present during the Measurement and related survey of the reserved land and Survey of the land was carried out on 11.10.2019 in presence of Stakeholders. The

reserved land of 0.35 ha Land has been marked out, measured including marking of Boundary lines. Hereto annexed and marked as Exhibit "R3" is a copy of Measurement Plan of the reserved land carried out on 11.10.2019.

e) I say that after measurement of the reserved land of 85 Ares, the Sub-Divisional Officer, Islampur vide its order dated 18.02.2020 ordered the Respondent No.1 to publish a declaration and summary under Section 19 of the said Act of 2013. Thereafter, Planning Authority followed the directions and orders of the Sub-district Officer, Islampur and published summary and details of the land to be acquired in the official gazette of 05/03/2020, two daily newspapers Dainik Sakal and Dainik Tarun Bharat on 13/03/2020 which are being circulated in the locality, of Planning Authority area, on the notice board of Municipal Council, Islampur, as well as in the offices of the District Collector, Sangli, the Sub-Divisional Magistrate, Islampur and the Tehsil of Islampur and Talathi office Urun. Further, the Respondent No.1 i.e. Planning Authority (Requiring body) has deposited the part amount of 30% that is 14.87 lakh out of 49.57 lakh on 23.01.2020 with the Sub-Divisional Officer, Islampur. Hereto annexed and marked as Exhibit "R-4" (collectively) are the copies of publication in Official Gazette, Newspapers and Receipt of part payment amount.

f) I say that on 25th January, 2020, the Respondent No.2 addressed a letter to the Collector of Sangli

and requested for initiating action under the provisions of Section 129 of the MRTP Act and for taking possession of the said reserved plot of land in advance on urgent basis. Hereto annexed and marked as Exhibit "R-5" is a copy of letter dated 25th January, 2020 issued by the Respondent No.2.

g) I say that on 11.02.2020, the Collector of Sangli forwarded the proposal of the Respondent No.1 - Municipal Corporation to the State Government for possession of the land under the provisions of Section 129 of the said MRTP Act because the said land is required by the Respondent No.1 for Sewage Treatment Plant, which is necessary for public health purposes. Hereto annexed and marked as Exhibit "R-6" is a copy of letter dated 11th February 2020 issued by the Collector, Sangli.

h) I state that on 14th January 2021, the Urban Development Department of the Respondent No.4-State of Maharashtra has given sanction/ approval for taking possession of the said reserved plot of lands for Sewage Treatment Plant by giving notice of 15 days and further authorized the Collector of Sangli as authorised officer for taking possession of the said plot of lands and initiating the proceeding of acquisition under Section 129 of the said MRTP Act. Hereto annexed and marked as Exhibit "R-7" is a copy of Order dated 14th January 2021 issued by the State Government.

i) I state that on 18th January 2021, the Sub-Divisional Officer Islampur, who was authorised by the Collector of Sangli Officer Islampur, who was authorised by the Collector of Sangli for taking possession of the said reserved plot of lands for sewage treatment plant, issued notice to the Petitioner and other owners of the land and informed that the possession of the said reserved plot of land would be taken under the provisions Section 129 of the MRTP Act on 5th February 2021. Hereto annexed and marked as Exhibit "R-8" is a copy of Notice dated 18th January 2021 issued to the Petitioner.

j) I say that pursuant to the aforesaid Notice dated 18th January 2021, the Sub-Divisional Officer, Islampur took possession of the said reserved plots of land on 5th February 2021 at about 5.20 pm in presence of two witnesses, Measurement Officer, Islampur, Circle Officer, Islampur and Talathi of Islampur. At the time of taking possession of the said land, Petitioner was not present; therefore, the possession of the said reserved plots of land was taken exparte. Hereto annexed and marked as Exhibit "R-9" (collectively) are the copies of Possession Receipt and Panchanama drawn on 05.02.201.

k) I say that on 17th February 2021, pursuant to the Order dated 14.01.2021 of Urban Development Department, Order of Collector dated 15.01.2021 and Order of Sub-Divisional Officer, Islampur dated 5th February 2021 alongwith Possession Receipt dated 5th February 2021 alongwith

Possession Receipt dated 5th February, 2021, the Talathi of Islampur vide Mutation Entry No.35457 mutated the name of the Respondent No.1 in the record of rights of the said reserved plot of land (Survey No. 128/4/B/1 and 128/4/B/2 to the extent of 35 Ares. Hereto annexed and marked as Exhibit "R-10" (collectively) are the copies of Mutation Entry No.35457 dated 17th February, 2021.

l) I state that in view of the facts, circumstances and legal position demonstrated above, the writ petition is devoid of merit and deserves to dismiss with exemplary costs.

4. I state that without prejudice to whatever stated in the aforementioned paragraphs, I would like to deal with the contentions of the Petitioner parawise, as follows :

i) With reference to paragraph Nos. 1 and 2 of the Petition, the contentions of the same are relating to the information of Petitioner and Respondents and challenge in the petition, therefore, it doesn't require any reply.

ii) With reference to paragraph No.3 (I) and 3 (II) of the Petition, I state that the contentions of the Petitioner are relating to the description of the property and its acquisition, therefore, it doesn't require any reply.

iii) With reference to paragraph No.3 (III) to 3 (V) of the Petition, I state that the contentions of the Petitioner are not within the knowledge of this Respondent, therefore, denied the same. I specifically deny that the Petitioner and his

family members have no other property except this reserved plot of land and put the Petitioner to the strict proof thereof.

iii) With reference to paragraph No.3 (VI) to 3 (XIX) of the Petition I state that contentions of the Petitioner are relating to the provisions of the MRTP Act and proceedings initiated thereunder, which are factual matrix of the present case, therefore, it doesn't require any reply.

iv) With reference to paragraph No.3 (XX) to 3 (XXVI) of the Petition, I state that the reservation put on the said plots of land have been reserved in the Development Plant considering necessary survey by the technical advisory consultation. Population, geography of the area and topography and suitability of the land (considering the natural slope). Adjacent land in 129/3 have been Developed by the council for EWS housing, WTP with the law and after following the due procedure, therefore, the contentions of the Petitioner are vague, baseless and not sustainable in the eyes of law.

v) With reference to paragraph No.4 (a) and 4 (f) of the Petition.

I, state that the grounds raised by the Petitioner are vague, baseless and not sustainable in the eyes of law because the proceedings of the MRTP Act have been followed by the Respondents and after complying with the statutory provisions, the

Respondent No.1 put reservation on the Petitioner's land.

(vi) With reference to paragraph No.4 (g) of the Petition, I state that the explanation of delay and latches on the part of the Petitioners as stated by the petitioner is incorrect and not satisfactory and this Respondent denies the same. I state that Petitioner has not approached this Hon'ble Court with cleanhands and suppressed material facts of the case. Therefore, this Petition deserves to be dismissed on the ground delay and latches.

(vii) With reference to paragraph No. 5 to 7 and 9 to 10 of the Petition, I state that these paragraphs are regular and formal in nature, therefore, it doesn't require any reply.

(viii) With reference to paragraph No.8 of the Petition, I state that the Petitioner has no prima facie case on merit and there would not be any loss or prejudiced to the Petitioner and on the contrary there would be great prejudice to this Respondent, if the interim relief is granted because the work of sewage treatment plant was in full swing, however, due to status quo order of this Hon'ble Court, the work of sewage treatment plant is stopped and labours and machineries are lying on site ideal. Therefore, it is necessary in the interest of justice and public interest to vacate the interim relief granted by this Hon'ble Court on 15th February, 2021 and allowed this Respondent to carry out work of sewage treatment plant on the said reserved plot of land.

ix) With reference to paragraph No. 13 of the Petition, I state that the Petitioner is not entitled for any reliefs as prayed for as the Petition is devoid of merit and

this Respondent as well as other Government machineries adopted entire procedure provided in MRTP Act for putting the reservation on the said plots of land. Therefore, this Petition is liable to be dismissed with exemplary costs.

Whatever stated above is true and correct to the best of our own knowledge, legal submissions are based on legal advice given by the advocate, and I believe the same to be true.

Solemnly affirmed at .....

this day of March, 2021

Sd/-

DEPONENT

Asst.Town Planner

Municipal Council

Before the

Islampur

Identified by me

Advocate

 # TRUE TYPED COPY #

ANNEXURE – A5

AMIT KISANRAO SHINDE

B.Sc. LL.B

Office : Dayal Complex, Behind Bata Showroom,
Vishrambag, Sangli. Mob. No. 9372391550

Date : 12/04/2021

NOTICE

(By R.P.A.D.)

To,

1. The Chief Officer,
   Islampur Corporation,
   Islampur.

2. The District Collector,
   Sanam.

3. The Sub-Regional Officer,
   Maharashtra Pollution Control Board,
   Sangli.
   300/2, Udyog Bhavan, Near Government
   Rest House,
   Vishrambag, Sangli-416416.

Under the instructions and authority given and documents shown by my client Mr.Sanjay Vishnu Shinde, R/o Islampur, Tal. Walva, Dist. Sangli, I hereby issue you the notice as under :-

1. That my client is the resident of Islampur and working on social and civic issues at Islampur. You No. 1 is working as Chief Executive Officer of Islampur Corporation. You No.2 is working as a District Collector as well as President of District environment committee of Sangli. You No. 3 is working as a Sub Regional Officer of Maharashtra Pollution Control Board, Sangli. My client has issued you this notice in order to change the proposed place for waste water treatment plant on Islampur Kapuskhed Road, as the said place is against the guidelines of CPCB for sewage treatment plants, wrong, against the natural flow, unscientific, not suitable for STP, includes unnecessary cost.

2) That you No.1 has acquired land bearing R.S. No.128/4-b-1 and 2 admeasuring 0.35 R on Islampur Kapuskhed road (hereinafter referred as "proposed land"). You No.1 has proposed to establish sewage treatment plant on the proposed land. The sewage water from the area of Yallamma Chowk, Market yard, Bramhanpuri and Gandhi chowk drained towards the Islampur Kpuskhed road from the

municipal drain as there is natural slope. The sewage water from the area of Shivnagar, Kachare Galli, Stand Road, Kisan Nagar, tiranga chowk, takalai nagar also being drained from municipal drains towards Islampur Kapuskhed road. The sewage water from the EWS housing scheme at R.S. No. 129 also joins the said flow. As the sewage from different areas joins the drainage, the flow becomes bigger and it goes through natural slope towards Krishna river. The entire flow of sewage water follows the natural slope and gravity.

3. That You no. 1 has proposed to establish sewage treatment plant on the Islampur Kapuskhed road on the proposed land. However, the proposed land is situated on top of the natural slope. The proposed land is situated at the height of 500.58 meters from sea level and sewage from other areas joins the natural flow on kapuskhed road at the height of 498.66 meter and at 498.43 meter from sea level. The sewage water flow passing from the proposed land is very small and the

flow increase as the sewage water from Shivnagar, Kachare road, Stand Road, Kisan Nagar, tiranga chowk, takalai nagar and EWS housing scheme joins it. The sewage water from Shivnagar, Kachare Galli, Stand Road, Kisan Nagar, tiranga chowk, takalai nagar and EWS housing scheme joins at lower level and far away from the proposed land. Because of which if the sewage treatment plant is established at proposed land it is highly difficult to treat the sewage water from the area of Shivnagar, Kachare Galli, Stand Road, Kisan Nagar, Tiranga chowk, takalai nagar and EWS housing scheme as it is against the gravity and at long distance.

4) That you no. 1 is having big open land at R.S. No. 129 adjacent to existing sewage water flow. The area of proposed land is 3855 sq.m. i.e. more than the proposed land. If the sewage treatment plant is established at the above mentioned open land then all the natural flows can be treated there. The said open land of you no. 1 is situated on natural flow, it follows the gravity, all the sewage flow

naturally joins there, so that there is no need of lifting of sewage water. The above mentioned open land is also on the way to the agricultural land and Krishna river. Because of which the treated water can easily be given to the agricultural land or can let into the Krishna river.

5. On the contrary if the sewage treatment plant is established at the proposed land, the Islampur corporation has to make separate provision to lift the7 sewage water collected from Shivnagar,Kachare Galli, Stand Road, Kisan Nagar, Tiranga chowk, takalai nagar and EWS housing scheme as it is against gravity and at a long distance. The Islampur Corporation should also need to make provision to drai the treated water. The proposed land is on the main road and is surrounded by agricultural land, nursing college, schools and locality. Because of which STP on proposed site by Islampur Corporation can lead to number of environmental and health issues. If the STP is installed at proposed land it will be difficult to run the plant

for long term as number of issues related to the maintenance, feasibility and cost effectiveness will arise.

6. The proposed land is acquired from the private person and the Islampur Corporation has to pay huge compensation to the land owner. The land owner has also raised dispute regarding the same in the Court. Because of which there is possibility of delay in establishing STP" on the proposed land. However the Islampur Corporation is the owner of above mentioned open land, it is situated at right place and is suitable for STP by all means. Apart from these the sewage water from the area of Government Hospital, Ashramshala etc. can also be treated on the above mentioned open land.

7. Sewage treatment plants are normally located close to river or stream as having the plant in a low-lying area allows the sewer system to use gravity to help deliver the wastewater to the treatment plan and it also positions the treatment plant to discharge the treated wastewater (referred to as effluent) into the

river. As per the CPCB guidelines for sewage treatment plants the STP should be located under the driveway. It I also necessary to do the geographic information system mapping for site selection to identify the best possible site to construct the wastewater treatment plant. Technically these areas are economical because it is easier to receive wastewater from city through gravity. The low-lying area is also free from any conflict or encroachment. Hence it is convenient for local bodies to establish a plant in such areas. The Islampur Corporation is having such a place at low lying area which is suitable for sewage treatment plant i.e. the above mentioned open space. However instead of installing STP on the suitable place the Islampur Corporation is trying to install STP on the proposed land, which is totally wrong and violating the directions.

8. That You No. 1 has also proposed to establish the sewage treatment plant at above mentioned open land and also given letters regarding the same to concerned authorities considering all these aspects. You No. 1 have

also issued letter to the Tehsildar Walva on 28.05.2014 having outward no.Ja.Kra. Bandhcom/1874/2014. You No. 1 ha clearly mentioned in the said letter that Islampur Corporation wants to install STP on the said open land i.e. R.S. No. 129/2 as it is the best suitable place to install STP. However, now You no. I have changed the location of sewage treatment plant for the reasons best known to You No. 1.

9. The above factual position makes it clear that, it is necessary for the Islampur Corporation to change the proposed place for sewage treatment plant at R.S. No. 128/4-b-1 and 2, on Islampur Kapuskhed road, as the said place is against the guidelines of CPCB of sewage treatment plants, wrong, against the natural flow, unscientific, not suitable to establish STP, includes unnecessary cost. It is also necessary that the Islampur Corporation shall also install the proposed STP on above mentioned open land as it follows natural slope, gravity, feasible, cost effective, sewage treatment plant can cover large area etc.

10. As you no.2 is the president of Environmental committee of the District and You no. 3 is having control over the environmental issues in the District, you No. 2 and 3 are requested to take serious note of it and give directions to You No.1 to change the proposed place for sewage treatment plant for above mentioned reasons. It is also requested to you no.2 and 3 to conduct site visit and survey as to feasibility of the proposed STP at Kapuskhed road, Islampur and to give directions to You no.1 accordingly.
11. Therefore You No. 1 is hereby informed by this notice that, to change the proposed place for sewage treatment plant at R.S. No.128/4-b-1 and 2, on Islampur Kapuskhed road, as the said place is against the guidelines of CPCB for sewage treatment plants, wrong, against the natural flow, unscientific, not suitable to establish STP, includes unnecessary cost; You No 2 and 3 are hereby informed that to conduct site visit and survey as to feasibility of the proposed STP at Kapuskhed road, Islampur within 15 days of receipt of this Notice; failing

which my client will be constrained to take legal action against you. The consequences of the same and charges of this Notice will be borne by you.

Sangli

Date : 12/04/2021 Sd/-

Adv. Amit Kisanrao Shinde

Adv. Amit K. Shinde

B.S.G.; LL.B

Daval Complex, Vishrambag

Sangli, Mob. 9372391550

Sd/-

Mr. Sajay Vishnu Shinde

 # TRUE TYPED COPY #

ANNEXURE – A6

MAHARASHTRA POLLUTION CONTROL BOARD

SUB REGIONAL OFFICE, SNGALI

Tel.No.(0233)2672032,2675932
Fax No.(0233)2672032
Email:srosangli@mpcb.gov.in

Udyog Bhavan,
Behind Tata Petrol Pump,
Vishrambag, Sangli-416415

11.05.2021

To,

The Chief Officer,
Islampur Municipal Council,
Islampur, Tal. Walwa,
Dist. Sangli.

Sub : Legal Notice
Ref : Legal Notice received from Adv. Amit Kisanrao Shinde, Sangli vide dated 12.04.2021.

With reference to the above subject matter this office is receipt of legal notice from Advocate Amit Kisanrao Shinde, Sangli vide dated 12.04.2021, a copy of notice is enclosed herewith for your ready reference. The said notice has been issued on behalf of Mr. Sanjay Vishnu Shinde, R/o Islampur, Tal. Walwa, Dist. Sangli.

The notice has been issued in the matter of your proposed to Establish Sewage Treatment Plant on the Islampur Kapuskhed Road on proposed land which is situated at height of 500.58 meters from sea level and Sewage from other areas joins the natural flow on Kapuskhed road at the height of 498.66 mtr and 498.43 mtr from sea level. Because of which if the Sewage Treatment Plant is established at proposed land it is highly difficult to treat the sewage water form the area of Shivnagar, Kachare Galli, Stand Road, Kisan Nagar, tiranga chowk, takalai, nagar EWS housing scheme as it is against the gravity and at long distance. However, instead of Islampur Kapuskhed road site if it is relocated on R.S. No.129 adjacent to existing sewage water flow then all the natural flows can be treated there, the natural flow also maintained by gravity, there is no need of lifting of sewage water

and it is also easy to use the treated water for agriculture purpose and the total plot area is also more than the Kapuskhed road site, it is feasible cost effective and can cover large area for treatment of sewage from the area.

The Islampur Municipal Council has already issued letter to Tahasildar Walwa on 28.05.2014 having outward No.1 874/2014 wherein it is clearly mentioned that the Council wants to install STP on R.S. No.129/2 as is the best suitable place for installation of STP. However, the said decision has been changed by you for the reason best known to you.

In view of above you are requested to submit your say to the legal notice to the applicant immediately with copy to this office on the above facts and arrange site visit of the proposed STP sites

at the earliest, failing which the client will be constrained to take legal actions including charges of the legal notice, which may be noted.

DA-As above Sd/-

(N.S.Awatade)
Sub-Regional Officer – Singli

Copy submitted for information to
The Regional Office,
...illegible .....

 # TRUE FAIR TYPED COPY #

1203

VOLUME -I

ANNEXURE - A7

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT, PUNE
ORIGINAL APPLICATION NO. 74 OF 2021

MR. MADHUKAR SHANKAR SUTAR
Residing at;-Takalai Nagar,Islampur,
Taluka:-Walwa,
District;-Sangli, Pin;-415409
Mob No;-9975869868
Email;-msutarislampur@gmail.com ------- **APPLICANT**

V/S

1. **THE ISLAMPUR MUNICIPAL COUNCIL & ORS** ------- **RESPONDENTS**

MAIN INDEX

SR. NO.	PARTICULARS	PAGE NOS.
1.	Synopsis	A to B
2.	Memo of Parties	C
3.	Original Application	1 to 14
4.	Vakalatnama	15

Last Page Nos.....

A

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE BENCH AT, PUNE

ORIGINAL APPLICATION NO. OF 2021

MR. MADHUKAR SHANKAR SUTAR
Residing at;-Takalai Nagar,Islampur,
Taluka:-Walwa,
District;-Sangli, Pin;-415409
Mob No;-9975869868
Email;-msutarislampur@gmail.com ------- **APPLICANT**

V/S

1. **THE ISLAMPUR MUNICIPAL COUNCIL & ORS** ------- **RESPONDENTS**

SYNOPSIS

DATES	EVENTS
- - -	The Applicant is filing the present Application under Section 14 and 15 read with Sections 18 and 20 of the National Green Tribunal Act, 2010, seeking various reliefs against the water and soil pollution, environmental degradation caused due to discharge of untreated water of the Nala/ Sewage Line directly into Krushna River as well as various health hazards caused due to open Nala/ Sewage line and further seeking directions against the wrong site selection for establishing Sewage Treatment Plant in the Residential and Agricultural Area at Islampur Kapus Khed Road. Hence, this application is being filed seeking prevention and restitution on account of gross environmental damage due to such illegal activity.
----	The Applicant is residing at Takalai Nagar, Islampur, Taluka Walwa District Sangli, Pin-415409 wherein there is open Nala /Sewage Line of Municipal Council of Islampur flowing from east direction towards west and untimely it is discharged in the Krushna River without any treatment. Hence, there is Environmental Degradation as well as soil and water pollution due to such illegal action on the part of Municipal Council of Islampur. Further there are helath hazards caused due to such open Nala/Sewage line.

MEMO OF PARTIES

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT, PUNE
ORIGINAL APPLICATION NO. of 2021

MR. MADHUKAR SHANKAR SUTAR
Residing at;-Takalai Nagar,Islampur,
Taluka:-Walwa,
District;-Sangli, Pin;-415409
Mob No;-9975869868
Email;-msutarislampur@gmail.com ------- **APPLICANT**

V/S

1. **THE ISLAMPUR MUNICIPAL COUNCIL**
Through its Chief Officer
Having its office at:-
Islampur, Taluka- Walwa,
District: Sangli, Pin- 415409.
Email;- mcislampur@gmail.com

2. **THE SUB REGIONAL OFFICER (SANGLI)**
Maharashtra Pollution Control Board,
Having its office at:-
300/2, Udyog Bhavan,
Near Govt. Rest House,
Vishrambagh, Sangli,
Pin- 416416.
Email;- srosangli@mpcb.gov.in

3. **THE DISTRICT COLLECTOR SANGLI**
Having its office at:-
Islampur, Sangli,
Maharashtra- 415409.
Email;- sanglicollector@gmail.com

4. **THE CENTRAL POLLUTION CONTROL BOARD, THROUGH ITS OFFICER**
Having its office at:-
Pervish Bhavan,
C.B.D. – Cum Office Complex,
East Arjun Nagar, Delhi 110032, India
Email;- ccb.cpcb@nic.in --**RESPONDENTS**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT, PUNE

ORIGINAL APPLICATION NO. _____ 2021

Mr. Madhukar Shankar Sutar)
Residing at;-Takalai Nagar,Islampur,)
Taluka:-Walwa,)
District;-Sangli,Pin;-415409)
Mob No;-9975869868)
Email;-msutarislampur@gmail.com)------- **APPLICANT**

V/S

1. **TheIslampur Municipal Council**)
Through its Chief Officer)
Having its office at:-)
Islampur, Taluka- Walwa,)
District: Sangli, Pin- 415409.)
Email;- mcislampur@gmail.com)

2. **The Sub Regional Officer (Sangli)**)
Maharashtra Pollution Control Board,)
Having its office at:-)
300/2, UdyogBhavan,)
Near Govt. Rest House,)
Vishrambagh, Sangli,)
Pin- 416416.)
Email;- srosangli@mpcb.gov.in)

3. **The District Collector Sangli**)
Having its office at:-)
Islampur, Sangli,)
Maharashtra- 415409.)
Email;- sanglicollector@gmail.com)

4. **The Central Pollution Control Board,)**
Through its Officer)
Having its office at:-)
PervishBhavan,)
C.B.D. – Cum Office Complex,)
East Arjun Nagar, Delhi 110032, India)
Email;- ccb.cpcb@nic.in)--**RESPONDENTS**

Application under Sections 14 & 15, read with Sections 18 and 20 of the National Green Tribunal Act, 2010.

A. **DETAILS OF THE APPLICANT:**

The Applicant is a carpenter by profession and has been residing at the abovementioned address. The Applicant is filing the present Application under Section 14 and 15 read with Sections 18 and 20 of the National Green Tribunal Act, 2010, seeking various reliefs against thewater and soil pollution,environmental degradation caused due to discharge of untreated water of the Nala/ Sewage Line directly into Krushna River as well as various health hazards caused due to open Nala/ Sewage line and further seeking directions against the wrong site selection for establishing Sewage Treatment Plant in the Residential and Agricultural Area at Islampur Kapus Khed Road.Hence, this application is being

filed seeking prevention and restitution on account of gross environmental damage due to such illegal activity.

B. DETAILS OF THE RESPONDENTS:

1) The Respondent No.1 is the Municipal Council of Islampur who is responsible for Public Health Welfare and Regulatory function in the Municipal Area.

2) The Respondent No.2 is the Sub Regional Officer of Maharashtra Pollution Control Board of Sangli Division which is established under the Environment Protection Act, 1986 responsible for controlling, assessing and keeping a check on the activities of the establishments causing pollution and damage to the environment within their territorial limits.

3) The Respondent No.3 is the District Collector of Sangli who is responsible for all the Administrative functions in the District.

4) The Respondent Nos. 4is the Central Pollution Control Board established under the Environment Protection Act, 1986 which is responsible for controlling, assessing and keeping check on the activities of the establishments causing pollution and

damage to the environment within their territorial limits.

C. FACTUAL MATRIX IN BRIEF:-

1) The Applicant states that the Applicant is the resident at the abovementioned address and is a Carpenter by profession. Hereto marked and annexed as **"Annexure – A"**is the copy of the tax receipts of the Applicant.

2) The Applicant states that the Islampur Municipal Council was established long back in 1953 to administer the City's infrastructure and public services of Islampur. It is pertinent to note that the population of Islampur as per the 2011 census is around 54,340 and at present the population is around 1 Lakh to 1.50 Lakh.

3) The Applicant states that at present there are near about 120-150 families residing in the Takalai Nagar which is located on IslampurKapusKhed Road. Further, the residents are carrying out agricultural activities from more than two decades which is their only source of livelihood.

4) The Applicant states that there is an open Nala/ Sewage Line of Islampur Municipal Council adjoining to the IslampurKapusKhed road flowing from east to west.

Further, as the said open Nala/ Sewage Line is not covered it is spreading a lot of pungent smell in the vicinity leading to cause various health hazards. The said open Nala/Sewage Line is evident from the photographs.Hereto marked and annexed as **"Annexure- B"**are the copy of photographs of the said Nala/ Sewage Line.

5) The Applicant states that due to the said open Nala/ Sewage Line there is Environmental Degradation as the said untreated water from the Sewage Line is indirectly absorbed by the soil thereby polluting the fertile soil ultimately affecting the agricultural activities in the vicinity.

6) The Applicant states that such open Nala/ Sewage Line is causing various health hazards like dengue, malaria, cholera and water borne diseases.It is pertinent to note that recently during the surge of pandemic in the month of August/ September there was severe spread of dengue and malaria which is evident from the newspaper article. Hereto marked and annexed as **"Annexure -C"** is the copy of newspaper articles.

7) The Applicant states that it is pertinent to note that the open Nala/ Sewage Line ultimately flows through the fertile Agricultural land and merges into the larger Nala which ultimately merges with the Krushna River. Thus, the

untreated sewage water is causing serious water pollution in the vicinity as well as is directly polluting the Krushna River.

8) The Applicant states that pursuant to the Environmental Pollution and Health Hazards caused due to the open Nala/ Sewage Line, the Applicant had enquired with the office of Municipal Council Islampur wherein it was informed to the Applicant that there is a proposal for establishment of Sewage Treatment Plant (STP) at the Property bearing survey no. 128/4-B/1 and 128/4-B/2 situated at Islampur, TalukaWalwa, District Sangli. It is pertinent to note that the said site for STP is 50 meters away from present residence of the Applicant. In the said vicinity there are near about 150-200 people/ families residing and there is cultivable agricultural land. Further, there is Residential School and a Nursing College 50 meters away from the said STP site.

9) The Applicant states that the Applicant had frequently requested the Municipal Council Islampur to take actionon the pollution caused by the open Nala/ Sewage Line but the Municipal Council Islampur has utterly failed to take necessary stepsto control the Water, Soil and Environmental Pollution caused due to open Nala/ Sewage line which is directly discharged in the Krushna River without any treatment.

10) The Applicant states that it is noticed that the Municipal Council Islampur has reserved the Property bearing survey no. 128/4-B/1 and 128/4-B/2 situated at Islampur, Taluka Walwa, District, Sangli for establishing the Sewage Treatment Plant. It is pertinent to note that the said site selection for the STP has been done without application of mind and is completely inadequate as the said area is residential area and there is cultivable fertile land in the vicinity wherein crops like sugar crane and other cash crops are cultivated by the farmers. Further, as the said Nala/ Sewage Line is flowing from east to west side there is a slop towards west side of the said STP site wherein if the said STP is established then the slope of the land will not be maintained which will obstruct the smooth flow of Sewage Line. Further, the STP should be located outside the Residential area near the water bodies so that the treated water can be smoothly discharged in the water bodies. Thus, the site selection for establishing STP by Municipal Council Islampur is completely without applicationof mind and without considering the environmental impact assessment. . Hereto marked and annexed as **"Annexure -D"**are the copies of Drone survey photographs of the said STP site.

11) The Applicant states that considering the grave environmental degradation and various health hazards

caused due to water and soil pollution,the Applicant vide its letter dated 05/10/2021 requested the concerned authorities for taking appropriate action to stop the pollution caused due to discharge of untreated sewage water in the Krushna River and to make a proper provision for suitable site for STP in future so that present and future Water, Soil and Environmental pollution will be avoided.. Hereto marked and annexed as **"Annexure -E"** is the copy of Letter dated 05/10/2021.

12) The Applicant Society states that being aggrieved from the above mentioned facts and in the light of Precautionary Principle, and considering the Substantial Environmental Issue the Applicant is approaching this Hon'ble Tribunal upon following amongst other grounds without prejudice to each other:-

D. GROUNDS FOR APPLICATION:-

a. That the untreated water flowing from the said Nala/ Sewage Line and other Sewage Lines around the city ultimately merges with the Krushna River which is also polluting the said River and causing water and soil pollution and various health hazards for the people using the said untreated water for their daily use including agricultural activities.

b. That the area around the Nala/ Sewage Line is a Residential Area where people have been residing permanently from more than two decades and time and again have faced severe waves of diseases like dengue and malaria.

c. That there is Cultivable Fertile Agricultural Land in the vicinity wherein sugarcane and other cash crops are cultivated and the soil is absorbing the said untreated water from the Nala which is diminishing fertility and productivity of the soil which is ultimately resulting into degradation of the fertile agricultural land as well as quality of crops.

d. That around 80% of the population of Islampur is into farming and it is their only source of income for them and their family, however, as the said Nala / Sewage Line is affecting the fertility of the Agricultural lands, it is directly affecting the income of the farmers as the quantity of crops is decreasing.

e. Considering the Topography of the entire Area the natural slope of the land is on east to west side of

the site of STP. Hence it is against Gravitational Force. Thus the sewage water will flow in downward direction making the site more inadequate and in appropriate.

f. In the STP the treated water will be ultimately discharged in the water bodies. The present proposed site of STP is far away from the existing water bodies.

g. The STP should be located outside the residential area and near to the River or water bodies so that the treated water is discharged in the water bodies from the STP.

h. For the above reasons it is necessary to select the proper site for STP for effective control of Water, Soil and Environmental Pollution.

13) The Applicant states that applicant has good case on merits and the applicants hope to succeed. Thus, the Applicant has no other alternate equally, efficacious and / or speedy remedy but to approach this Hon'ble Tribunal under the provisions of the National Green Tribunal,Act-2010.

14) The Applicant craves leave to add, to alter, amend, delete and / or modify any of the foregoing Paras and the grounds as and when found necessary.

15) The Applicant has not filed any other Appeal, Application, Complaint and Petition in any other court raising the same issue.

16) That the present Applicant has not claimed any compensation against the Respondents in the present matter and hence necessary stamp duty of Rs. 1,000/- (Rupees One Thousand Only) is paid herewith.

E. LIMITATION:

The main cause of action arose on 05/10/2021 when the Applicant had addressed a letter to the Respondent No. 1 stating the issues faced by the civilians in regard to the uncovered Nala/ Sewage Line. However, the Islampur Municipal Council has not taken any appropriate steps to resolve the grievance of the Applicant and hence there is continuous cause of action. Therefore there is no delay and / or latches in filing the present Application.

F. THE APPLICANT THEREFORE PRAYS THAT:-

a) The Application may kindly be allowed.

b) That this Hon'ble Tribunal may be pleased to direct the Respondent No.1 i.e. Islampur Municipal Council toprevent the water and soil pollution caused due to open Nala/ Sewage Line.

c) That this Hon'ble Tribunal may be pleased to direct the Respondent No.1 i.e. Islampur Municipal Council to clean and cover the open Nala / Sewage Line in and around the City to prevent pollution and environmental degradation.

d) That this Hon'ble Tribunal may be pleased to direct the Respondent No.1 i.e. Islampur Municipal Council to restore the Environmental Degradation caused due to open discharge of untreated water of Nala / Sewage Line in Krushna River and to take necessary preventive measures for avoiding environmental degradation in future.

e) That this Hon'ble Tribunal may be pleased to direct the Respondent No.1 i.e. Islampur Municipal Council to pay the compensation for causing Environmental Degradation due open Nala /Sewage Line.

f) That this Hon'ble Tribunal may be pleased to direct the Respondent No.1 i.e. Islampur Municipal Council

to search for an alternate site to establish the Sewage Treatment Plant (STP) near the water bodies and beyond Residential area and Cultivatable Agricultural Land.

g) Any other just and necessary order in the interest may kindly be passed.

Place;-Sangli

Dated:-08/10/2021

M. S. Sutar

Mr.Madhukar Shankar Sutar
Applicant

Chetan R. Nagare
Advocate for Applicant

VERIFICATION

I,Mr.Madhukar Shankar Sutar, residing at Takalai Nagar, Islampur, TalukaWalwa District Sangli, Pin- 415409, the Applicant do hereby state that the contents stated above are true and correct to the best of my knowledge and belief and for it correctness I have signed and verified on this8th day ofOctober, at 2021.

M. S. Sutar

//TRUE COPY//

Mr.Madhukar Shankar Sutar

SIGNED BEFORE ME
PRADEEPKUMAR S. SALUNKHE
B.A.LL.B.
Advocate & Notary Govt. Of India
Behind Jotiba Mandir, Kapurshet
Tal.Walwa,Dist.Sangli(Maharashtra)
Pin - 415 409 Mob. 9422[illegible]

NOTARY
NOTED & REGISTERED
At Serial No. 1657/2021
Date:- 8/10/2021
THIS DOCUMENT
Contain Pages 13+1=14.

Solemnly affirmed before me
by Shri Madhukar S Sutar
Who is identified by Ranjeet E. Jadhav

ANNEXURE - A8

Item No. 01 (Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

(By Video Conferencing)

Original Application No. 74/2021(WZ)

Madhukar Shankar Sutar Applicant(s)

Versus

The Islampur Municipal Council
& OrsKheti Vikas Seva Trust Respondent(s)

Date of hearing: 15.11.2021.

CORAM: HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER

Applicant: Mr. Chetan Nagare. Advocate for Applicant.

ORDER

1. The Tribunal in continuation of the earlier orders, is passing the following order:-

2. When the matter was listed for admission today and called in the morning, there was no representation on behalf of the Applicant and it was passed over and called at 1.50 PM. today. It appears that the learned Counsel appearing for the Applicant could not be connected. A perusal of the contents of the Application would disclose that the Original Applicant is a resident of Takalai Nagar, Islampur, Walwa, Sangli District, is concerned about the discharge of untreated effluents passing through open Nala and draining upon Krushna River.

3. In the light of the contents of the said Application with supporting documents, the Tribunal before issuing formal Notices to the Respondents, would like to get the factual report as to the said

allegations. Accordingly, a Joint Inspection Committee consisting of 2nd Respondent as well as the 3rd Respondent shall cause inspection of the open Nala/sewage line of the 1st Respondent Council to try factual/fact finding report with supporting documents and photographs on the next date of the hearing.

4. Call on 04/01/2022 for filing the Joint Inspection Committee Report with supporting documents and photographs. The Registry to communicate the copy of this order to the concern officials of the Respondent Nos. 1 to 3.

M. Sathyanarayanan, JM

Dr. Arun Kumar Verma, EM

November 15, 2021
Original Application No.74/2021hk

//TRUE COPY//

NITIN DINKAR JAGTAP
Digitally signed by NITIN DINKAR JAGTAP
Date: 2021.11.17 19:32:19 +0530

ANNEXURE - A9

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3573 OF 2021

Eknath Hindurao Jadhav ... Petitioner
Versus
Islampur Municipal Council and Ors. ... Respondents

Mrs. Shamuntala S. Wadekar, for Petitioner.
Mr. Vijay Patil with Mr. Rupesh Bbade, for Respondent Nos.1 and 2.
Mrs. S.D.Vyas, 'B' Panel Counsel, for State.

CORAM: S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.

DATE: 17th NOVEMBER, 2021

P.C.:

1. 'Maharashtra Pollution Control Board' is allowed to be joined as party Respondent No.5 to the above Writ Petition. Amendments to be carried out forthwith. Re-verification is dispensed with. A copy of the Writ Petition shall be forthwith served on the newly added Respondent No.5 and they shall appear before this Court on 22nd November, 2021 and produce a copy of the notice dated 12th April, 2021 issued to them by Shri Amit Kisanrao Shinde. Stand over to 22nd November, 2021.

(MILIND N. JADHAV, J.) **(S.J.KATHAWALLA, J.)**

SSP

//TRUE COPY//

ANNEXURE - A10

EXHIBIT – I

JOINT INSPECTION REPORT

Name of Council : M/s. Islampur Municipal Council, Tal. Walwa, Dist. Sangli.

Date of Visit : **01.12.2021**

Site Location : Gat No.128/4/B/1 & 128/4/B/2 Kapuskhed Road, Islampur, Tal. Walwa, Dist. Sangli.

Visited by : 1. N.S. Awatade, SRO, MPCB, Sangli.

2. V.V. Sabale, Chief Officer, Islampur, Mun. Council.

3. Dr. R.Matkar, F.O. SRO MPCB, Sangli.

Observations :

Visited the proposed site of Islampur Municipal Council for proposed STP (Sewage Treatment Plant) & WTP (Water Treatment Plant) alongwith Chief Officer, Islampur Mun. Council. The observations made are as under :-

1. The Gat No. 128/4/B/1 & 128/4/B/2 are located on Islampur – Kapuskhed Road with Mun. Council area.
2. At present the land is with sugar-cane crop.
3. At the East site of these Gat Nos. Existing approach road with scattered residential houses as well as Building of Nursing College and Ashram Schools are located having the app. Distances of 50 mtrs.
4. The council has displayed Board with Municipal Possession details of STP on the front side of the said Gat Nos.

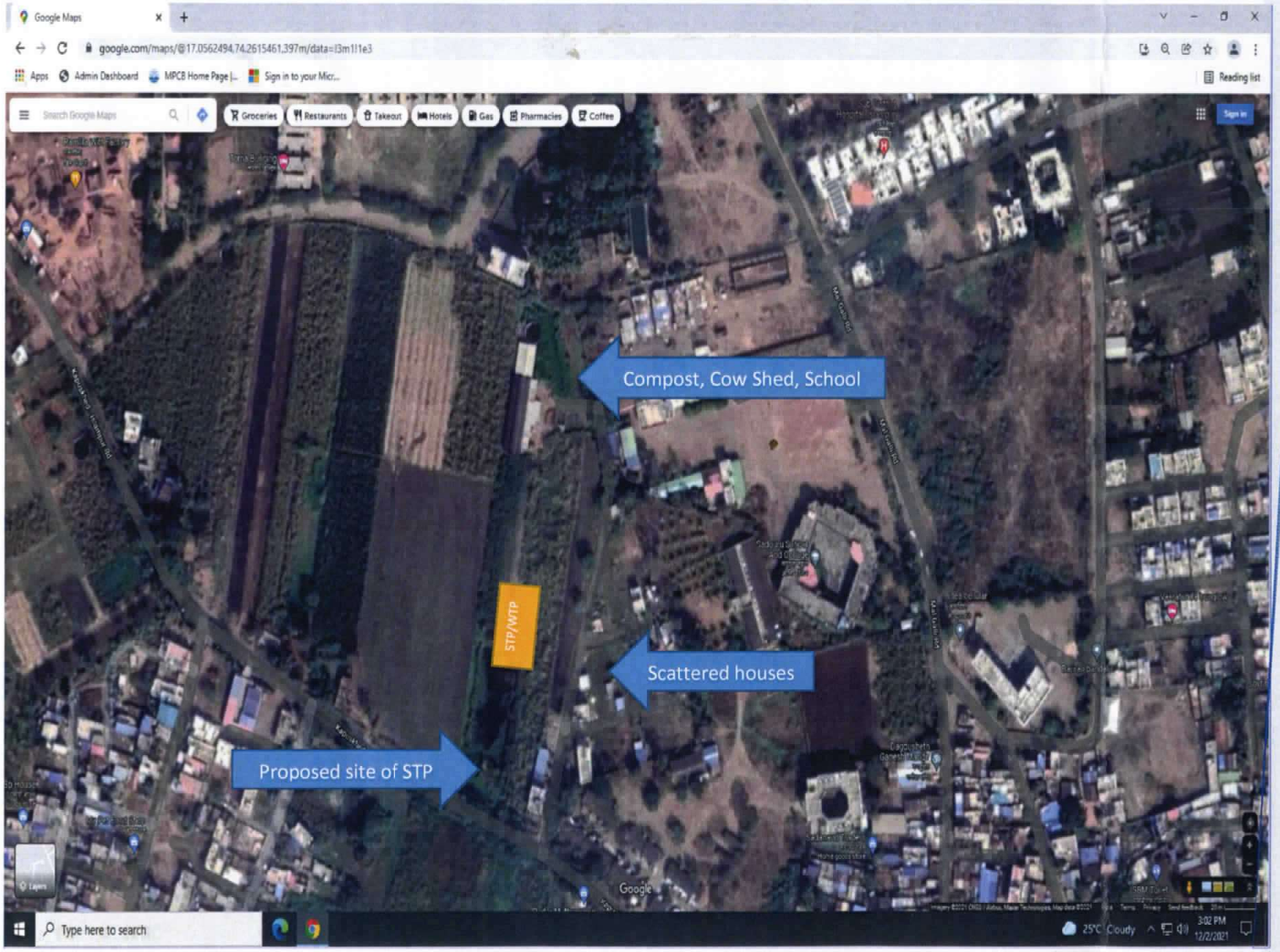
5. The council has yet not started any construction activities of proposed STP on the said Gat Nos.
6. The vermicompost, Gobargas plant and cow cattel shed are in existence in the land, towards north side.
7. The photographs of the site showing present status have been taken, during the visit.

Sd/-
01/12/21
(V.V. Sabale)
C.O. Mun. Council
Islampur

Sd/-
01/12/21
(N.S.Awatade)
SRO, MPCB, Sanjli

Sd/-
(Dr.R.R. Matkar)
F.O. SRO
MPCB-Sangli

7



Comment [NA1]:

Comment [NA2]:

Comment [NA3]:

Comment [NA4]:

Photographs showing proposed site of STP/WTP having Sugarcane Crop & display board.

Joint inspection of ohal on 01/12/2021 alongwith Chief Officer, Municipal Council, Islampur.

Photographs of Adjacent household near proposed site of STP/WTP.

Photographs of Back Side of proposed site of STP/WTP.

March 10, 2021

CPCB Guidelines for Sewage Treatment Plants

Cpcb

As per the statutory regulations issued by CPCB, various infrastructures like Apartments, Commercial Construction Projects, Educational Institutions, Townships, and Area Development Projects meeting certain criteria have to install STPS for the treatment of sewage that they produce.

The guideline rules cover aspects regarding the location of STPs, the STP technology to adopt, functioning as well as its maintenance to ensure efficient and safe operation of the machinery.

The Guidelines issued for STPS by CPCB are as follows:

CPCB Guidelines for Sewage Treatment Plants

1. The Technology of STP

The approved STP technologies to go with area-

A. Activated Sludge Process(ASP) (only when above 500 KLD sewage is generated).
B. Membrane Bio Reactor(MBR)
C. Moving Bed Bio Reactor(MBBR)

2. Unit Requirements of STP

STPS have various individual units where different sewage treatment processes occur. The units and their criteria as per the guideline's requirement are as follows.

Sr. No.	**Unit**	**Activated Sludge Process (ASP)**	**Sequential Batch Reactor(SBR)**	**Membrane Bio Reactor (MBR)**	**Moving Bed Bio Reactor (MBBR)**
1.	Equalization Tank	Should have a Minimum Holding Period of 8 hours.	Same as ASP	Same as ASP	Same as ASP
2.	Anoxic	Return	Not	Same as	Same as

	Tank	activated sludge should be pumped to anoxic tank for denitrificati on.	required	ASP	ASP
3.	Aeration Tank	Dissolved Oxygen in an excess of 4 mg/L has to be maintained in the Aeration Tank.	Same as ASP	Same as ASP	Same as ASP
4.	Membran e Tank	Not required	Not required	Membra nes should be replaced regularly as per its manufac turer's specifica tions	Not required
5.	Sludge Holding Tank	Sludge holding should be madatoriliy provided for holding excess sludge before its	Same as ASP	Same as ASP	Same as ASP

		dewatering.			
6.	Final Treated Water Holding Tank	Capacity of the tank should be enough to hold water for 2 days minimum.	Same as ASP	Same as ASP	Same as ASP
7.	Sludge Drying Bed	Instead of sludge drying bed, horizontal centrifuge system should be used for >500KLD STPs. For <500 KLD STPs, belt press or screw press system should be used.	Same as ASP	Same as ASP	Same as ASP

3. Mechanical Equipment Requirement for STP

There should be clear and easy access to the Bar Screen Chamber and Oil & Grease Chamber of STPS installed. Also, the equipments should be of the submersible type with an easy removal/dismantling option whenever maintenance is required.

Air blowers of STP should have Vibration mounts and acoustic enclosures to reduce the noise pollution.

4. Location of STP

STP should be located under the driveway, play area, or clubhouses, and far away from the residential housings to not cause any nuance to the people living.

Also, STP should not be installed in the basement of any building. Access to the STP room should be from Ground Level or Upper Basement through well-designed walkways or headroom, and not from the lowest basement to avoid nuances that may happen due to rain flooding, smell or sound.

5. Treated Sewage Standards

The sewage treated should meet the following standards.

S. No.	Parameter	Required Standards
1	pH	6.5-8.5
2	BOD(5th day)	<10mg/1
3	COD	<50mg/1
4	Suspended Solids	<10mg/1
5	Ammonical Nitrogen	<5mg/1
6	Total Nitrogen	<5mg/1
7	Fecal Coliform	<100 MPN/100 ml

6. Guidelines for installing sensors

It's mandatory to install sensors for monitoring sewage parameters like BOD, COD, TSS, flow, and pH.

The CPCB recommended sensor types with their communication protocols are as follows.

Sr. No.	Parameter	Measurement Type	Sensor Type	Communication protocol

1.	pH	Inline	lon Selective Glass Electrodes	RS 485 Communication with Modbus
2.	TSS	Inline	Turbidity to TSS correlation with Nephelometric technique	RS 485 Communication with Modbus
3.	BOD	Inline	UV-Vis Spectrophotometry & combustion (Double beam with entire spectrum scanning	RS 485 Communication with Modbus
4.	COD	Inline	UV-Vis Spectrophotometry & combustion (Double beam with entire spectrum scanning	RS 485 Communication with Modbus
5.	Flow	Incline	Electromagnetic Flow Measurement	RS 485 Communication with Modbus

7. Caution Board at STP

Proper cautionary signboards should be displayed and safety protocols should be followed at the STP locations.

"Danger" Sign Boards should be installed at the STP location for the maintenance personals and the public. And "water not fit for drinking" should also be highlighted at the taps delivering sewage water.

8. Use of Treated Sewage

The treated water should be mandatorily used for toilet flushing purposes that should have a dual plumbing system.

9. Modular Operations of STPs

Modular operation of STPS implies that the STP should be developed/constructed in smaller units so that it can be used as per the load or occupancy of people. In large projects where a higher capacity of STPS required, the occupancy in the initial stages isn't able to meet the operational criteria of the STP. So, the factor should be considered in the design phase itself.

//TRUE TYPED COPY//

ANNEXURE - A11

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3573 OF 2021

Eknath Hindurao Jadhav ...Petitioner

Versus

Islampur Municipal Council & Ors. ...Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 5

I, Navanath S. Awatade, aged about 52 years, occupation-service, the Sub Regional Officer, Maharashtra Pollution Control Board at Sangli having my office at Udyog Bhavan, Vishrambag, Sangli-416415. I am filing this affidavit on behalf of the Respondent No 5, do hereby state on solemn affirmation as under.

I am working as the Sub Regional Officer, Sangli with the Maharashtra Pollution Control Board w.e.f. 19/07/2019. I am well conversant with the facts and circumstances of the case as well as the record of the case lying in my office, I am filing this Affidavit only with a limited purpose of bringing on record true facts of the case as under: -

1. I say and submit that, in compliance of the Order of Hon'ble High Court Judicature at Bombay vide Order dated 29-11-2021, the Board officials has visited, the proposed site of Sewage Treatment Plant at Gat Number 128/4/B/1 & 128/4/B/2, located on Islampur- Kapuskhed Road, Taluka-Walwa District-Sangli on 01-12-2021 alongwith the Chief Officer, Municipal Council Islampur. A copy of the visit report, photographs, google map of said site are collectively enclosed and marked as an "**Exhibit I.**

2. I say and submit that, during the visit on 01-012-2021, the following observations have been reported.

   i) The Gat Numbers 128/4/B/1 & 128/4/B/2 are located on Islampur-Kapuskhed Road within the Municipal area.

   ii) At the East side of this Gat Numbers existing approach road with scattered residential houses as well as the buildings of Nursing college & Ashram school are located having the approximately distance of 50 meters.

   iii) The Council has displayed a Board with Municipal possession details of Sewage Treatment Plant (STP) on the front side of the said gat nos.

   iv) The Council has yet not started any construction activities of the proposed Sewage Treatment Plant on the said Gat nos. At present, the land is with sugarcane crops.

   v) The Vermicompost, Gobargas plant and Cow Cattle shed is in existence in the land towards the North side.

3. I say and submit that, this office is yet not in-receipt of any application/proposal of proposed Sewage Treatment Plant including technology of sewage treatment plant its drawing, design, methods of treatment , odour control measurements and disposal of treated effluent etc. to be located on Gat Numbers 128/4/B/1 & 128/4/B/2, located on Islampur-Kapuskhed Road, Taluka-Walwa District-Sangli for obtaining Consent to Establish/Operate under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under

Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and the Hazardous waste (Management, Handling & Transboundary Movement) Rule 2016.

4. I say and submit that, the location of the proposed Sewage Treatment Plant (STP) has been decided as per the Development Plan of Urun-Islampur Municipal Council and Maharashtra Regional and Town Planning Act, 1966.

4 DEC 2021

I say and submit that, as per the Central Pollution Control Board (CPCB) Guidelines for Sewage Treatment Plant published on 10-03-2021 about location of Sewage Treatment Plant, wherein mentioned that Sewage Treatment Plant (STP) should be located under the driveway, play area or club houses and far away from the residential housing do not cause any nuisance to the people living. Also, Sewage Treatment Plant (STP) should not be installed in the basement of any building. Access to the Sewage Treatment Plant (STP) room should be from Ground level or upper basement through well designed walkways or headroom, and not from the lowest basement to avoid nuisance that may happen due to rain flooding, smell or sound. A Copy of said Central Pollution Control Board (CPCB) guidelines is enclosed and marked as an "**Exhibit-II.**

NOTARY ADV. A. R. KORE SANGLI Reg. No.:15412 Exp. Dt. 14/11/2024 GOVT. OF

6. I say and submit that, considering the prima facie the location can be suitable for proposed Sewage Treatment Plant, subject to condition that the Islampur Municipal Council, Islampur, Taluka-Walwa District-Sangli take necessary measures to

prevent any nuisance from the Sewage Treatment Plant (STP).

The Islampur Municipal Council, Islampur shall be abide by the guideline published by the Central Pollution Control Board (CPCB) published on 10-03-2021, for Sewage Treatment Plant (STP).

Solemnly affirmed on 4thday DECEMBER 2021.

Identified by

Adv. I.B. Shinde,

Advocate

For and on behalf of the Maharashtra Pollution Control Board

(Navanath S. Awatade)
Sub Regional Officer-Sangli.

Sub-Regional Officer,
M.P.C. Board, Sangli

Sub-Regional Office M.P.C. Board, Sangli

NOTARY ADV. A. R. KORE SANGLI Reg. No.:15412 Exp. Dt. 14/11/2024 GOVT. OF INDIA

4 DEC 2021

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

Solemnly affirmed before me by
Shri Navanath S. Awatade
Who is identified before me by
Shri I. B. Shinde Adv. Sangli
whom personally known. Sangli

4/12/2021

ADV. A. R. KORE
NOTARY REG. NO. 15412,
GOVT. OF INDIA
Kaveri Appt., Saraswatinagar,
SANGLI - 416 416 (M.S.)

//TRUE COPY//

ANNEXURE - A12

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3573 OF 2021

Eknath Hindurao Jadhav .. Petitioner
Versus
Islampur Municipal Council & Ors. .. Respondents

.....

- None present for the Petitioner
- Mr. Rupesh Bobade for Respondent Nos. 1 and 2
- Mr. Jitendra Jagtap for Respondent No. 5
- Mrs. S.D. Vyas, 'B' Panel Counsel for the State

.....

CORAM : S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.

DATE : FEBRUARY 02, 2022
(Through Video Conferencing)

P.C.:

. Stand over to **25th March, 2022.** In the meantime, earlier order, if any, to continue.

[MILIND N. JADHAV, J.] **[S.J. KATHAWALLA, J.]**

RAVINDRA MOHAN AMBERKAR
Digitally signed by RAVINDRA MOHAN AMBERKAR
Date: 2022.02.02 16:31:11 +0530

//TRUE COPY//

ANNEXURE - A13

Item No.01 (Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

(By Video Conferencing)

Original Application No. 74/2021 (WZ)

Madhukar Shankar Sutar

.....Applicant(s)

Versus

The Islampur Municipal Council & Ors.

....Respondent(s)

Date of hearing: 16.08.2022

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

Applicant(s) : Mr. Chetan Nagare, Advocate

Respondent : Mr. Vilas Jadhav, Advocate MPCB, R-2

ORDER

1. From the side of the Applicant Mr. Chetan Nagare, Learned Counsel is present.

2. From the side of Respondent No.2-MPCB, Mr. Vilas Jadhav, Learned Counsel has appeared and he has not filed his rely affidavit.

3. In pursuance to the Tribunal's order dated 15.11.2021, joint inspection report has been filed which says at page no. 42 of the paper book that the samples of Krushna river water near confluence point of two nalls down stream of Bahe Village and Walwa city has been collected for analysis. The joint inspection was conducted on 22.12.2021 but since thereafter, the report of the analysis has not been filed by the Maharashtra Pollution Control Board (MPCB). The Learned Counsel for the MPCB has not given any convincing reply regarding the same. Although, he has assured that he would file the report of analysis by the next date along with the reply affidavit. He is directed to file the

same within a period of two weeks from today with advance copy to the other side.

4. The record reveals that on the first date of hearing the notices were not directed to be issued to the Respondents and hence, it is deemed proper that all the Respondents except Respondent No. 2/MPCB who has already appeared, shall be issued notices by the Registry, returnable within four weeks.

5. Applicant is directed to provide copy of the application and relevant documents to the respondents within a week.

6. Respondents are directed to submit their reply within three weeks.

7. Applicant is also directed to take necessary steps for service upon the respondents by both ways and also through available email.

8. List the matter on 20.09.2022.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

August 16, 2022
Original Application No.74/2021 (WZ)
JG

//TRUE COPY//

ANNEXURE - A14

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

REVIEW APPLICATION No. of 2022

IN

ORIGINAL APPLICATION NO. 74 OF 2021 (WZ)

IN THE MATTER OF:

THE ISLAMPUR MUNICIPAL COUNCIL
Through its Chief Officer,
Having its office at:-
Islampur, Taluka-Walwa,
District: Sangli, Pin- 415409
Email: mcislampur@gmail.com **..APPLICANT**

IN THE MATTER OF –

1. **MR. MADHUKAR SHANKAR SUTAR**
   Residing at:- Takalai Nagar, Islampur,
   Taluka:- Walwa,
   District:- Sangli, Pin:- 415409,
   Email:- msutarislampur@gmail.com .. **APPLICANT**

V/S

1. **THE ISLAMPUR MUNICIPAL COUNCIL**
   Through its Chief Officer,
   Having its office at:-
   Islampur, Taluka-Walwa,
   District: Sangli, Pin- 415409
   Email: mcislampur@gmail.com

2. **THE SUB REGIONAL OFFICER (SANGLI)**
   Maharashtra Pollution Control Board,
   Having its office at:-

300/2, Udyog Bhavan,
Near Govt. Rest House,
Vishrambagh, Sangli,
Pin-416416
Email:- srosangli@mpcb.gov.in

3. **THE DISTRICT COLLECTOR SANGLI**
Having its office at: Sangli,
Mahaarshtra-415409
Email:- sanglicollector@gmail.com

4. **THE CENTRAL POLLUTION CONTROL BOARD, THROUGH ITS OFFICER**
Having its office at:-
Parivesh Bhavan,
CBD – Cum Office Complex,
East Arjun nagar, Delhi 110032, India
Email:- ccb.cpcb@nic.n **.. RESPONDENTS**

HUMBLE REVIEW APPLICATION FOR RECALLING THE ORDER DATED 18TH OCTOBER 2022 PASSED VARIOUS DIRECTION AGAINST THE APPLICANT (ORIGINAL RESPONDENT No. 1) BY THIS HON'BLE TRIBUNAL.

MOST RESPECTFULLY SHOWETH:

An application filed behalf of the Applicant (Original Respondent No. 1) is as under

I. The Address of the counsel of Applicant is given for the service of notices of this Application is:-

Omkar Wangikar, Advocate,
Office No. 01, 4th Floor, Fountain Chamber, Fountain,
Fort, Mumbai 400 001
Email-id: adv.omkarwangikar@gmail.com
Contact: 9623911777, 9890419292

II. The present application have filed for recalling of order issued by Hon'ble Tribunal dated 18.10.2022 passed various directions against the present Applicant i.e. original Respondent No. 1, but while passing an said order the original Applicant and other Respondents are suppressed the material facts before the Tribunal, and hence said order dated 18.10.2022 was passed under wrong facts and pleadings, and lack of jurisdiction, because similar matter with same subject line and same survey nos. 128/4-B/1 and 128/4-B/2 situated at Islampur, Tal. Walwa, District Sangli is pending before Hon'ble Bombay High Court in Writ Petition No. 3573 of 2021 titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors. and the Hon'ble Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued:, inspite of knowing all the details the Applicant and other Respondent has suppressed the material facts before the Hon'ble Tribunal and the Respondent No. 1 is a necessary party but the Applicant had not been served to the Respondent No. 1 the hence in the interest of the justice, it is necessary to recall the order dated 18.10.2022 passed by the Hon'ble Tribunal hence this said Application.

III. That the address of the Applicant is as given above for the service of notice of this Application.

IV. That the addresses of the Respondents are as given above for the service of notice of Application.

V. That Present Application is being filed Under Section

BRIEF FACTS:

1. The present application have filed for recalling of order issued by Hon'ble Tribunal dated 18.10.2022 passed various directions against the present Applicant i.e. original Respondent No. 1, but while passing an said order the Applicant and other Respondents are suppressed the material facts before the Tribunal, and hence said order dated 18.10.2022 was passed under wrong facts and pleadings by the original Applicant, lack of jurisdiction, because similar matter with same subject line and same survey nos. 128/4-B/1 and 128/4-B/2 situated at Islampur, Tal. Walwa, District Sangli is pending before Hon'ble Bombay High Court in Writ Petition No. 3573 of 2021 titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors. and the Hon'ble Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued:, inspite of knowing all the details the Applicant and other Respondent has suppressed the material facts before the Hon'ble Tribunal and the Respondent No. 1 is a necessary party but the Applicant had not been served to the Respondent No. 1. **(Copy of order dated 18.10.2022 passed by Hon'ble Tribunal in OA No. 74 of 2021(WZ) is annexed and marked herewith as "Annexure A")**

2. That the original Applicant has filed an Original Application No. 74/2021 on dated 27.10.2022 moved with a prayer to direct respondent No.1-Islampur Municipal Council to prevent the water

and soil pollution caused due to open nala/sewage line, to clean and cover the open nala/sewage line in and around the city and restore the environmental degradation caused due to open discharge of untreated water of nala/sewage line in Krushna river. Respondent No.1-Council be also directed to pay compensation for causing environmental degradation and it be also directed to search for an alternate site to establish the Sewage Treatment Plant (STP) near the water bodies and beyond residential area. 2. The original applicant has averred that respondent No.1 – Islampur Municipal Council was established in 1953 and the population of the said town is around 1 lakh to 1.50 lakh. As of now, about 120-150 families are residing in Takalai Nagar which is located on Islampur – Kapus Khed road. There is an open nala/sewage line of Islampur Municipal Council adjoining to the Islampur – Kapus Khed road flowing from East to West, which is not covered and is spreading a lot of pungent smell in the vicinity leading to cause various health hazards such as spreading serious diseases like dengue, malaria, cholera and water borne diseases. The said open nala/sewage line ultimately flows through the fertile agricultural land and merges into the larger nala which ultimately merges into Krushna river. The applicant has enquired from the office of respondent No.1.

3. Further original applicant stated that there was a proposal for establishment of Sewage Treatment Plant (STP) at Survey Nos.128/4-B/1 and 128/4-B/2 situated at Islampur, Taluka Walwa, District Sangli, which is 50 meters from the present residence of the applicant. Respondent No.1 has reserved the property bearing Survey No.128/4-B/1 and 128/4-B/2 for establishing the STP, which site is completely inadequate as the said area is residential area and there is cultivable fertile land in the vicinity wherein crops like sugarcane and other crops are cultivated by the farmers. The applicant, therefore, has made the above mentioned prayer.

4. That the main intention of the original applicant for filing of the said OA No. 74 of 2021 is to oppose the proposal for establishment of Sewage Treatment Plant (STP) at Survey Nos.128/4-B/1 and 128/4-B/2 situated at Islampur, Taluka Walwa, District Sangli only.

5. That, it is pertaining to note that, there is similar matter is pending before Hon'ble Bombay High Court in Writ Petition No. 3573 of 2021 titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors. and the Hon'ble Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued till today. **(Copy of Writ Petition No. 3573 of 2021 filed before Hon'ble Bombay High Court titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors.is annexed and marked herewith as "Annexure B")**

6. That, through the said Writ Petition No. 3573 of 2021 the Petitioner prayed for quashing and set aside the government notification dated 27.07.2018 issued by Urban Development Department of Government of Maharashtra in general and alternative the provisions of entry no. 77 in respect of Survey No. 128/4-B/1 and 128/4-B/2, and restrain from taking any action against the land Survey No. 128/4-B/1 and 128/4-B/2 on the basis of impugned order dated 27.07.2018. **(Copy of notification dated 27.07.2018 issued by Urban Development Department of Government of Maharashtra in general and alternative the provisions of entry no. 77 in respect of Survey No. 128/4-B/1 and 128/4-B/2 is annexed and marked herewith as "Annexure C")**

7. That, it is pertaining to note that the petitioner in Writ Petition No. 3573 of 2021 is filed for opposing of STP reservation on the ground that he is residing close to the proposed STP, and the Hon'ble

Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued. **(Copy of Hon'ble Bombay High Court order dated 15.02.2021 and letter from advocate are annexed and marked herewith as "Annexure D")**

8. That, thereafter the Applicant i.e. original Respondent No. 1 has filed a reply to the said writ petition, wherein it is stated that, in respect of the Survey No. 128/4-B/1 and 128/4-B/2 the place of proposed STP is proper as per the survey and it is suitable for further process. As per the process the land acquisition had carried out properly and hence just to oppose the place of proposed STP the petitioner has filed a frivolous petition. **(Copy of reply filed by the Respondent No. 1 in Writ Petition No. 3573 of 2021 on dated 28.02.2022 is annexed and marked herewith as "Annexure E").**

9. That, further based on the legal notice dated 12.04.2021 issued by the Adv. Amit Shinde behalf of his client Mr. Sanjay Vishnu Shinde, resident of Islampur, Dist. Sangli, raised the objection of the site of proposed STP i.e. on Survey No. 128/4-B/1 and 128/4-B/2 and requested to present Applicant to change the site of proposed STP, also requested Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli to conduct the site visit and survey as to feasibility of proposed STP at Kapuskhed road, Islampur. **(Copy of legal notice dated 12.04.2021 issued by the Adv. Amit Shinde behalf of his client Mr. Sanjay Vishnu Shinde is annexed and marked herewith as "Annexure F").**

10. That, based on the said legal notice dated 12.04.2021 the Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli has issued a letter dated 11.05.2021 to the present Applicant and requested to submit a reply to said legal notice and arrange site visit

for proposed STP. **(Copy of letter dated 11.05.2021 issued by Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli to present Applicant is annexed and marked herewith as "Annexure G").**

11. That, based on the legal notice issued by the advocate of Mr. Sanjay Vishnu Shinde and letter issued by the SRO MPCB Sangli the Hon'ble Bombay High Court by way of order added on dated 17.11.2021 to SRO MPCB Sangli as a Respondent No. 5 in the Writ Petition No. 3573 of 2021. **(Copy of Hon'ble Bombay High Court order dated 17.11.2021 is annexed and marked herewith as "Annexure H").**

12. That, then after the SRO MPCB Sangli i.e present Respondent No. 2 along with present Applicant jointly carried out survey report and feasibility of proposed STP at of Survey No. 128/4-B/1 and 128/4-B/2 at Kapuskhed road, Islampur on dated 01.12.2021 and submitted the affidavit on behalf of SRO MPCB Sangli, wherein it is stated considering the prima facie the location can be suitable for proposed STP. **(Copy reply affidavit dated 01.12.2021 on behalf of SRO MPCB Sangli is annexed and marked herewith as "Annexure I").**

13. That, in Writ Petition No. 3573 of 2021 last date of hearing was on dated 02.02.2022 and then till date said matter is not come up on board, and hence the ad-interim grated by the Hon'ble High Court is still continued. **(Copy order issued by Hon'ble Bombay High Court dated 02.02.2022 is annexed and marked herewith as "Annexure J").**

14. That the original Applicant residing exactly near to petitioner of Writ Petition No. 3573 of 2021, and he was well aware about the facts and the status of Writ Petition No. 3573 of 2021, and just to pressurize the present Applicant the original Applicant has

intentionally filed the said OA 74 of 2021 and purposely suppressed the entire material facts and status of Writ Petition No. 3573 of 2021 before the Hon'ble Tribunal and received the said fraudulent order dated 18.10.2022 from the Hon'ble Tribunal.

15. Further the original Respondent No.2 i.e. SRO MPCB Sangli has also well aware about the facts and status of the Writ Petition No. 3573 of 2021 but intentionally had not submitted any details before Hon'ble Tribunal which is completely wrong action by the original Respondent No. 2. If original Respondent No.2 i.e. SRO MPCB would have presented the entire facts and status of Writ Petition No. 3573 of 2021 then the Hon'ble Tribunal might have rejected the OA 74 of 2021 on that day itself only, but knowing these the original Respondent No.2 had not submitted any details regarding Writ Petition No. 3573 of 2021.

16. Further the Petitioner of Writ Petition No. 3573 of 2021 has received ad-interim order, and due to that the present Applicant could not complete the STP work within the period of time and other hand the inspite of knowing all the facts and status the original Respondent No. 2 has issued several notices against the present Applicant. Further just to abuse the process of law the original applicant has filed the OA 74 of 2021 received the wrong order from the Hon'ble Tribunal.

17. Further the as per the order dated 18.10.2022 the original Respondent No. 2 had issued the environmental compensation notice dated 11.09.2019 to Respondent No. 1 but till the said notice is not communicated with the present Applicant.

18. Further the as per the order dated 18.10.2022 it is stated that the Respondent No. 2 has issued notice for non-compliance of legacy waste and hence based on the directed the calculate the Rs. 1,00,000/- per day as environmental compensation from 01.04.2020

till date from present Applicant, but regarding the legacy waste there is no such pleading in the said OA 74 of 2021 by the original Applicant also there is no such prayer mentioned in the said OA, hence such relief should not be granted the Hon'ble Tribunal, and it is complete injustice on the part of present Applicant.

19. That the original applicant has not served the present Applicant as per the order dated 16.08.2022, and hence the present Applicant could not appear before the Hon'ble Tribunal.

