



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

(THROUGH VIDEO CONFERENCING)

ORIGINAL APPLICATION NO- 34/2019 (WZ)

SUS BANER RROAD VIKAS MANCH

...APPLICANT

V/S

PUNE MUNICIPAL CORPORATION

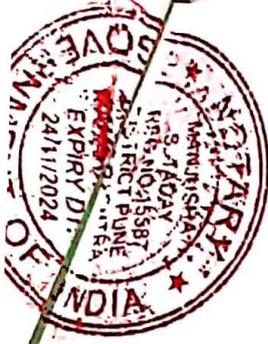
AND OTHERS

...RSPONDENTS

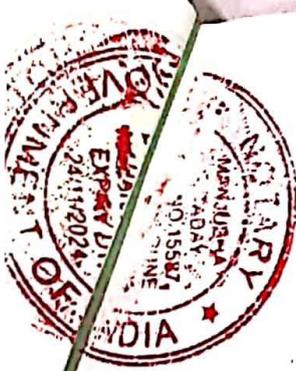
Reply Affidavit on behalf of Respondent No. 1 is as under-

I, SHRI DYANESHWAR MOLAK , age adult, occupation- service,  
having office at Pune Municipal Corporation Building, Shivajinagar, Pune  
411005 state on solemn affirmation as under:-

1. I am working as Joint Municipal Commissioner with Pune Municipal Corporation and I am incharge of Solid Waste Management Department of Pune Municipal Corporation and I am authorized to file this Reply Affidavit on behalf of Pune Municipal Corporation and Solid

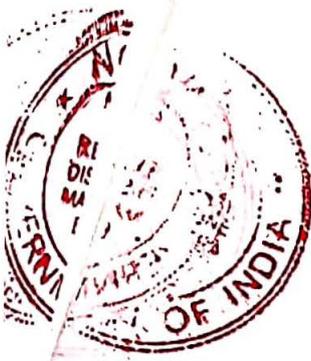


- Waste Management Department. I am filing this Affidavit on the basis of the information given to me and documents made available to me.
2. The contents of the Original Application are neither legal nor bonafide and the same are not true and correct and are not admitted by this Respondent. It is not necessary to take each and every contention in the OA and traverse the same. Whatever is not specifically and categorically admitted hereunder may please be treated as specifically and categorically denied by this Respondent.
  3. The 8000 sq mtrs of land in S. No. 48, Baner, Pune is reserved for GPP (Garbage Processing Plant) by Govt Notification No. TPS-1870/39/CR1017/07/UD-13 dated 18-9-2008. On 5-5-2013 tenders were invited at Global Level. Five technology providers participated in it. In order to short list the Technology Providers a technical inspection committee was constituted under the chairmanship of Additional Municipal Commissioner (Estate), PMC. Out of the five proposals two were short listed by technical inspection committee and Nobel Exchange Environment Solution i.e Respondent No. 7 was one of them. Standing Committee of PMC has given approval to the name of Nobel Exchange Environment Solution i.e Respondent No. 7 vide resolution no. 807 dated 5-8-2014 and General Body of PMC has given approval to Nobel Exchange Environment Solution i.e Respondent No. 7 vide resolution no. 100 dated 21-10-2014.
  4. Respondent No. 7 was allotted 1500 sq mtrs of land out of reservation of 8000 sq mtrs for establishing a plant for processing 200 metric tons wet garbage per day on DBOOT (Design Built Own Operate and Transfer) basis. On the site the wet MSW will be processed and there will be no land filling. The said plant is at a distance of more than 16 km from Pune Airport. From the said plant Mumbai Bangalore National High Way is at a distance of 300 mtrs and Bus Road is at a distance of



200 mtrs. MPCB has given approval for waste processing on 2-12-2015 which is valid upto March 2021. Accordingly Environmental Clearance was granted by the State Level Environment Impact Assessment Authority (SEIAA) on 1<sup>st</sup> February 2016.

5. Respondent No. 7 started waste processing from 1<sup>st</sup> November 2015, however instead of 200 metric ton per day they were processing 80 metric tons to 100 metric tons per day. In the said processing plant of Respondent No. 7 the MSW was processed and converted into a slurry and the said slurry is sent to Talegaon project by tankers. After the process is over the tipping floor is cleaned and covered by tarping so that the bad odor is not spread in the locality. The entire quantity of MSW received by Respondent No. 7 is processed on the same day and the reject that remains after processing is systematically transported to Aundh ramp on the same day. The area around the slurry tank is covered by charcoal and the slurry outlet is also covered by charcoal so that the bad odor is absorbed in the charcoal and it is not spread in the locality. Respondent No. 7 has informed that they have engaged NEERI (National Environment Engineering Research Institute) as consultant for their project. The said project was not operational for the period of one and half years from 26-7-2017. Before starting the said project SWM department of Respondent No.1 has done development work / precautionary measures at the site like drainage line, security wall around the project and cladding of structures. A bird net is also fixed to prevent the entry of birds.
6. On 20-7-2019 at about 4.30 pm Municipal Commissioner, Chief Scientist Solid and Dangerous Garbage Management Dept. of NEERI conducted a joint inspection. At that time the Chief Scientist opined that gravity of foul odor varies from person to person and even after



processing the garbage, prevalence of mild odor cannot be denied. On 30-9-2019 a joint inspection was conducted along with officers of MPCB, at that time people staying in that area were also present and they insisted on opening drainage line chamber which was opened and it was found that there was no garbage of any kind and litchet in the chamber. This showed that Respondent Nos. 1 and 7 were taking appropriate actions in time.

7. The plant of Respondent No. 7 started functioning again on 28-2-2019 and is currently operational at a capacity of 80 metric tons per day. In order to control the odor formed due to processing of waste spraying of deodorizer is carried out at regular intervals. The transportation to the plant is done by vehicles which are covered by tarpaulin sheets and precaution is taken by Respondent No. 1 that no vehicle is deployed to the project of Respondent No.7 without covering it by tarpaulin sheet.

8. As per the orders of this Hon'ble Tribunal dated 17-10-2019 CPCB and MPCB has recommended certain measures like formation of ten mtrs green belt within and all around the facility around the boundary. Accordingly at project site 50 saplings are planted at the periphery of the plant and the transportation is done by the containers which are covered with tarpaulin sheets. Respondent No.1 has also instructed Respondent No.7 to comply with all mitigation measures recommended by committee's report and Respondent No.7 by their letter dated 11-11-2019 has given assurance of complying with best practices / suggestions set forth in the joint inspection report dated 10-10-2019.

9. Considering development of Pune City and increasing traffic congestion it has become necessary to have reservations for waste processing facilities in all the directions of the city so that the waste





generated in the area will be scientifically disposed in a decentralized manner in the same vicinity which will avoid the problem of transportation and load on one site.

Whatever is stated hereinabove is true and correct to the best of my knowledge, belief and information. I have signed hereunder at Pune on \_\_\_\_\_.

I know the Affiant

*P.S. Sanyal*  
Advocate

*[Signature]*  
16.9.2020  
Affiant

(Joint Municipal  
Commissioner Solid Waste  
Management Department,  
PMC i.e Respondent NO. 1)



16 SEP 2020



**BEFORE ME**

*Ms. Taday*

**MANJUSHA S. TADAY  
ADVOCATE & NOTARY  
GOVERNMENT OF INDIA**