

JOINT COMMITTEE REPORT AS PER
ORDER DTD 10.12.2020

In

Original Application No. 85 / 2020 (WZ)

Filed by

Suraj Pradeep Kumar Ajmera

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Joint / Spot inspection Report in compliance of Order passed by Hon'ble NGT on 10.12.2020 w.r.t. O. A. No. 85 / 2020 filed by Suraj Pradeep Kumar Ajmera V/s Ministry of Environment Forest & Ors.

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Shri Suraj Pradeep Kumar Ajmera has filed O.A. No. 85 of 2020 before Hon'ble National Green Tribunal, WZ, Pune. The Applicant is the resident of Aurangabad and doing social service.

The Applicant (Petitioner) has contended about unscientific management of solid waste by the Municipal Corporation, Aurangabad, Maharashtra. Petitioner submitted that there are five solid waste sites at Aurangabad. The State Pollution Control Board has granted authorization for Municipal Solid Waste Processing Plants but the treatment is not taking place and unprocessed waste is stored in unscientific manner.

The Hon'ble NGT (WZ) passed an order dated 10.12.2020 and directed to constitute a committee consisting of following members:

- | | |
|--|-----------------------------------|
| [1] District Collector, Aurangabad | Chairman |
| [2] Regional Officer, M. P. C. Board, Aurangabad | Member |
| [3] Sub Regional Officer, M. P. C. Board, Aurangabad | Member conveyor (Nodal agency) |

In compliance of the order passed by Hon'ble NGT, Committee formed for joint inspection. Meanwhile Hon'ble District Collector, Aurangabad has instructed to include concern authorised Official of Aurangabad Municipal Corporation (AMC) who is presently handling the work of Municipal Solid Waste management. Hon'ble Collector, Aurangabad instructed that concern AMC Official shall also be remain present during the site /spot inspection scheduled on 12.03.2021 alongwith the relevant information / documents and their opinion.

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During the spot / site inspection scheduled on 12.03.2021 following Committee members / Officials were present:-

- | | |
|--|-----------------------------------|
| [1] District Collector, Aurangabad | Chairman |
| [2] Regional Officer, M. P. C. Board, Aurangabad | Member |
| [3] Concern Official, Aurangabad Municipal Corporation, Aurangabad | Member |
| [4] Sub Regional Officer, M. P. C. Board, Aurangabad | Member conveyor (Nodal agency) |

The area representative reported that the present generation of Municipal Solid waste in Aurangabad Corporation area is aprox. 425 MT and for the scientific treatment and disposal 04 nos of facilities are there but, out of these 01 site at Harsul is under erection / under civil work and other 3 sites are in operation (i.e. 02 nos MSW processing and 01 is Biogas Plant). The Committee members visited to Padegaon Municipal Processing site and during the joint inspection following observations are made:-

1. Padegaon Municipal Solid Waste Processing Plant, Gat No. 66, 67, Padegaon, Aurangabad:-

1. During visit Municipal Solid Waste processing activity found in operation.
2. Nearest human habitation from Municipal Solid Waste Processing Plant Padegaon is Gloria City. AMC Official reported that the aerial distance is more than 210 mtrs.
3. As per the information received from representative, AMC daily Municipal Solid Waste received from different part of Aurangabad city is approx, 170 Tons/day. Treatment provided for 170 TPD (10 hours period) and 70 Ton/day of legacy waste. i.e. total 250 TPD MSW processed each day.
4. Total area provided for Municipal Solid Waste Processing plant is 18 Acres, three nos of sheds also provided of total aprox. 10,000 Sq. Mtrs.

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5. During the visit within MSW Processing Plant area, foul smell observed / felt. 01 bio-culture spraying (Bio sanitizer) machine is provided. Flies observed within MSW Processing area (within shed).
6. Obtained MSW Authorization from MPCB vide No. BO/MSW/B-1901000012 dated 11/01/ 2019 valid up to 31/12/2023.
7. Segregation of wet and dry waste found carried out onsite and also within the MSW processing area, the burning of Municipal Solid waste not observed within MSW processing area.
8. As per the representative and as per MSW Authorization issued by the MPCB it was observed that for Padegaon MSW Site obtained NOC from Site Selection Committee on 25.04.2018.
9. Total 03 nos of Sheds provided for equipment of machinery and process material storage approx. Area 10,000 Sq. Mtrs. Various machineries are observed within three sheds i.e. 100 mm pre-sorting sieve, Preparatory machine (32 mm and 16 mm) – 2 nos, finishing machine (4 mm) – 1 no., Bailing machine – 01 no., Shredder machine for RDF – 01 nos (30 Ton capacity) found provided.