GROUNDS:

The present Applicant is constrained to prefer the present Application and approach this Hon'ble Tribunal on following amongst other grounds:

A) That the original Applicant suppressed the material facts before the Tribunal, and hence said order dated 18.10.2022 was passed under wrong facts and pleadings, because similar matter with same subject line and same survey nos. 128/4-B/1 and 128/4-B/2 situated at Islampur, Tal. Walwa, District Sangli is pending before Hon'ble Bombay High Court in Writ Petition No. 3573 of 2021 titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors. and the Hon'ble Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued:, inspite of knowing all the details the Applicant has suppressed the material facts before the Hon'ble Tribunal.

B) The original Respondent No. 2 i.e. SRO MPCB Sangli is also marked as party as Respondent No. 5 in Writ Petition No. 3573 of 2021 but inspite of that he has suppressed this vital facts before the Hon'ble Tribunal.

C) The original Respondent No. 2 i.e. SRO MPCB Sangli has never submitted the information related to ad-interim issued by the Hon'ble Bombay High Court is the same subject matter.

D) That, in Writ Petition No. 3573 of 2021 last date of hearing was on dated 02.02.2022 and then till date said matter is not come up on the board, and hence the ad-interim grated by the Hon'ble High Court is still continued.

E) Further the Petitioner of Writ Petition No. 3573 of 2021 has received ad-interim order, and due to that the present Applicant could not complete the STP work within the period of time and other hand the inspite of knowing all the facts and status the original Respondent No. 2 has issued several notices against the present Applicant.

F) Further just to abuse the process of law the original applicant has filed the OA 74 of 2021 and received the wrong order from the Hon'ble Tribunal.

G) The present Applicant is a necessary party in OA 74 of 2021 but the original Applicant had not been served to the present Applicant.

H) That regarding the legacy waste there is no such pleading in the said OA 74 of 2021 by the original Applicant also there is no such prayer mentioned in the said OA, hence such relief should not be granted the Hon'ble Tribunal, and it is complete injustice on the part of present Applicant.

I) That present Applicant is law abiding government institution, and had carried out all the best efforts for establishment of STP but due to some serious legal issues and ad-interim orders by the

Hon'ble High Court hence said STP project could not possible to complete, and present Applicant has not violated environmental laws anything intentionally.

14. The present Applicant has no other efficacious remedy except to file the present application and the relief as prayed for herein be granted.

16. The Applicant has paid the requisite court fee by way of online payment on this application.

17. **LIMITATION**

Respectfully submitted that in OA 74 of 2021 the Hon'ble Tribunal passed the last order on dated 18.10.2022 and dispose the said application. The present Applicant received the information of said order on dated 20.10.2020, hence said Application is well within the period of limitation.

PRAYER

The Applicant humbly prays before this Hon'ble that:

I. That, this Application may kindly be allowed and order dated 18.10.2022 be recalled and set aside the order.

II. That, kindly be the opportunity of hearing should be given to present Applicant in OA No. 74 of 2022 on merits.

III. That pending the hearing and final disposal of present Application, this Hon'ble Tribunal be pleased to stay the effect, operation, implementation and execution of the order dated 18.10.2022.

IV. That, interim / Ad- interim reliefs in term of prayer clause III above.

V. Cost of the present Application may kindly be awarded to the Applicant.

VI. Any other reliefs as this Hon'ble Tribunal deems fit in the interest of the protection of environment.

And for this act of kindness and justice the present Applicant shall ever remain obliged.

Advocate for the Applicant

18.11.2022

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

R. A. No. of 2022
IN
ORIGINAL APPLICATION NO. 74 OF 2021 (WZ)

THE ISLAMPUR MUNICIPAL COUNCIL … APPLICANT

IN THE MATTER OF

MADHUKAR SHANKAR SUTAR … APPLICANT

Vs.

THE ISLAMPUR MUNICIPAL COUNCIL & OTR. ..RESPONDENT

AFFIDAVIT

I, Vaibhav Sabale, Chief Officer of Islampur Municipal Council, aged 29 years, Occ. Service, office at Islampur, Tal Walwa, Dist. Sangli, do hereby make an oath to swear as under –

1. That I am the Applicant in the Application and I am well conversant with the facts and circumstance of the case and competent to file this affidavit.

2. The accompanying Application has been drafted under my instruction and the facts mentioned therein are true to my knowledge and the records obtained.

VERIFICATION

I, the above named deponent do hereby verify that the contents of Para 1 and 17 and Para Nos. A to I of the ground of the above affidavit are true to my knowledge.

Hence signed and verified at Sangli on this 18th November 2022.

Date: 18.11.2022
Place: Sangli

ADVOCATE FOR THE APPLICANT DEPONENT

//TRUE COPY//

ANNEXURE - A15

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

M. A. No. of 2022

IN

ORIGINAL APPLICATION NO. 74 OF 2021 (WZ)

IN THE MATTER OF:

THE ISLAMPUR MUNICIPAL COUNCIL
Through its Chief Officer,
Having its office at:-
Islampur, Taluka-Walwa,
District: Sangli, Pin- 415409
Email: mcislampur@gmail.com **..APPLICANT**

IN THE MATTER OF –

1. **MR. MADHUKAR SHANKAR SUTAR**
   Residing at:- Takalai Nagar, Islampur,
   Taluka:- Walwa,
   District:- Sangli, Pin:- 415409,
   Email:- msutarislampur@gmail.com .. Applicant

V/S

1. **THE ISLAMPUR MUNICIPAL COUNCIL**
   Through its Chief Officer,
   Having its office at:-
   Islampur, Taluka-Walwa,
   District: Sangli, Pin- 415409
   Email: mcislampur@gmail.com

2. **THE SUB REGIONAL OFFICER (SANGLI)**
   Maharashtra Pollution Control Board,
   Having its office at:-

300/2, Udyog Bhavan,
Near Govt. Rest House,
Vishrambagh, Sangli,
Pin-416416
Email:- srosangli@mpcb.gov.in

3. **THE DISTRICT COLLECTOR SANGLI**
Having its office at: Sangli,
Mahaarshtra-415409
Email:- sanglicollector@gmail.com

4. **THE CENTRAL POLLUTION CONTROL BOARD, THROUGH ITS OFFICER**
Having its office at:-
Parivesh Bhavan,
CBD – Cum Office Complex,
East Arjun nagar, Delhi 110032, India
Email:- ccb.cpcb@nic.n .. Respondents

HUMBLE APPLICATION FOR RECALLING THE ORDER DATED 18TH OCTOBER 2022 PASSED VARIOUS DIRECTION AGAINST THE APPLICANT (ORIGINAL RESPONDENT No. 1) BY THIS HON'BLE TRIBUNAL.

MOST RESPECTFULLY SHOWETH:

An application filed behalf of the Applicant (Original Respondent No. 1) is as under

I. The Address of the counsel of Applicant is given for the service of notices of this Misc. Application is:-

Omkar Wangikar, Advocate,
Office No. 01, 4th Floor, Fountain Chamber, Fountain,
Fort, Mumbai 400 001
Email-id: adv.omkarwangikar@gmail.com
Contact: 9623911777, 9890419292

II. The present misc. application have filed for recalling of order issued by Hon'ble Tribunal dated 18.10.2022 passed various directions against the present Applicant i.e. original Respondent No. 1, but while passing an said order the original Applicant and other Respondents are suppressed the material facts before the Tribunal, and hence said order dated 18.10.2022 was passed under wrong facts and pleadings, and lack of jurisdiction, because similar matter with same subject line and same survey nos. 128/4-B/1 and 128/4-B/2 situated at Islampur, Tal. Walwa, District Sangli is pending before Hon'ble Bombay High Court in Writ Petition No. 3573 of 2021 titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors. and the Hon'ble Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued:, inspite of knowing all the details the Applicant and other Respondent has suppressed the material facts before the Hon'ble Tribunal and the Respondent No. 1 is a necessary party but the Applicant had not been served to the Respondent No. 1 the hence in the interest of the justice, it is necessary to recall the order dated 18.10.2022 passed by the Hon'ble Tribunal hence this said Misc. Application.

III. That the address of the Applicant is as given above for the service of notice of this Misc. Application.

IV. That the addresses of the Respondents are as given above for the service of notice of Application.

V. That Present Application is being filed Under Section

BRIEF FACTS:

1. The present misc. application have filed for recalling of order issued by Hon'ble Tribunal dated 18.10.2022 passed various directions against the present Applicant i.e. original Respondent No. 1, but while passing an said order the Applicant and other Respondents are suppressed the material facts before the Tribunal, and hence said order dated 18.10.2022 was passed under wrong facts and pleadings by the original Applicant, lack of jurisdiction, because similar matter with same subject line and same survey nos. 128/4-B/1 and 128/4-B/2 situated at Islampur, Tal. Walwa, District Sangli is pending before Hon'ble Bombay High Court in Writ Petition No. 3573 of 2021 titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors. and the Hon'ble Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued:, inspite of knowing all the details the Applicant and other Respondent has suppressed the material facts before the Hon'ble Tribunal and the Respondent No. 1 is a necessary party but the Applicant had not been served to the Respondent No. 1. **(Copy of order dated 18.10.2022 passed by Hon'ble Tribunal in OA No. 74 of 2021(WZ) is annexed and marked herewith as "Annexure A")**

2. That the original Applicant has filed an Original Application No. 74/2021 on dated 27.10.2022 moved with a prayer to direct respondent No.1-Islampur Municipal Council to prevent the water

and soil pollution caused due to open nala/sewage line, to clean and cover the open nala/sewage line in and around the city and restore the environmental degradation caused due to open discharge of untreated water of nala/sewage line in Krushna river. Respondent No.1-Council be also directed to pay compensation for causing environmental degradation and it be also directed to search for an alternate site to establish the Sewage Treatment Plant (STP) near the water bodies and beyond residential area. 2. The original applicant has averred that respondent No.1 – Islampur Municipal Council was established in 1953 and the population of the said town is around 1 lakh to 1.50 lakh. As of now, about 120-150 families are residing in Takalai Nagar which is located on Islampur – Kapus Khed road. There is an open nala/sewage line of Islampur Municipal Council adjoining to the Islampur – Kapus Khed road flowing from East to West, which is not covered and is spreading a lot of pungent smell in the vicinity leading to cause various health hazards such as spreading serious diseases like dengue, malaria, cholera and water borne diseases. The said open nala/sewage line ultimately flows through the fertile agricultural land and merges into the larger nala which ultimately merges into Krushna river. The applicant has enquired from the office of respondent No.1.

3. Further original applicant stated that there was a proposal for establishment of Sewage Treatment Plant (STP) at Survey Nos.128/4-B/1 and 128/4-B/2 situated at Islampur, Taluka Walwa, District Sangli, which is 50 meters from the present residence of the applicant. Respondent No.1 has reserved the property bearing Survey No.128/4-B/1 and 128/4-B/2 for establishing the STP, which site is completely inadequate as the said area is residential area and there is cultivable fertile land in the vicinity wherein crops like sugarcane and other crops are cultivated by the farmers. The applicant, therefore, has made the above mentioned prayer.

4. That the main intention of the original applicant for filing of the said OA No. 74 of 2021 is to oppose the proposal for establishment of Sewage Treatment Plant (STP) at Survey Nos.128/4-B/1 and 128/4-B/2 situated at Islampur, Taluka Walwa, District Sangli only.

5. That, it is pertaining to note that, there is similar matter is pending before Hon'ble Bombay High Court in Writ Petition No. 3573 of 2021 titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors. and the Hon'ble Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued till today. **(Copy of Writ Petition No. 3573 of 2021 filed before Hon'ble Bombay High Court titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors.is annexed and marked herewith as "Annexure B")**

6. That, through the said Writ Petition No. 3573 of 2021 the Petitioner prayed for quashing and set aside the government notification dated 27.07.2018 issued by Urban Development Department of Government of Maharashtra in general and alternative the provisions of entry no. 77 in respect of Survey No. 128/4-B/1 and 128/4-B/2, and restrain from taking any action against the land Survey No. 128/4-B/1 and 128/4-B/2 on the basis of impugned order dated 27.07.2018. **(Copy of notification dated 27.07.2018 issued by Urban Development Department of Government of Maharashtra in general and alternative the provisions of entry no. 77 in respect of Survey No. 128/4-B/1 and 128/4-B/2 is annexed and marked herewith as "Annexure C")**

7. That, it is pertaining to note that the petitioner in Writ Petition No. 3573 of 2021 is filed for opposing of STP reservation on the ground that he is residing close to the proposed STP, and the Hon'ble

Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued. **(Copy of Hon'ble Bombay High Court order dated 15.02.2021 and letter from advocate are annexed and marked herewith as "Annexure D")**

8. That, thereafter the Applicant i.e. original Respondent No. 1 has filed a reply to the said writ petition, wherein it is stated that, in respect of the Survey No. 128/4-B/1 and 128/4-B/2 the place of proposed STP is proper as per the survey and it is suitable for further process. As per the process the land acquisition had carried out properly and hence just to oppose the place of proposed STP the petitioner has filed a frivolous petition. **(Copy of reply filed by the Respondent No. 1 in Writ Petition No. 3573 of 2021 on dated 28.02.2022 is annexed and marked herewith as "Annexure E").**

9. That, further based on the legal notice dated 12.04.2021 issued by the Adv. Amit Shinde behalf of his client Mr. Sanjay Vishnu Shinde, resident of Islampur, Dist. Sangli, raised the objection of the site of proposed STP i.e. on Survey No. 128/4-B/1 and 128/4-B/2 and requested to present Applicant to change the site of proposed STP, also requested Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli to conduct the site visit and survey as to feasibility of proposed STP at Kapuskhed road, Islampur. **(Copy of legal notice dated 12.04.2021 issued by the Adv. Amit Shinde behalf of his client Mr. Sanjay Vishnu Shinde is annexed and marked herewith as "Annexure F").**

10. That, based on the said legal notice dated 12.04.2021 the Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli has issued a letter dated 11.05.2021 to the present Applicant and requested to submit a reply to said legal notice and arrange site visit

for proposed STP. **(Copy of letter dated 11.05.2021 issued by Sub-Regional Officer of Maharashtra Pollution Control Board, Sangli to present Applicant is annexed and marked herewith as "Annexure G").**

11. That, based on the legal notice issued by the advocate of Mr. Sanjay Vishnu Shinde and letter issued by the SRO MPCB Sangli the Hon'ble Bombay High Court by way of order added on dated 17.11.2021 to SRO MPCB Sangli as a Respondent No. 5 in the Writ Petition No. 3573 of 2021. **(Copy of Hon'ble Bombay High Court order dated 17.11.2021 is annexed and marked herewith as "Annexure H").**

12. That, then after the SRO MPCB Sangli i.e present Respondent No. 2 along with present Applicant jointly carried out survey report and feasibility of proposed STP at of Survey No. 128/4-B/1 and 128/4-B/2 at Kapuskhed road, Islampur on dated 01.12.2021 and submitted the affidavit on behalf of SRO MPCB Sangli, wherein it is stated considering the prima facie the location can be suitable for proposed STP. **(Copy reply affidavit dated 01.12.2021 on behalf of SRO MPCB Sangli is annexed and marked herewith as "Annexure I").**

13. That, in Writ Petition No. 3573 of 2021 last date of hearing was on dated 02.02.2022 and then till date said matter is not come up on board, and hence the ad-interim grated by the Hon'ble High Court is still continued. **(Copy order issued by Hon'ble Bombay High Court dated 02.02.2022 is annexed and marked herewith as "Annexure J").**

14. That the original Applicant residing exactly near to petitioner of Writ Petition No. 3573 of 2021, and he was well aware about the facts and the status of Writ Petition No. 3573 of 2021, and just to pressurize the present Applicant the original Applicant has

intentionally filed the said OA 74 of 2021 and purposely suppressed the entire material facts and status of Writ Petition No. 3573 of 2021 before the Hon'ble Tribunal and received the said fraudulent order dated 18.10.2022 from the Hon'ble Tribunal.

15. Further the original Respondent No.2 i.e. SRO MPCB Sangli has also well aware about the facts and status of the Writ Petition No. 3573 of 2021 but intentionally had not submitted any details before Hon'ble Tribunal which is completely wrong action by the original Respondent No. 2. If original Respondent No.2 i.e. SRO MPCB would have presented the entire facts and status of Writ Petition No. 3573 of 2021 then the Hon'ble Tribunal might have rejected the OA 74 of 2021 on that day itself only, but knowing these the original Respondent No.2 had not submitted any details regarding Writ Petition No. 3573 of 2021.

16. Further the Petitioner of Writ Petition No. 3573 of 2021 has received ad-interim order, and due to that the present Applicant could not complete the STP work within the period of time and other hand the inspite of knowing all the facts and status the original Respondent No. 2 has issued several notices against the present Applicant. Further just to abuse the process of law the original applicant has filed the OA 74 of 2021 received the wrong order from the Hon'ble Tribunal.

17. Further the as per the order dated 18.10.2022 the original Respondent No. 2 had issued the environmental compensation notice dated 11.09.2019 to Respondent No. 1 but till the said notice is not communicated with the present Applicant.

18. Further the as per the order dated 18.10.2022 it is stated that the Respondent No. 2 has issued notice for non-compliance of legacy waste and hence based on the directed the calculate the Rs. 1,00,000/- per day as environmental compensation from 01.04.2020

till date from present Applicant, but regarding the legacy waste there is no such pleading in the said OA 74 of 2021 by the original Applicant also there is no such prayer mentioned in the said OA, hence such relief should not be granted the Hon'ble Tribunal, and it is complete injustice on the part of present Applicant.

19. That the original applicant has not served the present Applicant as per the order dated 16.08.2022, and hence the present Applicant could not appear before the Hon'ble Tribunal.

GROUNDS:

The present Applicant is constrained to prefer the present Misc. Application and approach this Hon'ble Tribunal on following amongst other grounds:

A) That the original Applicant suppressed the material facts before the Tribunal, and hence said order dated 18.10.2022 was passed under wrong facts and pleadings, because similar matter with same subject line and same survey nos. 128/4-B/1 and 128/4-B/2 situated at Islampur, Tal. Walwa, District Sangli is pending before Hon'ble Bombay High Court in Writ Petition No. 3573 of 2021 titled as Eknath Hindurao Jadhav vs. Islampur Municipal Council and Ors. and the Hon'ble Bombay High Court has issued an ad-interim order on dated 15.02.2021 stating that, "In the meantime, both the parties shall maintain status-quo as of today in respect of the subject property." and said ad-interim order is still continued:, inspite of knowing all the details the Applicant has suppressed the material facts before the Hon'ble Tribunal.

B) The original Respondent No. 2 i.e. SRO MPCB Sangli is also marked as party as Respondent No. 5 in Writ Petition No. 3573 of 2021 but inspite of that he has suppressed this vital facts before the Hon'ble Tribunal.

C) The original Respondent No. 2 i.e. SRO MPCB Sangli has never submitted the information related to ad-interim issued by the Hon'ble Bombay High Court is the same subject matter.

D) That, in Writ Petition No. 3573 of 2021 last date of hearing was on dated 02.02.2022 and then till date said matter is not come up on the board, and hence the ad-interim grated by the Hon'ble High Court is still continued.

E) Further the Petitioner of Writ Petition No. 3573 of 2021 has received ad-interim order, and due to that the present Applicant could not complete the STP work within the period of time and other hand the inspite of knowing all the facts and status the original Respondent No. 2 has issued several notices against the present Applicant.

F) Further just to abuse the process of law the original applicant has filed the OA 74 of 2021 and received the wrong order from the Hon'ble Tribunal.

G) The present Applicant is a necessary party in OA 74 of 2021 but the original Applicant had not been served to the present Applicant.

H) That regarding the legacy waste there is no such pleading in the said OA 74 of 2021 by the original Applicant also there is no such prayer mentioned in the said OA, hence such relief should not be granted the Hon'ble Tribunal, and it is complete injustice on the part of present Applicant.

I) That present Applicant is law abiding government institution, and had carried out all the best efforts for establishment of STP but due to some serious legal issues and ad-interim orders by the

Hon'ble High Court hence said STP project could not possible to complete, and present Applicant has not violated environmental laws anything intentionally.

14. The present Applicant has no other efficacious remedy except to file the present misc. application and the relief as prayed for herein be granted.

16. The Applicant has paid the requisite court fee by way of online payment on this application.

17. LIMITATION

Respectfully submitted that in OA 74 of 2021 the Hon'ble Tribunal passed the last order on dated 18.10.2022 and dispose the said application. The present Applicant received the information of said order on dated 20.10.2020, hence said Misc. Application is well within the period of limitation.

PRAYER

The Applicant humbly prays before this Hon'ble that:

I. That, this Application may kindly be allowed and order dated 18.10.2022 be recalled and set aside the order.

II. That, kindly be the opportunity of hearing should be given to present Applicant in OA No. 74 of 2022 on merits.

III. That pending the hearing and final disposal of present Application, this Hon'ble Tribunal be pleased to stay the effect, operation, implementation and execution of the order dated 18.10.2022.

IV. That, interim / Ad- interim reliefs in term of prayer clause III above.

V. Cost of the present Application may kindly be awarded to the Applicant.

VI. Any other reliefs as this Hon'ble Tribunal deems fit in the interest of the protection of environment.

And for this act of kindness and justice the present Applicant shall ever remain obliged.

Advocate for the Applicant

18.11.2022

//TRUE COPY//

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

IA NO. _____ OF 2023

IN

CIVIL APPEAL NO. _____ OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Madhukar Shankar Sutar & Ors. …Respondents

APPLICATION SEEKING AD-INTERIM EX-PARTE STAY

TO

THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUDGES OF THE
HON'BLE SUPREME COURT OF INDIA

THE HUMBLE APPLICATION
OF THE APPLICANT HEREIN.

MOST RESPECTFULLY SHOWETH:-

1. The instant application is being preferred in the accompanying civil appeal preferred under Section 22 of National Green Tribunal Act, 2010 ("**NGT Act**") against the order dated 18.10.2022 ("**impugned order**") arising out of Original Application No 74 of 2021 passed by the Hon'ble National Green Tribunal, Western Zone, Pune ("**NGT**"), wherein the Hon'ble NGT has set aside the Appellant *ex parte* and passed severe directions regarding penalties and compensation to the tune of INR 1 Lakhs per day from 01.04.2020 till compliance for non-compliance of Legacy Waste Management. The applicant/Appellant prays for ad-interim ex-parte stay of the effect and operation of the

impugned judgment to be confirmed after service of notice of motion.

2. The list of dates and grounds for challenge to the impugned order is more fully set out in the accompanying civil appeal and the appellant craves to rely upon the same which are not being repeated herein for the sake of brevity. The averments in the accompanying civil appeal may be treated as part and parcel of the instant application as well.
3. The Appellant/applicant submits that it has a strong case on merits and meets the threshold of a *prima facie* case for interim relief as prayed for. The impugned order proceeds to pass severe directions in the form of penalties to the tune of INR 1 Lakh per day from 01.04.2020 to be realized by Respondent No. 2 from the Appellant/applicant within two months of the impugned order. However, the principal grievance of the Appellant/applicant is that this order was passed *ex-parte*. The Appellant/applicant did not have an opportunity to place its version before the Hon'ble NGT.
4. Moreover, the Hon'ble NGT was not informed about the order dated 15 02.2021 passed by the Hon'ble High Court of Judicature at Bombay in W.P. (C) No. 3573 of 2021 whereby a status quo came to be passed by the Hon'ble High Court. The writ petition challenged government notification dated 27.07.2018 issued by Urban Development Department of Government of Maharashtra whereby lands allegedly belonging to the petitioner therein was reserved for Sewage Treatment Plant ("STP"). Owing to the status quo order passed by the Hon'ble High Court, STP could not be set up by the Appellant/applicant. The Respondent No. 2-Maharashtra Pollution Control Board who were a party before both the Hon'ble High Court and the Hon'ble NGT, however, failed to disclose the pendency of the proceedings before the Hon'ble High Court before the Hon'ble NGT. The Appellant/applicant

who is a party before the Hon'ble High Court, would have duly brought these facts to the attention of the Hon'ble NGT if given an opportunity to place its version.

5. The violation on the part of the Appellant/applicant as found by the Hon'ble NGT is in relation to the non-establishment of the STP. However, the STP has not been established only for the reason of the status quo passed by the Hon'ble High Court as mentioned above. Therefore, the Hon'ble NGT direction is not on the basis of the complete set of facts. Therefore, the Appellant/applicant submits that it has a strong case on merits and is advised of a good chance of success before this Hon'ble Court.
6. Grave prejudice is caused to the Appellant/applicant as severe directions have been passed on it without an opportunity to place the complete facts on record. Furthermore, the directions for recovery of compensation at 1 Lakh per day amounts to upwards of INR 10 cr. to be levied from the Appellant/applicant. The Appellant/applicant is a body established under Part IX-A of the Constitution of India and being a municipal council it operates over a small urban area. The impugned order puts a heavy financial burden on the Appellant/applicant and in turn on the public exchequer. Balance of convenience is in favor of grant of interim relief.
7. The present application is being preferred *bonafide*.

PRAYER

In view of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to:

a) Pass an *ad-interim ex-parte* order directing stay of the effect and operation of the impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal

Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ) during the pendency of the instant civil appeal;

b) Confirm (a) after service of notice of motion;

c) Pass such other order and further order(s) as this Hon'ble Court may be pleased to consider just and necessary in the interest of justice.

AND FOR THIS ACT OF KINDNESS THE APPELLANT AS DUTYBOUND SHALL EVER PRAY.

DRAWN BY:

GOVIND MANOHARAN

ADVOCATE

FILED BY:

(**A. KARTHIK**)

ADVOCATE FOR THE APPELLANT

FILED ON: 17.01.2023

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

IA NO. _____ OF 2023

IN

CIVIL APPEAL NO. _____ OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Madhukar Shankar Sutar & Ors. …Respondents

APPLICATION SEEKING EXEMEPTION FROM FILING THE CERTIFIED COPY OF THE IMPUGNED JUDGEMENT

TO
THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUDGES OF THE
HON'BLE SUPREME COURT OF INDIA

THE HUMBLE APPLICATION
OF THE APPLICANT HEREIN.

MOST RESPECTFULLY SHOWETH:

1. The instant application is being preferred in the accompanying civil appeal preferred under Section 22 of National Green

Tribunal Act, 2010 ("**NGT Act**") against the order dated 18.10.2022 ("**impugned order**") arising out of Original Application No 74 of 2021 passed by the Hon'ble National Green Tribunal, Western Zone, Pune ("**NGT**"), wherein the Hon'ble NGT has set aside the Appellant *ex parte* and passed severe directions regarding penalties, and *inter alia,* compensation to the tune of INR 1 Lakhs per day from 01.04.2020 till compliance for non-compliance of Legacy Waste Management.

2. The contents of the accompanying Civil Appeal and List of Dates may kindly be read as part and parcel of the present Application and the same are not being repeated herein for the sake of brevity and to avoid prolixity. The Applicant craves liberty to refer and to rely upon the same as and when this Application is taken up for hearing.
3. The present Application is being filed seeking exemption from filing certified copy of the impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ) ("**NGT**").
4. Due to urgency involved in filing this petition, the Appellant is filing the present Civil Appeal with a true copy of the Impugned Judgement downloaded from the website of the Hon'ble National Green Tribunal, Western Zone, Pune.
5. The Applicant/ Appellant undertake to produce the certified copy of the Impugned Judgment if this Hon'ble Court deems it necessary.

PRAYER

It is therefore, most respectfully prayed that this Hon'ble Court may be pleased to:

(a) Grant exemption from filing certified copy of the impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ).

(b) Pass such other and further other order(s) as it may fit deem fit in the interests of justice and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE APPELLANT AS DUTYBOUND SHALL EVER PRAY.

DRAWN BY:

GOVIND MANOHARAN

ADVOCATE

FILED BY:

(**A. KARTHIK**)

ADVOCATE FOR THE APPELLANT

FILED ON: 17.01.2023

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

IA NO. _____ OF 2023

IN

CIVIL APPEAL NO. _____ OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Madhukar Shankar Sutar & Ors. …Respondents

APPLICATION SEEKING CONDONATION OF DELAY IN FILING THE INSTANT CIVIL APPEAL

TO

THE HON'BLE CHIEF JUSTICE OF INDIA

AND HIS COMPANION JUDGES OF THE

HON'BLE SUPREME COURT OF INDIA

THE HUMBLE APPLICATION

OF THE APPLICANT HEREIN.

MOST RESPECTFULLY SHOWETH:

1. The instant application is being preferred in the accompanying civil appeal under Section 22 of National Green Tribunal Act, 2010 ("**NGT Act**") against the order dated 18.10.2022 ("**impugned order**") arising out of Original Application No 74 of 2021 passed by the Hon'ble National Green Tribunal, Western Zone, Pune ("**NGT**"), wherein the Hon'ble NGT has set aside the

Appellant *ex parte* and passed severe directions regarding penalties and compensation to the tune of INR 1 Lakhs per day from 01.04.2020 till compliance for non-compliance of Legacy Waste Management. The applicant/Appellant prays for ad-interim ex-parte stay of the effect and operation of the impugned judgment to be confirmed after service of notice of motion.

2. The contents of the accompanying Civil Appeal and List of Dates may kindly be read as part and parcel of the present Application and the same are not being repeated herein for the sake of brevity and to avoid prolixity. The Applicants crave liberty to refer and to rely upon the same as and when this Application is taken up for hearing.
3. That the present Application is being filed seeking condonation of delay of **1** day in filing the accompanying Civil Appeal.
4. That there was a delay in procuring all the supporting documents necessary for filing and therefore, the filing of the accompanying Civil Appeal got delayed by **1** day.
5. That under these circumstances the delay caused by the Appellant is unintentional and *bonafide*.

PRAYER

It is therefore, most respectfully prayed that this Hon'ble Court may be pleased to:

(a) Condone the delay of **1** day in filing the instant civil appeal against the impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ); and;

(b) Pass such other and further other order(s) as it may fit deem fit in the interests of justice and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE APPELLANT AS DUTYBOUND SHALL EVER PRAY.

DRAWN BY:

GOVIND MANOHARAN

ADVOCATE

FILED BY:

(**A. KARTHIK**)

ADVOCATE FOR THE APPELLANT

FILED ON: 17.01.2023

CIVIL APPEAL NO. _____ OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Madhukar Shankar Sutar & Ors. …Respondents

APPLICATION SEEKING CONDONATION OF DELAY IN RE-FILING THE INSTANT CIVIL APPEAL

TO

THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUDGES OF THE
HON'BLE SUPREME COURT OF INDIA

THE HUMBLE APPLICATION
OF THE APPLICANT HEREIN.

MOST RESPECTFULLY SHOWETH:-

1. The present application seeks condonation of delay in refiling the accompanying Civil Appeal preferred under Section 22 of National Green Tribunal Act, 2010 ("**NGT Act**") against the order dated 18.10.2022 ("**impugned order**") arising out of Original Application No 74 of 2021 passed by the Hon'ble National Green Tribunal, Western Zone, Pune ("**NGT**"). By the impugned judgment, the Hon'ble NGT has set the Appellant *ex parte* and passed severe directions regarding penalties and compensation to the tune of INR 1 Lakhs per day from 01.04.2020 to be realized by Respondent No. 2

from the Appellant within two months of the impugned order.

2. The impugned final order and judgment was passed on 18.10.2022. The Appellant preferred the instant civil appeal on 17.01.2023. However, certain relevant annexures could not be filed and as a result the civil appeal was returned in defects by the registry on 17.01.2023.
3. Thereafter, the requisite documents were solicited from the local counsel who handled the matter before the Hon'ble NGT, who, in turn contacted the officers to furnish the same so that the files could be readied.
4. However, owing to certain administrative difficulties the officers concerned could not locate the relevant files and therefore, a delay was occasioned in the procuring of the same to enable the same to be filed. In the meantime, the case was listed before this Hon'ble Court and by order dated 17.07.2023 this Hon'ble Court was pleased to grant further time of six weeks to cure the defects pointed out by the Registry of this Hon'ble Court.
5. Thereafter, fresh supporting affidavits were also obtained from the officers of the Appellant, and the same was shared with the counsel in New Delhi for preparing and filing before this Hon'ble Court.
6. The Appellant submits that the delay is neither willful nor wanton and the same may be condoned in the interests of justice.

PRAYER

In view of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to:

(a) Condone the delay of _____ days in re-filing the instant civil appeal against the impugned judgment and final order dated 18.10.2022 passed by the Hon'ble National Green Tribunal

Western Zone Bench, Pune in Original Application No.74 of 2021 (WZ); and

(b) Pass such other order and further order(s) as this Hon'ble Court may be pleased to consider just and necessary in the interest of justice.

AND FOR THIS ACT OF KINDNESS THE APPELLANT AS DUTYBOUND SHALL EVER PRAY.

DRAWN BY:

GOVIND MANOHARAN

ADVOCATE

FILED BY:

(**A. KARTHIK**)

ADVOCATE FOR THE APPELLANT

FILED ON: 17.01.2023

Noted Register
Serial Number 2088/2023

28 JUL 2023

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
IA NO. OF 2023
IN
CIVIL APPEAL NO. _____ OF 2023

IN THE MATTER OF:

THE ISLAMPUR MUNICIPAL COUNCIL

...APPELLANT/APPLICANT

VERSUS

MADHUKAR SHANKAR SUTAR & ORS.

...RESPONDENTS

AFFIDAVIT

I, Vaibhav Sable, aged 29 years, Chief Officer of Islampur Municipal Council, having office at Islampur, Tehsil Islampur, District Sangli, Maharashtra do hereby solemnly affirm and state as follows:

1. That I am the authorized representative of the Appellant in the above filed Civil Appeal and I am fully conversant with the facts and proceedings of the case.
2. That I have read and understood the contents of the accompanying application and I say that the facts stated therein are true and correct to the best of my knowledge based on official records and legal submissions are based on the advice received from the Counsel which I believe to be true.

SANJEEV M. CHOUGULE
NOTARY
Registration No. 9126
GOVERNMENT OF INDIA

3. That the Annexures to the application are true copies of its originals.

URUN-ISLAMPUR MUNICIPAL COUNCIL TAL. WALWA DIST. SANGLI

DEPONENT
Chief Officer
Islampur Municipal Council

VERIFICATION:

I, the deponent above named, do hereby verify and state on solemn affirmation that the contents of the paras 1 to 6 are true and correct to best of my knowledge and I believe the same to be true and that nothing material has been concealed therefrom.

Verified by me at Sangli on this __ day of July, 2023

Identified by me

Advocate

URUN-ISLAMPUR MUNICIPAL COUNCIL TAL. WALWA DIST. SANGLI

DEPONENT
Chief Officer
Islampur Municipal Council

SANJEEV M. CHOUGULE NOTARY Registration No. 9135 GOVERNMENT OF INDIA

Noted Register
Serial Number 2038/2023

Solemnly affirmed
BEFORE ME

Adv. S. M. Chougule
Notary Government of India
Irai. Dist Sangli Reg.No.9135

28 JUL 2023

SANJEEV M. CHOUGULE NOTARY Registration No. 9135 GOVERNMENT OF INDIA

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

ITEM NO.35 COURT NO.11 SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL Diary No(s). 2522/2023

(Arising out of impugned final judgment and order dated 18-10-2022 in OA No. 74/2021 passed by the National Green Tribunal,western Zone, Pune)

THE ISLAMPUR MUNICIPAL COUNCIL Appellant(s)

VERSUS

MADHUKAR SHANKAR SUTAR & ORS. Respondent(s)

(IA No.173605/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.173604/2023-STAY APPLICATION and IA No.173606/2023-CONDONATION OF DELAY IN FILING APPEAL and IA No.173607/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 03-10-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Appellant(s) Mr. Govind Manoharan, Adv.
Ms. Samiksha Godiyal, Adv.
Mr. Anchit Singla, Adv.
Mr. Nishchaiy Sharma, Adv.
Mr. A. Karthik, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Heard learned counsel for the appellant.

For the time being, we are staying the impugned order only insofar as it directs payment of compensation. However, the Chief Officer of the Petitioner shall file an affidavit in this Court

Signature Not Verified
Digitally signed by GEETA AHUJA
Date: 2023.10.04 15:30:37 IST
Reason:

setting out the compliance, if any, made with the Solid Waste Management Rules, 2016 and will also state what preventive measures are being taken by the appellant to ensure that untreated sewage water is not discharged in Krishna River.

The affidavit shall be filed within a period of one month from today.

Issue notice, returnable on 20.11.2023.

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

ANNEXURE - 3

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Mr. Madhukar Shankar Sutar & Ors …Respondents

INDEX

Sl. No.	Particulars	Page Reference
1.	Affidavit of the Chief Ffficer, Appellant pursuant to order dated 03.10.2023 of this Hon'ble Court	1 – 24
2.	**Annexure A**: True copy of the notice dated 19.09.2022 issued to the Appellant	25 – 27
3.	**Annexure B:** True copy of authorization status	28
4.	**Annexure C:** True copy of recapitulation sheet that formed part of the DPR	29 – 30
5.	**Annexure D:** True copies of recent photos of the MSW site where efforts have been made by the Appellant Council for the aforesaid compliance	31 – 68

ADVOCATE FOR THE APPELLANT: MR. A KARTHIK

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council ...Appellant

Versus

Mr. Madhukar Shankar Sutar & Ors ...Respondents

AFFIDAVIT OF THE CHIEF OFFICER, APPELLANT PURSUANT TO ORDER DATED 03.10.2023 OF THIS HON"BLE COURT

I, Rahul Mardhekar, son of Sarjerao Mardhekar, aged about 44 years, presently serving as Chief Officer of the Appellant herein, having office at Shivaji Chouk, Islampur, Tal. Walva, Dist. Sangli, Maharashtra do solemnly affirm and state as follows:

1) That I am the Chief Officer of the Appellant Council, and was appointed to the post with effect from 02.08.2023. I am well-versed with the facts of the instant case as understood by me on the basis of the official records of the Appellant, and therefore, competent to swear to this affidavit.

2) This Hon'ble Court by order dated 03.10.2023 was pleased to pass the following direction in the above captioned matter:

> "For the time being, we are staying the impugned order only as far as it directs payment of compensation. However, the Chief officer of the petitioner shall file an affidavit in this Court setting out the compliance, if any, made with the Solid Waste Management Rules, 2016 and will also state what preventive measures are being taken by the appellant to ensure that untreated sewage water is not discharged in Krishna River.
> The affidavit shall be filed within a period of one month from today."

3) The present civil appeal has been preferred by the Appellant Council impugning the order dated 18.10.2022 passed by the Hon'ble National Green Tribunal Western Zone Bench in OA No. 74 of 2021 (WZ) whereby the Hon'ble Tribunal was pleased to find that the Appellant Council was in contravention regarding, *inter alia,* the following matters:

a. Regarding setting up of a Sewage Treatment Plant and treatment of sewage water flowing into the Krishna river, and,

b. Regarding non-compliance of Legacy Waste Management for which a notice dated 28.07.2021 came to be issued followed by a notice dated 19.09.2022 came to be issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 [contents reproduced at Paragraph 7 of the impugned judgment].

True copy of the notice dated 19.09.2022 issued to the Appellant is annexed herewith and marked as "**Annexure A**" (pages to).

4) I state, without prejudice to the contentions in the accompanying civil appeal, that all steps are being taken to rectify any and all contraventions that have been pointed out to the Appellant Council under notice dated 19.09.2022, which are more fully described hereinbelow:

Regarding compliance under SWM Rules, 2016

Sr. No	Non-compliance observed as per the notice dated 19.09.2022	Compliance and factual submissions
1.	You are operating the MSW	The Islampur Municipal Council

	site without obtaining valid authorization since 31.12.2020 and yet not applied for the authorization for further period.	has applied for authorization on dated 28.04.2021 having authorization application no. MPCB-MSW_AUTH-0000000 653 with Maharashtra Pollution Control Board, and same has been pending before Maharashtra Pollution Control Board. (True copy of authorization status is attached herewith and marked as "**Annexure B**." (pages to)
2.	Your council has not provided scientific segregation and only mix waste with plastic and inert material and organic waste was observed unscientifically dumped on the said site (Approximately 18 MT / D).	1) Islampur Municipal Council owned 8 MSW collect vehicles in the year 2017 and 2 dumpers in the year 2023. Also, the municipal council has taken 7 MSW collect vehicles, 4 tractor trolleys on rent basis every year. Also, an additional vehicle has been arranged for collecting chicken and mutton waste. 1 driver and 1 helper have been

		appointed in each vehicle. Helpers have been appointed to collect segregated waste from citizens. 2) Around 70-80% of the waste received by the municipal council is segregated in the MSW collect vehicles. Further, the municipal council has created public awareness for the citizens to deposit the segregated waste in the municipal council's MSW collect vehicles. (IEC Activity) Further, Municipal Council has created a lot of public awareness to accept 100% segregated waste. (The municipal council broadcasts an audio clip about giving segregated waste to MSW collect vehicles.) Further public awareness is being sought to be created among the citizens

GOVT. OF

		through issuance of 20,000 circulars. 3) Segregated dry waste is stored in bundles and then these bundles are sent to a TPA, by the name and style of M/s. Naturepro Company for further processing for recycling. As per the arrangement, the company has provided the Appellant Council with a bailing machine for the packing of dry plastic waste. To process wet-waste windrow composting method has been adopted by the Municipal Council. 4) Further for the processing of wet waste, construction of a bio-gas project of 5 TPD capacity work is under progress, and around 80% work has been

GOVT. OF INDIA

		completed as on date. The work is expected to be completed within 2 months and the project is set to be operational. 5) The municipal council has prepared a detailed report of the solid waste management project under Swachh Bharat Abhiyan 2.0 and submitted the same to the Maharashtra Jeevan Pradhikaran for technical approval, considering the increased population of the city and the need for additional machinery. True copy of recapitulation sheet that formed part of the DPR is attached herewith and marked as **"Annexure C" (pages to).** 6) Further, to process wet and dry waste, a 27,000 sq. ft. shed

NT. OF INDIA

		has been constructed which has been operational since 25.03.2023. In addition, a dry waste processing center with RDF facility (25 tonnes per day) has been proposed by the Municipal Council and the same has been sent to Maharashtra Jeevan Pradhikaran for technical approval. 7) Municipal council has already constructed a shed for processing wet waste. The construction of pits has been completed as on 01.11.2023. 8) Further, segregated waste is being stored by heap composting. Baling machine has been provided by the Naturepro company since 09.09.2023 for plastic waste. The waste has been segregated in the MRF

GOVT. OF INDIA

		center.
3.	Your Municipal Council have yet not completed construction work of RCC Platform and shed. Only one shed is completed.	The 27,000 sq. ft. shed and RCC platform has been constructed and is operational since 25.03.2023. Currently, the work of Windrow Composting and dry waste separation and baling machine is being carried out and sent for recycling process.
4.	Your Municipal council has yet not installed plant and machinery.	1) The Municipal Council has installed various plant and machineries like Conveyer Belt, Baling machine, Trommel machine, Shredding machine, and Compost Screening machine. 2) Moreover, under the Swachh Bharat Abhiyan 2.0, detailed project report for new incremental machinery has been prepared and sent to Maharashtra Jeevan Pradhikaran for technical approval.

5.	During visit large amount of fire nuisance was observed at MSW site & till date full fledge Fire fitting system not provided.	1) At present, the municipal council has made a borewell and a tank of 2000 liters capacity on site has been kept to store the borewell water to deal with fire hazard. The municipal council has its own fire fighting vehicle which is provided immediately in case of emergency. 2) Fire Extinguisher System under Swachh Bharat Mission 2.0 - 4.5 KG Capacity 10 quantities has been proposed in the detailed project report.
6.	You have provide only 30.0 No of windrows composting (15 Nos of RCC and 15 No.s HDPE) which are inadequate.	1) With a view to address the inadequacy as pointed, the municipal council has completed construction of 30 new composting pits with larger capacity as compare to old pits, which has a total capacity 180 to 210 Ton.

		2) Further as stated above, the construction of a bio-gas project will be complete in next two months and project expected to be operational. (Total capacity 5 TPD) 3) Further under detailed project report submitted under the Swatch Bharat Abhiyaan 2.0, Rotary dry Composter has been newly proposed. (Total capacity 2 TPD)
7.	You have provided single screening of dry waste, which was not found in operation during the visit.	1) The single screening of dry waste and Trommel machine are presently in operation. 2) Further, under detailed project report submitted under the Swatch Bharat Abhiyaan, MRF with RDF facility has been newly proposed. (Total capacity 25 TPD)
8.	You have yet not provided	At project site of Municipal Solid

GOVT. OF INDIA

	concreted or paved approach / internal roads and dust emissions and clay muds were recorded during vehicular movements.	Waste the internal road and drainage work has been completed as on 15.06.2023.
9.	During visit provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection plastic tank were not found in operation.	1) The weighing scale machine is now operational. 2) Borewell has also been constructed by the municipal council. A 2000-liter capacity tank has been kept for storing borewell water. 3) Fire Extinguisher System - 4.5KG Capacity 10 nos has been newly proposed under detailed project report submitted under Swachh Bharat Abhiyan 2.0.
10.	Your council has not provided the provisions for washing of transport vehicles carrying solid waste and 100 % storm water drain and the surface	1) Municipal Council has leased out its MSW collector vehicles to private-contractors. The work of cleaning the cars is done through the concerned contractor.

	runoff water and same is diverted from the different solid waste locations also mixed with the surface runoff water.	2) The construction of internal drains has been completed at the MSW site through which rainwater flows naturally. 100 % storm water drain flows through internal drain. The Appellant council has states that the mixing, may have previously occurred only during the rainy seasons when the region receives heavy rainfall. Absent such heavy rainfall and throughout the rest of the year, the Appellant Council has not observed contamination by mixing of surface water and water diverted from solid waste locations. The construction of internal drains has been completed at the MSW site through which rainwater flows naturally. An internal gutter system has also been properly

		maintained to avoid any contamination.
11.	Your council has yet not constructed 100 % wind breaking wall only 50 % constructed wall is provided and remaining is found fencing only.	The construction of 100% protection wall of solid waste management project has been completed as on 15.06.2023.
12.	Green plantation around MSW Site is not carried out	Present at MSW site there are around 180 native trees are available, and after completion of entire work within two months around new 800 trees will be plant.
13.	Your council has completely failed to comply with the SCHEDULE II [see rule 16(1), (b), (e), 16 (4)] (Standards of processing and treatment of solid waste) as per MSW Rule 2016.	As per SCHEDULE II [see rule 16(1), (b), (e), 16 (4)] (Standards of processing and treatment of solid waste) for wet waste processing the windrow composting has been adopted already. Additionally pit has been constructed for pit composting.

		All this has been done in the 27000 sq. ft. shade which has been constructed. And there were pits available. Necessary precaution shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard with the use of biological culture which has microbial activity for the composting which acts as a catalyst in composting process. In case of breakdown or maintenance of plant- in this scenario there are small sheds available for the storage of waste. The windrow area provided with impermeable base made of concrete which can be clearly visible in the photo of shed. The council also obtained the harit compost brand from the

A. R		state government after the proper testing of compost in the govt lab.

GOVT. OF INDIA

Regarding measures taken to ensure untreated sewage water is not discharged in Krishna River :-

Sr. No	Non-compliance observed as per the notice dated 19.09.2022	Compliance and factual submissions
1.	You have not provided Sewage Treatment Plant to the sewage generated (approximately 8 MLD) through your local body.	1) The urban Development Department had approved the underground sewer scheme of Rs.69.42 crores for Islampur city under Maharashtra Suvarna Jayanti Nagarotthan Mahabhiyaan as per the state government decision dated 17/03/2017. (Sewage Pumping Station 4 and Sewage Treatment Plant 2 (total capacity 12 MLD) are approved in the said scheme.

		2) The then Chief Executive, Islampur Municipal Council issued order No. PA.P.U./ 6064/2017, dated 22/12/ 2017, to M/s. Lakshmi Civil Engineering Services Ltd., Kolhapur for the work of the said scheme. Accordingly, the said work was done at an additional rate of 24.04% i.e. Rs.82.88 crores. 3) After the Government approved the Underground Drainage Scheme, the site of Sewage Pumping Station 4 and Sewage Treatment Plant 2 is to be taken possession of by Municipal Council. It is necessary to issue the work order only after ensuring this. However, it appears that the Chief Executive Officer without checking the

		availability of the land/ site said order was issued on dt. 22/12/2017. According at survey no. 915 the 130 Guntha land for STP 1 was purchased by Municipal Council in the year 2022 and survey no. 128 when the process of compulsorily purchasing 35 Gunthas of land for STP 2 was started, the owner of the land concerned Mr. Eknath Jadhav has filed a Writ Petition before the Hon'ble High Court against the proceedings of the Municipal Council, the said land has not yet come under the possession of the Municipal Council. Also, land for Sewage Pumping at Survey No. 94 the 25 gunta land for Station 1 has not yet come under the possession of Municipal Council. Therefore,

		even after approval of underground drainage scheme plan and STP, the said plan was not completed and the said site/ land acquisition process is still going on. However, in the meantime, 50% networking of the approved scheme has been completed. 4) For the work of underground drainage scheme after issuing the order on dt. 22/12/2017 the said work has been extended from time to time and the last extension has ended on 15.08.2023. As per letter dt. 09/08/2023 the M/s Lakshmi Civil Engineering Services Ltd. Kolhapur requested, considering the current market prices, since the rates of all construction materials and fuel have increased,

		they should get a rate hike as they cannot afford to work in the rates of year 2016-17. But due to the financial loss of the municipal council after giving the rate increase, the municipal council has decided not to give the said rate increase under Resolution No. 490, dated 01/11/2023. 5) However, despite the said order, since underground Drainage Scheme (STP) is necessary for Islampur city, the Municipal Council under Resolution No. 490, dated 01/12/2023, the work of the old Underground Drainage Scheme and under the custody of the Municipal Council decisions have been taken to appoint a Project Management Consultant (PMC), prepare DPR, take

		technical approval, submit the proposal to the government for administrative approval, conduct tender process, etc. 6) Municipal council passed resolution no. 490, vide letter dated 18/12/2023 and the Maharashtra Jeevan Pradhikaran (MJP) was requested to appoint PMC for the revised scheme as per the decision dated 22/12/2023. However, Maharashtra Jeevan Pradhikaran refused to do the said work vide letter dated 22/12/2023. Hence private PMC appointment process has been initiated by Municipal Council itself. 7) For the improvement of the scheme the council need 60 Crores but due to council's poor financial conditions this scheme

		unable to complete without state government aid, however, all efforts are being made to complete the same as soon as possible.
2.	Nalla flowing towards West side of the city having latitude 17.0553 and Longitude 74.2836 on Kapuskhed road was observed with flow of turbid pale, blackish/ whitish coloured domestic effluent with Plastic and other waste materials and is located near the applicants house causing the problem of smell nuisance.	1) That both the nalla's has been covered under the Underground Drainage Scheme which is already approved by the Maharashtra Jeevan Pradhikaran on dated 17.03.2017. Regular cleaning work of the nallas are going on. 2) Factually river Krishna is situated about 8.00 km after the end of the boundaries of the Municipal Council at Kapuskhed. Similarly after the boundary of Mayyaka Temple approximately 9.25 kms. the Krishna River is situated. From this, after the limits of Islampur Municipal

		Council there are agriculture lands, small streams, also some villages are there. 2) As mentioned in point no. 1, care is being taken to take the next action at the municipal council level as soon as possible.
3.	During the visit, two numbers of major domestic effluent carrying nallas were observed meeting to river Krishna without any treatment.	As per the point no. 1 and 2.
4.	During visit these two domestic effluent carrying nallas also observed with percolations / seepages of water from the agricultural field and natural water observed mixed with said domestic effluent.	As per the point no. 1 and 2.

True copies of recent photos of the MSW site where efforts have been made by the Appellant Council for the aforesaid compliance is annexed herewith and marked as "**Annexure D (Colly.)**". (pages to)

5) It is also stated that the Appellant Council is a municipal council suffering from manpower issues and budgetary constraints. The impugned order, which has been stayed by this Hon'ble Court, has directed payment of compensation to the tune of INR 80 Crores (approx.), which, if allowed to stand, will debilitate the functioning of the entire municipal council. The Appellant Council is taking all efforts to rectify any and all compliances that are required to be done under the SWM Rules, 2016, and as per the violations pointed out under the aforesaid notice dated 19.09.2022.

6) I state that the present affidavit is being filed in compliance of the aforesaid order on a perusal of the records available in the office of Appellant Council and I state that the facts stated herein are true and correct to the best of my knowledge and legal submissions are based on advice received from counsel which I believe to be true. I crave leave of this Hon'ble Court to file an additional affidavit, if so desired by this Hon'ble Court in relation to the aforesaid aspects.

7) I state the annexures to the present affidavit are true copies of its respective originals.

DEPONENT

Chief Officer
Islampur Municipal Council

VERIFICATION

I, the deponent abovenamed, do hereby verify and state on solemn affirmation that the contents of the paras above are true and correct to the best of my knowledge being based on a perusal of official records of the Appellant and I believe the same to be true and nothing material has been concealed therefrom.

Verified by me at Sangli on this 12th day of January, 2024

DEPONENT

Chief Officer
Islampur Municipal Council

A.P.Walekar.

Identified by me
Adv. A.P. Walvekar
Islampur
Advocate

12 JAN 2024

BEFORE ME
R. V. KOPARDE
ADVOCATE & NOTARY
GOVT. OF INDIA, REG. No. 6727
MAHADEV NAGAR, ISLAMPUR- 415 409
TAL. WALWA, DIST. SANGLI (M.S)

Solemnly affirmed before me by
Shri./Smt. The deponent
Who is identified before me by
Shri./Smt. Adv. A.P. Walvekar
whom I Personally Known.

Noted & Registered
At Serial Numbers 163/2024
Total Page No. 2

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

Annexure - A

MAHARASHTRA POLLUTION CONTROL BOARD
Regional office-Kolhapur

Tel: 0231-2652952, 0231-2660448	MAHARASHTRA "Your Service is Our Duty"	Udyog Bhavan
Fax: 0231-2652952		Near Collector Office
Website: http://mpcb.gov.in		Kolhapur
E-mail: rokolhapur@ mpcb.gov.in		Kolhapur-416 003.

No. MPCB/RO/Kolhapur/PD/2209190001 Date: - 19 / 09 /2022.

To,
The Chief Officer,
Islampur Municipal Council.
Tal. Walawa, Dist. Sangli.

Sub: Proposed Direction under section 33 A of the Water (Prevention & Control of Pollution) Act, 1974.

Ref: -1. Various Directions issued by the Board time to time and Show Cause Notice dated 10.12.2021.
2. Visit of Joint inspection of Committee constituted as per the order of Hon'ble NGT dated 15/11/2021 in the matter of O.A. 74/2021-Mr. Madhukar Shankar Sutar V/s The Islampur Municipal Council, Islampur & Ors dated 22.12.2021.
3. Visit of Board officials on 20.06.2022.
4. Proposal submitted by SRO Sangli.

.....

WHEREAS, it was obligatory on your part to obtain valid consent/ Authorization and to provide full fledged effluent treatment plant & proper disposal arrangements for effluent/ MSW generated from the local body & to operate the same round the clock so as to meet the standards prescribed by the Board and to obtain consent under the Water (Prevention & Control of Pollution) Act, 1974 & under the Air (Prevention & Control of Pollution) Act, 1981.

AND WHEREAS, the Maharashtra Pollution Control Board has issued various Directions from time to time to your council and directed to implement long term and short term measures for the treatment and disposal of sewage generated through your local body.

AND WHEREAS, the Joint Inspection committee constituted against the NGT Order dated 15/11/2021 visited your "B" Class council at 02 numbers of major domestic effluent carrying nallas located at East and West side of the council on 22/11/2021 and observed following non compliances.

1. You have not provided Sewage Treatment Plant to the sewage generated (approximately 8 MLD) through your local body.

2. Nalla flowing towards West side of the city having latitude 17.0553^0 and Longitude 74.2836^0 on Kapuskhed Road was observed with flow of turbid pale, blackish / whitish coloured domestic effluent with Plastic & other waste materials and is located near the applicants house causing the problem of smell nuisance.
3. During visit, two numbers of major domestic effluent carrying nallas were observed meeting to river Krishna without any treatment.
4. During visit these two domestic effluent carrying nallas also observed with percolations / seepages of water from the agricultural field and natural water observed mixed with said domestic effluent.

AND WHEREAS, Board officials also visited your municipal council MSW site at Khed Road, Islampur, Tal. Walwa, Dist. Sangli on 20.06.2022 and observed following non compliances.

1. You are operating the MSW site without obtaining valid Authorization since 31/12/2020 and yet not applied for the authorization for further period.
2. Your council has not provided scientific segregation and only mix waste with plastic and inert material and organic waste was observed unscientifically dumped on the said site (Approximately 18 MT/D) .
3. Your Municipal Council have yet not completed construction work of RCC Platform and shed. Only one shed is completed.
4. Your Municipal council has yet not installed plant and machinery.
5. During visit large amount of fire nuisance was observed at MSW site & till dated full fledge Fire fitting system not provided.
6. You have provide only 30.0 No of windrows composting (15 Nos of RCC and 15 Nos HDPE) which are inadequate.
7. You have provided single screening of dry waste, which was not found in operation during the visit.
8. You have yet not provided concreted or paved approach / internal roads and dust emissions and clay muds were recorded during vehicular movements.
9. During visit provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection plastic tank were not found in operation.
10. Your council has not provided the provisions for washing of transport vehicles carrying solid waste and 100% storm water drain and the surface runoff water and same is diverted from the different solid waste locations also mixed with the surface runoff water.
11. Your council has yet not constructed 100% wind breaking wall only 50% constructed wall is provided and remaining is found fencing only.
12. Green plantation around MSW site is not carried out.
13. Your council has completely failed to comply with the SCHEDULE II [see rule 16 (1), (b), (e), 16 (4))(Standards of processing and treatment of solid waste) as per MSW Rule, 2016.

AND WHEREAS, after examining the record of your case, the reports of officers of the Board & making necessary inquires, I am satisfied that you have failed to comply with various direction issued by the Board from time to time which shows your negligent attitude towards the control of pollution problems of Krishana river & thus causing great threat to the environment.

NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the by the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981, it is proposed to issue the following directions (for avoidance of doubt, the directions include prosecution, prohibition or regulation of your activities).

1. Why further legal action shall not be initiated against you in view of above non-compliances.

You are hereby directed to file your objection/reply to these proposed directions within a period of 15 days from the receipt of this notice, failing which further stringent legal action may be issued in the matter, please note.

(J. S. Salunkhe)
Regional Officer, Kolhapur

Copy submitted to:
The Member Secretary, M.P.C. Board, Mumbai.
Copy f.w.cs.to:
1. The Water Pollution Abatement Engineer, M.P.C. Board, Mumbai.
2. The Sr. Law Officer (P&L Div.II), M.P.C. Board, Mumbai.
3. The Regional Officer (HQ), M.P.C. Board, Mumbai.
Copy to:
The Sub-Regional Officer, M.P.C.Board, Sangli.
- He is directed to keep vigil on the Local Body, submit separate proposal for MSW and report the compliance made time to time after issuance of these directions.

APPLICATION FOR OBTAINING THE AUTHORIZATION

To :The Member secretary,
Maharashtra Pollution Control Board

1. Name of the municipal authority/ Name of the agency appointed by the municipal authority

Urun Islampur Municipal council

2. Correspondence Address	***Telephone No.***	***Fax No.***
Main road,near tahsil office	02342222023	

3. Nodal Officer (Officer authorised by the municipal authority or gency responsible for operation of processing or disposal facility)	***Designation of officer***
Rajaram Khambe	Sanitory Offficer

4. Authorization applied for (Please select)

Setting up & operation of waste processing facility

5.1 Processing of waste

i. Location of site	***ii. Name of waste processing technology***	***iii. Details of processing technology***	***iv. Quantity of waste to be processed per day***
CS No.214,219,Khed road	Windrow composting	Windrow composting using compost pits	18
v. Site clearance from local authority	***vi. Details of agreement between municipal authority and operating agency***	***vii. Utilization programme for waste processed(Product utilization)***	***viii. Methodology for disposal of waste processing rejects (Quantity and Quality)***
Yes	Agreement on D2D complete process on collected waste	Sale of compost & use municipal gardens	Approx.1TPD of innert material within sanitary landfill site
ix. Measures to be taken for prevention and control of environmental pollution	***x. Investment on project and expected returns***	***xi. Measures to be taken for safety of workers working in the plant***	
Plantation	500 lack	PPE are provided. IEC activity.Training schedules	

5.2 Disposal of waste

i. Number of sites identified	***ii. Layout maps of site***	***iii. Quantity of waste to be disposed per day***	***iv. Nature and composition of waste***
1	1	1	Innert material
v. Details of methodology or criteria followed for site selection	***vi. Details of existing site under operation***	***vii. Methodology and operational deatils of landfilling***	***viii. Measures taken to check environmental pollution***
Methodology is followed as CPCB norms	Site having area 4.93 Hectare away from human habitat,water source	Methodology is adopted as per MSW rules 2016	Regular checking of air quality,Plantations,Green belt

Annexure - C

Recapitulation Sheet - URAN ISLAMPUR, Municipal Council , URAN ISLAMPUR, District Sangali

Sr. No	Description	Estimated Cost in Rs.(INR)	Procurement Type
1	Item No.01 : Wet Waste shredder Machine Capacity up to 10 TPD (Each) (2 Nos.)	880,000.00	Rate Analysis
2	Item No. 02: MRF Machine Upto 20-25 TPD +RDF Facility	7,626,688.00	Rate Analysis
3	Item No. 03: Mechanical Compost Machine - 1 TPD Each (Roatry Drum/Automated Compost/Other Equivalent) (2 Nos.)	5,254,238.00	Rate Analysis
4	Item No. 04: Plastic Dust Remover Machine (Fataka Machine) 0.5 TPH	550,847.00	Rate Analysis
5	Item No. 05: Biogas Shredder /Grinder /Chiper /Mixture Machine 7.5 HP (Motor)	493,220.00	Rate Analysis
6	Item No 6 :- Modification of Existing Shed Converted into MRF Shed and Covered from all Sides with Compartments.(55 mt x 23 mt)	3,369,284.00	Rate Analysis
7	Item No 7 :- Modification to Existing Shed for Wet Waste Management.(55 mt x 23 mt)	2,713,142.00	Rate Analysis
8	Item No 8 :- Wet waste tipping platform for Pit compost shed.(14 mt x 11.5 mt)	820,814.00	Rate Analysis
9	Item No 9 :- Leachate collection tank for Existing Sanitary Landfill. (4 mt x 2 mt)	195,160.00	Rate Analysis
10	Item No 10 :- Compost Curing Platfrom.(14 mt x 8 mt)	465,045.00	Rate Analysis
11	Item No 11 :- Stone Pitching for Protection of Existing Embankment of Sanitary Landfill.	1,364,436.00	Rate Analysis
12	Item No 12 :- Civil Work of open Stormwater RCC Drainage (C -Type).(190 mt in Length)	1,491,068.00	Rate Analysis

13	Item No 13 :- Fire Extinguisher 4.5 KG capacity. (10 Nos)	104,491.00	Rate Analysis
A	**Proposed Capital Cost**	**25,328,433.00**	
B	**Fees of Technical Scantion form MJP**	**253,284.00**	
	1.00 % of Sub Total (A)		
C	**Consultancy Fee for Preparation of DPR**	**607,882.00**	
	2.4 % of Sub Total (A)		
D	**GST applicable**	**4,668,537.00**	
	18% GST on (A+C)		
E	**Royalty (If any)**	**642,383.00**	
	Total Section - A + B + C + D + E	**31,500,519.00**	

Consultant	**Water supply and sanitation Enginner Uran Islampur Municipal Council**	**Chief Officer Uran Islampur Municipal Council**

IEC activity done by municipal council to increase the awareness about segregation on regular basis

नगरपरिषद उरण - इस्लामपूर
MH-10-CR-2655
Uran Islampur
Maharashtra
India
2023-01-31(Tue) 12:45(pm)
30°C
86°F

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MH-10-CR-2656
Uran Islampur
Maharashtra
India
2023-01-31(Tue) 12:20(pm)
19°C
66°F

IEC message is spread through waste collection vehicle about 20,000 of such pamphlets are being distributed increase the awareness about segregation on regular basis.

