

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI AND NATIONAL GREEN TRIBUNAL (WESTERN ZONE  
BENCH), PUNE**

**Original Application No. 334/2024 (PB) [Transferred to] Original Application No. 157/2024  
(WZ)**

**IN THE MATTER OF:**

**Vinod Kumar Giridharilal Jaiswal,**  
President Jan Adhikar Socio Foundation,  
Address: Flat No.09, Plot No.21, Yogeshwari Silver Heights,  
Aahinsa Nagar, Chhatrapati Sambhaji Nagar (Aurangabad),  
Maharashtra 431 003  
Contact No.: 7588045431, 9422707149  
Email ID: vinodgjaiswal@gmail.com **Applicant**

**VERSUS**

**State of Maharashtra & Others ... Respondents**

**WRITTEN SUBMISSION ON BEHALF OF THE APPLICANT**

**To,  
The Registrar, National Green Tribunal,  
Western Zone Bench, Pune.**

**Most Hon'ble Sir/Madam,**

I, Vinodkumar Giridharilal Jaiswal, the Applicant in the above-mentioned Original Application No. 157/2024(WZ), formerly Original Application No. 334/2024(PB), respectfully submit this written statement in furtherance of my complaint regarding the Municipal Solid Waste (MSW) Plant in Chikalhana, Aurangabad, operated by the Aurangabad Municipal Corporation (AMC).

**1. Background of the Grievance:** My original letter petition, dated September 8, 2023, highlighted critical environmental violations by the Aurangabad Municipal Corporation (AMC) concerning its Municipal Solid Waste Plant in Chikalhana, Aurangabad. The core of my complaint was the operation of this plant without the requisite Environmental Clearances (EC) as mandated by the Environmental Impact Assessment (EIA) Notification dated September 14, 2006, and its failure to comply with the Solid Waste Management Rules, 2016.

**2. Prior Attempts to Seek Redressal:** Before approaching this Hon'ble Tribunal, I diligently

pursued the matter with various statutory authorities, yet no effective action was taken.

- **February 27, 2022:** I registered a grievance with the Central Pollution Control Board (CPCB) on the public grievance portal (pgportal.gov.in) with Grievance ID MOEAF/E/2022/00362, specifically pointing out that the Chikalthana MSW plant lacked the necessary environmental clearance.
- **March 16, 2022:** This complaint was subsequently forwarded by CPCB to the Member Secretary of the Maharashtra Pollution Control Board (MPCB) for necessary action. I also emphasized the non-compliance with the Solid Waste Management Rules, 2016.
- **November 29, 2022:** Due to MPCB's inaction, I re-registered my grievance with CPCB under Grievance ID MOEAF/E/2022/02975.
- **January 06, 2023:** CPCB issued a reminder to MPCB, explicitly stating that the Municipal Solid Waste Processing plant in Chikalthana, Aurangabad, was operating without the required Environmental Clearance as per the EIA Notification 2006 and noted the absence of an Action Taken Report from MPCB.
- **August 29, 2023:** I received an unsatisfactory response from Dr. P.P. Munde, Sub-Regional Officer, MPCB, Aurangabad, merely stating that a warning notice had been issued.

This consistent failure by MPCB to take concrete action for over 18 months demonstrated a clear disregard for environmental laws and public health.

**3. NGT Intervention and Joint Committee Report:** The Hon'ble National Green Tribunal, acknowledging the seriousness of the complaint, registered this Original Application in exercise of its suo-motu jurisdiction on a letter petition dated September 8, 2023, sent by Vinod Kumar Girdharilal Jaiswal. This application, originally O.A. No. 334/2024 (PB), was subsequently transferred and is now listed as Original Application No. 157/2024 (WZ) before the Western Zone Bench in Pune. On July 1, 2024, this Hon'ble Tribunal constituted a Joint Committee comprising the Maharashtra Pollution Control Board (MPCB), Central Pollution Control Board (CPCB), and the District Magistrate, Aurangabad, with MPCB as the Nodal Agency. The Committee was directed to visit the site, collect relevant information, ascertain compliance with statutory clearances and Solid Waste Management Rules, 2016, and recommend appropriate punitive, prohibitive, and remedial action if violations were found.

The Joint Committee conducted its inspection on September 5, 2024, and submitted its report.

#### 4. Key Findings of the Joint Committee Report:

While the Joint Committee concluded that the Chikalhana facility, being a standalone processing unit (composting, RDF making), does not require prior Environmental Clearance under the EIA Notification, 2006 (referencing MoEF&CC Office Memorandum dated November 7, 2017), it identified severe non-compliances with the Solid Waste Management Rules, 2016.