MSW Process consists of pre-sorting machine for wet and dry waste – Bailing and RDF machine for dry waste - Windrows composting for wet waste - turning of Windrows – preparatory machine – sieve – final compost material and packing.

10. Windrows platform (concrete base) of 10,000 sq. mtrs is available for wet waste composting from which leachate is generated and same is collected in concrete Leachate Collection Tank of storage capacity 4.5 Million Ltrs.
11. Heaps of Old Municipal Solid waste (legacy waste) observed behind the sheds on open area. Representative informed the quantity is approx. 25,000 Tons. The quantity of this waste found overflow to back side i.e. in Slaughterhouse area.
12. Leachate Collection concrete line and Tank is provided within MSW Processing Plant area. Thereafter, collected leachate sent to Padegaon STP for further treatment. AMC Official reported that they will provide onsite Leachate Treatment facility.

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13. Besides Padegaon MSW Processing Plant compound wall (left side) it was observed that no discharge (leachate) observed outside the MSW Processing Area. The adjacent area of Padegaon MSW Site found dry.
14. Based on earlier visits and non-compliances Board Office issued Show Cause Notice (SCN) on 25.06.2020 and Proposed Direction (PD) on 17.08.2020 and Interim Direction on 03.11.2020.
15. Public Interest Litigation No. 97 / 2018 is filed by Adv. Nimisha Vilas Borse regarding pollution caused during Municipal Solid waste processing at Padegaon, Dist. Aurangabad.
16. Recently planted 3500 nos (aprox.) within MSW Padegaon processing plant premises i.e. dense forest concept for which using compost and coco pit from this MSW processing site.
17. The AMC has provided shredding machine for coconut waste which is found in operation however, scientific Air Pollution control arrangement, Hood, stack should be provided.

Following instruction were given by the Hon'ble Collector, Aurangabad and committee members during the visit:-

1. Till date Aurangabad Municipal Corporation has not submitted Bank Guarantee of Rs 5 Lakhs as per MSW Authorization and Interim Direction conditions.
2. Only leachate collection tank is provided, AMC has not yet provided scientific treatment Plant as per directions issued by MPCB Office. AMC Official reported that they will provide onsite Leachate Treatment facility.
3. As per record shown by the MPCB Officials, Board Office issued Show Cause Notice (SCN) on 25.06.2020, Proposed Direction (PD) on 17.08.2020 and Interim Direction (ID) on 03.11.2020. But, AMC has directed to submit pointwise compliance report alongwith submission of requisite Bank Guarantee.
4. AMC shall maintain the record onsite. i.e. record not available related to daily disposal of leachate to STP, Padegaon, total legacy waste available

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in the premises of Padegaon MSW Processing area and processing provided to legacy waste till date.

5. AMC shall submit record regarding aerial distance between Padegaon MSW Processing site and Gloria City at the earliest.
6. To spray Bio sanitizer in regular time interval so as to minimise the foul smell and flies.
7. AMC shall provide scientific air pollution control measure to coconut shredder machine (i.e. to provide hood, dust collector and stack of adequate height).
8. Suggested during the visit that workers dealing with segregation, MSW processing area should wear gloves, PPE Kit, goggle and proper mask.

2. Kanchanwadi Municipal Solid Waste Biogas Plant, Gat No. 8, Aurangabad:-

1. During visit Municipal Solid Waste Biogas plant found in operation (situated on 2.5 Acres area).
2. Process consists of weighing – shredding of compost material – mixing tank – Hydrolysis tank – Anaerobic digester – slurry storage tank – dewatering system – scrubbing – balloon cage – flaring unit.
3. Obtained MSW Authorization from MPC Board on 31.12.2018 and valid for period up to 31.12.2023.
4. Installed capacity is 30 TPD received from AMC corporation area.