Weigh Bridge is functional

1319

Photos of Pit composting construction is complete

3849+G6R, Uran Islampur, Maharashtra 415409, India
Uran Islampur
Maharashtra
India
2024-01-11(Thu) 16:27
31°C
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Google

3849+G6R, Uran Islampur, Maharashtra 415409, India
Uran Islampur
Maharashtra
India
2024-01-11(Thu) 16:27
31°C
88°F
Google

Construction of biogas with its mechanical machinery

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Long 74.318689°
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Google

1327

1328

27000 sq feet shade construction – completed and now in use

Sale of plastic to nature pro plastic for processing

RS
EAGLE
JEERA
EAGLE
WHEAT
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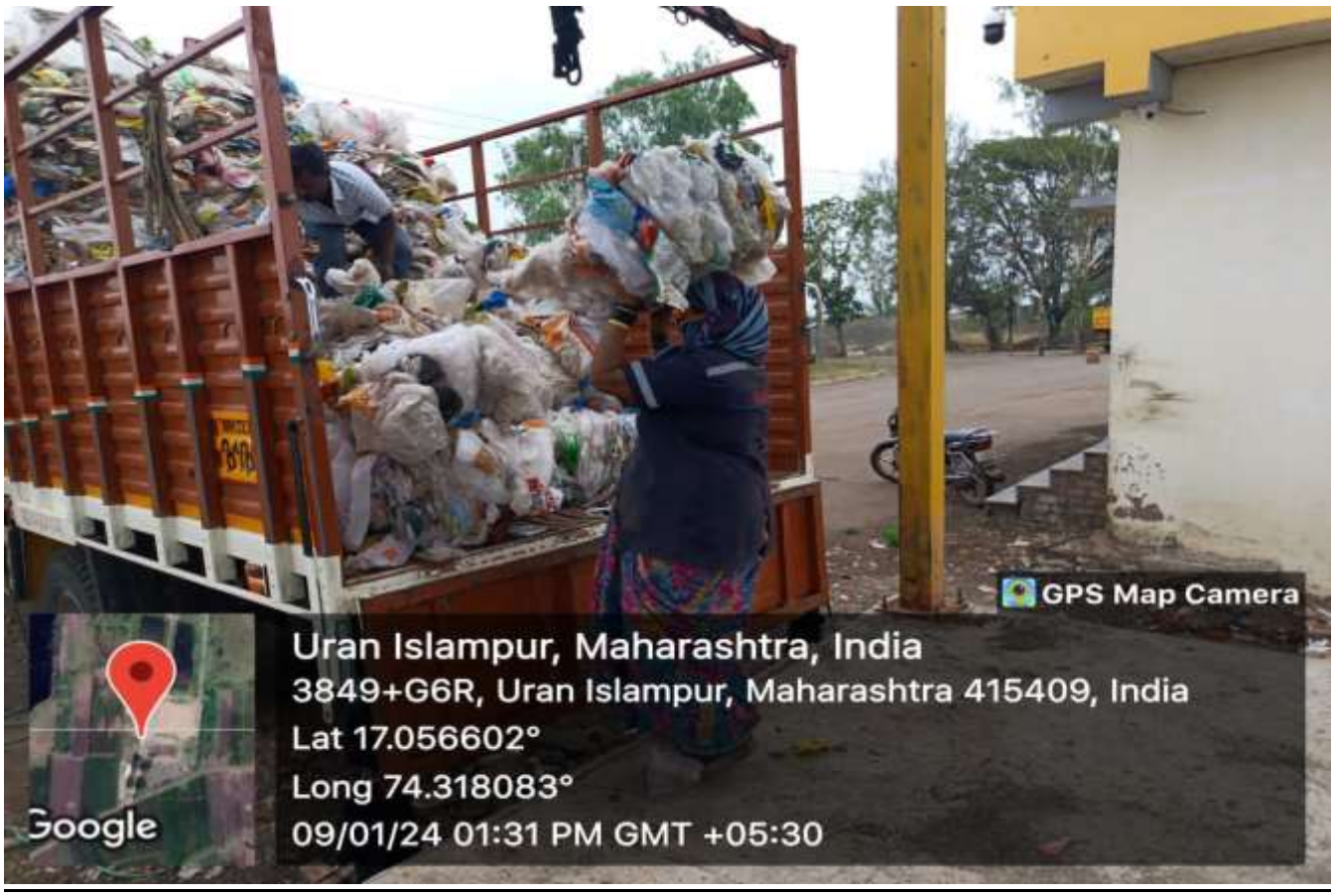
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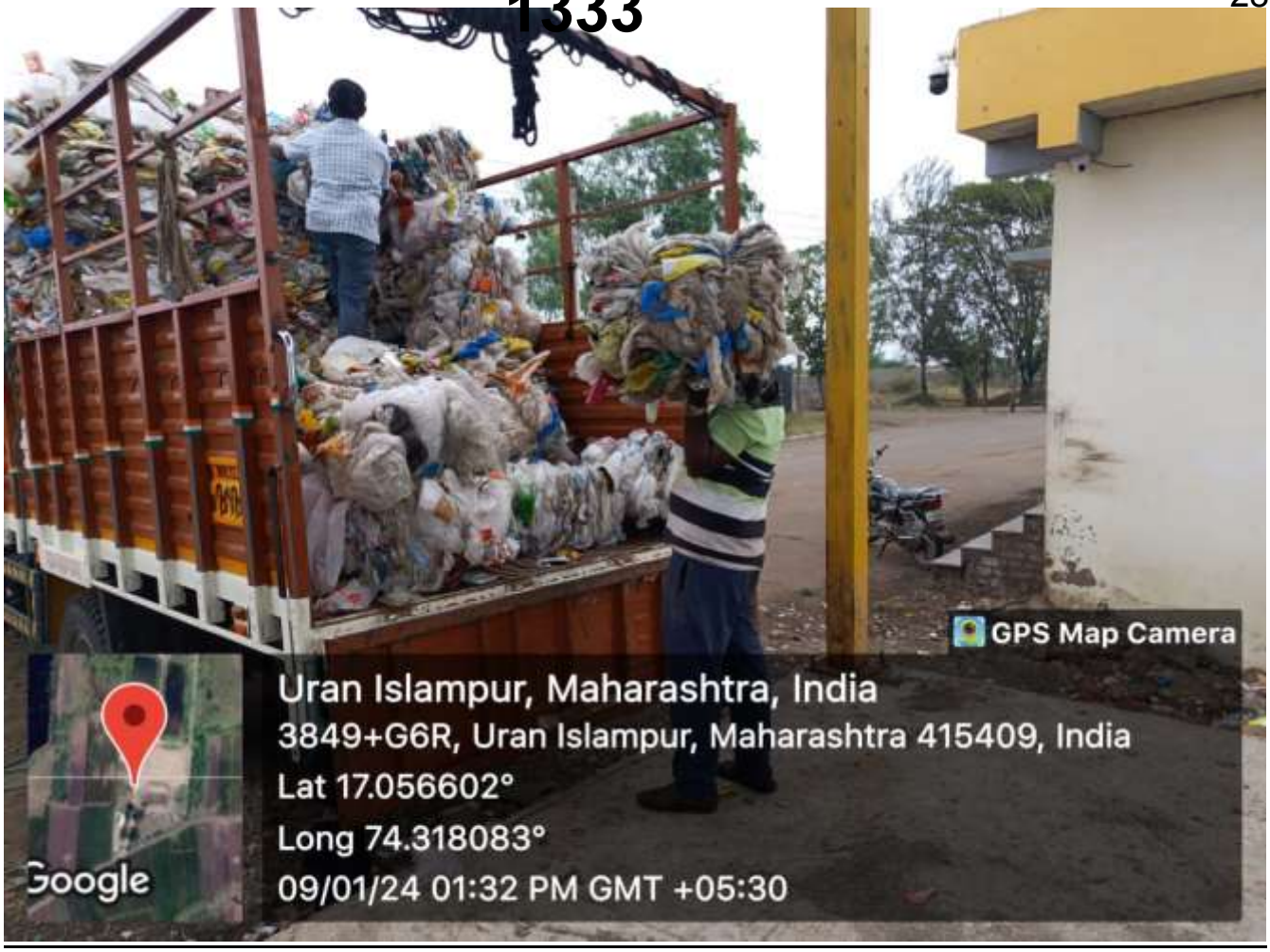
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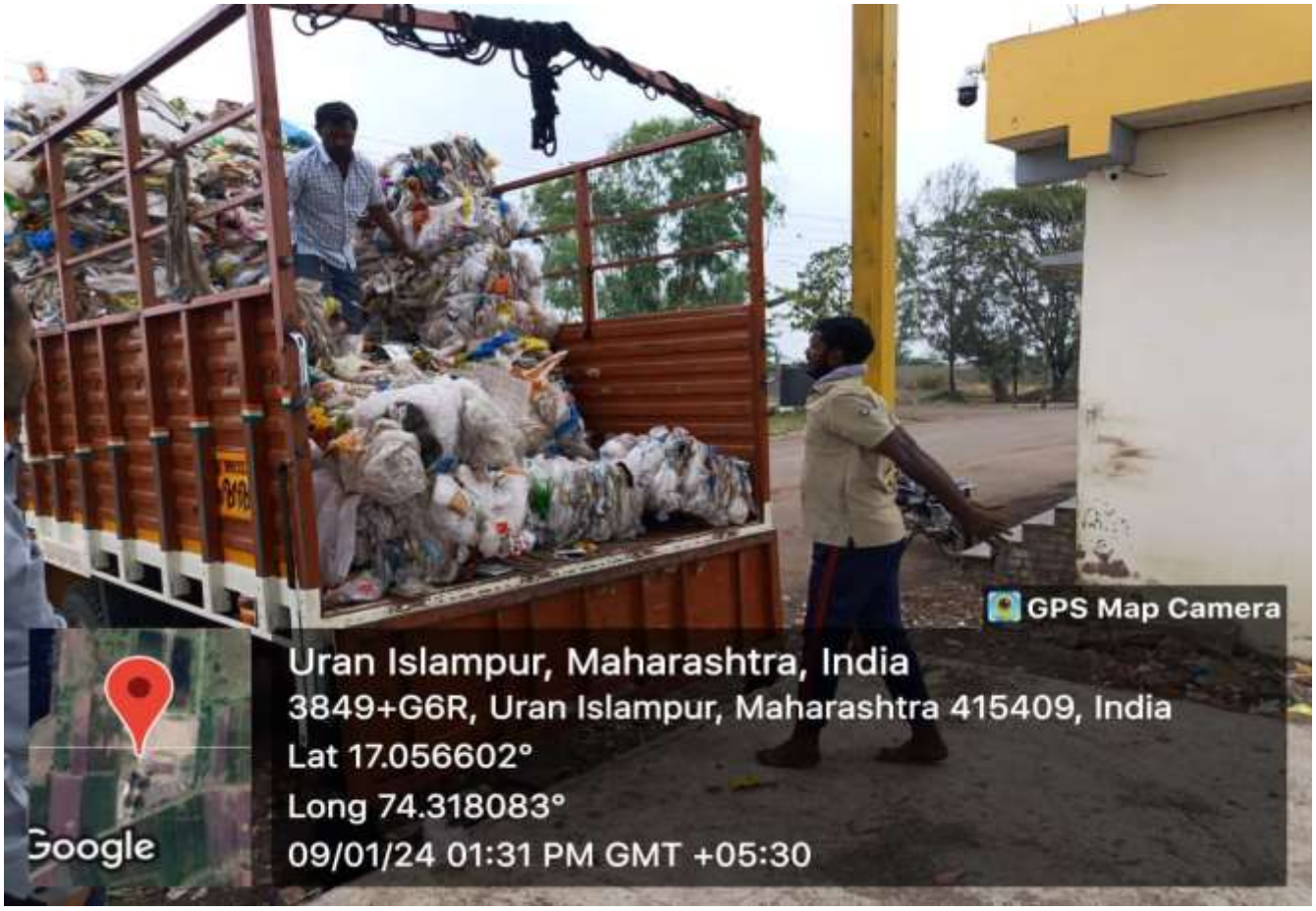
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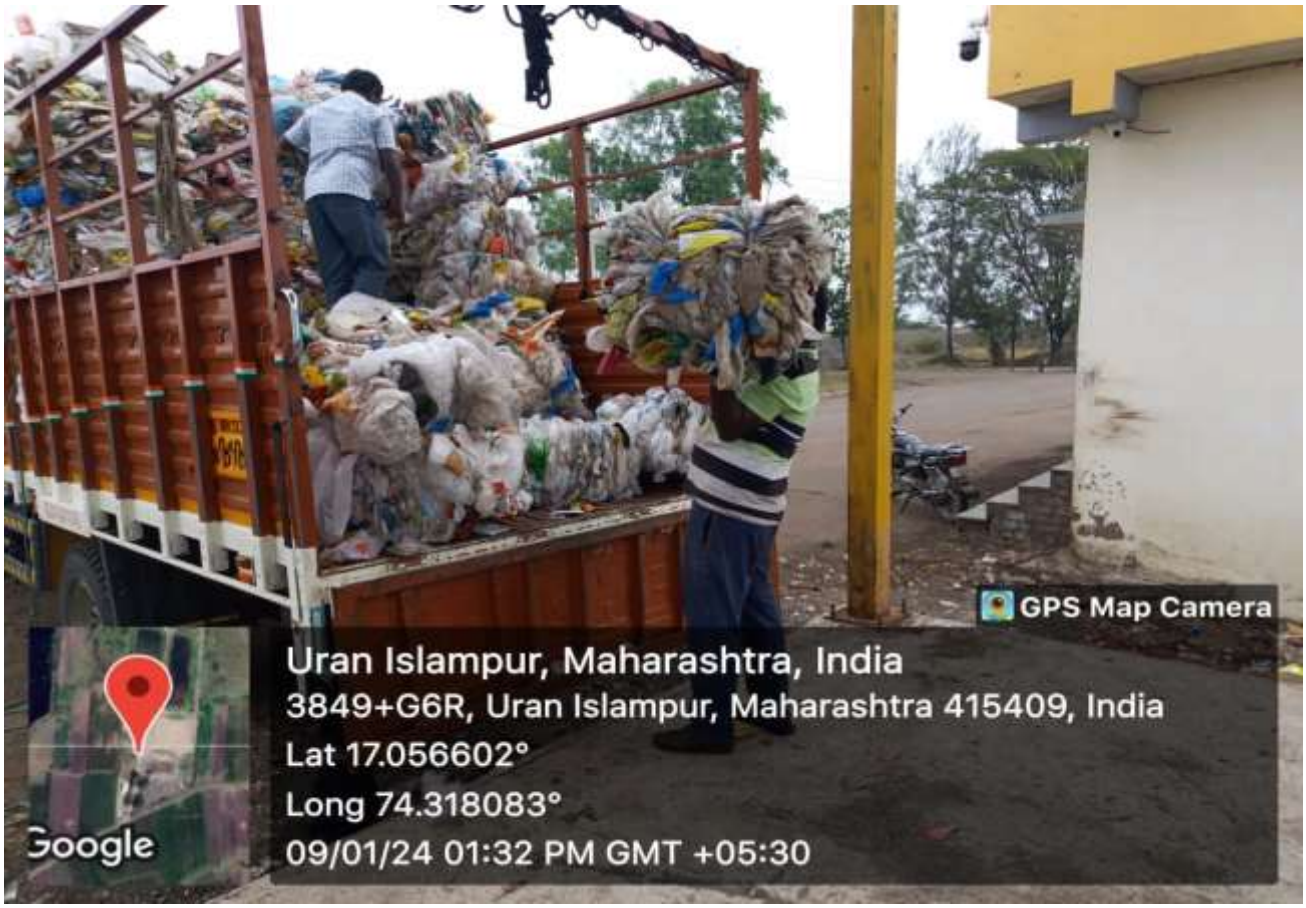
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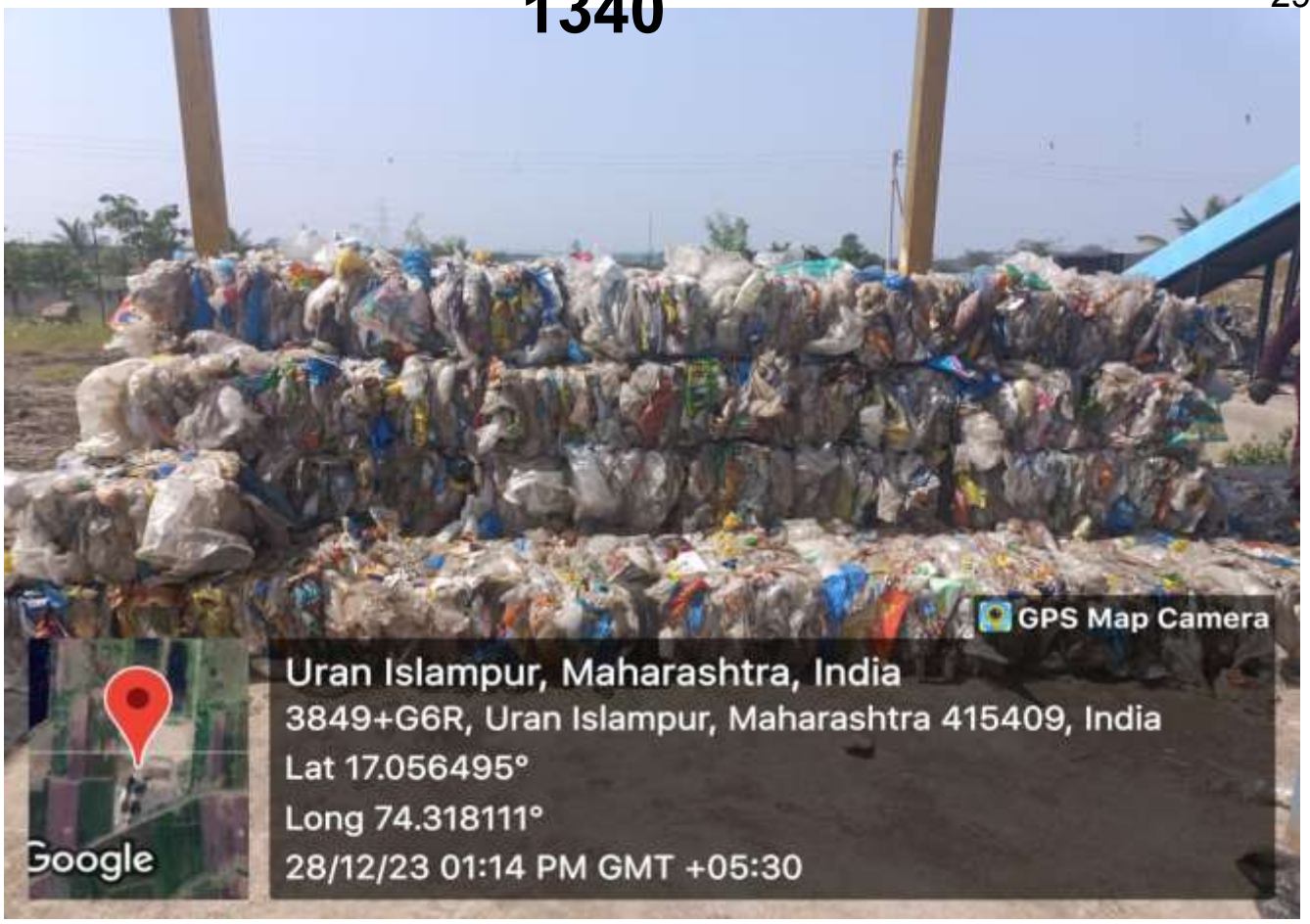
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Google

Segregation of waste is being carried out in the shade for separate processing

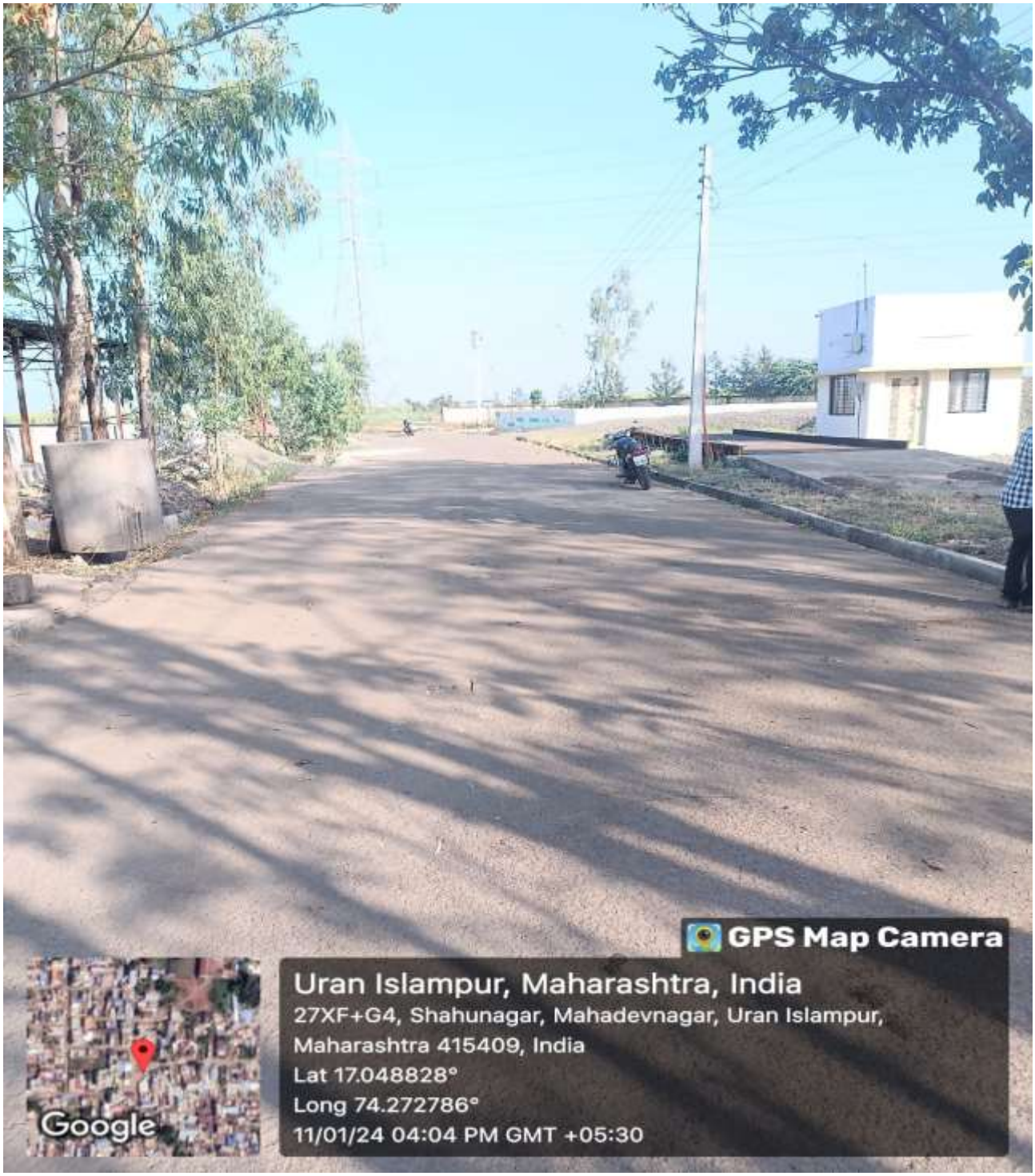
Trommel machine at solid waste management site

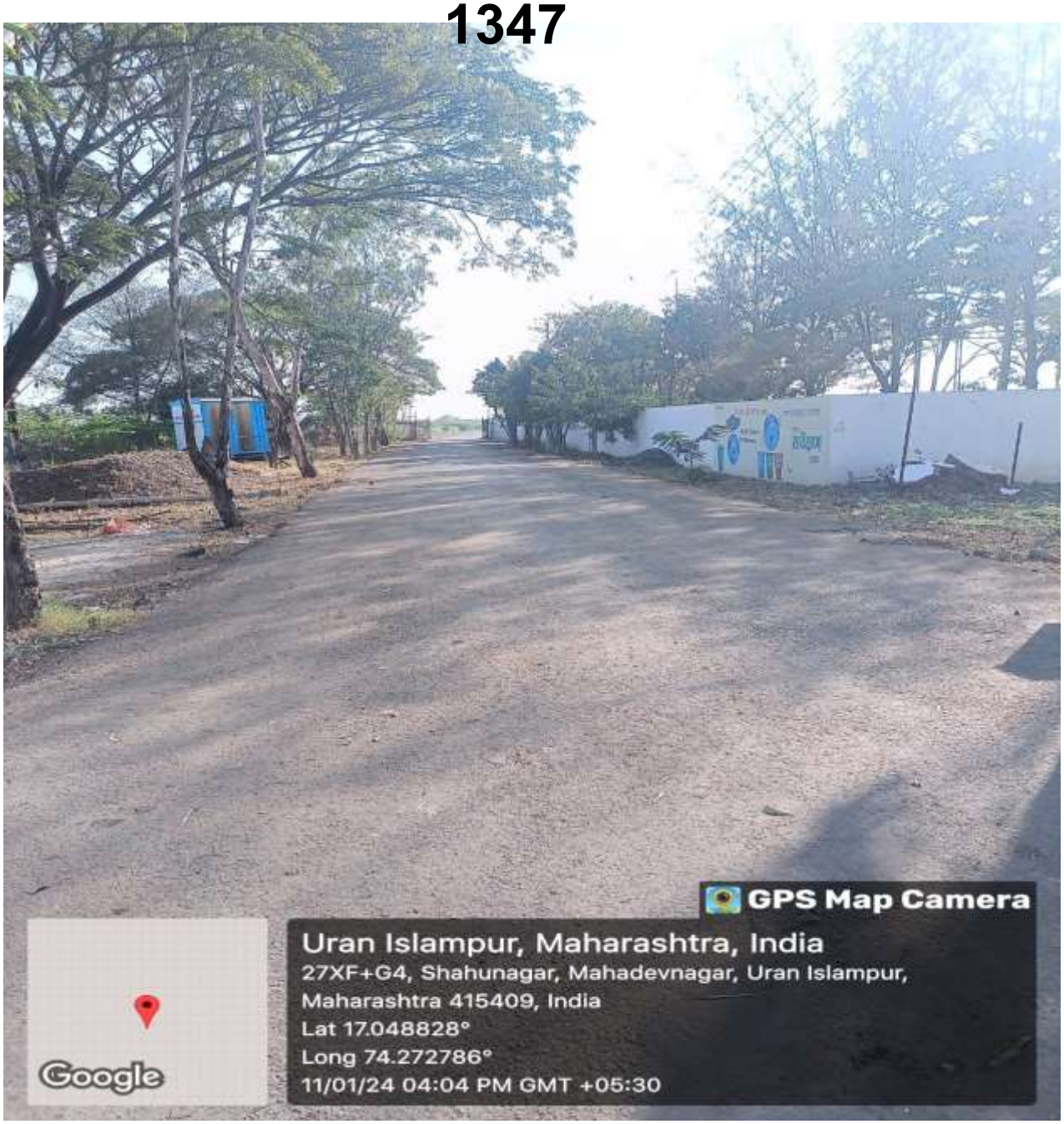
1344

Single screen screening machine

Bore well and water tank for fire protection and other use

Photos of internal road construction

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1349

Construction of internal gutter connection

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Uran Islampur
Maharashtra
India
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Maharashtra
India
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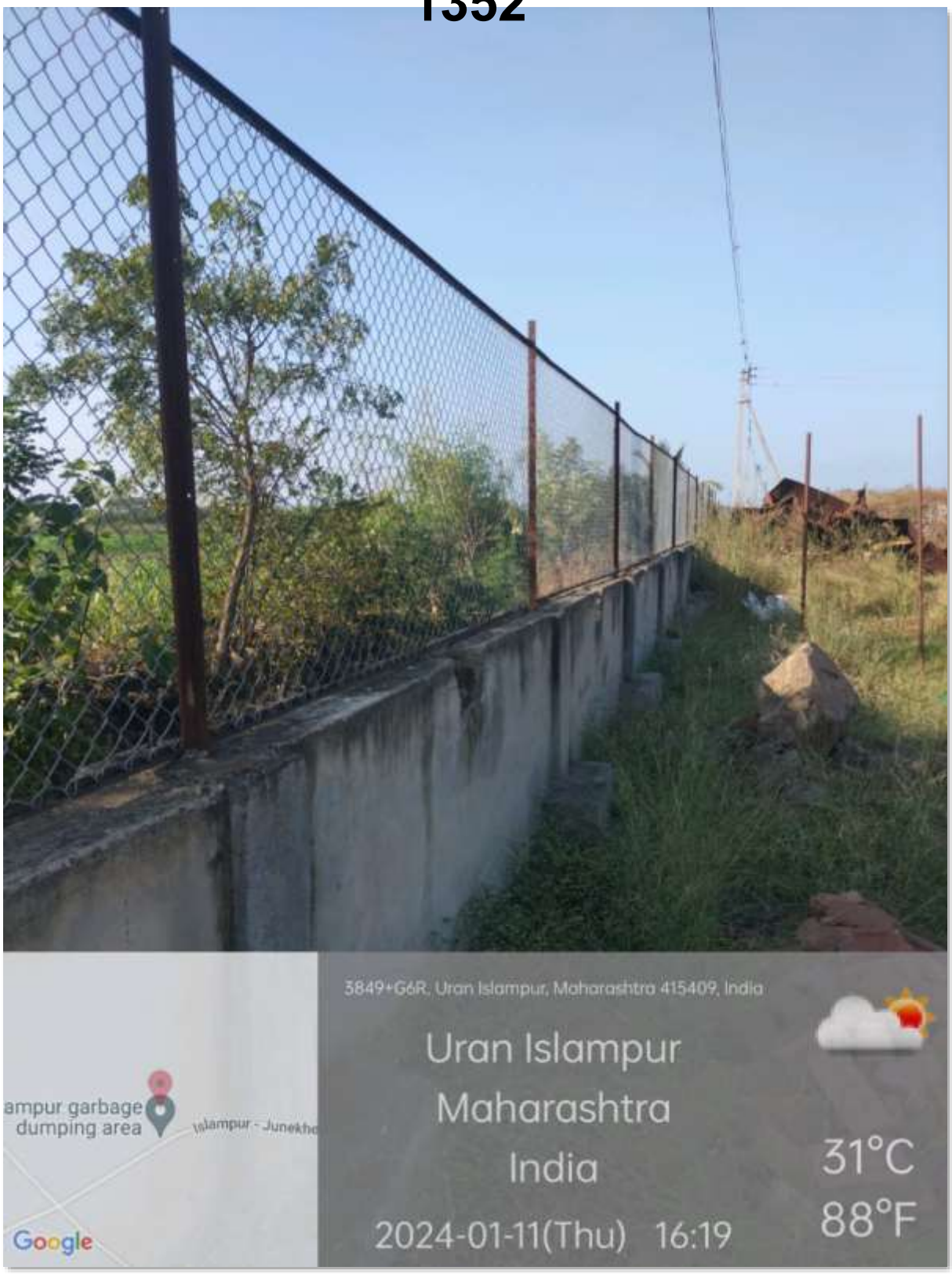
Photos of Wall compound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Maharashtra
India
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88°F
ampur garbage
dumping area
Google

ANNEXURE - 4

SECTION – XVII

Diary No. 2522 of 2023

NDOH – 07.03.2024

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF: -

The Islampur Municipal Council …Appellant

Versus

Madhukar Shankar Sutar & Ors. …Respondents

INDEX

S.No.	Particulars	Copies	Court Fees
1.	Affidavit on behalf of the appellant pursuant to order dated 16.01.2024 passed by this Hon'ble Court	1+3	20/-
2.	Application seeking exemption from filing official translation of Annexures C, D, I, Q, R, and U of the accompanying affidavit on behalf of the appellant	1+3	120/-

I.C. No. 5978
CLERK ARPAN CHANDRA DAS
9811693213

FILED BY:

(A. KARTHIK)

ADVOCATE FOR THE APPELLANT

CODE – 2475

D-104, FIRST FLOOR, YAMUNA APARTMENTS,

ALAKNANDA, NEW DELHI – 110019.

EMAIL – aor@aklawoffice.in,

Ph: 8447364669.

FILED ON: 05.03.2024

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Madhukar Shankar Sutar & Ors. …Respondents

[AFFIDAVIT ON BEHALF OF THE APPELLANT PURSUANT TO ORDER DATED 16.01.2024 PASSED BY THIS HON'BLE COURT]

WITH

I.A. NO. _____ OF 2024:

[APPLICATION SEEKING EXEMPTION FROM FILING OFFICIAL TRANSLATION OF ANNEXURES C, D, I, Q, R, and U OF THE ACCOMPANYING AFFIDAVIT ON BEHALF OF THE APPELLANT]

PAPER BOOK

(FOR INDEX KINDLY SEE INSIDE)

ADVOCATE FOR THE APPELLANT: **A. KARTHIK**

FILED ON: 05.03.2024

INDEX

S. No.	Particulars	Page Nos.
1.	Affidavit on behalf of the appellant pursuant to order dated 16.01.2024 passed by this Hon'ble Court	1 – 27
2.	**Annexure A:** True copy of the notice dated 19.09.2022 issued to the Appellant Council by the Maharashtra Pollution Control Board	28 – 30
3.	**Annexure B:** True copy of the DPR dated 12.01.2024 submitted by the PMC	31 – 114
4.	**Annexure C:** True translated copy of the technical approval dated 23.01.2024 received from the Maharashtra Jeevan Pradhikaran along with copy of original	115 – 133
5.	**Annexure D:** True translated copy of the request for administrative approval dated 29.01.2024 submitted by the Appellant Council along with copy of original	134 – 135
6.	**Annexure E:** True copy of the authorization dated 08.02.2024 granted by the MPCB to the Appellant Council	136 – 144
7.	**Annexure F:** True copies of recent photographs relating to IEC activity being carried out in the Appellant	145 – 147

	Council	
8.	**<u>Annexure G:</u>** True copy of recent photographs demonstrating dry waste processing at the MSW Site	**148 – 155**
9.	**<u>Annexure H:</u>** True copy of recent photographs demonstrating biodegradable waste processes at the MSW Site	**156 – 191**
10.	**<u>Annexure I:</u>** True translated copy of the letter dated 29.01.2024	**192 – 201**
11.	**<u>Annexure J:</u>** True copy of the recent photographs demonstrating fire-fighting systems in place at the MSW Site	**202**
12.	**<u>Annexure K:</u>** True copy of the recent photographs demonstrating the internal road towards the MSW Site	**203 – 205**
13.	**<u>Annexure L:</u>** True copy of the photographs of the weigh bridge on the MSW Site	**206**
14.	**<u>Annexure M:</u>** True copy of recent photographs demonstrating internal drainage systems at the MSW Site	**207**
15.	**<u>Annexure N:</u>** True copy of recent photographs demonstrating the compound wall of MSW Site	**208 – 209**

16.	**<u>Annexure O:</u>** True copy of recent photographs demonstrating the plantation efforts at the MSW Site	**210 – 216**
17.	**<u>Annexure P:</u>** True copy of the final approved recapitulation sheet submitted by the Appellant Council	**217 – 218**
18.	**<u>Annexure Q:</u>** True translated copy of the resolution no. 490 dated 01.11.2023 passed by the Appellant Council	**219 – 225**
19.	**<u>Annexure R:</u>** True translated copy of the appointment letter dated 28.02.2024 issued by the Appellant Council alongwith original	**226 – 229**
20.	**<u>Annexure S:</u>** True copy of recent photographs demonstrating regular drainage cleaning activity in the municipal limits	**230 – 249**
21.	**<u>Annexure T:</u>** True copy of the declaration module submitted in March 2023 for approval	**250**
22.	**<u>Annexure U:</u>** True translated copy of the technical approval granted by the Maharashtra Jeevan Pradhikaran dated 27.03.2023 along with original	**251 – 254**
23.	**<u>Annexure V:</u>** True copy of the work order dated 29.01.2024 issued by the Appellant Council	**255**

24.	I.A. NO. _____ OF 2024: Application seeking exemption from filing official translation of Annexures C, D, I, Q, R, and U of the accompanying affidavit on behalf of the appellant along with affidavit	**256 – 259**

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Mr. Madhukar Shankar Sutar & Ors …Respondents

AFFIDAVIT ON BEHALF OF THE APPELLANT PURSUANT TO ORDER DATED 16.01.2024 PASSED BY THIS HON'BLE COURT

I, Rahul Mardhekar, son of Sarjerao Mardhekar, aged about 45 years, presently serving as Chief Officer of the Appellant herein, having office at Shivaji Chouk, Islampur, Tal. Walva, Dist. Sangli, Maharashtra do solemnly affirm and state as follows:

1) I am the Chief Officer of the Appellant Council and was appointed to the post with effect from 02.08.2023. I am well-versed with the facts of the instant case as understood by me on the basis of the official records of the Appellant Council, and therefore, competent to swear to this affidavit.

2) At the outset, the deponent submits his unconditional and unreserved apology for not placing on record an affidavit to the satisfaction of this Hon'ble Court on the previous occasion. The deponent states that the same is neither willful nor wanton and humbly prays for this Hon'ble Court to condone any shortcomings in the previous affidavit dated 12.01.2024. The

NOTARY ADV. R.V.KOPARDE ISLAMPUR Reg.No. 6727 Expiry Dt. 14/09/2028 GOVT. OF INDIA

deponent is placing on record the instant detailed affidavit not only on the aspects as highlighted by this Hon'ble Court in its order dated 16.01.2024, but also on other material aspects relating to the on-going efforts of the Appellant Council in remedying any and all shortcomings in the compliance of the Solid Waste Management Rules, 2016.

3) The deponent states that the Appellant Council is taking all steps in an expedited manner to ensure compliance of the Solid Waste Management Rules, 2016. The deponent craves leave to file further status reports, if so directed by this Hon'ble Court, to place on record progress on various fronts which are being undertaken by the office of the deponent to ensure compliance.

4) The deponent states that the present civil appeal has been preferred against the order dated 18.10.2022 passed by the Hon'ble National Green Tribunal (Western Zone Bench) in OA No. 74 of 2021 (WZ) whereby the Hon'ble Tribunal was pleased to find that the Appellant Council was in contravention regarding, *inter alia*, the following matters:

   (a) Regarding setting of Sewage Treatment Plant (STP) and treatment of sewage water flowing into the Krishna river, and,

   (b) Regarding non-compliance of Legacy Waste Management for which notice dated 28.07.2021 came to be issued followed by a notice dated 19.09.2022 came to be issued under Section 33-A of the Water (Prevention and Control of Pollution) Act, 1973.

The aforesaid notice dated 19.09.2022 came to be issued to the Appellant Council pursuant to a visit to the MSW Site made by the Maharashtra Pollution Control Board ["**MPCB**"] officials on 22.06.2022. True copy of the notice dated 19.09.2022 issued to the Appellant Council by the Maharashtra Pollution Control Board is annexed herewith and marked as "**Annexure A**". (pages 28-30 to)

5) The deponent craves leave to refer to and rely on the present affidavit as the same contains better and more detailed particulars than the previous affidavit dated 12.01.2024 regarding the efforts taken by the Appellant Council with respect to various compliances of MSW management.

A. BRIEF OVERVIEW

6) The Appellant is a Class B Municipal Council situate in Sangli District, Maharashtra. As per the Census of India (2011), the population of Islampur city was 67,391, and total households therein were 14,376. As per the 2011 Census, the total city area within municipal limits is 40.42 sq.km. There is a total of 14 zones and 28 wards in the Municipal Council. The Council has presently administration over 17,289 houses to which it supplies basic amenities like water and solid waste management. The Appellant Council states that as per its estimates as of 2023, the population is 78,620. In the estimate of the Appellant Council as on 2023, the amount of solid waste generated is 16.638 TPD [**"Tonnes per day"**].

B. DPR FOR AUGMENTING SWM EFFORTS WITH PROJECTION FOR YEAR 2026-27

7) The Appellant by order dated 21.03.2023 has appointed a third-party project management consultant ["**TPMC**"] i.e. M/s. Samarth Engineers, Pune, to aid the efforts of waste management within the council limits with a total cost of INR 3.42 Crores. Per the service milestones, a detailed project report ["**DPR**"] was to be prepared as Milestone 1, Transaction Advisory including Bid Process Management was decided as Milestone 2, and Supervision and Monitoring during implementation (over a total period of 12 months) was decided as Milestone 3.

8) Pursuant to the aforesaid order, a DPR was prepared and submitted to the Appellant Council by the TPMC on 12.01.2024. The DPR came to be prepared for the timeframe and projections for the year 2026-27 for Solid Waste Management under the Swachh Maharashtra Abhiyan (Urban) 2.0. True copy of the DPR dated 12.01.2024 submitted by the PMC is annexed herewith and marked as **"Annexure B" (pages 31-114 to).**

9) However, as per the DPR, the projected and estimated population for the year 2022 is 86,543, and inclusive of a floating population of 10 percent, the total population has been estimated at 95, 197. Based on a field study conducted as per the DPR, the city of Islampur is currently generating an average of 17.38 TPD ["**Tonnes per day**"] of waste (wet, dry, and other). Out of the total 17.38 TPD, the quantum of wet waste generation in the city

is at an average of 10.30 TPD, and dry waste generation is at an average of 7.08 TPD.

10) As per the DPR, the projected total population (inclusive of floating population) for the year 2026-27 is estimated at 104,415, and total waste generation is estimated to increase to 23.82 TPD.

11) The deponent states that the aforesaid DPR submitted on 12.01.2024 was accepted by the Appellant and the same was submitted by the Appellant council to the Maharashtra Jeevan Pradhikaran for technical sanction. On 23.01.2024, the Maharashtra Jeevan Pradhikaran was pleased to grant technical approval for works worth INR 3,15,00,519/- [Rupees Three Crores Fifteen Lakhs and Five Hundred and Nineteen only] submitted as part of the DPR.

12) The funding pattern for the capital work to be undertaken has been divided to include Sanction Fund for the Appellant council under Swatch Bharat Mission 2.0 [From Centre, State and the ULB] at INR 2,32,40,000/- [Rupees Two Crore Thirty Two Lakhs and Forty Thousand only] and the remaining INR 82,60, 519/- [Eighty Two lakhs Sixty Thousand Five Hundred and Nineteen only] is to be borne as additional cost by the Appellant Council. True translated copy of the technical approval dated 23.01.2024 received from the Maharashtra Jeevan Pradhikaran along with copy of original is annexed herewith and marked as **"Annexure C"**.

115-133
(pages to)

13) The Appellant Council has on 29.01.2024 forwarded the aforesaid proposal to the State Government for administrative approval and the same is pending. True translated copy of the request for administrative approval dated 29.01.2024 submitted by the Appellant Council along with copy of original is annexed herewith and marked as **"Annexure D"**. (pages 134-135 to)

C. REGARDING COMPLIANCE OF SOLID WASTE MANAGEMENT RULES, 2016

14) The deponent states that the Appellant Council and its officers have been working closely with the MPCB—2nd Respondent herein to address the deficiencies pointed out by the latter in its letter dated 19.09.2022. As regards the efforts carried out by the Appellant Council, *inter alia,* with regards to the issues highlighted in the said letter, the following responses are being tendered by the Appellant Council:

(i) Solid Waste Management Plan

15) The deponent states that in accordance with Rule 15(a) of the SWM Rules 2016, the Appellant Council had already prepared a solid waste management plan with a total estimated cost of INR 7.7 Crores, which was thereafter submitted to the State Government for approval. On 10.11.2017, the Urban Development Department, Government of Maharashtra has approved the plan and provided necessary funds to the Appellant Council. Steps are being taken by the Appellant Council to allocate the said resource

efficiently for the treatment of MSW as well as for the further expansion of efforts to combat the issue of rising population of Islampur city and increasing demands with a projection for the year 2026-27.

(ii) <u>MSW Site and Authorization to Operate Obtained *[Deficiency 1 pointed out in letter dated 19.09.2022]*</u>

16) The deponent states that by letter dated 19.09.2022, it was pointed out by the MPCB that the Appellant Council is operating the MSW site without authorization.

17) The Appellant Council had applied for the authorization on 28.04.2021 by application no. MPCB-MSW_AUTH-0000000653. The same was forwarded through the District Collector, Sangli, to the MPCB on 22.04.2022.

18) The application was not processed for a considerable period of time, and the same remained pending at the time of the filing of the previous affidavit. This Hon'ble Court was pleased by order dated 16.01.2024 to direct the Appellant Council to place on record the efforts taken since the date of the application being submitted on 28.04.2021 for processing of the pending application. The deponent states that pursuant to the said direction, the records were examined, and it was found that no substantive efforts appear to have been taken previously by the Appellant Council to expedite the process for completion of the MPCB authorization.

19) The deponent has thereafter taken efforts to coordinate with the MPCB to submit further documentation requisitioned by the Board on the application to expedite the process of grant of authorization. Pursuant to the further processing of the application, the MPCB-2nd Respondent herein prior to grant of authorization also conducted a field visit at the MSW Site on 02.02.2024.

20) Owing to the said efforts, the MPCB was pleased to grant authorization to operate the MSW Site on 08.02.2024 on certain terms and conditions. The validity of the authorization is until 31.12.2026. True copy of the authorization dated 08.02.2024 granted by the MPCB to the Appellant Council is annexed herewith and marked as "**Annexure E**". (pages 136-144 to)

21) Authorization has been granted with respect to the MSW Site for a total capacity of 16.610 TPD of municipal solid waste which is in line with the estimate of waste generated per day by the Appellant Council. The same has been granted with respect to the MSW site admeasuring 12 acres situated in CS No. 214. 219, Khed Road, Islampur.

(iii) Collection and Segregation of MSW *[Deficiency 2 pointed out in the letter dated 19.09.2022]*

22) By its letter dated 19.09.2022, the MPCB-2nd Respondent herein had pointed out that the Appellant council had not provided for scientific segregation and only mix waste with plastic and inert material and organic waste was observed unscientifically dumped on the MSW Site.

23) As stated in the previous affidavit, and as per the DPR, presently there is 100 percent door-to-door collection in the city in all the 28 wards. For this purpose, the Appellant Council has purchased 8 Tata Aces (4-wheeler mini autos) in the year 2017 and 2 dumpers in the year 2023. Considering the need to augment collection better, the Appellant Council has also taken 7 MSW Collect Vehicles, and 4 tractor trolleys on rent basis every year. In each vehicle, provision has been made for 1 driver and 1 helper.

24) Since there is presently 100 percent door-to-door waste collection from households in all wards of the Municipal Council, the need to store waste elsewhere came to be obviated. As a result, all the bins in the municipal limits have been removed, and strict action is being taken against those who are found to dump garbage elsewhere. Public awareness regarding the same has also been created by the Appellant Council.

25) Presently, around 70-80 percent of the collected waste is segregated in the MSW collect vehicles itself. The Appellant Council states that efforts are being taken to create public awareness regarding 100 percent segregation at source. The same is done through IEC activity, illustratively, through the issuance of around 20,000 circulars as well as the broadcasting of an audio clip stressing on the need to deposit segregated waste to MSW collect vehicles. Additionally, through door-to-door campaigns, the Appellant Council is taking efforts to spread awareness on the segregation of waste at source. Further, through regular meetings of self-help groups, the

Appellant Council is taking efforts to spread awareness on best practices on waste segregation at the household levels. Moreover, the Appellant Council has also in order to augment its efforts to create public awareness appointed Cleanliness Ambassadors who hold regular training sessions to communicate effectively with citizens on waste segregation and processes. True copies of recent photographs relating to IEC activity being carried out in the Appellant Council is annexed herewith and marked as **"Annexure F"**. (pages 145-147 to)

(iv) Dry Waste Processing [*Deficiencies 3, 4, and 7 pointed out in the letter dated 19.09.2022*]

26) As per the DPR, the quantum of dry waste generated in the Islampur city area is estimated at approximately 7.08 TPD. Currently, the Appellant Council has in place certain machines at the MSW site and processes in line with the SWM Rules 2016 to scientifically process dry waste. However, in order to augment efforts directed at efficient and rule-compliant processing of dry waste, various proposals have also been made along with the DPR which has received technical approval from the Maharashtra Jeevan Pradhikaran.

27) Presently, the Appellant Council has taken the following efforts for processing of dry waste at the MSW site:

(a) Segregated dry waste is stored in bundles, and the same are then sent to a third party agency ["**TPA**"] by the name and style of M/s. Naturepro Company for further processing and recycling. As per the arrangement of the Appellant Council with the TPA, the Council has been provided with a bailing machine at the MSW Site for the packing of dry plastic waste. The baling machine has been operational since 09.09.2023. The capacity of the present machine is 2.5 TPD and is in a working condition. In addition to the said machine, another baling machine is proposed to be purchased with an approx. 4-5 TPD capacity for delivery within two weeks.

(b) Dry waste such as including glass and metal, leather scraps, rubber as well as used clothing which forms a negligible part of the total dry waste, is further sold by the Appellant Council to specialized recycling agencies.

(c) Further by letter dated 19.09.2022 of the MPCB, it was pointed out that during the site visit, single screening facility for dry waste was not found operational. The deponent states that the single screening of dry waste as well as a Trommel machine is presently operational at the MSW Site.

(d) Currently, at the MSW Site various machinery such as Conveyor Belt, Baling machine, Trommel machine, Shredding machine and Compost Screening machine are presently operational.

(e) Additionally, to augment the efforts of the Appellant Council in this regard, and to adjust for demands of an increasing population, in the DPR for 2026-27 approved by the Maharashtra Jeevan Pradhikaran, proposal has been made for establishing a Materials Recovery Facility (MRF) with up to 20-25 TPD capacity along with a Refuse Derived Fuel (RDF) capacity with an approximate capital cost of INR 76 Lakhs. The Appellant Council is awaiting administrative approval from the State Government on the said proposal among others.

True copy of recent photographs demonstrating dry waste processing at the MSW Site is annexed herewith and marked as **"Annexure G". (pages** 148-155 **to)**

(v) <u>Biodegradable (Wet) Waste Processing</u>*<u>[Deficiency 6 pointed out in the letter dated 19.09.2022]</u>*

28) With respect to wet waste processing, the Appellant Council has taken various efforts to scientifically process biodegradable waste as per the SWM Rules 2016. As per the field study as conducted by the TPMC it has been observed that approximately 60 percent of the total waste generated

amounting to approximately 10.30 TPD is biodegradable (wet) waste. The Appellant Council has the following in place for wet waste processing:

(a) Windrow Composting method has been adopted by the Appellant Council for the processing of wet waste at the MSW Site.

(b) Further to process wet waste as well dry waste, a 27,000 sq. ft, shed has been constructed at the MSW Site which has been operational since 25.03.2023. The Windrow Composting shed on the MSW Site has a total capacity of 978.8 MT and the Windrow Composting Platform has a capacity to process 161.7 MT. The construction of pits for the processing of wet waste has been completed as on 01.11.2023.

(c) Previously, the old pit compost with 13 number of pits admeasuring 6.2X1.5X0.8 m of a total capacity of 55.85 MT was available at the MSW Site. By letter dated 19.09.2022 it was pointed out by the MPCB that the same was inadequate and as such a further work on a new pit compost of 25 number of pits admeasuring 3.74X1.36X0.9 m with a total capacity 62.94 MT has been now completed and operationalized.

(d) Additionally, to enable anaerobic composting, a biogas facility of 5 TPD capacity is under construction on the MSW Site. The work relating to the said facility is 80 percent complete and is

soon to be operationalized. This will further augment the capacity of the MSW Site to process wet waste.

(e) Further to augment the efforts of the Appellant Council in this regard, and to adjust for demands of an increasing population, in the DPR for 2026-27 approved by the Maharashtra Jeevan Pradhikaran, proposal has been made for the setting up of a rotating drum composting machine with a capacity of 2 TPD at a proposed budget of approximately INR 52 Lakhs. The Appellant Council is awaiting from the State Government approval on the said proposal among others.

True copy of recent photographs demonstrating biodegradable waste processes at the MSW Site is annexed herewith and marked as " **Annexure H" (pages** 156-191 **to).**

(vi) <u>Sanitary Waste</u>

29) With respect to Sanitary Waste, the deponent states that it has been observed that as per the DPR the same is 0.08 percent of the total waste generation per day. It is submitted that a small-scale incineration facility is presently available at the MSW Site for the processing of Sanitary waste. However, considering the need to augment the capacity, the Appellant Council has made requests to the State Government for budgetary sanction to procure a higher capacity incinerator. True translated copy of the letter

dated 29.01.2024 is annexed herewith and marked as **"Annexure I".** **(pages 192-201 To)**

(vii) <u>Responses on other compliances as pointed out by letter dated 19.09.2022 of the MPCB</u>

30) By letter dated 19.09.2022, the MPCB had pointed out the following compliances as outstanding on the part of the Appellant Council and the responses to the same are detailed below:

(a) Observed Fire Nuisance and Non-Provision of full-fledged fire-fighting system [*Deficiency 5 as pointed out in the letter dated 19.09.2022*]

31) The deponent submits that the said deficiency has been complied with and the Appellant Council has made a provision on the MSW Site for a borewell and tank of 2000 liters capacity to deal with any fire hazard. Moreover, it is stated that the Appellant Council has its own fire-fighting vehicle which is provided immediately in case of emergency. True copy of the recent photographs demonstrating fire-fighting systems in place at the MSW Site is annexed herewith and marked as **"Annexure J" (pages 202 to).**

32) Additionally, the Appellant Council has under the DPR, proposed additional fire extinguisher system of 10 quantities of 4.5 kg capacity each with a budget of INR 1, 04, 491/-. It is submitted that the same has received

technical approval from the Maharashtra Jeevan Pradhikaran and is awaiting administrative approval from the State Government.

(b) Non-provision of concreted/paved approach/internal road [*Deficiency 8 as pointed out in the letter dated 19.09.2022*]

33) The deponent submits that the said deficiency stands complied with inasmuch as internal road and drainage work on the MSW Site stands complied with as on 15.06.2023. True copy of the recent photographs demonstrating the internal road towards the MSW Site is annexed herewith and marked as **"Annexure K". (pages** 203-205 **to)**

(c) Non-provision of weigh bridge to measure quantity of waste brought to landfill site [*Deficiency 9 as pointed out in the letter dated 19.09.2022*]

34) The deponent submits that the said deficiency stands complied with as on date inasmuch as a weighing bridge is presently operational on the MSW Site. True copy of the photographs of the weigh bridge on the MSW Site is annexed herewith and marked as **"Annexure L". (pages** 206 **to)**

(d) Non-provision of washing of transport vehicles, 100 percent storm water drain [*Deficiency 10 as pointed out in the letter dated 19.09.2022*]

35) The deponent submits that the MSW collector vehicles have been leased out to private vehicles and the cleaning of the same are carried out by the concerned contractor.

36) As far as the construction of internal drains is concerned, the deponent submits that the same has been completed at the MSW Site and 100 percent storm water drain flows through the same. Furthermore, to avoid mixing, an internal gutter system has also been properly maintained at the MSW Site to avoid any contamination. The deponent submits that the said deficiency also stands rectified as on date. True copy of recent photographs demonstrating internal drainage systems at the MSW Site is annexed herewith and marked as **"Annexure M" (pages 207 to).**

(e) Non-constructions of 100 percent wind-breaking wall [*Deficiency 11 as pointed out in the letter dated 19.09.2022*]

37) The deponent submits that the construction of the 100 percent protection wall around the SWM Site has been completed as on 15.06.2023 and as such the said deficiency stands rectified. True copy of recent photographs demonstrating the compound wall of MSW Site is annexed herewith and marked as **"Annexure N" (pages 208-209 to).**

(f) Non-provision of green plantation around MSW Site[*Deficiency 12 as pointed out in the letter dated 19.09.2022*]

38) The deponent submits that presently at the MSW Site there are around 180 native trees, and plantation of further trees up to 800 in number is proposed. The work is expected to be completed in the short term, and not beyond a months' time. True copy of recent photographs demonstrating the

plantation efforts at the MSW Site is annexed herewith and marked as " **Annexure O" (pages 210-216 to).**

(g) Compliance of Schedule II of the MSW Rules 2016

[Deficiency 13 as pointed out in the letter dated 19.09.2022]

39) As far as compliance of Schedule II of the MSW Rules 2016 is concerned, the deponent states the following:

a) Windrow composting method has been adopted by the Appellant Council for the processing of bio-degradable waste.

b) The processing of waste is done on 27000 sq. ft. shed which is covered.

c) To account for any temporary breakdown or maintenance of plant, small sheds are available at the MSW Site for temporary storage of waste.

d) The windrow area has been provided with an impermeable base made of concrete.

(viii) <u>Additional Machinery at the MSW Site Proposed for increased waste generation with a projection for 2026-27</u>

40) The Appellant Council submits that further efforts are being made in an expeditious manner to obtain approvals under the SBM 2.0 to augment the waste processing capacity of the Council with a projection for the year 2026-27. Accordingly, a DPR was got prepared by a TPMC and the same has received technical approval from the Maharashtra Jeevan Pradhikaran

on 12.01.2024. The same has been now submitted to the State Government for administrative approval on 29.01.2024, and a decision in this regard is pending. True copy of the final approved recapitulation sheet submitted by the Appellant Council is annexed herewith and marked as **"Annexure P"** **(pages 217-218 to).**

41) The following additional machinery and civil work, and capital costs regarding the same are budgeted as per the DPR to augment the waste processing capacity of the Appellant Council:

Sl.No.	Description	Estimated Cost (INR)
1.	Wet Waste Shredded (2 Nos.) with capacity of 10 TPD	8,80,000/-
2.	Plastic Dust Remover Machine	5,50,847/-
3.	Biogas Shredder/Grinder/Chiper/Mixture Machine	4,93,220/-
4.	Modification of Existing Shed Converted into MRF Shed and with sufficient coverage on all sides	33,69,284/-
5.	Modification to existing shed for wet waste management	27,13,142/-
6.	Wet waste tipping platform for pit compost shed	8,20,814/-
7.	Leachate collection tank for existing sanitary landfill	1,95,160/-
8.	Compost Curing Platform	4,65,045/-
9.	Stone Pitching for Protection of existing embankment of sanitary landfill	13,64,436/-
10.	Civil Work of Open Stormwater RCC Drainage (190 mt length)	14,91,068/-

D. REGARDING MEASURES TO ENSURE UNTREATED SEWAGE WATER IS NOT DISCHARGED INTO THE KRISHNA RIVER

(i) Setting-up of Sewage Treatment Plant

42) By letter dated 19.09.2022, the MPCB had flagged that no Sewage Treatment Plant [**"STP"**] had been provided by the Appellant Council. The deponent submits that the provision of the STP is the principal issue raised in the original application filed by Respondent No. 1 before the Hon'ble Tribunal, which has led to the passing of the impugned judgment.

43) However, it is submitted that the said issue is also subject matter of pending proceedings before the Hon'ble High Court of Judicature at Bombay ("Hon'ble High Court") in W.P. No. 3573 of 2021. It is pertinent to note that the Hon'ble High Court in the said petition was pleased to grant a status quo by order dated 15.02.2021 regarding the subject property where the STP was proposed. The said order has been annexed to the instant civil appeal as Annexure A-3 therein, and is in vogue as on date. The deponent craves leave to rely on the contents of the accompanying civil appeal regarding the identification of the land for the STP in the State Government notification dated 27.07.2018 (Annexure A-1 of the Civil Appeal paperbook), the pleadings of the parties before the Hon'ble High Court as well as the Hon'ble Tribunal, and the same is not being repeated for the sake of brevity.

44) The deponent states that as per the decision dated 17.03.2017 of the Government of Maharashtra, an underground sewerage scheme was sanctioned in the Appellant Council at a cost of INR 69.42 Cr. Under the said scheme, four Sewage Pumping Stations and 2 Sewage Treatment Plants (of a total capacity of 12 MLD) were proposed.

45) Pursuant thereto, by State Government notification dated 27.07.2018 (Annexure A-1 of the civil appeal paperbook), reservation was made for land for two STPs, in Survey No. 128 admeasuring 35 guntas and Survey No. 915 admeasuring 130 guntas.

46) As far as the proposed STP in Survey No. 128 is concerned, one Eknath Jadhav approached the Hon'ble High Court by way of a writ petition in W.P. No. 3573 of 2021 wherein the aforesaid status quo order dated 15.02.2021 came to be passed. The present proceedings which arise out of orders passed in OA No. 74/2021 before the Hon'ble National Green Tribunal (Western Zone Bench) also relates to the proposed STP in Survey No. 128.

47) From an examination of the official records, it appears that the while the writ petition is being contested before the Hon'ble High Court as regards the land relating to STP in Survey No. 128, the Appellant Council has been making efforts to secure and progress on the setting up of the STP in Survey No. 915.

48) The land admeasuring 130 guntas as regards Survey No. 915 was purchased by the Appellant Council in the year 2022. However, it appears owing to the pending litigation and status quo orders no actual possession was taken regarding either STP sites. The deponent states that since the aforesaid cases relate to the site reserved in Survey No. 128, the Appellant Council has now taken possession of the land admeasuring 130 guntas in Survey No. 915 on 09.02.2024.

49) Moreover, as regards land reserved for Sewage Pumping Station in Survey No. 94 admeasuring 25 guntas, the Appellant Council has made efforts to take possession of the same, and after continuous follow-up, the site was handed over to the Appellant Council on 29.02.2024.

50) As far as the works under the drainage scheme is concerned, the Appellant Council had initially appointed one M/s. Lakshmi Civil Engineering Services, Kolhapur by work order dated 20.11.2017 to carry out works relating to the underground drainage scheme. The works included laying of underground drainage network of 99.28 kms, two STPs (7.1 MLD and 4.5 MLD each) with four pump houses.

51) The deponent states that almost 51 percent of the works under the scheme inasmuch as laying the drainage network is completed. However, owing to escalation cited by the project contractor and the possibility of financial losses resulting from the same, the request for extension and increase in

rates as cited by the project contractor was refused by Maharashtra Jeevan Pradhikaran on 25.07.2023.

52) Considering the pendency of litigation regarding one of the STP sites before the Hon'ble High Court and urgency of the situation as the Appellant Council have been levied with heavy penalties by the Hon'ble Tribunal, the Appellant Council by way of resolution no. 490 dated 01.11.2023 has decided to appoint a project management consultant to prepare a DPR to undertake a gap analysis with the previous plans and submit an improved plan with expedited timelines for technical and administrative approval to complete the works including for the setting of the STP at the available site. True translated copy of the resolution no. 490 dated 01.11.2023 passed by the Appellant Council is annexed herewith and marked as **"Annexure Q" (pages 219-225 to).**

53) Per the aforesaid decision, a PMC by the name of M/s. Nisarga Consultancy, Nashik, was appointed on 28.02.2024 for the preparation of a detailed project report with respect to revision of old plans and submitting an improved plan for carrying out the works under the underground drainage scheme. True translated copy of the appointment letter dated 28.02.2024 issued by the Appellant Council alongwith original is annexed herewith and marked as **"Annexure R" (pages 226-229 to).**

54) The deponent states that owing to pending litigation and administrative exigencies, there has been a delay in the completion of works in the setting

up of the STP within the municipal council limits. However, in addition to the efforts being made with respect to the contest in the pending litigation before the Hon'ble High Court, the Appellant Council is presently making expedient efforts to carry out the works under the underground drainage scheme which will have an overall positive impact on the drainage flows into the Krishna River from the municipal council limits.

(ii) Regular cleaning of nallas pointed out as per letter dated 19.09.2022

55) By letter dated 19.09.2022, it was pointed out by the MPCB that two nallas near Kapushked Road was observed with flow of turbid pale, blackish/whitish colored domestic effluent. The deponent states that as regards the said nallas, both have been covered as per the works done as a part of the underground drainage scheme. Moreover, regular cleaning work of drainage is on-going in the municipal limits. True copy of recent photographs demonstrating regular drainage cleaning activity in the municipal limits is annexed herewith and marked as **"Annexure S"** (pages 230-249 to).

E. REGARDING LEGACY WASTE DUMPSITE REMEDIATION

56) The deponent states that the Appellant Council is taking scientific steps to remediate the issue of old deposits and legacy waste. The dumpsite is located near the MSW Site with a total area of 11013 sq.m at a height of 2.18 m. Using the method of Geotech survey, the estimated quantity of

waste on the dumpsite is 20000 MT. The deponent states that the Appellant Council has discontinued dumping of fresh waste on the dumping site.

57) For the said approval, the predecessor of the deponent submitted a declaration module in the month of March 2023 for legacy waste dumpsite remediation. True copy of the declaration module submitted in March 2023 for approval is annexed herewith and marked as **"Annexure T" (pages** 250 **to).** By resolution dated 13.03.2023 in JAKR/SwaMa2.0/Legacy Waste/1456/22-23, the Appellant Council received approval for remediation of dumpsite at an estimated cost of remediation at INR 1.10 Cr. employing the biomining method.

58) The same received technical approval from the Maharashtra Jeevan Pradhikaran by JAKR/Ta.sha. 4/Technical Approval/611/2023 dated 27/03/2023. True translated copy of the technical approval granted by the Maharashtra Jeevan Pradhikaran dated 27.03.2023 along with original is annexed herewith and marked as **"Annexure U" (pages** 251-254 **to).**

59) Thereafter, administrative approval was granted by the State Government vide Government Resolution No. SwaMa- 2023/Pr. Kr.92(2)/Navi-34 Dated 31/08/2023.

60) Thereafter, tender was floated by the Appellant Council and by order dated 29.01.2024, work order has been granted at an approved rate of INR 99,00,110/- to one M/s. SR Technologies, Pune for carrying out biomining works at the old dumpsite. The duration of the works as per the works order

is six months. True copy of the work order dated 29.01.2024 issued by the Appellant Council is annexed herewith and marked as **"Annexure V"** **(pages 255 To).**

61) The deponent states that the impugned order came to be passed without the benefit of the aforesaid facts and circumstances. The impugned order is *ex parte qua* the Appellant Council. However, MPCB which is a party before the Hon'ble High Court in the aforesaid writ petition also failed to place on record the said facts before the Hon'ble Tribunal. The deponent states that the heavy penalty imposed on the Appellant Council by way of the impugned order would further exacerbate the poor financial condition of the Appellant Council, and the deponent prays for an opportunity to place on record the facts and circumstances as stated hereinabove before Hon'ble Tribunal regarding the setting up of the STP in the municipal limits as well as its efforts regarding SWM processes.

62) I state that the present affidavit is being filed in compliance of the order dated 16.01.2024 on a perusal of the records available in the office of Appellant Council and I state that the facts stated herein are true and correct to the best of my knowledge and legal submissions are based on advice received from counsel which I believe to be true. I crave leave of this Hon'ble Court to file an additional affidavit showing progress on the works done being carried out by the Appellant Council, if so desired by this Hon'ble Court in relation to the aforesaid aspects.

63) I state the annexures to the present affidavit are true copies of its respective originals.

5.3.2024

DEPONENT

Chief Officer
Islampur Municipal Council

VERIFICATION

I, the deponent abovenamed, do hereby verify and state on solemn affirmation that the contents of the paras above are true and correct to the best of my knowledge being based on a perusal of official records of the Appellant and I believe the same to be true and nothing material has been concealed therefrom.

Verified by me at Sangli on this 05th March, 2024

5.3.2024

DEPONENT

Chief Officer
Islampur Municipal Council

Identified by me

Advocate

Solemnly affirmed before Me By
Shri/Smt. The deponent
Who is identified before Me by
Shri/Smt. Advocate
Who is personally Known.

BEFORE ME

R.V. KOPARDE
ADVOCATE & NOTARY
GOVT.OF INDIA, REG.No. 6727
MAHADEV NAGAR, ISLAMPUR- 415 409
TAL. WALWA, DIST. SANGLI (M.S)

5 MAR 2024

Noted & Registered
At Serial Numbers 1002 2024
Total Page No. 1

ANNEXURE - A

MAHARASHTRA POLLUTION CONTROL BOARD
Regional office-Kolhapur

Tel: 0231-2652952, 0231-2660448	MAHARASHTRA "Your Service is Our Duty"	Udyog Bhavan
Fax: 0231-2652952		Near Collector Office
Website: http://mpcb.gov.in		Kolhapur
E-mail: rokolhapur@ mpcb.gov.in		Kolhapur-416 003.

No. MPCB/RO/Kolhapur/PD/2209190001 Date: - 19 / 09/2022.

To,
The Chief Officer,
Islampur Municipal Council.
Tal. Walawa, Dist. Sangli.

Sub: Proposed Direction under section 33 A of the Water (Prevention & Control of Pollution) Act, 1974.

Ref: -1. Various Directions issued by the Board time to time and Show Cause Notice dated 10.12.2021.
2. Visit of Joint inspection of Committee constituted as per the order of Hon'ble NGT dated 15/11/2021 in the matter of O.A. 74/2021-Mr. Madhukar Shankar Sutar V/s The Islampur Municipal Council, Islampur & Ors dated 22.12.2021.
3. Visit of Board officials on 20.06.2022.
4. Proposal submitted by SRO Sangli.

.....

WHEREAS, it was obligatory on your part to obtain valid consent/ Authorization and to provide full fledged effluent treatment plant & proper disposal arrangements for effluent/ MSW generated from the local body & to operate the same round the clock so as to meet the standards prescribed by the Board and to obtain consent under the Water (Prevention & Control of Pollution) Act, 1974 & under the Air (Prevention & Control of Pollution) Act, 1981.

AND WHEREAS, the Maharashtra Pollution Control Board has issued various Directions from time to time to your council and directed to implement long term and short term measures for the treatment and disposal of sewage generated through your local body.

AND WHEREAS, the Joint Inspection committee constituted against the NGT Order dated 15/11/2021 visited your "B" Class council at 02 numbers of major domestic effluent carrying nallas located at East and West side of the council on 22/11/2021 and observed following non compliances.

1. You have not provided Sewage Treatment Plant to the sewage generated (approximately 8 MLD) through your local body.

2. Nalla flowing towards West side of the city having latitude 17.0553^0 and Longitude 74.2836^0 on Kapuskhed Road was observed with flow of turbid pale, blackish / whitish coloured domestic effluent with Plastic & other waste materials and is located near the applicants house causing the problem of smell nuisance.
3. During visit, two numbers of major domestic effluent carrying nallas were observed meeting to river Krishna without any treatment.
4. During visit these two domestic effluent carrying nallas also observed with percolations / seepages of water from the agricultural field and natural water observed mixed with said domestic effluent.

AND WHEREAS, Board officials also visited your municipal council MSW site at Khed Road, Islampur, Tal. Walwa, Dist. Sangli on 20.06.2022 and observed following non compliances.

1. You are operating the MSW site without obtaining valid Authorization since 31/12/2020 and yet not applied for the authorization for further period.
2. Your council has not provided scientific segregation and only mix waste with plastic and inert material and organic waste was observed unscientifically dumped on the said site (Approximately 18 MT/D) .
3. Your Municipal Council have yet not completed construction work of RCC Platform and shed. Only one shed is completed.
4. Your Municipal council has yet not installed plant and machinery.
5. During visit large amount of fire nuisance was observed at MSW site & till dated full fledge Fire fitting system not provided.
6. You have provide only 30.0 No of windrows composting (15 Nos of RCC and 15 Nos HDPE) which are inadequate.
7. You have provided single screening of dry waste, which was not found in operation during the visit.
8. You have yet not provided concreted or paved approach / internal roads and dust emissions and clay muds were recorded during vehicular movements.
9. During visit provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection plastic tank were not found in operation.
10. Your council has not provided the provisions for washing of transport vehicles carrying solid waste and 100% storm water drain and the surface runoff water and same is diverted from the different solid waste locations also mixed with the surface runoff water.
11. Your council has yet not constructed 100% wind breaking wall only 50% constructed wall is provided and remaining is found fencing only.
12. Green plantation around MSW site is not carried out.
13. Your council has completely failed to comply with the SCHEDULE II [see rule 16 (1), (b), (e), 16 (4))(Standards of processing and treatment of solid waste) as per MSW Rule, 2016.

AND WHEREAS, after examining the record of your case, the reports of officers of the Board & making necessary inquires, I am satisfied that you have failed to comply with various direction issued by the Board from time to time which shows your negligent attitude towards the control of pollution problems of Krishana river & thus causing great threat to the environment.

NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the by the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981, it is proposed to issue the following directions (for avoidance of doubt, the directions include prosecution, prohibition or regulation of your activities).

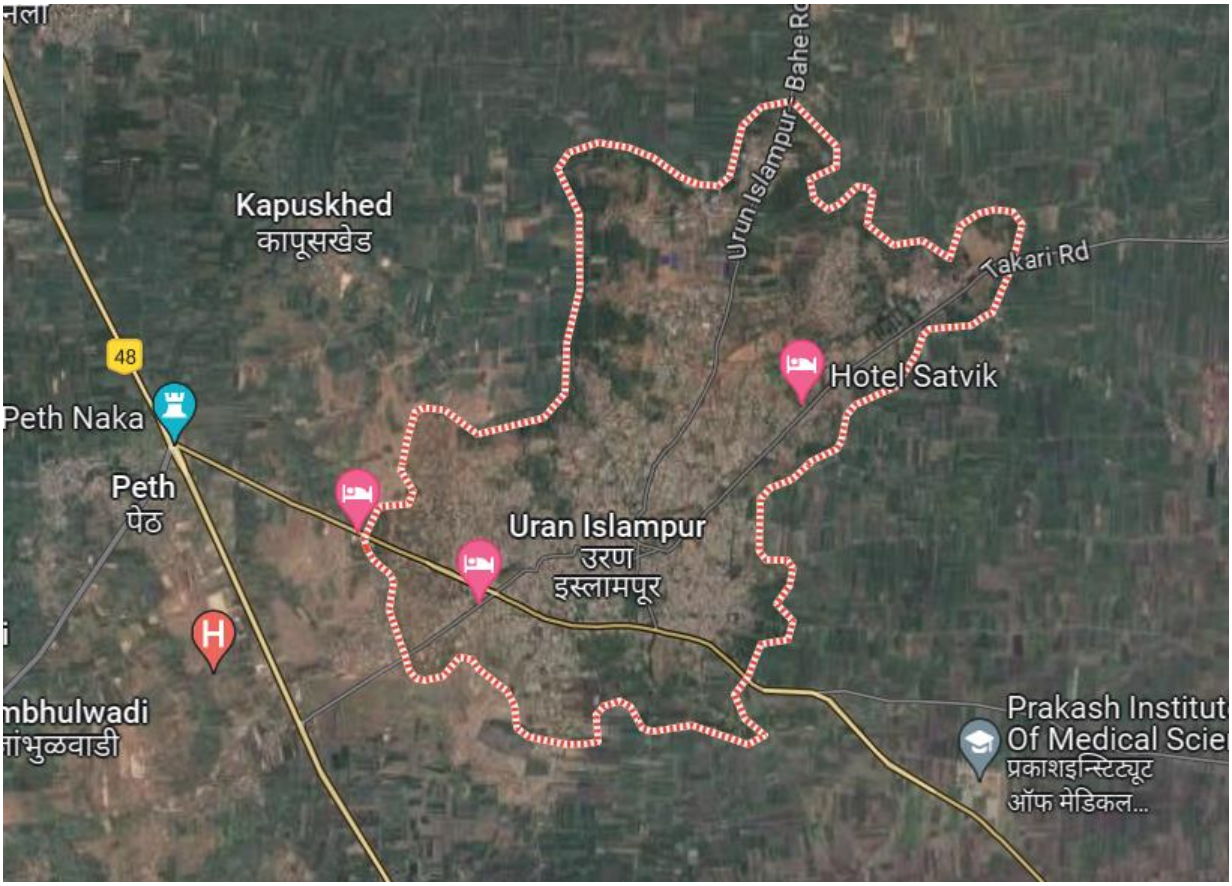
1. Why further legal action shall not be initiated against you in view of above non-compliances.

