

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH NEW DELHI

Original Application No. 34 of 2019

Sus Road Baner Vikas Manch ... Applicant

Vs.

Pune Municipal Corporation and Ors. ... Respondents

Counter Reply on behalf of Respondent No.7

Most respectfully submits:

1. On behalf of Respondent No.7 –NobleExchange Environment Solution Pune LLP – it is submitted that O.A. No.34/2019 is filed under section 14 of the Green Tribunal Act, 2010 and it is barred by limitation. It is not maintainable. The Respondent No.7 has already submitted I.A. on 04/12/2019 requesting to consider point of limitation. The Hon'ble NGT may kindly consider the I.A. and its prayers.
2. The Respondent No.7 wish to mention that they are not doing any illegal activities and not causing any health hazards. The concerned authorities have visited, checked and cross-examined all the environmental parameters and expressed their satisfaction over the fact that the Respondent No.7 is conducting its business in accordance with due process of environmental norms. The latest site inspection is done on 16/09/2020 by MPCB officials namely Ranjana Jadhav and Shital Mehta and it can be seen that there is no issue which is being portrayed by the Applicants. (The said recent visit

report prepared by MPCB dated 16/09/2020 is annexed with this counter reply for the reference of this Hon'ble Tribunal)

3. It is also important to mention that after NEERI's recommendations, the Respondent No.7 has made substantial modifications prior to restart of plant in March 2019 and has implemented Odor Eradication Norms. The following measures have been installed –

- Misting system to suppress the odor.
- Epoxy flooring to restrict the seepage of odor causing leachate into concrete flooring. Thus enhancing overall hygiene and sanitation standards.
- Bird netting over waste unloading area to avoid any kind of nuisance and spillage created by birds at nearby locality.
- Side paneling with roof sheets to block the view of plant to neighboring residents – It is believed that the odor is mostly a perception.
- The west side of waste receiving area is covered with HDPE sheet to avoid spreading of odor due to natural flow of wind.
- Slurry tank is enclosed and provided with exhaust which passes through activated charcoal and further through lime water filter so that odor released from slurry tank is controlled.

- Activated charcoal filters are installed at Turbo ventilators to control odor.
 - Hoppers are covered with sliding tarpaulin sheets.
4. The Respondent No. 7 – NobleExchange Environment Solution Pune LLP was willing to install an odometer as suggested by Respondent No.1- Pune Municipal Corporation, but after considerate searching/researching for quite some time the Respondent No.7 was informed by some reliable scientific sources including NEERI that there are no definite permissible odor limits, or fix parameters. Hence the Respondent No.7 wish to mention that the Pune Municipal Corporation (Respondent No.1) and MPCB (Respondent No.) may kindly provide them any such odometer and Respondent No.7 is ready to do the expenses.
5. The important environmental-friendly aspect of generating fuel from wet-waste in the Baner Plant of Respondent No.7 are as follows-
- Compressed Bio-Gas (CBG) from Respondent No.7's plant has been retailed on Indian Oil Fuel Station from September 2019.
 - Till date more than 500 tons CBG has been retailed into over 57000 vehicles thus replacing use of Fossil Fuel and reducing pollution on city streets.
 - Over 100 ton CBG has been supplied to Mahindra CIE replacing HSD for combustion purpose. I

- In association with Indian Oil Corporation; city busses operated by Pune Mahanagar Parivahan Mahamandal (PMPML) will be fuelled with CBG and first batch of such busses supplied by TATA Motors is scheduled to be commissioned on auspicious occasion of Dusshera – 23 October 2020.
 - The SATAT program envisages setting up 5000 plants across the country for processing organic waste and converting into CBG within next 5 years.
 - The United Nations Federation for Climate Control (UNFCCC) has certified the Compressed Bio-Gas (CBG) as 100% Carbon neutral gas.
 - When derived from segregated organic waste, via Anaerobic Digestion, CBG is considered carbon net-negative
6. Considering the above-mentioned scientific aspect, the waste-food to energy is important way of waste management and as the Respondent No.7 is doing the work by following all the environmental norms, the Application filed by the Applicants – Sus Road Baner Vikas Manch may kindly be rejected.
7. The Respondent No.7 - NobleExchange Environment Solution Pune LLP, lastly mentions that the said land Survey No. 48/3/19 and 48/3/21 has been reserved for Garbage Processing Plant (GPP 1) since long. The residential buildings came up years after and the builders were aware the land mentioned is reserved for Garbage Processing Plant. Hence this Application O.A. No. 34/2019 itself is liable to be dismissed.

Hence this Counter Reply from Respondent No.7

Pune,

Date: 21/10/2020


(Asim Sarode)

Advocate for the Respondent No.7

VERIFICATION

I, Advocate Asim Sarode, Aged 48 Yrs, Occu.: Lawyer,
Address- Flat No.1, Prathamesh CHS, Prabhat Road, Deccan,
Pune-411 004, Maharashtra do hereby state on solemn
affirmation that the contents as mentioned below are true and
correct to the best of my knowledge information and belief and
as per instructions and information given by the Respondent
No.7 herein.

Pune,

Date 21/10/2020


(Asim Sarode)

Advocate for the Respondent No.7