

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE, PUNE

(Through Video Conferencing)

Original Application No. 62/2020 (WZ)

Dagadkhan Asanghatit Kamgar

Vikas Parishad Maharashtra

Applicant(s)

Versus

State of Maharashtra & Ors.

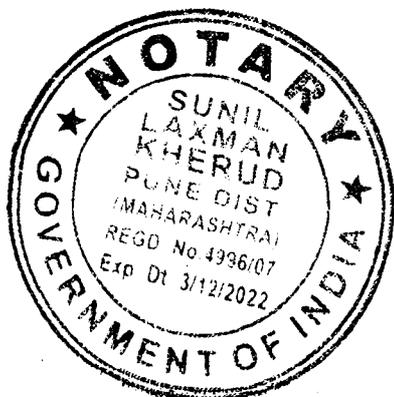
Respondent(s)

Affidavit on behalf of Maharashtra Pollution Control Board in compliance of Order passed by the Hon'ble NGT on 23/08/2021

I, Nitin Shinde, Age – 55 years, Occupation – Service, the in-charge Regional Officer of the Maharashtra Pollution Control Board at Pune having my office at 03rd Floor, Jog Center, Wakdewadi, Pune 411 003 do hereby state on solemn affirmation as under –

- 1) I say and submit that the Hon'ble NGT vide Order dated 23/08/2021 directed the Respondent Board to inspect and verify that the agency which has been engaged for collection, segregation and disposal of municipal solid waste properly in consonance with the Solid Waste Management Rules, 2016.
- 2) I say and submit that in compliance of the Hon'ble NGT Order dated 23/08/2021, the officials of the Respondent Board at Pune visited the office of the agency of M/s Pankaj Transport at S. No. 176/1/2/1, Samrudhi Heights, Shriram Colony, Wakad, Pune – 411057 on 30/09/2021. During the visit, agency owner Mr. Pankaj Jadhav informed Board officials as below –

- (i) The agency was lifting the Municipal Solid Waste from Wagholi Grampanchayat since last one year till June – 2021.



- (ii) The agency was collecting mixed Municipal Solid Waste and transport it to the location at Shrinivasa Piggery Farm, Indira Nagar, Chinchwad. The said Piggery farm is owned by Mr. Pankaj Jadhav.
- (iii) The collected mixed MSW from Wagholi Grampanchayat was segregated by the employees of the agency. The segregated Wet Waste was used for feeding purpose at the Piggery Farm and segregated recycled material used to sold to scrap merchants for recycling purpose.
- (iv) The agency has stopped collecting MSW since June, 2021 from Wagholi as Wagholi Grampanchayat is merged in PMC area.
- (v) The Board Officials further visited the Piggery Farm site at the Chinchwad and observed that the Piggery Farm is having capacity of 200 animals and at the time of the visit there were around 50 animals and no MSW was observed at the said site. Hereto annexed and marked Annexure – 'I' & 'II' respectively are the copies of the visit report dated 30/09/2021 and Government Notification dated 30th June, 2021 about merging of Wagholi Grampanchayat in PMC area.
- 3) I say and submit that Pune Municipal Corporation is collecting municipal solid waste from Village Wagholi since last 03 months.

Solemnly affirmed on this ^{5th}..... day of October, 2021.

I know the Affiant.

For and On behalf of the

Maharashtra Pollution control board

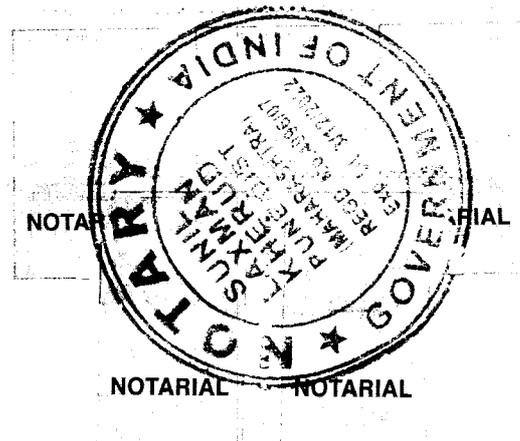
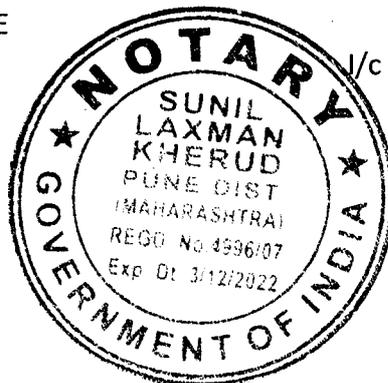
ADVOCATE

Nitin Shinde
05/10/21
(Nitin Shinde)
/c Regional Officer, MPCB Pune.

