

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

**APPLICATION NO. 21/2013
Akhil Bharat KrishiGosevaSanga (Mumbai) Vs MPCB &Ors**

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

**Present: Applicant/ Appellant : None Appeared
Respondent No.1 : SupriyaDangareAdv
Respondent No.2 : Sameer
KhaleAdva/wMakarandRodgeAdv
CPCB : MandaGaikwadAdv**

Date and Remarks	Orders of the Tribunal
Item No.1 October 13, 2014 Order No.8	<p>We have heard learned Counsel for the parties.</p> <p>By order dated September 10th, 2014, we directed the Respondent No.2 - Municipal Corporation of Greater Mumbai (MCGM), to forward a proposal to the Central Pollution Control Board (CPCB), in order to verify whether the CPCB has any objection to grant approval to the proposed installation of bio-methanation plant. A copy of the proposal was also sent to the MPCB. The MPCB was informed that if no response was received from the CPCB, then it may be presumed that the CPCB has no objection as regards installation of bio-methanation plant. It is reported that within three (3) weeks, as directed in the earlier order, no response has been received from the CPCB. Needless to say, it can be recorded that there is no objection from the CPCB for the work of installation of bio-methanation plant and MCGM, may go ahead with the work as proposed. Learned Advocate for MCGM, informs that the amount is available and will be immediately transmitted to the Executing Agency - the Bhabha Atomic Research Centre (BARC), Mumbai, within a period of two (2) weeks. The statement is recorded that transmission of such amount shall be done within two (2) weeks.</p> <p>Learned Advocate MandaGaikwad, appearing for CPCB, brought to our notice that there is no approval from the CPCB. But in the earlier order, we have already referred that inspite of such absence of approval, because of statement that letter of MPCB is found to be in order, assumptive order was issued. Therefore, contention of Advocate MandaGaikwad, is not accepted. The amount shall be deposited within two (2) weeks, after signing by MoU, which shall be executed within a reasonable period, at the most, within period of three (3) weeks, thereafter. The copy of order of MoU and payment of amount by D.D. shall be placed on record thereafter.</p> <p style="text-align: center;">Stand over to 28th November, 2014.</p> <p style="text-align: right;">....., JM (Justice V. R. Kingaonkar)</p> <p style="text-align: right;">....., EM (Dr.Ajay A. Deshpande)</p>