

## Minutes of the Second Meeting of State Level Committee for Effective Implementation of Solid Waste Management Rules 2016

Venue: 5<sup>th</sup> Conference Hall, Hon'ble CM War Room, 7<sup>th</sup> floor, Mantralaya

Time: 2.00 PM

Date: 11.03.2019

The second meeting of the Committee was held on 11.03.2019. Following members of the committee were present in the meeting.

1	Hon'ble Justice Shri J.P. Devadhar, Former Judge, Bombay High Court	Chairman
2	Shri. Anil Diggikar Principal Secretary, Environment,	Member
3	Shri. Muthukrishnan Sankaranarayanan, Commissioner & Director, Directorate Of Municipal Administration	Member
4	Shri Sudhakar Bobade Executive Director, Swachh Maharashtra Mission	Representative member from Urban Development Department (UDD)
5	Shri J.B. Dandegaonkar Mission Director, Swachh Maharashtra Mission	Representative member from UDD
6	Shri Sanjay Sandanshiv, Under Secretary, Environment Department, Government of Maharashtra	Representative member from Environment Department
7	Shri E. Ravendiran, Member Secretary, Maharashtra Pollution Control Board	Member Secretary

Shri Rajesh Lulla with Shri Mahabal, Advocate and Shri Bhagwan Bhadale were present before the State level Monitoring Committee to represent their case. The officials of MPCB, Kalyan Dombivali Municipal Corporation (KDMC) and Pune Municipal Corporation (PMC) were also present before the committee.

The Member secretary of the Maharashtra Pollution Control Board welcomed the Hon'ble Chairman & all Committee Members and gave brief background of the agenda in respect of Appeal bearing No. 52/2018 filed by Shri Rajesh Lulla against KDMC and Appeal bearing No. 52/2015 filed by Shri Bhagwan Bhadale against Commissioner, PMC. The Member Secretary informed that the Hon'ble NGT has directed the parties to appear before the State Level Monitoring Committee & briefed about the matters as follows:

## **1. Appeal bearing No. 52/2018 filed by Shri Rajesh Lulla against KDMC**

Shri Rajesh Lulla, Appellant has filed Appeal bearing No.52/2018 against Kalyan Dombivali Municipal Corporation & Ors before the Hon'ble NGT, Principal Bench, The instant Appeal is filed by the Appellant against the Environment Clearance dated 8/6/2018 granted to Kalyan Dombivali Municipal Corporation (KDMC), i.e. Respondent No.1 for their proposed 200 MT/day integrated Common Waste Management Facility at village Barave, Kalyan, Dist-Thane, as per Environment Impact Assessment Notification dated 14/9/2006. The Hon'ble NGT vide order dated 27/9/2018 directed the parties to appear before the State Level Committee. Accordingly the Applicant and Shri Mahabal, Advocate were present before the State level Committee.

The Hon'ble Chairman of the Committee asked KDMC officials about the status of solid waste generation, for which they submitted that as per 2015 year's population estimation, 650 MT/day solid waste is generated at KDMC. They further informed that there are three solid waste management sites under the jurisdiction of Kalyan Dombivali Municipal Corporation area viz:

- i. Umbarade with 350 MT/day capacity and 1,32,286 m<sup>2</sup> area
- ii. Manda with 350 MT/day capacity and 1,26,000 m<sup>2</sup> area and
- iii. Barave with 200 MT/day capacity and 22,300 m<sup>2</sup> area

The officials of KDMC further stated that the work on the aforesaid MSW sites are ongoing and the application filed before the Hon'ble NGT relates to the site at Barave. Hon'ble Chairman asked KDMC about the area of lands available at each site, the solid waste management action plan of KDMC for treatment and disposal of solid waste management, mode of disposing bio-degradable waste and plan of decentralised processing of organic fraction of the solid waste generated, whether existing first two sites are sufficient to handle the solid waste presently generated in KDMC area and whether it is actually necessary to have the third site of Barave.

The officials of KDMC stated that currently there is only open dumping of the solid waste in the KDMC area at Aadharwadi, which will be scientifically closed in due course of time. Environmental Clearances (EC) for Umbarade and Barave sites have been obtained, whereas for Manda MSW site, the application for Environment Clearance is under process for which, recently, Public Hearing was conducted.

Shri Mahabal, Advocate appeared on behalf of Shri Lulla to represent their case. Shri Mahabal, Advocate stated that the Applicant lives at distance of 150 m from the proposed

landfill site at Barave. He further stated that the site selection is not in accordance with the Solid Waste Management Rules, 2016 for the reasons set out in the application.

