

List of Documents with a Short Brief
(documents not annexed)

Ser	Reference	Brief Contents	Remarks
1	Press Clippings dated 5/1, 18/1 & 19/1/2015	Sakal Times clipping dated 5/1/15 is an allegation by MLA Girish Bapat that there is corruption in garbage handling. Lokmat clipping dated 18/1/15, a councillor is supposed to have made an allegation of ₹ 13 crores paid as bribes in garbage processing. Lokmat clipping dated 19/1/15 says that 60-65 % garbage is being treated. Mr. Suresh Jagtap regularly sends out such news items. However, the ground reality is exactly the opposite with containers full of garbage and people trying to burn garbage.	2 pages
2	Letter of Intent dated 28/6/10	The project commenced after signing of the Lol.	4 pages
3	Concession Agreement dated 18/11/2010	Rochem and PMC are governed both by the Lol and CA.	81 pages
5	Lease Agreement dated 22/5/2011	Land taken on lease from PMC	26 pages
6	Part site plan showing survey number 86 for Rochem Plant	The grant of land at S. No. 86 is illegal because it is not for 'public utility' but is Public-Semi Public	1 page
7	Email dated 24/9/13 enclosing letter of same date addressed or copied to all officials concerned including pollution control boards and PMC	Bringing irregularities regarding Rochem plant to their notice causing loss to the tune of crores of rupees.	8 Pages
8	Email dated 22/11/2013 addressed to MPCB	Regarding non-receipt of 'consent' as per Water and Air Acts to Rochem Plant	3 pages
9	Email dated 24/12/2013 addressed or copied to all concerned as in Serial 4 above	Enclosing extracts from NGT order in Application no. 131/2013 dated 20/12/13 specifying responsibilities of officials	10 pages
10	Email dated 26/11/2013 addressed or copied to all concerned as in email at serial 4 above and additionally to UD Department GoM and Collector Pune	Email at Serial 4 and 6 are also enclosed along with the NGT order dated 20/12/13.	4 pages
11	Email dated 30/12/13 from Municipal Commissioner's office forwarding my mails at serials 4, 6, and 7 to Mr. Suresh Jagtap, Deputy Municipal Commissioner, Divisional Office No. 4	Normally the Municipal Commissioner used to pass on all my mails to Mr. Suresh Jagtap. I never received any response from any one to my mails. I think all people up the line are involved in this scam.	4 pages

12	Email from Mr. J. S. Salunkhe, Sub-Regional Officer, MPCB dated 3/2/14 addressed to me.	Confirmation that MPCB has not granted 'consent' to Rochem under the Air and Water Acts.	1 page
13	Email addressed to Mr. Prasad Joshi and copied to all concerned regarding a misleading new item in the Indian Express, Pune about Rochem. It is copied to all concerned.	The Indian Express did not correct the news item clearly indicating that Rochem has purchased the newspaper also.	5 pages
14	Email from the Municipal Commissioner's office forwarding my email at serial 10 above to Mr. Mangesh Dighe, Garden Suptd (Env) PMC	This is the usual style of the Municipal Commissioner's office to act as the Head Post Office without taking any action. I suspect the Municipal Commissioner too is involved.	3 pages
15	Email dated 17 December 2014 addressed to all concerned enclosing my letter of the same date.	This letter basically refutes the contention of Rochem that it is producing electricity. Again there has been no response from any of the authorities.	10 pages
16	Extract from Maharashtra Development Plan Rules 1970	Serial 10 clearly shows that treating MSW is a public utility (shown in Yellow)	1 page
17	Letter dated 12/22014 from Superintendent Central Excise addressed to Deccan Mechanical & Chemical Industries Ltd	Query about not paying excise duty because Rochem is not generating electricity.	1 page

Brief on Loss of Public Funds in the Handling of Municipal Solid Waste (MSW)

1. NCM has been elaborating in all emails addressed to the Central Pollution Control Board (CPCB); Maharashtra Pollution Control Board (MPCB); Pune Municipal Corporation (PMC); Principal Secretary, Urban Development Department and Collector Pune since September 2013 regarding the irregular state of handling MSW in PMC, especially with regard to the functioning of Rochem Separation Systems Pvt. Ltd.
2. There has been gross violation of the MSW (Management & Handling Rules, 2000; Maharashtra Development Plan Rules, 1970; Water (Prevention & Control of Pollution) Act, 1974 (Section 25); Air (Prevention & Control of Pollution) Act, 1981 (Section 21); Letter of Intent and Concession Agreement. There is tremendous loss of public funds, which we have computed to the extent of ₹ 10 crores so far and a continuing loss of ₹ 1 lakh approximately every day. Hence, we have concluded that there is quid pro quo of overlooking the violation of rules, regulations, agreements etc in return for 'compensation'.
3. We suspect corruption in the following manner:
 - a. Siting the project on land reserved for public-semi public while garbage processing plants are a 'public utility' and should be sited on land reserved for 'public utility' in the Development Plan. To make matters worse Ram Tekdi Industrial Area is under Town Planning Scheme (TPS). The power to modify TPS is only with the State Government and PMC has not even approached the Government in this regard. This shows that grand conspiracy to cheat was hatched right at the beginning as will be seen from the irregularities listed below. Obviously, big money must have been involved.
 - b. Not obtaining 'consent' in terms of the Air and Water Acts. UD Department, Collector, CPCB, MPCB and PMC have deliberately flouted the law.
 - c. PMC has not penalised Rochem as per the Concession Agreement and the LoI in spite of the fact that there has been a time over-run of more than a year. The plant was to be operational within two years of obtaining all permissions. However, as given in paragraph 3.b above, Rochem has not obtained the basic mandatory 'consent' although the LoI was signed on 28/06/2010 and the Concession Agreement on 18/11/2010. PMC has never insisted on Rochem obtaining the 'consent' from MPCB. MPCB has not taken any concrete action against Rochem or PMC for this lapse. MPCB only issues 'notices' and then forgets about it.
 - d. Not encashing the Bank Guarantee of ₹ 2 crores for overshooting the completion time of the project.
 - e. Rochem has not given convincing evidence of generation of electricity. PMC, UD Department and Collector Pune have allowed Rochem to function in spite of providing them with sufficient evidence that Rochem has not produced any electricity.

