

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Original Application No.107/2023(WZ)

Pooja Hotchandani & Anr.

.....Applicants

Versus

Nadiad Municipality & Ors.

....Respondents

Date of hearing: 03.09.2024

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

Applicant : Mr. Saurabh Kulkarni, Advocate
Respondents : Ms. Reshma Mutha, Advocate h/f
Mr. Parth Bhatt, Advocate for R-2/Dist. Collector
Mr. Maulik Nanavati, Advocate for R-3 & 4/GPCB

ORDER

1. From the side of applicants, learned counsel Mr. Saurabh Kulkarni has appeared.
2. Today, none has appeared from the side of respondent No.1-Nadiad Municipality. By our previous order dated 21.11.2023, we had directed the EDC amount of Rs.8,29, 66,800/- to be levied from them, which has not been deposited so far nor has any reason been shown and nor has any extension of time been sought as to by when the same would be deposited.
3. Today, from the side of respondent No.1, an affidavit dated 02.09.2024 has been filed stating therein that they have completed 100% processing of legacy waste and 95% of it has been disposed of. The

remaining 5% has not been disposed of because of the heavy rain and the same will be completed within three weeks.

4. It is further mentioned in this affidavit by the respondent No.1 that they have made the arrangement of vehicles of fire brigade to extinguish the fire, which may be caused while processing of the bio-radiation of the collected waste, on being coming into touch with gas lying in the atmosphere at Kamla Solid Waste Management Site so as to avoid any untoward event. It is further submitted that the respondent No.1 has invited the tenders for establishing, operation and management of Solid Waste Plant and has completed the process of tender and executed an Agreement/Contract with Alwazo Solutions Pvt. Ltd. (Lead Member) and Daya Charan & Company (Other Member) of New Delhi, which will start the said work. At the site in question, the work of cleaning and levelling work has been started. But we do not find any timeline mentioned in this affidavit as to by when the same would be completed.

5. The learned counsel for applicants has submitted before us that he has received a copy of this affidavit and further states that still the fire incidences are happening at the site in question. This fact has to be ascertained by the respondent Nos.3 & 4- GPCB as to whether only 5% legacy waste is left at the site in question, to which the learned counsel for respondent Nos.3 & 4- GPCB submits that it is not possible because that area is inundated as of now and it would be possible only after the rainy season is over.

6. The learned counsel for respondent Nos.3 & 4- GPCB has further submitted before us that the amount of Rs.8,29,66,800/-, which has not been deposited so far by the respondent No.1, does not appear to be

possible for the respondent No.1 to deposit the same because they will have to take approval from the Government for that.

7. Whatever the reply from the side of respondent No.1 in this regard, must be filed on record so that we may pass an order accordingly. Therefore, we grant the respondent No.1 last opportunity of two weeks to submit a clear affidavit in this regard as to whether the said amount would be deposited from their side or not.

8. The GPCB shall file an affidavit after verifying the site in question as to whether the legacy waste has been cleared as stated by the respondent No.1 or not.

Put up this matter for further consideration on 12.12.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 03, 2024
Original Application No.107/2023(WZ)
P.Kr