

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH AT PUNE  
ORIGINAL APPLICATION NO. 49 OF 2019**

**IN THE MATTER OF:**

**Sarang Yadwadkar & Ors** .....Applicants

**Vs.**

**Pune Municipal Corporation & Ors.** .....Respondents

**AFFIDAVIT ON BEHALF OF PUNE MUNICIPAL CORPORATION,  
RESPONDENT NO.1**

I, Shri Vikram Kumar, Age-Adult, Occupation- Service, having office at Pune Municipal Corporation Building, Shivaji Nagar, Pune- 411005 state on solemn affirmation as under:-

1. I am working as Municipal Commissioner with Pune Municipal Corporation and I am authorized to file this affidavit. I am filing this affidavit on the basis of information given to me, and documents made available to me. I am filing this affidavit as per the direction given by this hon'ble tribunal on 16/10/2020.
2. I state that there are 12 locations identified by the Applicant in his Application. Out of those 6 locations are situated in the limits of Pimpri Chinchwad Municipal Corporation Respondent No. 2 and Pune Metropolitan Region Development Authority Respondent No. 4

at 2 locations work of Pune Metro is under construction by Maharashtra Metro and only 4 locations are pertaining to Respondent No. 1 Pune Municipal Corporation.

3. I state that it was the land owners /miscreants /encroachers who had dumped debris on the plots along river. Respondent No. 1, being the Urban Local Body, has already issued notices to all land owners for removal of debris and encroachments within blue line. The plot owners at Yerwada, Shivane, Uttamnagar, Baner, Balewadi, Vadgaonsheri, Kharadi, have been issued notices u/s 53(1) MRTP Act, 1966 as a result some land owners removed debris on their own. Removal of debris work is also in progress by Respondent No. 1 at Sangamwadi, Dangat Estate and Shivane which are in the Respondent No. 1 limits. Hereto marked and annexed as "**Annexure A**" is the action taken by the Respondent Corporation till date.
4. I state that most of the locations in the Respondent No. 1 limits were recently included in the Corporation limits. In these areas there was a rapid urbanization and land owners/encroacher had dumped the debris along the river while their construction work was in progress. Therefore those land owners/encroachers are liable for dumping of debris.
5. I state that, that there was a delay in the work of removal of Debris due of Covid 19 pandemic situation and Pune was one of the most affected city in the country. Now the work is progress and the Respondent Corporation has allotted separate funds to execute the work of removal of debris.



6. There are 2 instances of dumping debris at the hands of Maha-Metro construction work. Irrigation department had issued 2 notices dated 15/10/2019 and 21/06/2019 to metro for removal of debris from construction site in 1.4 km stretch in river. Officials of metro mentioned that Scaffolding and construction material has been removed by metro; however, out of 970 m of temporary road in the riverbed, 750 m of temporary road was removed by Metro and they continued to remove remaining 220m as per their letter dated 20<sup>th</sup> July 2020. Hereto marked and annexed as "**Annexure B**".

7. With respect to Solid Waste, definition of solid waste is provided under solid waste management rules, 2016 as

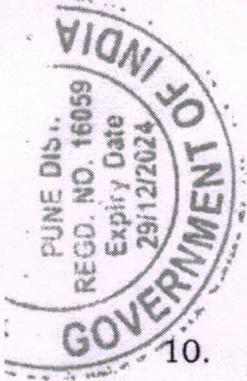
*"Solid waste means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non -residential wastes, street sweepings, slit removed or collected from surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radioactive waste generated in the area under the local authorities and other entities mentioned in rule 2."*

Construction debris is not a part of solid waste management, whereas it is covered under Construction and Demolition Waste Management Rules, 2016. Definition of Construction and Demolition Waste is provided as:-

*"Construction and Demolition Waste" means the waste comprising of building materials, debris and rubble resulting from construction, remodeling, repair and demolition of any civil structure."*