Following instruction were given by the Hon'ble Collector, arangabad and committee members during the visit: -

1. Digital Weighing arrangement is not provided to know the quantity of waste received.
2. AMC shall maintain the proper record related to daily received, disposal of Municipal Solid Waste.
3. To spray Bio sanitizer in regular time interval to minimise the foul smell and flies.
4. Suggested during the visit that workers dealing with segregation, MSW processing area should wear gloves, PPE Kit, goggle and proper mask.

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3. Chikalthana Municipal Solid Waste Processing Plant, Gat No. 231, Chikalthana, Aurangabad: -

1. During visit Municipal Solid Waste processing activity found in operation.
2. Nearest human habitation from Municipal Solid Waste Processing Plant Naregaon area.
3. As per the information received from representative, AMC daily Municipal Solid Waste received from different part of Aurangabad city is approx. 165 to 170 Tons/day. Treatment provided for 170 TPD (10 hours operation period each day) and 70 Ton/day of legacy waste. i.e. total 240 TPD MSW processed each day.
4. Total area provided for Municipal Solid Waste Processing plant is 12 Acres, three nos of sheds also provided of total approx. 10,000 Sq. Mtrs.
5. Within MSW Processing Plant area, foul smell observed / felt at receiving section and windrows site, some Stray dogs observed within MSW Processing area. Bio-culture spraying (Bio sanitizer) machine is provided.
6. Obtained MSW Authorization from MPCB vide No. BO/MSW/B-1901000012 dated 11/01/ 2019 valid up to 31/12/2023.
7. Segregation of wet and dry waste found carried out onsite and also within the MSW processing area, the burning of Municipal Solid waste not observed within MSW processing area.
8. Total 03 nos of Sheds provided for equipment of machinery and process material storage approx. Area 10,000 Sq. Mtrs. Various machineries are observed within three sheds i.e. 100 mm pre-sorting sieve, Preparatory machine (32 mm and 16 mm) – 2 nos, finishing machine (4 mm) – 1 no., Bailing machine – 01 no., Shredder machine for RDF – 01 nos (30 Ton capacity) found provided.
MSW Process consists of pre-sorting machine for wet and dry waste – Bailing and RDF machine for dry waste - Windrows composting for wet waste - turning of Windrows – preparatory machine – sieve – final compost material and packing.
9. Windrows platform (concrete base) of 10,000 sq. mtrs is available for wet waste composting from which leachate is generated and same is collected in concrete Leachate Collection Tank of storage capacity 2.5 Million Ltrs.

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10. Heaps of Old Municipal Solid waste (legacy waste) observed near entry gate of the MSW processing plant on open area. Representative informed the quantity is approx. 10,000 Tons.
11. Leachate Collection concrete line and Tank is provided within MSW Processing Plant area. Thereafter, collected leachate sent to Zalta STP for further treatment. AMC Official reported that they will provide onsite Leachate Treatment facility.
12. It was observed that Leachate Collection Tank found completely filled with leachate. Disposal details of leachate to Zalta STP not available during the visit.
13. Besides MSW Processing Plant compound wall it was observed that no discharge (leachate) observed outside the MSW Processing Area. The adjacent area of MSW Site found dry.
14. Recently planted aprox. 7,500 nos plants within MSW processing plant premises i.e. dense forest concept.
15. Suggested during the visit that workers dealing with segregation, MSW processing area should wear gloves, PPE Kit, goggle and proper mask.

Following instruction were given by the Hon'ble Collector, Aurangabad and committee members during the visit:-

1. Only leachate collection tank is provided, AMC has not yet provided scientific leachate treatment Plant as per directions issued by MPCB Office. AMC Official reported that they will provide onsite Leachate Treatment facility.
2. AMC shall maintain the record onsite. i.e. record not available related to daily disposal of leachate to STP, Zalta, total legacy waste available in the premises of Zalta MSW Processing area and processing provided to legacy waste till date.
3. To spray Bio sanitizer in regular time interval to minimise the foul smell and flies.
4. AMC shall take immediate steps to restrict the entries of stray dogs.

