

Item No.9

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Original Application No.50/2023 (WZ)
(Earlier O.A. No. 180/2022) LP

Shahu Shivaji Mokashi

.....Applicant

Versus

State of Maharashtra

....Respondent(s)

Date of hearing: 25.07.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : None appeared

Respondent(s) : Mr. Mukesh Verma, Advocate for MPCB
Mr. Mukesh Kumar, Advocate for KSPCB

ORDER

1. None has appeared from the side of applicant.

2. We have received an order from the Hon'ble Acting Chairperson, which has been communicated to us on 24.07.2023, where-by it is directed that the matters within the territorial jurisdiction of Pune (WZB) shall be considered, heard and decided by this Bench, while the matter coming within the territorial jurisdiction of SZB, Chennai will be considered, heard and decided by the appropriate Bench (SZB, Chennai).

3. In view of that, we direct the Registry to prepare a separate set of file and the same be transmitted along-with the order of Hon'ble Acting Chairperson to the Registry of NGT, Southern Zone Bench at Chennai, to be placed before the Hon'ble Bench for consideration.

4. As regards the matter, which is required to be heard by this Bench, we find that M/s. Appasaheb Nalwade Gandhinglaj Taluka SSK Ltd. is said to be the industry, from where the pollution is emanating. It is also apparent that on the basis of Joint Committee Report, directions dated 08.07.2022 were issued by the Principal Bench of this Tribunal for obtaining appropriate responses from the said industry concerned, the Principal Secretaries, Departments of Agriculture, Fisheries and Environment, Government of Maharashtra and Karnataka and State PCBs, Maharashtra and Karnataka.

5. In view of this, we direct the Registry to implead M/s. Appasaheb Nalwade Gandhinglaj Taluka SSK Ltd. as respondent No.1, Principal Secretary- Department of Agriculture, Principle Secretary- Department of Fisheries, Principle Secretary of Environment-Government of Maharashtra and Member Secretary, State PCB from respondent No.2 onwards and thereafter, they be issued notices.

6. We further direct the Registry to provide a copy of the Joint Committee Report along-with the copy of complaint to these respondents through e-mail.

7. Newly impleaded respondents are directed to submit their reply affidavits within a period of four weeks.

Put up this matter for further consideration on 22.09.2023

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 25, 2023
Original Application No. 50/2023 (WZ)
(Earlier O.A. No. 180/2022) LP
P.Kr