BEFORE ME

[Signature]
SUNIL LAXMAN KHERUD
NOTARY GOVT. OF INDIA
Regd. No. 4996/07
Noted & Register No

SUNIL LAXMAN KHERUD
NOTARY. GOVT OF INDIA
B-3, Maniratan Society
Aareneshwar, Pune
M-9371830361



5 OCT 2021

MAHARASHTRA POLLUTION CONTROL BOARD
SUB-REGIONAL OFFICE, PUNE-II

Phone - (020) - 25816451

Fax - (020) - 25811029

Email - sropune2@mpcb.gov.in



2nd Floor, "Jog Center"

Wakadewadi, Mumbai-Pune

Road, Pune - 411003

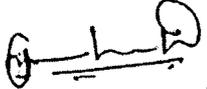
VISIT REPORT

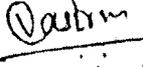
- 1) Name & address: m/s Pankaj Transport
S.No 1176/1/2/1, Samsudhi Heights
Shriram Colony Wakad Pune-411057
- 2) Date of visit:- 30/9/2021
- 3) Contact person (Tel/Mob/email):- Mr. Pankaj Ramchandra Jadhav [9011060811]
Pankaj.transport25@gmail.com
- 4) Consent status:- - Not produced during visit.
- 5) Additional Information:- ① Visit is carried out with respect to order passed by Hon'ble NGT dated 23/8/2021 in the matter of OA 62/2020 (WZ). Hon'ble NGT has directed to verify the above agency & its functioning regarding solid waste management rules 2016.
- ① Above mentioned address is agency office only.
- ② On enquiry agency owner Mr. Pankaj Jadhav stated that they were procuring MSW from Wapholi grampanchayat since last one year ~~to~~ to till 31 June-2021. Agency owner informed that they were collecting mixed MSW waste & transport to location i.e. Shreeniwasa pigery farm, Indira Nagar, Chinchwad & which is owned by Mr. Pankaj Jadhav.
- ③ Accordingly visit caused to above mentioned ~~site~~ chinchwad sites observed as below.
- ④ The said site is a pigery farm having capacity of 200 animals (at present about 50 nos).
- ⑤ During visit no any MSW waste observed at said site.

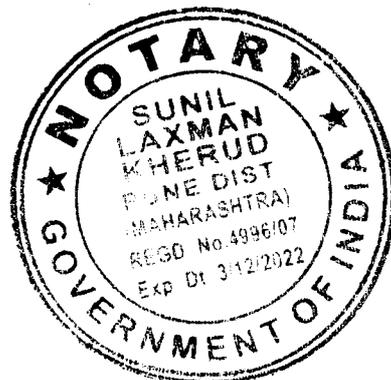


- © Mr. Pankaj Indhava stated that earlier they were procure MSW from wapholi grampanchayat & bring it to above crinchead site for further disposal. Earlier they were segregate the MSW if segregated wet waste was ~~being~~ being used as feed to pigary & segregated recyclable material sold to scrap ~~mer~~ merchant for recycling.
- ④ Mr. Pankaj Indhav stated that they have stopped procuring ~~MSW~~ of MSW waste from wapholi grampanchayat since ~~1st~~ June-2021. ~~for ~~disposal~~~~
- © Mr. Pankaj Indhav stated that they have not obtained authorization/consent for above activity.


 (Pankaj Indhav)
 Owner.


 (U.D. Yadav)
 FO, SRO-P-II


 (S.S. Vastur)
 F.O. MPLB, pune-I



पुणे महानगरपालिकेची हद्दवाढ करण्याबाबत.

महाराष्ट्र शासन
नगर विकास विभाग

शासन निर्णय क्रमांक:- पीएमसी-२०२०/प्र.क्र.३२२/नवि-२२

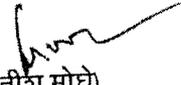
४ था मजला, मंत्रालय,

हुतात्मा राजगुरु चौक, मादाम कामा रोड, मुंबई - ४०० ०३२.