8. I state that, in consonance with the Duties of local authorities mentioned under Construction and Demolition Waste Management Rules 2016, Respondent Corporation has a C&D waste policy approved by General Body of PMC and has come into effect per a circular w.e.f. 12-6-2019. A C&D waste processing plant is made operational at abandoned quarries at Wagholi which is operated by an external agency deployed by PMC. Feeder points are identified at 15 ward offices of PMC all over the city. Pune Municipal Corporation A toll free number 18002339595 is provided for assistance. The construction waste is processed and material is crushed and recovered for reuse purpose. Hereto marked and annexed as **"Annexure C"** is copy of Construction and Demolition Waste management Rules, 2016 and the Circular of Pune Municipal Corporation dated 12-6-2019.

9. I state that, since June 2017 Respondent Corporation has installed C & D waste processing plant at Wagholi having capacity of 250 MTD. For that SOP have been issued by the Respondent Corporation 5 collection centers are operational. Respondent Corporation is completely complying with Construction and Demolition Waste management Rules, 2016, Respondent Corporation is also filing Annual Report in relation to compliance of



the aforesaid Rules in the office of Maharashtra Pollution Control Board. Hereto marked and annexed as "Annexure D" is copy of latest report.

10. I state that in view of the reasons mentioned above and as such Respondent Corporation always abide with the directions of this Hon'ble Tribunal request this Hon'ble Tribunal not to impose any environment compensation on the Respondent Corporation as the debris are admittedly not dumped by the Respondent Corporation. Even otherwise it will set a wrong precedent as encroacher/violators will dump debris and Respondent Corporation will pay the environment cost.

11. I state that whatever stated hereinabove is true and correct to the best of my knowledge, belief and information. I have signed hereunder at Pune on 08<sup>th</sup> March 2021.

I know the Affiant

*[Signature]*  
Advocate

Affiant



*[Signature]*  
Municipal Commissioner  
Pune Municipal Corporation

(Respondent No.1)

Municipal Commissioner,  
Pune Municipal Corporation

BEFORE ME  
*[Signature]*  
ADV. PRAVIN H. GOGAWALE  
NOTARY, GOVT. OF INDIA  
PUNE  
REGD. NO. 16059

NOTED AND REGISTERED AT  
ATSR NO. B.181/2021  
DATE 17 MAR 2021



## Hon. National Green Tribunal Petition No. 49/2019 Progress Report (12/3/2021)

Sr. No.	Village	No. of Notices issued 53(1)	Date	Description		Action Taken				No. Of Constructions removed in Blue Line	Remark
				Aprox. Qty. of Debris	Constructions in Blue Line	Removed Debris	Used Machinery Per Day	Period of Removal of Debris			
1	Sangamwadi	8	6/5/2019 to 28/11/2019	28,195	6	*3360 Cu.m.	1 JCB	*7/1/2020 to 31/5/2020			
						*11525 Cu.m.	2 Dumper 1 JCB	*1/1/2021 to 12/3/2021			
2	Warje, Shivane (Uttamnagar)	169	19/11/2019 to 21/1/2020	1,39,109	152	*270 Cu.m. +	1 JCB	*6/1/2020 to 29/1/2020	15		
						**200 Cu.m.	2 Dumper	*9/4/2020 to 20/5/2020			
						*1325 Cu.m.	1 JCB	*1/1/2021 to 12/3/2021			
						*2112 Cu.m.	2 Dumper	12/3/2021			
3	Baner, Balewadi	50	20/11/2019 to 7/12/2019	1,00,300	42	*90 Cu.m.	1 JCB	*7/1/2020 to 20/1/2020	10		
						*1195 Cu.m.	2 Dumper	*9/4/2020 to 1/6/2020			
						**1232 Cu.m.	1 JCB	**1/8/2020 to 25/8/2020			
						**10368 Cu.m.	2 Dumper				
Total		227		2,67,604	200	31677 Cu.m.				25	

\*\* Removal of Debris in Cubic Meter till date by the Land Owners as per notices issued

\* Vehical Depot, PMC necessary Machinaries made available by vehical Depot of PMC and the process of removal of Debris by Our Department is in Progress



