

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

Application No.81/2014 (WZ)

Kantha Vibhag Yuva Koli Samaj Parivartan Trust & Ors. Vrs. State of Gujarat &
Ors.

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

Present: Applicant/ Appellant : Shilpa Chohan, Adv.

**Respondent No.1 & 5 : Mr. Parth H. Bhatt, Adv.
Respondent No.4 : Mrs. Supriya Dangare, Adv. a/w.
Mr. Bharat Parmar, Executive Engineer
Mr. Jurkant Naidu, Ex. Engineer
Respondent No.7 : Shweta B. Borkar, Adv.**

Date and Remarks	Orders of the Tribunal
Item No.10 15th September, 2015 Order No. 12	<p>We have heard learned counsel for the parties. It is stated by the learned counsel for the Applicants that she has received e-mail from GPCB's counsel giving status report on water quality and ambient air quality. A copy of the report is also submitted for record of this Tribunal (Marked Exd). We have also received Confidential Report from the Urban Development Department (Govt. of Gujarat).</p> <p>Learned Advocate appearing for the Respondent No.4 states that due steps are being taken to deal with problem and reply affidavit is filed on this behalf. It is also stated that so far arrangement is made to transfer the garbage to the landfill site where it is dumped at as SLF (Khajod). The learned Advocate appearing for Respondent No.7 submits that the leachate and garbage is duly treated by Respondent No.7 as required under the Contract. She has pointed out that reply affidavit is filed regarding compliances. The Advocate for the Applicants seeks time to file responses to the affidavits filed by Respondent Nos.2, 4 and 7.</p> <p>We may take note of the fact that the Surat Municipal</p>

Item No.10
15th
September,
2015
Order No.
12

Corporation made budgetary provision of approximately Rs.15 crores (Rs. Fifteen Crores). It appears, prima-facie, from the information which is gathered from the officers of Surat Municipal Corporation who are present that the annual budget is approximately Rs.2500 crores (Rs. Two thousand five hundred crores). Ordinarily, it is expected to spend 25 % (twenty five per cent) of the annual budgetary provision for sanitation, sewage treatment and the MSW work under the Rules.

Prima facie, it appears that there is no approved alternative site available for disposal of the MSW as per the MSW (Handling and Management) Rules, 2000 for Surat Municipal Corporation, nay, there appears no such Application made to the GPCB nor any authorisation issued by the GPCB.

Under the above circumstances, we direct that if no substantial progress is shown within six (6) weeks and if we find that the status is not improved, we may take stern steps to ensure the disposal of the MSW (Handling and Management) Rules 2000 as well as take the Application expeditiously for final hearing.

In the meanwhile the parties are directed to complete their pleadings and exchange amongst them within six (6) weeks.

Stand over to 6th November, 2015.

..õ õ õ õ õ õ õ õ õ õ õ õ õ õ õ õ , **JM**

(Justice V. R. Kingaonkar)

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

Ajp