

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

[Through Physical Hearing (with Hybrid Option)]

ORIGINAL APPLICATION NO.107 OF 2023 (WZ)

Pooja Hotchandani & Anr.

... **Applicants**

Versus

Nadiad Municipality & Ors.

... **Respondents**

Date of Hearing : 03.02.2025

**CORAM : HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicants : Mr. Saurabh Kulkarni, Advocate along with Mr. Adwait Gokhale,
Advocate

Respondents : Mr. Viral K. Shah, Advocate for R-1
Ms. Manvi Damle, Advocate holding for Mr. Maulik Nanavati,
Advocate for R3 and R-4

ORDER

1. It is apprised by Mr. Saurabh Kulkarni, learned counsel for the applicants that nomenclature of respondent No.1 – Nadiad Municipality has been changed and it has been classified as Nadiad Municipal Corporation though the said Corporation is still being represented by learned counsel Mr. Viral K. Shah, who states that since now nomenclature of respondent No.1 has been changed, it would be appropriate that notice is issued to the new entity by the name Nadiad Municipal Corporation so that no confusion arises in future.

2. We accept the request made by the learned counsel for the applicants as well as respondent No.1 and direct the applicants to amend the nomenclature of respondent No.1 as Nadiad Municipal Corporation through its Commissioner in the memo of Original Application and file amended memo of parties within two days from the date of uploading of this order. We direct the Registry that after filing of amended memo of parties by the applicants, it shall issue notice to the newly impleaded respondent No.1 – Nadiad Municipal Corporation, returnable within two weeks therefrom. The

applicants are directed to take necessary steps for service of notice on newly impleaded respondent No.1 – Nadiad Municipal Corporation, within a week.

3. As per our previous order dated 03.09.2024, a direction was issued to respondent No.1 to submit timeline regarding processing by way of bio-remediation of the collected waste at the site in question, but now after change in nomenclature of respondent No.1, this compliance is required to be made by Nadiad Municipal Corporation.

4. As per paragraph No.5 of the said order dated 03.09.2024, respondent Nos.3 and 4 – GPCB was directed to ascertain as to whether 5% of legacy waste is left at the site in question and in this regard, a report dated 16.10.2024 has been filed through an e-mail dated 03.02.2025, wherein no specific figure has been given, rather it is reported that the legacy waste @ 1200 MT per day has been processed and the unit has been directed to submit time-bound action plan for processing of fresh municipal solid waste and remaining legacy waste. It is also recorded that necessary precaution to prevent fire is directed to be taken. During inspection, ambient air quality of the site is observed poor and instructions have been issued to the Unit to develop sanitary landfill site and bio-composting site at the earliest and that respondent No.1 had not yet paid pending lab charges. We do not find the specific disclosure of the legacy waste by the GPCB in the report. Therefore, the same be disclosed by filing an affidavit within a week from the date of uploading of this order with a direction that a copy of the same shall be served on learned counsel for respondent No.1 as well as applicants. Learned counsel for the applicants and respondent No.1 state that they have not received copy of this report as well. The same shall be served to them forthwith and reply thereto, if any may be filed within a week from the date of uploading of this order.

5. We also find that no compliance is made by respondent No.1 despite last opportunity of two weeks having been given, to submit a clear affidavit as to whether the EDC, which has been calculated by the GPCB to the tune of Rs.8,29,66,800/-, has been deposited by them. Now since after change

in nomenclature of respondent No.1 as Nadiad Municipal Corporation, this affidavit shall be filed within a week from the date of uploading of this order.

6. Put up this matter for next consideration on 07.04.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

February 03, 2025
ORIGINAL APPLICATION NO.107/2023 (WZ)
npj