दिनांक : ३० जून, २०२१

शासन निर्णय :- सोबत जोडलेली शासकीय अधिसूचना, नगर विकास विभाग क्रमांक पीएमसी-२०२०/प्र.क्र.३२२/नवि-२२, महाराष्ट्र शासनाच्या असाधारण भाग १ अ, उप विभाग यामध्ये मराठी व इंग्रजी अशा रितीने दिनांक ३०.०६.२०२१ रोजी प्रसिद्ध करण्यात यावी. तसेच शासकीय अधिसूचना ग्राम विकास विभाग झेडपीबी-२०२१/प्र.क्र.४ व प्र.क्र.४ (१)/(२)/(३)/(४)/(५)/पंरा-५, महाराष्ट्र शासनाच्या भाग १ अ उप विभाग यामध्ये मराठी व इंग्रजी अशा रितीने दिनांक ३० जून २०२१ रोजी प्रसिद्ध करण्यात यावी.

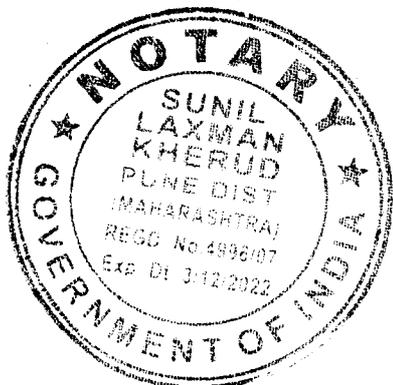
महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,


(सतीश मोधे)

शासनाचे उप सचिव,

प्रति,

- १) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नी रोड, मुंबई ४०० ००४.
(त्यांना विनंती करण्यात येते की, शासन निर्णयाप्रमाणे अधिसूचना शासनाच्या असाधारण राजपत्रात भाग-एक-अ, उपविभागामध्ये प्रसिद्ध करून त्याच्या प्रती खालील सर्व संबंधितांना पाठवाव्यात आणि १०० प्रती या विभागास पाठवाव्यात.)
- २) महारजिस्ट्रार, भारत सरकार तथा जनगणना आयुक्त, एन.डी.सी.सी. बिल्डींग II, जयसिंग रोड, नवी दिल्ली-११०००१
- ३) आयुक्त, राज्य निवडणुक आयोग, मुंबई. (१५ प्रती)
- ४) आयुक्त, पुणे महानगरपालिका, पुणे (३० प्रती)
- ५) आयुक्त व संचालक, नगरपालिका प्रशासन संचालनालय, वरळी, मुंबई (१५ प्रती)
- ६) विभागीय आयुक्त, पुणे विभाग, पुणे (१५ प्रती)
- ७) जिल्हाधिकारी, पुणे. (१५ प्रती)
- ८) मुख्य कार्यकारी अधिकारी, पुणे महानगर प्रदेश विकास प्राधिकरण, पुणे (१५ प्रती)
- ९) मुख्य कार्यकारी अधिकारी, जिल्हा परिषद, पुणे (३ प्रती)
- १०) माहिती व तंत्रज्ञान संचालनालय, ७ वा मजला, मंत्रालय, मुंबई (१० प्रती) (वेबसाईटवर प्रसिद्धीसाठी)
- ११) संचालक, नगररचना व मुल्यनिर्धारण, पुणे (५ प्रती)
- १२) महसूल व वन विभाग, मंत्रालय, मुंबई
- १३) उप सचिव (पंरा-५), ग्राम विकास व जलसंधारण विभाग, बांधकाम भवन, फोर्ट, मुंबई. (१० प्रती)
- १४) निवड नस्ती, नवि-२२



अधिसूचना

नगर विकास विभाग,
मंत्रालय,
मादाम कामा रोड,
हुतात्मा राजगुरू चौक,
मुंबई-४०० ०३२
दिनांक :- ३० जून, २०२१

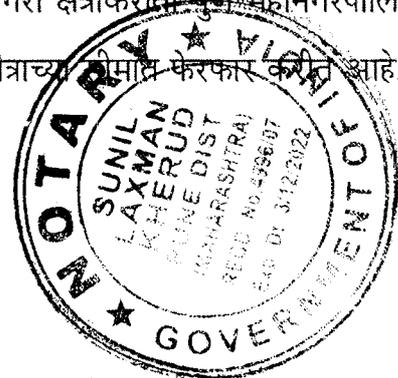
महाराष्ट्र
महानगरपालिका
अधिनियम (सन
१९४९)

