

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

APPLICATION NO.9(THC) /2013 (WZ)

**Bhauasaheb s/o. Bhimaji Kulat & Anr. Vs The State of Mah. & Ors.**

**CORAM: HON'BLE MR JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER  
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

**Present: Applicant : Vinod Ambad Adv**  
**Respondent No.3 : R.G. Mehetre Sec. Enggr**  
**Respondent No.6 : D.M. Gupte Adv  
Mrs Supriya Dangare Adv**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No.3 February 17, 2014 Order No.6</b>	<p>Heard Counsel for the Applicants. Both the Applicants are present. They have filed affidavit explaining the reasons as to why they could not remain present on previous dates. It is stated that hereafter they will attend the Tribunal and their Counsel will be present to argue the matter.</p> <p>The affidavit filed on behalf of Respondent No.3, shows that e-tendering for erection of processing plant was futile exercise inasmuch as the Municipal Corporation could not get any response.</p> <p>The affidavit filed by the Respondent No.3 further shows that there was a joint meeting between concerned officials of the Corporation and the MPCB on 11<sup>th</sup> February, 2014. The affidavit, however, does not show details of decisions taken in such a Meeting. The affidavit does not show any action plan drawn during course of such Meeting.</p> <p>The Minutes of the Meeting are also not placed on record. Sub-Regional officer of the MPCB is present in the Tribunal and states that he had instructed the officials of the Corporation to prepare Minutes, but the same was not drawn. We deprecate such conduct of responsible officer.</p> <p>We direct that the Municipal Corporation and the MPCB shall prepare a joint action plan and set out a specific programme for the MSW management, giving a time frame for implementation and process of short tendering, as well as, execution of such programme by the Municipal Corporation by employing contractor or by employing any other Agency, as may be required. The joint action plan to be prepared, as a result of joint meeting shall be submitted to the Tribunal within period of two (2) weeks hereafter along with time required for implementation stage-wise and budgetary allocation available, as well as that will be made available in favour of completion of action plan, so as to mitigate with required MSW management in the city of Ahmednagar. The Counsel for the Applicants need not remain present on next date, but may be served with the copy of action plan for his response, if any.</p> <p style="text-align: center;"><b>Stand over to 18<sup>th</sup> March, 2014.</b></p> <p style="text-align: right;">....., <b>JM</b> <b>(Justice V. R. Kingaonkar)</b></p> <p style="text-align: right;">....., <b>EM</b> <b>(Dr.Ajay A. Deshpande)</b></p>