

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO. 21 OF 2026

IN THE MATTER OF:

ASHOK TARACHAND UKRANI

...APPLICANT

Versus

MAHARASHTRA POLLUTION CONTROL

BOARD AND 9 ORS

...RESPONDENTS

INDEX

S.No.	Anne	Particulars	Page No.	
			From	To
1.		Index	1	1
2.		Reply	2	5
3.		Affidavit in Support	6	6
4.	R-1	Copies of representations, letters and requests made by the Respondent No. 2 before the competent authorities.	7	14
5.	R-2	Copy case details for Diary No. 60752/2025	15	15
		Last Page		15



Omkar Wangikar

Advocate for the Respondent No. 2

public health hazards. The alleged dumping at Gat No. 217, Village Kusgaon-Khurd had already been discontinued by the Respondent No. 2 and verified by inspection by the MPCB and said fact that is noted by the Hon'ble Tribunal itself.

4. Further, to find a permanent solution to the problem of solid waste management, the Appellant decided to purchase land situated at Gat No. 38 for the purposes of garbage storage and waste processing. An amount of 29.55 lakhs was sanctioned for the same and the Appellant wrote to the Chief Executive Officer, Zila Parishad, Pune for according approval for purchase of the said land on 18.03.2024.
5. It is submitted that with respect to the non-setting up of the treatment plant for solid waste within the jurisdiction of the Gram Panchayat, it is stated that:
 - a. The Respondent No. 2 is in need for land to be used for the purposes of treatment of solid waste;
 - b. The Respondent No. 2 has made several representations to and demands from the state government on various occasions including on 18.03.2024 seeking allotment of land for the said purposes;
 - c. Till date no such land has been allotted even though in aforementioned representations the Respondent No. 2 has identified and requested a specific tract of land admeasuring 1 hectare within the jurisdiction of the Gram Panchayat and under the ownership of the State Government (Agricultural Department).

Since the representations made by the Respondent No. 2 have been met by a deafening silence, the Respondent No. 2 has been constrained to make temporary arrangements with other private entities, nearby local Nagar Parishad, third party land-owners for the disposal and management of solid waste within its jurisdiction.

6. That the Respondent No. 2 being a statutory local body with limited resources and jurisdiction, was compelled to take temporary measures for disposal of waste in the absence of functional waste management infrastructure and in order to prevent accumulation of garbage posing health and sanitation hazards to the residents. It is pertinent to note that the Respondent No. 2 had on multiple occasions prior to the proceedings, addressed representations and communications to the concerned government departments and district authorities seeking assistance, and financial aid for establishing a compliant solid waste management facility. However, despite these requests, no effective action or aid was forthcoming from the competent authorities to the Respondent No. 2. Hereto annexed herewith and marked as **ANNEXURE -R-1** are the copies of representations, letters and requests made by the Respondent No. 2 before the competent authorities.
7. That the Respondent No. 2 consistently collects municipal waste across the jurisdiction utilizing small waste collection vehicles, pickup vans, and tractors. Additionally, source segregation is performed, and during the dumping process, effective segregation of materials such as plastic, rubber, glass, metal, and other related items is carried out regularly. A total of 21 employees and workers are actively engaged in the collection, segregation, transportation, and disposal of municipal solid waste.

8. That the Hon'ble Tribunal issued an order in OA No. 19 of 2025 (Abhijit Madhukar Garad vs. MPCB & Ors.) on 23.07.2025. The Respondent No. 2 filed an Appeal against the said order by way of filling Special Leave Petition (SLP) before the Hon'ble Supreme Court of India, recorded under Diary No. 60752/2025 on 18.10.2025. This matter is currently under review, and the Registry has identified certain defects. Additionally, Respondent No. 2 is in the process of rectifying these defects. Hereto annexed herewith and marked as **ANNEXURE - R-2** is the copy case details for Diary No. 60752/2025.

9. Therefore it is humbly prayed that this Hon'ble Tribunal may be pleased to allow the reply filed by the Respondent No. 2 and pass such further or other orders in the interest of environmental justice.

