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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

MA 01/2024

In

ORIGINAL APPLICATION NO.33 OF 2024 (WZ)

Madhura Rajesh Tawade

.... Applicant

Versus

State of Maharashtra & Ors.

....Respondents

Reply – Affidavit on behalf of Maharashtra Pollution Control Board i.e. Respondent No.6 & 8

I, Pratap Jagtap, Aged - Adult, occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Mumbai-I, having office at Kalpataru Point, 2nd Floor, Sion-Matunga Scheme Road No.8, Near Sion Circle, Sion (East), Mumbai-400 022, do hereby state on solemn affirmation as under:-

(1) I say and submit that I am filing this additional Affidavit in compliance of the order of this Hon'ble Tribunal dated 08/04/2025 on behalf of the Technical Committee. I say that the present Respondent has filed Reply dated 07/04/2025 which this Hon'ble Tribunal found to be vague in regards to the total C&D waste and the waste dumped otherwise at the site in question. Therefore, the present Respondent is filing this additional Affidavit on behalf of the Technical Committee. I say that the members of the committee discussed the issue and concluded the finding in the Report dated 9/6/2025. Hereto annexed and marked **Annexure-A** is the Technical Committee's Report dated 9/6/2025.

(2) I say and submit that in the Affidavit dated 07/04/2025 filed by the present Respondent, there are total four conclusions made by the Technical Committee which are reflected in points No. (a) to (d). I say that the explanation on those points is given by the Committee in the annexed Report.

(3) I say and submit that composition of mixed waste is concrete, soil, broken tiles, paver blocks, bricks and C&D waste, which was lying on the road/ entire bund of 1.8km in between Pit No.1 to 9. As the dumped material is in mixed form, hence, the Technical Committee is unable to calculate exact quantum of C & D Waste at site. Accordingly, the Technical Committee has calculated the volume of entire stretch, which is estimated as 12160 M³ and total quantum mixed waste of entire stretch comes out 23104 MT.

Quantum of mixed waste between Pit Nos.1 to 7 is 13252 MT and Pit Nos.8 to 9 is 9852 MT.

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- (4) I say and submit that as per the Google Image, the mixed waste lying in between Pit Nos.8 to 9 (Distance 0.9 KM) is 9852 MT, which is prior to C&D Waste Management Rules, 2016. A copy of the said Google Image is attached to the Report as a Point No.3.
- (5) I say and submit that the committee observed that in between Pit No 1 to7, there are no signs of C&D waste dumped observed as it is filled up with fresh soil. I say that quantum of mixed waste between pit No. 1 to 7 was 13252 MT and 9852MT between pit Nos. 8 to 9 respectively. The Committee further concluded that pit Nos. 1 to 7 show no signs of C & D waste as it is filled up with fresh soil. I say that out of 13252 MT mixed waste, the quantity of C& D waste was 1788.88 MT which was lifted by the Salt operator and disposed the same scientifically at Navi Mumbai Municipal Corporation's C& D treatment facility from 14/06/2023 to 07/11/2024.
- (6) I say and submit that the Committee has observed huge heap of C & D waste which is dumped on the left side entrance of the Salt pan which is yet to be scientifically disposed by the Salt pan operator. I say that the Committee has observed that the volume calculation of the said heap is not possible due to its uneven distribution on the left side of the entrance. I say that the Committee is of the view that Salt pan operator shall dispose the

remaining C & D waste, which is dumped on the left side entrance scientifically.

Solemnly affirmed on this 11th day of June, 2025 at Mumbai.

For and on behalf of Maharashtra
Pollution Control Board



(Pratap Jagtap)
Sub-Regional Officer, Mumbai-I



BEFORE ME
V. B. More
11-6-2025
VASANT B. MORE
Notary Gr. Mumbai
7, Vijaya Sadan, Flat No. 304,
Above Axis Bank,
Sion West, Mumbai-400022

REGISTER Sr. No 560./2025



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE

M.A. NO. 01/2024 (WZ)
Earlier MA. NO.03/2024 (PB)

IN
ORIGINAL APPLICATION NO.33/2024 (WZ)
EARLIER O.A.NO. 343/2021 (PB) LP
(LP disposed on 15/2/2023)

AND
M.A.NO. 02/2024 (WZ)
EARLIER M.A.NO. 12/2024 (PB)-
Filed by Intervener
For recall of order dt. 15/03/2023

Madhura Rajesh Tawde

.....Applicant

Versus

State of Maharashtra & Ors.

