

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

MA No.84/2014

IN

APPLICATION NO.37/2013 (WZ)

Dombivli Common Effluent Treatment Plant Vanshaktivs MPCB

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

Present: Applicant/ Appellant : Sangramsingh R. Bhonsle, Adv holding for Gayatri Singh Adv
Respondent Nos.1,2 : Rajendra Raghuvanshia/wRutuja Ambekar D.M. Gupta/wSupriya Dangre Advs
Respondent No.5 : Ashwin Hasabnis Adv holding for Adv Rao
Respondent No.6 : Saket Monei/b Nikhil Chavan Advs
Respondent Nos.7,9,11 : Dr.S.Mahashabde Adv
Respondent No.8 : Deepak Pawari/b Little & Co.

Date and Remarks	Orders of the Tribunal
<p>Item No.2 September 15, 2014 Order No.12</p>	<p>We have heard learned Counsel for the parties. We have seen the affidavits filed by the concerned parties. The affidavit filed by the MPCB, through Bhagwan Salunke, regional officer, reveals that there are large number of industries which still are found non-complying the standards. In many cases, the COD and BOD levels are beyond prescribed limits. Mr.Raghuvanshi, learned Advocate for MPCB, assures that immediate action will be initiated against the defaulting industries and the action taken report will be submitted within period of six (6) weeks.</p> <p>According to the learned Advocate for the Applicant, the reports of industries like M/s Bishen Dying, Printing and Wearing Mills, are incorrect and also the report like M/s Nandan Textile Pvt Ltd, are improper and accurate. He has placed on record the report of analysis, which the Applicant got done through private Agency. However, co-relation of collection of sample and analysis is yet to be established.</p> <p>The Counsel for Dombivli Common Effluent Treatment Plant (CETP), would submit that the affidavit is filed, in order to show that due compliance is being made and 150 of the members of being less than 25 CM and that presently no action is needed. She has relied upon the affidavit of Mr.AbhayPethe, which is submitted today. We do not wish to comment on that affidavit right now.</p> <p>Perusal of affidavit on behalf of Ulhasnagar Municipal Corporation, reveals that tendering process has commenced and therefore there is affirmative action again taken in regard to the action plan which is enumerated in the earlier order. We expect Ulhasnagar Municipal</p>

Item No.2

**September 15,
2014
Order No.12**

Corporation to further expedite the work of finalization of tendering process and expedite the work of the project as well as other time bound programme stated in the earlier plan, submitted to this Tribunal.

The MPCB shall take stringent action against defaulting industries, without any kind of further exception, except and save that further orders of the Hon'ble High Court in Writ Petition No.8138 of 2014, because though interim order appears to have been taken based upon the case of "**Tarun Patel vs GPCB &Ors**" yet on earlier date the Advocates appearing in the said matter had informed us that the matter before the Hon'ble Gujarat High Court was likely to come up before that High Court on 5th September, 2014 and was likely to be either withdrawn or disposed of.

Stand over to 24th November, 2014

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

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