महाराष्ट्र मेट्रो रेल कॉर्पोरेशन लिमिटेड  
**MAHARASHTRA METRO RAIL CORPORATION LIMITED**

(भारत सरकार आणि महाराष्ट्र शासनाचा संयुक्त उपक्रम)  
 Joint Venture of Govt. of India & Govt. of Maharashtra  
 PUNE METRO RAIL PROJECT

Ref No.: Maha-Metro/Pune/EMD/C03

Date: 20<sup>th</sup> July 2020

To,

The Executive Engineer,  
 Kadakwasla Irrigation Division  
 Sinchan Bhawan, Mangalwar Peth  
 Pune- 411011

**Sub:** Removal of temporary ramp between Deccan Gymkhana to Chhatrapati Sambhaji Park alignment of corridor-2 passing along the left bank of the Mutha River bed.

**Ref:** i) Kadakwasla Irrigation Division letter no. 2163/2020 dated 18/05/2020  
 ii) Kadakwasla Irrigation Division letter no. 2305/2020 dated 01/06/2020  
 iii) PMC letter no. MCO/DM/156 dated 28/05/2020

Dear Sir,

This has reference to above captioned subject. Maha-Metro has been directed to remove the temporary road from Riverbed vide above letter reference no. (i), (ii) and (iii). Accordingly the temporary road to be removed from pier DE 1 to Pier 186 for a length of approximate 970 m. The removal work has been completed from Pier no. P165 to Pier no. P186 for a length of 750 m (approx. 9,950 Cum removed) till 18<sup>th</sup> July, 2020. The balance removal work for the length of 220 m is in progress and expected to complete soon. The photographs of removal work is enclosed with this letter for your reference.

Ratnakar Pandey  
 (DGM/Environment)  
 Maha-Metro Rail Corporation Limited, Pune

CC: Municipal Commissioner, Pune

**CORPORATE OFFICE: PUNE**

1<sup>st</sup> floor, The Orion Building, Arjun Mansukhani Marg, Opp. St. Mira's College, Koregaon Park, Pune - 411 001, Maharashtra, India.  
 Tel: 020-26051072 E-mail: mail.mahametropune@gmail.com, Website: www.punemetrorail.org

Photographs of Temporary Road Removal Work between Deccan Gymkhana - Sambhaji Park

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Photographs of Temporary Road Removal Work between Deccan Gymkhana - Sambhaji Park

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Photographs of Temporary Road Removal Work between Deccan Gymkhana - Sambhaji Park



Photographs of Temporary Road Removal Work between Deccan Gymkhana - Sambhaji Park

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## ANNEXURE C

## C &amp; D waste processing circular

महापालिका आयुक्त कार्यालय  
पुणे महानगरपालिका  
जा.क्र. म.आ./धकव्यका/१२१  
दि.१२/०६/२०१९

-कार्यालयीन परिपत्रक-

विषय: बांधकाम प्रकल्प, विकास कामे, केवळ खोदाई अथवा इमारतीच्या पाडकामामधून निर्माण होणाऱ्या राडारोडा (Construction and Demolition Waste) व्यवस्थापन बाबत.

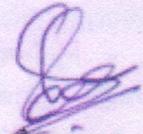
संदर्भ: महापालिका आयुक्त कार्यालयीन परिपत्रक जावक क्र. शअ/जा/ज/२७० दि.२२/०५/२०१७