Place: Pune

Date: 21/04/2026



Advocate for the
Respondent No. 2

BEFORE THE NATIONAL GREEN TRIBUNAL
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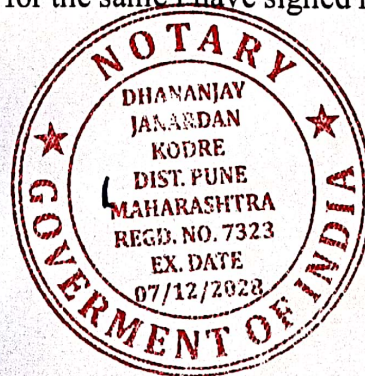
AFFIDAVIT IN SUPPORT OF REPLY

MAY IT PLEASE THE HON'BLE TRIBUNAL

I, Mr. Dhananjay Dinkar Deshmukh, age 53, the Gram Panchayat Officer, at Gram Panchayat, Khadkale-Kamshet, Taluka Maval, District Pune.

1. I say that I am the Authorised Signatory of the Respondent No. 2 in the present case. I am aware of the facts and circumstances of the present case and hence am able to depose the same on oath.
2. I say that the Respondent No. 2 is filing the Reply to the Original Application. I say that the contents of the said Reply and the present Affidavit are true and correct to the best of my knowledge, information, belief and the legal advice which I believe to be correct.

WHATEVER stated herein above is true and correct to the best of my knowledge and belief and for the same I have signed hereunder at Latur on this 21st April, 2026.



Deposent

श्री. धनंजय दि. देशमुख
 ग्रामपंचायत अधिकारी
 गुण ग्रामपंचायत खडकाले,
 ता.मावल, जि.पुणे

BEFORE ME

DHANANJAY JANARDAN KODRE
 ADVOCATE & NOTARY (GOVT. OF INDIA)
 Main Maruti Mandir Chowk, S. No. 5405,
 Jijamata Chowk to Maruti Mandir Road,
 Talegaon Dabhade, Tal-Maval, Dist-Pune, 410506

NOTED AND REGISTERED
AT SERIAL NUMBER: 599/2026

ON:

21 APR 2026

73

मुख्य ग्रामपंचायत खडकाळे

खडकाळे / खडकाळे, ता. मावल, जि. पुणे.

फोन नं. ०२११४ - २६२३२८

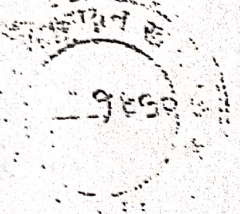


Annexure R1

Mob:7058811561

Mob:9689607778

दिनांक: १-११-२०२४



प्रति,

मा.मुख्य कार्यकारी अधिकारी सौ.

जिल्हा परिषद पुणे.

विषय - ग्रामपंचायत खडकाळे ता.मावल जि.पुणे याठिकाणी कचरा डेपो साठी जागा खरेदी करण्याकरिता परवानगी मिळणेबाबत.

सार्कित - गटविकास अधिकारी पंचायत समिती मावल.

महोदय,

उपरोक्त विषयान्वये विनंती करण्यात येते की, ग्रामपंचायत खडकाळे ता.मावल जि.पुणे या ठिकाणी कचरा साठवणुकीसाठी व कचरा-यावर प्रक्रिया करण्यासाठी जागेची आवश्यकता आहे. त्यानुसार सन २०२१-२०२२ या आर्थिक वर्षामध्ये १५ वा वित्त आयोग आराखड्यात जागा खरेदी करण्यासाठीची तरतुद करण्यात ग्रामपंचायतीने ठराव पास केलेला आहे. आणि स.नं./गट नं.३८ मधील श्री.महेश इंदरमल गदिया, सौ.पिंकी महेश गदिया हे यांचे २५ आर क्षेत्र विक्री करण्यास तयार आहेत.

तरी मे.साहेबांनी जागा खरेदी करण्यासाठी परवानगी घ्यावी. हि नम्र विनंती.

(Signature)
ग्रामपंचायत अधिकारी
मुख्य ग्रामपंचायत खडकाळे
ता. मावल, जि. पुणे

(Signature)
श्री. रुपेश सुरेण नयकवाड
सरपंच
मुख्य ग्रामपंचायत, खडकाळे
ता. मावल, जि. पुणे.

सोबत - १) १५ वा वित्त आयोग आराखडा पत्र

२) ग्रामपंचायत ठराव

३) ७/१२ उतारा.

3110
19/3/2024
4-24 11/00

INDIAPOST
EASR03752/IN INK:691/9287732
SP K932E1 S.U 4010402
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to:MAIN INK:691, PLS 2P
PIN:411001, Pune H.U
From:SAV:RAN, BLP BRTAF:ANJAYAI
NI:94985
Net:91.30(Cash)Tax:6.30
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Dial 18002666666 <Wear Masks, Stay Safe!>



ग्रुप ग्रामपंचायत खडकाळे

खामशेत / खामशेत, ता. मावळ, जि. पुणे.