You are hereby directed to file your objection/reply to these proposed directions within a period of 15 days from the receipt of this notice, failing which further stringent legal action may be issued in the matter, please note.

(J. S. Salunkhe)
Regional Officer, Kolhapur

Copy submitted to:
The Member Secretary, M.P.C. Board, Mumbai.
Copy f.w.cs.to:
1. The Water Pollution Abatement Engineer, M.P.C. Board, Mumbai.
2. The Sr. Law Officer (P&L Div.II), M.P.C. Board, Mumbai.
3. The Regional Officer (HQ), M.P.C. Board, Mumbai.
Copy to:
The Sub-Regional Officer, M.P.C.Board, Sangli.
- He is directed to keep vigil on the Local Body, submit separate proposal for MSW and report the compliance made time to time after issuance of these directions.

ANNEXURE - B



DETAILED PROJECT REPORT FOR SOLID WASTE MANAGEMENT

FOR

URAN ISLAMPUR MUNICIPAL COUNCIL

PREPARED BY

SAMARTH ENGINEERS

Flat No. 201, "A" Wing, Suraj Mahal Apartment, Opp.Subudh Hospital, Near Shivaji Statue, Kothrud,
Pune – 411038

Recapitulation Sheet - URAN ISLAMPUR, Municipal Council , URAN ISLAMPUR, District Sangali			
Sr. No	**Description**	**Estimated Cost in Rs.(INR)**	**Procurement Type**
1	Item No.01 : Wet Waste shredder Machine Capacity up to 10 TPD (Each) (2 Nos.)	880,000.00	Rate Analysis
2	Item No. 02: MRF Machine Upto 20-25 TPD +RDF Facility	7,626,688.00	Rate Analysis
3	Item No. 03: Mechanical Compost Machine - 1 TPD Each (Roatry Drum/Automated Compost/Other Equivalent) (2 Nos.)	5,254,238.00	Rate Analysis
4	Item No. 04: Plastic Dust Remover Machine (Fataka Machine) 0.5 TPH	550,847.00	Rate Analysis
5	Item No. 05: Biogas Shredder /Grinder /Chiper /Mixture Machine 7.5 HP (Motor)	493,220.00	Rate Analysis
6	Item No 6 :- Modification of Existing Shed Converted into MRF Shed and Covered from all Sides with Compartments.(55 mt x 23 mt)	3,369,284.00	Rate Analysis
7	Item No 7 :- Modification to Existing Shed for Wet Waste Management.(55 mt x 23 mt)	2,713,142.00	Rate Analysis
8	Item No 8 :- Wet waste tipping platform for Pit compost shed.(14 mt x 11.5 mt)	820,814.00	Rate Analysis
9	Item No 9 :- Leachate collection tank for Existing Sanitary Landfill. (4 mt x 2 mt)	195,160.00	Rate Analysis
10	Item No 10 :- Compost Curing Platfrom.(14 mt x 8 mt)	465,045.00	Rate Analysis
11	Item No 11 :- Stone Pitching for Protection of Existing Embankment of Sanitary Landfill.	1,364,436.00	Rate Analysis
12	Item No 12 :- Civil Work of open Stormwater RCC Drainage (C -Type).(190 mt in Length)	1,491,068.00	Rate Analysis

Type text here

13	Item No 13 :- Fire Extinguisher 4.5 KG capacity. (10 Nos)	104,491.00	Rate Analysis
A	**Proposed Capital Cost**	**25,328,433.00**	
B	**Fees of Technical Scantion form MJP**	**253,284.00**	
	1.00 % of Sub Total (A)		
C	**Consultancy Fee for Preparation of DPR**	**607,882.00**	
	2.4 % of Sub Total (A)		
D	**GST applicable**	**4,668,537.00**	
	18% GST on (A+C)		
E	**Royalty (If any)**	**642,383.00**	
Total Section - A + B + C + D + E		**31,500,519.00**	

Consultant	City Enginner Uran Islampur Municipal Council	Chief Officer Uran Islampur Municipal Council

Executive Summary

Background

Solid Waste Management (SWM) is one of the important obligatory functions of the urban local bodies in India. It is also one of the primary responsibilities of the municipal authorities. However, most of them are currently unable to fulfil their duty to ensure environmentally sound and sustainable ways of dealing with waste generation, collection, transport, treatment, and disposal. As per the scope of work specified **Samarth Engineers** has prepared a draft detailed project report (DPR) and allied Engineering Drawings on Solid Waste Management Plan in accordance with MSW Rules 2016.

This detailed project report covers an introduction to project, city profile, status of the existing solid waste management system, proposed MSW management system, design of waste processing plant, design of sanitary landfill, engineering drawings, incremental cost of proposed system, operation & maintenance cost, institutional and financial framework. The health & legal aspects of the system and provision of community participation through IEC has also been discussed in detail in the report.

Scope and Objective of the Project

The scope of work of this empanelment work includes preparation of Detailed Project Reports (DPRs), Transaction Advisory including Bid Process Management and provision of supervision and monitoring services for implementation of Integrated Solid Waste Management projects for ULBs in the State of Maharashtra.

About Uran Islampur Municipal Council

As per the Census of India the population of the ULB was 67391, and the total Household in the city are 17289. The Household size of the city is 3.89 which is small compared the District and State average. The Sex ratio of the ULB is 957 which is quite good compared to Maharashtra state average 894. As per census 2011 the total city area is 40.42 sqkm and the population has a density of 16.67 PPH

Table 1 Waste Generation for next 20 Years

Year	Projected Population	Floating Population	Total Population considered	Per capita Waste Generation	Total Waste Generation	Wet Waste	Dry Waste
		10%		Grams/ Capita/ Day	MT per Day	MT per Day	MT per Day
2022	86,543	8,654	95,197	191.23	17.38	10.30	7.0
2026	94,923	9,492	104,415	239.04	23.82	14.12	9.7
2032	108,863	10,886	119,749	310.75	35.52	21.05	14.40
2036	119,276	11,928	131,204	372.90	46.70	27.68	18.93

Based on the field study the total waste generated as of 2022 is 17.38 TPD which will increase to 23.82 TPD by 2026-27. The DPR is prepared for this time frame.

Existing MSW collection system and Gap Analysis and Proposals

Gap analysis is focused on identifying the present gaps, analysing the same and providing robust solution in reducing/ removing the gaps.

Table 2 Infrastructure Gap Analysis

	Existing condition	Identified Issues/Gaps	Proposed intervention
Waste collection system	ULB have 8 Auto tippers + 2 compactors	considering total waste generation there is a requirement of vehicles for 100% waste collection. Also 8 Auto tippers were purchased in 2017 hence need to replace as per the requirement	ULB have to purchase new vehicles or outsource the collection system as per the fund availability (Not part of this DPR)
Waste Processing System- wet waste	Currently 2576 sq.m. shed is available with ULB which is using for current wet and dry waste management. Current processing Facility available for managing 5 TPD Biogas 5 TPD Pit composting	There need separate entry for unloading wet waste and defined boundary for processing+ Additional system for treating 3 TPD wet waste	Providing required modification of existing shed (wet waste tipping + compost curing platform) . To process remaining 3 TPD waste suggesting Rotary Drum Composter
	Biogas unit does not have shredding facility	Proving Shredding unit for Biogas unit	Biogas Shredder /Grinder / Chiper /Mixture Machine 7.5 HP (Motor)
Waste Processing System- Dry waste	Common shed available for wet and dry waste	need modification in existing shed for better functioning	providing partition with Enclosed system for dry waste management
Machineries for wet waste	only compost sieve is available	there is a requirement of wet waste shredder	Providing Wet waste shredder (15HP)
Machineries for Dry waste	No machinery available	considering quantum of waste there is a requirement of beller, conveyor belt system and RDF facility	MRF Machine Upto 20-25 TPD +RDF Facility Plastic Dust Remover Machine (Fataka Machine) 0.5 TPH
Sanitary and HHW management	No machinery available	there is a requirement facility for disposal of sanitary waste/HHW	ULB need to purchase Incinerator for managing 120 kg/day of waste or shall make provision through outsourcing
C & D waste management	No facility available	considering SBM Guidelines and GFC Standards ULBs with more than 50k Population should have some storage and processing facility for C & D waste Management	ULB need to make provision as per the fund availability
Sanitary Landfill facility	Functional Scientific Landfill available with ULB, No	Need to Provide Leachate Collection tank.	Leachate collection tank for Existing Sanitary Landfill. (4 mt x 2 mt)

	Leachate Collection facility available	Also the SLF required Stone pitching for Embankment.	Stone Pitching for Protection of Existing Embankment of Sanitary Landfill.

Proposed Mass Balance Diagram

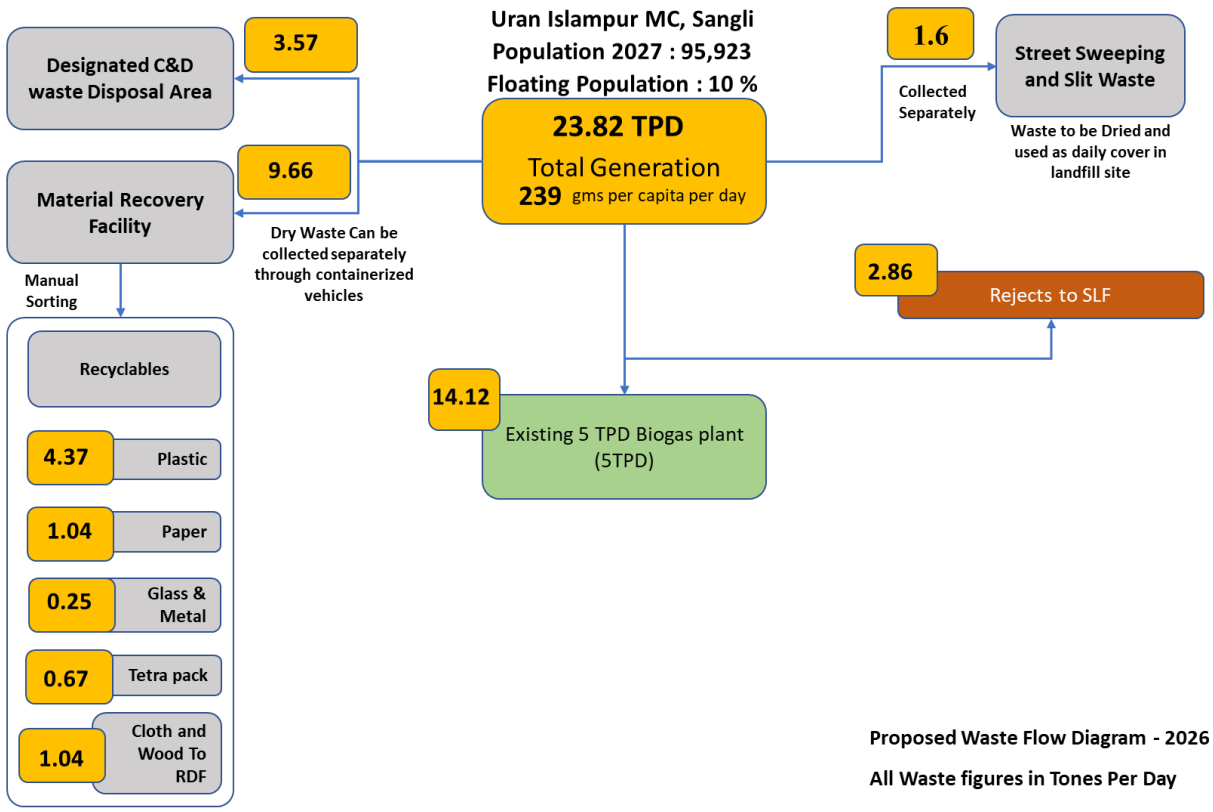


Figure 1 Mass Balance Diagram

Component wise Cost

As per the gap analysis component wise cost estimated are given below.

Table 3 Capital Cost for Solid Waste Management

Sr. No	Particulars	Proposed Amount in 2.0	Sub Total
Solid Waste Management			
A	**Wet waste Mangement**		
1	Civil Works		
1.1	Item No 8 :- Wet waste tipping platform for Pit compost shed.(14 mt x 11.5 mt)	820,814.00	
1.2	Item No 10 :- Compost Curing Platform.(14 mt x 8 mt)	465,045.00	
1.3	Item No 7 :- Modification to Existing Shed for Wet Waste Management.(55 mt x 23 mt)	2,713,142.00	
1.4	Item No 9 :- Leachate collection tank for Existing Sanitary Landfill. (4 mt x 2 mt)	195,160.00	
2	Plant & Machinery		
2.1	Item No.01 : Wet Waste shredder Machine Capacity up to 10 TPD (Each) (2 Nos.)	880,000.00	
2.2	Item No. 03: Mechanical Compost Machine - 1 TPD Each (Roatry Drum/Automated Compost/Other Equivalent) (2 Nos.)	5,254,238.00	
2.3	Item No. 05: Biogas Shredder /Grinder /Chiper /Mixture Machine 7.5 HP (Motor)	493,220.00	
	Sub- Total of A (A1+A2)		**10,821,619.00**
B	**MRF Plant**		
1	Civil Works		
1.1	Item No 6 :- Modification of Existing Shed Converted into MRF Shed and Covered from all Sides with Compartments.(55 mt x 23 mt)	3,369,284.00	
2	Plant & Machinery		
2.1	Item No. 02: MRF Machine Upto 20-25 TPD +RDF Facility	7,626,688.00	
2.2	Item No. 04: Plastic Dust Remover Machine (Fataka Machine) 0.5 TPH	550,847.00	
	Sub- Total of B (B1+B2)		**11,546,819.00**
C	**Sanitary Landfill (SLF)**		
1	Civil Works		
1.1	Item No 11 :- Stone Pitching for Protection of Existing Embankment of Sanitary Landfill.	1,364,436.00	
2	Plant & Machinery		
2.1	NA		
	Sub Total of C (C1+C2)		**1,364,436.00**
D	**Hazardous Waste**		
1	Civil Works		
1.1	NA		

Sr. No	Particulars	Proposed Amount in 2.0	Sub Total
2	Plant & Machinery		
2.1	NA		
	Sub Total of D (D1+D2)		0.00
E	**Total Project Basic Cost (A+B+C+D)**		**23,732,874.00**
F	Fees of Technical Scantion form MJP	**237,328.74**	
	1.00 % of Sub Total (E)		
G	Consultancy Fee for Preparation of DPR	**569,588.98**	
	2.4 % of Sub Total (E)		
H	GST applicable	**4,374,443.34**	
	18% GST on (F+G)		
I	Royalty (If any)	**72,016.00**	
TC1	**Total Section - (E+F+G+H+I)**		**28,986,251.05**

Table 4 Capital Cost for C&D Waste Management

Sr. No	C&D Waste Management	Proposed Amount in SBM 2.0	Sub Total
J	C&D Waste Management		
1	Civil Works		
1.1	NA		
2	Plant & Machinery		
2.1	NA		
	Sub Total of J (J1+J2)		**0.00**
K	Fees of Technical Sanction form MJP	**0.00**	
	1.00 % of Sub Total (J)		
L	Consultancy Fee for Preparation of DPR	**0.00**	
	2.45 % of Sub Total (J)		
M	GST applicable	**0.00**	
	18% GST on (K+L)		
N	Royalty (If any)	**0.00**	
TC2	**Total Section - (K+L+M+N)**		**0.00**

Table 5 Capital Cost for Other Site Development

Sr. No	Other Site Development (Site Development, Vehicles, Incinerator, etc.)	Proposed Amount in SBM 2.0	Sub Total
O	Other Works Required.		
1	Civil Works		
1.1	Item No 12 :- Civil Work of open Stormwater RCC Drainage (C -Type).(190 mt in Length)	1,491,068.00	

Sr. No	Other Site Development (Site Development, Vehicles, Incinerator, etc.)	Proposed Amount in SBM 2.0	Sub Total
2	Plant & Machinery		
2.1	Item No 13 :- Fire Extinguisher 4.5 KG capacity. (10 Nos)	104,491.00	
	Sub Total of O (O1+O2)		**1,595,559.00**
P	**Fees of Technical Scantion form MJP**	**15,955.59**	
	1.00 % of Sub Total (A)		
Q	**Consultancy Fee for Preparation of DPR**	**38,293.42**	
	2.4 % of Sub Total (A)		
R	**GST applicable**	**294,093.43**	
	18% GST on (A+C)		
S	**Royalty (If any)**	**570,367.00**	
TC3	**Total Section - K+L+M+N**		**2,514,268.44**
TPC	**Total Project Cost (TC1+TC2+TC3)**		**31,500,519.00**

Table 6 Component wise Cost Summary

	Existing Capacity available	Proposed Capacity in SBM 2.0	Proposed Amount in Rs. In SBM 2.0
Wet Waste Management	10.00	3.68	
Dry Waste Management	5.00	20.00	
Inert Waste	2.86	0.00	
Sanitary and HHW management	0.00	0.00	28,986,251.05
C & D waste management	0.00	0.00	0.00
Other Site Works	NA	NA	2,514,268.44
			31,500,519.00

Requirement of Capital Cost

The Table Below gives an understanding of the total estimate for all the capital work proposed and the share of the ULB, State and Centre for the same.

I	Total Cost of the DPR under SBM 2.0	**31,500,519.00**	
II	Scantion fund for the ULB under SBM 2.0	**23,240,000.00**	
III	Additional Cost to be Borne by the ULB (I - II)	**8,260,519.00**	
IV	Break Project contribution source (Scantion funds)	Amount	% Share
1	Central Share	11,620,000.00	**50%**
2	State Share	9,296,000.00	**40%**
3	ULB Share	2,324,000.00	**10%**
4	Total	23,240,000.00	**100%**

Estimated Project Completion timeline

Activity	Time Required	Cumulative Time Line
Technical sanction	**30 Days**	**30**
Administrative Approval	**15 Days**	**45**
Preparation of Tender Documents	**15 Days**	**60**
Floating of tender and Bid Process Management till Appointment of Contractor	**45 Days**	**105**
Initiation of Civil Work and Procurement of Machines	**120 Days**	**240**

Table of Contents

1 Introduction 15
1.1 Background 15
1.2 Need for the Project 15
1.3 Mission: Overall Vision, and Specific Objectives of SMB 2.0 16
1.4 Scope and Objective of the Project 16
1.5 Structure of the Report 18
2 CITY PROFILE 20
2.1 Background and Evolution 20
2.2 Background and Evolution 20
2.3 Climatic Conditions 20
2.4 Location and Extent 20
2.5 Population 21
2.6 Settlements in the City 23
2.7 Physical Infrastructure 24
2.8 Urban Economy 25
2.9 Information about ULB 25
3 STATUS OF EXISTING SOLID WASTE MANAGEMENT IN THE CITY 29
3.1 Waste Generation 29
3.2 Quantification & Characterization of Waste 31
3.3 MSW Projections 32
3.4 Existing MSW Collection System 33
3.5 Street Sweeping & Drain Cleaning 33
3.6 MSW Secondary Storage System 33
3.7 MSW Transportation System 34
3.8 Existing MSW Processing System 34
3.9 Existing SWM Manpower 36
3.10 Status of Present Disposal & Proposed Landfill Site 36
3.11 Overall Compliance of SWM Rules 38
4 Gap Analysis 41
5 Project Definition 42
5.1 Project Objectives 42
5.2 Scope of Project 42
5.3 Approach & Methodology 42

5.4 Segregation and Storage 42
5.5 Non-Biodegradable Waste 42
5.6 Biodegradable Waste 43
5.7 Collection of Waste 44
5.8 Transportation of waste 45
5.9 Sanitary Landfilling 45
6 Proposed Municipal Solid Waste Management System 46
6.1 Segregation 46
6.2 Collection and Transportation 48
6.3 Action Plan for Recycling and Recovery 50
6.4 Construction and Demolition Waste 52
6.5 Involvement of informal sector 52
6.6 Secondary transfer station 52
6.7 Processing of MSW 52
7 Summary of financial requirement 54
7.1 Requirement of Capital Cost 54
2.10 Funding Patten 56
7.2 Requirement of Operation and Maintenance cost 58
7.3 Revenue from Sale of Compost and User Charges 59
7.4 Proposed Revenue Recovery 61
8 Institutional Aspects And Capacity Building 62
8.1 Proposed organizational setup 62
8.2 Decentralization of Administration 62
8.3 Training and capacity building of ULB 66
8.4 Course Content for Training to Staff/Officers 67
9 Community Awareness And Public Participation 70
9.1 Status of public participation in SWM 70
9.2 Essential Steps of Public Participation 70
9.3 Public Information, Education, Communication Programs (IEC) 71
9.4 Stakeholder Consultations 71
9.5 CSR Initiatives 74
9.6 Environment Mitigation Measures 74
9.7 Management Information System 74
9.8 Environmental Health and Safety Aspects 75
9.9 Post Closure Stabilization, Operation and Care 76

9.10 Landfill Quality Assurance and Quality Control 79
9.11 Environment Mitigation Measures 80
9.12 Structural Audit of Solid Waste Management Infrastructure 84
9.13 Compost testing and its frequency 84
Annexure 1. Declaration from ULB 85
Annexure 2. Quotations and Estimations 86

List of Table

Table 1 Waste Generation for next 20 Years 4
Table 2 Infrastructure Gap Analysis 5
Table 3 Capital Cost for Solid Waste Management 7
Table 4 Capital Cost for C&D Waste Management 8
Table 5 Capital Cost for Other Site Development 8
Table 6 Component wise Cost Summary 9
Table 7 Structure of Report 18
Table 8 Infrastructure Gap Analysis 41
Table 9 Response Level of Waste Treatment Technologies to Various 44
Table 10 Proposed Collection system 49
Table 11 Need assessment for Collection Transportation Vehicles 50
Table 12 MRF Shed Calculations 51
Table 3 Capital Cost for Solid Waste Management 54
Table 4 Capital Cost for C&D Waste Management 55
Table 5 Capital Cost for Other Site Development 56
Table 6 Component wise Cost Summary 56
Table 17 O&M Cost Requirement for Manpower 58
Table 18 O&M Expenditure 58
Table 19 Revenue form User Charges 59
Table 20 Revenue from the same of Compost 60
Table 21 Revenue from Sale of Recyclables 60

List of Figures

Figure 1 Mass Balance Diagram 6
Figure 2 Seprate bins for source segregation of waste 46
Figure 3 Proposed Process Flow for Wet Waste 53
Figure 4 Options for Implementation of MSW 63

1 INTRODUCTION

1.1 BACKGROUND

Solid Waste Management (SWM) is one of the important obligatory functions of the urban local bodies in India. It is also one of the primary responsibilities of the municipal authorities. However, most of them are currently unable to fulfil their duty to ensure environmentally sound and sustainable ways of dealing with waste generation, collection, transport, treatment, and disposal. The failure of municipal solid waste management (MSWM) can result in serious health problems and environmental degradation. Furthermore, even the collected waste is disposed of in uncontrolled dumpsites or burned openly, thus contributing to severe environmental impacts including pollution of water resources and air.

As per the scope of work specified **Samarth Engineers** has prepared a draft detailed project report (DPR) and allied Engineering Drawings on Solid Waste Management Plan in accordance with MSW Rules 2016.

The detailed project report covers an introduction to project, city profile, status of the existing solid waste management system, proposed MSW management system, design of waste processing plant, design of sanitary landfill, engineering drawings, incremental cost of proposed system, operation & maintenance cost, institutional and financial framework. The health & legal aspects of the system and provision of community participation through IEC has also been discussed in detail in the report.

1.2 NEED FOR THE PROJECT

Ministry of Urban Development has launched Swachh Bharat Mission (SBM) on 2nd October, 2014. The Mission covers all 4,041 statutory towns/cities as per 2011 census. Solid waste management is one of the admissible components under SBM. This Mission has achieved significant levels of success against the above objectives, with massive engagement of citizens across all categories of society.

the achievements under SBM-Urban need to be sustained in the long run with creation of adequate infrastructure, and their implementation needs to be accelerated manifold.

Hence, SBM-U 2.0 is needed, with the following areas of focus in SWM sector.

- to achieve the vision of a “Garbage Free” Urban India, more focus is required to be given to issues such as source segregation, collection & transportation, and processing, including effective management of Construction & Demolition waste, plastic waste management including reduction in single use plastic, and remediating all legacy dumpsites.
- intensified focus is required to be given to IEC and behaviour change through citizen outreach and jan andolan, as well as capacity building and skilling of all relevant stakeholders, towards achieving the Mission’s objectives.

The Government of India in partnership with States/ UTs and ULBs is committed to make all cities ‘Garbage Free’ under SBM-Urban 2.0 in order to contribute to the achievement of the Sustainable

Development Goals (SDG) 2030, which will ultimately improve the quality of life and ease of living of urban populations, thus leading to urban transformation.

1.3 MISSION: OVERALL VISION, AND SPECIFIC OBJECTIVES OF SMB 2.0

SBM-U 2.0 will be implemented with a vision of achieving "Garbage Free" status for all cities. This will involve the following:

- All households and premises segregate their waste into "wet waste" (from kitchen and gardens) and "dry waste" (including paper, glass, plastic, and domestic hazardous waste and sanitary waste wrapped separately);
- 100% door to door collection of segregated waste from each household/ premise;
- 100% scientific management of all fractions of waste, including safe disposal in scientific landfills;
- All legacy dumpsites remediated and converted into green zones;

1.4 SCOPE AND OBJECTIVE OF THE PROJECT

The scope of work of this empanelment work includes preparation of Detailed Project Reports (DPRs), Transaction Advisory including Bid Process Management and provision of supervision and monitoring services for implementation of Integrated Solid Waste Management projects for ULBs in the State of Maharashtra.

The Scope of DPR is the following:

1. Data Collection and Baseline Assessment applicable for SWM Component
    - To visit the ULB and project site to collect data and review the existing Solid Waste Management practices from collection & transportation to its treatment and disposal including remediation of dumpsite through biomining and scientific capping.
    - Conduct topological surveys of the landfill site
    - Waste quantitative analysis
    - Conduct waste characterisation [1]
    - To collect all available and relevant Secondary Data
    - To carry our necessary primary Site surveys, investigation MSW Sampling and Analysis, Baseline Environmental Assessment for Air, Water, Ground Water, Soil etc.
    - To assess the existing condition of the Sanitary Landfill
2. Approach (Cluster or Standalone) applicable for any SWM Component:
    - To suggest approach on formation of clusters (group of ULBs) or standalone arrangement for proposed SWM projects, based on feasibility studies and actual ground situations on assessed quantities, if required for better implementation and operation of the project.

[1] Physiochemical analysis is done for ULBs with population more than 50,000, for smaller ULBs the analysis from the previous DPR prepared in 2017 is considered.

3. Gap Analysis and Propose Plan for next 5[2] years Projections applicable for any SWM Component:
    - Assess the existing capacity of Treatment, Processing and Disposal facility and propose new infrastructure required to be constructed.
    - Detailed Planning, Design, Costing for Civil, Electrical, Mechanical, Instrumentation, etc. works, all the Equipment, usable life of Equipment, machineries, etc. and resource (Water, Power, Land, approach road, sewerage, etc.) based on the requirements of the site.
    - Detailed Design, Drawing of Allied infrastructure such as Workshop, Storerooms, Office Rooms, Weighbridge with Cabin, WC, Internal Road, Storm Water Drainage, Leachate Conveyance and Treatment System, Compound Wall etc.
    - Detailed estimate of number of Manpower requirements.
    - Detailed SLF Layout Planning including Buffer Zone, Green Belt, etc.
    - Propose Post Closure Maintenance Plan of maintenance of Capping works.
4. Collection and Transportation (C&T) applicable for MSW, C&D, Plastic Waste, etc. Projects:
    - To assess and consider the suitability of the land for temporary storage, segregation, Material Recovery Facility (MRF), processing and disposal activities at satellite station(s).
5. Processing/Treatment for MSW, C&D, Plastic Waste, etc. Projects
    - Propose the waste processing technology and infrastructure to be deployed after a detailed comparative analysis, including operation and financial viability of various technological options available for 5[3] years projections.
6. Infrastructure Planning applicable for any SWM Component:
    - Planning, Design, Drawing, Specification, Costing of all the necessary infrastructure such as Civil (Plant Sheds, allied infrastructure
    - To provide all the minimum technical specifications of all the Equipment and infrastructure components in FSR/DPR.
7. Sanitary Landfill Facility
    - Detailed SLF Layout Planning for 5 years period including Buffer Zone, Green Belt, etc.
8. Remediation and Reclamation of Legacy Waste Dumpsite through Bio-mining and Scientific Capping:
    - To suggest the detailed plan with Drawing and BOQ of remediation of dumpsite through biomining, resource recovery, disposal and scientific capping with detailed drawings and Cost Estimates.
9. Costing and Financial Viability applicable for all SWM projects:
    - Assessment of Capital Cost associated with every infrastructure component
    - Assessment of detailed Operation and Maintenance costs during the project horizon of 20 years
    - Suggestion of the cross subsidized user charges to be levied in the ULBs and their revision horizons.
10. Implementation Mechanism and Model applicable for all SWM projects:

[2] As per the directions received from the with State Mission Director, and the availability of SMB 2.0 funds the DPR has been prepared for next 5 years till the year 2026.

[3] The Processing and Treatment plant has been done for the time horizon of next 5 years till 2026.

- Propose Detailed Scope of Contractor/Concessionaire for the Execution of any SWM projects.
- Roles and Responsibilities of Authority for the Execution of any SWM projects.

11. Risk Mitigation and Management applicable for all SWM projects:
    - Prepare risk management matrix with mitigation measures.
    - Prepare Environment monitoring mechanism
    - Undertake feasibility on aspects such as technical, commercial, financial, environmental, Social and legal for project development and implementation based on requirements.
    - The consultant is responsible for identification and listing of all required clearances / permissions in DPR, to be received from relevant authorities

1.5 STRUCTURE OF THE REPORT

The detailed project report is organized in eleven chapters detailed about the project interventions, abstract of cost estimates comprising of capital, operation and maintenance cost with BOQs for proposed components along with supporting quotations, financial viability, benefit assessment for improving solid waste management systems.

These chapters are briefed below.

Table 7 Structure of Report

Sr. No	Chapter	Details
1	Introduction	Presents the background, scope and objective of the project.
2	City Profile	Provides the understating of town profile which brings out the nature and details of the study area such as location, topography, demography, climate, transportation, organization and political setup of the town
3	Existing SWM system	Provides details of existing SWM practices, quantification & characterization of the waste including the existing road, door to door collection, transportation and processing systems
4	Gap analysis and Proposed SWM System	Presents proposed solid waste management practices gives out details on the proposed segregation, collection, transportation and processing plan including the technology and processes
5	Institutional Aspects and Capacity Building	This chapter provides details on the administrative resources to be increased for setting up an efficient waste management plan
6	Project Phasing	This chapter provides details of project plan in terms of scheduling and phasing including pre-construction commencement activities and covering all relevant modules and components
7	Project Cost Estimates	This chapter provides capital investment of solid waste management facility. Operation and Maintenance of solid waste management facility
8	Project Financial Phasing	This chapter examines the sources and composition of funding for the project
9	Public Awareness	This chapter provides public awareness in terms of MSW segregation at source level and 3R concept. Also provides

Sr. No	Chapter	Details
		Information education, communication, and awareness programmes
10	Annexures	Detail Layout of ISWM Plant.

2 CITY PROFILE

2.1 BACKGROUND AND EVOLUTION

2.2 BACKGROUND AND EVOLUTION

Uran-Islampur (Islampur for short) is a city and a Municipal Council in Sangli district in the Indian state of Maharashtra. It is located at 17.050-degree North Latitude and 74.267-degree East Longitude. Islampur is located 46 KM towards South-East from District headquarters Solapur and 331 KM from State capital Mumbai. Uran Islampur is located at 3 km east from Pune- Banglore National Highway. Taluka Place for the city is Walava, 10 km from the city and districts headquarter is sangli 42 km from the city. Along with district place Sangli, Uran Islampur and Karad are the major cities near to Uran Islampur. Marathi is the local language here.

2.3 CLIMATIC CONDITIONS

The district's yearly temperature is 28.53ºC and it is 2.56%higher than India's averages. Islampur typically receives about 84.75mm (3.34in) of precipitation and has 124.2 days rainy days (30.67% of the time) annually. Islampur has an average elevation of 594meters (1949feet).

Table 2 Climatic Conditions

Parameters	Data
Longitude	74.5801701
Latitude	16.8542541
Attitude/Elevation	594m (1949ft.)
Annual high temperature	32.08ºC (89.74ºF)
Annual low temperature	22.04ºC (71.67ºF)
Average annual precipitation	84.75mm (3.34in)
Number of days with rainfall (≥ 1.0 mm)	124.2 days (34.03%)
Days with no rain	240.8 days (65.97%)
Humidity	55.84%

2.4 LOCATION AND EXTENT

Uran-Islampur (Islampur for short) is a city and a Municipal Council in Sangli district in the Indian state of Maharashtra. Islampur is located 46 KM towards South-East from District headquarters Solapur and 331 KM from State capital Mumbai.

Islampur has an average elevation of 594meters (1949feet).

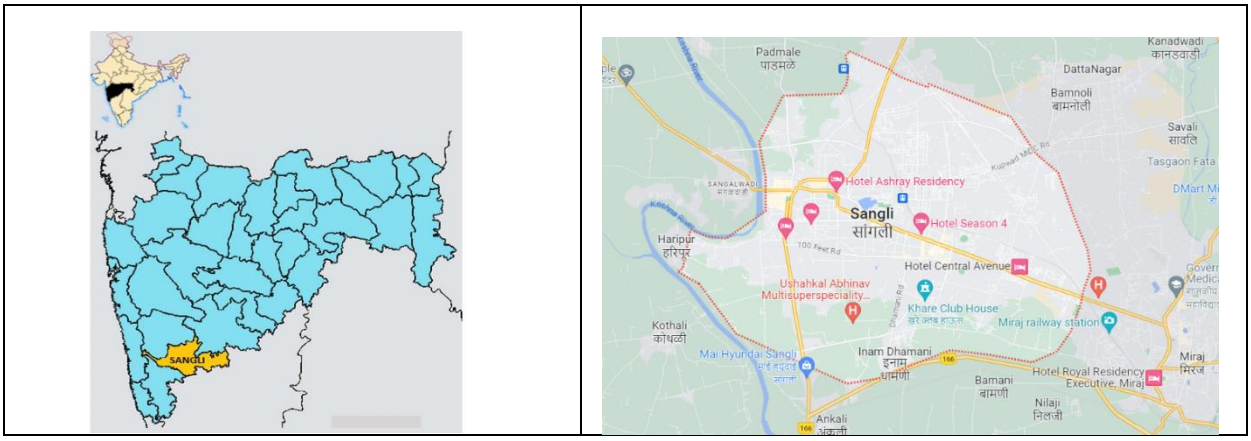


Figure 1 Location Map

2.5 POPULATION

As per the Census of India the population of the ULB was 67391, and the total Household in the city are 17289. The Household size of the city is 3.89 which is small compared the District and State average. The Sex ratio of the ULB is 957 which is quite good compared to Maharashtra state average 894. As per census 2011 the total city area is 40.42 sqkm and the population has a density of 16.67 PPH

Table 3 Demographic Characteristics

Population (No's) 2011 Census	67391
Sex Ratio (Females per 1000 males)	957
Literacy (literate population)	50,543
Household (No's)	17289
Household Size	3.89
Area in Sq. km	40.42
Density (Persons Per Hector)	16.67
SC %	12
ST %	0.67

2.5.1 Population Growth Rate

Islampur is going at a moderate rate as compared to most of the urban centres in Maharashtra. In absence of Census 2021 data the decadal growth rate for the past decade (2011-2021) is considered at 23%[4]

[4] As directed by SMD, SWM population forecasting is done using decadal growth rate of 23%

Table 4 Historic Population Growth Rate

Population Projection 2036					
Year	Arthematic Growth Rate	Incremental Growth Rate	Geometric Population Growth Rate	Population (Arethmatic Growth Rate Considered)	CSWAP Population
2022	81104	73238	85455	**73238**	**86543**
2026	86090	73321	93163	**73321**	**94923**
2032	93570	71403	106047	**71403**	**108863**
2036	98556	68762	115612	**68762**	**119276**

2.5.2 Floating Population

People commute within the city for daily needs, commercial activities, shopping and, for entertainment. Currently it is estimated that the ULB receives an influx of almost 10%[5] of its residential population as floating population.

Thus, on the basis of existing date 10% of city's population has been considered as floating population which is around 800 for the year 2022.

2.5.3 Population Projections

Any MSW management system is aimed at reducing the amount of waste being disposed while maximizing resource conservation and resource efficiency. Based on the assessment of waste quantity & characteristics, local needs & conditions, an appropriate technological intervention is proposed to facilitate the community for a specific design life.

Therefore, even after having recent/current population of a town or a city it is important to forecast population and its rate of growth for the design life.

Estimation of population takes into consideration factors governing character & location of town, present status and its possible expansion, establishment of commercial, educational, industrial, social and administrative areas in the surrounding.

Parameters considered for Project Population for the project Horizon of 2022-26

- Floating population considered for Islampur is 10%.
- In absence of 2021 census figures the population growth rate considered as per CSWAP is 23.1% decadal growth rate.

[5] MoUD norms states to consider 5-10% of city's population as floating population.

Table 5 Population Projection (2026)

Year	Projected Population	Floating Population	Total Population considered
		10%	
2022	86,543	8,654	95,197
2026	94,923	9,492	104,415
2032	108,863	10,886	119,749
2036	119,276	11,928	131,204

As per the current CSWAP data for 2022 the current population of the city was estimated at 86,543 and the projected population for project horizon of 2026 is 94,923 and the floating population is 9492 The SWM DPR is prepared to cater to a population of 104,415 persons.

Accordingly, waste generation rates are estimated considering the following.

- Projected populations for the design period
- Existing MSW generation quantities
- Existing per-capita waste.

2.6 SETTLEMENTS IN THE CITY

There is no major industrial area in the Islampur town.

2.6.1 Slums and Other Informal Settlements

The below poverty line and slum population are considered to have special needs to be recognized and addressed accordingly by the local government. Many of the people in slums subsist below poverty line making it difficult to them to move up the social ladder. Generally, they live in poor housing areas devoid of residential security. Presently there are no declared slums within Uran Islampur. There are very few congested areas in number. The earlier slums in Uran Islampur were upgraded with good facilities.

2.6.2 Number of Hotels, Restaurants, Banquet Halls

There are several small hotels, restaurants, and guesthouses in the city catering to the floating population which visits the city from all parts of the state.

Table 6 Bulk Generators

Hotels, Restaurants, Banquet Halls	Numbers
Hotel And Restaurants	160
Guesthouses	2
Cinema Hall	3
Banquet Halls	-
EATERIES	450
Wedding Halls	40

2.6.3 Number of Shops, Commercial Establishments, and Institutions

The city has 2000 commercial shops, 32 schools and colleges.

Table 7 Number of Commercial Establishments

Settlements in City (No's)	Numbers
MEAT SHOPS	40
School (Government, private)	26
Colleges (Government, private)	6
Commercial shops	2000
TOURIST PLACES	-
HISTORIC PLACES	2

2.6.4 Number of large markets (vegetables, meat and fish)

Table 8 Details of markets

Settlements in City (No's)	Numbers
MEAT SHOPS	40
Number of Large Markets (Vegetables, Meat and Fish)	2

2.6.4.1 Healthcare Establishments

The city has 5 government hospital, 112 private dispensaries, 12 number child and maternity hospital, 185 medical shops.

Table 9 Healthcare Establishments

Healthcare Establishments (No's)	Numbers
Government hospital	5
Private dispensaries	112
Family welfare centre	-
Child and maternity hospital	12
Medical shops	185

2.6.5 Industries and Their Profile

The city has MIDC (Maharashtra Industrial Development Centre) area. Major Industries in Uran Islampur are textile industry, sugar industry followed by other small-scale industries.

2.7 PHYSICAL INFRASTRUCTURE

2.7.1 Roads

The total road network in the city is 147.97 km. Islampur can be conveniently reached from any part of the country by road.

2.7.2 Storm Water Management

There is 312km of total storm water drainage network in the city. There is 302 km of open drains and 10km of underground katccha drain.

2.7.3 Sewage Management

Presently, 9 MLD of sewage is generated within the city. As the city has surrounding agriculture land and urban farming is also practised, the generated sewage is been diverted to these areas. Tendering of Sewage work is proposed by UIMC.

2.7.4 Water Supply System

Water is presently pumped from Krishna River by Jack well located at Bahegaon which is 7 km. Presently 12 MLD treated water is being supplied to the city through two treatment plant located near janata high school, Mahadev nagar and Haathi talav.

2.7.5 Electricity

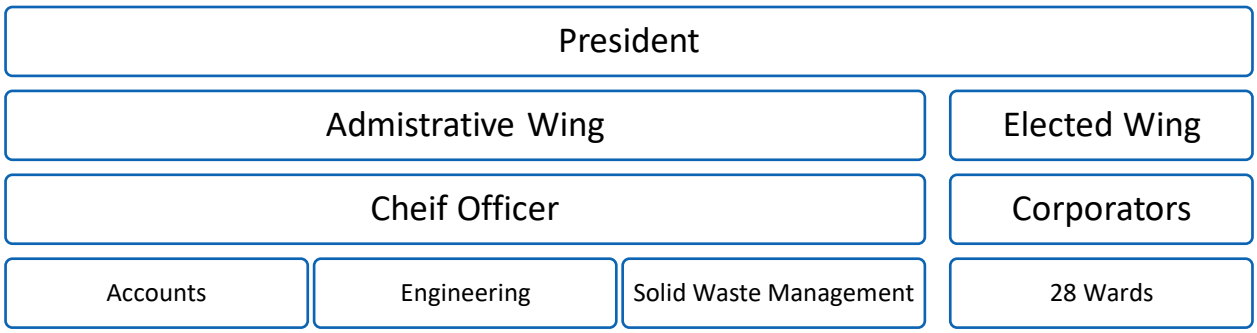
The city has around 17289 households that have electricity connections.

2.8 URBAN ECONOMY

Uran Ismlampur has major companies include the Rajarambapu Group of Textile Industries & Deendayal Cooperative Spinning Mill. The other major companies are Rajarambapu Doodh Sangh, Rajarambapu Solvex, Rajaram Sugar Factory, Rajarambapu Institute of Gems and Jewelry,Rajarambapu Sugar,Rajarambapu Sugar Unit 2,Hutatma sugar, Sarvodaya sugar, etc. accompanied by many small scale enterprises. The city is economy is also boosted by the surrounding agriculture & farm lands. Many renowned educational institutes are locate within the city which has also made the city a educational hub for nearby smaller towns & villages.

2.9 INFORMATION ABOUT ULB

Political Setup



There are Total 14 zones and 28 wards. The body of Municipal Councillors constituted including president, Vice President and Co-Opted members. The various committees appointed for the guidance of policy decision.

2.9.1 Administrative Setup of ULB

Islampur Municipal Council has total administration over 17,289 houses to which it supplies basic amenities like water and solid waste management. It is also authorized to build roads within Municipal Council limits and impose taxes on properties coming under its jurisdiction.

2.9.2 Administrative Setup of Sanitation Department of the ULB

Administrative Setup							
Designation	**No. of sanctioned posts**	**Filled Post**	**Vacancy**	**Daily Wages**	**Report to**	**Report on**	**Frequency**
In charge	0	0	0	Permanent			
Health Officer	0	0	0	Permanent	CEO	Overall Monitoring of the system; Supervise Sanitary Inspectors to Sweepers Complaint Redressal	Weekly
Chief Sanitary Inspector	-	-	-	-	-	-	-
Sanitary Inspector	3	0	3	Permanent	Health Officer	Complaint Redressal, Attendance of staff	Daily
Sanitation supervisor	0	0	0	-	Sanitation supervisor	-	Daily
Mukadam	6	6	0	Permanent	-	-	-
Safai Karmachari	76	73	3	Permanent	Sanitation supervisor	-	Daily
Sweepers	0	0	0	-	Safai Daroga	-	-

Table 2-3: Administrative Setup of Sanitation Department of the ULB

2.9.3 Financial Status of ULB

The revenue of the city almost stagnant in the last three fiscal years from 2020-21 to 2022-23. This can be majorly attributed to the impact of COVID-19 on the local economy. There has been a conscious effort to increase the investment in the local infrastructure. The ULB has received a large grant in the financial year 2022-23 for capital expenditure

Thus, overall, the ULB financial health looks good as the Revenue Expenditure has been in line with the Revenue income of the ULB.

Table 11 Budget analysis

Sr. No	Year	2019-20	2020-21	2021-22	2022-23
A	Revenue Income	1855.3738	2167.22947	1676.56813	2453.91288
B	Grants	4903.06586	1227.87272	1391.15701	2102.6294
C	Revenue Expenditure	3620.10048	2018.16625	1652.262	3893.87846
D	Grant from 14th Finance Commission	974.32112	-	-	-
E	Grant from 15th Finance Commission	-	441.56211	342.7247	-
F	Swachh Maharashtra Mission	1151.34	36.405	-	17.75889
G	AMRUT	NA	NA	NA	NA
H	Solid Waste Expenses	1.53598	164.74775	21.45836	241.27997

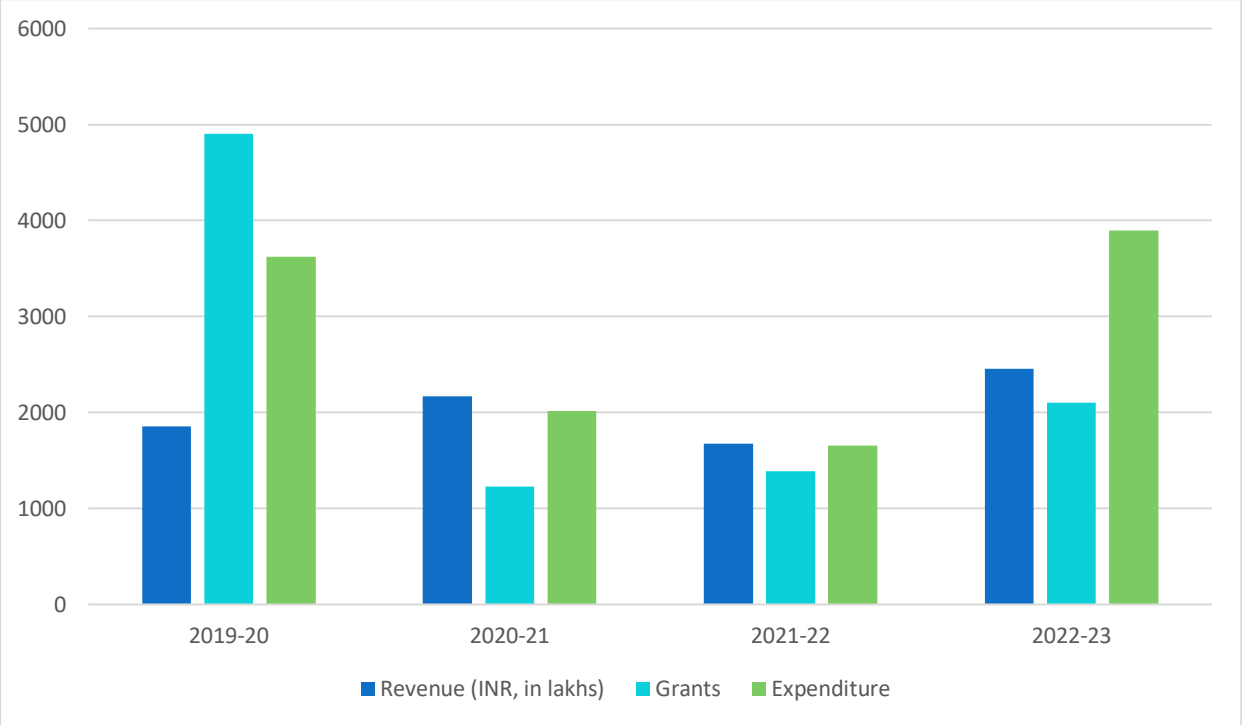


Figure 2 Revenue, Grant/Deposit and Expenditure Details (2019-20 to 2023-24)

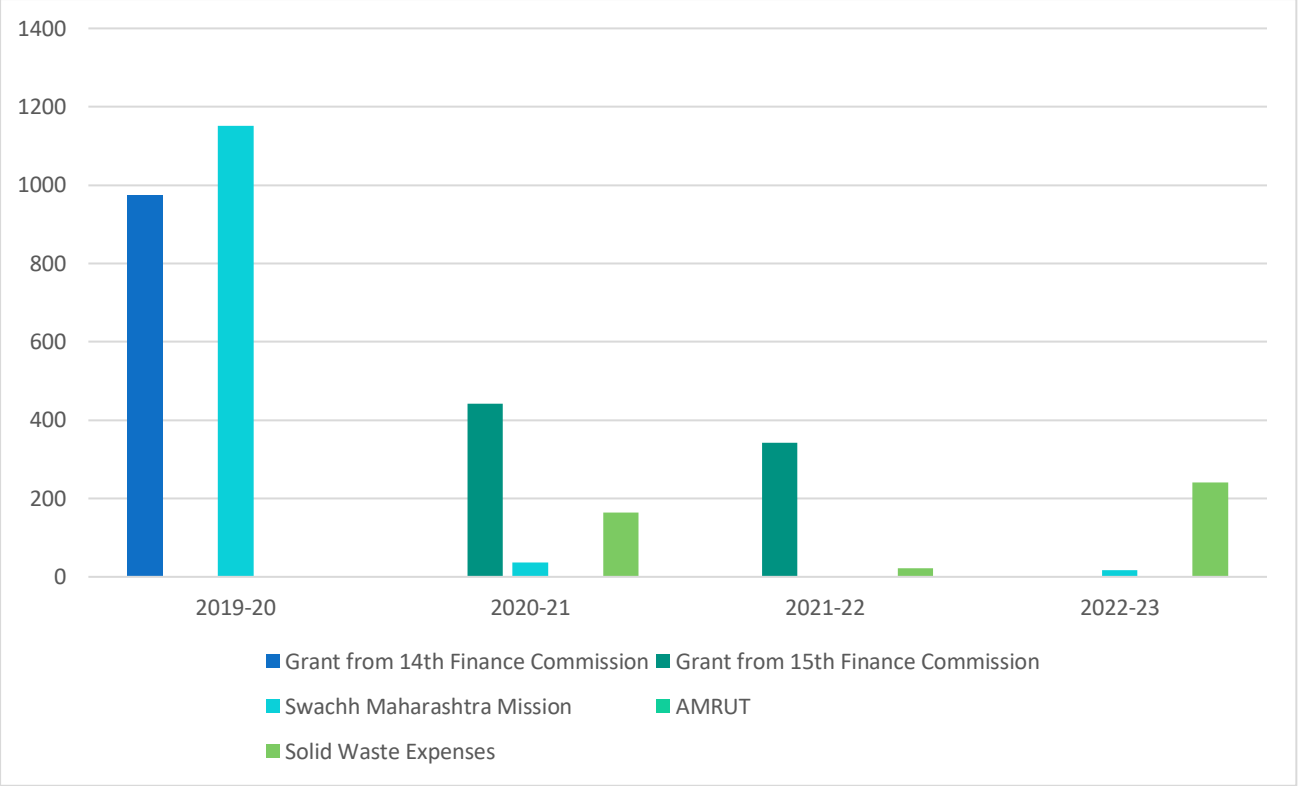


Figure 3 Grants from various Schemes

3 STATUS OF EXISTING SOLID WASTE MANAGEMENT IN THE CITY

3.1 WASTE GENERATION

Municipal solid waste in a typical town of India is residential waste which is around 70-80% of the total waste. Other waste generation sources are commercial units, markets, hotels & restaurants, institutions including schools, colleges, offices, street sweepings, drain silt and green area including park, gardens. The major sources of generation of municipal solid waste in Islampur are households and commercial areas.

3.1.1 Approach Adopted for Estimation of Waste Generation

The current system has been analysed in order to highlight the key issues in the city. Primary data have been collected using methods like questionnaire, individual field visit and interacting with the communities, it gives a fair idea of what exists on-ground.

A detailed study was carried out to understand the existing SWM practices followed at source, total quantity generated, collection, transportation, storage, treatment and disposal of solid waste and its compliance to the SWM rules 2016 in conjunction with the recommended guidelines of the Swachh Bharat Mission.

It is observed that there is limited segregation taking place at source, i.e., household level as wet waste and dry waste. Wet waste consists of primarily the organic waste. All the waste is collected by the vehicles and dropped at the dumpsite. There is no transit storage. The recyclables get picked by the waste-pickers but inert, soiled non-degradable and the organics remain at the dumpsite.

Waste was measured from the vehicles collecting wastes from the households and other sources of waste. Waste has been divided in 3 major categories for ease of quantification and analysis, i.e. 1. wet (biodegradable/organic), 2. dry (inorganic/recyclables) & 3. inert.

Table 12 Sources of Solid Waste

Source	Percentage share
Household	71%
Commercial	11%
Hotels	6%
Institutional	8%
Markets	4%
Hospitals	0.5%
Total	100%

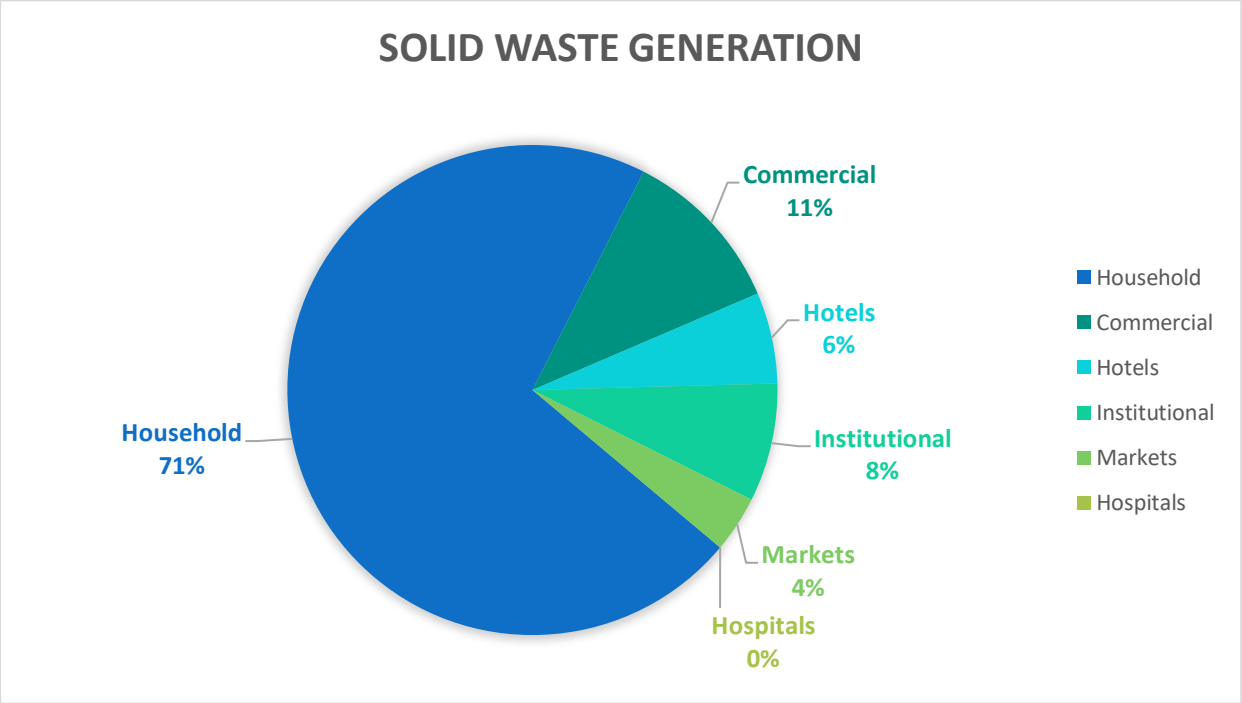


Figure 4 Sources of Solid Waste in Islampur

3.1.2 Residential areas –colonies, apartment complexes

The waste from residential areas includes the wastes from 17289 number of households categorized into HIG, MIG and slum areas/LIG. The waste from residential areas constitutes to 11.878 TPD which is around 71% of the total waste

3.1.3 Commercial establishments, malls

There are around 2000 commercial shops in the ULB. Waste generated from commercial establishments includes the wastes from commercial areas; office complexes, theatres/cinema halls, institutions, vegetable and meat markets and industrial areas. The total waste generated in commercial areas is 1.84 TPD. The waste from commercial establishments contributes to 11% of the total waste generated in the city.

3.1.4 Hotels, restaurants, banquet hall

There are 160 hotels including Dhaba, 2 guesthouses, 7 marriage halls. The total waste generated from hotels is 1 TPD. This constitutes to 6% of the total waste generated.

3.1.5 Institutional areas- offices, schools, universities

There are 32 Educational institutes in the ULB which includes schools and colleges. The waste generated from these institutions contributes to 1.3 TPD which is around 8% of the total waste generated. The institutional waste has been considered under waste generating from commercial points.

3.1.6 Fruit and vegetable markets, fish and meat markets

There are 2 vegetable markets. The waste generated from these markets is considered under the commercial waste. The waste generated from these markets is 0.62 TPD which is around 4% of the total waste generated in the city.

3.1.7 Hospitals and nursing homes (excluding biomedical waste)

The total waste generated from the hospitals and nursing homes is reported to be around 0TPD which is around 0%.

3.2 QUANTIFICATION & CHARACTERIZATION OF WASTE

Estimation of quantum of solid waste generated and its characteristics assume great significance for efficient design of waste collection, transportation, treatment and disposal options. For the assessment of the waste generation trends & its composition, an integrated approach comprising desk review of various similar kind of studies carried out in the past, CPHEEO guidelines for waste generation rate and representative waste sampling in the cities having more than 1 lakh population within the project area has been adopted.

The methodology adopted for waste sampling is outlined below:

- Identification of different areas of the city, like High Income Group (HIG), Middle Income Group (MIG), Low Income Group (LIG)/Slums, Commercial and Institutional areas, Vegetable and mutton, fish and chicken market etc. was done in consultation with the administrative staff of ULB. Waste from these areas was getting dropped in separate vehicles at the dump site. Samples were collected from this site and the other site where the waste was coming from other sources. Samples were collected immediately from the vehicles when they were being unloaded at the sites.
- Waste was weighed and unloaded on clean plastic sheets. Quartering method was used to achieve the required sample size. For quartering more than 100 Kg of waste from each sector, such as HIG, MIG, and LIG, etc. was collected and about 10 Kg of sample by quartering method in adherence to the SWM Manual was done. Representative samples were packed in front of ULB authorities and were taken for laboratory analysis.
- Quantitative analysis was carried out for the waste from different areas, representative samples. The waste thus received was segregated in different components, viz. Recyclables (Plastic, metal & glass), Inert and Organic material etc. Separate Physical & Chemical Analysis was performed.
- The samples are taken for qualitative and chemical analysis to an accredited approved testing laboratory.

3.2.1 Sampling Criteria

Based on discussions with the client, the following criteria for sampling were finalised:

For ULBs with population more than 50 thousand, detailed Physical and Chemical analysis of waste including heavy metals is to be carried out from accredited laboratories and report should be added in the DPR and For ULBs with population less than 50 thousand, cluster of 2 ULBs should be made and analysis should be carried out as above. Accordingly, waste characterisation has been conducted in the town.

3.2.2 Physiochemical Characteristics of MSWs

Physical Assessment: Physical components of waste like compostable, clothes, paper, plastics, sponges, polythene bags, glass and inert material shall be identified. This physical assessment is to be carried out at site itself.

Waste Characteristics	Percentage	Amount (TPD)
Wet waste (%)	59.27%	10.30
Dry waste (%)	40.50%	7.04
Sanitary waste (%)	0.5%	0.086

Sr No.	Particulars	Percentage
1	Plastic, Plastic Bags etc.	8.96%
2	Paper Waste	6.07%
3	Glass and Metal	0.49%
4	Leather, Rubber and Synthetics	0.13%
5	Tetra packs and laminated plastics	2.33%
6	Cloths and rags	4.05%
7	Food waste/ Organic	55.58%
8	Horticulture waste and Wood	3.69%
9	Miscellaneous, Inert, ash, Soil, Silts	18.70%
	Total	100.00%

Chemical Assessment[6]: After physical assessment, the samples shall be stored in a zip locked bag and brought to laboratory for analysis. All the analysis is carried out within 24 hours of sample collection.

Physical and chemical analysis was conducted as per the guidelines mentioned above and assessment is done from an accredited laboratory. The test results for the samples collected from the city are given as below.

The results of physical and chemical analysis are within the permissible limits for residential waste as well as commercial waste as specified by the regulatory authorities and also within limits for composting (Ref.: "Compost Standards").

3.3 MSW PROJECTIONS

As per our primary field study, discussions with different stakeholders, the estimated waste generation in the jurisdiction of the ULB in 2027 would be about 32 tons/ day from all sources. The rate of waste generation is about 380 grams/ capita/ day. This rate of generation is similar to other cities of India of similar size.

[6] Chemical Assessment is only done for cites with Population more than 50,000. For Smaller cites the Chemical Assessment done in 2017 DPR is considered.

The waste generation estimate, and its projection is important step for long term waste management strategy and planning for the city. Therefore, the waste generation estimate for the ULB is carried out in similar way as of population projection. The future waste generation estimates have been carried out on following assumptions:

Table 13 Waste Projection Estimate

	Year	2,022	2,026
A	City Population	86543	94923
B	Floating Population @ 10%	8,654	9,492
C	Waste Generation Per capita in grams per day	191.23	239.04
D	Waste Generation rate for floating population Grams	96	120
E	Total MSW Qty, TPD as per Calculated Per capita Generation	17.38	23.82
F			
G	Wet waste (TPD)	10.30	14.12

3.4 EXISTING MSW COLLECTION SYSTEM

3.4.1 Primary Waste Collection

Study Shows that there is 100% door-to-door collection of waste in the city in all the wards. There is no Segregation of waste currently practiced, hence all mixed waste comes to the Waste Management Site.

The primary waste collection system comprises door- to-door collection by Vehicles. There are 8 Tata Aces (4-wheeler mini-auto). The collection of waste is carried out once in a day from residential areas and once a day from commercial areas. There are 2 bins at the household level for residential waste for wet and dry streams. However, the segregation at source is not efficient and it can be assumed that primary waste storage is mixed. There is 100% Door-to- door (DTD) collection of solid waste in all the wards by the private agencies who are made responsible by the ULB for collection of waste within the municipal limits.

3.4.2 Secondary Waste Collection

MMC has removed the secondary bins from all the locations in the ULB. However, people continue to dump their waste in the open plots which were earlier secondary bin locations.

3.5 STREET SWEEPING & DRAIN CLEANING

Street sweeping and drain cleaning activities are carried out by contractors. Total road length considered for street sweeping is 113 km (approx.).

3.6 MSW SECONDARY STORAGE SYSTEM

At present, there is no waste processing at MMC. All the waste generated in the Council is transported and dumped to an open dump site outside the city.

The bins are conveniently placed in the commercial areas as well as residential areas.

3.7 MSW TRANSPORTATION SYSTEM

There are 8 Tata Aces (4-wheeler mini-auto) are involved in collection and transportation of waste. All these vehicles collect waste from the city and drop it to the waste processing and the dumpsite.

For collection every vehicle has 1 driver and 2 helpers.

Table 14 Waste Collection Vehicles

Vehicle	No. of Vehicles	Owner	Year of Purchase	Condition	Capacity
Auto Tipper (Tata Ace)	8	ULB	2017	Good	1 ton
Tractor Trailer	-	-	-	-	-
Tipper Truck	-	-	-	-	-
Ape Auto	-	-	-	-	-
Pushcarts/Handcarts	-	-	-	-	-
Compactor	2	ULB	2023	Good	5 Ton

Table 15 MSW collection vehicles

3.8 EXISTING MSW PROCESSING SYSTEM

Table 16 Existing MSW Processing System

	Generation (TPD)	plant capacity (tpd)	Plant type/ Facility
Biodegradable waste (wet waste)	10	10	Waste to Compost + Biogas
Dry waste	7.4	10	Material Recovery Facility (MRF) open shed
Recyclables /Plastic (belling, shredding etc)	NA	NA	NA
Sanitary waste	0.08	0	Domestic Hazardous/Sanitary Treatment Facilities
C & D waste	2	2	C & D Waste Processing Facility (temprory)

3.8.1 Recyclable Waste

The recyclable waste constitutes to 29.7% of total waste generated. Thus, Islampur generates 1.2 TPD of recyclable waste. The saleable fraction of the dry waste is segregated at the household level and sold off to the informal waste collectors, which further finds its way into the market for recycling or reuse. The recyclable fraction includes paper, plastic, glass, cardboard, metals, etc. The dry waste reaching the dumpsite is further sorted and the recyclables are sold off by the informal sector.

- There are no Reduce Recycle and Reuse (RRR) facilities in the city. Some temporary sheds have been erected on the MSWM site, but because of disuse, they are filled with mixed waste.
- If properly reused, the space is sufficient for a (RRR).

- The ULB alos has procured a Plastic Baling Machine but it is still unused.
- Shredder for RDF is available, again unused so may need repair work.

There is no revenue generated by the ULB for the dry recyclable waste collected.

3.8.2 Bio-Degradable Waste/Wet waste

Islampur has 9.75 TPD of biodegradable waste being generated at present. Bio-degradable waste constitutes the organic waste that can be decomposed to produce rich quality manure and soil conditioner.

Figure 5 Photos from allotted landfill site in Islampur

3.8.3 Inert Waste

The inert waste is considered at 12% of the total waste generated in the city. This constitutes of Silt, Rags, soiled cloths and other items which cannot be recycled. total of 0.66 TPD of non-biodegradable waste.

3.8.4 Construction and Demolition Waste

Approx. 1-2 Ton/month of C&D waste is estimated to be generated in the city. waste is collected by the ULB if found openly dumped and if generated by an individual owing to construction or any demolition activity, then the concerned person is being charged for its disposal. At present this waste finds its way into the low-lying areas. This waste is not included in municipal solid waste. As per norm this waste can be anywhere between 5 to 15% of the total waste generated in the city.

3.8.5 Any Other Waste (domestic hazardous, sanitary waste)

Separate storage or collection mechanism for domestic hazardous or sanitary waste does not exist at present in the city.

