

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
Original Application No. 112/2022

Suraj Pradeepkumar Ajmera

... Applicant

vs.

Ministry of Environment, Forest, Climate Change & Ors.

... Respondents

Affidavit in Reply on behalf of Respondent No. 3, Aurangabad Municipal Corporation

I, Somnath^{B.} Jadhav, ^{Age. 387.00. Service} working as Deputy Commissioner and in-charge of Solid Waste Management Division, Chhatrapati Sambhajinagar Municipal Corporation, state on solemn affirmation that I am well conversant with the facts of the present case and competent to swear the present affidavit.

1. The present Applicant had filed an Original Application No. 85/2020 regarding solid waste management issues of Chhatrapati Sambhaji Nagar. Chhatrapati Sambhajinagar Municipal Corporation had filed a detailed affidavit in reply in the said case. Satisfied with the infrastructure provided by the Chhatrapati Sambhajinagar Municipal Corporation for handling the MSW generated within the municipal limits, Hon'ble NGT disposed the said original application on 19-01-2022.
2. Chhatrapati Sambhajinagar Municipal Corporation has constituted a joint committee wide order No.AMC/SWM/2023/75 Dt.08/02/2022 comprising
 1. Municipal Commissioner or his Representative Head of the Department SWM Chhatrapati Sambhajinagar Municipal Corporation.
 2. Regional Director, Central Pollution Control Board, Pune or his Representative
 3. Regional Officer, Maharashtra Pollution Control Board, Chhatrapati Sambhajinagar (CSMC)

based on direction given by Hon'ble NGT for suggesting remedial action to stop the fire and to submit its report in the respect of mode which can be employed to assessed environmental compensation for past fire incidents (Annexure A)

3. The present application is about fire incidences at the MSW sites operated by this Respondent. This respondent would like to state certain facts on record and the remedial measures taken to control the fire occurrences.
4. Chhatrapati Sambhajinagar Municipal Corporation has constructed water tank at both the MSW sites at Padegaon and Chikhalthana with each having capacity of 10.00 lakh liter which is used to its extinguish fire as and when required.
5. Fire fighting vehicles are always ready at the site and fire pumps are installed at site for immediate action as and when required. Fire extinguishing system are being upgraded at both the sites and the work will be completed by 30 July 2023 under 15th finance Commission
6. Activity of waste churning - pulverisation is being done at both the MSW sites for scientific escape of methane gas to avoid fires. This has helped in avoiding of the fires.
7. Motorable road is prepared inside both the MSW sites for easy movement of fire tenders and water tankers as and when needed.
8. CCTV cameras are installed at both the MSW sites to check unauthorized entry which is monitored by staff at control room. Patrolling is done at intermediate interval by Nagri Mitra Pathak staff to check unauthorised entry and fire if any.
9. Hose pipes are laid in active areas to spray water so as to prevent fires. Regular fire safety drills are conducted to train the staff to be ever ready for tackling the fire incidences.
10. Preventive measures for fire incidences at Waste Processing Plant at Chikhalthana

Admitted

BEFORE ME
Vilas D. Kadam
VILAS D. KADAM
Notary Govt. of India
Reg. No.: 25094

Sr. No.	Short Term Measures	Time Schedule
1.	Deployment of fire fighting vehicles at Both sites	Completed
2.	Fire pumps are installed at site for immediate action.	Completed
3.	fire extinguishers equipments provided at both sites	Completed
4.	water storage tank constructed at both site with 10.00 lakh liter capacity each	Completed
5.	Fire and Safety drill to be mandatory with all staff and workers at the processing site	Conducted every year

Sr. No.	Long Term Measures	Time Schedule
1.	<p>Bioremediation of the legacy waste of about 35,974.00 Cum stored beside the plant shall be processed as per the below details:</p> <ol style="list-style-type: none"> 1) A separate Tromel will be installed at the legacy waste area 2) The waste shall be segregated mechanically 3) The inorganic waste such as plastic will be bailed for further processing towards Steel/Cement factories 4) The organic material will be processed under windrow system after bio culture spraying 5) The compost produced after processing the organic waste shall be sold/distributed to the vendors. 	31 th May, 2024

2.	Improved fire fighting system with Hose pipes and Fire tender monitor for long range	30 th July 2023
3.	MRF plant is proposed to reduce the Dry waste at the plant under SBM 2.0	31 st May, 2024