पुणे शहरामध्ये पुणे महानगरपालिकेकडील विविध विभाग, एमएलजीएल, टेलिफोन कंपनी, खाजगी विकसक इ. मार्फत, बांधकाम-पाडकाम करत असताना मोठ्या प्रमाणावर बांधकाम-पाडकाम राडारोडा (Construction and Demolition Waste) निर्माण होतो. सदर बांधकाम राडारोडा गोळा करून वाहतूक करण्याबाबत स्वतंत्र यंत्रणा उभारण्याचे घनकचरा व्यवस्थापन विभागाने नियोजन केले आहे. याकरिता घनकचरा व्यवस्थापन विभागाकडून मा. मुख्य सभा ठ. क्र. ८१२ दि. २१/१२/२०१६ अन्वये मंजूरी घेऊन राडारोडा वाहतूक करणे (Collection and Transportation of Construction and Demolition Waste) व राडारोडावर प्रक्रिया करणे (Processing of Construction and Demolition Waste) या कामाकरिता ठेकेदार मे. एम.ए.इन्फ्रा यांच्या नियुक्तीचे आदेश दिले आहेत. शहरात निश्चित केलेल्या ठिकाणापासून अथवा कामाच्या जागेपासून राडारोडा वाहतूक करणे व वाघोली स. न. १२९/२या ठिकाणी पोहोच करणे व तेथे प्रक्रिया करणे या बाबींचा सदर निविदेमध्ये समावेश आहे. सद्यस्थितीत वाघोली येथे राडारोडा प्रक्रिया प्रकल्प उभारण्यास काही कालावधी लागणार असल्याने शहरातून संकलित होणारा राडारोडा आवश्यकतेनुसार उरुळी/फुरसुंगी येथे भूभरावाकरिता वापरण्यात येणार आहे. तसेच अंशतः राडारोडा वाघोली येथील खाणीचा भाग समतल करण्याकरिता उपयोगात आणण्यात येणार आहे.

शहरातून राडारोडा संकलन करून वाहतूकीकरिता र. रु. १९/प्रती मे. टन/प्रती कि.मी. हा दर निश्चित केलेला असून जी. पी. एम. यंत्रणेद्वारे अंतराचे मोजमाप केले जाणार आहे. खात्याकडून याबाबत स्वतंत्र टोल फ्री सेल फोन क्र.१८००२३३९५९५ हा उपलब्ध केला असून या बाबत मनपाकडील कार्यालये तसेच नागरिकही राडारोडा उचलण्याबाबत माहिती नोंदवू शकतात. त्यानुसार पुणे महानगरपालिकेकडील विविध विभाग, एमएलजीएल, टेलिफोन कंपनी, खाजगी विकसक यांचेमार्फत निर्माण होणारा राडारोडा सर्व संबंधित विकसकांचे मार्फत उचलून त्यांना निर्देशित केलेल्या विशिष्ट ठिकाणावर जमा करावयाचे नियोजन असून सदर राडारोडा शहरातील नदी पात्राच्या कडेने, नाल्याच्या कडेने अथवा रस्ता, महामार्गाच्या कडेने टाकला जाणार नाही याची दक्षता संबंधित विभागाने घ्यावी. सदरचा संपूर्ण बांधकाम राडारोडा प्रकल्पापर्यंत वाहतूक करून त्यावर प्रक्रिया करणे करिता खालील प्रमाणे कार्यवाही करावी.

१. १५ क्षेत्रीय कार्यालयांतर्गत निर्माण होणाऱ्या बांधकाम राडारोडाच्या विल्हेवाटीसाठी क्षेत्रीय कार्यालय मार्फत कुठल्याही प्रकारची निविदा मागवून स्वतंत्रपणे कामकाज करण्यात येवू नये व याबाबत मध्यवर्ती कार्यालय घनकचरा विभागाशी समन्वय साधून पुढील कार्यवाही करावी.
२. १५ क्षेत्रीय कार्यालयांनी त्यांचे कार्यक्षेत्रात निर्माण होणारा दैनंदिन बांधकाम राडारोडा टाकणे साठी क्षेत्रीय कार्यालयाने पुणे मनपाच्या ताब्यातील जागा निश्चित करून त्या ठिकाणी राडारोडा संकलन केंद्र (Feeder Point) तयार करून त्या ठिकाणचे व्यवस्थापन पाहावे यामध्ये नोंदी ठेवणे व विल्हेवाटी संदर्भात पुढील कार्यवाही करणे .

