

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

**Original Application No.169/2023(WZ)
Earlier LP No.47/2023(WZ)**

Dharamraj Salve Applicant

Versus

M/s. Hind Agro and Chemicals & Anr. Respondent(s).

**Report on behalf of Respondent No.3- Maharashtra Pollution
Control Board**

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1. The Hon'ble National Green Tribunal (WZ) while disposing the said Original Application No.169/2023 vide Order dated 03.05.2024 directed Respondent No.3- Maharashtra Pollution Control Board to submit a compliance report.
 2. In compliance of the Hon'ble NGT Order dtd.03.05.2024, the Respondent No.3-MPCB is filing it report as under :
 - I. Respondent No.3-MPCB has issued directions under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 dated 20.12.2023 to Pimpri Chinchwad Municipal Corporation (PCMC), M/s. Hind Agro and Chemicals and M/s. Sai Ganesh Enterprises, Gat No.463 and 464, SLF-1, Sector-5, Village: Moshi, Tal: Haveli, Dist:

Pune (facility operator of PCMC) and directed to lift & dispose off all the stored material in a scientific manner within 7 days and PCMC was directed to ensure the compliance of the said direction within stipulated time period. A Copy of the direction dated 20.12.2023 is attached herewith and marked as an **Annexure-I.**

- II. In compliance of the directions dated 20/12/2023, the PCMC has submitted its Action Taken Report to Respondent No.3-MPCB on 21/03/2024 and 14/5/2024, wherein, PCMC vide letter dated 31.10.2023 directed M/s. Hind Agro and Chemicals and M/s. Sai Ganesh Enterprises to remove all the dumped waste from the subject area as per the complaint and make the area as original etc.
- III. In order to verify the compliance of the directions and action taken report submitted by PCMC, the Officials of the Respondent Board at Pimpri Chinchwad visited the aforesaid site on 17/05/2024 and observed as under:
- i) The operator of biomining plant had kept processed dry municipal solid waste as 40 mm final reject & inert generated from biomining plant at 3 no. of locations as below,
 - a) 1st location - Latitude- 18.6503410, Longitude- 73.8539270, Gandharv Nagari, Tapkir Nagar, Moshi.

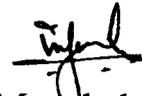
- b) 2nd location- Latitude- 18.6554250, Longitude- 73.8622130, Near Adarsh Nagar, Tapkir Nagar, Moshi.
- c) 4th location- Latitude- 18.6553632, Longitude- 73.8617840, Near Adarsh Nagar, Tapkir Nagar, Moshi.

Above three locations are in low laying area and adjacent to 90 mt road in Moshi village. Reject is used for filling of low laying area and inert is used for covering of filled area.

- ii) 3rd Location:- Latitude- 18.6553632, Longitude- 73.8617840, Near Adarsh Nagar, Tapkir Nagar, Moshi, operator had lifted the material back to biomining plant site.
- iii) At remaining three sites, no any wet waste and leachate generation is observed. Also no any smell is noticed.

A Copy of the visit report dated 17/05/2024 is attached herewith and marked as an **Annexure-II**.

For & on behalf of Maharashtra
Pollution Control Board,



(Manohar Jadhav)
Sub Regional Officer,
Pimpri Chinchwad

Place- Pune
Date- 19/06/2024

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

Phone No. 020-25811694
Fax No. 020-25811701
e-mail : ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdewadi,
Old-Pune Mumbai Road,
Pune- 411003

ROP/ MPCB/Directions / 23/2200002

Date: 20/12/2023

To,

(1) Joint City Engineer (Environment),
Solid Waste Management Section,
Pimpri Chinchwad Municipal
Corporation, Pimpri, Pune.

(2) M/s. Hind Agro and Chemical &
M/s. Sai Ganesh Enterprises,
Gat No. 463 and 464. SLF-1,
Sector-5, Village Moshi, Tal.
Haveli, Dist. Pune. (Facility
operator of PCMC)

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

- Ref :**
- 1) Consent to Operate granted by the Board vide no. Format1.0/RO-HQ/UAN No.0000133341/CO/2211001140, Dtd. 15/11/2022.
 - 2) Complaint received from Shri. Dhammaraj Salve, through email Dtd. 26/9/2023.
 - 3) Visit of the Board Official at Pimpri Chinchwad at site on 10/10/2023.
 - 4) The Hon'ble NGT (WZ), Pune order Dated 10/10/2023 in letter petition no. 47/2023 (WZ), complaint Dtd. 04/10/2023 made by Shri Dhammaraj Salve, resident of Pimpri Chinchwad, Pune.
 - 5) Jointly visited by PCMC Officials and MPCB Officials to the site in question on 27/10/2023.
 - 6) Legal Action Proposal Submitted by Sub Regional Officer, Pimpri Chinchwad vide MPCB- LEGAL-ACTIONS-121023009, Dtd. 07/11/2023.
 - 7) Personal hearing of PCMC and Operator of facility is extended at MPCB, Regional Office, Pune on 18/12/2023, with the approval of Board's Competent Authority.