क्रमांक-पीएमसी-२०२०/प्र.क्र.३२२/नवि-२२ - महाराष्ट्र महानगरपालिका अधिनियम, १९४९ (सन १९४९ चा ५९) यांच्या कलम ३ चे पोट कलम (४) मधील तरतूदीनुसार महाराष्ट्र शासन राजपत्र व असाधारण, भाग एक-अ-मध्ये उप-विभाग येथे दिनांक २३ डिसेंबर, २०२० रोजी प्रसिध्द केलेल्या शासन अधिसूचना क्रमांक पीएमसी-२०२०/प्र.क्र.३२२/नवि-२२, दिनांक २३ डिसेंबर, २०२० अन्वये महाराष्ट्र शासनाने पुणे महानगरपालिका क्षेत्राच्या सीमांत फेरफार करण्याच्या दृष्टीने त्यामध्ये काही क्षेत्रे समाविष्ट करण्याचा आपला इरादा जाहीर केला होता ;

आणि ज्याआर्थी, उक्त अधिसूचनेच्या अनुषंगाने त्यामध्ये नमूद कालावधीत प्राप्त सर्व हरकती व सूचनांचा शासनाने विचार केला आहे;

ज्याआर्थी, भारताचे संविधानाच्या अनुच्छेद २४३ थ च्या खंड (२) मध्ये नमूद केलेल्या बाबी विचारात घेता पुणे महानगरपालिका क्षेत्राच्या सीमांत फेरफार करण्याच्या दृष्टीने त्यामध्ये काही क्षेत्रे समाविष्ट करणे क्रमप्राप्त आहे;

त्याअर्थी आता, महाराष्ट्र महानगरपालिका अधिनियमाच्या कलम ३ च्या पोट-कलम(३) च्या खंड(अ) अन्वये प्रदान केलेल्या अधिकाराचा व त्याबाबतीत समर्थ करणाऱ्या इतर सर्व अधिकारांचा वापर करुन, महाराष्ट्र शासन, पुणे महानगरपालिका यांच्याशी सल्लामसलत करुन व उक्त कलम ३ च्या पोट-कलम (३) च्या खंड (अ) नुसार आवश्यक असल्याप्रमाणे पूर्वप्रसिद्धी केल्यानंतर, यासोबत जोडलेल्या अनुसूची-एक मध्ये विनिर्दिष्ट केलेल्या क्षेत्रांचा समावेश पुणे महानगरपालिका क्षेत्रात करण्यासाठी, ज्या बृहत नागरी क्षेत्राकरीता पुणे महानगरपालिकापालिका स्थापण करण्यात आली आहे, अशा बृहत नागरी क्षेत्राच्या सीमांत फेरफार करित आहे. अनुसूची-

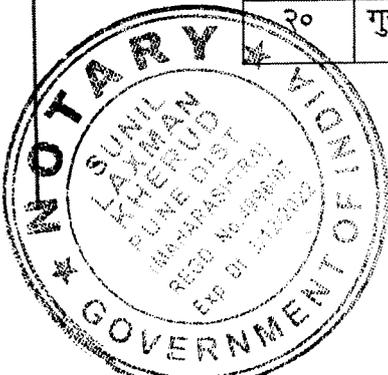


एकमध्ये विनिर्दिष्ट क्षेत्रांचा समावेश केल्यानंतर पुणे शहर महानगरपालिकेची सुधारीत हद्द अनुसूची-
दोनमध्ये विनिर्दिष्ट केल्याप्रमाणे असेल :-