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5. Suggested during the visit that workers dealing with segregation, MSW processing area should wear gloves, PPE Kit, goggle and proper mask.
6. Transportation of Municipal Solid Waste shall be carried out by using close vehicles.

4. Harsool Municipal Solid Waste Processing Plant, Gat No. 5 & 14, Chikalthana, Aurangabad: -

1. During visit construction work of Municipal Solid Waste Processing Plant (150 TPD) is found in progress and approximately 40% work found completed.
2. Obtained MSW Authorization from MPCB vide No. BO/MSW/B-1901000012 dated 11/01/ 2019 valid up to 31/12/2023.

5. Naregaon Municipal Solid Waste dumping site, Gat No. 78 & 79, Village Naregaon, Tq. & Dist: Aurangabad:-

1. During visit old municipal solid waste (in mix condition) found dumped in Naregaon MSW dumping Site. Not observed new MSW dumping.
2. As per record submitted by AMC quantity of legacy waste is approx. 27,00,000 CuM (Aprox. 15,00,000 Tons) and on area cover is approx. 1,28,250M². Height of Dumpsite is aprox.12.5 mtrs.
3. Bio mining related work yet not started. Proposal not submitted to MPCB Office by AMC, not obtained clearance till date.

Following instruction were given by the Hon'ble Collector, Aurangabad and committee members during the visit:-

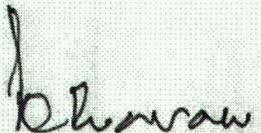
1. AMC shall submit detail proposal for Bio mining work to Maharashtra Pollution Control Board. Obtain prior Environment Clearance from concerned authority.
2. Immediately start Bio mining activity, submit the target date of completion.

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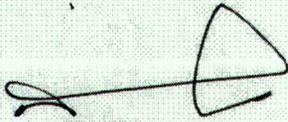
Aurangabad Municipal Corporation shall submit detail time bound proposal for compliance of Municipal Solid Waste authorization conditions and shall submit compliance report as per the legal action initiated by Maharashtra Pollution Control Board as per stipulated in Municipal Solid Waste Authorization and Directions issued from time to time.



(Dr Pravin M. Joshi)
Regional Officer,
Maharashtra Pollution
Control Board, Aurangabad



(Sunil S. Chavan) IAS
District Collector,
Aurangabad



(Nandkishor Bhombe)
Asst. Commissioner,
Aurangabad Municipal
Corporation, Aurangabad



(Pradeep Wankhede)
Sub Regional Officer,
Maharashtra Pollution
Control Board, Aurangabad

Annexure - I

10

No. - 2

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 4010437/4020781
/4037124/4035273
Fax : 24044532/4024068 /4023516
Email : rohq@mpcb.gov.in



Kalpaturu Point, 3rd & 4th floor,
Sion- Matunga Scheme Road No. 8,
Opp. Cine Planet Cinema, Near Sion Circle,
Sion (E),
Mumbai - 400 022

No: BO/MSWA/B-1901000012

Date: 11/01/2019

FORM -II
[See - Rule 16 (1)]

To,
The Municipal Commissioner,
Aurangabad Municipal Corporation
Gut No. 5 & 14 9 Reservation no. B 19),
Mauje Harsool, Aurangabad.

Sub: Authorization under Solid Waste Management Rules, 2016.

Ref: Your online application for grant of authorization.

The Maharashtra Pollution Control Board after examining the proposal hereby authorizes The Commissioner, having administrative office at Aurangabad Municipal Corporation, Solid Waste Management Department, 3rd floor, Administrative Building, Town Hall, Aurangabad to set up and operate waste processing/ treatment/disposal facility at Gut No. 231 (Reservation no. A10), Chikalhana, Aurangabad, Gut No. 66, 67, (Reservation no. A 41), Slaughter house extension, Padegaon, Aurangabad and Gut No. 5 & 14, (Reservation no. B 19), Mauje Harsool, Aurangabad (Total 3 Sites) on the terms and conditions (including the standards to be complied with) attached to this authorization.