3.9 EXISTING SWM MANPOWER

3.9.1 Manpower

3.9.2 Table 17 Existing Manpower System

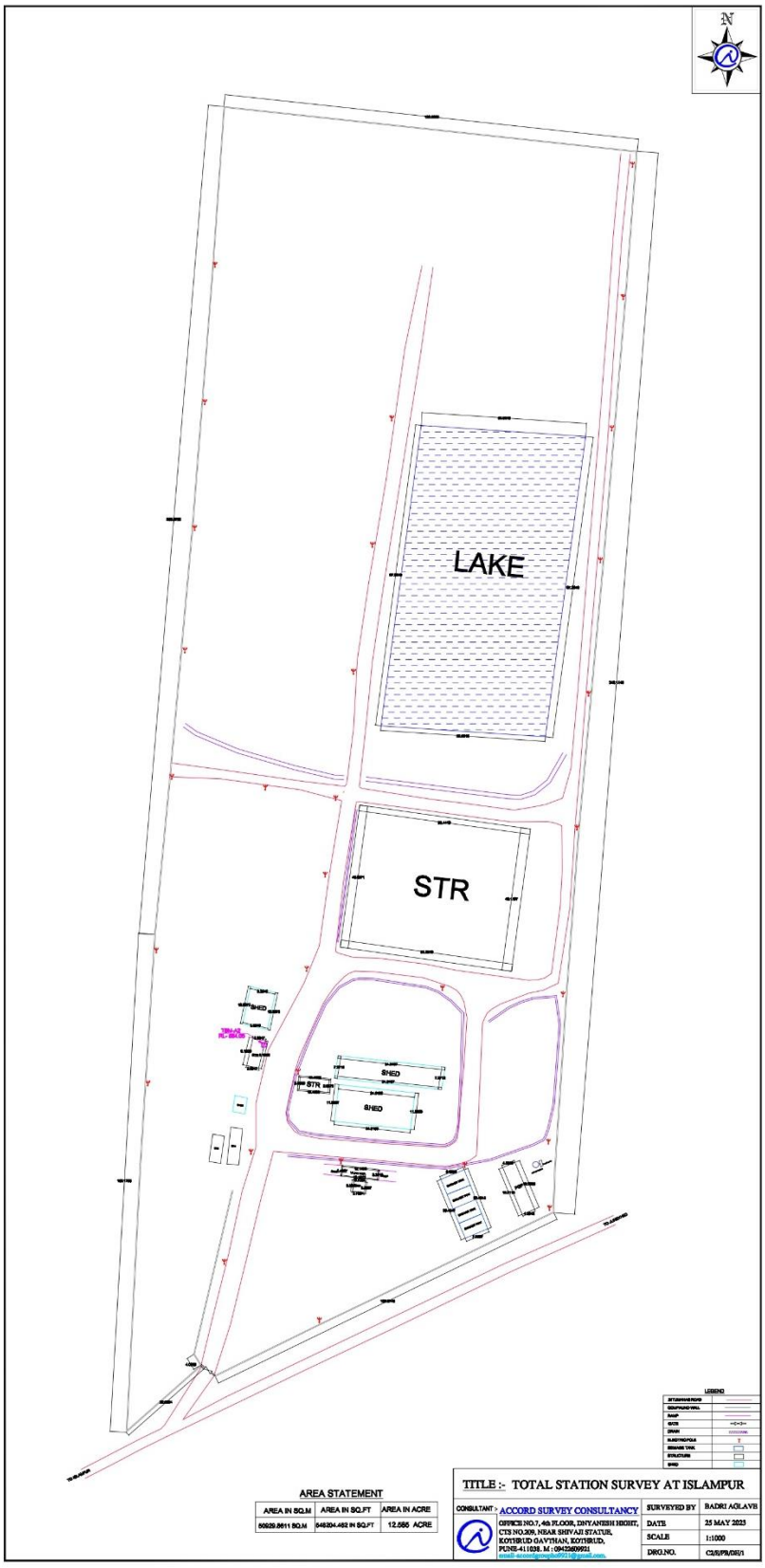
Designation	Present Status (No's)
Health officer	1
Assistant health officer	-
Sanitation Inspector	-
Sanitation supervisor	6
Sweeper	73

3.10 STATUS OF PRESENT DISPOSAL & PROPOSED LANDFILL SITE

The SLWM site is located outside ULB limit. The Currently ULB disposal of Inert waste at present Landfill Site available with the UL

3.10.1 Site Layout

The site has been allotted to the local body for waste disposal.


N
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AREA STATEMENT
AREA IN SQ.M
AREA IN SQ.FT
AREA IN ACRE
50529.5611 SQ.M
544204.482 IN SQ.FT
12.585 ACRE
TITLE :- TOTAL STATION SURVEY AT ISLAMPUR
CONSULTANT :- ACCORD SURVEY CONSULTANCY
OFFICE NO.7, 4th FLOOR, DNYANESH HEIGHT, CTS NO.309, NEAR SHIVAJI STATUE, KOTHRUD GAVTHAN, KOTHRUD, PUNE-411038. M : 09422609931
SURVEYED BY
BADRI AGLAVE
DATE
25 MAY 2023
SCALE
1:1000
DRG.NO.
CS/S/PI/081/1

3.10.2 Site Suitability Assessment of Proposed site

The proposed site for the landfill would be the same one where the inorganic waste is being dumped currently. The necessary environmental approval has been obtained for the waste processing facility/site including the consent to establish and operate.

3.11 Overall Compliance of SWM Rules

There are several rules and regulation which have been formulated pertaining to SWM. Relevant ones for Islampur are:

3.11.1 Salient features of MSW Rules, 2016

These rules apply to every ULB, outgrowths in urban agglomerations, and the census towns, notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government. The main highlights of the Rule are:

- The waste generator should segregate and store the waste in three separate streams i.e. bio-degradable, non-biodegradable and domestic hazardous wastes
- construction and demolition waste to be Stored separately.
- Waste generator cannot burn the waste.
- The waste generators shall pay user fee for solid waste management.
- All gated communities, institutions and RWAs shall ensure segregation of waste at source level

Key duties of the waste generators:

- Segregate, store and handover separately the waste generated by them in three separate streams namely bio-degradable or wet waste, non-bio-degradable or dry waste and domestic hazardous wastes. All gated communities, institutions and RWAs shall ensure segregation of waste at source level.
- No waste generator shall throw the waste generated by him/her on the street, open spaces, drain or water bodies; or burn the waste in open.
- Pay user fee or charge or fines as may be specified in the bye-laws of the urban local bodies

Key Duties of Commissioner or Director of Municipal Administration or Director of Local Bodies:

- Ensure implementation of SWM Rules by all urban local bodies falling under his/her control.
- Undertake training and capacity building of urban local bodies for management of solid waste.
- Facilitate establishment of common regional sanitary landfill for a group of cities and towns falling within a radial distance of fifty kilometres or more from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills.

Key Duties and Responsibilities of Urban Local Bodies:

- Prepare a solid waste management plan as per State Policy and Strategy on Solid Waste Management within six months from the date of notification of state policy.
- Frame bye-laws, incorporating the provisions of these rules and ensure timely implementation.

- Prescribe and collect user fee from waste generators.
- Develop infrastructure for segregation, collection, transportation, storage, processing and disposal of solid waste in their respective jurisdiction either at its own or through public private partnership mode.
- Provide easy access to waste pickers and recyclers for collection of segregated recyclable waste.
- Facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure in house or with private sector participation using best suited technologies.
- Undertake in house or through any other authorised agency, construction, operation and maintenance of Sanitary landfill.
- Make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget.
- Close down, remediate wherever feasible and cap the existing dumpsites, which are not engineered landfill sites as per the provision of these Rules.
- Prepare and submit annual report on the status of compliance of these rules during the calendar year on or before the 30th April of the succeeding year to the Commissioner or Director Municipal Administration.
- Create public awareness through Information, Education and Communication (IEC) campaign

Key Duties of the Operator of Solid Waste Processing and Treatment Facilities:

Identification and notification of land for setting up the solid waste processing and treatment facilities shall be the responsibility of the ULB. However, the criteria for setting up of solid waste processing and treatment facilities and key responsibilities of the operator are:

- Design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual of Central Public Health and Environmental Engineering Organisation, New Delhi.
- Obtain the approval from the State Pollution Control Board or Pollution Control Committee.
- Ensure safe and environmentally sound operations of the solid waste processing and treatment facility and its closure and post closure phase as per the guidelines issued by Central Pollution Control Board from time to time and the Manual of Central Public Health and Environmental Engineering Organisation, New Delhi.
- Submit annual report in the prescribed form

3.11.2 Maharashtra Plastic Carry Bags (Manufacture and Usage) Rules, 2006

- Prohibition of usage of carry bags-trade of recycled plastics.
- No vendor shall use carry bags or containers made of recycled plastics less than 50 microns for storing, carrying, dispensing, or packaging of foodstuffs.

3.11.3 Regulatory Aspects/Provision of MSW Landfills

Under section 6 (3) of the MSW (M&H) Rules, 2000 State Pollution Control Board or Pollution Control Committee shall issue authorization in Form-III to the municipal authority or an operator of a facility within forty-five days stipulating compliance criteria and standards as specified in Schedule II, III and IV including such other conditions, as may be necessary. SPCBs/PCCs, after the receipt of application from the municipal authority or the operator of a facility including landfills, shall examine the proposal taking into consideration the views of other agencies like the

State Urban Development department, the Town and Country Planning department, Airport or Air Base authority, the ground Water Board or any such other Agency prior to issuing the authorization

Site selection:

- Landfill identification shall be done by 'Development Authorities' for the area falling under 'Development Authority', otherwise it shall be done by the concerned Municipal authority.
- The site selection shall be done based on examination of environmental issues. The landfill site shall be planned and designed with proper documentation of a phased construction plan as well as a closure plan.
- The landfill facility shall be nearby waste processing plant or an integral part of it. The landfill site shall be designed for 20-25 years.
- The proposed landfill site should be away from habitation clusters, forest areas, water bodies, monuments, national Parks, Wetlands and places of important cultural, historical or religious interest. Also, approval shall be taken from the concerned authorities in case the landfill site is located within 20 km from the airport/airbase.

Facilities at Site:

- The landfill shall be fenced with proper gate at entrance for monitoring incoming wastes/vehicles, to prevent entry of cattle, to keep record movement of vehicles and wastes, etc.
- Provision of weigh-bridge may be made for assessing quantum of wastes.
- Drinking water and other sanitary facilities and other safety measures including health check-up shall be provided to workers.

Water quality monitoring:

- Ground water quality should be monitored within 50 m periphery of landfill site. Also, ground water quality data to be generated before construction of landfill site for future reference.

Ambient air quality monitoring:

- Installation of landfill gas control system including gas collection system shall be made at landfill site to minimize odour generation, prevent off-site migration of gases and to protect vegetation planted on rehabilitated landfill surface.

4 GAP ANALYSIS

In order to plan a holistic system for managing the municipal solid waste, it is utmost important to perform gap analysis of the current system of waste management. After discussion with ULB authorities, Site visit analysis the gaps in the current Municipal Solid Waste Management practices are identified and presents in the table below. Gap analysis is focused on identifying the present gaps, analysing the same and providing robust solution in reducing/ removing the gaps.

Table 8 Infrastructure Gap Analysis

	Existing condition	Identified Issues/Gaps	Proposed intervention
Waste collection system	ULB have 8 Auto tippers + 2 compactors	considering total waste generation there is a requirement of vehicles for 100% waste collection. Also 8 Auto tippers were purchased in 2017 hence need to replace as per the requirement	ULB have to purchase new vehicles or outsource the collection system as per the fund availability (Not part of this DPR)
Waste Processing System- wet waste	Currently 2576 sq.m. shed is available with ULB which is using for current wet and dry waste management. Current processing Facility available for managing 5 TPD Biogas 5 TPD Pit composting	There need separate entry for unloading wet waste and defined boundary for processing+ Additional system for treating 3 TPD wet waste	Providing required modification of existing shed (wet waste tipping + compost curing platform) . To process remaining 3 TPD waste suggesting Rotary Drum Composter
Waste Processing System- Dry waste	Common shed available for wet and dry waste	need modification in existing shed for better functioning	providing partition with Enclosed system for dry waste management
Machineries for wet waste	only compost sieve is available	there is a requirement of wet waste shredder	Providing Wet waste shredder (15HP)
Machineries for Dry waste	No machinery available	considering quantum of waste there is a requirement of beller, conveyor belt system and RDF facility	Providing 20TPD Automated MRF system
Sanitary and HHW management	No machinery available	there is a requirement facility for disposal of sanitary waste/HHW	ULB need to purchase Incinerator for managing 120 kg/day of waste or shall make provision through outsourcing
C & D waste management	No facility available	considering SBM Guidelines and GFC Standards ULBs with more than 50k Population should have some storage and processing facility for C & D waste Management	ULB need to make provision as per the fund availability
Sanitary Landfill facility	Functional Scientific Landfill available with ULB	NA	NA

5 PROJECT DEFINITION

5.1 PROJECT OBJECTIVES

The mechanism of solid waste management system in the ULB requires a reorganized model to meet the requirements of the MSW rules 2016. The major effort required in this regard is towards the procedural improvements of the waste segregation at source, transportation and disposal.

5.2 SCOPE OF PROJECT

The Project is under SBM 2.0 for Processing infrastructure.

5.3 APPROACH & METHODOLOGY

Treatment and Sanitary landfill site. As per CSWAP report received form State Govt.

5.4 SEGREGATION AND STORAGE

Source Segreation is a significant component of the new proposal. Dry waste collection centre would be set up as per design requirements. It is also proposed to integrate the informal and recycling sector involving rag pickers and kabadiwalas prevalent in the town into the formal system by recognizing their work and by providing required support services.

- The informal “kabadi system” network forms an important link in the overall waste recycling system prevalent in the country. They can be compared to micro-entrepreneurs who buy reusable and recyclable material like newspapers, metal, glass, cardboards, plastics, etc. from households or commercial areas. Citizens should be encouraged to continue the practice of selling recyclable wastes to the “kabadi system”, as they constitute the first link in the waste recycling system.
- Rag pickers are also an important part of the informal recycling system and are instrumental in recovering discarded recyclables in disposed municipal waste that have not been bought by the kabadi system. In an ideal system, rag pickers should be integrated into the system by training and employing them for door-to-door collection of waste by the RWA’s, NGOs, CBOs and the like. The rag pickers who work as waste collectors should be allowed to collect recyclables separately alongside wet and dry fractions.

  ULBs should make concerted efforts to integrate the informal sector of rag pickers into regular waste collection operations through the private sector, NGOs, RWAs etc.

5.5 NON-BIODEGRADABLE WASTE

Dry waste collection centers are the decentralized units dedicated for collection of in organic/ dry waste in the urban cities. The ULB can generate revenue by conducting this operation.

The dry waste collection centers would function as a social enterprise. The collection centers would buy the recoverable from the waste generators and sell it to the whole sale scrap dealers. The additional monetary benefits would be used for O & M of the facility. The ULB should insist on the private parties that the dry waste collection centers should be set up and operated.

Dry waste includes materials such as paper, plastic, glass, wire, cloth, leather, wire, thermocol, metal, wood, rubber, rexine and fabric. Households will need to encourage separately store dry waste at their premises. The ULBs would collect dry waste from their homes. Once a week, collection vehicle will separately collect dry waste from homes, which will then be taken to Reduce Reuse and Recycle Center (RRR). Citizens on their own could also take their dry waste directly to DWCS. This waste will be segregated into different types of dry waste and then sold to recyclers.

However, this will only works if the dry waste is free of any wet or food waste. People will have to separately store the dry waste in their homes and if it is mixed with wet waste it will only cause problems to them. The waste collection staff will not collect mixed waste from the citizens and dry waste will be collected using separate collection vehicles, once a week.

5.6 BIODEGRADABLE WASTE

5.6.1 Identification of MSW Treatment Technologies

In India, the decision on selection of suitable technology of MSW management would also be driven by the techno-economics of collection of waste from individual households, commercial establishments, markets/ shops, hotels/ restaurants, and industries. The choice of technology would be driven by the decision of whether waste would be managed locally within the jurisdiction of the respective ULBs or Towns/ Cities or it would be managed centrally in a dedicated waste processing centre and therefore has to be transported for a longer distance of 10-25 km in dry or semi-dry form in dedicated containers following necessary compaction at intermediate transfer centres within respective jurisdiction of the ULBs or Towns/ Cities. It would be more driven by the availability of competent and reliable technology suppliers based on their past experience so as to manage effectively the waste with reasonable flexibility of variation in composition and type of waste down the years, would be cost effective and has potential of generating a sustainable flow of revenues for the investor. The success of MSW management would also depend on selection of technology that ensures optimizing the cost of waste management to all other stakeholders including generators of the waste, municipal bodies, banks/financial institutions or money lending agencies in a PPP model backed by strong administrative and political willingness of Municipal Authorities, State and Central Governments.

5.6.2 Screening of Technologies

The suitability of a particular technology for the treatment of MSW depends on a number of factors that essentially include techno-economic viability, environmental safeguards, sustainability and location specificity. The important parameters that are considered generally for a suitability analysis are the quantity of waste that can be handled, physical, chemical and biological characters of waste, land & water requirement, environmental sensitivity to locations, environmental impacts/pollution potential, Capital investment, O&M costs, cost-

recovery, product utility, by-product usability or reject disposal, requirement of pollution control installation, etc.

5.6.3 Basis for Screening of Technologies

The table indicates that the parameters considered for suitability analysis are subjective and somewhat location specific and hence vary from place to place.

Table 9 Response Level of Waste Treatment Technologies to Various

Analysis Parameters	**Aerobic Composting**	**Vermi Composting**	**Bio-methanation**	**Incineration**	**Pyrolysis & Gasification**	**Refuse Derived Fuel Making**
Sensitivity to quantity	Low	High	Mod	Mod	Mod	Low
Land requirement	Mod	High	Low	Low	Low	Mod
Water requirement	Low	Low	Mod	Low	High	Low
Capital Investment	Low	High	Mod	High	High	High
O & M cost	Low	Low	Mod	High	High	High
Manpower requirement	Mod	High	Low	Mod	Mod	Mod
Decentralisation possibility	High	High	High	Low	Low	Low

Following are some of the inference from the above Table

- It appears that the Aerobic Composting technology & Bio-Methanation appears to be more attractive than other options.
- The Vermi-Composting technology although has high capital investment, but operational costs would be significantly low than the other technologies, but it requires careful operation.
- The W2E technology would be more suitable for larger towns or cities where there is a steady supply and growth of municipal solid wastes (more than 500 TPD).
- Moreover, from the decentralisation aspects of technology selection factor, it appears that the composting technologies (both Aerobic & Vermi) and Bio-Methanation more suitable for ULBs.
- Careful operation is required in the cases of Bio-Methanation and Vermi-Composting in terms of waste feed to the system and day to day operation.

5.7 COLLECTION OF WASTE

Collection from all the waste generators has to be at door step in each of the existing wards. This would include residential, commercial and institutional facilities. Door to door collection of waste will reduce the burden of secondary collection system due to reduced number of open points. The MSW from markets and other common places would be collected through sweeping teams. The waste collected from door to door system and by the sweeping teams deployed for market areas and other public spaces will be disposed in the landfill. Roads sweeping and drain cleaning would be a separate waste flow from collection to disposal.

- Collection of segregated municipal waste from the source of its generation is an essential step in solid waste management. 2 differently coloured bins, 10-15 litres each per household are recommended to promote and ensure segregation
- Waste Collection bins at optimum distance(between 25-250 meters)should be placed at public places to avoid littering On site composting of yard waste/ green waste could also be promoted

The proposed concept requires establishing primary waste collection and transportation system. This would result in reduced burden of solid waste management on secondary transportation and will reduce the number of open points in the town.

5.8 TRANSPORTATION OF WASTE

The transportation of the waste will be classified into primary and secondary transportation.

The primary transportation vehicles will be auto tippers, push carts and 4 wheeled vehicles involved in door to door collection. The waste collection in slum areas will be done by push carts. The waste from the pushcarts shall be deposited in to the auto tipper assigned in the respective zones. The segregated wet waste would be directly transferred by twin compartment Auto tipper to processing facility on landfill site.

The secondary transportation of waste from road sweeping[7] and drainage cleaning will be done by tractor trailers. Tractor trailers will be used to transport drainage waste and construction and demolition debris.

In order to ensure that sweepers do not dispose waste into drains, same staff that is responsible for cleaning street should be made responsible for cleaning adjacent drains as well

Silt removed from surface drains and stored on the shore of the drain should be collected as soon as possible and transported directly to the landfill

The mixed waste collected would be transferred to Compactors and the compactors will transfer the waste to the landfill facility.

5.9 SANITARY LANDFILLING

The final disposal of the waste has to be through a sanitary landfill site, after removal of the recyclable and biodegradable waste. This need to be processed separately and only inert and non biodegradable waste should be taken to the landfill site. The handling of waste and the landfill site has to be scientific to avoid accidents.

[7] Street sweeping and drain cleaning waste is to be collected separately and transported directly to the sanitary landfill facility. The manual streets cleaning are suggested. However manual street cleaning is preferred in narrow, congested streets and in streets where the road carpeting is damaged.

6 PROPOSED MUNICIPAL SOLID WASTE MANAGEMENT SYSTEM

6.1 SEGREGATION

Source segregation is one of the important components of Solid Waste Management System and entire SWM system is dependent on segregation for its efficient running. Segregation of recyclables (dry waste) and biodegradables (organic/ wet waste) provides an efficient mode for resource recovery and also reduces pressure and pollution at Landfill sites substantially.

Figure 2 Seprate bins for source segregation of waste[8]

Segregation of the four different fractions of waste could be undertaken without mixing them, but directly depositing into separate bin / bag as and when generated.

People shall be made aware of need to use three separate bins for wet waste and dry waste and sanitary waste in household level. Domestic Hazardous waste should be kept separately and handed over the waste collection personal.

6.1.1 Methods for Segregation at Source

Segregation of the two different fractions of waste could be undertaken without mixing them, but directly depositing into separate bin / bag as and when generated. People shall be made aware of need to use two separate bins for wet waste and dry waste storage in household level.

[8] Page no 30, Manual on Municipal Solid WaSte ManageMent, Part 1

It is very important to educate each individual in the household on the waste segregation to inculcate habit in them. The efficiency of the proposed Waste Management Plan described below is driven by the separation of waste at the primary collection level. For this purpose, following approach needs to be adopted by the residents as well as the Municipality personnel.

6.1.2 Segregation & Storage of Commercial Waste

Segregation of waste at source shall be introduced along with door-to-door waste collection. Hotels, offices, shops and restaurants need to keep adequate number of bins to facilitate easy handling and transfer of waste to Municipal collection system. Plastic, HDPE or reinforced fiber-glass bins are recommended for this purpose. Hospitals and Nursing homes could use colour coded bins/bags for storage as: specified in the Bio-medical Waste (Management &Handling Rules)-1998. Hospitals should deposit only the food & bio-degradable waste in the Municipal System. Street / food vendors will have to keep bins to store waste and transfer to municipal container. Marriage halls/function halls should keep large container matching the Municipal system. Provision of suitable containers at source is the responsibility of individual generators.

6.1.3 Sanitary Waste

Sanitary waste management refers to the proper handling, collection, and disposal of sanitary waste, which includes items such as used sanitary pads, tampons, diapers, and other personal hygiene products. Effective sanitary waste management is essential to maintain cleanliness, hygiene, and public health.

Effective sanitary waste management involves several key practices. Firstly, it is essential to segregate sanitary waste from other types of waste at the source. This can be achieved by providing separate bins or disposal systems specifically designated for sanitary waste. Secondly, proper collection methods should be implemented, ensuring that sanitary waste is collected separately by designated waste collectors. This applies to public places like schools, offices, and public restrooms, where dedicated bins or containers should be provided for the disposal of sanitary waste. Lastly, sanitary waste can be treated and disposed of through various methods such as incineration.

6.1.4 RRR facilities

RRR is a waste management initiative will collect old electronic/electrical items, furniture, bicycles, kitchen utensils, etc. from households. The Incentive aims to, repairs and re-uses what one can and dismantles and recycles the rest. By organizing Waste collection events, Such initiatives can channelizes most of these items towards recycling and re-use, and away from the dumps.

- reduce the amount of waste going to landfills.
- conserve resources by recycling and re-using items.
- support a local social enterprise that is working to make a difference in the community.

The facility will be located at a location suggested by the ULB, Preverbally a central place in the city. The facility will have a Sorting and Storage space to manage wastes like

- Electronic/electrical items: Computers, televisions, refrigerators, washing machines, etc.
- Furniture: Beds, tables, chairs, sofas, etc.
- Bicycles
- Kitchen utensils
- Clothes
- Books
- Toys
- Other household items

Reduce, Reuse, and Recycle (RRR) centres under the 'Meri Life Mera Swachh Shehar' campaign

6.1.5 Construction & Demolition Waste

Construction & Demolition(C&D) waste has to be stored within the premises of the construction site either in skips or suitable containers and has to be directly emptied to the notified disposal site or transported by availing municipal facility. However the C&D wastes are in much demand for filling up the low lying flood prone area. Not much of C&D wastes find its way to the municipal MSW system. The main role of Municipality will be mainly to create awareness amongst the people with the support of NGOs. As segregation and storage require a high degree of human awareness on the health and environment perils of throwing waste on ground, a continued and concentrated effort is required to create this awareness. It is essential to keep the streets and public places clean at all times of day. This is possible only if waste producers cooperate and effectively participate in the waste management efforts of the Municipality.

6.1.6 Street Sweeping and Drain Cleaning

Tt must be ensured that all the waste collected through street sweeping and drain cleaning shall reach the waste processing site for further treatment and disposal.

The worker engaged in street sweeping shall be provided with long handle broom, metal trays, Gum boots, gloves, shovels and uniforms. The sweepers should work in pairs, carrying out the following:

- Sweeping two 'single beat'
- Collecting the road sweeping waste in two-wheel bins.
- Cleaning the drains which are included within the street sweeping activity.
- Depositing the sweeping & drain cleanings in the nearby container.
- Cleaning the container stations within the beat length
- Kerb side collection from shops/establishments along the road/street

6.2 COLLECTION AND TRANSPORTATION

Collection and transportation of waste includes collection of waste from households and commercial establishments, markets and other waste generating sources and its transportation and transfer to secondary collection vehicles. The ranges of vehicles used for collection generally are auto tippers, tractors.

It is necessary to provide daily services to all households, shops and establishments for the collection of waste from the doorstep. This service must be regular and reliable – recyclable material can be collected at longer regular intervals as may be convenient to the waste producer and the waste collector, as this waste does not normally decay and need not be collected daily.

Domestic hazardous waste is produced occasionally and so such waste need not be collected from the doorstep. People could be advised or directed to put such waste in special bins kept in the Town for disposal of such wastes as per the directions given by Municipality. Or can be segregated at dry waste storage centre by authorized rag pickers.

Table 10 Proposed Collection system

Generator	Activity	Primary Collection Vehicle	Secondary collection vehicle	Frequency
Residential	D2D collection	Auto Tippers	Compactor	Daily
Slums	D2D collection	Auto Tippers / Wheeled bins	Compactor	Daily
Commercial waste from shops & markets	D2D collection	Tractor		Daily
Hotels	D2D collection	Bins	Tractor	Daily
Vegetable and Fruit Market	D2D collection	Bins	Tractor	Daily

6.2.1 Number of Vehicle Proposed

A direct and separate collection system is recommended for Large and Medium Hotels and Restaurants, Hospitals (non-infectious component of hospital waste only), industries etc.

- Waste from these sources shall be collected from the source and transported to the Waste Processing Unit. ULB shall organize the system by using the present fleet of Tractors; Manpower shall be engaged by outsourcing agency.
- The hotels and restaurants shall be directed to use two-bin system for the storage of food waste and other dry and recyclable material. Both the wastes shall be collected separately in the vehicle.
- The existing vehicles can be utilized for transportation of waste from bulk generators wherever required.

Table 11 Need assessment for Collection Transportation Vehicles

Year	2022	2026	Assumptions	
City Population	86,543	94,923		As per calculations and CSWAP
Floating Population @ 10%	8,654	9,492		Considered 10%
Number of households	18,029	19775	4.8	Household size
Number of Auto tippers Required	9	10	1000	Considering capacity of 1 auto tipper and 2 trips
Number of tractors for Floating population	4	5		Considering capacity 1 ton 2 trips
Total Number Required	11	15		
Stand By (10%)	1	1		
Existing Vehicles	8+4	8+4		2 compactors= 4 tarctor tailor
New Required	00	3		

6.3 ACTION PLAN FOR RECYCLING AND RECOVERY

Recycling & Recovery of materials in the households and at the ULB facility will reduce the huge burden on Integrated Solid Waste Management Facility, which will end up in mixing with Biodegradable wastes and finally adding in landfill facilities. The Recycling & Recovery activity will reduce 25-35% load on transportation and processing/ treatment facilities. Segregated dry waste collection system is the efficient methodology for material Recovery. Dry waste will be collected and transported to the processing facilities. Rag pickers shall further segregate the dry waste to remove high value plastics, glass etc. and sold away. Provision of Material Recovery Facility in ULB

6.3.1 Action plan to Promote "Reduce, Re-use and Re-cycle (R-R-R)" of waste

Involvement of informal sectors in waste collection and processing will help in a big way to the Municipal Solid Waste Management, the workers though, will not be getting any benefits from ULB, but they will be helping in segregating the recyclables and other materials from the solid waste and the waste will be sold by them for the living. The sector silently helps in cleaning the town in its own way and reducing the waste entering to the landfill site.

6.3.2 Provision for MRF in ULB

The Recycling & Recovery activity will reduce 25-35% load on transportation and processing/ treatment facilities. Segregated dry waste collection system is the efficient methodology for material Recovery. Dry waste will be collected and transported to the processing facilities. Rag pickers shall further segregate the dry waste to remove high value plastics, glass etc. and sold away. Provision of Material Recovery Facility in ULB.

Table 12 MRF Shed Calculations

MRF		
Storage space	Amount	Unit
Total waste generated (average 5years) (MTD)	23.82	MTD
Dry waste(MTD)	9.66	MTD
Volume (Cu.m/day)	21	cu.n/day
Keeping height of waste for sorting etc	1	m
Area required	21	Sq.m
Area for 15 days storage	558	Sq.m
Considering 10% extra for move	614	Sq.m
Proposed Area for Storage Area	610	
Waste Receiving Area		
Area for 25 days storage		sq.m
Round of		sq.m
Total area	107	sq.m
Area required for Machineries (10%)	110	sq.m
Total area of shed required	720	sq.m
Area for Existing MRF Shed	196	
Round of	920	sq.m
Length of Shed Proposed	40	Mt
Width of Shed Proposed	23	Mt

- Tipping area is required to receive and pre-segregate material from local bodies. Fresh garbage is unloaded and then screened. The reject material, which primarily contains inorganic matter, is directly sent to landfill site.
- Provide 7 mesh+ brickwork compartments for storage of Paper/cardboard, Glass, Plastic-2 compartments, Metal, chappal, cloths etc
- Waste receiving area should be strong enough to bear the weight of loaded vehicle and their movements. Therefore 200 MM thick 1:1.5:3 C.C. floor with skin reinforcement over 1: 4: 8 bases P.C.C has been proposed.

The Existing MRF Shed is sufficient to treat incoming dry waste, but the existing storage shed would be converted to Plastic recycling shed.

Segregation Conveyor with Seating Facility and Bins for Material Recovery Facility of 3 TPD Capacity has also been proposed.

6.4 CONSTRUCTION AND DEMOLITION WASTE

Total C&D waste Generation is around 3.6 TPD which is around 15% of the total waste generated. The DPR proposed construction of storage facility like storage space with 6 compartments (Bricks, concrete, wood, metal, sand.

	Particulars	Quantity	Unit
	C & D waste (5%-15% of total waste generation)	3.6	Ton
1	Volume of C & D waste (0.05t/cum)	2.1	cu.m
2	considering height 1 m, area required will be	2.1	sq.m
3	storage capacity for 5 days	60.0	sq.m
4	Considering 100% area for Waste Receiving platform	60	sq.m
5	Total Rounded Off area for Platform	120	sq.m

Proposed C&D waste Storage area and Platform is proposed for 10mt x 6 mt (Construction of C & D Platform (6 x 4 m) and Storage Facility (6 x 2 m (2 Nos)) for C & D waste)

(Need to provide as per the fund availability not part of this DPR)

6.5 INVOLVEMENT OF INFORMAL SECTOR

As per the discussion with ULB officials, there are no NGO association involved with rag-pickers; however, it is recommended that the informal sector be involved in the Solid waste management system.

6.6 SECONDARY TRANSFER STATION

No secondary transfer station is proposed. The Transfer of waste from Auto Tippers to Compactors would be direct.

6.7 PROCESSING OF MSW

Uran Islampur MC would generate around 17.38 TPD of waste, out of this, around 59.27 % is organic or biodegradable in nature, some 40.5% is dry waste.

6.7.1 Criteria for selection of processing technology

The detailed drawings of the processing and disposal facilities have been provided in annexure. The design details are provided for each of the facility below.

6.7.2 Waste Segregation Facility

The waste arriving at the integrated waste management facility is weighed at the gate and data recorded. The vehicles arriving are smart segregated. Segregated wet waste will be taken to Windrow Platform which is followed by aerobic composting process.

6.7.3 Recommendation of the Processing Technology

Uran Islampur has 5 TPD Biogas plant + 5 TPD Pit composting for remaining 3-4 TPD waste suggesting Rotary drum composter to be installed in existing shed.

The following approach has been adopted for the city.

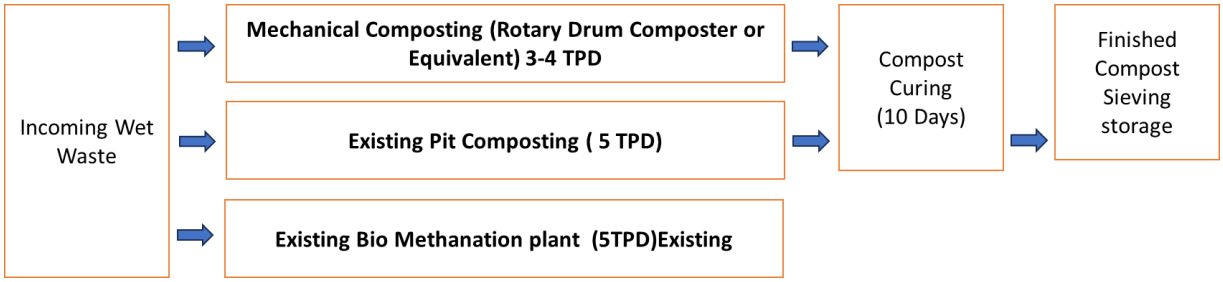

Figure 3 Proposed Process Flow for Wet Waste

6.7.4 Process design for proposed processing plant

Aerobic composting involves the stabilization of the organics into compost by microorganisms, which require the oxygen in air for their survival and growth. During this process of conversion heat is released. There are ideal limits for different parameters within which these microorganisms survive. Adequate moisture is required for the microorganisms to survive and composting to take place. If these conditions are ensured to be stable the compost quality and time of composting process can be controlled. In batch conditions the composting process continues at progressively reducing rate as the oxygen becomes a limiting factor or organics get consumed. To ensure the survival of these organisms the availability of oxygen in the waste being composted has to be ensured through provision of air. For economic reasons the time of composting is restricted till the major conversion is done and subsequently compost maturing is taken up till the compost is safe for application to plants. The organics typically have high moisture and in the compost process this is removed. There are different possible configurations of holding waste and providing air for aerobic composting. The selection of this is based on economics and competence in handling technology.

6.7.5 Required infrastructure and equipment for compost plant.

Equipment's	Numbers Required
Item No 1 :- Wet Waste Shredder with Manual Feed (15 HP).	2
Existing :- Compost Sieve	1

7 SUMMARY OF FINANCIAL REQUIREMENT

The summary of financial requirement for proposed Solid Waste Management DPR is given in this section. It is recommended to set up and operate an efficient solid waste management system in the town.

7.1 REQUIREMENT OF CAPITAL COST

The table below gives details of the financial requirement as capital expenditure for improving efficiency of waste management.

Component wise Cost

As per the gap analysis component wise cost estimated are given below.

Table 13 Capital Cost for Solid Waste Management

Sr. No	Particulars	Proposed Amount in 2.0	Sub Total
Solid Waste Management			
A	**Wet waste Mangement**		
1	Civil Works		
1.1	Item No 8 :- Wet waste tipping platform for Pit compost shed.(14 mt x 11.5 mt)	820,814.00	
1.2	Item No 10 :- Compost Curing Platform.(14 mt x 8 mt)	465,045.00	
1.3	Item No 7 :- Modification to Existing Shed for Wet Waste Management.(55 mt x 23 mt)	2,713,142.00	
1.4	Item No 9 :- Leachate collection tank for Existing Sanitary Landfill. (4 mt x 2 mt)	195,160.00	
2	Plant & Machinery		
2.1	Item No.01 : Wet Waste shredder Machine Capacity up to 10 TPD (Each) (2 Nos.)	880,000.00	
2.2	Item No. 03: Mechanical Compost Machine - 1 TPD Each (Roatry Drum/Automated Compost/Other Equivalent) (2 Nos.)	5,254,238.00	
2.3	Item No. 05: Biogas Shredder /Grinder /Chiper /Mixture Machine 7.5 HP (Motor)	493,220.00	
	Sub- Total of A (A1+A2)		**10,821,619.00**
B	**MRF Plant**		
1	Civil Works		
1.1	Item No 6 :- Modification of Existing Shed Converted into MRF Shed and Covered from all Sides with Compartments.(55 mt x 23 mt)	3,369,284.00	
2	Plant & Machinery		
2.1	Item No. 02: MRF Machine Upto 20-25 TPD +RDF Facility	7,626,688.00	
2.2	Item No. 04: Plastic Dust Remover Machine (Fataka Machine) 0.5 TPH	550,847.00	

Sr. No	Particulars	Proposed Amount in 2.0	Sub Total
	Sub- Total of B (B1+B2)		**11,546,819.00**
C	**Sanitary Landfill (SLF)**		
1	Civil Works		
1.1	Item No 11 :- Stone Pitching for Protection of Existing Embankment of Sanitary Landfill.	1,364,436.00	
2	Plant & Machinery		
2.1	NA		
	Sub Total of C (C1+C2)		**1,364,436.00**
D	**Hazardous Waste**		
1	Civil Works		
1.1	NA		
2	Plant & Machinery		
2.1	NA		
	Sub Total of D (D1+D2)		0.00
E	**Total Project Basic Cost (A+B+C+D)**		**23,732,874.00**
F	Fees of Technical Scantion form MJP	**237,328.74**	
	1.00 % of Sub Total (E)		
G	Consultancy Fee for Preparation of DPR	**569,588.98**	
	2.4 % of Sub Total (E)		
H	GST applicable	**4,374,443.34**	
	18% GST on (F+G)		
I	Royalty (If any)	**72,016.00**	
TC1	**Total Section - (E+F+G+H+I)**		**28,986,251.05**

Table 14 Capital Cost for C&D Waste Management

Sr. No	C&D Waste Management	Proposed Amount in SBM 2.0	Sub Total
J	C&D Waste Management		
1	Civil Works		
1.1	NA		
2	Plant & Machinery		
2.1	NA		
	Sub Total of J (J1+J2)		**0.00**
K	Fees of Technical Sanction form MJP	**0.00**	
	1.00 % of Sub Total (J)		
L	Consultancy Fee for Preparation of DPR	**0.00**	
	2.45 % of Sub Total (J)		
M	GST applicable	**0.00**	
	18% GST on (K+L)		

N	Royalty (If any)	**0.00**	
TC2	**Total Section - (K+L+M+N)**		**0.00**

Table 15 Capital Cost for Other Site Development

Sr. No	Other Site Development (Site Development, Vehicles, Incinerator, etc.)	Proposed Amount in SBM 2.0	Sub Total
O	Other Works Required.		
1	Civil Works		
1.1	Item No 12 :- Civil Work of open Stormwater RCC Drainage (C -Type).(190 mt in Length)	1,491,068.00	
2	Plant & Machinery		
2.1	Item No 13 :- Fire Extinguisher 4.5 KG capacity. (10 Nos)	104,491.00	
	Sub Total of O (O1+O2)		**1,595,559.00**
P	**Fees of Technical Scantion form MJP**	**15,955.59**	
	1.00 % of Sub Total (A)		
Q	**Consultancy Fee for Preparation of DPR**	**38,293.42**	
	2.4 % of Sub Total (A)		
R	**GST applicable**	**294,093.43**	
	18% GST on (A+C)		
S	**Royalty (If any)**	**570,367.00**	
TC3	**Total Section - K+L+M+N**		**2,514,268.44**
TPC	**Total Project Cost (TC1+TC2+TC3)**		**31,500,519.00**

Table 16 Component wise Cost Summary

	Existing Capacity available	Proposed Capacity in SBM 2.0	Proposed Amount in Rs. In SBM 2.0
Wet Waste Management	10.00	3.68	
Dry Waste Management	5.00	20.00	
Inert Waste	2.86	0.00	
Sanitary and HHW management	0.00	0.00	28,986,251.05
C & D waste management	0.00	0.00	0.00
Other Site Works	NA	NA	2,514,268.44
			31,500,519.00

2.10 FUNDING PATTEN

The Table Below gives an understanding of the total estimate for all the capital work proposed and the share of the ULB, State and Centre for the same.

I	Total Cost of the DPR under SBM 2.0	**31,500,519.00**	

II	Scantion fund for the ULB under SBM 2.0	**23,240,000.00**	
III	Additional Cost to be Borne by the ULB (I - II)	**8,260,519.00**	
IV	Break Project contribution source (Sanction funds)	Amount	% Share
1	Central Share	11,620,000.00	**50%**
2	State Share	9,296,000.00	**40%**
3	ULB Share	2,324,000.00	**10%**
4	Total	23,240,000.00	**100%**

7.2 REQUIREMENT OF OPERATION AND MAINTENANCE COST

The table below gives details of required Operation and Maintenance cost for collection and transportation of proposed Solid Waste Management System.

Table 17 O&M Cost Requirement for Manpower

Collection & transportation	Nos	Salary Per Month	Monthly Salary in Lakhs	Annual Salary in Lakhs	Total
Drivers for Door to door collection Auto Tipper	**10**	20010	24.01	288.12	
Helpers for door to door collection Auto Tipper	**10**	18,450	22.14	265.68	
Drivers for Tractor trailer for Bulk Waste Collection	5	20010	12.01	144.12	
Helpers for Tractor trailer for Bulk Waste Collection	5	18,450	11.07	132.84	
Driver for Compactor	2	20010	4.8	57.6	
Helper for for Compactor	2	18,450	4.43	53.16	
					941.52
Manpower for MSWM Site					
Supervisor at MSWM site	1	20310	2.44	29.28	
Operator for JCB at MSWM Site	0	20,310	0	0	
Gaurd at MSWM Facility	1	18,450	2.21	26.52	
Staff for Windrow Processing Site	10	18,450	22.14	265.68	
Staff for MRF facility and C&D Waste Facility	10	18,450	22.14	265.68	
Staff at RRR center	2	18,450	4.43	53.16	
					640.32
Total Expense on Manpowe Costing	**58**		**131.82**	**1581.84**	**941.52**

Table 18 O&M Expenditure

Type	Number	Fuel required /veh/Day Considered @110 rs per litter	Monthly Expenses (In Rupees)	Annual Exp	
Auto Tippers for D2D collection	10	4	132000	15.84	
Tractor Trailers for Street Sweeping	3	5	49500	5.94	
Tractor Trailor for Market Waste	2	5	33000	3.96	

Type	Number	Fuel required /veh/Day Considered @110 rs per litter	Monthly Expenses (In Rupees)	Annual Exp	
Compactor	2	7	46200	5.54	
JCB / Backhoe loader for Processing Site	0	7	0	0	
Fuel Cost for Vehicals					**31.28**
Other Expenses	Units	Rate Per Unit	Monthly Expens	Annual Exp	
Power @ 125 KW/Day	125		20000	2.4	
AMC Charges for Collecton and Transportation (3% of the Capital Value)				3.825	
AMC forEquipment and Machinery at 5% of Capital Cost for Mechanical Component at Processing Facility				0.7773	
Water Supply	1000	30	30000	3.6	
Safety Equipments for all staffs (Per Staff INR 5000)	58	5000	290000	34.8	
Other Expenses					**45.4023**
Total O&M cost for Vehical and Equipments					**76.6823**

7.3 REVENUE FROM SALE OF COMPOST AND USER CHARGES

The requirement of charges to be collected from residential households and commercial entities to run self-sustained Solid Waste Management Facility is explained in the table below.

Table 19 Revenue form User Charges

Sr. No	Waste Generators	No of Generators		Userger Charges		Revenue	
		2022	2026	2022	2026	2022	2026
1	Population	95,197	104,415				
2	Residential HH	19833	21753	80	88	190.39	229.71
3	Hotel And Restaurants	160	168	60	66	1.15	1.33
4	Guesthouses	2	2	60	66	0.01	0.02
5	Cinema Hall	3	3	500	550	0.18	0.2
6	Banquet Halls	0	0	500	550	0	0

7	EATERIES	450	473	45	50	2.43	2.84
8	MEAT SHOPS	40	42	60	66	0.29	0.33
9	Wedding Halls	40	42	80	88	0.38	0.44
10	School (Government, private)	26	27	80	88	0.25	0.29
11	Collages (Government, private)	6	6	60	66	0.04	0.05
12	Commercial shops	2000	2100	45	50	10.8	12.6
13	TOURIST PLACES	0	0	80	88	0	0
14	HISTORIC PLACES	2	2	60	66	0.01	0.02
15	Number of Large Markets (Vegetables, Meat and Fish)	2	2	80	88	0.02	0.02
16	Government hospital	**5**	5	60	66	0.04	0.04
17	Private dispensaries	112	118	80	88	1.08	1.25
18	Family welfare centre	4	4	45	50	0.02	0.02
19	Child and maternity hospital	12	13	500	550	0.72	0.86
20	Medical shops	185	194	80	88	1.78	2.05
21	Industries and Their Profile (type of industries and scale)	0	0	60	66	0	0
A	**Total Revenue from User Charges**					**209.59**	**252.07**

The compost generated would be sold to local farmers. The Rate of sale of compost is considered at INR 4 per Kg in absence of Harti Certification.

Table 20 Revenue from the same of Compost

	Compost Sale	2022	2026
1	Total Compost Generated in a Year (MT/Year)	274	499
2	Sale Value of Compost (Rs/ Kg) (Harit Value)	4	4
B	Revenue from Sale of Compost	**10.95**	**19.98**

The revenue from the sale of recyclables varies depending on the type of material, the market conditions, and the quality of the materials. In general, paper, metal, and plastic are the most valuable recyclables. The Rates form similar sized ULB has been considered to understand the potential Revenue from sale of Recyclables

Table 21 Revenue from Sale of Recyclables

	Revenue from Sale of Recyclables	**No of Generators**		**Sale Charges**		**Revenue**	
	Categorisation	**2022**	**2026**	**2022**	**2026**	**2022**	**2026**
1	Plastic, Plastic Bags etc.	2.13	2.24	6	6.6	46.75	53.96
2	Paper Waste	1.45	1.52	7	7.7	36.95	42.72
3	Glass and Metal	0.12	0.12	25	27.5	10.65	12.05
4	Leather, Rubber and Synthetics	0.03	0.03	0.5	0.55	0.06	0.06

	Revenue from Sale of Recyclables	No of Generators		Sale Charges		Revenue	
5	Tetra packs and laminated plastics	0.56	0.58	12	13.2	24.31	27.94
6	Cloths and rags	0.96	1.01	0.5	0.55	1.76	2.03
B	Total Revenue for sale of Material Recovery Facility		0		0	**120.48**	**138.76**

7.4 PROPOSED REVENUE RECOVERY

	Categorisation	2022	2026
A	Total Revenue from User Charges	209.59	252.07
B	Revenue from Sale of Compost	10.95	19.98
C	Total Revenue for sale of Material Recovery Facility	120.48	138.76
D	**Total Revenue**	**341.02**	**410.81**
E	Total Expense on Manpower Costing	941.52	941.52
F	Total O&M cost for Vehicle and Equipment's	76.6823	76.6823
G	Total Expenses	1018.2023	1018.2023
H	**Recovery Proposed**	**33.49%**	**40.35%**

8 INSTITUTIONAL ASPECTS AND CAPACITY BUILDING

The success of Solid Waste Management (SWM) services depends on having a strong institutional framework, which enables the efficient implementation of SWM programs. While it's essential to adopt modern waste management methods and select appropriate technology for the area, it's also crucial to strengthen institutions and build internal capacity.

This will ensure that the SWM system is well-managed and sustainable in the long run.

8.1 PROPOSED ORGANIZATIONAL SETUP

Effective provision of MSW management services would require co-ordinated effort by various stakeholders. The stakeholders in the project comprise RWAs (Resident Welfare Association), ULBs, citizens, and private operators.

The roles of each stakeholder are presented in below.

Citizens	Carry out segregation of waste at household level Handover the segregated waste to the primary collection crew at the pre-notified time Pay user fee for the door-to-door collection service offered Avoid throwing of waste on streets
NGO participations / Informal Sectors	Inform the residents about the proposed MSW Management Plan Ensure that the residents co-operate and follow all the principles. Appoint primary collection crew for door-to-door collection service • Monitor performance of service providers, wherever required
Private Sector	Carry out their roles and responsibilities as per the contractual arrangement between them and ULB Ensure that the MSW is handled in the manner set out in the contractual arrangement and is not disposed in any other manner whatsoever. Obtain compliance certificate from the authorities concerned
ULB SWM staffs	Set out MSW Management Plan Monitor the works being performed by the private operator Ensure compliance by RWAs and citizens Make payments to the private operator

8.2 DECENTRALIZATION OF ADMINISTRATION

The provision of MSW management services in the city could be carried out under any of the two options set out below.

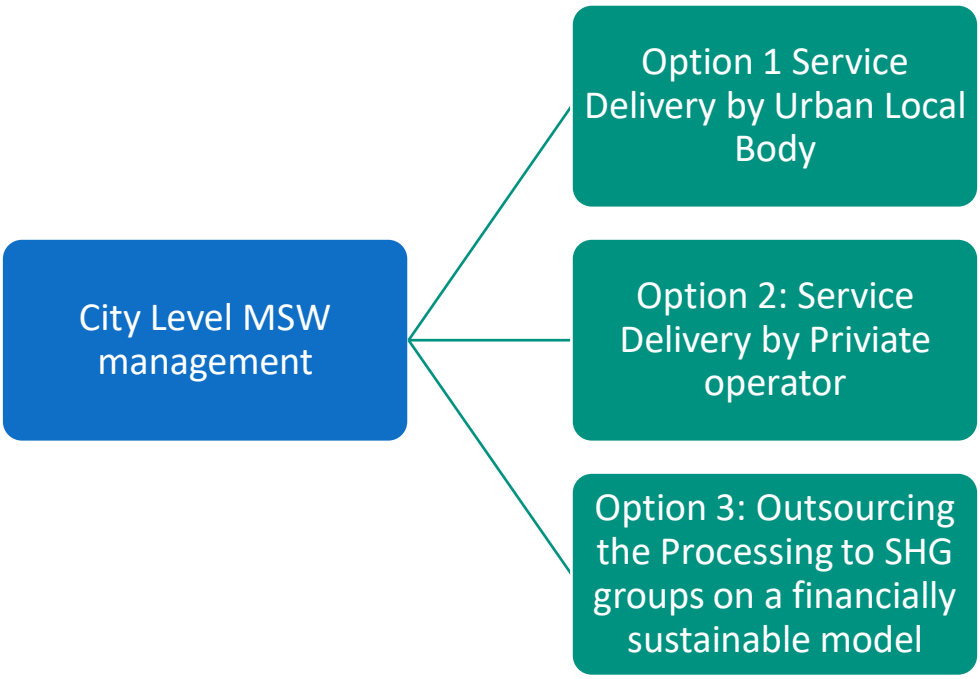

Figure 4 Options for Implementation of MSW

8.2.1 Option 1 Service delivery by ULB

Under this option, the two distinct activities, with respect to collection & transportation of MSW and treatment & disposal of MSW, would need to be undertaken by ULB in the following manner.

8.2.1.1 Collection and transportation of MSW

- Procure tools / equipment and vehicles such as minitippers, pushcarts, secondary containers, tractor placers and etc. for collection and transportation of MSW
- Hire Manpower for carrying out the activities envisaged.

8.2.1.2 Treatment and disposal of MSW

- Select a contractor to undertake rehabilitation of the compost facility and develop the landfill facility
- Hire skilled Manpower for carrying out the operations and management of the developed facilities

8.2.2 Option 2 –Service delivery through private operator(s) with ULB playing the role of a facilitator.

In this option, implementation of MSWM would be undertaken by private operator(s). The private operator(s) would need to carry out their roles and responsibilities as per the contractual agreement signed with ULB. The involvement of private operator(s) in various stages in the MSW management chain is detailed below.

8.2.2.1 Primary Collection

For the primary collection of Municipal Solid Waste (MSW) from households, a private operator will be responsible. This operator can either engage Self-Help Groups or choose a

private operator for the collection of MSW. The private operator will perform door-to-door waste collection from households and transfer it to secondary containers, from where it will be transported to the treatment/disposal facility. The private operator will identify the collection crew, procure necessary tools/equipment/vehicles using funds provided by the ULB, and operate and maintain the equipment. The private operator will be responsible for collecting user charges from households for providing door-to-door collection services and cover O&M expenses with revenue generated from user charges.

8.2.2.2 Secondary Collection and transportation of MSW

The ULB will identify private operators for the primary collection of Municipal Solid Waste (MSW). Private operators will procure secondary containers, transportation vehicles, and other necessary equipment and be responsible for their operation and maintenance. The ULB will provide the funds required for procurement, and the service agreement between the ULB and private operator(s) will be co-terminus with the age of the vehicles. Private operators will also be responsible for arranging parking space for their vehicles.

8.2.2.3 Treatment and landfill facility

ULB would identify private operator(s) for rehabilitation of the existing compost facility and development of landfill facility. The project could be implemented on a BOT concession framework. The operator would be responsible for mobilization of finances for development of these facilities (capital expenditure) and also O&M of these facilities in accordance with design, construction and O&M specifications provided by ULB.

Under Option 1, ULB would not only retain all the project related risks and be required to raise finances for undertaking the project, but would also need to monitor and manage the operational staff. In contrast, if ULB implements the project under Option 2, it would need to appoint private sector operators and require only sector specialists for overseeing their activities.

8.2.3 Option 3 –Service delivery through SHGs and waste pickers SHGs with ULB playing the role of a facilitator.

The SWM Rules 2016 state that it is the responsibility of ULBs to establish a system to recognize organizations of waste pickers or informal waste collectors and promote and establish a system for the integration of waste pickers. It also emphasizes on facilitating formation of self-help groups, providing identity cards and thereafter encouraging integration in solid waste management.

The National Urban Livelihoods Mission aims to reduce poverty and vulnerability of the urban poor households by enabling them to access gainful self-employment and skilled wage employment opportunities, resulting in an appreciable improvement in their livelihoods on a sustainable basis, through building strong grassroots level institutions of the poor and ultimately linking them to the entrepreneurial and the start-up revolution of India. Creating sustainable businesses for various streams of waste is essential for ULBs to be able to prevent and mitigate the environmental damage caused by waste. ULBs have to manage their complete value chain of waste management and create circular economies of waste. At the same time

identifying the real waste pickers and integrating them in the formal waste management system is also essential.

Roll of ULBs

- ULBs can organize training programs and workshops to enhance the skills and knowledge of waste pickers and SHG members. These initiatives can focus on waste segregation, recycling techniques, and sustainable waste management practices.
- ULBs can organize training programs and workshops to enhance the skills and knowledge of waste pickers and SHG members. These initiatives can focus on waste segregation, recycling techniques, and sustainable waste management practices.
- ULBs can assist waste pickers SHGs in establishing market linkages for the sale of recyclable materials.
- SHGs can explore revenue-generating opportunities within the waste management process like selling recyclable materials to recycling industries, establish composting units to produce organic fertilizer for sale, or engage in waste upcycling initiatives to create marketable products. The revenue generated can contribute to the sustainability of the SHGs and reduce their dependence on external funding.

By empowering marginalized groups, the model promotes social inclusion and generates local employment. ULBs can closely monitor the work of SHGs, ensuring compliance with regulations and fostering sustainability and innovation in waste management.

8.2.4 Ward Level & Prabhag Level Administration.

Ward level and Prabhag level administration are important components of solid waste management at the local level.

At the ward level, the ULB typically divides its jurisdictional area into smaller wards, each with its own waste management responsibilities. The ward-level administration is responsible for the collection, segregation, and transportation, of waste generated within its jurisdiction, as well as ensuring compliance with waste management regulations and standards.

Local leaders and community-based organizations can play an important role in supporting waste management initiatives. This can include organizing and mobilizing community members to participate in waste segregation and disposal activities, monitoring compliance with waste management regulations, and providing feedback and suggestions for improving waste management services.

To effectively manage waste at the ward and Prabhag levels, ULBs should provide training and capacity building to the staff responsible for waste management at these levels, and engage in regular monitoring and evaluation to ensure that waste management services are delivered efficiently and effectively.

Overall, effective ward level and Prabhag level administration can help ensure that solid waste is managed in a sustainable and environmentally responsible manner, and that waste management services are delivered in a way that meets the needs and expectations of local communities.

8.3 TRAINING AND CAPACITY BUILDING OF ULB

Capacity building is defined as the "process of developing and strengthening the skills, instincts, abilities, processes and resources that organizations and communities need to survive, adapt, and thrive in the fast-changing world.

The type of Capacity building activities undertaken usually depends on certain factors, including:

- Organizational resources (time, skills, expertise, money, facilities and equipments)
- Organizational readiness (especially the ability to discern real underlying causes of issues)
- Organizational life cycle (e.g. new ULBs or those who are about to start a waste management plant Need help to create, while others who already have an existing facility will tend to focus on increasing efficiency)
- Access to Capacity builders and associated resources and tools (e.g. access to trainings, consultants or peer networks)

The approach to Capacity building in SWM should be not only about technology and economics but also about:

- Understanding the administration systems for waste management and related activities (multidisciplinary and cross-sectoral).
- Understanding the need for human resource development to achieve better results in SWM.
- Focus on building sound institutions and good governance for attaining improved SWM.
- Delineating strategies for sustenance of achievements.

8.3.1.1 Skill Training and Sharing of Good Practices

- Each ULB has formed SHGs under the National Urban Livelihood Mission program. They have been given skill training on various economic activities during which time training may be provided with regard to composting of biodegradable waste, vermi composting, and usage of advanced technology for treatment. RWAs, Waste collectors, Scrape Dealers and various interested stakeholders can be part of the training. Some good practices that can be replicated in their areas for better results of managing MSW may be shared during these activities and training.
- For key Officials of ULB, Ward corporators, all those who are directly involved and having greater responsibility towards the effective implementation of the project, with the help of experienced resource persons a two day special training may be organized with regard to new technologies adapted in the management of waste.
- Exposure visits can be organized to those ULBs who have demonstrated successful managing of MSWMP.

8.3.1.2 Orientation and Education for MSWMP Workers

One day orientation program may be organized for Safai Karmacharis (SKs) who are hired by out- sourced agencies for door-to-door collection of segregated waste and transporting the waste during primary and secondary transportation to processing and disposal site, the need to wear personal protection equipment, namely, uniform, fluorescent jacket, hand gloves, appropriate footwear and masks for handling MSW.

Weekly or bi-monthly meetings should be held with all supervisors, SKs and drivers of waste collecting vehicles, contractors, waste collectors at dump yards to address all the issues they face while discharging their duties concerning MSW Program.

These workers can be provided with regular health checkup, link up with social welfare schemes of ULB in order to have continuity in the job since frequent change of personnel also affects the effectiveness of waste collection process.

8.3.1.3 Entrepreneurship development

ULBs and state government can give Encouragement for entrepreneurship in waste collection & treatment, which eventually reduce burden on waste management of ULBs.

8.3.2 Institutional Strengthening

ULBs can develop local level Policy interventions to manage in easing problems of solid waste and its occurring cost implications on the ULB.

Waste Generation	• Penalty and fines for unauthorized waste disposal or dumping • Policy formulations for bulk producers like large hotels and restaurants for managing waste within their premises as per SWM Rules 2016 • Similar policies for large housing societies/ apartments with more than 50 flats and townships having area more than 5000 sq.mt •
Primary Collection	• Policy formulation for collection of household hazardous waste, biomedical waste and E-waste, like collection of such waste at certain time and place on weekly basis. • Setting up of collection centres for household hazardous waste, biomedical waste and E-waste • Fixing prices/ incentives for E-waste, encouraging producers to hand over to collection centres.
Waste Treatment	• All the new residential & commercial projects should have mandatory solid waste treatment facility at their premises
Waste Disposal	• Bylaw for a cess on all new projects for handling of Construction & Demolition (C&D) waste.

8.3.3 Work Norms

8.4 COURSE CONTENT FOR TRAINING TO STAFF/OFFICERS

There is a need to create a pool of skilled HR in the field of sanitation and waste management for effective implementation of the Project. The main objective of the skill development program is to enable the development of a skilled workforce with nationally benchmarked, certified and accredited skills, which is then able to drive efficient implementation of the Project. The national framework envisions skilling sanitation workers with the relevant skill sets so as to enable them to work efficiently and safely, thereby crafting a safe occupational ecosystem for urban sanitation and waste management across the country. Skill development of the workforce engaged in

sanitation and waste management would lead to significant employment opportunities and has emerged as a new area for effective service delivery, particularly for the staff working in actual service delivery such as waste collection, categorization, segregation, handling of hazardous waste, landfill management, Sewage Treatment Plants (STPs), etc.

8.4.1 Identification of Stakeholders and Focus Areas of Training

Indicative Stakeholders	Focus Areas requiring skill development Training
Sewermen/ Sanitary Beldars/ Sewer Entry Professionals	• Sewer entry/confined space entry; • Cleaning of drains; • Desludging of septic tanks; • Usage of Personal Protective Equipment (PPE)/ safety gear as per SoPs; • Entrepreneurship.
Conservancy Staff	• Segregated waste collection; • Waste transportation; • Safe disposal of waste; • Daily upkeep and maintenance of community and public toilets as per SoPs; • Usage of PPE
Treatment Plant Operators (various roles)	• Solid and liquid waste processing and disposal as per SoPs; • Regular upkeep and maintenance of machinery; • Maintaining records of waste received and processed; • Usage of safety gear as per SoPs
Vehicle/Plant Operators	• Operation of desludging vehicle/waste collection vehicle as per SoPs; • Usage of safety gear as per SoPs
Waste Pickers (informal sector workers) and SHGs willing to work in the waste management sector	• Waste collection and segregation. • Establishing forward linkages to the waste received to facilitate the reuse/ recycling of waste. • Operation of centralized waste processing facility

8.4.2 Training Delivery Partners

The Skill Development Training Partners will deliver skill development training programs. The Training Partners will comprise of training organizations and institutes recognized by Central and State/UT governments. The States/UTs and ULBs will be able to engage the Training Partners suiting their training needs and context.

Towards this, organizations and institutes recognized at the central and state levels by the following, may be empanelled as Skill Development Training Partners:

- MSDE;
- NSDC;
- SSDMs;
- SSCs;

- Industrial Training Institutes (ITIs);
- Any other Government-empanelled training provider.

Assessment and Certification:

All the trainees/ sanitation workers undergoing skill development trainings will need to be evaluated as per the recognized assessment protocols established by MSDE, NSDC or SSDMs, SSCs. All trainees/ sanitation workers who have successfully completed the assessments will be certified.

9 COMMUNITY AWARENESS AND PUBLIC PARTICIPATION

9.1 STATUS OF PUBLIC PARTICIPATION IN SWM

The management of municipal solid waste has become an acute problem due to enhanced economic activities and rapid urbanization. Hence awareness and community participation is of great importance for the resolution of issues involved. Environmental issues are best handled through participation of all direct and indirect stakeholders. Public awareness, community participation, transparent and clean administration with accountability at all levels can only bridge the gap of governance in waste management and issues pertaining to successful management of waste. In this regard IEC activity has a major role to play and when it is organized in a systemic way it can bring about desired results.

Though there is some awareness among the citizens of concerning certain aspects of MSWM, due to the continuous efforts of the ULB through 'Majhi Vasundhara' Campaign. The awareness levels were evident during the site visit and interactions with citizens, ULB workers and commercial establishment owners. There is further need for enhancement of information and knowledge about waste reduction, reuse, recycling, segregation of waste at source into Wet Waste, Dry waste, Sanitary Waste and Domesting Hazardous Waste. Change has to affect the cognitive and behavioural pattern of each citizen, if the goal of MSWM is to be achieved. This awakens the need for sustained targeted messages relevant to the ongoing project to be imparted to the citizens through various methods for improving cleanliness in the surroundings and for enhancing a better quality of life. Based on the site visits carried out in the city, generally people are aware of the wet waste and dry waste segregation and a large part of residential areas are also practicing. However, facility for separate collection and transportation of segregated waste needs to be strengthened. This shows Councils job in spreading awareness on source segregation is reaching the citizens, but there must be consistent efforts to reach out to the citizens, corporation workers, business owners, NGO's, SHGs and other stake holders for awareness on solid waste management practices.

9.2 ESSENTIAL STEPS OF PUBLIC PARTICIPATION

Public participation is the basis for improving the solid waste management. This requires lot of effort. Public participation is essential in the following activities.

- Reduce, Reuse & Recycling (R-R-R) of waste.
- Not to throw waste/litter on streets, drains, open spaces, water bodies, etc.
- Storage of organic waste/ Wet waste, Dry Waste, Sanitaty waste / Domestic Hazardous waste, Recyclables, and Residual waste separately at source.
- Primary collection of waste
- Community storage/collection of waste in flats, slums, societies, commercial complexes, etc. and other waste source generators.
- User fees for the services provided.

9.3 PUBLIC INFORMATION, EDUCATION, COMMUNICATION PROGRAMS (IEC)

For the successful implementation of any program involving public at large in SWM system is essential. Public information, education and communication are essential for success of every endeavour in this space. IEC approach should be

- Ensure that the people become aware of the problems of waste accumulation and the way it affects their lives directly.
- Ensure that the people generate less waste by cutting back on waste generating material and by following clearly defined practices of waste management.
- Create public awareness against big waste generators and provide information to monitor the performance of these sources of waste.
- Inform the people about waste management program of the government and municipal bodies.
- Promote public participation in waste management efforts through private partnership where feasible.

Citizen co-operation is vital to reduce, reuse and recycling of waste and in keeping garbage off the streets, by keeping biodegradable "wet" kitchen and food wastes unmixed and separate from recyclable "dry" wastes and other hazardous wastes. Their participation in primary collection of waste, using litter bins for storage of waste generated in multi storied buildings, societies, commercial complexes and slums is also essential.

The communication material developed should be utilised in public awareness programmes through variety of approaches as under.

9.4 STAKEHOLDER CONSULTATIONS

The local body should decide the methodology to be adopted for reaching the community and seeking their cooperation and effective participation in SWM services. This is a very difficult area of activity and unless this is done meticulously, desired results will not be achieved.

The essential steps in this direction is to select representative samples of the community and go through a consultative process to ascertain the perceptions of the people about the SWM services being given to them, their expectations and extent to which they are willing to support and participate in the process.

There is a need to interact with the community to identify problems of waste management through site visits and consultation with local population at the time when the community is generally available for interaction. It may either be in early morning or late evening. The areas may be selected by following the method of drawl of representative samples. Situation analysis may be done by the persons who know the subject reasonably well, know local language and can communicate with local population effectively. Such persons may be Non-Governmental Organisations, Community Based Organisations or knowledgeable individuals. They should try to find out the prevalent situation of waste management in the area under observation and ascertain the perceptions of the people about the services

provided. In this exercise the local councillors, local leaders, NGOs, etc., may be invited to participate.

9.4.1 Finding out optional solutions

Having identified the deficiencies in the system and known the public perceptions, the next essential step is to think of optional solutions to tackle the problems, workout the cost implications and level of public participation needed.

9.4.2 Consult community on options available.

There should be second round of consultative process where the options worked out may be discussed with the community along with cost implications and their support required. Their suggestions may be sought on each solution proposed. The community may be encouraged to give their views. If we ask the people straight away the solutions of the problems, they may not be able to give right kind of suggestions as they have no exposure of various technological options. Therefore, they must be first appraised of the options available and then asked to give their considered opinion on what will work in their area and how much they are willing to cooperate.

9.4.3 Group Education

This may be done through:

- Group Meetings in the community
- Workshops
- Exhibitions
- Lecture series
- Panel Discussions, etc.

9.4.4 Mass Education

This is very essential to cover the entire population as it is not possible to reach all the people through group education programs. Mass Education programs can be planned using following methods of communication.

9.4.4.1 Use of Cinema Halls / Social Media

Slides in cinema theatres can be displayed to inform and motivate the public.

9.4.4.2 Posters

Attractive posters with good photographs and messages with a very few words, readable from a distance, should be prepared and displayed in various parts of the Town where awareness campaign is being taken up.

9.4.4.3 Use of Public Transport System

Brief messages can be painted on the rear of public buses or inside the bus panels. Public and private firms having their own bus fleets may be invited to support such efforts.

9.4.4.4 Use of School Children

Children are powerful communicators. Parents who do not listen to the advice of others often take their children seriously. Children are idealistic and would like to change their world for better. The ULB should hold regular meetings with principals, teachers and students to explain the need for change, and the usefulness to society of new ways to manage waste. The message can be reinforced by holding essay, debate or drawing and painting competitions on the subject and publicizing the winning contestants.

9.4.4.5 Resident Associations

Most citizens want a nearby facility to dispose of their waste, but nobody wants a dustbin at their doorstep. Both needs can be met by the house-to-house collection system through handcarts or tricycles. Neighbourhoods can be rewarded for good response to doorstep collection of segregated waste. Groups that undertake to manage the cleaning of their own area can be rewarded by ULBs through grants/subsidies.