अनुसूची - एक

पुणे शहरात समाविष्ट करावयाच्या क्षेत्रांचा तपशील

अ.क्र.	महसूली गावाचे नाव	पुणे महानगरपालिका क्षेत्रात समाविष्ट करावयाच्या गावांचे क्षेत्र
(१)	(२)	(३)
१	म्हाळुंगे	संपूर्ण गावाचे महसूल क्षेत्र
२	सूस	संपूर्ण गावाचे महसूल क्षेत्र
३	बावधन बुद्रुक	संपूर्ण गावाचे महसूल क्षेत्र
४	किरकिटवाडी	संपूर्ण गावाचे महसूल क्षेत्र
५	पिसोळी	संपूर्ण गावाचे महसूल क्षेत्र
६	कोंढवे - धावडे	संपूर्ण गावाचे महसूल क्षेत्र
७	कोपरे	संपूर्ण गावाचे महसूल क्षेत्र
८	नांदेड	संपूर्ण गावाचे महसूल क्षेत्र
९	खडकवासला	संपूर्ण गावाचे महसूली क्षेत्र.
१०	मांजरी बुद्रुक	संपूर्ण गावाचे महसूली क्षेत्र.
११	नन्हे	संपूर्ण गावाचे महसूल क्षेत्र
१२	होळकरवाडी	संपूर्ण गावाचे महसूल क्षेत्र
१३	औताडे-हांडेवाडी	संपूर्ण गावाचे महसूल क्षेत्र
१४	वडाची वाडी	संपूर्ण गावाचे महसूल क्षेत्र
१५	शेवाळेवाडी	संपूर्ण गावाचे महसूल क्षेत्र
१६	नांदोशी	संपूर्ण गावाचे महसूल क्षेत्र
१७	सणसनगर	संपूर्ण गावाचे महसूल क्षेत्र
१८	मांगडेवाडी	संपूर्ण गावाचे महसूल क्षेत्र
१९	भिलारेवाडी	संपूर्ण गावाचे महसूल क्षेत्र
२०	गुजर निंबाळकरवाडी	संपूर्ण गावाचे महसूल क्षेत्र

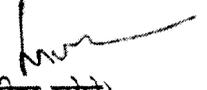


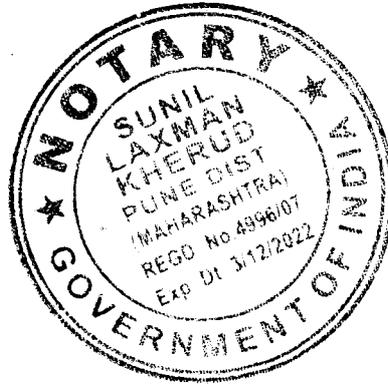
२१	जांभुळवाडी	संपूर्ण गावाचे महसूल क्षेत्र
२२	कोळेवाडी	संपूर्ण गावाचे महसूल क्षेत्र
२३	वाघोली	संपूर्ण गावाचे महसूल क्षेत्र

अनुसूची - दोन
पुणे शहराची सुधारित हद्द

१	उत्तरेस	कळस, धानोरी व लोहगाव या महसूली गावांची हद्द
२	उत्तर-पूर्व	लोहगाव, वाघोली या महसूली गावांची हद्द.
३	पूर्वेस	मांजरी बु., शेवाळेवाडी, फुरसुंगी या महसूली गावांची हद्द.
४	दक्षिण-पूर्व	उरुळी देवाची, होळकरवाडी, ओताडे हांडेवाडी या महसूली गावांची हद्द.
५	दक्षिणेस	धायरी, वडाची वाडी, येवलेवाडी, कोळेवाडी, भिलारेवाडी या महसूली गावांची हद्द.
६	दक्षिण-पश्चिमेस	नांदेड, खडकवासला, नांदोशी- सणसनगर, कोपरे या महसूली गावांची हद्द.
७	पश्चिमेस	कोंढवे-धावडे, बावधन बु., बावधन खुर्द, म्हाळुंगे, सुस, या महसूली गावांची हद्द.
८	पश्चिम-उत्तर	बाणेर, बालेवाडी या महसूली गावांची हद्द व पुणे महानगरपालिकेची जुनी हद्द.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,


 (सतीश मोधे)
 शासनाचे उप सचिव



NOTIFICATION

Urban Development Department,
Mantralaya,
Madam Cama Road,
Hutatma Rajguru Chowk,
Mumbai - 400 032.
Dated the 30th June 2021.

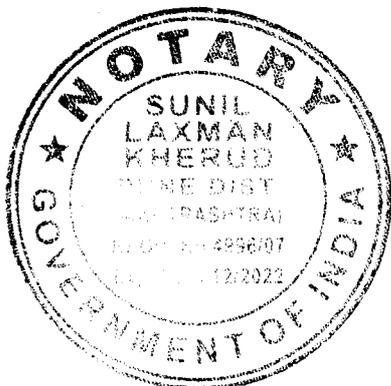
Maharashtra
Municipal
Corporations
Act 1949.