11. Preventive Measures for Fire Incidences at Waste Processing Plant at Padegaon –

Sr. No.	Short Term Measures	Time Schedule
1.	Deployment of fire fighting vehicles at Both sites	Completed
2.	Fire pumps are installed at site for immediate action.	Completed
3.	fire extinguishers equipments provided at both sites	Completed
4.	water storage tank constructed at both site with 10.00 lakh liter capacity each	Completed
5.	Fire and Safety drill to be mandatory with all staff and workers at the processing site	Conducted every year

Sr. No.	Long Term Measures	Time Schedule
1.	Bioremediation of the legacy waste of about 55,000.00 Cum stored beside the plant shall be processed as per the below details: 1) A separate Tromel will be installed at the legacy waste area 2) The waste shall be segregated mechanically	31 th May, 2024

Advef

	<p>3) The inorganic waste such as plastic will be bailed for further processing towards Steel/Cement factories</p> <p>4) The organic material will be processed under windrow system after bio culture spraying</p> <p>5) The compost produced after processing the organic waste shall be sold/distributed to the vendors.</p>	
2.	Improved fire fighting system with Hose pipes and Fire tender monitor for long range	30 th July 2023
3.	MRF plant is proposed to reduce the Dry waste at the plant under SBM 2.0	31 st May, 2024

12. Existing measures are helping in controlling the fire break outs at both sites.

13. This respondent seeks liberty to amend the paragraphs in the present reply as and when required and to file any reply further to show compliance on behalf of this respondent and undertakes to abide by any directions or orders issued by the Hon'ble Tribunal.

Whatever is stated above is true and correct to the best of my knowledge, ability and belief and I affirm it to be true.

Place : Chhatrapati Sambhajinagar

Date : 11/04/2023

Deponent



Somnath Jadhav

Deputy Commissioner

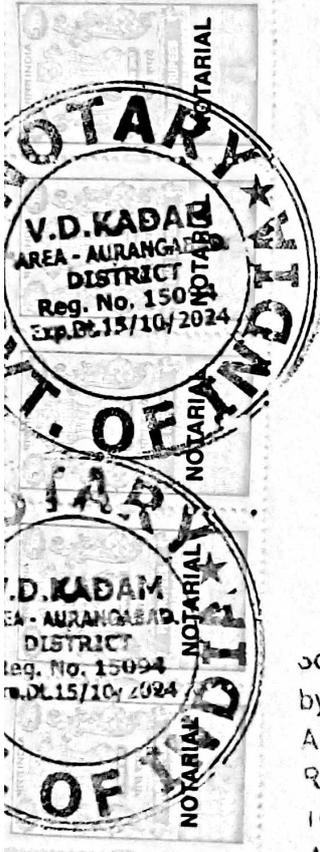
Solid Waste Management

Chhatrapati Sambhajinagar Municipal Corporation

VERIFICATION

I, Somnath^{B.}Jadhav, ^{Age-38y. occ-Service} working as Deputy Commissioner and in-charge of Solid Waste Management Division, Aurangabad Municipal Corporation do hereby verify and declare that the statements made in the aforesaid paras are true and correct to the best of my knowledge and information and I believe the same to be true and that no material is has been concealed therefrom.

Solemnly affirmed on this 11 day of April, 2023 at ChhatrapatiSambhajinagar.



Deponent
Somnath Jadhav
Somnath Jadhav

Deputy Commissioner

Solid Waste Management

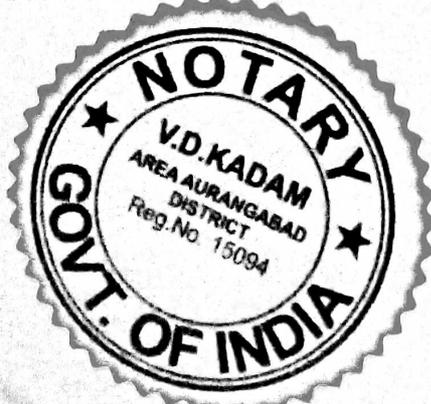
ChhatrapatiSambhajinagar Municipal Corporation

AFFIDAVIT

Solemnly affirmed before me _____
by Shri / S^r Somnath B. Jadhav
Age: 38 Year's, Occu.. Service
R/o Chh. Sambhajinagar
Chh. S. Nagar Dist. Chh. S. Nagar
Who Identified by Self Verified Akhotaora
Whom He/ She is personally Known

