

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

**MA No.84/2014
IN
APPLICATION NO.37/2013 (WZ)
Dombivli Common Effluent Treatment Plant
Vanshakti V/s MPCB.**

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

Present : **Applicant/ Appellant** : **D. Stalin**
Respondent Nos.1 & 2 : **RajendraRaghuwanshia/w
RutujaAmbekar, D.M. GupteAdv
SupriyaDangreAdv**

Respondent No.6 : **Nikhil ChavanAdv**

Respondent Nos.7,9,11 : **Dr. S. MahashabdeAdv**

Respondent No.8 : **ShyamaliGadrea/w
Deepak Pawari/by Little & Co.**

Date and Remarks	Orders of the Tribunal
Item No.1 July 16, 2014 Order No.9	<p>We have heard learned Counsel for the parties.</p> <p>It is informed by Applicant D. Stalin that learned Counsel Gayatri Singh, is suffering from illness and as such, is unavailable.</p> <p>An affidavit is filed on behalf of MPCB by Mr.Bhgwansalunke, giving information regarding compliances of the order dated May 12th, 2014. So also, an affidavit is filed by MIDC, regarding such compliances. There appears some discrepancy between these two (2) affidavits, regarding compliances. Secondly, it appears that the MIDC was supposed to inform NIO to conduct study at the earliest, but gave such information hardly three (3) days back and, therefore, process could not be accelerated. This is not mere impropriety but sheer carelessness and lack of seriousness in the context of the issue pertaining to environment. Learned Counsel appearing for Ulhasnagar Municipal Corporation, submits that diversion of 'Khemani' Nulla is directed by the Competent Authority of the Corporation, as per the order dated May 12th, 2014. We direct him to place on record such order. He, however, was unable to produce on record the relevant copy of the order. In the interest of justice, we grant him <u>time till Monday</u> to place on record such copy of the order along with affidavit of the Chief Officer/competent officer, who has issued such order and steps taken to ensure that diversion of 'Khemani' Nulla is, in fact, done in order to avoid discharge of sewage and effluents of MIDC area in the river. In case, we will find</p>

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that no compliance is done in letter and spirit, we will be constrained to take coercive steps and may take stringent action to ensure that the compliance will be made through some independent Agency.

Time granted for compliance by Ulhasnagar Municipal Corporation, till Monday i.e. 21st July, 2014.

Stand over to 11th August, 2014.

....., JM
(Justice V. R. Kingaonkar)

....., EM
(Dr. Ajay A. Deshpande)

