

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

APPEAL NO. 1/2013(WZ)

Mr. Pradeep More & Ors. Vs State of Maharashtra & Others

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

**Present: Applicant/ Appellant : Asim Sarode Adv
: Vikas Shinde Adv**

Respondent No.2 : S.R. Kulkarni Adv

Respondent No.3 : S.N.Mukalwar Project officer

Respondent No.4 : D.T.Devale Sr. Law officer

**Respondent No.5 : Dr. Sadhana Mahashabde Adv
: Shripad B.Khurjekar Adv**

Date and Remarks	Orders of the Tribunal
Item No.2 October 04, 2013 Order No.5	<p>We have heard Learned Counsel appearing for the parties and the Law officer of MPCB. The Counsel for the Applicants, seeks time to go through the reply affidavit and to file rejoinder. The Counsel for the Respondent No.5, would submit that next crushing season of the Sugar Factory, is likely to commence from 1st November, 2013, and, therefore, it is in the interest of justice to expedite hearing, at least to the extent of issue pertaining to discharge of effluents by the Respondent No.5. She submits that the Sugar plant and Distillery unit , are not discharging any effluents in the river and that the discharge is being properly monitored and effluents are discharged in the open field of the lands, which are acquired. It is stated that those lands are about 8 km. away from the river bed and 6 km. away from the Sugar plant and Distillery unit. The report of MPCB, is also placed on record. The Learned Counsel for the Applicants, submits that he will be able to go through the reply and report and will file rejoinder i.e. on 7th October, 2013, and the matter may be scheduled for hearing on the issue of viability of effluents. By consent of Learned Counsel for the Applicants, Counsel for the Respondent No.5 and Counsel for Municipality, Pandharpur, as well as the Law officer of MPCB, the matter is scheduled for hearing only to the extent of issue pertaining to discharge of effluents by the Respondent No.5, and question as regards revival of consent to operate and, if so required to put certain stringent conditions. The other issues pertaining to sewage system,</p>

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2013
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action plan and proper functioning of Effluents Treatment Plan (ETP), for Pandharpur city, will be considered at subsequent stage. The Chief officer of Municipal Council, is present. He attempted to justify the reply, but the Counsel for Municipality, seeks time to obtain instructions from the Chief Officer and other officers of the Municipality. Smt. Smita Zagade, Assistant Director of Divisional Commissioner office, Pune, is present in person. She submits that the Commissioner (Mr. Deshmukh), is now under training and will be returning on 7th October, 2013. She assures that appropriate response will be given on behalf of the Commissioner, as regards instructions given to the Collector and further action in the matter to ensure that water of Chandrabhaga river will remain unpolluted. She desires to file action plans and reports. The representative of the Collector, Solapur, is also present. We direct that officers of the Commissioner office and the Collector office, shall interact and give further action plans as well as steps, which are being taken for the present to avoid pollution of river Chandrabhaga, during the lean period, as well as peak period of the pilgrimages (Ashadhi/Kartiki Waries). The representatives, who are present in person, make a statement that within one (1) week. They will have coordination and will file necessary response.

We, therefore, schedule the matter for hearing on **9th October, 2013**, to the extent of issue pertaining to discharge of effluents by the Respondent No.5 and thereafter on **22nd October, 2013**, for final hearing of the Application. We direct that the Municipal Council, Pandharpur, the Collector of Solapur and the Commissioner, shall coordinate with each other and give details of action plans, if any, or the responses in the matter pertaining to steps taken for purification of the river flow as well as to maintain sanitation of Pandharpur city and to maintain hygienic conditions during lean period, as well as peak period. Further hearing on these issues is, therefore, scheduled on **22nd October, 2013**, whereas, interim hearing on the issue of effluents discharged by the Respondent No.5, is scheduled on **9th October, 2013**.

Stand over to 9th October, 2013.

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

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