फोन नं. ०२११४ - २६२३२८



श्री. अमित प्रकाश वाघदे

अध्यक्ष

Mob:7058811561

श्री. एम.एन.शिंदे

अध्यक्ष

श्री. सुरेश राजेश वाघदे

अध्यक्ष

Mob:9689607778

जा.क्र. :

दिनांक : / / २०

प्रति,

मा.गटविकाम अधिकारी मो.(उ.श्रे.)

पंचायत समिती, वडगाव मावळ

विषय :- ग्रामपंचायत खडकाळा हद्दीलगत घनकचरा डम्पिंग ठिकाणी केलेल्या कार्यवाहीचा अहवाल सादर करणे बाबत.

संदर्भ :- MPCB विभागीय कार्यालय पुणे यांचे जा.क्र. २३०८०४०००६, दि.४/८/२०२३ चे पत्र

मा.महोदय,

वरील संदर्भीय विषयी कळविण्यात येते कि, ग्रामपंचायत खडकाळा / खामशेत या ठिकाणी ग्रामपंचायत मालकीचे घनकचरा व्यवस्थापन प्रकल्प सद्यस्थितीत उपलब्ध नसल्या कारणाने ग्रामपंचायतीकडून कुसगाव हद्दीतील खाजगी शेतकऱ्याकडून भाडे तत्वावर जागा कचरा साठवणुकीसाठी घेतलेली आहे.परंतु काही वेळा हा कचरा अचानक पेटल्यामुळे ग्रामपंचायतीकडून वेळोवेळी टँकर व अग्निशामक दल यांच्या सहाय्याने आग विझविण्यात आलेली आहे.तसेच ग्रामपंचायतीकडून यावर कायम स्वरूपी तोडगा काढण्याच्या दृष्टीने २५ गुठे जागा खरेदी करण्याचा निर्णय घेण्यात आलेला असून त्या दृष्टीने वरिष्ठ कार्यालयाकडे परवानगी साठी पत्रव्यवहार करण्यात आलेला आहे.वरिष्ठ कार्यालयाची जागा खरेदी करण्यासाठी परवानगी मिळताच ग्रामपंचायतीकडून कचरा व्यवस्थापन प्रकल्प राबविण्याची कार्यवाही केली जाईल.व महाराष्ट्र प्रदूषण नियामक मंडळ यांच्या नियमावलीचे तंतोतंत पालन ग्रामपंचायतीकडून केले जाईल.

कळावे

आपला विश्वासु

संदर्भ :-

- १) आग विझविण्यासाठी वेळोवेळी केलेल्या कामाचे फोटो
- २) जागा खरेदी परवानगी साठी वरिष्ठ कार्यालयाकडे केलेला पत्रव्यवहार प्रत

ग्रामविकास अधिकारी
ग्रुप ग्रामपंचायत खडकाळे
ता. मावळ, जि. पुणे.



ग्रुप ग्रामपंचायत खडकाळे

कामशेत/ खामशेत, ता.मावळ, जि.पुणे.

फोन नं. ०२११४ - २६२३२८



मौ. अमिता प्रकाश मायखे

उपसरपंच

Mob:7058811561

श्री. एस.एन.शिंदे

ग्रामविकास अधिकारी

श्री. रुयेश अरुण मायकवाड

सरपंच

Mob:9689607778



मा.गटविकास अधिकारी सो.,
पंचायत समिती ता.मावळ जि.पुणे
यांसी...

दिनांक : ०१ / ०४ / २०२४

दि.०१/०३/२०२४

विषय :- ग्रामपंचायत खडकाळा ता.मावळ जि.पुणे हद्दीमधील घनकचरा व्यवस्थापन बाबत...

संदर्भ :- पंचायत समिती मावळ जा.क./पस/स्वभामी/कावि/३०५/२०२४ दि.२८/०३/२०२४ चे कारणे दाखवा नोटीस...