..... Respondents

In compliance of the The Hon'ble National Green Tribunal (NGT) order on 08/04/2025, in the matter M.A. NO. 01/2024 (WZ), Earlier MA. NO.03/2024 (PB), Madhura Rajesh Tawde Applicant versus State of Maharashtra & Ors & Ors, Respondent (s) the members of the committee discussed the issue regarding following points and concluded as under:-

Sr. No.	Points	Conclusion
1.	Based on the above studies and analysis, the total volume of the waste estimated is 12,160 m ³ . Out of this 5,185 m ³ comprise of mix C&D waste along with the heap of C&D waste dumped on the left side of the entrance (refer figure attached on page no. 12). The remaining quantum of 6,975 m ³ is a freshly filled up soil.	Total length of the road/entire bund is 1.8 km where mix waste is dumped. The composition of mix waste is concrete, soil, broken tiles, paver blocks, bricks, C&D waste. It's difficult to calculate exact quantum of C & D waste, calculated volume of entire bund which is estimated 10493 m ³ as per technical committee's 1st report. Considering the bulk density of C & D waste as 2200 kg/m ³ Total quantum of mix waste comes out 23084 MT. In second report volume of entire bund estimated as 12160 m ³ which is increased due to addition of soil for further expansion of road/bund observed during site visit dated 01/04/2025. Out of total volume 12160 m ³ of mix waste, 6975 was between pit 1 to 7 i.e. 0.9 km and remaining 5,185 m ³ was between pit 8 & 9 i.e. 0.9 km along with the heap of C&D waste dumped on the left side of the entrance. (Refer Google Image of location of pits)

2.	Considering the bulk density of the C&D waste as 1900 kg/m ³ , the total quantum of mix C&D waste used on the site in the stretch from Pit 8 and 9 is estimated to be 9,852 MT.	Bulk density of construction material considered 1900 kg/m ³ as per IS standards and total quantum of mix waste in entire stretch comes out 23104 MT. Quantum of mix waste between pit 1 to 7 was 13252 MT and 9852 MT between pit 8 to 9 excluding the quantity of huge heap of C & D waste dumped on the left side entrance of salt pan.
3.	From the Google image before 2016, it's observed that said mix C & D waste dumped before 2016.	From the Google images it's observed that road/bund of 0.9 km from entrance -pit no. 8 to 9 (Stretch Distance 0.9 km) was built before Enforcing Construction and Demolition Waste Management Rules, 2016.
4.	The quantum of the soil used for the bund in the stretch between Pit 1 to 7 is estimated to be 10,463 MT mostly of soil having bulk density of 1500 kg/m ³	The Committee observed that the pit no. 1 to 7 shows (Stretch Distance 0.9 km) no signs of the C&D waste as it is filled up with the fresh soil. Out of 13252 MT mix waste, salt operator lifted C & D Waste of 1788.88 MT from this stretch and disposed scientifically Navi Mumbai Municipal Corporation C & D treatment facility from 14/06/2023 to 07/11/2024.
5.	Apart from this a huge heap of C&D waste is dumped on the left side entrance of the Salt pan.	Refer Google image. Huge heap of C&D waste is dumped on the left side entrance of the Salt pan which is still not disposed by Salt Pan operator and it's not possible to calculate volume of heap due to its uneven distribution on the left side of entrance.

NO.
M. G. R. K. J.
GOVT. C.

Sandeep
09/06/2023

(Sandeep Arekar)
Maintenance Surveyor,
City Survey and Land
Record Officer, Collector
Office, Mumbai.

Rahul Koli
09/06/2023

(Rahul Koli)
Sub Engineer,
SWM, F/N ward,
MCGM, Matunga,
Mumbai.

Anil Sharma

(Anil Sharma)
Metro Waste
Handling Pvt. Ltd

Shridhar

(Shridhar Pandya)
Consultant

DHANYAKUJ Digitally signed by
MAR DHANYAKUMAR
ADGONDA ADGONDA PATIL
PATIL Date: 2025.06.09
12:43:58 +05'30'