1. The authorization is hereby granted to operate the facility for processing, recycling, treatment and disposal of solid waste
2. The validity of the authorization is till 31/12/2023 after the validity, renewal of authorizations is to be sought.
3. The authorization is subject to the terms and conditions stated below and such conditions as may be otherwise specified in these rules and the standards laid down in Schedules I and II under these rules
4. 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.
5. Any violation of provisions of Solid Waste Management Rules, 2016 attracts the penal provisions of the Environment (Protection) Act, 1986 (29 of 1986).
6. This authorization is granted without prejudice or being prejudice of the order passed/ to be passed by Hon'ble High Court/NGT.
7. The Corporation shall strictly follow the EIA Notification, 2006.
8. The operator of the facility shall 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 on solid waste management prepared by the Ministry of Urban Development
9. The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time.
10. This is issued with the approval of Consent Committee of the Board in its meeting held on 18/12/2018.

(E. Ravediran, IAS)
Member Secretary

D.A. - Annexure- I
Aurangabad Municipal Corporation

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The District Collector, Aurangabad - He is requested to take review the performance of local bodies at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Commissioner or director of Municipal Administration or Director of local bodies and secretary-in-charge of the State Urban Development

Copy to:

- 1) Regional Officer, MPCB, Aurangabad / Sub-Regional Officer, MPCB, Aurangabad - For necessary action and follow up.
- 2) Master File.

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: 3 :

ANNEXURE -I

Terms & Conditions to Operate Municipal Solid Waste Processing/ Waste Disposal Facilities and sanitary landfill site at following locations by The Municipal Commissioner, Aurangabad Municipal Corporation, 3rd floor, Administrative Building, Town Hall, Aurangabad as mention below.

1. 450 MT/ Day of Municipal Solid Waste generated shall be processed and disposed as below:

| Sr. No | Operating Agency | Location of waste processing site | Municipal Waste | Method of Treatment |
|--------|----------------------------------|---|-----------------|---|
| 1. | Aurangabad Municipal Corporation | Gut No. 231 (Reservation no. A10), Chikalthana, Aurangabad | 150 MT/day | Presorting system, windrow composting, compost pad, windrow turning, curing, compost refining |
| 2. | Aurangabad Municipal Corporation | Gut No. 66, 67, (Reservation no. A 41), Slaughter house extension, Padegaon, Aurangabad | 150 MT/day | Presorting system, windrow composting, compost pad, windrow turning, curing, compost refining |
| 3. | Aurangabad Municipal Corporation | Gut No. 5 & 14, (Reservation no. B 19), Mauje Harsool, Aurangabad | 150 MT/day | Presorting system, windrow composting, compost pad, windrow turning, curing, compost refining |

- J. Segregated waste like Metallic paper, plastic etc. shall be Disposed through rag pickers by sale for recycle.
- II. The non-biodegradable inert waste, residues of waste processing facilities as well as pre-processing rejects from waste processing facilities shall be disposed off at authorised landfill site only.

Note :

- 1] The odour nuisance from the site can be controlled by periodic spraying of microbial culture or any suitable method.

1. The municipal authority shall comply with these rules as per the implementation-Schedule laid down in Schedule I as per Solid Waste Management Rules, 2016.
2. The corporation shall submit its annual report in Form-IV to Maharashtra Pollution Control Board and the Secretary-In-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer In-Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30th day of June every year.
3. 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-VI to the Secretary In charge of the Urban Development Department in metropolitan cities and to the District Collector in all other cases.
4. The inert created during handling and processing of MSW shall be properly land filled at authorized site.

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5. The municipal authority will have to abide by the provisions of Solid Waste Management Rules, 2016.
6. Tipper and Dumper shall be avoided. Closed body bins can be used or compactor shall be used for MSW collections.
7. Raw waste material shall not be dumped/stored temporary at this site.
8. All recyclable material shall be segregated at source and before receiving at disposal site.
9. All mitigation measures like odour, smoke, fire, dust, nuisance etc. shall be taken by the corporation.
10. Environment Management Plan and Disaster Management Plan shall be prepared and implemented by the corporation.
11. Corporation shall submit the time bound program for implementation of processing facility within 15 days.
12. Corporation shall submit Bank Guarantee of Rs. 5 lacs towards compliance of authorization conditions to the Board within 15 days period from issuance of this authorization, which will be valid for a period of five year.
13. Corporation shall implement the timely action plan for site selection, acquisition of land, treatment and processing of solid waste as per the Minutes of the Order dtd.2/4/2013 passed by Hon'ble High Court, Mumbai against the writ petition No.1740/1998.
14. Corporation has already obtained NOC from District Site Selection Committee on Dtd. 25/04/2018.
15. The operator of the facility shall 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 on solid waste management prepared by the Ministry of Urban Development.
16. The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time.