मा.महोदय,

उपरोक्त संदर्भीय विषयास अनुसरून आपणास कळविण्यात येते की, खडकाळा हद्दीतील घनकचरा व्यवस्थापनाबाबतीत केलेल्या कार्यवाहीचा खुलासा फोटोसह आपणास सादर करित आहेत :-

मुद्दा क्र.०१:- घनकचरा व्यवस्थापनासाठी ग्रा.पं.खडकाळा. ग्रा.पं. हद्दीत जागा खरेदी करणेबाबत निर्णय घेतला असून गट नं. ३८ मधील २५ आर जागा श्री. महेश इंदरमल व सौ. पिंगी महेश गदीया यांचेकडून खरेदी करणेचे ठरले असून प्रस्ताव मा.मुख्य कार्यकारी अधिकारी सो. जि. पुणे यांचेकडे प.स.मा.दु.पंचा/कावि/२८०/२०२४ दि.०१/०४/२०२४ अन्वये पाठविणेत आला आहे. जागेबाबत योग्य तो पाठपुरावा चालू असून सदर जमीन खरेदीसाठी २९.५५ लक्ष रुपये १५ वा. वित्त आयोग निधितून तरतुद केलेली आहे. सदर जागा खरेदी व्यवहार पूर्ण होताच घनकचरा व्यवस्थापनाचा शास्त्रोक्त प्रकल्प उभारणेत येईल.

ग्रामविकास अधिकारी
ग्रुप ग्रामपंचायत खडकाळे
ता. मावळ, जि. पुणे

२. घनकचरा वर्गीकरण बाबत खातेदार स्तराव ओला व सुका कचरा व प्लॅस्टीक कचरा वर्गीकरण केले जाते व कचरा गोळा केला जातो त्यासाठी ग्रामस्थ स्वतः सदर काम करत आहे. तसेच ग्रा.पं. स्तरावर ही सदरचे काम करणेत येते.
३. घनकचरा व्यवस्थापन सन २०१६ मधील पारीत केलेल्या आदेशानुसार कचरा वर्गीकरणाबाबत कार्यवाही चालु आहे.
४. ग्रा.प. मार्फत घनकचरा गोळा केला जातो तसेच ग्रामस्थ व ग्रा.प. कर्मचारी मार्फत वर्गीकरण घेतो आहे. तसेच ग्रा. प. मार्फत बायोक्लचर पावडर धुरणीकरण व केमीकल फवारणी करून निर्जंतुकीकरण प्रक्रीया केली जाते.
५. घनकचरा व्यवस्थापन प्रकल्पाचे ठिकाणी आग प्रतिबंधक उपाय योजना वेळोवेळी केली जाते. सदर ठिकाणी आग लागू नये याबाबतची काळजी ग्रा.प. मार्फत घेणेत येत आहे. त्यासाठी सफाई कर्मचारी यांना वेळोवेळी सुचना देवून कार्यवाही करणेत येते.
६. सदर ठिकाणी दुर्गंधी येणार नाही त्यासाठी केमीकल ची फवारणी वेळोवेळी केली जाते त्यामुळे दुर्गंधी पसरणेस आळा बसतो. सदर बाबत ग्रा. पं. योग्य ती कार्यवाही सातत्याने करत आहे.
७. ग्रा.पं. खडकाळेची घनकचरा प्रकल्पासाठी जागा खरेदीबाबत पाठपुरावा चालु आहे. सदर खरेदी व्यवहार पूर्ण होताच. सदरचा कुसगांव खुर्द हद्दीतील घनकचरा प्रकल्प बंद करणेत येईल.
- वरील प्रमाणे ग्रा.पं. खडकाळा मार्गात १ ते ०७ मुद्दयांप्रमाणे कार्यवाही केलेली असुन कार्यवाही अहवाल सविनय सादर.

ग्रा.वि.अ.
ग्रा.प.खडकाळा

ग्रामविकास अधिकारी सरपंच
ग्रुप ग्रामपंचायत खडकाळे
ता. मावळ, जि. पुणे.

सरपंच
ग्रा.प.खडकाळा

English Translation

Page 1

Date : 19.03.2024

To,

The Hon. Chief Executive Officer, **Zilla Parishad Pune.**

Subject: Regarding permission to purchase land for a garbage depot at Gram Panchayat Khadkale, Taluka Maval, District Pune. **Through:** Block Development Officer, Panchayat Samiti Maval.

Respected Sir,

With reference to the above subject, it is requested that Gram Panchayat Khadkale, Taluka Maval, District Pune, requires land for garbage storage and waste processing. Accordingly, in the financial year 2021-2022, the Gram Panchayat passed a resolution to make provision for land purchase in the 15th Finance Commission plan.

Mr. Mahesh Indarmal Gadiya and Mrs. Pinky Mahesh Gadiya are willing to sell 25 R of land in Survey No./Gat No. 38.

Therefore, it is a humble request that the Hon. Officer grant permission to purchase this land.