9.4.4.6 Voluntary Organizations/NGO involvement

Many NGOs are committed to improve SWM practices in urban areas to protect the environment and have been very active in this field. They have also developed good mass-communication skills and education programs for the public. Such NGOs may be persuaded to actively support the new strategies adopted by the local body and associate in public awareness campaigns. Those who wish to conduct programs for sections of the public on the new SWM strategies may be encouraged to do so and given necessary support.

9.4.4.7 Role of NULM department

Add details about Convergence of SBM and NULM

The Swachh Bharat Mission (SBM) and the Deendayal Antyodaya Yojana - National Urban Livelihoods Mission (DAY-NULM) are two important government schemes that are working to improve the lives of people in India. SBM is focused on sanitation and hygiene, while DAY-NULM is focused on creating livelihood opportunities for the urban poor.

The convergence of SBM and NULM is a way to combine the strengths of both schemes and achieve better results. By working together, SBM and NULM can help to create a more sustainable and inclusive sanitation system, while also providing new opportunities for the urban poor to earn a living.

The SBM – NULM convergence guidelines 2018 provide a roadmap for how the two schemes can be worked together to achieve better results. By following these guidelines, ULBs can help to create a more sustainable and inclusive sanitation system, while also providing new opportunities for the urban poor to earn a living. Some of the key points from the guidelines:

- The convergence of SBM and NULM should be implemented at the city level.
- The convergence should be led by the Urban Local Body (ULB).
- The convergence should focus on the following areas:
  - Training and skills development for sanitation workers
  - Financial assistance to sanitation workers
  - Promotion of awareness about sanitation and hygiene

- The convergence should be monitored and evaluated on a regular basis.

The guidelines also provide a number of examples of how SBM and NULM have been converged in practice, some of these are.

- Improving the livelihoods of sanitation workers
- Reducing the vulnerability of sanitation workers to poverty
- Creating a more sanitary environment for everyone
- Reducing the risk of disease

The SBM-NULM convergence guidelines are a valuable resource for ULBs that are looking to improve their sanitation systems and create new opportunities for the urban poor. By following these guidelines, ULBs can help to create a more sustainable and inclusive future for everyone.

The guidelines are flexible and allow ULBs to tailor the convergence to their specific needs.

9.5 CSR INITIATIVES

CSR can contribute to solid waste management awareness in small towns in India through education and community engagement. By organizing clean-up drives, awareness campaigns, and training programs, CSR initiatives can help build a sense of community ownership towards waste management. Additionally, supporting local waste management infrastructure and collaborating with local government can also help promote better waste management practices.

To tap into CSR funds for solid waste management (SWM) Information, Education and Communication (IEC) building initiatives, first identify companies that prioritize environmental sustainability, waste management, or community development. Research their CSR priorities to ensure alignment with your SWM IEC building initiatives, and develop a clear proposal that highlights project goals, objectives, and expected outcomes. Cites should consider building partnerships with other organizations or businesses in the community to leverage resources and increase project impact.

9.6 ENVIRONMENT MITIGATION MEASURES

9.7 MANAGEMENT INFORMATION SYSTEM

It is important to formalize and document the record keeping procedures as well as waste acceptance procedures to be followed at the landfill site. At present ULB there is no record keeping for waste generation and waste collection. The weighment of waste collected every day is not performed. Following are the methods suggested for maintain the information of daily SWM generation to disposal. Bharat Sanchar Nigam Limited (BSNL) has signed an MOU with Swaccha Bharat Mission (SBM) called “eSBM”. eSBM is a solution for tracking

and monitoring all the vehicles engaged in collection and transportation of solid Waste by ULBs on OPEX model. eSBM facilitates the following:

- Monitoring of fleet status by vehicle tracking system (GPS based).
- MIS for waste collection and transportation.
- Real time SMS delivery for vehicle breakdown and maintenance.
- Transparency in Civic Administration
- Citizen Complaint Management System

The BSNL offerings under the eSBM program are:

- All infrastructure for the eSBM Platform i.e. Servers, Storage, Software, Internet bandwidth etcto be provided and managed by BSNL
- All SWM vehicles shall be fitted with Vehicle Tracking Devices for GPS tracking.
- Necessary Data SIMs, Short code, Toll Free help Desk no setcwill be provided.
- Mobile phones (Optional item) with apps for SWM staff.
- Citizen Complaint Management System
- Web Portals for eSBM system Management by ULB officials and Citizen Transparency portal.
- Dashboards and Reports for real time monitoring of:
  - Status of garbage cleaning in town with details of Solid waste handled
  - SWM Vehicles deployed, Vehicles on duty, Routes covered, Route Deviation, Bins cleaned.
  - Vehicle breakdown reports
  - Citizen feedback
- Consolidated reports for Central, State and ULB wise views for various activities
- for effective monitoring.
- Toll free no for technical help to ULBs
- Mobile application for SWM staff to record attendance and reporting of garbage collected in the vehicle with Photo and Geo tags, quantity of the waste handled etc, breakdown reporting.

9.8 ENVIRONMENTAL HEALTH AND SAFETY ASPECTS

Hazard posed to public and sanity worker will be more during material movement, specifically during peak traffic hours and operation. If vehicular movements are not planned for project, may cause traffic accidents and vehicle collision with pedestrians. Potential impact is negative but short term and revisable by mitigation measures. The concessionaire will be required to

- Plan material movement in a way to avoid peak-pedestrian and traffic activities
- Drivers should be given proper training on speed limits and safe driving habits.
- Safety signage, speed limits, entry-exist routes, etc. should be displayed at all require locations in local language in visible manner.
- If required traffic marshals should be involved during peak timings
- Seasonal PPE is to be provided to sanitation worker and waste pickers.

Apart from the said measures, the following aspects needs to be prepared and considered for sound and efficient working,

9.8.1 Site Manual

Site Manual The site manual shall be kept at the site office giving all site investigation, design and construction details. These are necessary as landfill design may get modified during the operational phase. The site manual shall contain the following information:

1. Data collected during site selection
2. Environmental impact assessment report
3. Site investigation and characterization data
4. Detailed topographical map
5. Design of all landfill components
6. Landfill layout and its phases
7. Construction plans
8. Detail of Leachate Management Plan
9. Detail of Gas Management Plan
10. Environmental Monitoring Program
11. Closure and Post-closure Plan
12. All permissions/licenses from concerned authorities.

9.8.2 Waste Inspection Procedure

Each vehicle carrying the waste must be checked for:

1. Incoming weight (full)
2. Outgoing weight (empty)
3. Availability of relevant documents
4. Visual check at weigh – in (if feasible). Visual inspection after discharge at tipping area (inspection report to be filed for each vehicle).

A visual inspection checklist must be framed which shall list visual features for identification of unacceptable material. This checklist must be filled for every unloading by a vehicle in tipping area at the working face in the landfill.

In case of any doubt regarding presence of unacceptable waste, the vehicle shall be taken to the waste inspection facility to facilitate visual inspection, sampling and down-loading (if necessary). Vehicles containing waste non-conforming to norms shall be held up and matter reported to In-charge of Landfill site.

9.9 POST CLOSURE STABILIZATION, OPERATION AND CARE

9.9.1 Long –Term Vegetative Stabilization

If a landfill cover is intended to be used for a specific purpose e.g. park or golf course or vehicle parking area, then the cover shall be stabilized in such a manner that the end –use is achieved. However, if no specific end –use is envisaged, then long –term vegetative stabilization will be undertaken to return the land to its original and natural vegetative landform.

Vegetation is by far the most common and usually the preferred stabilization option after closure of landfills. A self –perpetuating vegetative cover when established, not only

minimizes wind and water erosion, but also provides the landfill some semblance of its original appearance and Land use by natural process within a reasonably short period.

Typically, vegetation efforts follow a series of steps. While the specific procedures are unique to each landfill and climatic regime, the following are usually representative element of the process:

Seedbed Preparation: Seedbed Preparation is necessary to set the stage for establishment of the short-term community. Initial operations may include grading, furrowing, or grouping to enhance microclimate and addition of nutrients and soil amendment, if required.

Short Term Vegetation: It is common practice, in both humid and dry environments, to rely largely on grasses for the primary source of short- term land cover. Usually several species are included in the initial seeding mixture to increase diversity and reduce the chance of total community failure. Short-term vegetation is usually by irrigation.

Long Term Vegetation: To achieve the ultimate goal of attaining a self– sustaining and stable community, a transition between short – term and long-term vegetation must occur. In some cases, this may be left to invasion by native species after short –term vegetation is assured and soil development is well under way. In other cases – example, when irrigation has been used temporarily to establish the short –term community- it may be necessary or desirable to enhance the natural succession process by replanting with a more diverse mix of species suited to the next stage of community succession, such as shrubs. The need for artificial enhancement of the successional process will depend on the success of previous short-term effort and on the ultimate intended land use of the reclaimed area. All vegetation efforts shall oriented towards self-generation and minimum management in the long term.

Several factors limit the growth of plants on landfills. These include toxitown of landfill generated gases (methane and carbon dioxide) to root systems, low soil oxygen due to heavy compaction, thin cover layer inhibiting root penetration, low nutrient status of cover soil, high soil temperatures and poor soil structure. Some of these factors can be eliminated or their effect on plant growth reduced. Active gas extraction or proper use of gas barriers with venting system prevents gas migration to the root zone. Waste may be removed from certain areas to enable planting of islands of trees. By separating biodegradable waste from non-biodegradable, it may be possible to create zones free of toxic gases.

9.9.2 Closure and Post Closure Maintenance Plan for Old Site

Determination of the end-use of landfill site is essential to decide the measures of closure and post – closure maintenance. Some of the uses of closed landfill sites near urban centres include park, recreational area, golf courses, vehicle parking area and sometimes even commercial development.

1. A closure and post closure plan for landfill involves following components.
2. Plan for vegetative stabilization of the final cover.
3. Plan for management of surface water runoff with an effective drainage system.
4. Plan for periodical inspection and maintenance of landfill cover and facilities.

9.9.3 Operation after closure

The following facilities will be operated routinely after closure:

1. Leachate management system
2. Surface water management system
3. Environmental monitoring system

9.9.4 Landfill Monitoring

9.9.5 Periodic Inspection and Maintenance

Periodic inspection and routine maintenance at a closed landfill site shall be carried out for a period of 25 year after closure. The following components of a closed landfill are inspected visually after landfill closure to confirm that all functional elements are working satisfactorily. A maintenance schedule with specified reporting formats is drawn up after each inspection.

9.9.6 Cover System

The final cover is inspected 2 to 4 time a year

1. To check that vegetation growth is occurring satisfactorily and that plants are not showing stunted growth.
2. To detect if any erosion gullies have been formed thereby exposing the barrier layers.
3. To earmark depressions that may have developed with time and
4. To identify ponding of water on the landfill cover. At least one inspection shall be carried out during or immediately after peak of the monsoon season.

Closed landfills show significant settlement. Rectification measures must not only re-establish the initial slope of the cover (for proper surface water runoff) but must also ensure that all the components of the landfill cover system continue to perform as originally envisaged. Adequate equipment and funds shall be allocated for post closure maintenance work in the form of soil filling re-grading the cover and re-vegetating the landfill cap.

In areas where extensive erosion gully formation is observed, filling of cover material, regarding of cover slopes and re-vegetation must be routinely undertaken.

9.9.7 Surface Water Drainage System

The surface water drainage system shall also be inspected 2 to 4 times a year.

1. To identify cracks in drains due to settlements
2. To delineate clogged drain requiring immediate clean up and
3. To study the level of deposited soil in the storm water basin and initiate excavation measures.

9.9.8 Gas and Leachate Management System

Periodic inspection of the gas and leachate collection system shall be undertaken to identify broken pipes, leaking gas (if any) and damaged or clogged wells / sumps. Repair work for gas and leachate management system requires skilled man power and shall be carried out by the agencies operating the gas treatment and leachate treatment facilities. One may often have to install new gas extraction and leachate collection wells if the damaged / clogged facilities are inaccessible and irreparable.

9.9.9 Environmental Monitoring system

Ground water monitoring wells, air quality monitoring system and vadose zone monitoring instruments shall be periodically inspected to check satisfactory functioning of the systems and to ensure good health of all well caps and sampling ports. Environmental monitoring system shall be maintained during the entire post – closure period as per the requirements of the local environments regulatory agencies. Wherever possible, monitoring instruments shall be periodically recalibrated. Sample devices shall be routinely detoxified and checked for proper functioning of the opening and closing of valves or springs loaded mechanisms.

9.10 LANDFILL QUALITY ASSURANCE AND QUALITY CONTROL

The operating mythology will depend on the type of system adopted at the landfill. The objective of a Landfill monitoring system is

- To find out whether a landfill is performing as designed
- To ensure that the landfill is confirming to the regulatory standards.
- Monitoring at a landfill site is carried out in four zones on and within the landfill.
- In the unsaturated subsurface zone (vadose zone) beneath and around the landfill.
- In the ground water (saturated) zone beneath and around the landfill and
- In the atmosphere/ local air above and around the landfill.

The parameters to be regularly monitored are:

- Leachate head within the landfill
- Leachate and gas quantity within the landfill
- Long – term movements of the landfill cover
- Quality of pore fluid and pore gas in the vadose zone
- Quality of ground water in the saturated zone
- Air quality above the landfill, at the gas control facilities, at building on or near the landfill and along any preferential migration paths.

The indicators of leachate quality and landfill gas quantity shall be decided after conducting a study relating to the type of the waste, the age of the waste, the waste composition of leachate and gas likely to be generated and the geotechnical as well as hydrological features of the area. All the monitoring programs must first establish the baseline / background conditions prior to landfill monitoring.

The frequency of monitoring shall be capable of detecting unusual event and risk in the initial phases. This will give time to identify, diagnose the cause and enable early steps to be taken for containment or remediation. Usually a monthly/bimonthly monitoring frequency is considered suitable during the operational phase as well as for 3 to 4 years after closure. The frequency can be decreased to 2 to 3 times a year in later years, if all system performance satisfactorily. Monitoring frequency may have to be increased if concentrations of gases/leachate are higher (Usually during monsoon period) than expected are detected, if control systems are changed or if drainage system gets clogged/non-functional.

A monitoring program must specify:

1. A properly selected offsite testing laboratory capable of measuring the constituents at correct detection levels.
2. A methodology for acquiring and storing data.
3. A statistical procedure for analysis of the data.
4. The following instruments/ equipment shall be used for monitoring.
5. Ground water samplers for monitoring water in wells
6. Leachate samplers for leachate monitoring within the landfill and at the leachate tank.
7. Vacuum lysimeters, filter tip samplers, free drainage samplers, for leakage detection beneath landfill liner.
8. Surface water samplers for collection of sample sedimentation basin.
9. Down hole water quality sensors for measuring conductivity, pH, DO, temperature in leachate wells, ground water wells and sedimentation basins.
10. Portable gas monitors for onsite monitoring of gases.
11. Active and passive air samplers for monitoring ambient air quantity.

It is recommended that location of each type of instrument/ equipment shall be finalized in consultation with an expert on the basis of topography of the area and layout of the landfill. A minimum of 4 sets of ground water monitoring wells (one up gradient and three down gradient) for each aquifer are considered desirable.

Quantitative parameters to be monitored will be:

1. Leachate quantity
2. Gas quantity;
3. Surface water run –off quantity and
4. Cover system settlement quantities.

Qualitative parameters to be monitored will be:

1. Leachate quality within the landfill (at the base)
2. Leachate quality after treatment
3. Groundwater quality (up gradient and down gradient)
4. Surface water quality at the exit of landfill
5. Gas quality within the landfill
6. Air quality above the landfill and at gas vents
7. Air quality at gas control facilities.

The regulatory limits for various parameters of quality will be prescribed by the regulatory authorities.

9.11 ENVIRONMENT MITIGATION MEASURES

9.11.1 Environmental Monitoring system

Ground water monitoring wells, air quality monitoring system and vadose zone monitoring instruments shall be periodically inspected to check satisfactory functioning of the systems and to ensure good health of all well caps and sampling ports.

Environmental monitoring system shall be maintained during the entire post closure period as per the requirements of the local environments regulatory agencies. Wherever possible,

monitoring instruments shall be periodically recalibrated. Sample devices shall be routinely detoxified and checked for proper functioning of the opening and closing of valves or springs loaded mechanisms.

9.11.2 Prevention of Pollution during Landfill Operation

Measures are needed to ensure that the landfill operation does not adversely affect local environment within and outside the landfill. The CPHEEO Manual on Municipal Solid Waste, 2016, suggests ensure availability of Community Liaison Officers to visit complainants and to establish the nature and source of the problem. This is reported to the land fill in-charge to initiate corrective measures.

9.11.3 Noise

Adverse impacts on the local community from noise may arise from a number of sources including – throughput of vehicles and fixed and mobile plant, for example compactors generators at the site.

9.11.4 Odour

Offensive odors at landfill sites may emanate from a number of sources such as waste material which has decomposed significantly prior to land filling, leachate and leachate treatment systems and landfill gas. Good landfill practices (detailed below) shall greatly reduce smell and impact from odors:

- Adequate compaction
- Speedy disposal and burial of malodorous wastes
- Effective use of covering material
- Progressive capping and restoration
- Effective leachate and gas management
- Planning leachate treatment plants, gas flares and direction of tipping by considering prevailing wind direction.

9.11.5 Litter

Poor litter control, both on and off site is particularly offensive to neighbours. Good operational practice shall be adhered to in terms of waste discharge, placement, compaction and covering to minimize the occurrence of windblown litter. Measures for controlling litter include:

- Consideration of prevailing wind direction and strength when planning the filling direction and sequence.
- Strategically placed mobile screen close to the tipping area or on the nearest downwind crest.
- Temporary banks and bunds immediately adjacent to the tipping area.
- Permanent catch fences and netting to trap windblown litter.
- Allowing entry of incoming vehicles which are sheeted and secured.

9.11.6 Bird Control

Birds are attached to the landfill site in large numbers mainly where site receive appreciable amounts of food wastes. Measures which can be used to mitigate bird nuisance includes the following:

- Employment of good landfill practice
- Working in a small active area
- Progressive prompt covering of waste

9.11.7 Vermin, Fly and Other Pests

The solid waste is dumped at landfill site and it remains a favourite place for disease-spreading vectors, even though it is well-managed landfill site. Any amount of daily cover material cannot completely stop the growth of these vectors mainly flies and mosquitoes. Landfills have potential to harbour flies and vermin, particularly where the waste contains food materials. Modern land filling techniques including prompt emplacement, consolidation and covering of wastes in well defined cells are effective in the prevention of infestation of rodents and insects. Rats and flies are the main pests which require control. Effective measures to deal with rodent infestation include regular visits by pest control contractors or fully trained operatives. The use of insecticides on exposed faces and flanks of the tipping area, by spraying and fogging, is an effective means of exterminating insects.

Mosquitoes:

Apart from causing nuisance to mankind, mosquitoes play a major role in the transmission of more diseases than any other arthropods. These include malaria, filariasis, dengue/Dengue Hemorrhagic Fever (DHF), Japanese Encephalitis (JE) etc., causing high morbidity and mortality. Adult males feed on nectar from plants. Female mosquitoes bite and feed on blood of humans and or animals. Because female mosquitoes feed regularly on blood, disease causing pathogens can be transmitted from man to man (e.g. malaria parasites) or in some cases from animal to man (e.g. arbivorus) via vector mosquitoes.

Small pools of water are created in any landfill site either due to presence of moisture in the waste or during rainy season. These small depressions often form a potential source for mosquitoes breeding. Since mosquitoes undergo a complete metamorphosis during their life cycle, there are two methods by which mosquito problem can be controlled completely namely:

Tracing and larviciding the breeding sites of mosquitoes and Residual spraying of the adult resting places with insecticides

House Flies (Musca domestica):

These flies are called house files because of their close association with man. Flies carry many pathogens (viruses, bacteria, protozoa, helminthes eggs etc.) and transmit diseases like Cholera, Conjunctivitis, and Diarrhoea etc. Landfill sites are a favourite ground of flies to breed and to multiply quickly. Fly control is a two pronged strategy and can be carried out by eliminating fly larvae at the source (larviciding) and thereby reducing the emergence of adult flies or by residual treatment of resting sites.

9.11.8 Control of Vectors

A daily cover of 20- 30cm of earth over waste acts as an effective deterrent against growth of vectors at any landfill sites. However, un-availability of sufficient quantity of earth in near vicinity makes the entire operation highly expensive and as such this methodology is not adopted at all times. This results in the landfill sites becoming vulnerable for the growth of disease spreading vectors.

Now a day, all over the world Cyfluthrin, a synthetic pyrethroid with a high insecticidal efficacy and low mammalian toxitown is used to destroy the vectors at landfill sites. In India, this compound is marketed by Bayer with trade name as 'SOLFAC'. It is available in powder form and is used as a solution with water. About 20 gms of powder is mixed with about 10 litres of water and mixer sprayed over garbage dumps at the rate of one liter per 100 sq.m. of refuse dump. The cost of treatment works out to about Rs.1.00 for 10 Sq.m. of area. This treatment is not only cost effective but highly effective in controlling vectors. This treatment can be used at proposed landfill sites.

9.11.9 Dust

Dust from landfill operations is mainly a problem during periods of dry weather but can also arise from dusty waste as it is tipped. Dust is generally associated with Site preparation and restoration activities

- Disposal of waste comprising of fine particles
- Vehicular traffic.
- Dust suppression can be controlled by
- Limiting vehicle speed
- Spraying roads with water
- Spraying site and powder type waste with water.

9.11.10Landfill Fire Management

Fires in waste on landfill sites are very common and it is important for site operators to be aware of the dangers, how to treat fires and to address the problems associated with them. All fires on-site shall be treated as a potential emergency and dealt with accordingly. All sites shall have an emergency tipping area set aside from the immediate working area where incoming loads of material known to be on fire or suspected of being so can be deposited, inspected and

dealt with.

Waste that is burning on delivery shall be doused with water or more preferably covered progressively with adequate supplies of damp soil/cover followed by cooling and finally removal to its disposal point. It shall not normally be allowed to burn itself out as this will give rise to nuisance from smoke and odour and may constitute a health risk. Firefighting techniques shall be appropriate for the waste type.

Fires within the operational area are either surface fires or deep-seated fires. The former usually occur in recently deposited and as yet uncompacted materials adjacent to the current working area, while the latter are found at depth in material deposited weeks or months

earlier. Site operators shall have a plan to deal with each type of fire and have a code of practice for their operator stating exactly how to tackle any outbreak. Deep-seated fires require expensive remediation techniques including vertical cut-offs.

9.11.11Safety Measures for Landfill Areas

- No unauthorized entry of men, material and vehicles
- Adequate provisions for controlling flies
- No smoking zone

9.12 Structural Audit of Solid Waste Management Infrastructure

As per the Solid Waste Management Rules (SWM), 2016 in India, a structural audit of solid waste management infrastructure refers to the assessment and evaluation of the physical condition, structural stability, and overall safety of the facilities used for solid waste management.

The SWM Rules, 2016 lay down guidelines and regulations for the proper management of solid waste in the country. These rules emphasize the importance of maintaining safe and sustainable infrastructure for waste collection, transportation, treatment, and disposal.

Under the SWM Rules, 2016, it is mandated that local authorities and waste management agencies conduct periodic structural audits of their solid waste management infrastructure like includes waste processing plants, landfill sites, transfer stations, composting facilities, waste-to-energy plants, and other relevant facilities.

9.13 Compost Testing and its Frequency

The audit of solid waste management infrastructure includes checking the level and extent of compliance with applicable regulations. In this case, the applicable regulations are the Solid Waste Management (SWM) Rules, 2016, which cover overall waste management including processing and sanitary landfill. Additionally, the Fertilizer Control Order (FCO), 2009, and FCO 2013 establish compost quality standards and standards for phosphate-rich organic manure. Other waste regulations such as the Plastic Waste Management Rules, 2016; E-Waste Management Rules, 2016; and Bio-Medical Waste Management Rules, 2016, also need to be audited for overall environmental compatibility. The State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) is responsible for carrying out these compliances, except for FCO, 2009, and 2013, which fall under the jurisdiction of the state agriculture department. However, it is recommended that the Urban Local Body (ULB) and the relevant operator or concessionaire conduct internal audits to ensure better performance and voluntary improvements.

ANNEXURE - C

Maharashtra Life Authority Board, Sangli.

Near "Jalbhavan" Guest House, South Shivaji Nagar, Sangli.

Office:- (0233) 23224414

Web- https://mjp.maharashtra.gov.in

E-mall-mjpsangli@gmail.com

O.No. No. T.S-3/ Islampur M.C./T.M./184/2024

Dt. 23/01/2024

To,

Executive Engineer,

Department of Maharashtra Life Authority,

Sangli.

Subject:- Regarding obtaining technical approval for solid waste management project report under Islampur Municipal Council "Swachh Bharat Abhiyan 2.0".

References:- 1) Your letter no. T.S.-4/Islampur/MC/ Technical Recognition/161 dated 23/1/2024

2) Letter of this office N0. T.S.-3/Rate Approval/88 Dated: 10/01/2024

Accordingly, The above reference letter no.1, the budget of solid waste management project proposed by Islampur Municipal Council has been submitted to this office for approval. Its cost is Rs.3,15,00,519/-. The technical service charge for the said work was Rs.3,15,005/- as 1%. As per reference no.2 the minimum rates contained in the comparative table in the tariff have been approved. 3,15,00,519/- received proposal for technical approval was inspected at the board office and at the end of inspection Rs. 3,15,00,519/- is being given technical approval subject to the conditions in the letter of reference no.2 and the following conditions.

1) The said proposal will be provided funds under "Swachh Bharat Abhiyan 2.0" by Urban Development Department of Govt. For this program, the government should strictly follow the terms and conditions of the government decisions, guidelines issued from time to time.

2) The said technical approval is being provided on the basis of the information provided by the Islampur Municipal Council.

3) It should be ensured again that this project is planned as per the guidelines (Norms) given in MSW Manual/CPHEEO Manual/SWM Rule 2016 as well as City Solid Waste Action Plan.

4) It should be confirmed that the Sanitary Landfill Area has been identified by the Land Development Authority and transferred to the Islampur Municipal Council.

4) All facilities should be made available for Compost Plan/MRF Plan and Sanitary Landfill Site as per Municipal Solid Waste handling rule 2016.

6) After the completion of the said solid waste management project, Islampur Municipal Council shall be responsible for raising the required tax or solid waste management consumer fee in the household or collecting the solid waste management consumer fee prescribed as per the government decision to make it self-balancing.

7) The municipal council shall be fully responsible for obtaining the resolution of the municipal council for approval of the plan before administrative approval.

8) Landfill Location Criteria is as per MSW Manual 17.4.1. This should be verified by Islampur Municipal Council.

9) Islampur Municipal Council is bound to obtain Soil Investigation Reports of Landfill Site.

10) For solid waste management project, required DS Certificates must be obtained from Maharashtra Pollution Control Board. Islampur Municipal Council will be fully responsible for receiving it.

11) It is mandatory to obtain Environmental Impact Assessment Clearance for the proposed Sanitary Landfill Site. Also, a concept picture (Design) should be prepared for the Sanitary Landfill, and the Leachate generated should be disposed of in a medical manner. Also, due to the properties of this generated leachate, the quality of ground water will not be affected by the system. Also, the responsibility of Islampur Municipal Council will be to ensure that Leachate does not create a situation dangerous to health.

12) It is mandatory to obtain approval of Landfill Area and Compost Plan from GSDA. Also if tube well is proposed for this

then source certificate should be obtained through ground water survey development system.

13) The consent of the citizens around the area where the landfill site is located is necessary, so that the citizens are not disturbed in future.

14) Collection and Conveyance of Solid Waste will be the responsibility of Islampur Municipal Council.

15) Separate arrangement for treatment of leachate collected around window plantform is necessary.

16) Technical approval of the proposal though M.L.A. Although given through M.L.A. will not accept (Quality of executed work & availability of funds).

17) Before starting the actual work, the materials used in the work like cement, sand, gravel, iron, clay and concrete cube should be inspected by the government recognized technical college, college, engineering college. Also, during actual work, inspection through third party system (Third Party Inspection) is mandatory. So that the quality of work will be good.

18) The concept of work included in the said proposal should be checked and confirmed at our level.

19) The Municipal Council will be responsible for monitoring the quality of the said work

20) The Municipal Council will be responsible for the entire funds required for the said work. If any condition of the government decision is found to be violated in accordance with the fund, the said technical approval will be cancelled.

21) Municipal council shall be responsible for obtaining no objection certificates from all concerned departments before starting the said work.

22) In case any major changes are required in the approved budget, it will be the responsibility of the municipal council to get revised technical approval for the same.

23) It will be the responsibility of the Municipal Council to ensure that the bearing capacity (SBC) of the soil observed during the actual work is as per the concept.

24) Responsibility to carry out the electrical works in the said proposal as per the rules of Mechanical Branch will remain on Municipal council.

25) The Municipal Council shall be responsible for complying with the conditions specified by the Town Planning Department.

26) It will be the responsibility of our office to conduct the tender process for the said work as per the prevailing rules of the government.

27) Accurately checking the item descriptions and rates of all accessories before publishing the tender for the said work. It will be the responsibility of our office to ensure that.

28) Care should be taken that there is no increase in any aspect of appendages. If there is an increase in the matter due to some unavoidable reason, it will be mandatory to take the approval of the competent authorities.

29) All the construction works should be checked by the Government Engineering College after preparing Working Drawing and Structural Designs from the Project Management Consultant (PMC) appointed by the Government/Municipality as per the availability of space and accordingly and it should be incorporated while actually doing the work.

30) Technically approved proposal should not be modified without prior approval.

31) Detailed budgets should be prepared and approved by the competent authorities before inviting actual tenders for the

things for which rough provisions have been made in the proposal.

32) After the completion of the project, the responsibility of the respective supplier will remain for the proper implementation after setting up the relevant machinery. A condition to this effect should be included in the tender. So that there is no wastage of government funds and also after the implementation of the project, it continues. The full responsibility of Islampur Municipal Council will remain that it will function at full capacity.

33) All parts of the proposal should be prepared and examined by the Government Technical Institute or Technical Institute or Technical College after preparing the RCC concept and the work should be done accordingly.

34) M.L.A. does not accept any kind of commitment regarding funds.

35) The Municipal Council shall be responsible for making all the arrangements regarding water supply and electricity supply required for the proposal.

36) Bio Medical Waste Disposal Care should be taken that the said solid waste does not enter the project. This waste should be disposed of separately in a sanitary manner.

37) After receiving the administrative approval of the scheme, the terms and conditions of the administrative approval should be strictly followed.

38) Construction of fire prevention system near Landfill Site should be done through Nagar Panchayat is so that in case of fire it will be possible to control the fire quickly otherwise waste burning will continue to pose a risk of air pollution.

39) It is mandatory that the lands belonging to the appendages in the said proposal be in the possession of Islampur Municipal Council is apart from that the tender should not be invited.

40) In case of increase in the proposed work cost of the said project report, the full responsibility of Islampur Municipal Council will remain.

41) The whole calculations, rates and descriptions of all items etc. of the said proposal should be verified once again at the municipal council level and accordingly the municipal council will be responsible for announcing the rates in the tender.

42) Quarry chart for the lead taken in the proposal should be certified by the Public Works Department and it will be the responsibility of the Municipal Council to ensure that the rate analysis is done accordingly.

43) The amount of technical scrutiny fee should be paid to the Executive Engineer, District Magistrate, Sangli.

The budgeted cost of the said work is Rs.3,15,00,519/- (and the technical approval of this office under Form No.85 Item No.529 in the month of January 2024 is being given subject to the above mentioned terms and conditions.

Annexure : Detailed project report.

Sd/-

(A.S. Patharvat)

Superintending Engineer (P)

Copy- Chief Officer, Islampur Municipal Council, Islampur for information and further action.

Copy: C.S. Circle Office Sangli for information.

Recapitulation Sheet - URAN ISLAMPUR, Municipal Council, URAN ISLAMPUR, District Sangali			
Sr. No.	Description	Estimated Cost in Rs. (INR)	Procurement Type
1	Item No. 01 : Wet Waste shredder Machine Capacity up to 10 TPD (Each) (2 Nos.)	880,000.00	Rate Analysis
2	Item No.02 : MRF Machine Upto 20-25 TPD + RDF Facility	7,626,688.00	Rate Analysis
3	Item No.03: Mechanical Compost Machine – 1 TPD Each (Rotary Drum / Automated Compost / Other Equivalent) (2 Nos.)	5,254,238.00	Rate Analysis
4	Item No.04: Plastic Dust Remover Machine (Fataka Machine) 0.5 TPH	550,847.00	Rate Analysis
5	Item No.05: Biogas Shredder / Grinder / Chiper / Mixture	493,220.00	Rate Analysis

	Machine 7.5 HP (Motor)		
6	Item No.06 : Modification of existing Shed Converted into MRF Shed and Covered from all Sides with Compartments (55 mt x 23 mt)	3,369,284.00	Rate Analysis
7	Item No.07: Modification to Existing for Wet Waste Management. (55 mt x 23 mt)	2,713,142.00	Rate Analysis
8	Item No.08: Wet waste tipping platform for Pit compost shed. (14 mt x 11.5 mt)	820,814.00	Rate Analysis
9	Item No.09: Leachate collection tan for Existing Sanitary Landfill. (4 mt x 2 mt)	195,160.00	Rate Analysis
10	Item No.10: Compost Curing Platform. (14 mt x 8 mt)	465,045.00	Rate Analysis

11	Item No.11: Stone Pitching for Protection of Existing Embankment of Sanitary Landfill.	1,364,436.00	Rate Analysis
12	Item No.12: Civil Work of open Stormwater RCC Drainage (C-Type). (190 mt. in Length)	1,491,068.00	Rate Analysis
13	Item No.13: Fire Extinguisher 4.5 KG capacity. (10 Nos)	104,491.00	Rate Analysis
A	Proposed Capital Cost	25,328,433.00	
B	Fees of Technical Sanction Form MJP	253,284.00	
	1.00% OF Sub Total (A)		
C	Consultancy Fee for Preparation of DPR	607,882.00	
	2.4% of Sub Total (A)		
D	GST applicable	4,668,537.00	
	18% GST on (A+C)		
E	Royalty (If any)	642,383.00	
Total Section – A+B+C+D+E		31,500,519.00	

Sd/- Sd/- Sd/-

Consultant	City Engineer Uran Islampur Municipal Council	Chief Officer Uran Islampur Municipal Council

Sd/-

Head of Health Department

Islampur Municipal Council

Sd/-

Deputy Engineer (Mech.)

Maharashtra Jeevan Pradhikaran,

Division, Sangli

Technical Sanction for the year-2024

Sactioned as per Item o. 529

Form No. 85 for the month of January- 2024

for Rs 31500519/- (Rs. Three Crore fifteen Lakh's five hudred ineteen only)

Sd/-

Superintending Engineer

Maharashtra Jeevan Pradhikaran Circle

Jal- Bhavan, Sangli

महाराष्ट्र जीवन प्राधिकरण मंडळ, सांगली.
"जलभवन", गेस्ट हाऊस जवळ, दक्षिण शिवाजी नगर, सांगली.
कार्यालय:- ☎ (0233) 23224414
Web- https://mjp.maharashtra.gov.in E-mail - mjpsangli@gmail.com

जा.प.क्र. तांशा-3/इस्लामपूर न.प/तां.मं/ १८४ /2024 दि:-२३ /01/2024.

प्रति,
कार्यकारी अभियंता,
महाराष्ट्र जीवन प्राधिकरण
विभाग, सांगली.

विषय:- इस्लामपूर नगरपरिषद "स्वच्छ भारत अभियान २.०" अंतर्गत घनकचरा व्यवस्थापन प्रकल्प अहवालास तांत्रिक मंजुरी मिळणेबाबत.

संदर्भ:- 1) आपले पत्र क्र.तांशा-4/इस्लामपूर/नप/तांत्रिक मान्यता/161 दि.23/1/2024
2) या कार्यालयाचे पत्र क्र.तांशा-3/दर मंजूरी/88 दि:10/01/2024.

उपरोक्त संदर्भ पत्र क्र.1 अन्वये इस्लामपूर नगरपरिषद यांनी प्रस्तावीत केलेल्या घनकचरा व्यवस्थापन प्रकल्पाचे अंदाजपत्रक मंजूरीसाठी या कार्यालयास सादर करणेत आलेले आहे. त्याची किंमत रु.3,15,00,519/- इतकी आहे. सदर कामाचे तांत्रिक सेवाशुल्क १% प्रमाणे रु.3,15,005/- इतके होते. संदर्भ पत्र क्र. 2 अन्वये दरपत्रकातील तुलनात्मक तक्त्यामध्ये समाविष्ठ न्यूनतम दरांना मान्यता देण्यात आलेली आहे. तांत्रिक मंजूरीसाठी रु.3,15,00,519/-इतक्या रक्कमेच्या प्राप्त प्रस्तावाची मंडळ कार्यालयात तपासणी करणेत येवून तपासणी अंती रु.3,15,00,519/-ढोबळ इतक्या किंमतीच्या अंदाजपत्रकास संदर्भ क्र.2 च्या पत्रातील अटी व खालील अटींच्या अधीन राहून तांत्रिक मान्यता देणेत येत आहे.

१) सदर प्रस्तावास शासनाच्या नगरविकास विभागातर्फे "स्वच्छ भारत अभियान २.०" अंतर्गत निधी उपलब्ध करुन देण्यात येणार आहे. या कार्यक्रमासाठी शासनाने वेळोवेळी निर्गमित केलेले शासन निर्णय, मार्गदर्शक सूचना यांच्या अटी व शर्तीचे तंतोतंत पालन करावे.

२) सदरची तांत्रिक मान्यता इस्लामपूर नगरपरिषदेने दिलेल्या माहितीच्या आधारावर प्रदान करण्यात येत आहे.

३) या प्रकल्पाची MSW Manual/CPHEEO Manual/SWM Rule 2016 मधील मार्गदर्शक सूचना (Norms) दिल्याप्रमाणे तसेच City Solid Waste Action Plan नुसार आखणी केली असल्याची पुनश्चः खात्री करावी.

४) Sanitary Landfill Area हा Land Development Authority ने Identify करुन इस्लामपूर नगरपरिषदेस हस्तांतरीत केला आहे, याबाबत धारणा पक्की करावी.

५) Municipal Solid Waste handling rule 2016 प्रमाणे Compost Plan/MRF Plan व Sanitary Landfill Site साठी सर्व सुविधा उपलब्ध करुन देण्यात याव्यात.

६) सदरचा घनकचरा व्यवस्थापन प्रकल्प पूर्ण झाल्यानंतर तो स्वयंसंतुलित होण्यासाठी आवश्यक तो कर किंवा घनकचरा व्यवस्थापन उपभोक्ता शुल्क घरपटटीमध्ये वाढ करण्याची किंवा शासन निर्णयानुसार घालून दिलेल्या घनकचरा व्यवस्थापन उपभोक्ता शुल्क घेण्याची जबाबदारी इस्लामपूर नगरपरिषदेची राहील.

७) प्रशासकीय मान्येतपूर्वी योजना स्विकृतीचा नगरपरिषदेचा ठराव प्राप्त करुन घेण्याची पूर्णतः जबाबदारी नगरपरिषदेची राहील.

८) Landfill Location Criteria हा MSW Manual 17.4.1 प्रमाणे आहे. याची पडताळणी इस्लामपूर नगरपरिषद तर्फे पुनश्चः करण्यात यावी.

९) Landfill Site चे Soil Investigation Reports प्राप्त करुन घेणे संबंधीत इस्लामपूर नगरपरिषदेवर बंधनकारक आहे.

१०) घनकचरा व्यवस्थापन प्रकल्पासाठी, महाराष्ट्र प्रदुषण नियंत्रण मंडळातर्फे आवश्यक प्रमाणपत्र (DS Certificates) प्राप्त करुन घेणे आवश्यक आहे. ते प्राप्त करण्याची संपूर्ण जबाबदारी इस्लामपूर नगपरिषदेची राहील.

११) प्रस्तावित Sanitary Landfill Site साठी Environmental Impact Assessment Clearance प्राप्त करुन घेणे अनिवार्य आहे. तसेच Sanitaroy Landfill साठी संकल्पन चित्र (Design) तयार करुन घ्यावे, व तयार होणा-या Leachate ची शास्त्रोक्त पध्दतीने विल्हेवाट लावावी. तसेच या निर्माण होणा-या Leachate च्या गुणधर्मामुळे भुजलाची गुणवत्ता बाधीत होणार नाही याची दक्षता संबंधीत यंत्रणेची राहील. तसेच Leachate मुळे आरोग्याला घातक अशी परिस्थिती निर्माण होणार नाही याची दक्षता घेण्याची जबाबदारी इस्लामपूर नगरपरिषदेची राहील.

१२) GSDA तर्फे Landfill Area तसेच Compost Plan च्या जागेला मंजूरी प्राप्त करुन घेणे अनिवार्य आहे.तसेच यासाठी जर Tube well प्रस्तावित केली असेल तर त्यासाठी Source Certificate भूजल सर्वेक्षण विकास यंत्रणे मार्फत प्राप्त करुन घ्यावी.

१३) Landfill ची जागा असलेल्या क्षेत्राच्या आजूबाजूंच्या नागरीकांची संमती असणे आवश्यक आहे, जेणे करुन भविष्यामध्ये नागरीकांना त्रास होणार नाही.

१४) Collection and Conveyance of Solid Waste बाबतची संपूर्ण जबाबदारी इस्लामपूर नगरपरिषदेची राहील.

१५) Window Plantform चे भोवती गोळा होणारे Leachate च्या Treatment साठी वेगळी व्यवस्था करणे आवश्यक आहे.

१६) प्रस्तावास तांत्रिक मंजूरी जरी म.जी.प्रा. मार्फत देण्यात आली असली तरी प्रत्यक्ष कामाच्या गुणवत्ते बाबत तसेच निधी उपलब्धतेबाबत कुठलीही जबाबदारी म.जी.प्रा. स्विकारणार नाही. (Quality of executed work & availability of funds).

१७) प्रत्यक्ष काम सुरु करणेपूर्वी कामावर वापरण्यात येणा-या मटेरियल जसे सिमेंट, वाळू, खडी, लोखंड, सळई व काँक्रीट क्युब यांची शासकीय मान्यता प्राप्त तंत्रनिकेतन, महाविद्यालय, अभियांत्रिकी कॉलेज मधून तपासणी करुन घ्यावी. तसेच प्रत्यक्ष कामाचे वेळी त्रयस्थ यंत्रणेमार्फत (Third Party Inspection) तपासणी अनिवार्य आहे. जेणे करुन कामाची गुणवत्ता उत्तम प्रतीची राहील.

१८) सदर प्रस्तावात अंतर्भुत कामाचे संकल्पने आपले स्तरावर तपासून त्याची खातरजमा करणेत यावी.

१९) सदर कामाच्या गुणवत्तेची देखरेख करण्याची जबाबदारी नगरपरिषदेची राहील

२०) सदर कामाकरीता लागणाऱ्या संपुर्ण निधीची जबाबदारी नगरपरिषद यांची राहील.निधीच्या अनुषंगाने शासन निर्णयातील कोणत्याही अटीचे उल्लंघन होत असल्याचे निदर्शनास आल्यास सदरची तांत्रिक मान्यता रद्द बादल ठरेल.

२१) सदर कामास सुरवात करणेपुर्वी सर्व संबधीत खात्याची ना हरकत प्रमाणपत्रे प्राप्त करुन घेण्याची जबाबदारी नगरपरिषद यांची राहील.

२२) मंजुर अंदाजपत्रकामध्ये कोणत्याही स्वरुपात मोठे बदल करावयाचे झाल्यास त्यास सुधारीत तांत्रिक मंजुरी घेण्याची जबाबदारी नगरपरिषद यांची राहील.

२३) प्रत्यक्ष कामाच्या वेळी निदर्शनास आलेल्या भुस्तराची धारण क्षमता (SBC) संकल्पनेनुसार असल्याची खात्री करुन घेण्याची जबाबदारी नगरपरिषद यांची राहील.

२४) सदर प्रस्तावामधील इलेक्ट्रीक कामे यांत्रिकी शाखेच्या नियमानुसार करण्याची जबाबदारी नगरपरिषद यांची राहील.

२५) नगररचना विभागाने नमुद केलेल्या अटींचे पालन करण्याची जबाबदारी नगरपरिषद यांची राहील

२६) सदर कामाच्या निविदा प्रक्रिया शासनाच्या प्रचलित नियमानुसार करण्याची जबाबदारी आपल्या कार्यालयाची राहील.

२७) सदर कामाच्या निविदा प्रसिध्दीस देण्यापूर्वी सर्व उपांगांच्या बाबीचे वर्णन व दर तपासून अचूक असल्याची खातरजमा करण्याची जबाबदारी आपल्या कार्यालयाची राहील.

२८) उपांगांच्या कोणत्याही बाबीमध्ये वाढ होणार नाही, याची दक्षता घ्यावी. काही अपरिहार्य कारणास्तव बाबीमध्ये वाढ होत असल्यास सक्षम प्राधिकाऱ्यांची मान्यता घेणे बंधनकारक राहील.

२९) सर्व स्थापत्य कामाचे जागेच्या उपलब्धतेनुसार शासनाने/नगरपंचायतीने नियुक्त केलेल्या प्रकल्प व्यवस्थापन सल्लागार (PMC) कडून Working Drawing तसेच Structural Designs तयार करुन घेऊन शासकीय अभियांत्रिकी महाविद्यालयाकडून तपासून घेण्यात यावी व त्याप्रमाणे प्रत्यक्षात कामे करतांना अंतर्भूत करण्यात यावी.

३०) तांत्रिक मान्यता प्राप्त असलेल्या प्रस्तावास पूर्व परवानगी शिवाय कोणताही बदल करण्यात येऊ नये.

३१) प्रस्तावामध्ये ज्या बाबींसाठी ढोबळ तरतूद करण्यात आली आहे, अशा बाबींसाठी प्रत्यक्ष निविदा बोलविण्यापूर्वी सविस्तर अंदाजपत्रके तयार करुन त्यास सक्षम अधिका-यांची मान्यता घ्यावी.

३२) प्रकल्प पूर्ण झाल्यानंतर संबंधीत मशिनरी उभारल्यानंतर उत्तमरित्या कार्यान्वयन करण्याची जबाबदारी संबंधीत पुरवठादाराची राहील. या बाबतची अट निविदेमध्ये समाविष्ट करण्यात यावी. जेणे करुन शासकीय निधीचा अपव्यय होणार नाही तसेच प्रकल्प कार्यान्वित झाल्यानंतर तो सतत पूर्ण क्षमतेने कार्यरत राहील याची संपूर्ण जबाबदारी इस्लामपूर नगरपरिषदेची राहील.

३३) प्रस्तावातील सर्व उपांगांची आर.सी.सी. संकल्पने तयार करुन शासकीय तंत्रनिकेतन किंवा तंत्र महाविद्यालयाकडून तपासणी करुन घ्यावी व त्यानुसार प्रत्यक्षात कामे करण्यात यावी.

३४) म.जी.प्रा. निधी बाबत कोणत्याही प्रकारची बांधीलकी स्वीकारत नाही.

३५) प्रस्तावास लागणारा पाणी पुरवठा व विज पुरवठा बाबतची सर्व व्यवस्था करण्याची जबाबदारी संबंधीत नगरपरिषदेची राहील.

३६) Bio Medical Waste Disposal सदर घनकचरा प्रकल्पात येणार नाही याची दक्षता घेणेत यावी. या कच-याची विल्हेवाट स्वतंत्रपणे शास्त्रोक्त पध्दतीने करण्यात यावी.

३७) योजनेस प्रशासकीय मान्यता मिळाल्यानंतर प्रशासकीय मान्यतेतील अटी व शर्तींचे तंतोतंत पालन करावे.

३८) Landfill Site जवळ अग्नी प्रतिबंधक यंत्रणेची उभारणी नगरपंचायती मार्फत करणे आवश्यक आहे. जेणे करुन आग लागल्यास आगीवर त्वरीत नियंत्रण मिळविणे शक्य होईल अन्यथा कचरा जळाल्यामुळे वायु प्रदुषणाचा धोका निर्माण होण्याची शक्यता राहील.

३९) सदर प्रस्तावातील उपांगास लागणा-या जागा इस्लामपूर नगरपरिषदेच्या ताब्यात असणे अनिवार्य आहे. त्याशिवाय निविदा बोलविण्यात येऊ नये.

४०) सदर प्रकल्प अहवालाच्या प्रस्तावित कामाच्या किंमतीमध्ये वाढ झाल्यास त्याची संपूर्ण जबाबदारी इस्लामपूर नगरपरिषदेची राहील.

४१) सदर प्रस्तावाची नगरपरिषद स्तरावर संपूर्ण आकडेमोड, दर व सर्व बाबींची वर्णने इत्यादींची पुन्हा एकदा पडताळणी करावी व त्यानुसार निविदेमध्ये दर प्रसिध्द करण्याची जबाबदारी नगरपरिषदेची राहील.

४२) प्रस्तावात घेण्यात आलेल्या लीड करीता क्वॉरी चार्ट सार्वजनिक बांधकाम विभाग यांचेकडून प्रमाणित करुन घेणेत यावा व त्यानुसारच दरपृथ्थकरण केलेअसल्याचे पुन:श्च खात्री करणेची जबाबदारी नगरपरिषदेची राहील.

४३) तांत्रिक छाननी शुल्काची रक्कम कार्यकारी अभियंता, मजीप्रा विभाग, सांगली यांचेकडे भरणा करणेत यावी.

सदर कामाची अंदाजपत्रकीय किंमत रु.3,15,00,519/- (असून या कार्यालयाचे फॉर्म क्र.85 बाब क्र.529 माहे जानेवारी 2024 अन्वये तांत्रिक मंजुरी वरील नमूद अटी व शर्तींच्या अधीन राहून देणेत येत आहे.

सहपत्र : सविस्तर प्रकल्प अहवाल.

(ए.एस.पाथरवट)
अधीक्षक अभियंता (प्र)

प्रत:- मुख्याधिकारी, इस्लामपूर नगरपरिषद, इस्लामपूर यांना माहितीसाठी व पुढील कार्यवाहीसाठी.
प्रत:- चिशा मंडळ कार्यालय सांगली यांना माहितीसाठी.

Azadi Ka Amrit Mahotsav

Recapitulation Sheet - URAN ISLAMPUR, Municipal Council , URAN ISLAMPUR, District Sangali			
Sr. No	Description	Estimated Cost in Rs.(INR)	Procurement Type
1	Item No.01 : Wet Waste shredder Machine Capacity up to 10 TPD (Each) (2 Nos.)	880,000.00	Rate Analysis
2	Item No. 02: MRF Machine Upto 20-25 TPD +RDF Facility	7,626,688.00	Rate Analysis
3	Item No. 03: Mechanical Compost Machine - 1 TPD Each (Roatry Drum/Automated Compost/Other Equivalent) (2 Nos.)	5,254,238.00	Rate Analysis
4	Item No. 04: Plastic Dust Remover Machine (Fataka Machine) 0.5 TPH	550,847.00	Rate Analysis
5	Item No. 05: Biogas Shredder /Grinder /Chiper /Mixture Machine 7.5 HP (Motor)	493,220.00	Rate Analysis
6	Item No 6 :- Modification of Existing Shed Converted into MRF Shed and Covered from all Sides with Compartments.(55 mt x 23 mt)	3,369,284.00	Rate Analysis
7	Item No 7 :- Modification to Existing Shed for Wet Waste Management.(55 mt x 23 mt)	2,713,142.00	Rate Analysis
8	Item No 8 :- Wet waste tipping platform for Pit compost shed.(14 mt x 11.5 mt)	820,814.00	Rate Analysis
9	Item No 9 :- Leachate collection tank for Existing Sanitary Landfill. (4 mt x 2 mt)	195,160.00	Rate Analysis
10	Item No 10 :- Compost Curing Platfrom.(14 mt x 8 mt)	465,045.00	Rate Analysis
11	Item No 11 :- Stone Pitching for Protection of Existing Embankment of Sanitary Landfill.	1,364,436.00	Rate Analysis
12	Item No 12 :- Civil Work of open Stormwater RCC Drainage (C -Type).(190 mt in Length)	1,491,068.00	Rate Analysis

13	Item No 13 :- Fire Extinguisher 4.5 KG capacity. (10 Nos)	104,491.00	Rate Analysis
A	**Proposed Capital Cost**	**25,328,433.00**	
B	**Fees of Technical Scantion form MJP**	**253,284.00**	
	1.00 % of Sub Total (A)		
C	**Consultancy Fee for Preparation of DPR**	**607,882.00**	
	2.4 % of Sub Total (A)		
D	**GST applicable**	**4,668,537.00**	
	18% GST on (A+C)		
E	**Royalty (If any)**	**642,383.00**	
	Total Section - A + B + C + D + E	**31,500,519.00**	

Consultant	City Enginner Uran Islampur Municipal Council	Chief Officer Uran Islampur Municipal Council

Samarth Engineers Pune

आरोग्य विभाग प्रमुख
इस्लामपूर नगरपरिषद

Deputy Engineer(Mech.)
Maharashtra Jeevan Pradhikaran,
Division,Sangli.

Technical Sanction for the Year – 2024

Sanctioned as per Item No. 529
Form No. 85 for the month of January -2024
for Rs. 31500519/- (Rs. Three Crore fifteen lakhs five hundred nineteen only.)

Superintending Engineer
Maharashtra Jeevan Pradhikaran Circle
'Jal-Bhavan', Sangli.

ANNEXURE - D **1492**

Translated copy letter showing DPR For solid waste management sent for Administrative approval to mission office mumbai

29.01.2024

To,

The Director,

Swachh Maharashtra Abhiyan (Urban) 2.0

Mission office Mumbai.

Subject: Approval of Detailed Project Report (DPR) for Solid Waste Management under the Central Sponsored Swachh Maharashtra Abhiyan (Urban) 2.0.

Reference: 1) Empanelment Order-MUDM/SMM/1410/2022-23 DATE- 24/02/2023

2) Technical Approval Order by Executive Engineer, Maharashtra State Life Authority Department Sangli Ref No. Tanta 3/Islampur NAP/VAMA/184/2024 dated: 23/01/2024

Sir,

In reference to the above subject, it is informed that, as per Reference No. 01, the Detailed Project Report (DPR) for Solid Waste Management under the Swachh Maharashtra Abhiyan (Urban) 2.0 has been prepared through Samarth Engineers, Pune for Isalmpur municipal council.

As per Reference No. 02, the Maharashtra jeevan pradhikaran, Sangli has provided technical sanction for an estimated amount of Rs. 3,15,00,519/- (Technical Approval Order Ref. No. Tansha-3/Islampur NAP/TAMA/184/2024 dated: 23/01/2024).

Therefore, we request you to grant administrative approval to the Detailed Project Report (DPR) for Solid Waste Management under the Swachh Maharashtra Abhiyan (Urban) 2.0 for the Islamapur Municipal Council.

Thanking you,

- signed-

Chief Officer
Islamapur Municipal Council

Original letter showing DPR For solid waste management sent for Administrative approval to mission office mumbai

इस्लामपूर नगरपरिषद, इस्लामपूर

ता.वाळवा, जि.सांगली पिन.कोड -४१५४०१
Website – unn-islampur.in E-Mail- nc.islampur@gmail.com
:(०२३४२)२२२०२३, २२१२२२ टोल फ्री:- १८००-२३३-२३७९

जा.क.इनपा /कार्या -14/३६२/2024 date :२९/01/2024

प्रति,

मा. संचालक,

स्वच्छ महाराष्ट्र अभियान (ना) २.०

मुंबई.

विषय:- केंद्र पुरस्कृत स्वच्छ महाराष्ट्र अभियान (नागरी) २.० अंतर्गत घनकचरा व्यवस्थापनाच्या सविस्तर प्रकल्प अहवालास प्रशासकीय मान्यता मिळणे बाबत

संदर्भ: १) Empanelment Order-MUDM/SMM/1410/2022-23 DATE-24/02/2023

२) मा. कार्यकारी अभियंता महाराष्ट्र जीवन प्राधिकरण विभाग सांगली यांचे तांत्रिक मान्यता आदेश जा.क्र. तांत्रा- ३/इस्लामपूर नपा/तांमा/१८४/२०२४ दिनांक : २३/०१/२०२४

महोदय,

उपरोक्त विषयास अनुसरुन कळविण्यात येते की, संदर्भ क्र. ०१ अन्वये इस्लामपूर नगरपरिषद करिता स्वच्छ महाराष्ट्र अभियान (नागरी) २.० अंतर्गत घनकचरा व्यवस्थापन सविस्तर प्रकल्प अहवाल समर्थ इंजिनियर्स पुणे यांच्या मार्फत तयार करण्यात आला आहे.

संदर्भ क्र. ०२ अन्वये महाराष्ट्र जीवन प्राधिकरण विभाग सांगली यांनी अंदाजपत्रकीय रक्कमेस रुपये ३,१५,००,५१९/- (तांत्रिक मान्यता आदेश जा.क्र. तांत्रा- ३/इस्लामपूर नपा/तांमा/१८४/२०२४ दिनांक : २३/०१/२०२४) तांत्रिक मान्यता प्रदान केलेली आहे.

तरी इस्लामपूर नगरपरिषद करिता स्वच्छ महाराष्ट्र अभियान (नागरी) २.० अंतर्गत घनकचरा व्यवस्थापन सविस्तर प्रकल्प अहवालास प्रशासकीय मान्यता प्रदान करावी हि विनंती.

सोबत,

1. DPR Cover Page (1 Page)
2. TS Copy including recap sheet as per format shared by Mission office.
3. Sign copy of CSWAP (City Solid Waste Action Plan)

मुख्याधिकारी
इस्लामपूर नगरपरिषद, इस्लामपूर

प्रतिलिपी :-

१) मा. जिल्हा सह आयुक्त नगर पालिका प्रशासन विभाग, सांगली यांना माहितीस्तव सविनय सादर.

२) श्री समर्थ इंजिनियर्स पुणे यांना माहितीस्तव व पुढील कार्यवाहीस्तव सादर

Local/New File Recovery/2022 FOLDER/Regular... मेहता...

29/01/2024

लिपिक
स्वच्छ महाराष्ट्र अभियान (नागरी)

D/c (COPY)

ANNEXURE - E

MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office, Kolhapur

Phone : 0231-2652952/2660448
Fax : 0231-2652952
Email : rokolhapur@mpcb.gov.in

Udyog Bhavan, Near Collector Office,
Kolhapur - 416 003

"Your Service is Our Duty"

Auth No : ***RO-KOLHAPUR/MSW_AUTH/2402000012*** ***Date: 08/02/2024***

FORM -III
[See – Rule 6 (3)]

To,
The Chief Officer
Islampur Municipal Council,
A/p-Islampur,
Tal. Walwa, Dist. Sangli.

Sub: Application under Municipal Solid Waste (Management & Handling) Rules, 2000 and as amended in 2016.
Ref: Your application for grant of authorization received through SRO Sangli dated 22.04.2022.

Maharashtra Pollution Control Board

The **Maharashtra Pollution Control Board** after examining the proposal hereby authorizes Chief Officer, Islampur Municipal Council, Tal. Walwa, Dist. Sagnli having their administrative office at to set up and operate waste processing / waste disposal facility At: CS No.214,219, Khed road on the terms and conditions (including the standards to be complied with) attached to this authorization.

1. The validity of the authorization is up to **31.12.2026.** After the validity, renewal of authorizations is to be sought.
2. The Maharashtra Pollution Control Board may at any time revoke any of the condition applicable under the authorization and shall communicate the same in writing.
3. Any violation of provisions of **Municipal Solid Waste (Management & Handling) Rules, 2000 and as amended in 2016** attracts the penal provisions of the **Environment (Protection) Act, 1986 (29 of 1986).**

(J. S. Salunkhe)
Regional Officer, Kolhapur

D.A- Annexure-I
Copy Submitted to:-
The Member Secretary, MPCB, Mumbai- for information.

Copy f.w.cs-

The District Collector, Sangli

--- Being one of the implementing authorities having overall responsibility for the enforcement of the provisions of Municipal Solid Wastes (M & H) Rules, 2000 and as amended in 2016, it is obligatory on your part to see that the Municipal Solid Waste is processed & disposed off in accordance with the said Rules.

Copy Submitted for information to:-

1. **Assistant Secretory (Technical), M.P.C. Board, Mumbai.**
2. **Regional officer (HQ), M.P.C. Board, Mumbai.**

Copy to: Sub Regional Officer, SRO Sangli for necessary action.

Maharashtra Pollution Control Board

ANNEXURE -I

Terms & Conditions to Set Up and Operate Municipal Solid Waste Processing/ Waste Disposal Facility by **The Chief Officer, Islampur Municipal Council, Tal. Walwa, Dist. Sangli.**

1. **16.610 MT/Day of Municipal Solid Waste generated shall be processed and disposed as below-**

   I. Windrow composting & MRF.
   II. Segregated waste like Metallic paper, plastic etc. Shall be Disposed through rag pickers by sale for recycle.
   III. Construction debris/ and such other innocuous material shall be disposed off by sanitary land filling.
   IV. The non-biodegradable inert waste, residues of waste processing facilities as well as preprocessing rejects from waste processing facilities shall be disposed off by secured landfill.

   Note:-

   a. Old quarries and low-lying areas within a city may be earmarked for filling only with construction waste, debris, road- waste, road dust, silt from open drains & similarly non- toxic inert material, without any prior preparation. After filling, such sites should preferably be preserved as open spaces, parks, playgrounds, exhibition-grounds or parking - lots with trees.
   b. The odor nuisance from the site can be controlled by periodic spraying of microbial culture or any suitable method.
   c. At the initial stage of collection of Municipal Solid Wastes the waste minimization and segregation shall be carried out to avoid burden on the waste processing site.

Maharashtra Pollution Control Board

2. The municipal authority shall comply with these rules as per the implementation Schedule laid down in **Schedule I** as per MSW (M &H) Rules, 2000.

3. **Conditions for Landfill sites -**

   I. The landfill site shall be planned and designed with proper documentation of phased construction plan as well as closure plan.
   II. Bio-medical waste shall be disposed off in accordance with the Bio Medical Waste (Management & Handling) Rules, 1998 and Hazardous Waste shall be management in accordance with the Hazardous Waste (Management & Handling) Rules, 1989 as amended from time to time.
   III. The landfill site shall be large enough to last for 20 to 25 years.
   IV. The landfill site shall be away from habitation, clusters, forest areas, water bodies, monuments, national parks, wet lands and places of important cultural, historical or religious interests.
   V. A buffer zone shall be maintained around landfill site and shall be incorporated in the Town Planning Department's land-use plans.
   VI. Landfill site should be 20 Kms away from airport including airbase. Necessary approval of airport or air base authorities prior to the setting up the landfill site shall be obtained in case where the site is to be located Within 20 Km of an airport or an airbase.

4. **Facilities at the site :**

i. Landfill site shall be fenced and hedged and provided with proper gate to Monitor incoming vehicles or other modes of transportation.
ii. The landfill site shall be protected to prevent entry of unauthorized persons and stray animals.
iii. Approach and other internal roads for free movements of vehicles and other machineries shall exist at the landfill site.
iv. The landfill site shall have wastes inspection facilities to monitor waste brought in for landfill, office facilities for record keeping and shelter for keeping equipment's and machineries including pollution monitoring equipment's.
v. Provisions like weigh bridge to measure quantity of waste brought at landfill Site, fire protection equipment's and other facilities as may be required shall be provided.
vi. Utilities such as drinking water (preferably Bathing facilities for workers) and lighting arrangements for easy landfill operations when carried out in night hours shall be provided.
vii. Safety provisions including health inspection of workers at landfill site shall be periodically made.

5. **Specifications for land filling:**

i. Waste subjected to land filling shall be compacted in thin layers using landfill compactors to achieve high density of the wastes. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted.

Maharashtra Pollution Control Board

ii. Wastes shall be covered immediately or at the end of each working day with Minimum 10 cm of soil, inert debris or construction material till such time wastes processing facilities for composting or recycling or energy recovery are set up as per schedule-I.
iii. Prior to commencement of monsoon season and intermediate cover of 40-65 cm thickness of soil shall be placed on the landfill with proper compaction and gardening to prevent infiltration during monsoon. Proper drainage berms shall be constructed to divert run off away from the active cell of the landfill.
iv. After completion of landfill, the final cover shall be designed to minimize infiltration and erosion. The final cover shall meet the following specifications

viz. a. The final cover shall have barrier soil layer comprising of 60 cm of clay or amended soil with permeability less than 1 x10-7 cm/sec.
b. On top of barrier soil layer, there shall be drainage layer of 15 cm.
c. On top of the drainage layer there shall be a vegetative layer of 45 cm to support natural plant growth and to minimize erosion.

6. **Pollution Prevention -**

In order to prevent pollution control problems from landfill operations the following provisions shall be made, namely:-

i. Diversion of storm water drain to minimize leachates generation and prevent Pollution of surface water and also for avoiding flooding and creation of marshy conditions.
ii. Construction of non permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) minimum liner specifications shall be composite barrier having 1.5

mm high density polyethylene (HDPE) geo-membrane, or equivalent, overlying 90 cm of soil (clay or amended soil) having permeability coefficient not greater than 1 x 10^{-7} cm/sec.
iii. The highest level of water table shall be at least two meter below the base of clay or amended soil barrier layer.
iv. Provisions for management of leachates collection and treatment shall be made. The treated leachates shall meet the standards specified in Schedule-IV.
v. Prevention of run-off from landfill area entering any stream, river, lake or pond.

7. Water Quality Monitoring :-

v. Before establishing landfill site, baseline data of ground water quality in the area shall be collected and kept in record for future reference. The ground water quality within 50 meters of the periphery of landfill site shall be periodically monitored to ensure that the ground water is not contaminated beyond acceptable limit as decided by the Ground Water Board or the State Board. Such monitoring shall be carried out to cover different seasons in a year that is, summer, monsoon and post monsoon period.
vi. Usage of groundwater in and around landfill sites for any purposes (including drinking and irrigation) is to be considered after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purpose, namely:-

S. No.	Parameters	IS 10500 1991 Desirable limit (mg/l except for pH)
1	Arsenic	0.05
2	Cadmium	0.01
3	Chromium	0.05
4	Copper	0.05
5	Cynide	0.05
6	Lead	0.05
7	Mercury	0.001
8	Nickel	-
9	Nitrate as NO3	45
10	pH	6.5-8.5
11	Iron	0.3
12	Total hardness (as CaCO3)	300
13	Chlorides	250
14	Dissolved solids	500
15	Phenolic compounds (as C6H5OH)	0.001
16	Zinc	5
17	Sulphate (as SO4)	200

Maharashtra Pollution Control Board

8. Ambient Air Quality Monitoring

i. Ambient air quality at the landfill site and at the vicinity shall be monitored to meet the following specified standards, namely :-

S. No.	Parameters	Acceptable levels
1	Sulpher Dioxide	80 ug/m3 (24 hrs)
2	Particulate Matter PM_{10}	100 ug/m3 (24 hrs)
3	Methane	Not to exceed 25% of the lover explosive limit (equivalent to 650 mg/m3)
4	Ammonia daily average (sample duration 24 hrs)	0.4 mg/m3 (400 ug/m3)
5	Carbon monoxide	1 hour average : 2 mg/m3 2 hour average : 1 mg/m3

ii. The ambient air quality monitoring shall be carried out by the concerned authority as per the following schedule, viz.

a. Six times in a year for cities having population of more than 50 lakhs.
b. Four times in a year for cities having population between 10 & 50 lakhs.
c. Two times in a year for town or cities having population between 1 & 10 lakhs.

Maharashtra Pollution Control Board

9. Plantation at landfill site :

A vegetative cover shall be provided over the completed site in accordance with the following specifications, viz.

i. Selection of locally adopted non edible perennial plants that resistant to brought an extreme temperatures shall be allowed to grow.
ii. The plants grown be such that their roots do not penetrate more than 30 cm. This condition shall apply till the landfill site is stabilized.
iii. Selected plants shall have ability to thrive low nutrient soil with minimum nutrients addition.
iv. Plantation to be made in sufficient density to minimized soil erosion.

10. Closure of landfill site and Post-care:

i. The Post-care of landfill site shall be conducted for at least 15 years and long term monitoring or care plan shall consist of the following, viz.

a. Maintaining the integrity and effectiveness of final cover, making repairs and preventing run-on and run-off from eroding or otherwise damaging the final cover,
b. Monitoring leachate collection system in accordance with the requirement,
c. Monitoring of ground water in accordance with the requirements and maintaining ground water quality.
d. Maintaining and operating the landfill gas collection system to meet the Standards.

ii. Use of landfill site after 15 years of post closure monitoring can be considered for human settlement or otherwise only after ensuring that gases and leachates analysis comply with the specified standards.