- **Expired Authorization:** The facility's authorization to operate from MPCB expired on December 31, 2023. While an online application for renewal was made in March 2024, the renewed authorization is still pending.
- **Unscientific Waste Management:**
  - Approximately 10,000 MT of wet waste is unscientifically piled on the windrow platform, exceeding its processing capacity and making scientific processing difficult.
  - No secured landfill exists for the disposal of rejects. About 2.835 lakh MT of rejects are stockpiled on a lined area within the premises, with substantial leachate overflow due to inadequate conveyance.
  - About 1 lakh MT of legacy waste is unscientifically stockpiled on an unlined area within the facility premises since its inception.
  - Haphazard and unscientific stockpiling of wet waste was observed, leading to significant spillages into the storm water drain.
- **Inadequate Leachate Treatment:** The facility lacks an adequate leachate treatment system. Untreated leachate is being discharged through an RCC pipeline into AMC's sewerage network without any prior treatment, violating Schedule-II (B): Standards for treated leachate, of the SWM Rules, 2016.
  - Analysis of leachate samples revealed concentrations of SS, BOD, COD, TDS, and Chloride significantly exceeding the prescribed standards for disposal into public sewer. For example, SS: 960>600~mg/l; BOD: 4,750>350~mg/l; COD: 12,960>350~mg/l; TDS: 22,047>2,100~mg/l and Chloride: 2,924>1,000~mg/l.
- **Prior Directions and Environmental Compensation:** MPCB had previously issued directions to AMC for various non-compliances, including the lack of leachate treatment facility & discharge of leachate into Sukhna River through a natural drain, not processing legacy waste, not commissioning sanitary landfill site for disposal of rejects and not renewed the existing Authorization. The Joint Committee also noted MPCB's previous directions for levying environmental compensation on AMC for these non-compliances

and for not commencing legacy waste remediation work since April 1, 2020.

**5. Environmental Compensation Assessed by Joint Committee:** Based on the violations of the Solid Waste Management Rules, 2016, and the non-compliance with Hon'ble NGT orders regarding legacy waste management, the Joint Committee assessed the following environmental compensation to be levied on AMC:

- For discharge of untreated effluent (leachate) in violation of prescribed standards: **Rs. 2,32,12,500/- (Rupees Two Crore Thirty-Two Lakhs Twelve Thousand Five Hundred Only).**
- For not commencing the work of legacy waste site remediation from April 1, 2020: **Rs. 5,10,00,000/- (Rupees Five Crore Ten Lakhs Only).**

**Total Environmental Compensation: Rs. 7,42,12,500/- (Rupees Seven Crore Forty-Two Lakhs Twelve Thousand Five Hundred Only).**

**6. Recommendations of the Joint Committee:** The Joint Committee recommended that the assessed environmental compensation be levied on AMC and that AMC be directed to submit a short-term and long-term action plan along with budgetary estimate including sourcing of funds and timeline for completion of the processing/bio-mining of the 1 lakh MT of legacy waste and to address the untreated leachate discharge.

### **7. Conclusion and Prayer:**

The findings of the Joint Committee unequivocally confirm the serious and continued environmental violations by the Aurangabad Municipal Corporation. Despite repeated complaints and reminders, and even prior directions from MPCB, the AMC has demonstrably failed in its responsibility to manage municipal solid waste scientifically and in compliance with environmental regulations. The discharge of untreated leachate and the unscientific stockpiling of vast quantities of legacy waste and rejects pose a significant and ongoing threat to public health and the environment.

Therefore, I humbly pray to this Hon'ble National Green Tribunal to:

- **Accept and enforce the recommendations of the Joint Committee Report**, including the levy of the assessed environmental compensation of **Rs. 7,42,12,500/- (Rupees Seven Crore Forty-Two Lakhs Twelve Thousand Five Hundred Only)** on the Aurangabad Municipal Corporation.

- **Direct the Aurangabad Municipal Corporation to forthwith implement the short-term and long-term action plans** as recommended by the Joint Committee, with strict timelines for compliance, especially concerning the treatment of leachate and the remediation of legacy waste.
- **Order continuous monitoring and reporting** of the compliance status by the concerned authorities to ensure that the environmental violations are permanently rectified.
- **Initiate strict disciplinary action, including departmental inquiry and suspension, against all concerned officials** of the Aurangabad Municipal Corporation and the Maharashtra Pollution Control Board found responsible for the discrepancies, negligence, and failure to enforce environmental protection laws. Such stringent measures are essential to ensure that government machinery takes environmental protection with the utmost seriousness it deserves.
- **Impose any other directions** as this Hon'ble Tribunal deems fit and proper in the interest of environmental protection and public health.

Thank you for your attention to this critical matter.

Sincerely,

**(Vinodkumar Giridharilal Jaiswal)**

Applicant in Person President,

**Jan Adhikar Socio Foundation**

*"Empowering Communities for a Greener  Tomorrow"*