

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

Original Application No.231/2024(WZ)

[Earlier Original Application No.1268/2024 (LP) (PB)]

Rajesh Shamrao Kadam ... Applicant

V/s

Maharashtra Pollution Control Board (MPCB) ... Respondents

**Report on behalf of the Maharashtra Pollution Control Board
in compliance of the Order Dated 19/12/2024 passed by the
Hon'ble National Green Tribunal (WZ).**

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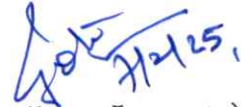
1. Rajesh Shamrao Kadam has made a complaint dated 30/5/2024 regarding pollution in Shivganga River and Lendi Odha in Nasarapur, Tal: Bhore, Dist: Pune due to dumping of solid waste by all villages and all polluted water directly thrown in the Lendi Odha. River Shivganga and Lendi Odha are tributaries of Nira River. The Hon'ble National Green Tribunal, Principal Bench, New Delhi has registered the said Complaint as Original Application No.1268/2024(LP) and transferred the said Letter Petition vide Order dated 21/11/2024 to the Hon'ble NGT, WZ, Pune, which has re-numbered as Original Application No.231/2024 (WZ) before Hon'ble NGT, WZ, Pune.

2. The Hon'ble NGT, WZ, Pune vide order dated 19/12/2024 impleaded the Chief Officer, Municipal Council, Bhor, Dist: Pune; Collector, Pune and Sarpanch, Village Panchayat, Nasarapur, Tal: Bhor, Dist: Pune as Respondent Nos 2 to 4 and directed the Respondents submit Affidavit.
3. In compliance of the Order dated 19/12/2024 passed by this Hon'ble NGT, the Official of the Respondent Board at Pune visited to the surrounding area of River Shivganga & Lendi Odha on 22/01/2025 and observed as follows :-
 - I. During visit mixed municipal solid waste i.e wet & dry waste found spread on the bank of river and not observed any burning of solid waste on the bank of river.
 - II. Grampanchayat Nasarapur has installed flex display board for awareness of citizens regarding not to dispose of solid waste.
 - III. In the lendi odha domestic effluent & on both sides of odha lot of waste plastic material found spread.
 - IV. In the lendi odha MSW was found burned at site & smoke was coming from unburned solid material.
 - V. On the lendi odha road, there is a bridge and Grampanchayat Nasarapur has taking initiative to install barricading screen to arrest disposal of waste, which is in progress.
 - VI. Grampanchayat Nasarapur has not provided any treatment facility of solid waste & domestic effluent. Grampanchayat has provided 2 No's Ghanta gadi

vehicles for collection of solid waste. A copy of the Visit Report Dated 22/01/2025 is enclosed as an **Annexure I**.

4. On the basis of non-compliance observed during visit on 22/1/2025, the Respondent Board has issued the Proposed Directions to Block Development Officer, Bhor Panchayat Samiti, Pune vide letter dated 03/02/2025 regarding dumping of unscientific solid waste generated from the Jurisdiction of the Grampanchayat Nasarapur. A copy of Proposed Direction Dated 03/02/2025 is attached as **Annexure II**.

For and on behalf of Maharashtra
Pollution Control Board,



(Kartikeya Langote)
Sub Regional Officer, Pune-I

Date: 07 /2/2025
Place: Pune

MAHARASHTRA POLLUTION CONTROL BOARD**Sub-REGIONAL OFFICE, PUNE 1**

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Date:- 22.01.2025

Visit Report

As per HQ, MPCB, Mumbai Email dtd 19/12/2024 to carry out fresh inspection report in respect of Hon'ble NGT order dtd. 19/12/2024 O.A. No. 231/2024 (WZ), earlier O.A. No. 1268/2024 (LP) During visit following observations made as-

1. Visited to Grampanchayat Nasarapur & meet to Sarpunch Usha Vikram Kadam & Rupesh Ravinda Ovhal, cleark. Along with Ovhal visited to surrounding area of River Shivganga & Lendi Odha.
2. During visit mixed municipal solid waste i.e wet & dry waste found spread on the bank of river. During visit not observed any burning of solid waste on the bank of river.
3. Grampanchayat Nasarapur has installed flex display board for awareness of citizens regarding not to dispose of solid waste.
4. In the lendi odha domestic effluent & on both sides of odha lot of waste plastic material found spread.
5. In the lendi odha MSW was found burned at site & smoke was coming from unburned solid material.
6. On the lendi odha road, bridge is there and now grampanchayat Nasarapur has taking Initiative to install barricading screen to arrest -dispose of waste, work of same is in progress.
7. Grampanchayat Nasarapur has not provided any treatment facility of solid waste & domestic effluent. Grampanchayat has provided 2 No's Ghanta gadi vehicles for collection of solid waste.

(S.J. Bhoi)
Field Officer
SRO, Pune-1

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE**

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"Your Service is our Duty"

MPCB/ROP/SWM/PD/ 2502030001 Date: 03/02/2025

To,
Block Development Officer,
Bhor Panchayat Samiti,
Tal. Bhor, Dist. Pune.

