

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

APPLICATION NO. 21/2013

Akhil Bharat Krishi Goseva Sanga (Mumbai) Vs MPCB & Ors

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

**Applicant/ Appellant : None Appeared
Respondent No.2 : Sameer Khale Adv
Respondent No.3 : Supriya Dangare Adv**

Date and Remarks	Orders of the Tribunal
Item No. 1 August 7, 2014 Order No.7	<p>Heard.</p> <p>Learned Counsel, Mr. Sammer Khale, for the Respondent No.2 invited our attention to the affidavit of Sanjay Deshmukh, Additional Municipal Commissioner of the Municipal Corporation of Greater Mumbai (MCGM). He also invited our attention to the affidavit of regional officer of the MPCB, namely; Raju Vasave.</p> <p>On instructions of the officer of MCGM, learned Counsel for the Respondent No.2 states that if directed by this Tribunal, the MCGM is ready to deposit required amount with the Executing machinery, namely; the Bhabha Atomic Research Centre (BARC), Mumbai, for the purpose of installation of bio-methanation plant (for Type –I and Type-II,) with feasibility of processing of wastes in Deonar abattoir. It appears that proposal for installation of bio-methanation plant is being accepted by the Senior Scientist of BARC on behalf of BARC and estimated cost is Rs.4.5 Crores along with overheads of incidental work. Considering the nature of work, we direct that the Respondent No.2, (MCGM), to immediately get consent letter from the BARC for acceptance of the work in question, deposit estimated costs of Rs.4.5 Crores along with additional amount of Rs.0.5 Crores being tentative costs of overhead charges i.e. in total Rs.5 Crores, for the purpose of installation of bio-methanation plant at Deonar abattoir, as directed by the Tribunal.</p> <p>We further direct that formalities from approval from the Central Pollution Control Board (CPCB) may be dispensed with at the present in view of the fact that the MPCB has given go ahead for such project, and CPCB may be asked to pursue the matter at its own level and if so required, during meantime, the MCGM may issue reminder to the CPCB with a request to give approval with further clear understanding that if no such approval is given within one (1) month and if the operation of bio-methanation plant is stalled or installation work is stalled due to such procedural cobweb, coercive action will be taken against the Authority (Member Secretary of CPCB, New Delhi). The Registry of the Tribunal may also write separate letter to the Member Secretary along with copy of this order, in order to appraise him about seriousness of the issue in question.</p>

Item No. 1
August 7, 2014
Order No.7

Acceptance letter of the BARC may be secured within one (1) week hereafter and the amount of Rs.5 Crores be deposited by the MCGM with the office of BARC within period of four (4) weeks and The acceptance letter shall be immediately emailed to the Registry of this Tribunal, if the same is received. As far as directions regarding suspension of Export Licence is concerned, stay order issued by the Apex Court continues and therefore in this regard question of execution stands suspended.

Stand over to 16th September, 2014.

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

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