(14)

- 5 :
19. This authorization is granted without prejudice or being prejudice of the order passed/ to be passed by Hon'ble High Court/NGT.
 20. Corporation shall apply online for MSW authorization to set up and operate Landfill site at Gut. No. 66-67 Reservation No. A-41, Padegaon, Aurangabad.
 21. This is issued pursuant to the decision circulation minutes of Consent Committee dtd. 17.12.2018 & 18/12/2018.

(E. Ravendiran, IAS)
Member Secretary

MAHARASHTRA POLLUTION CONTROL BOARD

Tel.No. (0240) 2473462
Fax No. (0240) 2473461



Regional Office, Paryavaran Bhavan,
A-4/1, MIDC Area, Chikalthana,
Behind Daynik Lokpatra, Near Seth
Nandlal Dhoot Hospital, Jalna Road,
Aurangabad-431 210.

Annex II

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By FAX/RPAD / HAND DELIVERY:
MPCB/ROA/SCN/ /2018
250626003

Date :- 25/06/2020

To,
The Assistant Commissioner,
(Municipal Solid Waste Management),
Aurangabad Municipal Corporation,
Aurangabad.

Sub :- Show Cause Notice.

- Ref:- 1) Solid Waste Management Rules, 2016 and amendment thereof.
2) Orders passed by the Hon'ble Supreme Court and the Hon'ble High Court, Aurangabad in various Writ Petitions and Public Interest Litigations.
3) Authorization granted under MSW Rules by the Board.
4) Complaint received from residents of Gloriya City, Bhavsingpura vide e-mail 18.06.2020.
5) Visit of Board Officers to MSW processing site on 22.06.2020.

WHEREAS, it is obligatory on the part to comply with the conditions of the Authorization under the provisions of Solid Waste Management Rules, 2016 granted by the Maharashtra Pollution Control Board for the municipal solid waste processing unit.

AND WHEREAS, it is also obligatory on your part to comply with the provisions of Schedule-II of the said Rules, particularly collection segregation, storage, transportation, processing and disposal of municipal solid wastes.

AND WHEREAS, the Hon'ble Supreme Court and the Hon'ble High Court, Aurangabad have passed orders in various Writ Petitions and Public Interest Litigations wherein the Corporation authorities have been directed to comply with the MSW Rules, 2016 scrupulously.

AND WHEREAS, the Sub-Regional Officer of the Board at Aurangabad visited Padegaon MSW processing site of Aurangabad Municipal Corporation on 22.06.2020 for the investigation of complaint received vide Ref No 4 above and reported that the Corporation is generating about 450 MT/day of municipal solid waste from Aurangabad city and about 140 to 160 MT/day of MSW is being received at your Padegaon Processing unit for the treatment & further disposal as authorization conditions. However, during visit it is observed that you have not made operational any scientific arrangements for collection & treatment of leachate generated during processing of solid waste thereby leachate found its way outside the processing

site and flowing towards low-lying area about 1-2 Km away & found in stagnant condition which causes smell nuisance to surrounding area with ground water contamination. Also the record regarding daily disposal of leachate effluent collected/treated into sewage treatment plant not maintained at the site.

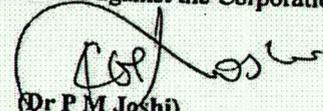
AND WHEREAS, it is also noticed that heaps of huge old mixed municipal solid waste behind the 3 sheds on open area which is highly objectionable.

AND WHEREAS, you have been already instructed by this office vide letter dated 25.07.2019 to take necessary steps towards the noncompliance in context to earlier complaint received from same residents even though you have not taken any corrective steps.