- Sub:** Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974 and under section 31 A of the Air (Prevention & Control of Pollution) Act, 1981.
- Ref:** (1) Hon'ble National Green Tribunal (WZ) passed an order in OA No. 194/2024 Satya Prakaash Bastiram Sharma V/s. MPCB.
(2) Joint visit of the Board Official along with the representative of the Grampanchayat Nasarapur, Tal. Bhor to the site on 22/01/2025
(3) Legal Action Proposal submitted by the SRO Pune-I vide no. MPCB-LEGAL-ACTIONS-230125013, Dtd. 23/01/2025

AND WHEREAS, it is obligatory on the part of every local body, operator of the facility or any other agency responsible for processing and disposal of solid waste, to comply with the provisions of the Solid Waste Management Rules, 2016.

AND WHEREAS, It is obligatory on your part to facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on your own or with private sector participation or through any agency for optimum utilization of various components of solid waste adopting suitable technology and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the State / Central Pollution Control Board.

AND WHEREAS, you have not obtained authorization from the Maharashtra Pollution Control Board under Solid Waste Management Rules, 2016 to set up and operate solid waste processing and dumping sites.

AND WHEREAS, Hon'ble National Green Tribunal (WZ) passed an order in O.A. No. 231/2024 and O.A. No. 1268/2024 (LP) Rajesh Shamrao Kadam V/s. MPCB.

AND WHEREAS, In compliance of the Hon'ble NGT Order, the Board Official at Sub Regional Officer, M.P.C. Board Pune-I along with the representative of the Grampanchayat Nasarapur, Tal. Bhor, Dist. Pune carried out the inspection at site and accordingly submitted the legal action proposal vide reference (3) above and reported the following non-compliances.

- (1) You have not provided the facility for the proper collection, segregation, treatment and disposal for the Municipal Solid Waste generated from the jurisdictions of the Grampanchayat Nasarapur.
- (2) You have collected the Municipal Solid Waste generated from the Grampanchayat Nasarapur is about 1.5 MT/Day. However, the same dump is dumped the mixed (Dry and Wet) waste on the bank of River Shivganga.

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- (3) You have not provided the collection and treatment system for the treatment of the domestic effluent generating from the jurisdiction of Grampanchayat Nasarapur and discharging untreated effluent into the Lendi Odha, which further meets to River
- (4) You have not segregated and disposed of plastic waste scientifically as both side of the Lendi Odha plastic waste is spread.

AND WHEREAS, due to burning / illegal dumping unscientifically of solid waste and aforesaid industrial area, the nuisance of air pollution was caused in the surrounding area and due to discharge of untreated domestic effluent ground water may be contaminated.

AND WHEREAS, you have failed to comply with the provisions of the Solid Waste (Management) Rules, 2016 and conditions prescribed in the MSW Authorization.

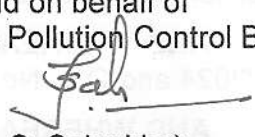
AND WHEREAS, after examining the record of your case and reports of the officers of the Board, it has been concluded that, you have failed to comply the provisions of the Air (Prevention and Control of Pollution) Act, 1981 and thereby causing air pollution into the environment. Also, you have failed to comply with the provisions of the Solid Waste (Management) Rules, 2016.

NOW THEREFORE, in exercise of the powers conferred upon me under section 31A of the Air (Prevention & Control of Pollution) Act, 1981; I, J. S. Salunkhe, Regional Officer of the M.P.C. Board, at Pune hereby issue directions as under-

1. Why shall not initiate further stringent action with recommendation against your local body ?

You are hereby given an opportunity to respond within 15 days with corrective action plan along with the short term measures and long term measures for domestic effluent treatment / disposal and proper Solid Waste Management as per the SWM(Management) Rules, 2016 from issuance of these directions, failing which, MPCB will initiate legal action against your unit without giving any further notice in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 read with Environment (Protection) Act, 1986, which please note.

For and on behalf of
Maharashtra Pollution Control Board


(J. S. Salunkhe)
Regional Officer,
M. P. C. Board Pune

Copy for further necessary action

- Sarpancha and Gramsevak Grampanchayat, Nasarapur, Tal. Bhor, Dist. Pune.

Copy Submitted for information to :-

1. The Member, Secretary, M.P.C. Board, Mumbai.
2. The Hon'ble District Collector, Pune.
3. Chief Executive Officer, Zilla Parishad, Pune
4. Joint Director (APC), M.P.C. Board, Mumbai.
5. Regional Officer (HQ), M.P.C. Board, Mumbai.
6. Dy. Chief Executive Officer, Zilla Parishad (Grampanchayat), Pune.
7. Law & Policy Div. M.P.C. Board Mumbai.

Copy to- The Sub-Regional Officer, M.P.C. Board, Pune-II :- You are directed to serve this letter and keep the follow up and report the compliance from time to time.