(D. A. Patil)
Consultant

Pratap Jagtap
09/06/2023

(Pratap Jagtap)
Sub Regional Officer,
MPC Board, Mumbai-I



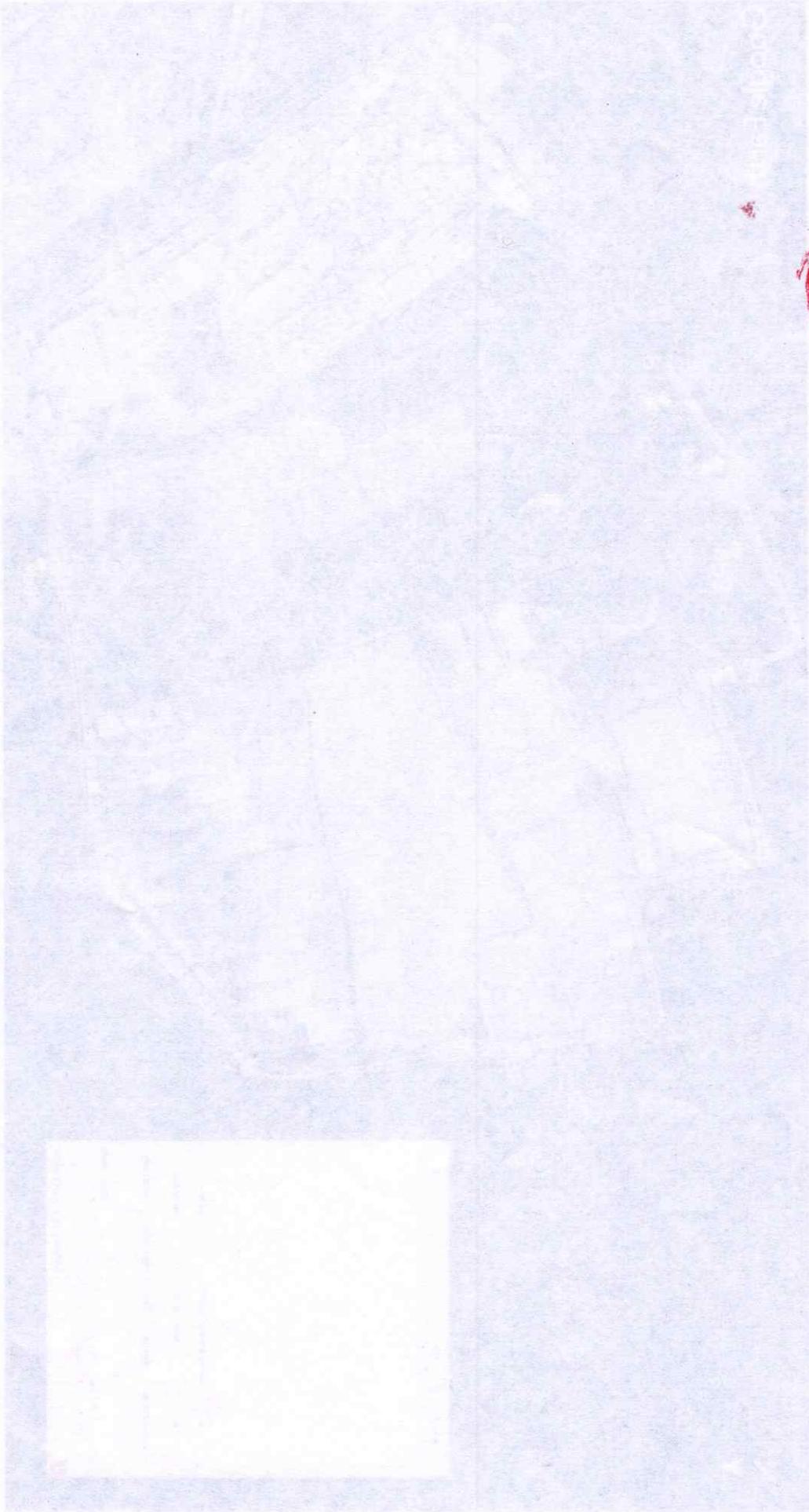
POINT NO. 1



REV. B. ...
MUMBAI ...
No. 126/1984
MAHARASHTRA

GOVT. OF MAHARASHTRA
MUMBAI ...
No. 126/1984
MAHARASHTRA

POINT NO. 1

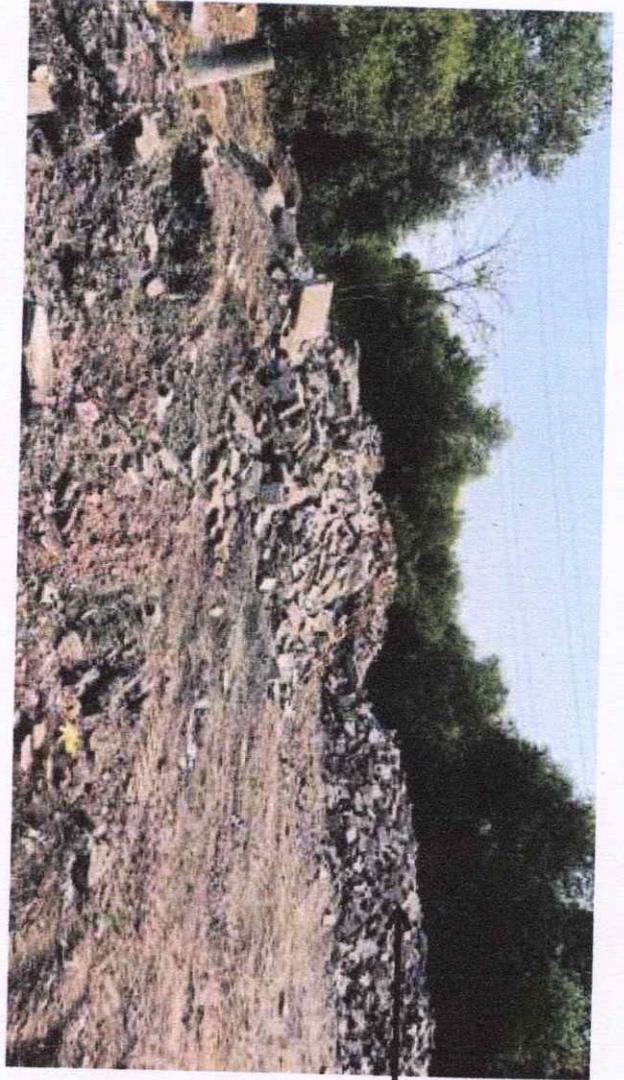


