

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

APPLICATION NO.11(THC) /2013

Raghunath S/o Rakhamji Lokhane Vs MPWPB & Ors

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

**Present:**

<b>Applicant/ Appellant</b>	<b>: None Appeared</b>
<b>Respondent Nos.2,3,4,</b>	<b>: D.M.Gupte Adv</b>
<b>Respondent Nos.6, 9 to</b>	<b>: Sachin Dankh Adv</b>
<b>11,14,16 to 20</b>	<b>: Varun Joshi Adv</b>
<b>Respondent No.13</b>	<b>: S.V. Natu Adv</b>
<b>Respondent No.21</b>	<b>: Nikhil Sakhardande with</b>
<b>(Intervener)</b>	<b>Tanmey Rajadhyksha Adv</b>
	<b>: Rahul Kothari Adv</b>
	<b>: Aditya Mithe</b>
	<b>i/b AZB &amp; Partners</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No.6 May 12, 2014 Order No. 9</b>	<p>We have heard learned Counsel for the parties.</p> <p>We have perused the affidavits filed by the MPCB, the Respondent Nos, 13,21 and Respondent No.13. The learned Counsel for Respondent No.21, would submit that the lagoons are properly closed and earlier error is rectified. The MPCB has been informed about such rectification. The MPCB may verify whether the lagoons are filled up, in accordance with the requirement of the conditions of environment.</p> <p>Perusal of the affidavit filed by the regional officer of MPCB, shows that still there are certain areas which need to be addressed. The report of Central Groundwater Board (CGWB), has to be taken into account by the MPCB. The MPCB shall clearly state on affidavit the following aspects:</p> <ol style="list-style-type: none"> <li>a) What is the action plan in pursuance to the report of CGWB, as regards tracking of sources of pollution of the groundwater, which was already done in the past;</li> <li>b) What is the methodology and how the industries, which have/are contributed/contributing to the water pollution, are identified with reference to the nature of production or in accordance with the nature of ETP facility or inadequacy of facility;</li> <li>c) What action plan for remedial measures required to be taken under Section 15 of the NGT Act, 2010, recommendations and imposition of financial liability, on particular industry with reasons/justification?</li> </ol> <p>The learned Counsel appearing for Respondent No.18 United</p>
<b>Item No.6 May 12, 2014 Order No. 9</b>	

Breweries Ltd, would submit that he will take appropriate instructions to clarify the position as regards alleged discharge of untreated effluent in the Nala, as per the report of MPCB and if the activity is going on, he will instruct the industry to immediately take measures to stop such activity.

By consent of learned Counsel, **stand over to 1<sup>st</sup> August, 2014.**

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

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