AND WHEREAS, the Board is receiving various complaints regarding smell nuisance, underground contamination, dumping of untreated MSW, etc. against Aurangabad Municipal Corporation.

Thus, you are not serious about the pollution control and contravening the provisions of various enactments and also damaging the surrounding environment knowingly and willfully.

AND NOW, THEREFORE, you are hereby called upon to Show Cause as to why necessary legal action shall not be initiated against the Corporation authorities for the above lacunas. Your reply, if any shall reach this office within a period of seven days from the date or receipt of this notice, failing which, the Board will have no any other option than to initiate necessary legal action under the provisions of the above said enactments against the Corporation authorities, which may please be noted.


(Dr P M Joshi)

Regional Officer-Aurangabad.

Copy submitted to :-

1. The Joint Director (APC), MPCB, Mumbai.
2. The Regional Officer (HQ), MPCB, Mumbai.
3. The Sr. Law Officer, MPCB, Mumbai.

Copy to Sub-Regional Officer, MPCB, Aurangabad for information and necessary follow-up.
Copy to Master File, MPCB, Aurangabad.

Annexure - III

(17)

MAHARASHTRA POLLUTION CONTROL BOARD

Tel.No. (0240) 2473462

Fax No. (0240) 2473461



Regional Office,
Paryavaran Bhavan,
A-4/1, MIDC Area, Chikalthana,
Behid Daynik Lokpatra, Near Seth
Nandlal Dhoot Hospital, Jalna Road,
Aurangabad-431 210.

By FAX/R.P.A.D./HAND DELIVERY:

No. MPCB/ROA/PDI/ /2020
2008/70001

Date:- 17/08/2020

To,
M/s. Aurangabad Municipal Corporation.,
Post Box No 125, Town Hall,
Aurangabad.

Sub :- Proposed Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981.

- Ref:-
- 1) Solid Waste Management Rules, 2016 and amendment thereof.
 - 2) Orders passed by the Hon'ble Supreme Court and the Hon'ble High Court, Aurangabad in various Writ Petitions and Public Interest Litigations.
 - 3) Authorization granted under MSW Rules by the Board.
 - 4) Complaint received from residents of Gloriya City, Bhavsingpura vide e-mail 18.06.2020.
 - 5) Visit of Board Officers to MSW processing site on 22.06.2020.
 - 6) Show Cause Notice issued by the Board dt-25.06.2020.
 - 7) Visit of Board Officers to MSW processing site on 20.07.2020
 - 8) Proposal received through the legal module dt-24.07.2020.

WHEREAS, it is obligatory on the part to comply with the conditions of the Authorization under the provisions of Solid Waste Management Rules, 2016 granted by the Maharashtra Pollution Control Board for the municipal solid waste processing unit.

AND WHEREAS, it is also obligatory on your part to comply with the provisions of Schedule-II of the said Rules, particularly collection segregation, storage, transportation, processing and disposal of municipal solid wastes.

AND WHEREAS, the Hon'ble Supreme Court and the Hon'ble High Court, Aurangabad have passed orders in various Writ Petitions and Public Interest Litigations wherein the Corporation authorities have been directed to comply with the MSW Rules, 2016 scrupulously.

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AND WHEREAS, the Board office vide reference above No (6) issued you the Show Cause Notice as per the report submitted by the Sub Regional officer of the Board at Aurangabad in spite that there is no any respond from your end to comply with the noncompliance mentioned in the said notice.

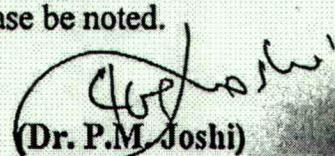
AND WHEREAS, officials of Board at Sub Regional Office at Aurangabad again visited Padegaon MSW processing site of Aurangabad Municipal Corporation on 20.07.2020 for the checking the compliance of show Cause Notice issued & during visit following non complinaces observed-

1. You have not made operational any scientific arrangements for collection & treatment of leachate generated during processing of solid waste thereby leachate found its way outside the processing site and flowing towards low-lying area & found in stagnant condition which causes smell nuisance to surrounding area with ground water contamination.
2. It is noticed that heaps of huge old mixed municipal solid waste found stored in unscientific manner behind the 2 sheds on open area which is highly objectionable.
3. The record regarding regular disposal of leachate to the STP Padegaon not maintained at site.