No.PMC-2020/C.R.322/UD-22- Whereas, by the Government Notification, Urban Development Department, No.PMC-2020/C.R.322/UD-22, dated the 23rd December 2020, published in the Maharashtra Government Gazette, Extraordinary, Part-1A, Central Sub-Division, dated the 23rd December 2020, issued in pursuance of the provisions of sub-section (4) of section 3 of the Maharashtra Municipal Corporations Act (LIX of 1949) (hereinafter referred to as "the said Act"), the Government of Maharashtra had announced it's intention to issue a notification in exercise of the powers conferred by clause (a) of sub-section (3) of section 3 of the said Act, with a view to alter the existing limits of the Municipal Corporation of the City of Pune (hereinafter referred to as "the said Municipal Corporation"), so as to include therein the area specified in Schedule-I appended to the said notification;

And whereas, the Government has considered the objections and suggestions received pursuant to the said notification within the period specified therein;

And whereas, having regard to the factors mentioned in clause (2) of article 243-Q of the Constitution of India, it is considered expedient by the State Government to alter the limits of the said Municipal Corporation, so as to include therein the areas of villages specified in Schedule -I appended hereto;

Now, therefore, in exercise of the powers conferred by clause (a) sub-section (3) of section 3 of the Maharashtra Municipal Corporations Act (LIX of 1949), and of all other powers enabling it in that behalf, the Government of Maharashtra hereby, after consultation with the said Municipal Corporation and after previous publication of the proposed



notification as required by sub-section (4) of the said section 3, alters the limits of the said Municipal Corporation by including therein the areas mentioned in the Schedule-I appended hereto and declares that the revised boundaries of the said Municipal Corporation after inclusion of the area mentioned in Schedule-I shall be such as specified in Schedule-II appended hereto.

Schedule-I

The Description of area to be included in the City of Pune

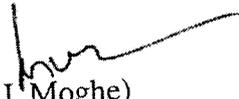
Sr. No.	Name of the revenue village	Area of the villages to be included in area of the city of Pune
(1)	(2)	(3)
1.	Mhalunge	Entire area of revenue village
2.	Sus	Entire area of revenue village
3.	Bawdhan Budruk	Entire area of revenue village
4.	Kirkitwadi	Entire area of revenue village
5.	Pisoli	Entire area of revenue village
6.	Kondve – Dhawade	Entire area of revenue village
7.	Kopare	Entire area of revenue village
8.	Nanded	Entire area of revenue village
9.	Khadakwasala	Entire area of revenue Village
10.	Manjari Budruk	Entire area of revenue Village
11.	Narhe	Entire area of revenue Village
12.	Holkarwadi	Entire area of revenue Village
13.	Autade- Handewadi	Entire area of revenue village
14.	Wadachiwadi	Entire area of revenue village
15.	Shewalewadi	Entire area of revenue village
16.	Nandoshi	Entire area of revenue village
17.	Sanasnagar	Entire area of revenue village
18.	Mangdewadi	Entire area of revenue village
19.	Bhilarewadi	Entire area of revenue village
20.	Gujar Nimbalkarwadi	Entire area of revenue village
21.	Jambhulwadi	Entire area of revenue village
22.	Kolewadi	Entire area of revenue village
23.	Wagholi	Entire area of revenue village

Schedule-II

The revised boundaries of the City of Pune.

Sr. No. (1)	Name of the revenue village (2)	Area of the villages to be included in area of the city of Pune
1.	North	Revenue Boundaries of Kalas, Dhanori, Lohagaon village.
2.	North - East	Revenue Boundaries of Lohagaon, Wagholi village
3.	East	Revenue boundaries of Manjri Budruk, Shewalewadi, Fursungi Village.
4.	South - East	Revenue Boundaries of Uruli Devachi Holkarwadi, Autade- Handewadi Village.
5.	South	Revenue Boundaries of Dhayari, Wadachiwadi, Yewalewadi, Kolewadi, Bhilarewadi village.
6.	South - west	Revenue Boundaries of Nanded, Khadakwasla, Nandoshi, Kopare village.
7.	West	Revenue Boundaries of Kondhawe-Dhawade, Bawdhan Budruk, Bawdhan Khurd, Mhalunge, Sus village.
8.	North - West	Revenue boundaries of Baner, Balewadi village & old limits of Pune Municipal Corporation.

By order and in the name of the
Governor of Maharashtra,


(S.J. Moghe)
Deputy Secretary to Government.

