

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

M.A No. 66/2015(WZ)

IN

Applicition No. 19/2014(WZ)

AND

Application No. 19/2014(WZ)

Ratandeep Rangari Vs. State of Maharashtra & ors

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

Present: Applicant/ Appellant : None Present.
Respondent No. 1, 2 & 9 : Mr. Rakesh Rathod,Adv.
Respondent No. 3 & 10 : Mrs. Supriya Dangare,Adv.
**Respondent No. 6 (MoEF) : Mrs. Sanjana Sharma for
Mr. Ranjan Nehru,Adv.**
Respondent No. 7 & 8 : Mr. Kartik Shukul,Adv.

Date and Remarks	Orders of the Tribunal
Item No. 44 & 47 17 August, 2015 Order No. 1, 19	<p>Heard.</p> <p>We have passed series of orders in this matter. Previously, we directed that the MoEF shall come out with a notification which ought to reflect control mechanism that may be prepared in consultation with CPCB, in respect of quality of coal to be used by power plants at the end of supply, at the end user agencies, through whom the vending is done, including the machinery in which transportation of the coal is being carried out, up to the power stations. Appropriate control mechanism is necessary in order to ensure that coal is made available in the power stations to avoid emission of the excessive air emissions in the nearby area of the power plants.</p> <p>Counsel for the MoEF (Mrs. Sanjana Sharma) submits that the notification has been drafted and is just to be finalised. She seeks time to place it on record. The request is rejected. However, if the MoEF desires to do so, the notification may be placed on record within a period of 10 days, as the matter is being reserved for judgement and probably within 10 days, the process of drafting of the judgement may not be over.</p> <p>The MPCB Officer, who has filed affidavit, is absent and, therefore, we do not know whether MPCB has any separate recognised and equipped laboratory available for analysing samples of the Coal in the State of Maharashtra. We direct the MPCB Officer concerned, who has filed the affidavit, to file such additional affidavit</p>

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within a period of 10 days in order to highlight the issue pertaining to availability of facility regarding analysis of qualitative and quantitative components of the coal as per relevant Indian Standards, in respect of samples to be analysed which are sent to the laboratory and accreditation of the such laboratory of the MPCB, if it is so available with the MPCB itself and not by the outsourcing of work.

Counsel for MoEF, by way of M.A., sought time to place on record the notification, but in view of earlier orders and particularly, the order dated 29th May, 2015, the request is rejected. Reserved for judgement. In case, there is no compliance on the part of MoEF within 10 days, the earlier direction to pay the cost stands revived. In case, any such notification is placed on record, immediately copies thereof, shall be served on the other parties by e-mail of which facility be made available by the Advocates of the other sides i.e. Applicants and the Respondents to the Advocate of the MoEF by furnishing their e-mail addresses. **Application is reserved for judgement**

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

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