POINT NO. 3

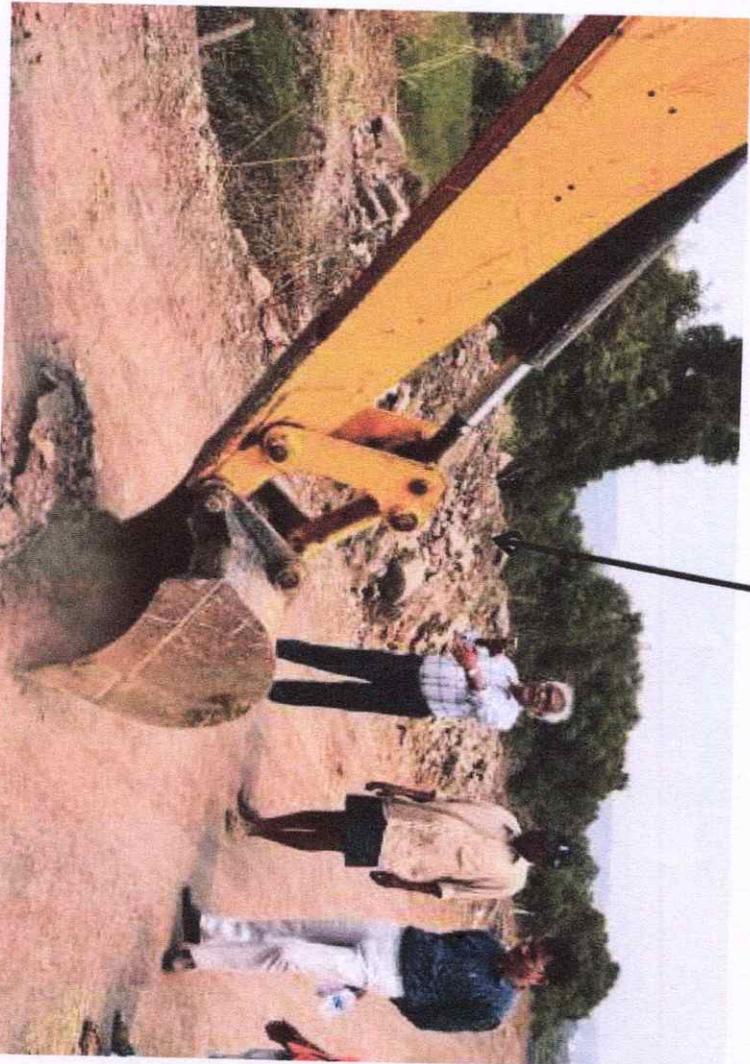


NOTAR
 ★
 MORE V. B
 GREATER NUMBER
 Ref. No: 126/198
 GOVT. OF MAHARASHTRA

POINT NO. 5



Heap of C&D waste



NOTARY
★ MOKE V. B.
★ GREATER MUMBAI.
★ Reg. No: 126/1984
★ GOVT. OF MAHARASHTRA ★

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