३. पुणे मनपाच्या विविध खात्यांमार्फत निर्माण होणारा किरकोळ स्वरूपातील (१० घन मी. पेक्षा कमी) राडारोडा संबंधित क्षेत्रीय कार्यालयाच्या संकलन केंद्रावर (Feeder Point) जमा करावा
४. सर्व खात्यामधून/ क्षेत्रीय कार्यालय मधून ठेकेदाराम किरकोळ स्वरूपातील (१० घन मी. पेक्षा कमी) बांधकाम राडारोडाचा जवळच्या संकलन केंद्र (Feeder Point) पर्यंत वाहतूक खर्च द्यावा व १९ रु. प्रती मे. टन वाहतूक खर्च व र.रु. १९५ प्रती मे. टन प्रक्रिया खर्च याप्रमाणे अंदाजपत्रकातील तरतुदीचे लॉकिंग घनकचरा व्यवस्थापना विभागाकडे द्यावे.
५. इतर विभाग, कार्यालये यांची राडारोडा विल्हेवाटीसाठीची तरतूद घनकचरा व्यवस्थापन विभागाच्या अंदाज पत्रकामध्ये मध्ये दर्ज करावी.
६. क्षेत्रीय कार्यालयाच्या कार्यक्षेत्रातील छोट्या प्रमाणातील राडारोडा व बाडीय बांधकाम / इमारतीमधील अंतर्गत फेरबदल यामुळे निर्माण होणारा राडारोडा क्षेत्रीय कार्यालयाच्या अंतर्गत संकलन केंद्र (Feeder Point) येथे जमा करावा व त्यांचे कडून र.रु. १९ प्रती मे. टन वाहतूक खर्च वसूल करावा. र.रु. १९५ प्रती मे. टन प्रक्रिया खर्च वसूल करण्यात येऊ नये.
७. मोठ्या प्रमाणातील (Bulk Qty) राडारोडा संबंधित विकसक यांनी कार्यालयीन परिपत्रक जावक क्र. शा/जा/ज/२७० दि. २०१७/०५/२२ मधील अ. क्र. ५ नुसार (विकासकाने राडारोडा मनपाने निश्चित केलेल्या पुर्नप्रक्रिया प्रकल्पावर हस्तांतरित केल्यानंतर सदर ठिकाणाचे अधिकृत अधिकारी/एजन्सी कर्मचारी यांनी संबधीतास सही शिक्क्यासह चलन द्यावे. चलना मध्ये दिनांक, गाडी क्रमांक, मोकळ्या गाडीचे व भरलेल्या गाडीचे वजन, राडारोडा निर्मिती, ठिकाणाचा स. नं./ विकसकाचे नाव इ. माहिती असणे अनिवार्य आहे. विकसकाने अशी अधिकृत चलने सादर केल्यानंतर संबधीतास प्रकल्प पूर्णत्वाचा दाखला देतेवेळी त्यापोटीच्या रकमेचा परतावा अथवा भरणा करावा. तत्पूर्वी घनकचरा व्यवस्थापन विभागाकडून उपरोक्त चलना बाबत खातरजमा करून घ्यावी) थेट पुर्नप्रक्रिया केंद्रावर जमा करण्याबाबतची अंमलबजावणी काटेकोरपणे करावी.
८. सद्यस्थितीत शहरातील विविध भागात अनधिकृतपणे जमा झालेल्या राडारोडाबाबत ठेकेदार मे. एम.ए.इन्फ्रा यांच्याशी टोल प्री क्रमांकावर संपर्क साधून विल्हेवाटी बाबत कार्यवाही करावी व त्याचा अहवाल घनकचरा विभागास लेखी स्वरूपात (छाया चित्रासह) कळवावा.



( सौरभ राव )

महापालिका आयुक्त  
पुणे महानगरपालिका

प्रत :-

प्रति :-

मा. अतिरिक्त महापालिका आयुक्त (जनरल/विशेष/इस्टेट),  
यांजकडे माहितीसाठी ...