NOTED & REGISTERED
AT Sr. No. 1507/2023
THIS DOCUMENT CONTAINS
06 PAGES

Somnath Jadhav



BEFORE ME

Vilas Devidas Rao Kadam
VILAS DEVIDASRAO KADAM
Advocate Notary Govt. of India
AREA-AURANGABAD DIST.
(Mob.) : 9890615899 9403768324
Reg. No. 15094

11 APR 2023

Item No. 2

(Pune Bench)

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

(By Video Conferencing)

Original Application No. 112/2022 (WZ)
I.A. No. 29/2023(WZ)

Suraj Pradeepkumar Ajmera

.....Applicant

Versus

MoEF&CC & Ors.

....Respondent(s)

Date of hearing: 25.01.2023

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

Applicant : Ms. Supriya Dangare along-with Ms. Swayamprabha,
Advocates

Respondent(s) : Mr. Aniruddha Kulkarni, Advocate for R-3/AMC

ORDER

1. From the side of Applicant, learned Counsel Ms. Supriya Dangare along-with Ms. Swayamprabha have appeared and from the side of Respondent No.3/Aurangabad Municipal Corporation, learned Counsel Mr. Aniruddha Kulkarni has appeared.

2. The matter is at the admission stage. Vide our previous order dated 12.12.2022, we had instructed the learned Counsel for the Applicant to apprise us about the mode which would be employed for making assessment of the environmental compensation, which was being claimed for the previous 212 incidents of outbreak of fire in Chikhalthana and 129 incidents of outbreak of fire at Padegaon, though nothing has been stated in respect of that today but an I.A. has been moved, which is said to be a defective one but the learned Counsel for the Applicant has assured us that the defect would be removed today itself. The Registry is directed to number it after the defect is removed.

3. In this I.A., it has been submitted that on 20.01.2023, a fresh incident of outbreak of fire has happened at Padegaon Waste Site where 2 lakh tones of waste is lying. The fire brigade till date deployed 35 tankers of water to control the fire and almost 1,05,000 liters of water was used in order to extinguish the same. It has also resulted in tremendous damage to the environment and public at large. Paper cutting of the news of this occurrence has also been annexed.

4. On the basis of above details, we find that *prima facie* case is made out for entertaining this application, therefore, we admit it.

5. Registry is directed to issue Notice to the Respondents, returnable within 04(four) weeks.

6. Since learned Counsel Mr. Aniruddha Kulkarni accepts notice on behalf of Respondent No.3/Aurangabad Municipal Corporation, hence, notice is waived against Respondent No. 3.

7. Applicant is directed to provide copy of the application and relevant documents to the Respondent No. 3 within a week.

8. Applicant is also directed to take necessary steps for service upon the Respondents by both ways and also through available e-mail.

9. Further, in the interim application, prayer is made for direction to Respondent No.3/Aurangabad Municipal Corporation and Respondent No. 5/MPCB to take urgent measures to stop the fire and to constitute a Committee comprising Central Pollution Control Board (CPCB) and Maharashtra Pollution Control Board (MPCB) to visit the Padegaon waste site and assess the situation and submit its report.

10. We deem it just and proper to constitute a Joint Committee comprising one Member each from the:-

- (i) Central Pollution Control Board (CPCB);
- (ii) Maharashtra Pollution Control Board (MPCB); and

(iii) Municipal Corporation, Aurangabad.

11. The Committee is directed to visit the site within 07(seven) days and submit its report in the light of the averments made in this application within 04(four) weeks. The said Committee may take assistance of NEERI, Nagpur as well as Municipal Corporation of Greater Mumbai (MCGM), if so required. We also would like to have a report in respect of the mode, which can be employed to assess the environmental compensation for the past fire incidents.

12. The Aurangabad Municipal Corporation (AMC) shall be the nodal agency for coordination and logistic support.

13. The report in the matter be filed by the Committee by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

14. Applicant is directed to supply the required documents and copy of the application to the Members of the Committee within three days from today.

15. A copy of this order be communicated to the above-mentioned Committee forth-with for compliance.

Accordingly, I.A. No. 29/2023 (WZ) is allowed.

Put up this matter on 01.03.2023

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 25, 2023
Original Application No. 112/2022 (WZ)
I.A. No. 29/2023 (WZ)
P.Kr