The Hon'ble NGT (WZ), Pune order Dated 10/10/2023 in letter petition no. 47/2023 (WZ), complaint Dtd. 04/10/2023 made by Shri Dhammaraj Salve, resident of Pimpri Chinchwad, Pune, complaining about solid waste is being dumped on land, covering it with murum and soil at Moshi along the road by digging the pits illegally. In compliance of the Hon'ble NGT aforesaid order, the PCMC and MPCB officials are visited the site in question on 27/10/2023.

With reference to above, the Sub-Regional Officer, Pimpri Chinchwad has submitted the legal action proposal vide reference (6) and accordingly, the personal hearing conducted jointly on 18/12/2023.

During course of hearing the representative of M/s. Hind Agro and Chemical & M/s. Sai Ganesh Enterprises, operator of biomining plant informed that, the inert generated from bio mining plant (20 mm trommel reject) and processed dry municipal solid waste (40 mm trommel reject) are stored on the private land and outside the premises, due to lack of adequate space for performing bio mining activity.

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Considering your submissions during the hearing and report of Sub Regional Officer Pimpri Chinchwad, the Board has decided to issue following directions,

1. You shall lift and dispose of the all the stored material in a scientific manner within 07 days.
2. The Pimpri Chinchwad Municipal Corporation shall ensure the compliance of the above directions within the stipulated time period.

The Pimpri Chinchwad Municipal Corporation (PCMC) and Operator of the facility i.e. M/s. Hind Agro and Chemical & M/s. Sai Ganesh Enterprises shall submit the compliance report of the above directions, in case you fail to comply with the the same the Board will have no option to initiate further legal action on as deemed fit against the corporation and facility operator, which may please be noted.

For and on behalf of
Maharashtra Pollution Control Board


(Ravindra Andhale)
Regional Officer, Pune

Copy submitted to:-

1. Joint Director (APC), MPCB, Mumbai
2. Law Officer, MPCB, Mumbai.

Copy to : The Sub-Regional Officer, M.P.C. Board, Pimpri Chinchwad : You shall verify the compliance of above directions and submit the report.

MAHARASHTRA POLLUTION CONTROL BOARD SUB-REGIONAL OFFICE – PIMPRI CHINCHWAD



Ph. 020-25811694
Fax. 020-25811029

Jog Center Bldg.
2nd floor, Wakdedwadi,
Old Mumbai – Pune Highway,
Pune 411003

Visit Report

Name & Address of Project :- M/s. Pimpri Chinchwad Municipal Corporation
M/s. Hind Agro and Chemicals & Sai Ganesh
Enterprises (Operator of the Project)
Gut No. 463 & 464, SLF-1, Sector – 5, Moshi,
Tal. Haveli, Dist. Pune

Date of Visit :- 17/05/2024

Consent Validity :- Obtained consent to operate and authorization for
Biomining of Legacy waste - 2000 MT/Day

Observations :-

Visit is carried out in compliance of Hon'ble NGT order dated 03/05/2024 in Original Application No.169/2023(WZ) Earlier LP No.47/2023(WZ) filed by the applicant Shri. Dhamaraj Salve, resident of Pimpri-Chinchwad, Pune against M/s. Hind Agro and Chemicals & Anr. regarding solid waste dumped on the land, covering it with Murum and sand at Moshi along the road by digging the pits illegally and the verification of the action taken report submitted by PCMC to MPCB vide letter dated 14/05/2024 in compliance of the direction dated 20/12/2023.

Accordingly, MPCB officials has visited the sites as per the earlier report where operator of Biomining plant had dumped processed dry solid waste and inert waste at 4 no. of locations in low laying area adjacent to 90 mt road in Moshi village. The observations made during visit are as below,

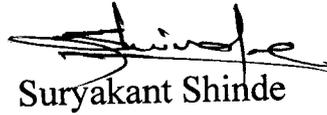
- 1) During visit, it is observed that, the operator of biomining plant had dumped processed dry municipal solid waste as 40 mm final reject & inert

generated from biomining plant at 3 no. of locations as below,

- a) 1st location - Lattitude- 18.6503410, Longitute- 73.8539270, Gandharv Nagari, Tapkir Nagar, Moshi.
- b) 2nd location- Lattitude- 18.6554250, Longitute- 73.8622130, Near Adarsh nagar, Tapkir Nagar, Moshi.
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- 2) 3rd Location:- Lattitude- 18.6553632, Longitute- 73.8617840, Near Adarsh nagar, Tapkir Nagar, Moshi, operator had lifted the dumped material back to biomining plant site.
- 3) At remaining three sites, no any wet waste and leachate generation is observed. Also no any smell is noticed.



Suryakant Shinde
Field officer, MPC Board,
Pimpri Chinchwad



Manchak Jadhav
Sub Regional Officer, MPC
Board, Pimpri Chinchwad