

**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 : 07.04.2025

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

Applicants : Mr. Saurabh Kulkarni, Advocate

Respondents : Mr. Viral Shah, Advocate for R-1
Ms. Khyati Chugh, Advocate holding for Mr. Parth Bhatt,
Advocate for R-2
Mr Maulik Nanavati, Advocate for R-3 and R-4

ORDER

01. From the side of the applicants, learned counsel Mr. Saurabh Kulkarni has appeared and drawn our attention to the Joint Committee Report (annexed at pages 625 to 638 of the paper-book), wherein in sub-para (5) of para 3, it is pointed out that Nadiad Municipality has awarded the work of legacy waste processing (Bio-mining/Bio-remediation) to M/s M/s Dayacharan & Company, Delhi on 29.04.2023 for scientific processing and disposal of all legacy waste by March, 2024. Despite the work of legacy waste processing by the said agency having been done, the legacy waste is lying there at the site in question. Learned counsel has also drawn our attention to para 4 of the Report (page 634 of the paper-book), wherein the amount of Environmental Damage Compensation

(EDC) has been assessed to the tune of Rs.8,29,66,800 and the same has not been deposited till date.

02. From the side of respondent Nos.3 and 4 – GPCB, learned counsel Mr. Maulik Nanavati has appeared and states that the above referred agency namely M/s Dayacharan & Company, Delhi was engaged for clearing the legacy waste, which had been done upto 29.04.2023, but since thereafter, some fresh solid waste got converted in legacy waste, which is lying there. Which has not been cleared. He states that in that regard, a direction needs to be given for clearing the same. Some team may be formed and deputed for taking action in that respect. With regard to payment of EDC, that has to be bifurcated by excluding the amount for the period which would be covered under Original Application No.606 of 2018 and hence, revised amount of EDC shall be submitted by him. We allow a week's time from the date of uploading of this order for the same.

03. We further find that the entire direction given by us vide our previous order dated 03.02.2025 to GPCB has not been complied with. Therefore, we direct respondent Nos.3 and 4 – GPCB to file an affidavit within a week.

04. Respondent No.1 – Nadiad Municipal Corporation (earlier Nadiad Municipality) has filed an affidavit dated 01.03.2025, wherein the same points have been mentioned, which have been raised by GPCB, in paragraph Nos.3 and 10. Therefore, those are not required to be mentioned here again. We direct learned counsel for respondent No.1 to provide a copy of the said affidavit to learned counsel for the applicants and other respondents today only, who may file rejoinder/reply to the same within two weeks.

05. From the side of respondent No.2 – District Collector, Nadiad, learned counsel Ms. Khyati Chugh, holding brief of Mr. Parth Bhatt, has appeared.

06. Put up this matter for final hearing on 30.04.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 07, 2025

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