

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

Application No.102 /2015 (WZ)

Surat Citizen Council Trust 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 : Mr.F.M. Mesquita, Adv.  
Respondent No.5 & 8 : Mr.Vilas Mahajan, Adv.  
Respondent No.11 : Mr.Rahul Andhale, Adv.**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No.10 15<sup>TH</sup> October, 2015 Order No. 4</b>	<p>We have heard learned Advocate for the Applicant and learned Advocate for Respondent No.11. Advocate of GPCB is absent and by email has sought adjournment for 15 (fifteen) days. The immersion of idol is in the offing and therefore, such long adjournment is likely to cause more inconvenience and may impair effective hearing of the Application. Mr. Vilas Mahajan Advocate for Respondent Nos.5 and 8 is present. CPCB has filed affidavit and states that it has already informed all states to implement the guidelines prepared by CPCB in this regard.</p> <p>Under the circumstances, stated in the Application, by way of ad-interim relief, we direct Respondent No.10 to give directions to the local authorities, all Municipal Corporation/councils to :-</p> <p>i) Immediately prepare/construct sufficient number of temporary artificial ponds for immersion of the idols and manage the sludge generated, for proper disposal in accordance with MSW (Management and Handling) Rules under supervision of the GPCB. Such arrangements should be made within three (3) days, to facilitate the immersion in scientific manner.</p> <p>ii) The Idols which are installed at the pandols be identified by the organizers and may fix approximate costs for preparation/construction of artificial ponds by contribution in accordance with size of the idol which can be accommodated in such artificial ponds</p> <p>iii) The local authorities like Municipal Corporation/councils be directed to ask the developers to temporarily allow utilization of the amenities space of each project, where amenity building are not constructed so far and projects are ongoing, to install/construct temporary immersion ponds and allow the removal of sludge for scientific disposal thereof. This kind of</p>

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condition can be added *ex-post-facto* if the permission is granted to the developers for development project, if so required by the Municipal authorities, inasmuch as it is in the public interest.

iv) The Police authorities and the local authorities shall take help of GPCB authorities to ensure that sound decibel of the use of the amplifier at the public places, the DJ sets and like equipments/instruments used during the procession of immersion shall not exceed the limit as permissible by the Law, including the hours which are specified under the norms of Noise Rules.

v) GPCB and State Environment Department shall take proactive steps to create environment awareness on environmentally safe celebration of festivals, may be through print/electronic media, as may be required.

The above directions be immediately communicated by the Applicant to all concerned authorities, including all Commissioners of Police, Revenue Commissioners, Chief Secretary of Gujrat, Principle Secretary of the Environment Department, Member Secretary of the GPCB and other authorities whosoever it may be concern, including Collectors of all the Districts by sending directions on email. The parties to act on the authenticated copy of this order. A compliance report be filed by the Respondents on scheduled date.

**Stand over to 20<sup>th</sup> November 2015.**

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

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

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