11. Standards for Composting and Treated Leachates -

i. The waste processing or disposal facilities shall include composting, pelletisation, energy recovery or any other facility based on state- of the art technology duly approved by the Central Pollution Control Board.

ii. In case of engagement of private agency by the municipal authority, a specific agreement between the municipal authority and the private agency shall be made particularly, for supply of solid waste and other relevant terms and conditions.

iii. In order to prevent pollution problems from compost plant and other processing facilities, the following shall be complied with, namely:-

a] The incoming wastes at site shall be maintained prior to further processing. To the extent possible, the waste storage area should be covered. If such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility;

b] Necessary precautions shall be taken to minimize nuisance of odour, flies, rodents, bird menace and fire hazard;

c] Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclables shall be sent for well designed landfill sites(s);

d] In case of compost plant, the windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay, 50 cm thick, having permeability coefficient less than 10^{-7}cm/sec. The base shall be provided with 1 to 2 percent slope and circled by lined drains for collection of leachate or surface run-off;

Maharashtra Pollution Control Board

e] Ambient air quality monitoring shall be regularly carried out particularly for checking odour nuisance at down wind direction on the boundary of processing plant;

f] In case of breakdown or maintenance of plant, waste infect shall be stopped and arrangements be worked out for diversion of waste to the landfill site.

iv. In order to ensure safe application of compost, the following specification for compost quality shall be met, namely

Parameters	Concentration not to exceed * (mg/kg dry basis, except pH value and C/N ratio)
Arsenic	10
Cadmium	5
Chromium	50
Copper	300
Lead	100
Mercury	0.15
Nickel	50
Zinc	1,000
C/N ratio	20-40
pH	5.5 to 8.5

* Compost (final product) exceeding the above stated concentration limit shall not be used for food crops. However, it may be utilized for purpose other than growing food crops.

v. The disposal of treated leachates shall follow the following standards, namely:-

Sr. No.	Parameter	Standards (Mode of disposal)		
		Island surface water	Public sewers	Land disposal
1	Suspended solids, mg/l, max	100	600	200
2	Dissolved solids (inorganic) mg/l, max	2,100	2,100	2,100
3	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
4	Ammonical nitrogen (as N), mg/l, max	50	50	-
5	Total Kjeldahl nitrogen (as N) mg/l, max	100	-	-
6	Biochemical oxygen demand (3 days at 27 C) max, mg/l	30	350	100
7	Chemical oxygen demand, mg/l, max	250	-	-
8	Arsenic (as As), mg/l, max	0.2	0.2	0.2
9	Mercury (as Hg), mg/l, max	0.01	0.01	-
10	Lead (as pb), mg/l, max	0.1	1	-
11	cadmium (as cd), mg/l, max	2	1	-
12	Total chromium (as Cr), mg/l, max	2	2	-
13	Copper (as Cu), mg/l, max	3	3	-
14	Zinc (as zn), mg/l, max	5	15	-
15	Nickel (as Ni), mg/l, max	3	3	-
16	Cynide (as Cn), mg/l, max	0.2	2	0.2
17	Chloride (as Cl), mg/l, max	1,000	1,000	600
18	Fluoride (as F), mg/l, max	2	1.5	-
19	Phenolic Compounds (as C6H5OH), mg/l, max	1	5	-

Maharashtra Pollution Control Board

Note : While discharging treated leachates into inland surface waters, quantity of leachates being discharged and the quantity of dilution water available in the receiving water body shall be given due consideration.

12. Every municipal authority shall, within the territorial area of the municipality, be responsible for the implementation of the provisions of these rules, and for the infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

13. All municipal solid waste generated in a city or a town, shall be managed and handled in accordance with the compliance criteria and the procedure laid down in **Schedule-II.**

14. The municipal authority shall furnish its annual report in **Form-II** , to the District Magistrate or the Deputy Commissioner with a copy to the **Maharashtra Pollution Control Board,** on or before of the 30th day of June every year.

15. When an accident occurs of any municipal solid wastes collection, segregation, storage, processing, treatment and disposal facility or landfill site or during the transportation of such wastes, the municipal authorities shall forthwith report the accident in **Form-V** to the Secretary In charge of the Urban Development. Department in metropolitan cities and to the District Collector in all other cases.

16. The waste processing and disposal facilities to be setup by the Municipal Authority On their own or through an operator of a facility shall meet the specifications and Standards as specified in **schedule-III and IV**

17. The municipal authority will have to abide by the provisions of Municipal Solid Waste (Management & Handling) Rules, 2000 and as amended in 2016.

18. The inert created during handling and processing of MSW shall be properly land filled.

19. The Municipal Council shall comply the direction issued by Board vide letter No MPC/NRO/MSW/Dir-24/1584/2013 dtd 24/05/2013.

Maharashtra Pollution Control Board

8/02/24

(J. S. Salunkhe)
Regional Officer, Kolhapur

ANNEXURE - F

1503

IEC activity done by municipal council to increase the awareness about segregation on regular basis

नगरपरिषद उरण-इस्लामपूर
MH·10·CR·2655
Uran Islampur
Maharashtra
India
2023-01-31(Tue) 12:45(pm)
30°C
86°F

नगरपरिषद उरण-इस्लामपूर
MH·10·CR·2656
Uran Islampur
Maharashtra
India
2023-01-31(Tue) 12:20(pm)
19°C
66°F

IEC message is spread through waste collection vehicle about 20,000 of such pamphlets are being distributed increase the awareness about segregation on regular basis.

ANNEXURE - G

1506

Dry Waste Processing

GPS Map Camera
Uran Islampur, Maharashtra, India
3849+G6R, Uran Islampur, Maharashtra 415409, India
Lat 17.056645°
Long 74.318086°
17/02/24 12:40 PM GMT +05:30
Google

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Google

GPS Map Camera
Uran Islampur, Maharashtra, India
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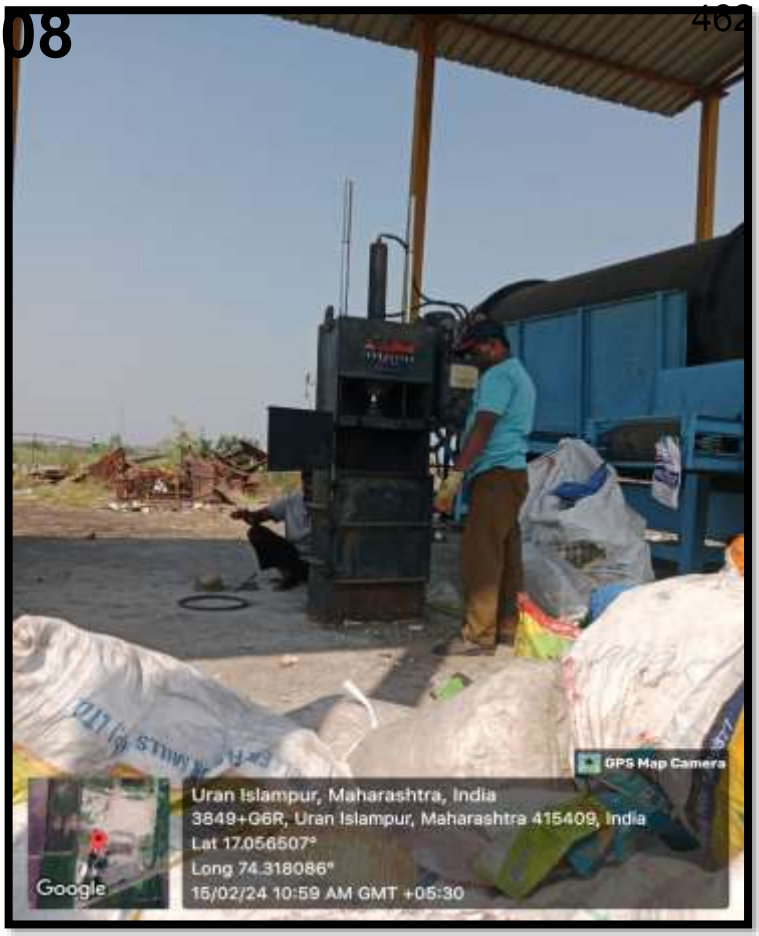
Lat 17.056557°
Long 74.318227°
13/02/24 10:44 AM GMT +05:30
Google

GPS Map Camera
Uran Islampur, Maharashtra, India
3849+G6R, Uran Islampur, Maharashtra 415409, India
Lat 17.056644°
Long 74.318081°
15/02/24 10:59 AM GMT +05:30
Google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Google

GPS Map Camera
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GPS Map Camera
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3849+G6R, Uran Islampur, Maharashtra 415409, India
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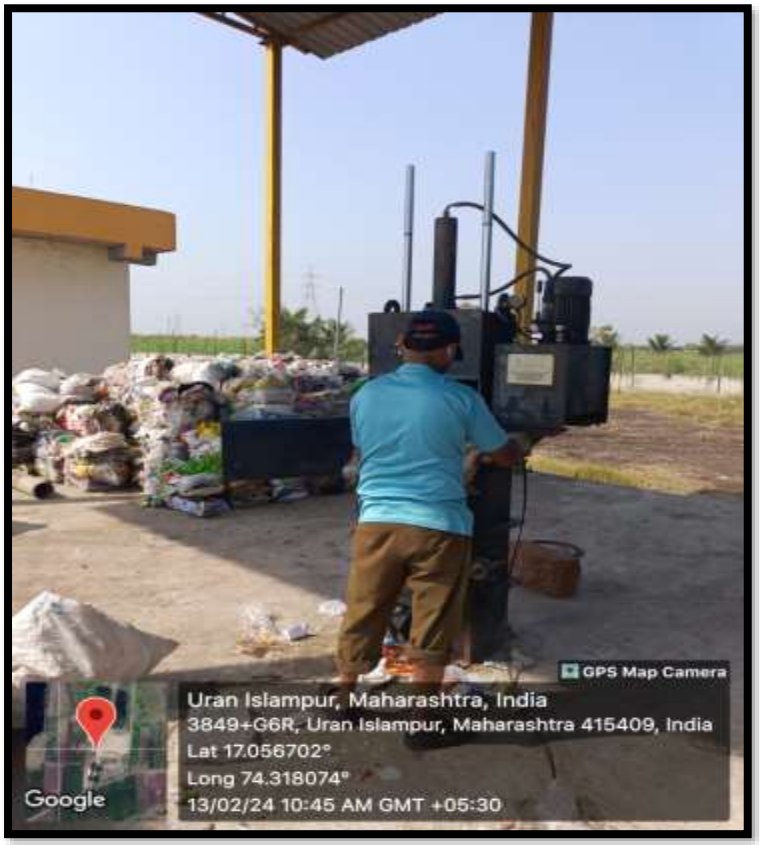
Google


GPS Map Camera
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3849+G6R, Uran Islampur, Maharashtra 415409, India
Lat 17.056702°
Long 74.318074°
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Long 74.318103°
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GPS Map Camera
Uran Islampur, Maharashtra, India
3849+G6R, Uran Islampur, Maharashtra 415409, India
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GPS Map Camera
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Long 74.31811°
09/01/24 02:01 PM GMT +05:30
Google

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GPS Map Camera
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Lat 17.056628°
Long 74.318115°
09/01/24 01:57 PM GMT +05:30
Google

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Lat 17.056495°
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Google

GPS Map Camera
Borgaon, Maharashtra, India
38CR+779, Borgaon, Maharashtra 416313, India
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Long 74.340602°
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Google

GPS Map Camera
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Lat 17.056607°
Long 74.3181°
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Google

GPS Map Camera
Borgaon, Maharashtra, India
38CR+779, Borgaon, Maharashtra 416313, India
Lat 17.06882°
Long 74.340602°
09/01/24 01:10 PM GMT +05:30
Google

1513

GPS Map Camera
Uran Islampur, Maharashtra, India
3849+G6R, Uran Islampur, Maharashtra 415409, India
Lat 17.056607°
Long 74.3181°
09/01/24 01:11 PM GMT +05:30
Google

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3849+G6R, Uran Islampur, Maharashtra 415409, India
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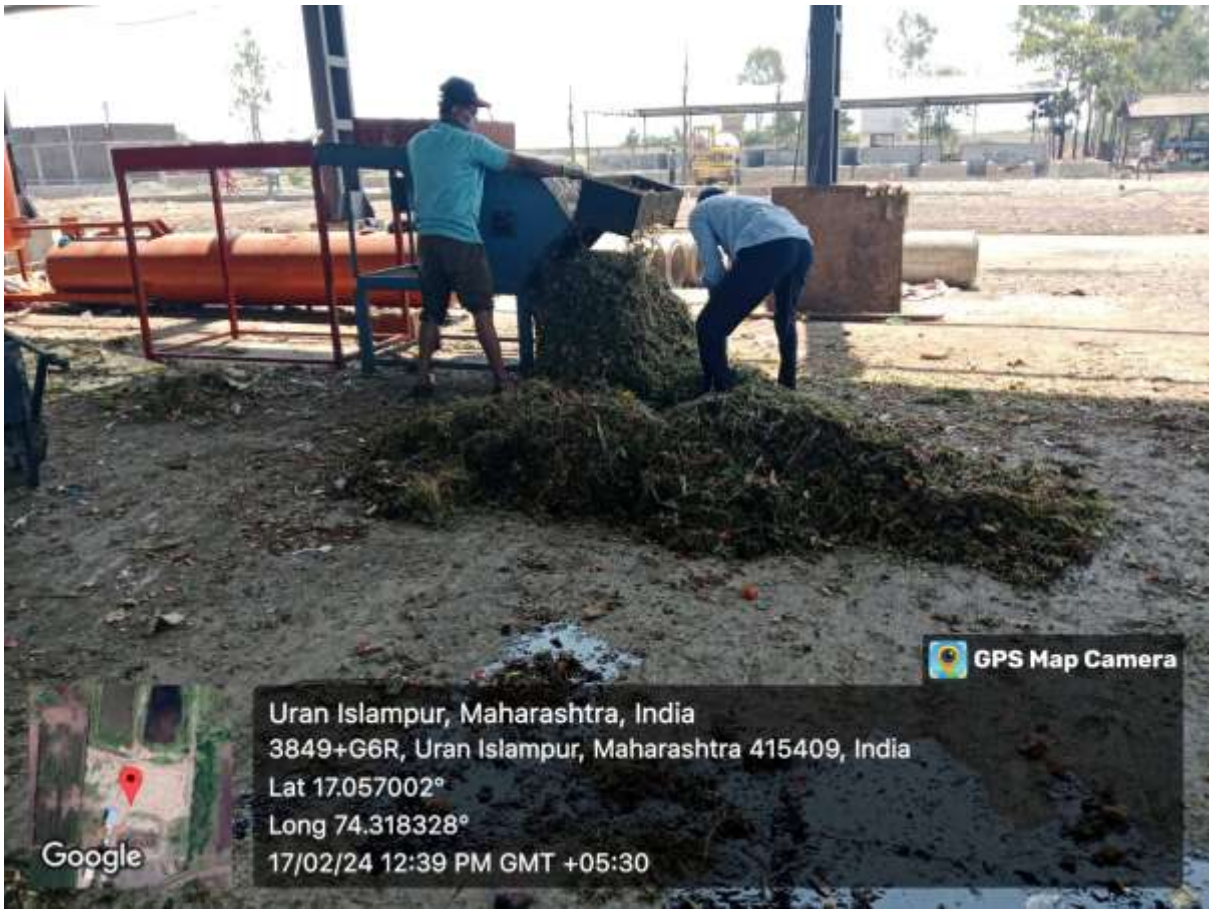
Long 74.318055°
28/12/23 01:14 PM GMT +05:30
Google

Wet Waste Processing

All the wet waste is being collected and shredded for the composting.



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GPS Map Camera
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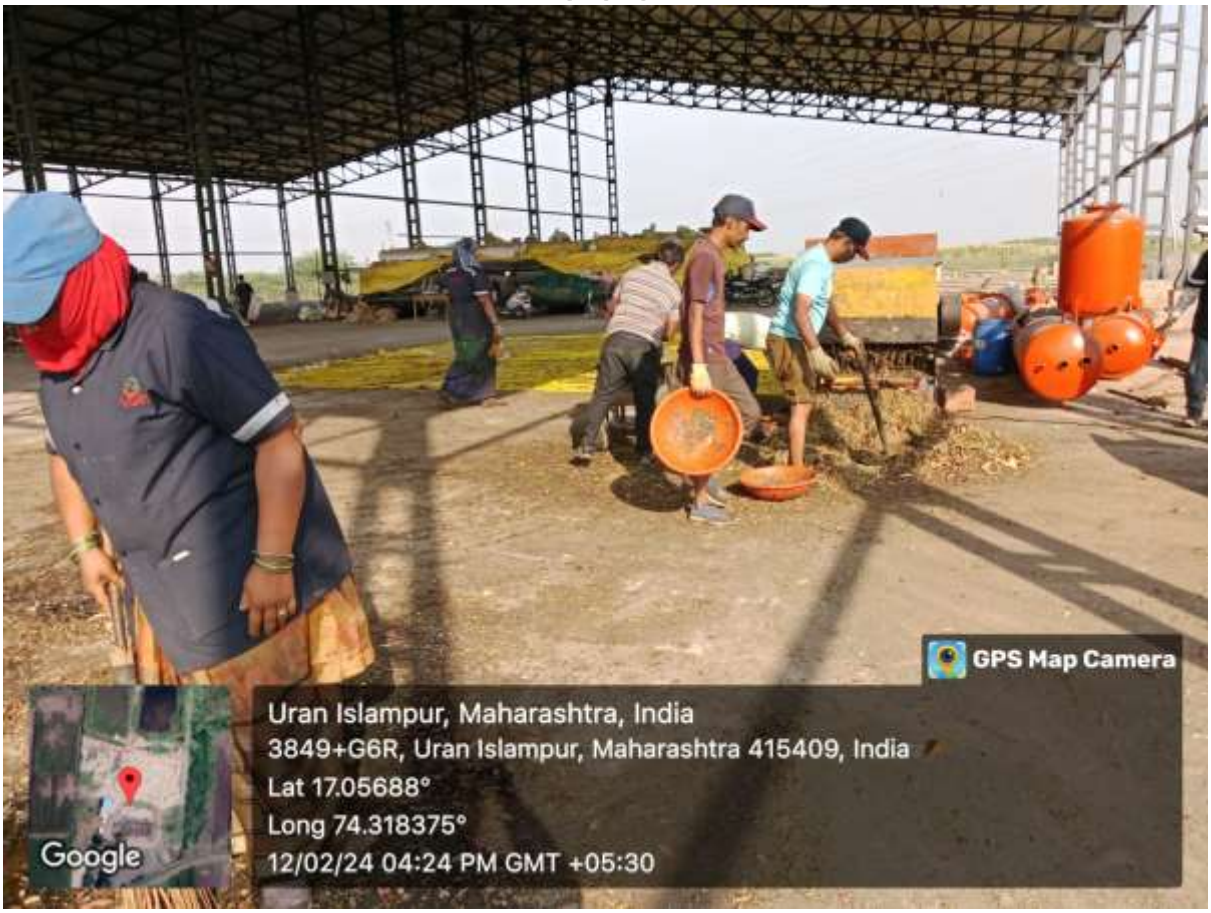
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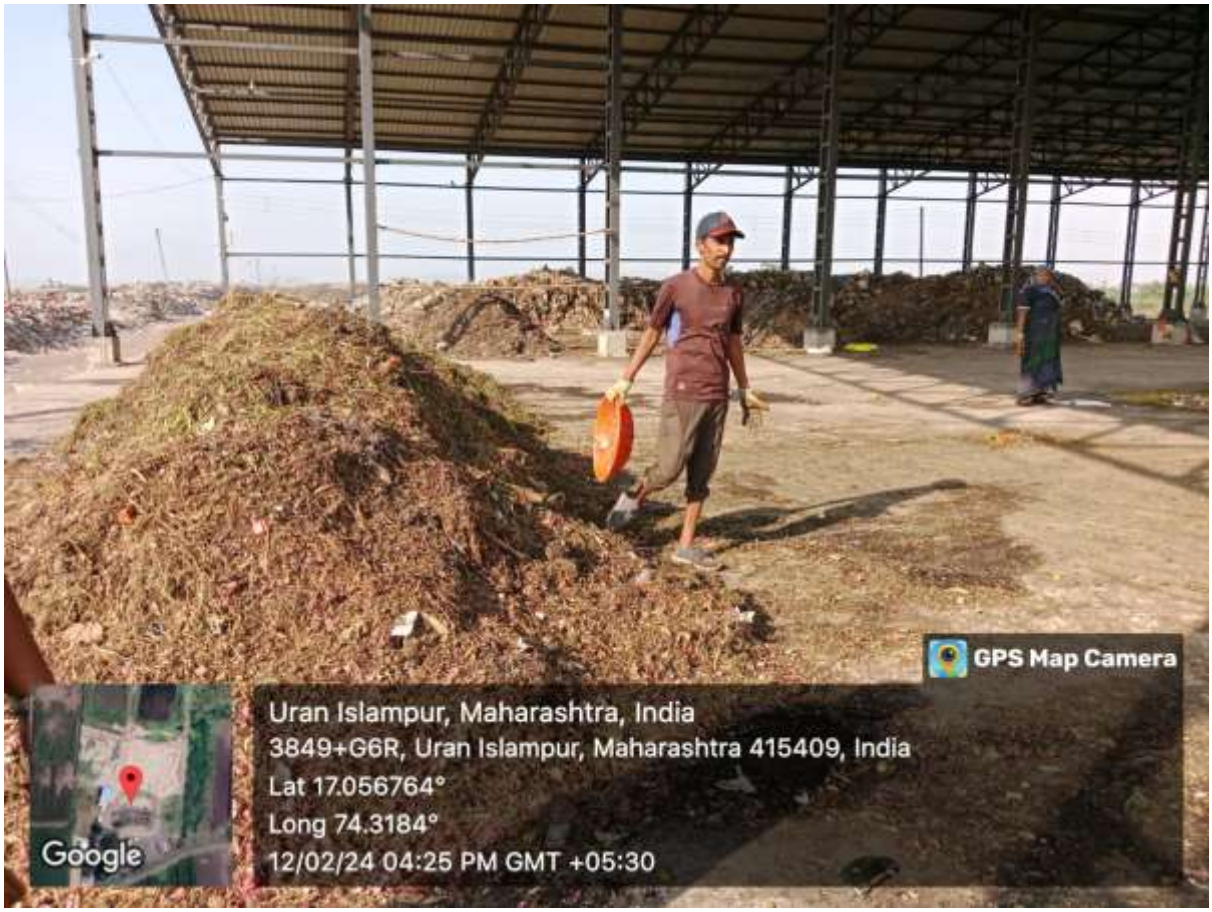
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GPS Map Camera
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GPS Map Camera
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GPS Map Camera
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GPS Map Camera
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Long 74.318368°
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Google

1537

New Construction activities Photos for wet waste processing(windrow platform)

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GPS Map Camera
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GPS Map Camera
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GPS Map Camera
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Lat 17.056516°
Long 74.318704°
23/02/24 05:22 PM GMT +05:30
Google

Construction of biogas with its mechanical machinery

GPS Map Camera
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GPS Map Camera
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GPS Map Camera
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3849+G6R, Uran Islampur, Maharashtra 415409, India
Lat 17.056358°
Long 74.318913°
11/01/24 04:18 PM GMT +05:30
Google

27000 sq feet shade construction – completed and now in use

ANNEXURE - I

Islampur Municipal Council, Islampur

Ta. Walva, Dist. Sangli. PIN, Code-415409

Website-urun-islampur.in E-Mail- mcislampur@gmail.com

: (02342)222023, 221222 Toll Free :- 1800-233-2379

I.M.C./Off-14/Swacch Survey/ 366/2024 Dt. 29/01/2024

To,

Hon. State Campaign Director, Swachh Maharashtra Campaign Directorate, Mumbai.

Subject - Regarding approving purchase of necessary vehicles and machinery for solid waste management for Islampur Municipal Council.

Reference:- 1) Government decision number-SwmA-2023/Cr.CN685809/Navi-34.D.05Dec. 2023.

2) Government decision number-SwmA-2023/P.C.38 (2)/Navi-34 dt. March 20, 2023.

3) Government decision number-SwmA-2023/Pr. 38/Navi-34 d. March 20, 2023.

4) Government Decision No.-SwMA-2017/Q.No. 104/New-34 d. 10 November. 2017.

5) Solid Waste Management Act 2016.

6) Islampur Municipal Council v. Madhukar Shankar Sutar (Original Application No. 74/2021) Hon. Case at National Green Arbitrator (Western Zone) Pune.

Sir,

Pursuant to the above subject, it is submitted that Islampur Municipal Council, District Sangli is Class B Municipal Council. As per Reference no.1 Swachh Maharashtra Abhiyan , the State Level Technical Committee has given administrative approval for the purchase of machinery and vehicles required for solid waste management from non-recurring funds.

According to reference No. 2 and 3, for purchasing vehicles required for solid waste management. Administrative approval was given on 20 March , 2023. However, the Islampur Municipal Council did not get the administrative approval for the purchase of vehicles as the Municipal Solid Waste Management Project of 152 urban local bodies under the

Swachh Maharashtra Abhiyan (Civil) got revised administrative approval. Therefore, the municipal council could not purchase any vehicle.

As per reference no. 4, an amount of 1,45,32,539/- has been sanctioned to Islampur Municipal Council under Swachh Bharat Abhiyan for purchase of vehicles for solid waste management. Accordingly, 8 bells have been purchased in the year 2017-2018.

As per reference no.5 it requires 1 ghantagadi for every 1000 houses. However, the residential and commercial population within Islampur Municipal Council limits is 23000. Accordingly 23000 assets require 22 ghantagadi. Islampur Municipal Council owns 8 ghantagadis. Municipal Council has taken 7 ghantagadis on hire basis. Due to this, the municipal council is suffering financial loss. However, the Municipal Council needs to purchase new ghantagadis.

As per Reference No. 6 Islampur Municipal Council v. Madhukar Shankar Sutar (Original Application No. 74/2021) In the case of Hon. National Green Arbitrator (Western Zone)

Pune, the Court has passed the following order to the Municipal Council.

"(a) To submit the time bound action plan for 100% treatment of the generated sewage and achieving effluent discharge standards for STPs.

(b) Prepare and furnish action plan for utilization of treated sewage.

(c) Why the Muncipal Corporation shall not be levied by MPC Board the maximum amount of environmental compensation (total capital cost component amount i.e. Rs. 10 Cr. As well as O & M cost component i.e. Rs. 5 Lacs per day) recommended for untreated/partially treated sewage discharge as mentioned in the NGT order 28/08/2019 in Original Application No. 593/2017 in Paryavaran Suraksha Samiti & anr. v/s Union Of India."

The hearing in this regard is going on in the Supreme Court.

The growing population and rapid urbanization of Islampur cities, as well as Islampur Municipal Council vs. Madhukar Shankar Sutar (Original Application No. 74/2021) Hon. Considering the orders of the National Green Tribunal,

immediate completion of the essentials for the solid waste management project is essential in the wider public interest of civic health. Considering the importance of the said claim, if a fine is ordered against the municipal council, the municipal council, the government and alternatively the citizens of Islampur will suffer a great loss.

Considering all the above aspects and due to problems arising in the use of old vehicles, Islampur Municipal Council needs new vehicles and machines. Request to make the said vehicles and machines available

Sr. No.	Vehicle/ Machine Type	Unit	Essential no.	Rate	Essential Amount Without GST
1	FOUR WHEELER AUTO TIPPER CARRIAGE OF MUNICIPAL SOLID WASTE	Nos.	14	8,20,000/-	1,14,80,000/-
2	TRACTOR FOR CARRIAGE OF MUNICIPAL	Nos.	3	8,20,000/-	24,60,000/-

	SOLID WASTE				
3	HORIZONTAL BAILING MACHINE	Nos.	1	8,47,458/-	8,47,458
4	TWO SHAFT SHREDDERS WITH CONVEYOR 10 TPD Capacity	Nos.	1	20,11,667/-	20,11,667/-
5	Animal Incineration Machine having capacity upto 1000kg/hr (LPG/CNG/Electric) with Requried Foundation	Nos.	1	82,50,000/-	82,50,000-
6	Rotary Drum Composter (1TPD)	Nos	2	26,27,118/-	52,54,236/-
	Total (Without GST)				3,03,03,361/-
	18% GST				54,54,604,98/-

	Total(with GST)	3,57,57,965,98/-

The purchase of said vehicles and machinery will be done following the rules prescribed by the government. However, it is requested that the funds be made available or the above mentioned vehicles and machines be obtained through you.

Sd/-

(Rahul Mardhekar)

Chief Officer

Islampur Municipal Council, Islampur

Copy For Information -

1) Hon. District Joint Commissioner, Municipal Council Administration Branch, Collector's Office, Sangli.

इस्लामपूर नगरपरिषद, इस्लामपूर

ता.वाळवा, जि.सांगली. पिन.कोड -४१५४०९

Website – urun-islampur.in E-Mail- mcislampur@gmail.com

: (०२३४२)२२२०२३, २२१२२२ टोल फ्री:- १८००-२३३-२३७९

इ.न.पा/कार्या-१४/स्वच्छ सर्व्हे./३६६ /२०२४ दि. २९/०१ /२०२४.

प्रति,

मा. राज्य अभियान संचालकसो,
स्वच्छ महाराष्ट्र अभियान संचालनालय,
मुंबई.

विषय – इस्लामपूर नगरपरिषदे करिता घनकचरा व्यवस्थापना करिता आवश्यक वाहने व यंत्र सामुग्री खरेदी करणेस मान्यता देणेबाबत.

संदर्भ – १) शासन निर्णय क्रमांक-स्वमअ-२०२३/प्र.क्र.CN६८५८०९/नवि-३४.दि.०५ डिसे.२०२३.
२) शासन निर्णय क्रमांक-स्वमअ-२०२३/प्र.क्र.३८(२)/ नवि-३४ दि. २० मार्च, २०२३.
३) शासन निर्णय क्रमांक-स्वमअ-२०२३/प्र.क्र.३८/नवि-३४ दि. २० मार्च, २०२३.
४) शासन निर्णय क्रमांक-स्वमअ-२०१७/प्र.क्र.१०४/नवि-३४ दि. १० नोव्हें. २०१७.
५) घनकचरा व्यवस्थापन अधिनियम २०१६.
६) इस्लामपूर नगरपरिषद विरुद्ध मधुकर शंकर सुतार (ओरीजनल अप्लीकेशन नं. ७४/२०२१) या मा. राष्ट्रीय हरित लवाद (वेस्टर्न झोन) पुणे येथील प्रकरण.

महोदय,

उपरोक्त विषयास अनुसरुन सादर करणेत येते की, इस्लामपूर नगरपरिषद, जिल्हा सांगली वर्ग ब नगरपरिषद आहे. संदर्भ क्र. १ नुसार स्वच्छ महाराष्ट्र अभियान १.० अंतर्गत राज्यस्तरिय तांत्रिक समितीने खर्च न होणा-या निधीमधून घनकचरा व्यवस्थापनासाठी आवश्यक ती यंत्रसामुग्री तसेच वाहन खरेदी करणेसाठी प्रशासकीय मान्यता देणेत आलेली आहे.

संदर्भ क्र. २ व ३ नुसार घनकचरा व्यवस्थापनाकरिता आवश्यक वाहने खरेदी करणे करिता दि. २० मार्च, २०२३ रोजी प्रशासकीय मान्यता देणेत आलेली होती. तरी इस्लामपूर नगरपरिषदेस स्वच्छ महाराष्ट्र अभियान (नागरी) अंतर्गत १५२ नागरी स्थानिक स्वराज्य संस्थांच्या नागरी घनकचरा व्यवस्थापन प्रकल्पास सुधारित प्रशासकीय मान्यता मिळालेमुळे इस्लामपूर नगरपरिषदेस वाहन खरेदीस प्रशासकीय मान्यता मिळाली नाही. त्यामुळे नगरपरिषदेस कोणतेही वाहन खरेदी करता आले नाही.

संदर्भ क्र. ४ नुसार स्वच्छ भारत अभियान अंतर्गत इस्लामपूर नगरपरिषदेस घनकचरा व्यवस्थापन करिता वाहने खरेदी करिता १,४५,३२,५३९/- इतकी रक्कम मंजुर झालेली आहे. त्यानुसार सन २०१७-२०१८ मध्ये ८ घंटागाडया खरेदी करणेत आलेल्या आहेत.

संदर्भ क्र. ५ नुसार प्रत्येक १००० घरामागे १ घंटागाडीची आवश्यकता आहे. तरी इस्लामपूर नगरपरिषद हद्दीमधील निवासी व वाणिज्य संख्या २३००० आहे. त्याप्रमाणे २३००० मालमत्तेस २२ घंटागाडयांची आवश्यकता आहे. इस्लामपूर नगरपरिषदेकडे स्वमालकीच्या ८ घंटागाडया आहेत. नगरपरिषदेने

७ घंटागाडया भाडे तत्वावर घेतलेल्या आहेत. त्यामुळे नगरपरिषदेचे आर्थिक नुकसान होत आहे. तरी नगरपरिषदेस नवीन घंटागाडया खरेदी करणेची आवश्यकता आहे.

संदर्भ क्र. ६ नुसार इस्लामपूर नगरपरिषद विरुद्ध मधुकर शंकर सुतार (ओरीजनल अप्लीकेशन नं. ७४/२०२१) या मा. राष्ट्रीय हरित लवाद (वेस्टर्न झोन) पुणे येथील प्रकरणामध्ये न्यायालयाने नगरपरिषदेस खालीलप्रमाणे आदेश पारित केलेला आहे.

"(a) To submit the time bound action plan for 100% treatment of the generated sewage and achieving effluent discharge standards for STPs.

(b) Prepare and furnish action plan for utilization of treated sewage.

(c) Why the Muncipal Corporation shall not be levied by MPC Board the maximum amount of environmental compensation (total capital cost component amount i.e. Rs. 10 Cr. As well as O & M cost component i.e. Rs. 5 Lacs per day) recommended for untreated / partially treated sewage discharge as mentioned in the NGT order 28/08/2019 in Original Application No. 593/2017 in Paryavaran Suraksha Samiti & anr. v/s Union Of India."

याबाबत ची सुनावणी मा सर्वोच्च न्यायालय येते सुरु आहे.

इस्लामपूर शहरांची वाढती लोकसंख्या व वेगाने होणारे नागरीकरण, तसेच इस्लामपूर नगरपरिषद विरुद्ध मधुकर शंकर सुतार (ओरीजनल अप्लीकेशन नं. ७४/२०२१) या मा. राष्ट्रीय हरित लवाद याचेकडील आदेश विचारात घेता नागरी आरोग्याच्या व्यापक जनहितार्थ घनकचरा व्यवस्थापन प्रकल्पासाठी अत्यावश्यक गोष्टी तात्काळ पूर्ण होणे अत्यावश्यक आहे. सदर दाव्याचे महत्व विचारात घेता नगरपरिषदेच्या विरोधामध्ये दंडाचे आदेश मिळाल्यास नगरपरिषदेचे, शासनाचे व पर्यायाने इस्लामपूर शहरांतील नागरिकांचे मोठ्या प्रमाणात नुकसान होणार आहे.

वरील सर्व बाबींचा विचार करता व जुन्या वाहनांच्या वापरातील अडचणी निर्माण झाल्याने इस्लामपूर नगरपरिषदेस नवीन वाहनांची व मशीनची आवश्यकता आहे. सदर वाहने व यंत्रे उपलब्ध करुन देणेस विनंती आहे.

अ. क्र	वाहन/मशीन प्रकार	युनिट	आवश्यक संख्या	दर	आवश्यक रक्कम विना GST
१	FOUR WHEELER AUTO TIPPER CARRIAGE OF MUNICIPAL SOLID WASTE	Nos.	१४	८,२०,०००/-	१,१४,८०,०००/-
२	TRACTOR FOR CARRIAGE OF MUNICIPAL SOLID WASTE	Nos.	३	८,२०,०००/-	२४,६०,०००/-
३	HORIZONTAL BAILING MACHINE	Nos.	१	८,४७,४५८/-	८,४७,४५८/-
४	TWO SHAFT SHREDDERS WITH CONVEYOR 10 TPD Capacity	Nos.	१	२०,११,६६७/-	२०,११,६६७/-
५	Animal Incineration Machine having capacity upto 1000kg/hr (LPG/CNG/Electric) with chimney and Requried Foundation	Nos.	१	८२,५०,०००/-	८२,५०,०००/-

६	Rotary Drum Composter (1TPD)	Nos.	२	२६,२७,११८/-	५२,५४,२३६/-
	Total (Without GST)				३,०३,०३,३६१/-
	18 % GST				५४,५४,६०४.९८/-
	Total (with GST)				३,५७,५७,९६५.९८/-

सदर वाहनांची व मशिनरीची खरेदी शासनाने विहीत केलेल्या नियमाचे पालन करुन घेण्यात येतील. तरी निधी उपलब्ध करुन मिळावे किंवा वर नमूद केलेली वाहने व यंत्रे आपलेमार्फत मिळावीत ही विनंती.

(राहुल मर्ढेकर)
मुख्याधिकारी
इस्लामपूर नगरपरिषद, इस्लामपूर

प्रत माहितीस्तव –
१) मा. जिल्हा सह आयुक्तसो, नगरपरिषद प्रशासन शाखा, जिल्हाधिकारी कार्यालय, सांगली.

ANNEXURE - J

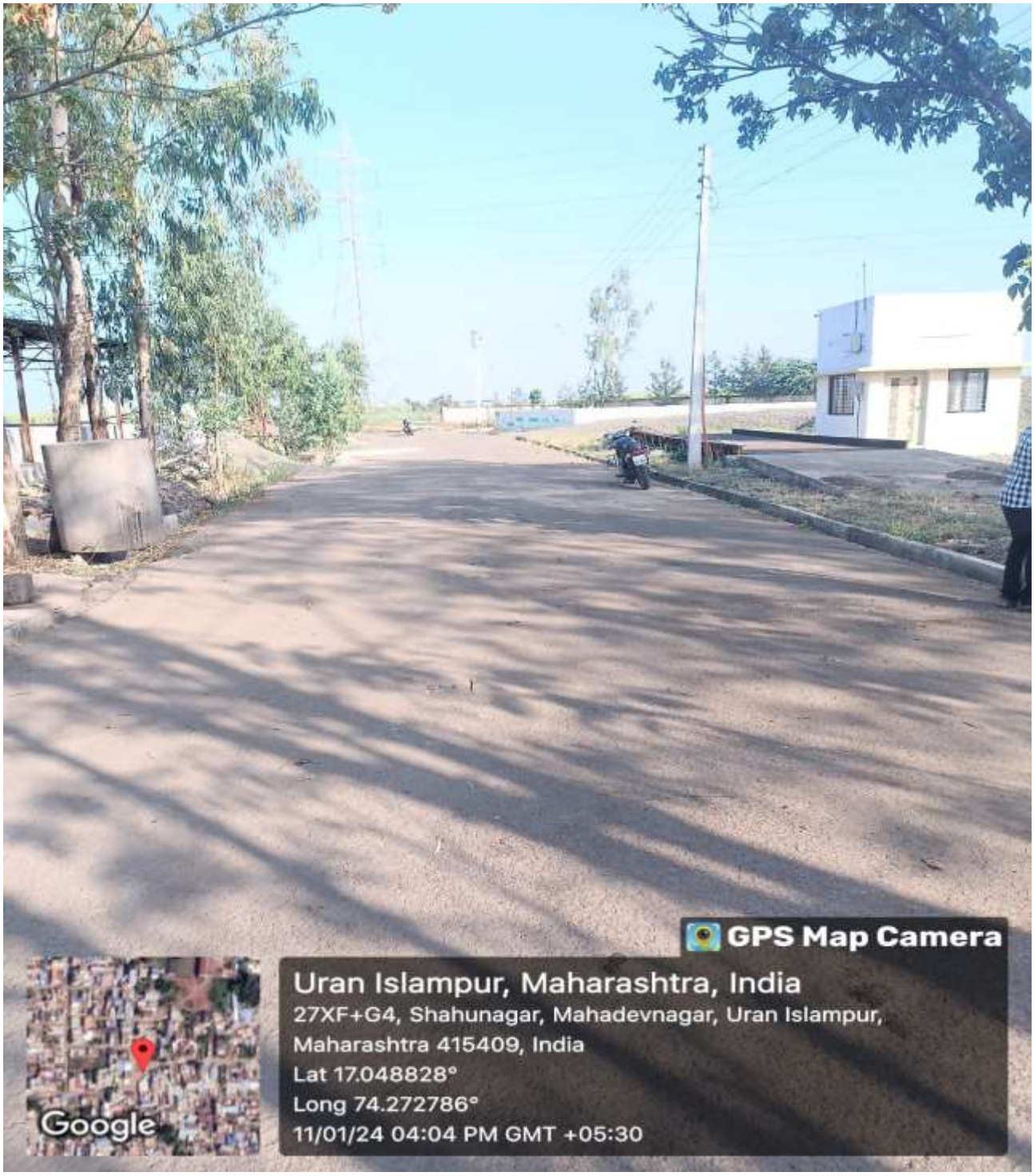
1560

Bore well and water tank for fire protection and other use

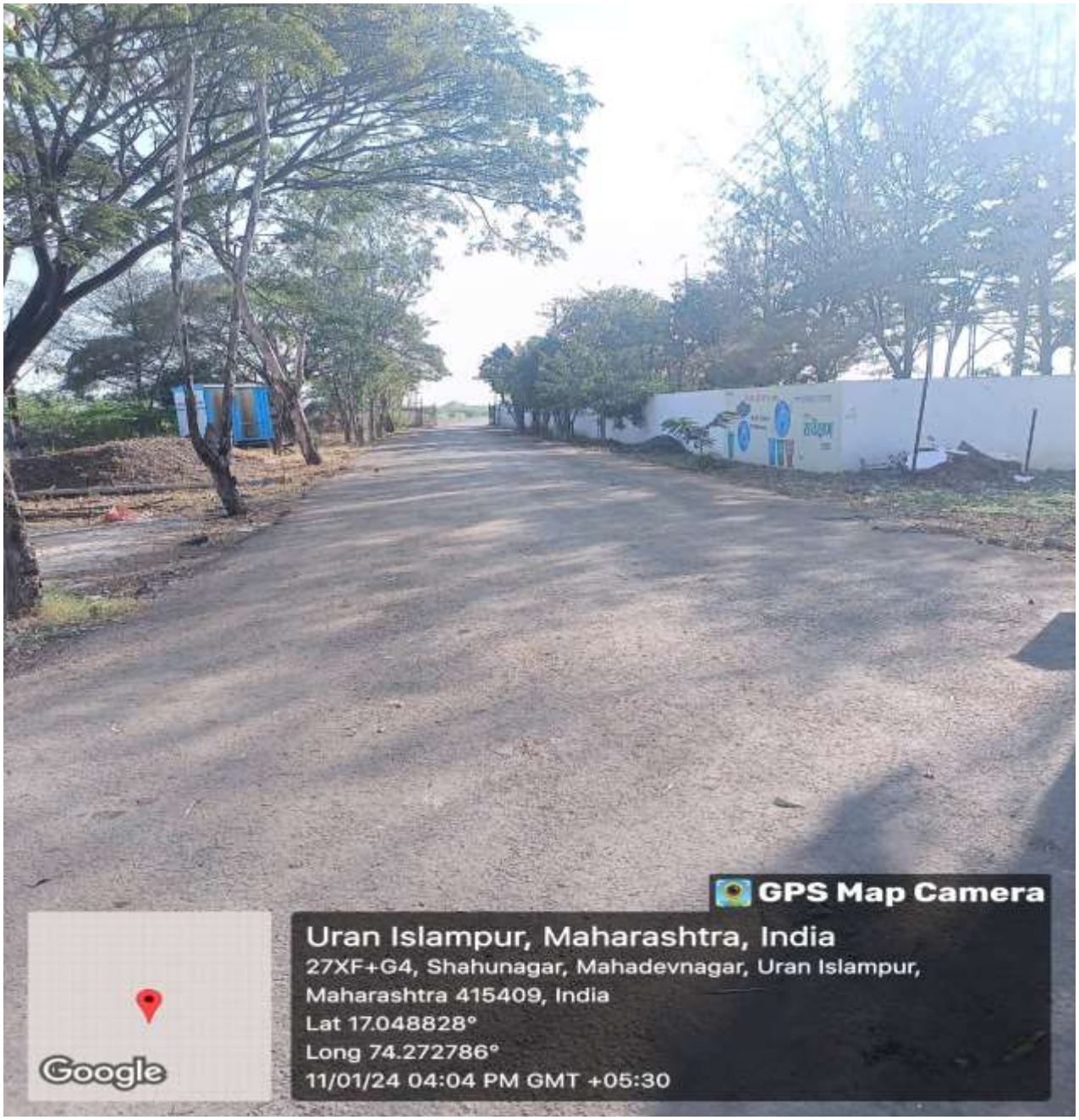
ANNEXURE - K

1561

Photos of internal road construction



1562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Maharashtra 415409, India
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Google

1563

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Google

ANNEXURE - L

1564

ANNEXURE - M

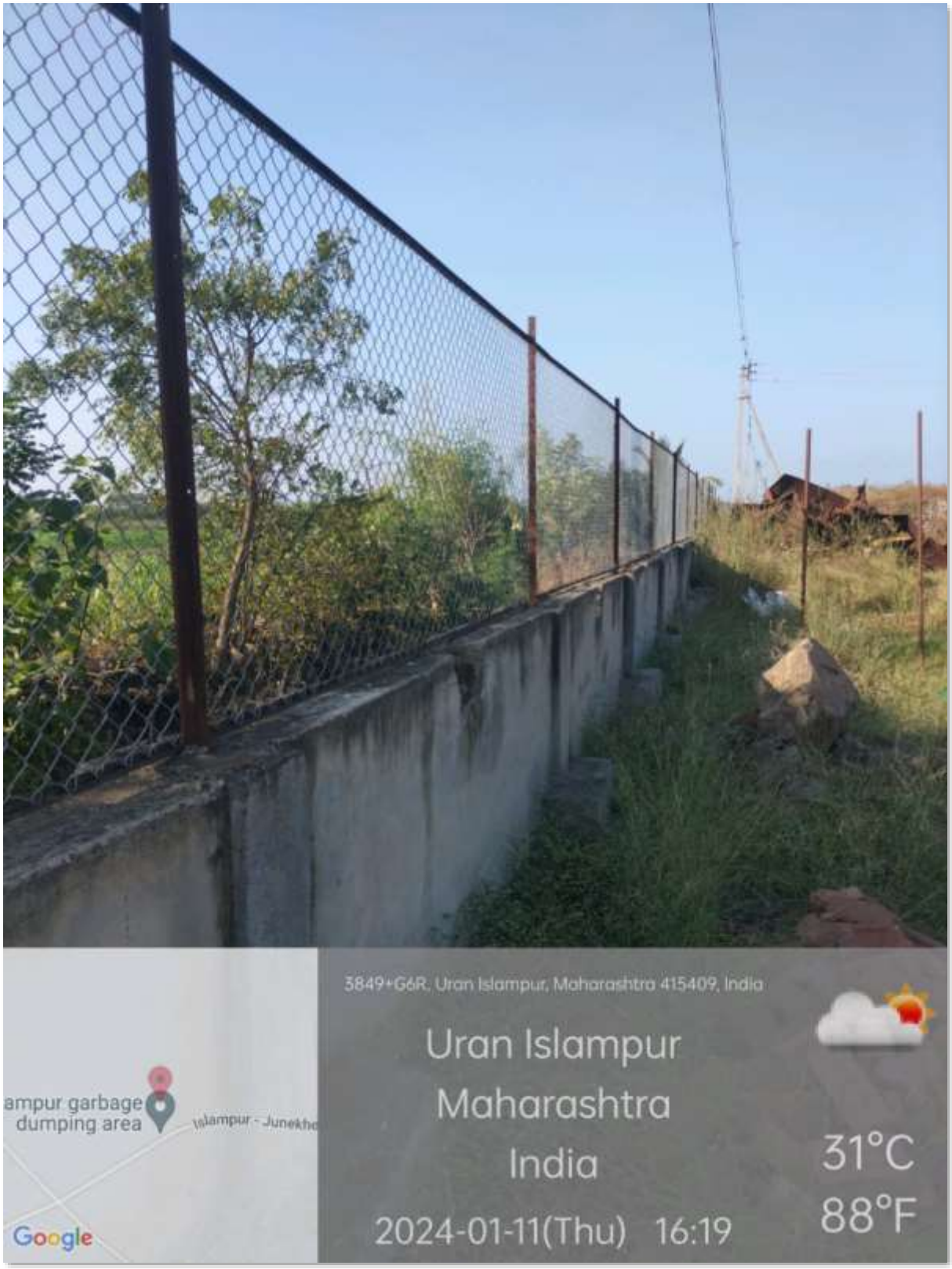
1565

Construction of internal gutter connection

ANNEXURE - N

1566

Photos of Wall compound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dumping area
Google
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Maharashtra
India
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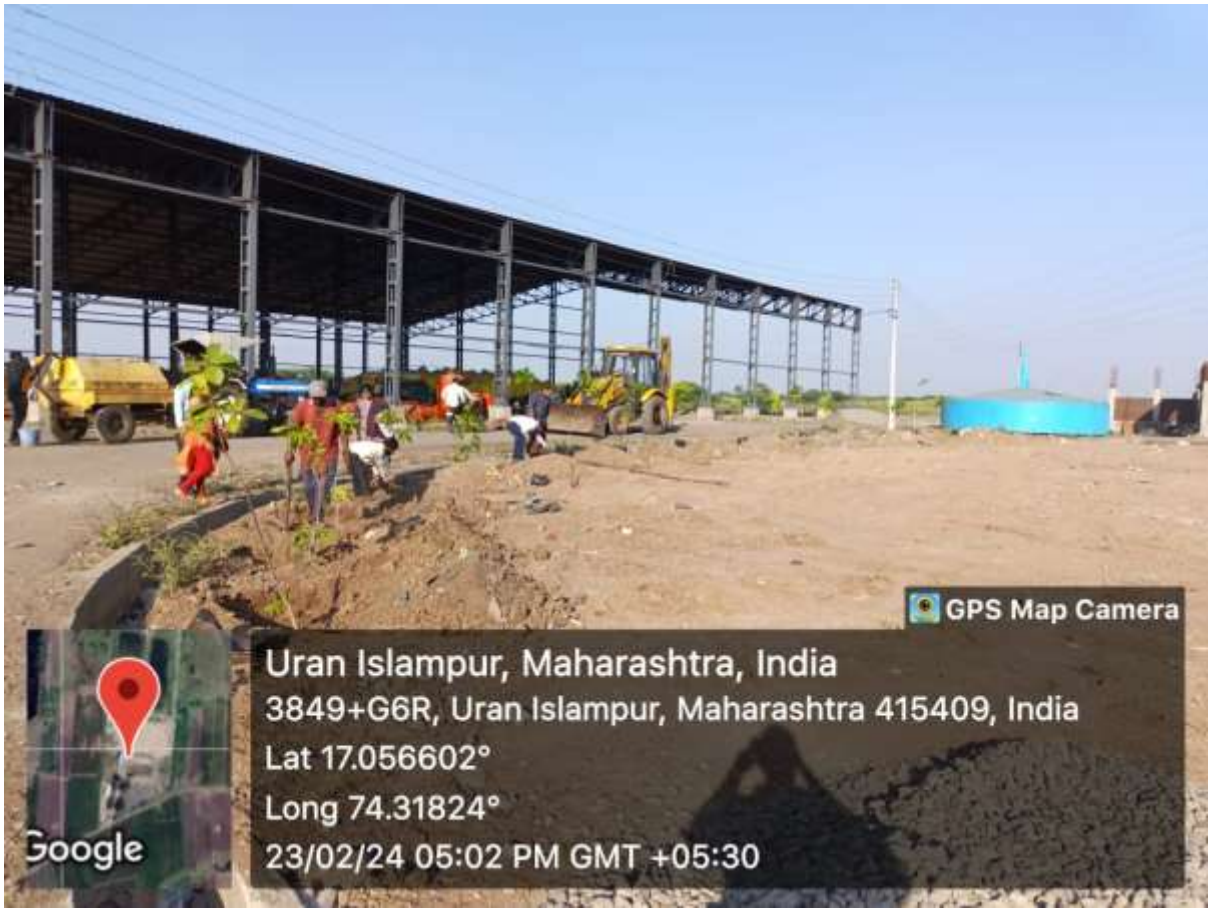
88°F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Google

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Google

GPS Map Camera
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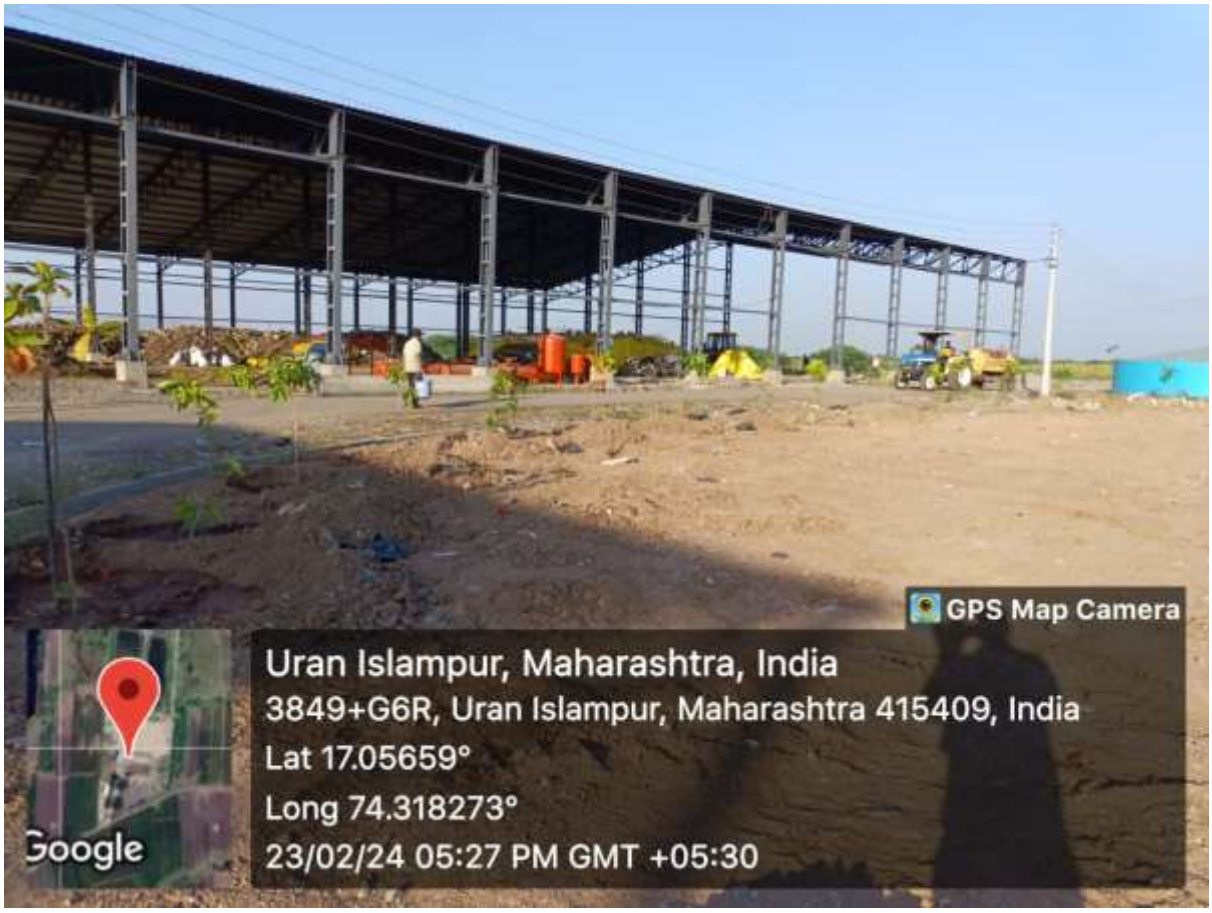
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Google

GPS Map Camera
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3849+G6R, Uran Islampur, Maharashtra 415409, India
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Google

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Google

GPS Map Camera
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3849+G6R, Uran Islampur, Maharashtra 415409, India
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Long 74.31813°
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Google

GPS Map Camera
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Long 74.318033°
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Google

GPS Map Camera
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Google

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Google

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Google

उरुण- इस्लामपूर नगरपरिषद.
सर्वेक्षण
2022
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Google

ANNEXURE - P

Recapitulation Sheet - URAN ISLAMPUR, Municipal Council , URAN ISLAMPUR, District Sangali			
Sr. No	Description	Estimated Cost in Rs.(INR)	Procurement Type
1	Item No.01 : Wet Waste shredder Machine Capacity up to 10 TPD (Each) (2 Nos.)	880,000.00	Rate Analysis
2	Item No. 02: MRF Machine Upto 20-25 TPD +RDF Facility	7,626,688.00	Rate Analysis
3	Item No. 03: Mechanical Compost Machine - 1 TPD Each (Roatry Drum/Automated Compost/Other Equivalent) (2 Nos.)	5,254,238.00	Rate Analysis
4	Item No. 04: Plastic Dust Remover Machine (Fataka Machine) 0.5 TPH	550,847.00	Rate Analysis
5	Item No. 05: Biogas Shredder /Grinder /Chiper /Mixture Machine 7.5 HP (Motor)	493,220.00	Rate Analysis
6	Item No 6 :- Modification of Existing Shed Converted into MRF Shed and Covered from all Sides with Compartments.(55 mt x 23 mt)	3,369,284.00	Rate Analysis
7	Item No 7 :- Modification to Existing Shed for Wet Waste Management.(55 mt x 23 mt)	2,713,142.00	Rate Analysis
8	Item No 8 :- Wet waste tipping platform for Pit compost shed.(14 mt x 11.5 mt)	820,814.00	Rate Analysis
9	Item No 9 :- Leachate collection tank for Existing Sanitary Landfill. (4 mt x 2 mt)	195,160.00	Rate Analysis
10	Item No 10 :- Compost Curing Platfrom.(14 mt x 8 mt)	465,045.00	Rate Analysis
11	Item No 11 :- Stone Pitching for Protection of Existing Embankment of Sanitary Landfill.	1,364,436.00	Rate Analysis
12	Item No 12 :- Civil Work of open Stormwater RCC Drainage (C -Type).(190 mt in Length)	1,491,068.00	Rate Analysis

13	Item No 13 :- Fire Extinguisher 4.5 KG capacity. (10 Nos)	104,491.00	Rate Analysis
A	**Proposed Capital Cost**	**25,328,433.00**	
B	**Fees of Technical Scantion form MJP**	**253,284.00**	
	1.00 % of Sub Total (A)		
C	**Consultancy Fee for Preparation of DPR**	**607,882.00**	
	2.4 % of Sub Total (A)		
D	**GST applicable**	**4,668,537.00**	
	18% GST on (A+C)		
E	**Royalty (If any)**	**642,383.00**	
	Total Section - A + B + C + D + E	**31,500,519.00**	

Consultant	**Water supply and sanitation Enginner Uran Islampur Municipal Council**	**Chief Officer Uran Islampur Municipal Council**

उरण-इस्लामपूर नगरपरिषद * जि.सांगली * उरण-इस्लामपूर

Islamapur Municipal Council, Islamapur, Sangli

Administrative Decision

Subject 05 - Considering and deciding on the proposal to increase the rates and extend the duration for the contractor Ms. Lakshmi Civil Engineering Services Pvt. Ltd., Kolhapur, for the underground drainage scheme works as per the letter dated 09/08/2023.

Proposal - It is necessary to take action at the municipal council level regarding the request made by Ms. Lakshmi Civil Engineering Services Pvt. Ltd., Kolhapur, in their letter dated 09/08/2023, for the increase in rates and extension of duration for the Underground drainage scheme scheme works.

Background - Under the Maharashtra Suvarna Jayanti Nagarothan Abhiyan, the tender for the Underground drainage scheme scheme for Islamapur city was approved to Ms. Lakshmi Civil Engineering Services Pvt. Ltd., Kolhapur at a rate 24.4% higher than the approved cost. Consequently, Work Order No. जा क्र/पापू /5364/2017 dated 20/11/2017 has been issued.

Islamapur Municipal Council is progressing with the Underground drainage scheme scheme work approved under the Maharashtra Suvarna Jayanti Nagarothan Abhiyan, guided by the Maharashtra Jeevan Pradhikaran(MJP). The current scheme includes laying underground drainage network of 99.28 kilometers, two STP (7.1 MLD & 4.5 MLD each) with four pump houses.

The UGD scheme was prepared based on estimates with reference of the district schedule rate of 2013-2014. The Work Order for the Underground drainage scheme works issued to Ms. Lakshmi Civil Engineering Services Pvt. Ltd., Kolhapur, on dated **20/11/2017**. A comparison with the rate schedule of 2017-2018 shows a difference of 7.31% in rates.

Ms. Lakshmi Civil Engineering Services Pvt. Ltd., Kolhapur, has cited market prices, cost of materials, and fuel rates in their letter dated 09/08/2023, observing a significant increase. Therefore, due to the economic impact, we (Ms. Lakshmi Civil Engineering Services Pvt. Ltd., Kolhapur) acknowledge potential financial losses.

The status of the Underground drainage scheme of the municipal council is as follows:

1) The land required for sewage treatment plant in Survey No. 128 on Kapuskhed Road is in the possession of the municipal council. Regarding the current situation, a petition has been filed in the High Court, and the matter is pending before the Revenue Department.

2) The land for pumping station at Rajaramnagar S.R No. 94 is not in possession of the municipal council, and the matter is under legal jurisdiction.

(3) The land at Survey No. 915 in Uru Mahsul is in possession of the municipal council, and the contractor Mr. Lakshmi Civil Engineering Pvt. Ltd., Kolhapur, has requested for an increase in rates and extension of duration for the work.

(4) Currently, 51% of the Underground drainage scheme scheme's pipeline work under the municipal council's jurisdiction has been completed.

According to the reports from the Maharashtra Pollution Control Board, the municipal council has been accused of violating national environmental regulations regarding sewerage treatment. Legal action has been taken against the municipal council for violating the law. If the current work is not completed on time, the municipal council may face financial penalties.

In this regard, Water Supply Department's letter no./BuGAYO/2232/2023 dated 12.4.2023 has been forwarded to the Maharashtra Jeevan Pradhikaran for clarification. Pursuant to the current letter No. Accounts-5/Bugayo/1530/2023, dated 25/07/2023, contractor have been requested timely for the escalation in prices for the work under the tender. Furthermore, as per the aforementioned letter dated 25/07/2023, the Maharashtra Jeevan pradhikaran has not accepted the contractor's request for escalation in the current approved tender due to the absence of escalation clause. It has been communicated that appropriate action should be taken at the municipal council level.

In order to pursue further action in the present case, the Water Supply Department has provided its opinion on 20/10/2023.

(1) In accordance with the opinion expressed by the Maharashtra Jeevan pradhikaran regarding the escalation, the current decision cannot be accepted due to the discrepancies with the council's policies and potential significant financial losses to the council.

(2) Taking a cue from the old plan, a Gap Analysis needs to be conducted to determine the appropriateness of the old plan in the current context and how it can be improved. It is imperative to appoint a project management consultant under the decision dated 16/09/2022 by the Maharashtra State Government's Department of Urban Development for project management.

(3) As per the reports of the Project Management Consultants, it is necessary to submit proposals for technical and administrative approval of the improved plan to the government.

Administrative Resolution No. 490 **Date: 01/11/2023**

The deliberations and recommendations presented in the above proposal, as directed by the hon. National Green Tribunal concerning the issue of treatment of waste water within the jurisdiction of the Islamapur Municipal Council, are to be executed. It is imperative to proceed with the actions outlined in accordance with the directives of the council, and no financial penalties shall be imposed on the council. Furthermore, considering the progress of the existing underground drainage system and the need to make subsequent decisions, it is essential.

Upon careful consideration of the aforementioned, it is observed that the opinion expressed by the Maharashtra Jeevan pradhikaran, dated 09/08/2023, regarding the escalation of concerns, contradicts the principles of the council and the government, leading to potential financial losses for the council. Therefore, the current demand of contractor cannot be accepted.

As the council have been completed the stipulated period ending 03/01/2022, as per the provisions of Section 316 (b) of the Maharashtra Municipal Councils, Nagar Panchayats, and Industrial Townships Act, 1965, and the directive issued by the Maharashtra government, Department of Urban Development, Ministry of Mumbai, under Order No. MSCA-2020/Reference No./71 dated 27/12/2021. Therefore, based on the authority vested in me as Mr. Rahul Mardhekar, Administrator, Islamapur Municipal Council, under administrative jurisdiction, I hereby authorize the implementation the above, all administrative and financial measures.

The gap analysis of the existing old plans is essential to determine how to proceed with the existing plans in a timely manner. This should be studied and improved

upon with the aim of enhancing it within the permissible limits. Under the decision dated September 16, 2022, by the Maharashtra State Government's Urban Development Department, it is imperative to appoint a project management consultant for project management.

According to the project management consultant's report, it is necessary to submit a proposal for technical and administrative approval of the improved plan to the government, and the necessary financial and administrative approvals are obtained for the same.

The current work is being carried out by the Water Supply Department in accordance with the prescribed procedures. Additionally, to complete the current process (PMC appointment, preparing DPR, obtaining technical approval, submitting administrative proposals for approval, conducting bidding process, and issuing work orders) and to obtain final administrative approval from the government, it may take some time. Therefore, a request for an extension is being made by the Municipal Council through the appointed panel of attorneys/advocates for the extension and completion of all these tasks, providing both financial and administrative approval.

[Signature]

Rahul Mardhekar

Administrator

Islamapur Municipal Council

इस्लामपूर नगरपरिषद, इस्लामपूर जि . सांगली

प्रशासकीय ठराव

विषय ०५ – इस्लामपूर नगरपरिषद पाणी पुरवठा विभागाकडील ठेकेदार मे.लक्ष्मी सिव्हील इंजि.सर्व्हि.प्रा.लि. कोल्हापूर यांचेकडील दिनांक 09/08/2023 च्या पत्रान्वये भुयारी गटर योजनेच्या कामासाठी भाववाढ व मुदतवाढ देणेबाबत विचार विनिमय करुन निर्णय घेणे.

प्रस्तावना – इस्लामपूर नगरपरिषद पाणी पुरवठा विभागाकडील ठेकेदार मे.लक्ष्मी सिव्हील इंजि.सर्व्हि.प्रा.लि. कोल्हापूर यांचेकडील दिनांक 09/08/2023 च्या पत्रान्वये भुयारी गटर योजनेच्या कामासाठी भाववाढ व मुदतवाढ देणेबाबत नगरपरिषद स्तरावरून कार्यवाही करणे आवश्यक आहे.

प्रस्ताव – इस्लामपूर नगरपरिषद पाणी पुरवठा विभागाकडील ठेकेदार मे.लक्ष्मी सिव्हील इंजि.सर्व्हि.प्रा.लि. कोल्हापूर यानी दिनांक 9/8/2023 रोजीच्या पत्रान्वये भुयारी गटर योजनेच्या कामासाठी भाववाढ व मुदतवाढीची मागणी केलेली आहे.

इस्लामपूर नगरपरिषद महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाअभियांनाअंतर्गत इस्लामपूर शहराची भुयारी गटर योजनेची निविदा ही मे.लक्ष्मी सिव्हील इंजिनिअरींग सर्व्हीसेस प्रा.लि.कोल्हापूर याना 24.4 टक्के जादा दराची निविदा मंजूर करणेत आली होती. त्याप्रमाणे इकडील जा.क्र./पापु/5364/2017 दिनांक 20/11/2017 अन्वये वर्क ऑर्डर दिलेली आहे.

इस्लामपूर नगरपरिषद हद्दीमध्ये राज्य शासनाच्या महराष्ट्र सुवर्ण जयंती नगरोत्थान महाअभियांन योजने अंतर्गत भूमिगत गटार योजनेचे काम महाराष्ट्र जीवन प्राधिकरण यांच्या मार्गदर्शनाखाली प्रगतीपथावर आहे. सदर योजनेअंतर्गत भूमिगत गटर नलिका 99.28 कि.मी.2 एस.टी.पी. (7.1 व 4.5 एम.एल.डी) आणि चार पंप हाऊस अशी कामे अंतर्भुत आहेत.

सदरची योजना सन 2013-2014 रोजीच्या जिल्हा दरसूचीमधील दराप्रमाणे अंदाजपत्रके तयार करणेत आलेली असून त्याप्रमाणे मे.लक्ष्मी सिव्हील इंजिनिअरींग सर्व्हीसेस प्रा.लि.कोल्हापूर यांना भुयारी गटर योजनेच्या कामाचा दिनांक 20/11/2017 अन्वये कामाचा वर्क ऑर्डर दिली आहे. त्यावेळी नगरपरिषदेने निश्चित केलेल्या अंदाजपत्रकामध्ये सन 2017-2018 च्या जिल्हा दरसूचीशी तुलना केली असता दरामध्ये 7.31% इतका फरक येत आहे. मे.लक्ष्मी सिव्हील इंजिनिअरींग सर्व्हीसेस प्रा.लि. कोल्हापूर यांनी दिनांक 09/08/2023 व त्यापूर्वी देणेत आलेल्या पत्रामध्ये सद्यस्थितीस बाजारभाव पाहता सर्व बांधकाम साहित्याचे आणि इंधनाचे दर गगनाला भिडले आहेत. अशा परिस्थितीमध्ये सन 2016-2017 सालच्या दरामध्ये काम करणे आम्हास आर्थिकदृष्टया परवडत नसल्याने सद्यस्थितीस आम्ही खूप आर्थिक नुकसानीत असल्याबाबत कळविले आहे.