Page 2

To,

The Hon. Block Development Officer (Upper Grade), Panchayat Samiti
Wadgaon Maval.

Subject: Regarding the submission of an action report on the solid waste
dumping site near the limits of Gram Panchayat Khadkala.

Reference: MPCB Regional Office Pune, Outward Letter No. 2308040006,
Dated 4/8/2023

Respected Sir,

Regarding the cited subject, it is informed that as a Gram Panchayat-owned
solid waste management project is currently unavailable in Khadkala/Khamshet,
land has been taken on a rental basis from a private farmer in the Kusgaon area
for waste storage. However, as this waste occasionally catches fire, the Gram
Panchayat has extinguished the fires using tankers and the fire brigade from
time to time.

To find a permanent solution, the Gram Panchayat has decided to purchase 25
Gunthas of land and has initiated correspondence with the senior office for
permission. Once permission is received, the waste management project will be
implemented. The Gram Panchayat will strictly follow the regulations of the
Maharashtra Pollution Control Board (MPCB).

Accompaniments:

1. Photos of fire extinguishing work.
2. Copy of correspondence with the senior office for land purchase
permission.

Date: 01.04.2024

To, The Hon. Block Development Officer, Panchayat Samiti Tal. Maval, Dist. Pune.

Subject: Regarding solid waste management within the limits of Gram Panchayat Khadkala, Tal. Maval, Dist. Pune.

Reference: Panchayat Samiti Maval Letter No./PS/Swabhama/Kavi/305/2024. Show-cause notice dated 28/03/2024.

Respected Sir,

With reference to the above subject, we are submitting the clarification of actions taken regarding solid waste management in the Khadkala area with photos:

Point No. 01: The Gram Panchayat has decided to purchase land within its limits. It has been decided to purchase 25 Are of land in Gat No. 38 from Mr. Mahesh Indarmal and Mrs. Pinky Mahesh Gadiya. A proposal was sent to the Chief Executive Officer, Zilla Parishad Pune, on 01/04/2024. Follow-up is ongoing, and a provision of 29.55 Lakh Rupees has been made from the 15th Finance Commission fund for this land purchase. Once the transaction is complete, a scientific waste management project will be built.

2. Waste Sorting: At the household level, wet, dry, and plastic waste is sorted. Villagers are doing this work themselves, and it is also being done at the Gram Panchayat level.

3. Solid Waste Management: Action is being taken regarding waste classification as per the orders passed in 2016.

4. Collection and Disinfection: Waste is collected by the Gram Panchayat. Disinfection is carried out using bio-culture powder, fumigation, and chemical spraying.

5. Fire Prevention: Fire prevention measures are taken regularly at the waste management site to ensure fires do not occur. Cleaning staff are given frequent instructions.

6. Odor Control: Chemical spraying is done regularly to prevent foul odors from spreading.

7. Relocation: Once the land purchase for the Khadkale project is finalized, the current project in the Kusgaon Khurd area will be closed.

The above report on points 1 to 7 is respectfully submitted.

DIARY NO. - 60752/2025**GRAM PANCHAYAT VS. ABHIJIT MADHUKAR GARAD**

Case Details	
Diary Number	60752/2025 Filed on 18-10-2025 12:31 PM SECTION: I-B DEFECTIVE MATTERS NOT RE-FILED AFTER 90 DAYS
Case Number	C.A. No.
CNR Number	SCIN010607522025
Present/Last Listed On	13-03-2026 [HON'BLE MR. JUSTICE N.V. ANJARIA]
Status/Stage	Pending (Motion Hearing [DIRECTION MATTERS]) Peremptory order (in days) (56)-Ord dt:13-03-2026
Category	2002-Environmental Laws : Appeal under Section 22 of the National Green Tribunal Act, 2010
Petitioner(s)	1 GRAM PANCHAYAT
Respondent(s)	1 ABHIJIT MADHUKAR GARAD 2 MAHARASHTRA POLLUTION CONTROL BOARD 3 GRAM PANCHAYAT 4 CENTRAL GROUND WATER AUTHORITY 5 PUNE METROPOLITAN REGIONAL DEVELOPMENT AUTHORITY 6 VIJAY BANDU LALGUDE 7 THE COLLECTOR, PUNE 8 MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (MOEFF AND CC) 9 RURAL DEVELOPMENT AND PANCHAYAT RAJ DEPARTMENT 10 FORISAQUA-PHASE1
Petitioner Advocate(s)	A. KARTHIK