- f. PMC has allowed Rochem to manufacture Refuse Derived Fuel (RDF) although the Maharashtra Government has given 10000 sq.m. of land on lease at a ridiculously low rate of ₹ 1 per sq.m. per year on the express condition that the land will not be used for any other purpose than generation of electricity.
- g. Rochem gets a payment of ₹ 300 per tonne of garbage. There are no checks whether the weighing is done correctly, the weighing platform is regularly calibrated or not and whether Rochem is capable of processing the MSW for which it gets paid. We have attached photographs of large quantities of MSW lying behind Rochem plant and also in their yard. The housing society next to Rochem has also complained about the foul smell and pollution of ground water.
4. Please peruse the attached file. It will be obvious that this grand conspiracy has caused a loss of about ₹ 10 crores so far and the loss at the rate of over ₹ 1 lakh per day continues. There are irregularities in all other plants of the PMC. Hanjer Biotech Pvt Ltd at Uruli/Fursungi has already shut down. The shortfall in electricity generation by biogas plants is as large as about 85 %. Disha Waste Management Pvt Ltd is in a bad state against whom Ram Tekdi Industries Association has gone to the Bombay High Court. Bombay High Court has passed strictures against Disha, MPCB and the PMC in one of its orders.
5. The payment of tipping fee is a big racket. PMC has large dues outstanding against SwACH, which does precisely what the big private companies are doing i.e. segregating MSW, recycling and reusing. In stead of encouraging SwACH, PMC has been entering into big contract and paying heavy tipping fees. The root cause of all the irregularities is in the tipping fee in which even weighing is not done correctly. I am giving a table below showing how lavish PMC is with the private parties in paying tipping/O&M fees.

Tipping/O&M Fee Committed

Company	Tipping fee/day	Tipping fee/month	Tipping Fee/year rated capacity
Rochem	300X200=60000	1800000	75600000
Hanjer	55X200= 11000/60000*	330000/1800000*	19800000/36000000*
Biogas	* @ ₹. 300per tonne.	600000	72000000
Total/month		2730000/4200000*	13950000/15300000*
Total/year		32760000/50400000*	167400000/183600000*

*If PMC pays ₹ 300/tonne to Hanjer as agreed to subject to Hanjer fulfilling certain conditions.

6. Please see annexure for an overview of PMC's various MSW processing plants.

7. NCM has obtained information, through the RTI Act, to support every statement made in the brief

Nagrik Chetna Manch, 21 January 2015

For any queries on this document, kindly contact Maj. Gen. S. C. N. Jatar (Retd) at +919970093533 or scnjat@gmail.com

Current System of Processing MSW in PMC

Ser	Technology	Product	Rated/Actual Tonnes/day	₹. Tipping Fee/tonne	Remarks
1	Pyrolysis/ Gasification (Rochem)	Electricity	700/180-200	300	No electricity production. * @
2	Composting/RDF (Hanjer)	City Compost RDF*	1000/200	300	Partially functional*
3	Mechanical Composting (Excel/Save Environment)	Compost	4 tonnes (2 tonnes each)	300	Functional
4	Vermicomposting (Disha)	Compost	100	300	Under High Court lens for polluting
5.	Vermicomposting (Ajinkya)	Compost	200	300	Functional
6	Biomethanation.	Electricity	100 (20 plants 5 Tonnes)	6 Lakhs	Not fully functional **
7.	Biomethanation (Nobel)	Not mentioned	300	360 + add 8 % yearly +	Projected
8.	Biomethanation (Organic)	Electricity	500	360 + add 8 % yearly +	Projected
	Total		2904/800 ***		

* Although MPCB authorisation is only for composting/RDF, PMC has allowed Hanjer to manufacture pallets (?) and bio-diesel. Similarly, MPCB has authorised Rochem to generate only electricity. However, PMC has allowed Rochem to manufacture RDF.

@ Rochem is using Concord Blue Pyrolysis technology to heat ceramic beads used to decompose waste material. The waste gas is again re-used to heat the ceramic beads. During our visit to the plant on 3 June 2014, Rochem's Consulting Engineer told us that Rochem has decided to use a coal-fired furnace for heating waste material directly in the dryer because Concord Blue Technology is not working, which is borne out by the fact that Rochem has removed all references to this technology from its website at <http://www.rochemindia.com/>. The coal-fired furnace is not part of the approved technology. Coal contains traces of heavy metals (including radioactive) that when burnt, are emitted in the atmosphere in the form of small particles. Filters cannot eliminate all the particles that are produced, especially the very small ones. Coal is the most damaging in terms of climate change; that is, it is the fuel that generates the largest amounts of CO₂ for the same quantity of energy generated.

** See enclosure for "Biogas Production Analysis" dated September 2014.

*** If the projected capacity indeed comes through, PMC will have rated processing capacity that is almost double the actual requirement. This clearly shows ad-hoc planning, haphazard implementation of MSW processing plants and waste of public funds.

+ While PMC has not only increased the tipping fee from ₹ 300 to ₹ 360 per month and added a 8 % increase per year, no such increase has been done for the bank guarantee.