नगरपरिषदेच्या भुयारी गटर योजनेची वस्तुस्थिती पुढील प्रमाणे आहे.

(1) एस.टी.पी.करीता आवश्यक असणारी जागा कापूसखेड रोडवरील सर्व्हे नं.128 मधील जागा नगरपरिषदेच्या ताब्यात असून सदर जागेबाबत मा.उच्च न्यायालयात रिटपीटीशन दाखल असून सदरची जागा महसूल विभागाकडे न्यायप्रविष्ट आहे.

(2) राजारामनगर रि.स.नं. 94 मधील पंपींगची जागा नगरपरिषदेच्या ताब्यात नसून याबाबत प्रकरण न्यायप्रविष्ट आहे.

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(3) उरुण महसुल मधील रि.स.नं. 915 मधील जागा नगरपरिषदेच्या ताब्यात असून ठेकेदार मे.लक्ष्मी सिव्हील इंजिनिअरींग प्रा.लि.कोल्हापूर यांनी काम करणेसाठी भाववाढ व मुदतवाढीची मागणी केलेली आहे.

(4) सद्यस्थितीमध्ये नगरपरिषदेच्या अस्तित्वातील भुयारी गटर योजनेच्या नलिकेचे काम 51 टक्के पूर्ण झालेले आहे.

महाराष्ट्र प्रदुषण मंडळ यांच्याकडील अहवालानुसार नगरपरिषदेच्या विरुध्द राष्ट्रीय हरित लवाद यामध्ये नगरपरिषद हद्दीतील सांडपाण्याच्या विल्हेवाटीबाबत नगरपरिषदेच्या विरुध्द दावा दाखल झाला असून यामध्ये नगरपरिषदेस दंडात्मक कार्यावाही प्रस्तावित केलेली आहे. सदरचे काम मुदतीत पूर्ण न झाल्यास नगरपरिषदेस आर्थिक दंडाच्या माध्यमातून तोषीश लागण्याची शक्यता नाकारता येत नाही.

नगरपरिषद पाणी पुरवठा विभागाकडील कार्या.प.क्र.भुगयो/2232/2023, दिनांक 12.4.2023 अन्वये महाराष्ट्र जीवन प्राधिकरण यांना भाववाढीबाबत स्वयंस्पष्ट अहवाल मागणी केलेला होता. सदरच्या पत्राप्रमाणे जा.क्र.लेखा-5/भुगयो/1530/2023, दिनांक 25/07/2023 अन्वये ठेकेदार यांनी निविदाअंतर्गत कामासाठी भाववाढ मिळणेबाबत वेळोवेळी मागणी केलेली आहे. तसेच उपरोक्त दिनांक 25/07/2023 रोजीच्या पत्रास अनुसरुन महाराष्ट्र जीवन प्राधिकरण यांनी सदरील स्विकृत निविदेमध्ये भाववाढ कलमाचा समावेश नसलेने भाववाढीबाबत ठेकेदाराची मागणी स्विकारार्थ होणार नाही. याबाबत अंतिम नि[illegible] नगरपरिषदेच्या स्तरावरुन घेणे उचित होईल असे कळविले आहे.

सदर प्रकरणी पुढीलप्रमाणे कार्यवाही करणे नगरपरिषदेच्या आर्थिक हिताचे असल्याचे अभिप्राय पाणी पुरवठा विभागाने दिनांक २०/१०/२०२३ रोजी दिलेले आहेत.

(1) महाराष्ट्र जीवन प्राधिकरणाने भाववाढीसंदर्भात दिलेल्या अभिप्रायानुसार सदरचा निर्णय नगरपरिषद व शासनाच्या धोरणाच्या विसंगत असल्याने व नगरपरिषदेचे मोठ्या प्रमाणावर आर्थिक नुकसान करणारे असल्याने सदरची भाववाढ देता येणार नाही.

(2) जुन्या योजनेचा आढावा घेवून सद्यस्थितीत Gap Analysis करुन जुनी योजना येत्या काळात उपयुक्त ठरेल किंवा कसे? याबाबत अभ्यास करून वाढीव हद्दीसह सुधारीत डी.पी.आर.करणेकामी महाराष्ट्र शासन नगर विकास विभागाकडील शासन निर्णय दिनांक १६/०९/२०२२ अन्वये प्रकल्प व्यवस्थापन सल्लागार म्हणून याकामी नियुक्ती करणे अनिवार्य आहे.

(3) प्रकल्प व्यवस्थापन सल्लागार यांच्या अहवालानुसार योजनेचा सुधारीत प्रस्ताव तांत्रिक व प्रशासकीय मान्यतेसाठी शासनास सादर करणे आवश्यक आहे.

उपरोक्त प्रमाणे प्रस्ताव प्रशासनाने प्रशासक, इस्लामपूर नगरपरिषद यांचे मंजुरी कामी सादर केलेला आहे.

प्रशासकीय ठराव क्र. ४९०

दिनांक -०१/११/२०२३

वरील प्रस्तावनेत केलेल्या विवेचन व मा.राष्ट्रीय हरित लवाद यांनी नगरपरिषद हद्दीतील सांडपाण्याच्या विल्हेवाटीबाबत इस्लामपूर नगरपरिषदेस दिलेल्या आदेशानुसार कार्यवाही करणे नगरपरिषदेस बंधनकारक असून दंडाच्या माध्यमातून नगरपरिषदेस आर्थिक तोशिष लागू नये; तसेच अस्तित्वातील भुयारी गटर योजनेच्या प्रगतीचा आढावा घेऊन पुढील निर्णय घेणे आवश्यक आहे.

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वरील सर्व बाबी विचारात घेता, इस्लामपूर नगरपरिषद पाणी पुरवठा विभागाकडील ठेकेदार मे.लक्ष्मी सिव्हील इंजि.सर्व्हि.प्रा.लि. कोल्हापूर यांचेकडील दिनांक 09/08/2023 च्या पत्रान्वये केलेल्या मागणीनुसार महाराष्ट्र जीवन प्राधिकरणाने भाववाढी संदर्भात दिलेला अभिप्राय नगरपरिषद व शासनाच्या धोरणाच्या विसंगत व नगरपरिषदेचे आर्थिक नुकसान करणारा असल्याने सदरची भाववाढ देता येणार नाही.

वरील प्रमाणे करावयाच्या सर्व प्रशासकीय व आर्थिक कार्यवाहीस नगरपरिषदेची मुदत दिनांक 03/01/2022 रोजी संपुष्टात आलेली असल्याने महाराष्ट्र नगरपरिषद, नगरपंचायती व औदयौगिक नगरी अधिनियम 1965 मधील कलम 316 (ब) अन्वये व मा.महाराष्ट्र शासन नगर विकास विभाग, मंत्रालय मुंबई यांचेकडील आदेश क्र.एमसीआ-2020/प्र.क्र./71 नवि-14 दिनांक 27/12/2021 अन्वये मला प्राप्त झालेल्या अधिकारानुसार मी श्री. राहुल मर्ढेकर, प्रशासक, इस्लामपूर नगरपरिषद, इस्लामपूर प्रशासकीय ठरावान्वये मान्यता प्रदान करीत आहे.

तसेच, सध्या अस्तित्वात असलेल्या जुन्या योजनेचा आढावा घेवून सदस्थितीत Gap Analysis करुन जुनी अस्तित्वातील योजना येत्या काळात उपयुक्त ठरेल किंवा कसे? याबाबत अभ्यास करून वाढीव हद्दीसह सुधारीत डी.पी.आर.करणेकामी महाराष्ट्र शासन नगर विकास विभागाकडील शासन निर्णय दिनांक १६/०९/२०२२ अन्वये प्रकल्प व्यवस्थापन सल्लागार म्हणून याकामी नियुक्ती करणेस मान्यता देणेत येत आहे.

प्रकल्प व्यवस्थापन सल्लागार यांच्या अहवालानुसार सुधारीत योजनेचा प्रस्ताव तांत्रिक व प्रशासकीय मान्यतेसाठी शासनास सादर करणेस व त्याकामी येणा-या खर्चास आर्थिक व प्रशासकीय मान्यता देणेत येत आहे.

सदर कामाची कार्यवाही प्रचलित नियमानुसार विहित पद्धतीने पाणीपुरवठा अभियंता यांनी करावयाची आहे. तसेच मा.राष्ट्रीय हरित लवादामध्ये दाखल प्रकरणांत वरील वस्तूस्थिती मा.न्यायालयाच्या निदर्शनास आणून देणे व सदर प्रक्रिया (PMC नियुक्त करणे, डी.पी.आर.तयार करणे, तांत्रिक मान्यता घेणे, प्रशासकीय मान्यतेसाठी प्रस्ताव शासनास सादर करणे, निविदा प्रक्रिया राबविणे व कार्यादेश देणे इत्यादी) पूर्ण होण्यासाठी व शासनाकडून अंतिम प्रशासकीय मान्यता प्राप्त होण्यासाठी काही कालावधी लागण्याची शक्यता विचारात घेऊन मा.न्यायालयास मुदतवाढ मागविणेचा विनंती प्रस्ताव नगरपरिषदेकडील नियुक्त केलेल्या अभियोक्ता / वकील पॅनेलमधील अभियोक्ता यांचेकडून सादर करणेस व त्याकामी कराव्या लागणा-या सर्व कार्यवाहीस आर्थिक व प्रशासकीय मान्यता प्रदान करीत आहे.

सही/-XXX
(राहुल मर्ढेकर)
प्रशासक
इस्लामपूर नगरपरिषद

विभागाचे नांव- पाणीपुरवठा
अधिनियमातील तरतुदीनुसार व शासन निर्णय, निर्देश व प्रचलित [illegible] नुसार पुढील कार्यवाही प्रस्तावित करावी. दिनांक-

सभा अधिक्षक

उपमुख्याधिकारी

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Translated copy of PMC appointment letter

28.02.2024

To,
The Nisarg Consultancy
D15, Sethi's City Plaza,
Gadkari Chowk, in front of Kalika Mandir,
Old Agra Road, Nashik

Subject: - Preparation of Detailed Project Report (DPR) for underground sewerage scheme, sewerage project, sewerage treatment project, and various development plans in Islampur city under Maharashtra Suvarnajayanti Nagarotna Abhiyan / Nagarotna Mahabhiyan for Islampur Municipal Council, obtaining government approval for the project report after technical approval from the competent authority, etc. and appointment to act as Project Management Consultant (PMC) on the approved works.

Reference**:-** 1) Government Decision No. Sankirn-2018/Ref. No. 54 Nav-16, Ministry of Mumbai, dated June 4, 2018.

2) Maharashtra State jeevan pradhikaran Letter No. Majipra/SAS/Tansha-4/479, dated April 8, 2021.
3) Maharashtra State jeevan pradhikaran Letter No. Majipra/SAS/Tansha-1/237, dated February 14, 2023.
4) Maharashtra State jeevan pradhikarn Letter No. Majipra/Tansha-1/255, dated February 16, 2023.
5) Government Circular No. Nagro-2023/Ref. No. 213 Nav-33, dated April 12, 2023.
6) Government Decision No. Nagro-2023/Ref. No. 389/Navi-33, Ministry of Mumbai, dated February 22, 2024.
7) Your Office Letter No. TN/C/pune/tender sub/537/2023, dated February 15, 2024. Incoming Correspondence No. 1563, dated February 15, 2024, received at this office.
8) Islamapur Municipal Council Resolution No. 534, dated February 28, 2024.

Respected Sir,

In reference to the aforementioned official letters and decisions, including Municipal Notification No. Nagro-**2023**/Ref. No. **213** Nav-**33**, dated April **12**, **2023**, and Government Decision No. Nagro-**2023**/Ref. No. **389**/Nav-**33**, Ministry of Mumbai, dated February **22**, **2024**, along with other relevant correspondences, I am writing to inform you about the comprehensive projects under the Maharashtra Suvarnajayanti Nagarotna Abhiyan Urban Development initiated by the Islamapur Municipal Council.

These projects include the storm water drain system, sanitation project, waste management project, and various development plans. The detailed project reports (DPRs) are being prepared, seeking technical approval from competent authorities, and awaiting government clearance. Additionally, arrangements for tender processes, supervision and monitoring services for project implementation, operation, and maintenance, as well as project management, are being planned.

As per the instructions in the letters referenced **1** to **5**, and based on the discussions held on February **15**, **2024**, at the municipal council, it has been decided to appoint Nisarg Consultancy services, Nashik, for the current projects. Furthermore, as per reference number **6**, the current work is being prepared for execution with the specified rates.

Once the current project is approved by the government, you will be issued a bill (invoice) according to the approved cost. Subsequently, revised orders will be issued by the municipal council.

Through this letter, you are instructed to:

1) Ensure the accuracy of the existing audit report in the financial statements.
2) Prepare an agreement on appropriate stamp paper as per regulations.
3) Make payments for the project according to the government-approved plan and availability of funds.
4) Execute the current work under the supervision of the Chief Officer of the Islamapur Municipal Council and project inspectors/engineers.

Please take prompt action as follows:

1) Rectify any errors if found in the audit report.

2) Prepare the agreement on stamp paper of appropriate amount.

3) Make payments as per the regulations.

4) Execute the work as directed by the Chief Officer and project inspectors/engineers.

Your cooperation is appreciated.

Thank you.

Mr.Rahul mardhekar

Chief Officer

Islamapur Municipal Council

इस्लामपूर नगरपरिषद, इस्लामपूर

ता.वाळवा, जि.सांगली. पिन.कोड -४१५४०९
Website – urun-islampur.in E-Mail- mcislampur@gmail.com
: (०२३४२)२२२०२३, २२१२२२ टोल फ्री:- १८००-२३३-२३७९

जा.क्र.इनपा /कार्या -14/ 1170/2024 date : 28 /02/2024

प्रति,
दि निसर्ग कंन्सल्टन्सी
डी १५, सेठीज सिटी प्लाझा,
कालीका मंदीरासमोर गडकरी चौक,
जुना आग्रारोड, नाशिक.

विषय :- इस्लामपूर नगरपरिषद साठी महाराष्ट्र सुवर्णजयंती नगरोत्थान अभियान/ नगरोत्थान महाभियान अंतर्गत इस्लामपूर शहरामध्ये भुयारी गटार योजना, मलनिस्सारण प्रकल्प, मैलागाळ प्रक्रिया प्रकल्प, व विविध विकास योजनेकरीता सविस्तर प्रकल्प अहवाल (DPR) तयार करणे, सक्षम प्राधिकरणाची तांत्रिक मंजूरी घेवून प्रकल्प अहवालास शासनाची मंजूरी घेणे इत्यादी कामे करणे तसेच मंजूर झालेल्या कामांवर प्रकल्प व्यवस्थापन सल्लागार (PMC) म्हणून कामकाज करणेसाठी नेमणुक करणेबाबत...

संदर्भ :- १) शासन निर्णय क्र. संकिर्ण- २०१८/प्र.क्र.५४ नवि-१६ मंत्रालय मुंबई, दि. ४ जुन २०१८
२) महाराष्ट्र जीवन प्राधिकरण पत्र क्र. मजीप्रा / सस / तांशा-४ / ४७९, दि. ८ एप्रिल २०२१
३) महाराष्ट्र जीवन प्राधिकरण पत्र क्र. मजीप्रा / सस / तांशा-१ / २३७, दि. १४ फेब्रुवारी २०२३
४) महाराष्ट्र जीवन प्राधिकरण पत्र क्र. मजीप्रा / तांशा-१ / २५५, दि. १६ फेब्रुवारी २०२३
५) शासन परिपत्रक क्रमांक :-नगरो-२०२३ / प्र.क्र.२१३ नवि-३३, दि. १२ एप्रिल २०२३
६) शासन निर्णय क्र. नगरो-२०२३/प्र.क्र.३८९/नवि-३३ मंत्रालय मुंबई दिनांक २२/०२/२०२४
७) आपले कार्यालयीन पत्र जा. क्र. टिएनसी /pune/tender sub/537/2023 दि. १५/०२ /२०२४ इकडील कार्यालयाकडील आवक क्र१५६३ दि. १५/०२ /२०२४
८) इस्लामपूर नगरपरिषद प्रशासकीय सभा ठराव क्र. ५३४, दि.२८ /०२ /२०२४

महोदय,

उपरोक्त महाराष्ट्र सुवर्ण जयंती नगरोत्थान अभियानाअंतर्गत इस्लामपूर नगरपरिषद हद्दीमध्ये भुयारी गटार योजना, मलनिस्सारण प्रकल्प, मैलागाळ प्रक्रिया प्रकल्प, व विविध विकास योजनेकरीता तपशीलवार सविस्तर प्रकल्प अहवाल (DPR) तयार करणे, सक्षम प्राधिकरणाची तांत्रिक मंजूरी घेवून प्रकल्प अहवालास शासनाची मंजूरी घेणे , निविदा प्रक्रिया व्यवस्थापन (ड्राफ्ट तयार करणे) प्रकल्पांच्या अंमलबजावणी, पर्यवेक्षण आणि देखरेख (provision of supervision & Monitoring Services for Implementation, Operation and Maintenance of Underground drainage scheme Projects) सेवांच्या तरतूदीसह आर्थिक सल्ता देणे, सविस्तर प्रकल्प अहवाल तयार करणे व देखरेख करणे व सनियंत्रण करणेकामी प्रकल्प व्यवस्थापन सल्लागार नियुक्ती करावयाची आहे. संदर्भ क्र. १ ते ५ चे पत्रांमधील मार्गदर्शक सुचनानुसार तसेच दि. 15/02/2024 रोजी नगरपरिषदेमध्ये उपस्थित राहून कामांची माहिती घेऊन व Primary feasibility

report, सादरीकरण, Block estimate च्या अनुषंगाने सादर करण्यात आलेल्या बाबिची छाननी करता सदरकामी आपली दि निसर्ग कंन्सल्टन्सी नाशिक या संस्थेची नियुक्ती करणेत येत आहे. याबाबत संदर्भ क्र. ६ अन्वये आपलेशी झालेल्या चर्चेनुसार सदरचे काम आपण संदर्भ क्र. ६ मध्ये नमूद दराने करणेस तयारी दर्शविली आहे. सदर शासन निर्णयातील दरानुसार सदर प्रकल्प शासनाने मंजूर केल्यानंतरच मंजूर प्रकल्प किंमती नुसार आपणास देयके (टप्प्यानुसार) अदा करण्यात येतील. व त्यानुसार नगरपरिषद स्तरावरून सुधारित आदेश निर्गमित करण्यात येतील.

सदर पत्राद्वारे आपणांस आदेशित करणेत येते की, वरीलप्रमाणे कामाचा रितसर करारनामा करुन देणेत यावा व त्वरीत काम हाती घेवून तत्काळ प्रथमत: भुयारी गटार योजना, मलनिस्सारण प्रकल्प, मैलागाळ प्रक्रिया प्रकल्प, व विविध विकास योजनेकरीता तपशीलवार सविस्तर प्रकल्प अहवाल DPR प्रकल्प अहवाल तयार करुन द्यावा. सदर कामाचा मोबदला खालील अटीच्या अधिन राहून अदा करणेत येईल.

१) सदर प्रकरणी लेखा परिक्षण अहवालात शक निघाल्यास त्याची पुर्तता करुन द्यावी लागेल.
२) सदर प्रकरणी नियमानुसार योग्य रकमेच्या स्टॅम्प पेपरवर करारनामा करुन द्यावा लागेल.
३) सदर प्रकरणी शासकीय योजना संदर्भात आवश्यक निधी व प्रशासकीय मंजूरी उपलब्धतेनुसार करारातील पेमेंट अदा करण्याचे टप्प्यानुसार मेहनताना अदा करणेत येईल.
४) सदरचे काम मुख्याधिकारी इस्लामपूर नगरपरिषद व सदरचा प्रकल्प निरीक्षक अभियंता यांचे सल्ल्याप्रमाणे करावे लागेल.

मुख्याधिकारी
इस्लामपूर नगरपरिषद

ANNEXURE - S

1588

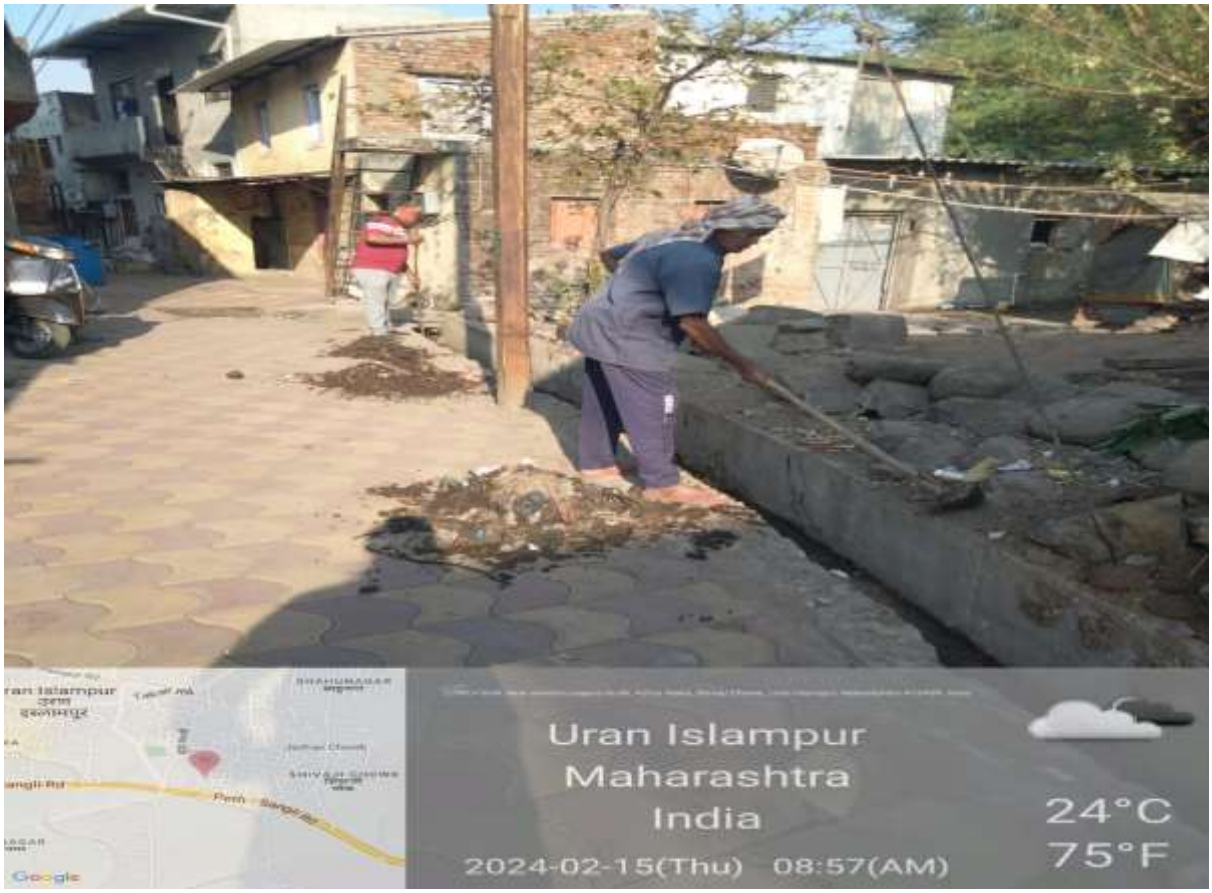
Gutter Cleaning Photos

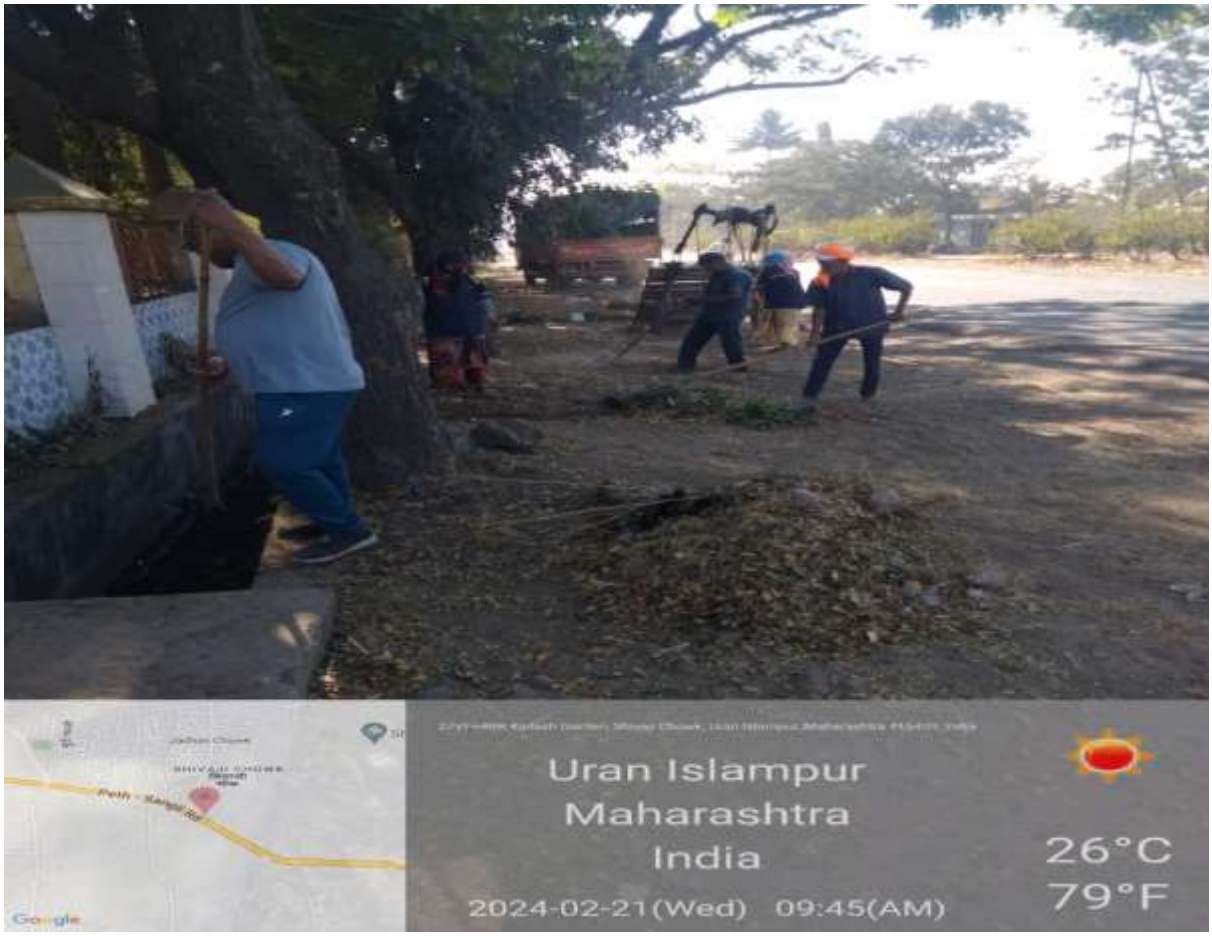
Uran Islampur
Maharashtra
India
2024-02-21(Wed) 11:31(AM)
31°C
88°F

Uran Islampur
Maharashtra
India
2024-02-23(Fri) 12:55(PM)
30°C
86°F

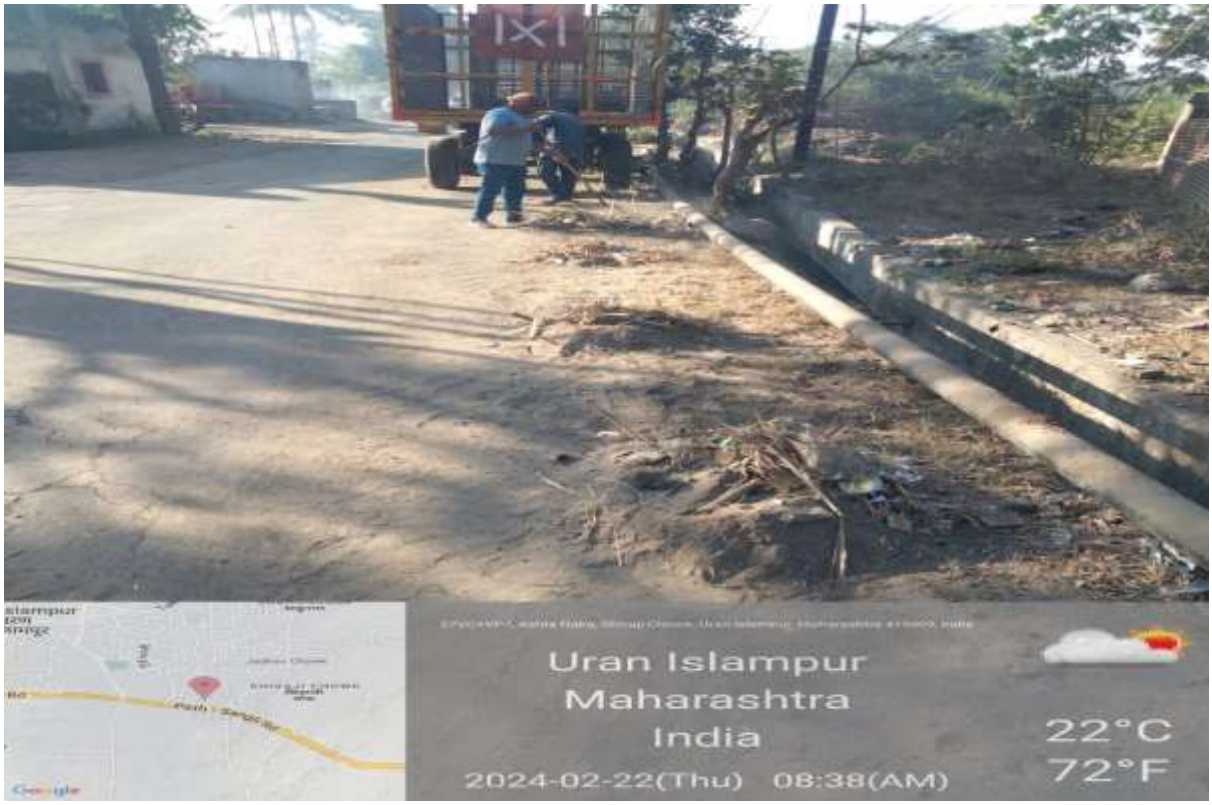
Uran Islampur
Maharashtra
India
2024-02-24(Sat) 08:06(AM)
23°C
73°F

Uran Islampur
Maharashtra
India
2024-02-13(Tue) 11:09(AM)
31°C
88°F


Uran Islampur
Maharashtra
India
2024-02-15(Thu) 08:57(AM)
24°C
75°F


Uran Islampur
Maharashtra
India
2024-02-21(Wed) 09:45(AM)
26°C
79°F

1592


Uran Islampur
Maharashtra
India
2024-02-22(Thu) 08:38(AM)
22°C
72°F

Uran Islampur
Maharashtra
India
2024-01-24(Wed) 08:38(AM)
19°C
66°F

Uran Islampur
Maharashtra
India
2024-02-23(Fri) 07:56(AM)
19°C
66°F

Type text here
Uran Islampur
Maharashtra
India
2024-02-19(Mon) 08:52(AM)
24°C
75°F

Uran Islampur
Maharashtra
India
2024-02-19(Mon) 08:52(AM)
24°C
75°F

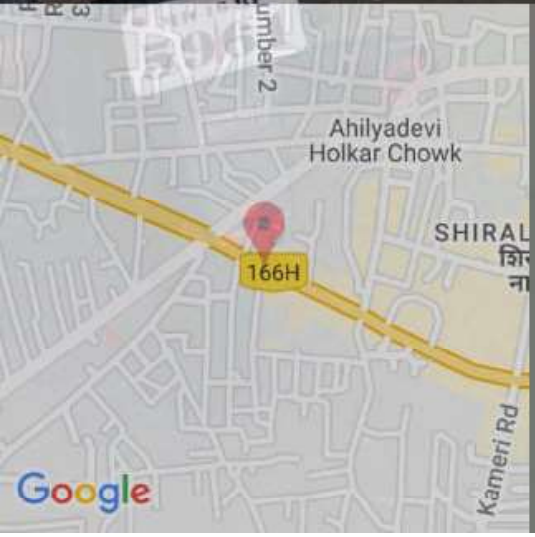
Uran Islampur
Maharashtra
India
2024-02-19(Mon) 10:10(AM)
29°C
84°F

1595

Uran Islampur
Maharashtra
India
2024-01-24(Wed) 09:07(AM)
19°C
66°F

Uran Islampur
Maharashtra
India
2024-02-05(Mon) 07:59(AM)
22°C
72°F

ON DUTY



27W4+QX5, Kisannagar, Uran Islampur, Maharashtra 415409, India

Uran Islampur

Maharashtra

India

2024-03-05(Tue) 16:44

34°C

93°F

Shop No. 6 Shivaji Putla, near Apna Baza, Shivnagar, Uran Islampur, Maharashtra 415409, India

Uran Islampur

Maharashtra

India

34°C

93°F

2024-03-05(Tue) 17:01

ARYAN
BHARATBENZ
ON DUTY
MH42W7588
GPS Map Camera
Uran Islampur, Maharashtra, India
3729+HHV, Mahadevnagar, Uran Islampur, Maharashtra 415409, India
Lat 17.051367°
Long 74.26863°
05/03/24 12:55 PM GMT +05:30
Google

ARYAN PUMPS, PUNE
ON DUTY
रेडीयम नंबरप्लेट
TATTO
M.9860252905
रेडीयम
GPS Map Camera
Uran Islampur, Maharashtra, India
3729+HHV, Mahadevnagar, Uran Islampur, Maharashtra 415409, India
Lat 17.051367°
Long 74.26863°
05/03/24 01:02 PM GMT +05:30
Google

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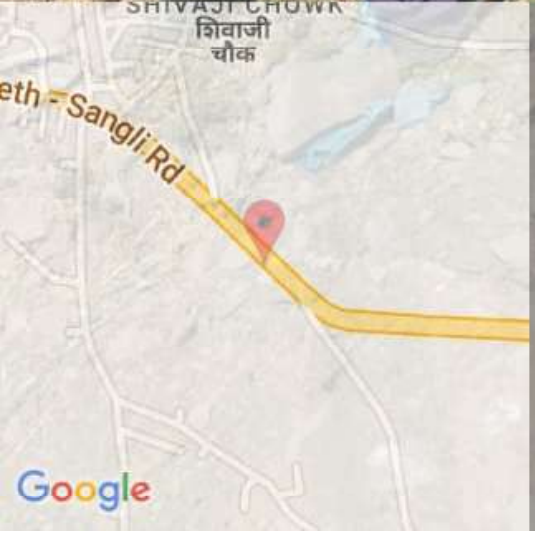
MH 10 AF
5961

ARYAN PUMPS, PUNE
ON DUTY
रेडीयम
GPS Map Camera
Uran Islampur, Maharashtra, India
3729+HHV, Mahadevnagar, Uran Islampur, Maharashtra 415409, India
Lat 17.051367°
Long 74.26863°
05/03/24 01:02 PM GMT +05:30
Google



27RG+5M7, Uran Islampur, Maharashtra 415409, India

Uran Islampur

Maharashtra

India

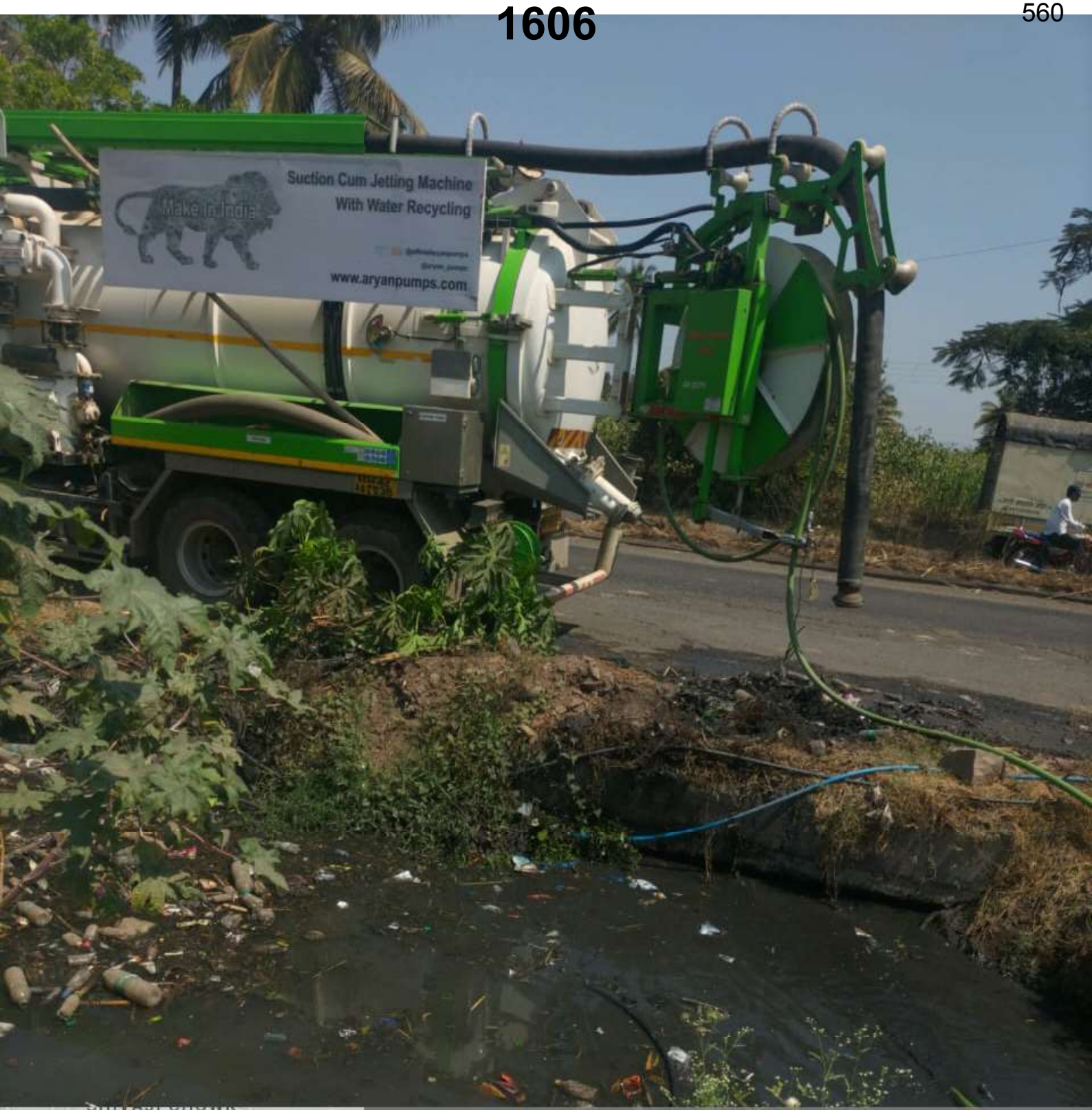
31°C

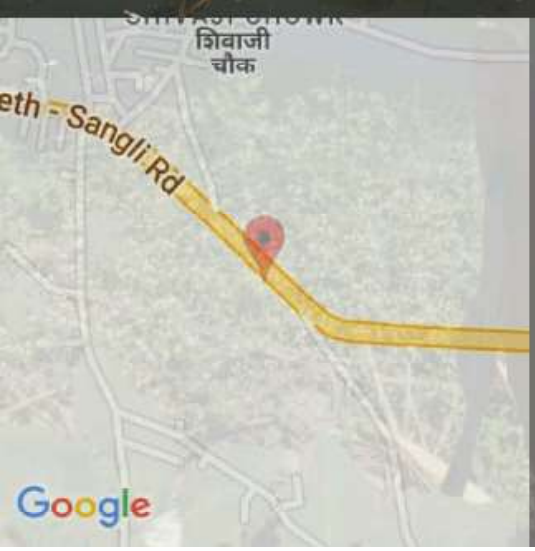
88°F

2024-03-05(Tue) 11:45

Suction Cum Jetting Machine
With Water Recycling
www.aryapumps.com

IndiCycler
ARYAN
Suction Cum Jetting Machine
With Water Recycling
www.aryanpumps.com
BHARATBENZ
ON DUTY
GPS Map Camera
Uran Islampur, Maharashtra, India
3729+HHV, Mahadevnagar, Uran Islampur, Maharashtra 415409, India
Lat 17.051367°
Long 74.26863°
05/03/24 12:55 PM GMT +05:30
Google





27RG+5M7, Uran Islampur, Maharashtra 415409, India

Uran Islampur

Maharashtra

India

2024-03-05(Tue) 11:44

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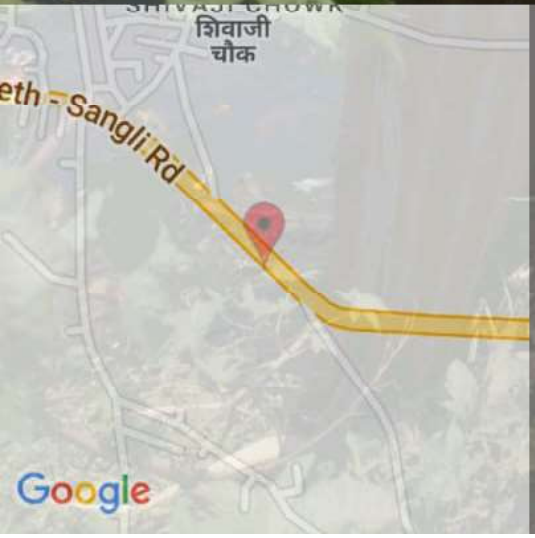

27RG+5M7, Uran Islampur, Maharashtra 415409, India

Uran Islampur

Maharashtra

India

2024-03-05(Tue) 11:44

31°C

88°F

ANNEXURE - T

1608

Declaration Module
Legacy Waste Dumpsite Remediation

1	**Name and Description of the Project**		**Legacy Waste Remediation**
2	**Name of the ULB, District, State/UT**		Urun Islampur (802891) District-Sangli, State-Maharashtra
3	**City/ULB Profile**		
	Population	Details like Population as per Census and estimated current population	67391 as per census 2011 and current population 78620
	Area	Area under the jurisdiction of the local body (in sq. km.)	40.42
	Administrative Set up of the local body	Municipal Corporation/Council/Committee	Municipal Council
	Amount of Solid Waste generated (TPD)		16.638
	Amount of Solid Waste Collected (TPD)		16.638
	Total capacities of Waste Processing Facilities (TPD)		25
4	**Detailed Description of Dumpsite**		
	Location		SWM Plant Khed Road Islampur
	Age (years of operation)		9
	Area (sq. m.)		11013
	Height (in m)		2.183333333
	Estimated Quantity of waste (MT)		20000
	Method adopted for Quantification	Topography study/ Geotech survey/ Drone survey/Any other	Geotech survey/ Drone survey
	Dumping of fresh waste	Continued at Present site/Discontinued	Discontinued
	Project approved by state authority	Yes/No	YES
	Current Status of remediation project	Planned/Approved/Started/Under Process/Completed	Approved
5	**Descriptive Map of the Dumpsite**		
	Details of boundaries of dumpsite		Khed Road
	Marking of surrounding areas such as Roads, Localities, Rivers/Canals, Hills, nearest		Lagun Khadda
	Longitude and Latitude coordinates		17.055738575270652, 74.3178760153598
6	**Scope of disposal**		
	Proposed utilisation of Segregated Material:		
	RDF (in Waste to Energy plant/Cement Industry/other industries)	Yes/ No	YES, 27 Km
	Bio soils/Soil enricher (in horticulture/agriculture/barren land)	Yes/ No	YES, 05 Km
	C & D waste (in C&D waste processing facilities/construction activities)	Yes/ No	YES, 10 Km
	Inert waste (in low lying areas/road filling/SLF)	Yes/ No	YES, 10 Km
	Please mention the distance of above facilities from the existing legacy waste dumpsites		
8	**Estimated Cost of Remediation**		
	Costing carried out	Yes/No	YES
	Total Cost		11000000
	Approved cost		11000000
	Estimated cost		11000000
	Per Ton Cost		550
9	**Indicative duration of the project Completion**		
10	**Benefits of the Project**		
	Area to be reclaimed		
	Estimated value of the reclaimed land		
	Intended use of land		
11	**Availability of funds**		
	Any approval / allocation of fund for the remediation project		Funds are approved by State Government
12	**List anticipated hindrances in project implementation and measures for solutions**		
13	**Contact Details of Nodal Officer:** Name:		Aniket Hendre
	Designation"		HOD Health Dept
	Mobile No.:		9595121358
	Email ID:		sbmmcislampur@gmail.com
14	**Certified that the facts and figures mentioned have been duly verified.**		

Municipal Engineer

Municipal Commissioner /Chief Officer

ANNEXURE - U

MJP TS Biomining

JAKR/Ta.sha. 4/Technical Approval/611/2023 Date: 27/03/2023

To,
The Chief Officer,
Islampur Municipal Council,
Islampur

Subject: Technical Approval for the process of Legacy Waste Dumpsite Redemption (Bioremediation) on the site of legacy waste dumps situated in Islampur Municipal Council, Islampur, Tal. Walwa, Dist. Sangli.

Reference: 1) Government of Maharashtra, Urban Development Department, Swachh Maharashtra Abhiyan (Urban), Ref. No. Legacy Waste/1456/2022-23 dated 13/3/2023.
2) Our Ref. No. 1654 dated 24/03/2023.

Based on the quantity of work of 20000 cum as per Reference No. 1, the quantity and rates approved at the government level are considered in the current approval. Proposal referred to in Reference No. 2 is received for obtaining technical approval. The current proposal is subject to the following conditions and terms, in addition to being in accordance with the prevailing rules and regulations:

Sr. No.	Details	Estimated Cost in rupees	The serial number of the document in Form No. 85 for this office is
1	Process of Legacy Waste Dumpsite Redemption (Bioremediation) on the site of legacy waste dumps situated in Islampur Municipal Council, Islampur	1,10,00,000/-	9393 3/2023
Total Value		1,10,00,000/-	

This technical approval fee has been received for the estimated work mentioned above. Environmental conservation and public health are of utmost importance in the process of bioremediation of legacy waste dumps mentioned above. Therefore, technical approval is granted subject to the following terms and conditions:

1) Works mentioned in the estimate are subject to the relevant manuals and the Red Book 1 & 2 of public work department. Further adherence to the PWD specifications and specifications by MJP and the latest ISO standards is mandatory.
2) The responsibility of obtaining government funds for current estimates does not lie with the Maharashtra Jeevan Pradhikaran.
3) Since current works are of public nature, it is the complete responsibility of the Municipal Council to ensure their quality and execution as per detailed specifications.
4) It is appropriate to submit a complete proposal for technical approval and not by dividing a complete task into multiple parts. It is considered the submitted proposal do not violate this criteria.
5) The responsibility of ensuring public health by properly disposing of current waste and preventing air and water pollution due to dumping of waste lies entirely with the Islamapur Municipal Council.
6) A complete survey and study of these works has been conducted by the municipal council before submitting the proposal, as evidenced by the technical evaluation conducted.
7) It is considered that these works have not been undertaken, and technical approval has been obtained for this purpose by the municipal council.
8) The responsibility for ownership rights of the related works lies with the municipal council.
9) As per government decisions published by the central and state governments from time to time, the Employee Provident Fund (EPF) should be included in the bid for relevant projects.
10) It is required to include the implementation of government decisions issued timely in response to the COVID-19 pandemic in the bidding process, and the municipal council is responsible for this.
11) The tender for the said work should not be drawn based on the lump sum and should be published accordingly and the responsibility of the municipal council will be to pay according to the measurement of the actual work done. The job description in the tender should specify the minimum amount of work to be done by each employee per day. Municipal council shall be responsible for strictly following all the conditions of the administrative approval of the said work and the government decision of fund distribution.
12) The daily attendance register of the manpower used for the said work should be kept and the signature of the competent authority should be taken on it and payment should be made accordingly. The materials required for the said work should be arranged independently by the municipal council.
13) It is the responsibility of your office to thoroughly review the complete calculations, rates, and descriptions of all sections of the proposal once again at your level and the responsibility of the municipal council to publish it in the tender accordingly.

for your information and for further action.

इस्लामपूर नगरपरिषद, इस्लामपूर

ता.वाळवा,जि.सांगलीपिन : ४१५ ४०९ ☎: (०२३४२) २२२०२३

Email id:mcislampur@gmail.com

Name of Work	Biominning of legacy Waste (Phase-2-2023-24)
Recapulation Sheet	

Sr. No.	Particulars	Amount
1	Cost of Biominning Work	1,10,00,000/-
2	Add 18 % GST	Not applicable as per 12/2017-Central Tax (Rate), dt. 28-06-2017
3	Total Cost Of work	1,10,00,000/-
	In Words	One Crore Ten Lakh
	Health Department	Chief Officer

URUN-ISLAMPUR MUNICIPAL COUNCIL * Tal.Walwa (Sangli)

Sanctioned as per item No. 1313
of Ex.Engr.,M.J P.Dn.,Sangli
Form No.65 for the Month Of 3/2023
Rs.:- 1,10,00,000/-

one Crore Ten lakh Rs only.

Executive Engineer,
Maharashtra Jeevan Pradhikaran
Division, Sangli

1612

Islampur Municipal Council,Islampur

Name of Work- Biominning of legacy Waste (Phase-2-2023-24)

Qty	Unit	Description	Rate	Per	Amount
20000	MT	**Item No 1-** Excavation, Transportation, Sieving and Waste Segregation,Excavation for removing the existing solid waste comprising of biodegradables, plastics, construction & demolition wastes, earth, etc. accumulated in the existing Dump site to required level, using mechanical excavators and suitable equipments,and transporting the excavated material (mixed solid waste) to the Sieving area for Sieving,segregation of the of biodegradables, plastics, construction & demolition wastes, earth, recyclable materials etc. and storing, packing and transporting as per per the directions of the Engineerin-charge. Payment will be made on volumetric basis based on pre & post levels taken at the area cleared off waste, Disposal of Soil/Inert/Fertiliser Construction & Demolition wastes,earth to 15 km lead in Quary or for road construction site as filler material as per Standards and Baling, packing , storing of RDF Baling, packing, storing of Refused Derived Fuel (RDF) material recovered from segregation from the legacy waste and Bio-mining. **Ref.जा.क्र./स्वमअ२.०/legacy Waste/22-23 दिनांक-१३-०३-२०२३** **Operational Guidelines for Swachh Bharat Mission - Urban 2.0 by Ministry of Housing and Urban Affairs** **Government of India**	550	MT	11000000
		Total			**11000000**

Engineer
Sanitation Department

Chief Officer
Islampur Municipal Council

ANNEXURE - V

1613

Work Order

To,
M/s. S.R. TECHNOLOGIES,
Pune.

1. Name of the work: Processing of old deposits at the waste management components of Islamapur Municipal Council.

2. Fund: Swachh Bharat Abhiyan 2.0

3. Estimated amount: INR 1,10,00,000/-

4. Approved rate: INR 99,00,110/-

5. Specification: As per standards

6. Approval of expenditure resolution number and date: JAKR/SwaMa2.0/Legacy Waste/1456/22-23 Dated 13/03/2023

7. Approval of rate and date of administrative approval : Resolution No. 515 Dated 19/01/2024

8. Technical approval : JAKR/Ta.sha. 4/Technical Approval/611/2023 dated 27/03/2023

9. Administrative approval : Approved by Government Resolution No. SwaMa-2023/Pr. Kr.92(2)/Navi-34 Dated 31/08/2023

10. Duration of work : 6 (six) months

11. Penalty If the work is not completed on time : As per clause 7.3 of the tender advertisement (RFP).

12. Agreement Date: 29/01/2024

As per the aforementioned work specified, and according to the Hon. Administrator's, Administrative Resolution No. 515 Dated 19/01/2024 the amount of INR 10,500/- deposited by you on stamp paper, a work order is being issued to you through this letter.

Please ensure that the work is completed as per the terms and conditions of the agreement and within the stipulated time frame.

Sd/-
Chief Officer,
Islampur Municipal Council, Islampur

IN THE SUPREME COURT OF INDIA
(CIVIL APPELLATE JURISDICTION)
IA NO. _____ OF 2024
IN
CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council …Appellant

Versus

Mr. Madhukar Shankar Sutar & Ors. …Respondents

APPLICATION SEEKING EXEMPTION FROM FILING OFFICIAL TRANSLATION OF ANNEXURES C, D, I, Q, R, and U OF THE ACCOMPANYING AFFIDAVIT ON BEHALF OF THE APPELLANT

TO

THE HON'BLE CHIEF JUSTICE OF INDIA

AND HIS COMPANION JUDGES OF THE

HON'BLE SUPREME COURT OF INDIA

THE HUMBLE APPLICATION

OF THE APPELLANT HEREIN

MOST RESPECTFULLY SHOWETH:

1. This is an application seeking exemption from filing official translation of Annexures C, D, I, Q, R, and U of the accompanying affidavit on behalf of the appellant being filed pursuant to order dated 16.01.2024 passed by this Hon'ble Court in the Civil Appeal No. 6573 of 2024.
2. It is submitted that the aforesaid documents were in Marathi and have been duly translated into English by a competent person in the office of the appellant in Sangli. Due to paucity

of time, the Appellant could not obtain an official translation. The appellant undertakes to replace the same with an official translation if this Hon'ble Court deems it fit and necessary.

3. It is, therefore, in the interest of justice that this Hon'ble Court may be pleased to exempt the appellant from filing official translation of the portions of the affidavit on behalf of the appellant herein.

PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may be pleased to:

(a) exempt the appellant from filing official translation of Annexures C, D, I, Q, R, and U of the accompanying affidavit on behalf of the appellant being filed pursuant to order dated 16.01.2024 passed by this Hon'ble Court, and

(b) pass such other order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and thereby render justice.

AND FOR THIS ACT OF KINDNESS THE APPELLANT SHALL AS DUTY BOUND EVER PRAY.

DRAWN BY: FILED BY:

MR. GOVIND MANOHARAN

ADVOCATE

(**A. KARTHIK**)

ADVOCATE FOR THE APPELLANT

FILED ON: 05.03.2024

NOTARY ADV. R.V.KOPARDE ISLAMPUR Reg.No. 6727 Expiry Dt. 14/08/2028 GOVT. OF INDIA

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council ...Appellant

Versus

Mr. Madhukar Shankar Sutar & Ors ...Respondents

AFFIDAVIT

I, Rahul Mardhekar, son of Sarjerao Mardhekar, aged about 45 years, presently serving as Chief Officer of the Appellant herein, having office at Shivaji Chouk, Islampur, Tal. Walva, Dist. Sangli, Maharashtra do solemnly affirm and state as follows:

1. That I am the Chief Officer of the Appellant in the above filed Civil Appeal and I am fully conversant with the facts and proceedings of the case.
2. That I have read and understood the contents of the accompanying application and I say that the facts stated therein are true and correct to the best of my knowledge and legal submissions are based on the advice received from the Counsel which I believe to be true.

..5.3.2024

DEPONENT

Chief Officer
Islampur Municipal Council

NOTARY ADV. R.V.KOPARDE ISLAMPUR Reg.No. 6727 Expiry Dt. 14/08/2028 GOVT. OF INDIA

VERIFICATION:

I, the deponent above named, do hereby verify and state on solemn affirmation that the contents of the paras 1 to 2 are true and correct to best of my knowledge and I believe the same to be true and that nothing material has been concealed therefrom.

Verified by me at Sangli on this 5th day of March, 2024

Identified by me

Advocate

5.3.2024

DEPONENT

Chief Officer
Islampur Municipal Council

Solemnly affirmed before Me By
Shri./Smt. Thedepur
Who is identified before Me by
Shri./Smt. Sachidanand
Whom I Personally Known.

5 MAR 2024

BEFORE ME

R.V. KOPARDE
ADVOCATE & NOTARY
GOVT.OF INDIA, REG.No. 6727
MAHADEV NAGAR, ISLAMPUR- 415 409
TAL. WALWA, DIST. SANGLI (M.S)

Noted & Registered
At Serial Numbers 1006/2024
Total Page No. 5

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

Diary No. - 2522/2023
NDOH - 02.09.2024

ANNEXURE - 5

Section - XVII

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council ...Appellant

Versus

Mr. Madhukar Shankar Sutar & Ors ...Respondents

FILING INDEX

Sr. No.	Particulars	Copies	Court Fees
1.	Affidavit on behalf of the Chief Officer, Appellant pursuant to order dated 05.08.2024 of this Hon'ble Court	1+3	20/-

CLERK: ARPAN CHANDRA DAS

9811693213

I.C. NO. 5978

FILED BY:

(A. KARTHIK)
ADVOCATE FOR THE APPELLANT
CODE – 2475
D – 104, FIRST FLOOR, YAMUNA APARTMENTS,
ALAKNANDA, NEW DELHI – 110019.
EMAIL: aor@aklawoffice.in, Ph: 8447364669.

FILED ON: 31.08.2024

Gmail

PROOF OF SERVICE

A Karthik <aor@aklawoffice.in>

Service of document: THE ISLAMPUR MUNICIPAL COUNCIL vs. MADHUKAR SHANKAR SUTAR - C.A. No. 6573 - / 2023

A Karthik <aor@aklawoffice.in> 31 August 2024 at 09:43
To: arvind avhad <avhadarvind@yahoo.co.in>, shashanksinghadvocate@gmail.com, GOVERNMENT ADVOCATE <govtadvdelhi@gmail.com>
Bcc: Govind Manoharan <govindmanoharan@gmchambers.in>, A Karthik <karthik@aklawoffice.in>

Dear all,

Please find attached copy of the Affidavit on behalf of the Chief Officer, Appellant pursuant to order dated 05.08.2024 of this Hon'ble Court in the above mentioned matter.

Regards,
A. Karthik

Advocate-on-Record, Supreme Court of India

D-104, First Floor, Yamuna Apartments,

Alaknanda, Delhi, 110019, India

+91 84473 64669 | Mobile
+91 98116 93213 | Law Clerk (Arpan)

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Final Affidavit on behalf of the Chief Officer Appellant.pdf
2437K

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council ...Appellant

Versus

Mr. Madhukar Shankar Sutar & Ors ...Respondents

INDEX

Sr. No.	Particulars	Page Nos.
1.	Affidavit on behalf of the Chief Officer, Appellant pursuant to order dated 05.08.2024 of this Hon'ble Court	**1 – 7**

ADVOCATE FOR THE APPELLANT: **A. KARTHIK**

FILED ON: 31.08.2024

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE JURISDICTION)

CIVIL APPEAL NO. 6573 OF 2023

IN THE MATTER OF:

The Islampur Municipal Council ...Appellant

Versus

Mr. Madhukar Shankar Sutar & Ors ...Respondents

AFFIDAVIT ON BEHALF OF THE CHIEF OFFICER, APPELANT PURSUANT TO ORDER DATED 05.08.2024 OF THIS HON'BLE COURT

I, Nirmala Rashinkar, Daughter of Maruti N. Rashinkar aged about 36 years, presently serving as chief officer of the Appellant herein, having office at Shivaji Chouk, Islampur, Tal Walva, Dist. Sangli, Maharashtra do solemnly affirm and state as follows:

1. I am presently serving as the Chief Officer of the Appellant Council in addition to my charge as the Chief Officer of Palus Municipal Council. I was given charge of the Appellant Council by order dated 26.08.2024 of the Collector, Sangli in view of the medical emergency of the present Chief Officer of the Appellant Council. I am well-versed with the facts of the instant case as understood by me on the basis of the official records of the Appellant Council, and therefore, competent to swear to this affidavit.

2. The deponent craves leave to rely on and refer to the averments contained in their previous affidavit dated 05.03.2024 filed before this Hon'ble Court pursuant to the order dated 16.01.2024.

BRIEF OVERVIEW

3. At the outset, the deponent states that the present civil appeal has been preferred against the order dated 18.10.2022 passed by the Hon'ble

National Green Tribunal (Western Zone Bench) in OA No. 74 of 2021 (WZ) whereby the Hon'ble Tribunal was pleased to find that the Appellant Council was in contravention regarding, *inter alia*, the following matters:

a. Regarding setting of Sewage Treatment Plant (STP) and treatment of sewage water flowing into the Krishna River, and,
b. Regarding non-compliance of Legacy Waste Management for which notice dated 28.07.2021 came to be issued followed by a notice dated 19.09.2022 came to be issued under Section 33-A of the Water (Prevention and Control of Pollution) Act, 1973.

The aforesaid notice dated 19.09.2022 came to be issued to the Appellant Council pursuant to a visit to the MSW Site made by the Maharashtra Pollution Control Board ["**MPCB**"] officials on 22.06.2022.

4. The deponent states that, pursuant to the Government of Maharashtra's decision dated 17.03.2017, an underground sewerage scheme was approved for the Appellant Council with an allocation of INR 69.42 Crores. This scheme included the establishment of four Sewage Pumping Stations and two Sewage Treatment Plants, with a combined capacity of 12 MLD.

5. Pursuant to the State Government notification dated 27.07.2018 (Annexure A-1 of the civil appeal paperbook), reservation was made for land for two STPs, in Survey No. 128 admeasuring 35 guntas and Survey No. 915 admeasuring 130 guntas.

6. As far as the proposed STP in Survey No. 128 is concerned, one Eknath Jadhav approached the Hon'ble High Court by way of a writ petition in W.P. No. 3573 of 2021 wherein the status quo order dated 15.02.2021

came to be passed. The present proceedings which arise out of orders passed in OA No. 74/2021 before the Hon'ble National Green Tribunal (Western Zone Bench) also relates to the proposed STP in Survey No. 128.

7. The Appellant Council purchased the land measuring 130 guntas, with regards to Survey No. 915, in the year 2022. Possession of the said land was taken by the Appellant Council on 09.02.2024.
8. Furthermore, with respect to the land reserved for the Sewage Pumping Station in Survey No. 94, admeasuring 25 guntas, the Appellant Council has made efforts to take possession of the same, and after continuous follow-up, the site was handed over to the Appellant Council on 29.02.2024.
9. Moreover, to carry out works relating to the underground drainage scheme, the Appellant Council had initially appointed one M/s. Lakshmi Civil Engineering Services, Kolhapur by work order dated 20.11.2017. The scope of work included laying of underground drainage network of 99.28 kms, two STPs (7.1 MLD and 4.5 MLD each) with four pump houses.
10. The deponent states that almost 51 percent of the works under the scheme inasmuch as laying the drainage network is completed. However, owing to escalation cited by the project contractor and the possibility of financial losses resulting from the same, the request for extension and increase in rates as cited by the project contractor was refused by Maharashtra Jeevan Pradhikaran on 25.07.2023.
11. Considering the pendency of litigation regarding one of the STP sites before the Hon'ble High Court and urgency of the situation as the Appellant Council have been levied with heavy penalties by the Hon'ble Tribunal, the Appellant Council by way of resolution no. 490 dated

01.11.2023 had decided to appoint a project management consultant to prepare a DPR to undertake a gap analysis with the previous plans and submit an improved plan with expedited timelines for technical and administrative approval to complete the works including for the setting of the STP at the available site.

12. As per the aforesaid decision, a PMC by the name of M/s. Nisarga Consultancy, Nashik, was appointed on 28.02.2024 for the preparation of a detailed project report with respect to revision of old plans and submitting an improved plan for carrying out the works under the underground drainage scheme. The PMC was required to review the existing underground sewerage scheme approved by the government on 17.03.2017 under the Maharashtra Suvarna Jayanti Nagarothan Mahaabhiyan. Their scope of work also included assessing the approved works, completed works, and pending works of the old underground sewerage scheme, and preparing a revised DPR considering the extended limits.

13. The aforesaid facts were brought to the attention of this Hon'ble Court by the deponent through its affidavit dated 05.03.2024. Thereafter, this Hon'ble Court by order dated 03.05.2024 directed the MPCB (Respondent No. 2) to inspect the proposed site and file an affidavit with its findings. Thereafter, the MPCB filed an affidavit dated 15.07.2024 before this Hon'ble Court stating that the site at Survey No. 915 is suitable for establishing an STP.

14. As per the agreement of the Appellant Council with the PMC, the PMC was expected to conduct a review of the Maharashtra Suvarna Jayanti Underground Sewerage Scheme, perform a gap analysis, assess the

future utility of the old scheme, and prepare a revised Detailed Project Report (DPR) with extended limits. Further, the PMC is required to obtain technical approval for the revised DPR, submit the revised project proposal to the government for approval, and oversee all the related activities of the project.

15. The deponent states that the closure process of the old sewerage scheme of the Council is underway on the advice of previous PMC and Maharashtra Jeevan Pradhikaran (MJP). On 19.06.2024, the MJP had recommended the payment of the 10th and final bill for the old scheme and pursuant to this recommendation, the council has made the final payments. The MJP provided some documents along with the letter, which were (i) Measurement Books No. 1, 3, 4, 7, 9, 10, 11, (ii) Statements 1 to 45, (iii) Record Drawings, and (iv) Transfer of project note. The PMC was required to conduct a site inspection on the technical aspects as mentioned in the Measurement Books, Record Drawings, and Transfer of project Note.

16. The deponent states that the PMC conducted a detailed survey of the work previously completed and the planned work throughout the entire Islampur city. Further to this the PMC have prepared a conceptual plan, drawings, and estimates as part of a Preliminary DPR for the remaining work under the underground drainage scheme. The Preliminary DPR was considered by the Appellant Council in its meeting with the PMC on 20.08.2024. Suggestions and recommendations were given to the PMC by the Appellant Council in the said meeting, and a final DPR is awaited.

Timelines for Proposed STP at Sy. No. 915

17. The deponent states that with regard to the estimated timeline for setting up of the STP, the Appellant Council had requested to indicate an

estimate of the timeline for completion of works, and the PMC has suggested that it will take approximately 1.5 years to 2 years to complete the work of setting up of STP. This timeline also includes the time period to get the technical approval from MJP, to get administrative sanction from the Urban Development Department, and to complete the process of appointing a contractor through tender. The deponent has considered the recommendations of PMC with respect to the timeline, and studied previous projects undertaken by the Appellant Council and has estimated the following timeline for the setting up and operationalisation of STP:

Sr No	Details	Expected Duration
1	Final DPR Submission	15 days
2	Technical Sanction	30-45 days
3	D.M.A. Office	30 days
4	Administrative Approval	15 days
5	Tender Process	30 days
6	Tender work/construction	Max 24 months
Total		**2 years 4 months from August, 2024**

18. The tentative timeline provided hereinabove is after taking into account the work already completed under the previous underground drainage scheme. The work for the 50.67 km of drainage line out of the total 99.28 km has already been laid down and the said part of the underground drainage scheme has been completed in 9 months. The remaining part under the scheme will be completed tentatively in 2 years and 4 months i.e., by January, 2027, as shown in the table hereinabove.

19. I state that the present affidavit is being filed in compliance of the order dated 05.08.2024 on a perusal of the records available in the office of Appellant Council and I state the facts stated herein are true and correct to the best of my knowledge and legal submissions are based on advice received from counsel which I believe to be true. I crave leave of this Hon'ble Court to file an additional affidavit regarding the timeline and progress of the work being carried out by the Appellant Council, if so desired by this Hon'ble Court in relation to the aforesaid aspects.

DEPONENT
Chief Officer
Islampur Municipal Council

VERIFICATION

I, the deponent abovenamed, do hereby verify and state on solemn affirmation that the contents of the paras above are true and correct to the best of my knowledge being based on a perusal of official records of the Appellant and I believe the same to be true and nothing has been concealed therefrom.

Verified by me at Sangli on this 30th August, 2024.

Solemnly affirmed before Me By
Shri./Smt. The deponent
Who is identified before Me by
Shri./Smt. V. V. Salvekhe
Whom I Personally Known.

I Know the deponent
Salvekhe
Yogesh Vilas Salvekhe
Adv Islampur

BEFORE ME
R. V. KOPARDE
ADVOCATE & NOTARY
GOVT.OF INDIA, REG.No. 6727
MAHADEV NAGAR, ISLAMPUR- 415 409
TAL. WALWA, DIST. SANGLI (M.S.)

Noted & Registered
At Serial Numbers 3150/2024
Total Page No. 9

DEPONENT
Chief Officer
Islampur Municipal Council

No. of Correction/s ....

30 AUG 2024

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO.69 OF 2022

IN THE MATTER OF:

Mr. Sunil Pharate, Sangli District Head

Of Swatantra Bharat Paksha

...Applicant

Versus

State of Maharashtra, Through Secretary of Environment and Climate Change Mantralaya Mumbai – 400032 and Ors

...Respondents

COMPENDIUM OF DOCUMENTS RELIED UPON BY THE RESPONDENT NO. 18

Dated this 05th day of September 2024

Abhineet N. Pange

Advocate for Respondent No.18,

Office No. 33, 2nd Floor, Nawab Building, D.N. Road, Fort. Mumbai 400001