AND WHEREAS, the Board is receiving various complaints regarding smell nuisance, underground contamination, dumping of untreated MSW, etc. against Aurangabad Municipal Corporation.

AND WHEREAS, from the record of this office and the observations made during the visit, I came to the conclusion that you are not complying with the Consent conditions and the provisions of Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 thereby causing grave injury to the environment.

NOW THEREFORE, in exercise of the powers conferred upon me under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981, I, Dr. Pravin M. Joshi, Regional Officer of the Board at Aurangabad direct you to submit your reply/corrective action plan towards the compliance of above related points/non-compliances alongwith all necessary documents alongwith photographs within a period of fifteen days from the date of receipt of these directions, failing which further necessary action as deem fit in your case as per the provisions of various environmental enactments will be initiated against you, which may please be noted.


(Dr. P.M. Joshi)
Regional Officer-Aurangabad.

Copy submitted to :-

1. The Joint Director (APC), MPCB, Mumbai.
2. The Law Officer (P & L Div), MPCB, Mumbai.

Copy for information and necessary follow-up action to :

1. The Sub-Regional Officer, MPCB, Aurangabad for information and to report the compliance accordingly.

Annexure - IV

19

MARAHASHTRA POLLUTION CONTROL BOARD



Regional Office, Pachgavranthayam,
KAT, MIDC Area, Chhatkasa,
Bokhad Dairy Complex, Near Seth
Nandhadas Hospital, Jalna Road,
Aurangabad-431 310.

प्राधान्य अधिसूचना

Date: 06/11/2020

The Aurangabad Municipal Corporation,
Plot No. 1077, Town Hall,
Aurangabad.

Subject: Issued Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.

- 1) Proposed Directions issued by this office vide letter No. MPCL/BOARD/2008170001/2020 dated 17/08/2020.
- 2) Proposal received through legal module from SRO Aurangabad.
- 3) Personal Hearing Extended to AMC officials on 27.10.2020.
- 4) Approval received from HQ through legal module on 31.10.2020

This case is processed Directions and subsequent to the personal hearing extended on 27.10.2020. As agreed by your representative during the personal hearing, you are hereby directed to comply with the followings for your MSW processing site at Gat No. 1077, Aurangabad.

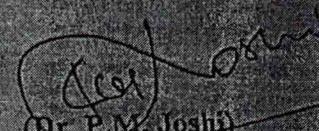
- 1. You shall provide leachate collection & treatment system and make it operational within 15 days.
- 2. You shall not discharge any kind of leachate outside the premises in any manner.
- 3. You shall store the municipal solid waste with due care and not in haphazard manner to avoid the leachate in the surrounding area.
- 4. You shall maintain the record of generation & treatment of leachate generated from the site and shall not discharge from low lying area of processing site immediately.
- 5. You shall process the legacy of waste as per the directions of Hon'ble NGT in OA No. 10000/2016 as per the guidelines of MSW Rules, 2016.
- 6. You shall control odor nuisance at MSW site by periodic spraying of microbial culture on the waste material.
- 7. You shall comply the Ambient Air Quality standards by proper maintaining the site.
- 8. You shall stop the excess lagoons which are being used presently for storage of leachate.
- 9. You shall submit the Bank Guarantee of Rs 5 lacs as per condition of authorization granted by the Board to you within 15 days period.
- 10. You shall comply with MSW authorization conditions scrupulously.

(20)

12. You shall submit the Bank Guarantee of Rs 5 lacs towards compliance of above directions within 15 days period.

In case you fail to comply with the above directions, the Board will have no any other option than to issue Closure Directions with disconnection of electricity and water supply of your unit which may be noted.

This is issued with the due deliberation & as agreed by AMC authority and approval of authorities.


(Dr. P.M. Joshi)
Regional Officer-Aurangabad

Copy submitted to -
The Joint Director (APC), MPCB, Mumbai.

The Sub-Regional Officer, MPCB, Aurangabad for information and necessary follow-up
Copy to Master File, MPCB, Aurangabad.

3/11/2020