

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

[Through Physical Hearing (with Hybrid Option)]

**MISC. APPLICATION NO.18 OF 2024 (WZ)
IN
ORIGINAL APPLICATION NO.220 OF 2024 (WZ)
[Earlier Original Application No.253 of 2024(PB)]**

News item titled “Wagholi residents hit the roads”,
Appearing in the Pune Mirror dated 11.02.2024

Versus

Maharashtra State Pollution Control Board & Anr.

... **Respondents**

Date of Hearing : 03.12.2024

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

Respondents : Ms. Manasi Joshi, Advocate for R-1/MPCB

ORDER

1. This Misc. Application has been registered on an Action Taken Report received from respondent No.1 – MPCB in pursuance of the order dated 21.03.2024, passed by the Principal Bench of this Tribunal in Original Application No.253 of 2024, which was, on its transfer from the Principal Bench, registered as Original Application No.220 of 2024 (WZ), by which the Principal Bench had taken suo-motu cognizance of a news item titled “Wagholi residents hit the roads”, wherein the concern was raised with respect to pollution caused by unregulated movements of trucks in Wagholi area of Pune, causing dust pollution and damaging the roads. There were about 60 to 70 trucks said to be commuting to and fro in Bawdi village, which led to huge air pollution exceeding the permissible limit.

2. Pursuant to the aforesaid order of the Principal Bench, the MPCB has filed the Action Taken Report through its e-mail dated 11.11.2024, wherein following is stated and observed:

“4.

- (i) *The MPCB has carried out Continuous Ambient Air Quality Monitoring (CAAQM) on 16.03.2024 near Dhaval Shivtirth, Wagholi residential area for 24 hours. From the results, it reveals that PM10 concentration is 424.73 ug/m³ and PM2.5 concentration is 177.61 ug/m³ which are exceeding as per National Ambient Air Quality limits. Also recently Continuous Ambient Air Quality Monitoring (CAAQM) was carried out on 14.10.2024 near Dhaval Shivtirth, Wagholi residential area for 24 hours. From the results, it seems that PM10 concentration is 105.55 ug/m³ and PM2.5 concentration is 48.32 ug/m³ (during the monitoring, it was raining at night) which are marginally exceeding as per National Ambient Air Quality limits. Copies of the Results dtd.16.03.2024 & 04.10.2024 are attached as an **Annexure I**.*
- (ii) *The MPCB has also carried out survey of stone crushers On the basis of non-compliance of consent conditions, MPCB has issued Proposed Directions to the stone crushers. In response to the Proposed Directions dated 28/08/2024 and 12/09/2024, stone crushers have submitted their replies. Further action is under process. List of stone crushers to whom the Proposed Directions are issued alongwith sample copy of the Proposed Directions are attached as **Annexure II**.*
- (iii) *MPCB has issued letter to the (a) Senior Police Inspector, Wagholi (b) Executive Engineer, Public Works Department (c) Regional Transport Officer on 24.06.2024 & 03.09.2024 and requested to submit the detailed report. Copies of the letters dated 24.06.2024 & 03.09.2024 are attached as **Annexure III** collectively.*
- a) *In response to this Office letter dated 24.06.2024, the Public Works Department (PWD) has submitted reply on 09.08.2024 and mentioned that the road in question is Major District Road-166 starting at Wagholi & passed through Bavadi-Nagarmal-Wasti-Tulapur in Haveli and continued upto Shirur Taluka.*

The length of road is 11.76 Km in Haveli Taluka. Initial starting 3.5 Km (Wagholi area) length of road on both side there are quarry & crushers due to which there is very heavy traffic. This length is damaged at many locations due to heavy loaded traffic. A copy of the PWD reply dated 09.08.2024 is attached as an **Annexure IV**.

b) Lonikanda Traffic Division, Police Commissioner Office, Pune City has submitted reply on 13.09.2024, wherein, it was stated that they have prohibited the transportation of Dumper, Hyva, RMC Mixer, JCB, Road Roller in between 7 am to 10 am and 5 pm to 9 pm. If found violation they are imposing fine on heavy vehicles. For the duration from 10.02.2024 to 10.09.2024 they have imposed fine on 2275 vehicles. A copy of the Traffic Division reply dated 13.09.2024 is attached as an **Annexure V**.