The Applicant produced a copy of the Application before the committee. Hon'ble Chairman directed the Applicant to submit point-wise non-compliance/ violations of the SWM Rules, 2016 in a precise note within a period of 8 days to the Committee as well MPCB. MPCB would forward the same to KDMC. The KDMC will submit their comments to MPCB as well the Hon'ble Chairman of the Committee within 8 days. The Hon'ble Chairman informed that the case of the applicants would be heard at the next meeting scheduled on 09.04.2019.

## **2. Appeal bearing No. 52/2015 filed by Shri Bhagwan Bhadale against Commissioner, PMC**

The Member Secretary of the MPCB gave brief background of the matter & informed that the applicants, Shri Bhagwan Laxman Bhadale & Ors., have filed Appeal bearing No.52/2015 against the Pune Municipal Corporation & Ors before the Hon'ble NGT, WZ, Pune. The applicants consisting a group of persons and their family members are affected because of existence of highly objectionable Garbage Management Plant at Gat No.31 to 32, Vill Devachi Urali and S No.191 to 195 Phursungi, Tal Haveli, Dist-Pune used by Pune Municipal Corporation. The main grievances of the applicant are as under:

- The landfill site is not planned and designed with proper documentation of a proposed construction plan as well as closure plan.
- The landfill site is not away from habitation clusters, forest areas, water bodies etc.
- The solid waste is not properly segregated.
- No scientific composition, vermin composting, acrobat digestion for stabilization of waste is observed on the site.
- Instead of lifting of all garbage in the city, the PMC gets it burnt and by such manmade fire to trash and it resulted in dangerous toxic smoke.
- No buffer zone has been kept around landfill site etc.

The officials of the Pune Municipal Corporation informed that they are working on solid waste segregation at source, waste generation reduction, bio mining for the site (which process will start by April 2019) etc. Hon'ble Chairman stated that as in the earlier case, applicants shall submit such point-wise grievances relating to the alleged non-compliance of the Solid Waste Management (SWM) Rules 2016 within one week and thereupon PMC shall submit its comments on the each point raised by the Applicant within one week from the date of receiving the point-wise grievances from the Applicant.

Applicant, Shri Bhadale stated that capping of the landfill has been done properly. Shri Bhadale requested Hon'ble Chairman to visit the site in question. The Hon'ble Chairman agreed to visit the site in question to see the compliance in accordance with the SWM Rules 2016. The applicant requested the Hon'ble Chairman that the next meeting be convened at MPCB office, Pune with officials of PMC. Accordingly next meeting of the Committee is fixed on 16/04/2019 at 11.30 am in the office at MPCB, Pune.

### **Agenda item 2: Status of implementation of SWM by UDD**

The officials of the Urban Development Department (UDD) gave a brief presentation on the status of implementation of SWM Rules, 2016 in the State of Maharashtra. They pointed out that as per recent Swachh Survekshan 2019 for PWM, Maharashtra is the third cleanest state in India and has bagged 46 awards out of total 198 awards. He further pointed out that the Action plan for implementation of SWM Rules has been submitted by all the 127 Nagar Panchayats, whereas 6 out of 27 municipal corporations and 4 out of 234 municipal councils will submit the action plan by April 2019. The implementation of the action plan has been started in 10 cities, which is to be verified by MPCB and UDD.

The officials of the UDD stated that they have adopted population based approach for SWM and proportionate requirement of infrastructure for waste collection, bailing, recycling, processing etc. is being provided to obtain the technical sanctions for entire DPR is ongoing. The officials of MPCB suggested that there should be focus on the municipal corporations, which are major contributor to generate solid waste.

Hon'ble Chairman opined that there should be verification of the data given relating to infrastructure availability and achievement of targets, which are stronger foundation for the data validation and action plan. He urged that the said exercise should preferably be done before 08.04.2019, as the Hon'ble NGT has directed the Chief Secretary of the Maharashtra to remain present on 08.04.2019 before the Hon'ble NGT, New Delhi.

Hon'ble Chairman brought to the notice that the time line prescribed under the SWM Rules 2016 has expired long back and therefore there is immense need to act swiftly failing which, NGT would be constrained to impose fine on erring officers.

Hon'ble Chairman directed that UDD should give detailed status report in accordance with the SWM rules 2016 before the next meeting.

The officials of MPCB informed that in the following matters, the Hon'ble National Green Tribunal has directed the parties to present their case before the committee viz.

- i. Original Application No.103/2017 by Kachara Depot Hatav Kruti Samiti, Sangamner, filed against The Municipal Council Sangamner & Ors.
- ii. Application No.18/2013 filed by Shri Amol Shripati Pawar & Ors., Latur against the Commissioner, Latur Municipal Corporation & Ors.

Hon'ble Chairman directed that the above matters be placed before the Committee on 16<sup>th</sup> March 2019 at 2.30 PM at Mantralaya.

The meeting ended with vote of thanks.

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