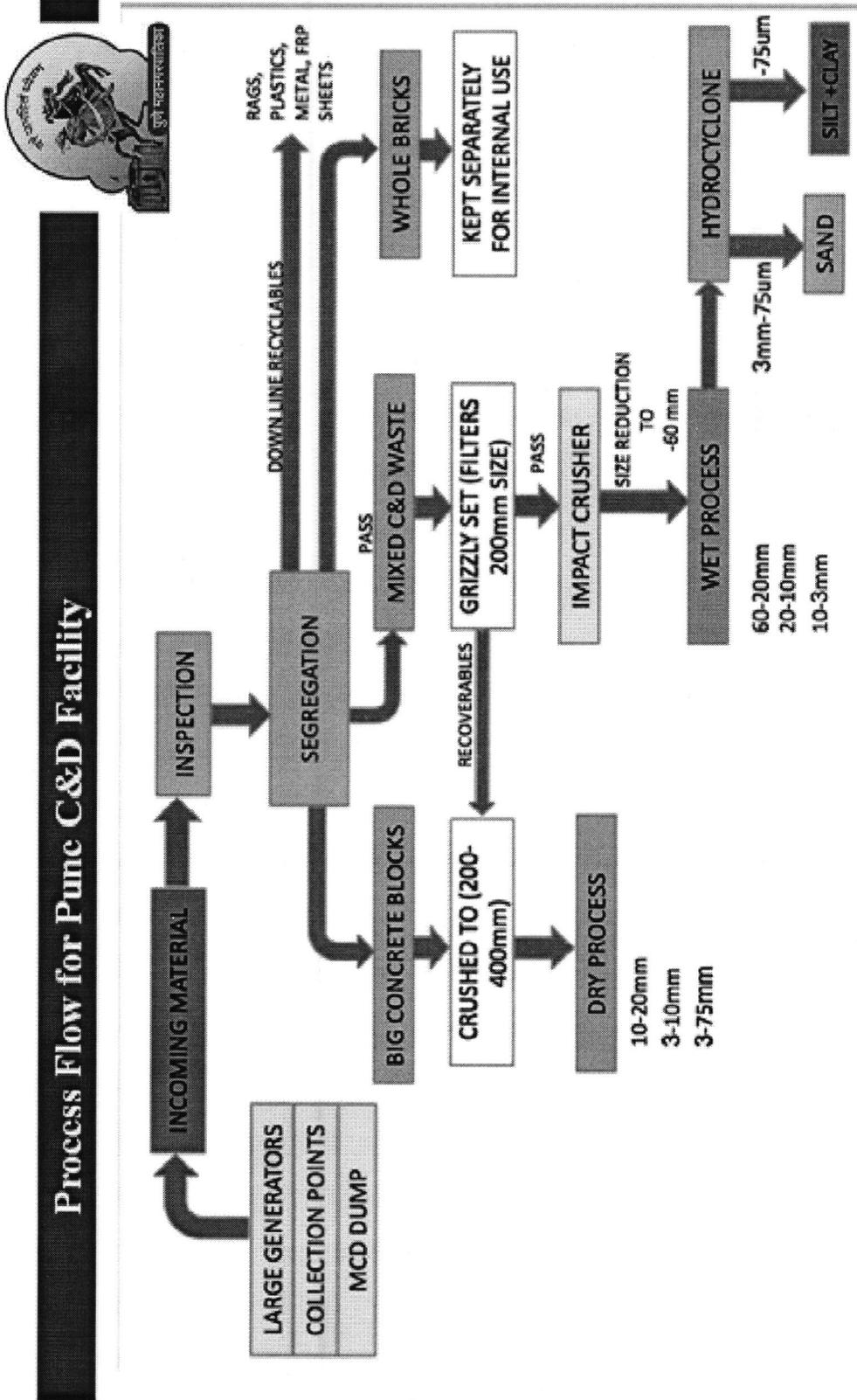
१. सर्व खाते प्रमुख, पुणे महानगरपालिका

२. सर्व उप/सह आयुक्त, पुणे महानगरपालिका

३. सर्व सहाय्यक महापालिका आयुक्त, पुणे महानगरपालिका

यांजकडे माहितीसाठी व पुढील कार्यवाही साठी ...