c) Regional Transport Office (RTO), Pune has submitted reply on 23.10.2024 and stated that special drive has been launched on Wagholi (Nagar) road by the Air Traffic Squad on the basis of complaints received from time to time and action has been taken against the vehicles violating. Also mentioned that RTO try to reduce the inconvenience caused to the citizen by vehicles in the Wagholi area by conducting a special inspection campaign. A copy of the RTO reply dated 23.10.2024 is attached as an **Annexure VI**.

iv. The MPCB has issued letter dated 05.09.2024 to the Stone Crusher Association located at Lonikand and Bhavdi area to control the dust emissions while transportation of raw material and final product, also instructed to clean the road on regular basis. Stone Crusher Association submitted reply on 27.09.2024 and stated that Association members have carried out the following activities on Wagholi-Bhavdi-Lonikand road.

1. Cleaning is carried out on Wagholi-Bhavdi-Lonikand with the help of Hydraulic Broomer machine.
2. Manually cleaning carried out on daily basis to control the dust emissions.
3. One water tanker provided for the spray of water on road.

4. *Instructed all stone crusher members to follow all safety measures at crusher unit, roads and transportation. Copies of the MPCB letter dated 05.09.2024 and reply of Stone Crusher Association dated 27.09.2024 are attached as **Annexure VII** collectively.*
- v. *The officials of MPCB at Pune have carried out visit to the Wagholi-Bhavdi-Lonikand road, Pune on 11.10.2024 and it was observed that cleaning on Wagholi-Bhavdi-Lonikand road was carried out with the help of Hydraulic Broomer and dust cleaning is carried out manually. Also, water sprinkling was found on road to control dust emission generated at the time of movement of vehicles and re-suspension of dust observed during vehicle movement at some places. Visit Report dated 11.01.2024 and Photographs are attached as **Annexure VIII** collectively.*

Conclusion :

1. *Wagholi-Bhavdi-Lonikand cement concrete road is damaged at some places.*
2. *Re-suspension of dust is observed due to heavy vehicle movements.*

Recommendation :

1. *Vehicles used for transportation shall be fully covered.*
2. *PWD shall display speed limits on Wagholi-Bhavdi-Lonikand road.*
3. *Stone Crusher Association shall provide tyre washing system on Wagholi-Bhavdi-Lonikand road to control dust emissions. Also, all material shall be wetted before transportation.*
4. *Stone Crusher Association shall carry out water sprinkling through tanker on Wagholi-Bhavdi-Lonikand road thrice a day to control dust emissions.*
5. *Stone Crusher Association shall provide dense plantation on both sides of the road. Also, regular cleaning shall be carried out on the road.*
6. *PWD shall repair & maintain on the road in good condition. “*

3. A perusal of above report would indicate that with respect to the roads being damaged by the movement of the trucks, a notice dated 24.06.2024 was issued by the MPCB to the Executive Engineer, Public

Works Department (PWD), which is annexed at page 23 of the paper-book, which was responded by the Executive Engineer, PWD, vide their reply dated 09.08.2024, annexed at page 28 of the paper-book, giving the current status of the road. Perusal of the said response would show that few patches of the road were found in very bad condition and at some places, concretization of the road was in progress.

4. In this regard, we direct that the Public Works Department (PWD) shall ensure the completion of the concretization of the road and repairs of the same within three months, to bring them in perfect condition so that no dust pollution takes place due to movement of the vehicles. Respondent No. 1 – MPCB shall ensure that the other work is done within that period.

5. As regards air pollution being mitigated, the steps are taken, which are shown in Action Taken Report, such as prohibition of transportation of Dumpers, Hyvas, RMC Mixers, JCBs, Road Rollers between 7 am to 10 am and 5 pm to 9 pm and that in case of any pollution being there, fine is also imposed on 2275 vehicles. The Stone Crusher Association was issued letter dated 05.09.2024 to control the dust emissions while transporting the RMCs and final product. They were instructed to clean the road on regular basis. The cleaning is being carried out at the site in question with Hydraulic Broomer machine. Apart from that, sprinkling of water is also resorted to.

6. We accept all the recommendations made by the MPCB in its Action Taken Report and direct the MPCB that a periodic inspection of the site in question is carried in order to show that the air pollution at the site in question is brought under control, within the period as directed/prescribed by us above.

7. With above observations and directions, we dispose of this Misc. Application.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 03, 2024
M.A. No.18/2024 (WZ)
npj