C & D waste processing flow chart



C & D waste processing facility of Pune Municipal Corporation





## Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

## Form-III

See [Rule 8(2)]

Format of Annual Report to be submitted by Local Authority to the State Pollution Control Board

**Submit to:**

SRO-Pune I

**Submitted For:**

April 2019-March 2020

**Name of the city or Town:**

PUNE

**Population:**

4179295

**Name and address of local authority or competent authority****Name of Local Body:**

PUNE MUNICIPAL CORPORATION

**Address of Local Body:**

PMC Main Building, Near. Mangla Theatre, Shivajinagar, Pune- 411 005

**Telephone No.:**

2025501000

**Fax No.:**

2025501104

**E-mail.:**

swmadmin@punecorporation.org

**Website.:**<https://pmc.gov.in/>**Name of the In-charge or Nodal Officer dealing with construction and demolition wastes management with designation :**

D S Molak, Joint Municipal Commissioner

**1. Quantity and composition of construction and demolition waste including any deconstruction waste:****(a) Total quantity of construction and demolition waste generated during the whole year in metric ton. :**

73000.00

**Any figures for lean period generation per day:**

50.00

**Any figures for peak period generation per day:**

350.00

**Average generation of construction and demolition waste (TPD):**

200.00

**Total quantity of construction and demolition waste collect per day:**

200.00

**Any Processing/ Recycling Facility set up in the city:**

YES

**(b) Total Quantity of construction and demolition waste processed / recycled (in metric ton)****Non-structural concrete aggregate:**

80

**Manufactured sand:**

16

**Ready-mix concrete:**

24

**Paving blocks:**

8

**GSB:**

32

**Other, if any, Please specify:****(c) Total quantity of Construction & demolition waste disposed by land filing without processing (last option) for filling low lying areas****No of landfill sites used:**

1.00

**Area used:**

20 ACRE

**Whether weigh-bridge facility used for quantoty estimation?:**

Yes

(d) Whether construction and demolition waste used in sanitary landfill (for solid waste) as per Schedule-III

Yes

2. Storage facilities:

Area or location or plot or societies covered for collection of Construction and Demolition waste:

45

Whether Area or location or plot or societies collection is practised (if yes, whether done by Competent Authority or Local Authority or through Private Agency or Non-Government Organization)  
YES

	Specifications (Shape & Size)	Existing Number	Proposed for future
(i) Containers or receptable (Capacity)	0	0	0
(ii) Others, please specify	0	0	0

Whether all storage bins/collection spots are attended for daily lifting

Yes

Whether lifting of Construction & Demolition Waste from Storage bins is manual or mechanical. Please specify mode and equipment used

MECHANICAL JCB, POKLAN

**3. Transportation:**

Truck

5

Truck-hydraulic

20

Truck-trailer

0

Dumper-placers

0

Tricycle

0

Refuse-collector

0

Others (Please specify)

JCB, HYWA

**4. Whether any proposal has been made to improve Construction and Demolition waste management practices:**

Yes

**5. Have any efforts been made to involve PPP for processing of Construction & Demolition waste: If yes, what is (are) the technologies being used, such as:**

Processing/ recycling Technologies Quantity to be processed Steps taken

Dry Process	CRUSHING	SIEVING
Wet Process	WASHER	NA
Others, if any, Please specify	NA	NA

**6. What Provisions are available to check unauthorized operation of:**

Encroachment on river bank or wet bodies

VIGILANCE FINE

Unauthorized filling of low line areas

VIGILANCE FINE

Mixing with solid waste

VIGILANCE FINE

Encroachment in Parks, Footpath etc.

VIGILANCE FINE

**7. How many slums are provided with construction and demolition waste receptacles facilities:**

15

**8. Are municipal magistrates appointed for taking penal action for non-compliance with these rules:**

Yes

If yes, how many cases registered & settled during last three years (give year wise details)

0

Dated.

14-05-2020

Signature of Municipal:

D S MOLAK