BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

Original Application No. 510/2018

IN THE MATTERS OF:

Ms. Ankita Sinha Vs. State of Maharashtra & Ors.

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON

HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER

HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Present: Applicant:

Respondents:

Mr. Rajkumar, Adv. for CPCB

Mr. Mukesh Verma, Adv.

Date and Remarks	Orders of the Tribunal
Item No.	
05	In pursuance of order dated 07.08.2018, an
October 30, 2018	inspection has been carried out by the CPCB, MPCB,
A	District Collector and the representative of Municipal
	Corporation of Greater Mumbai.
1	The report concludes that municipal solid waste
	dumping site was not complying with the Solid Waste
VALE	Management Rules, 2016 and waste is being dumped in
0	haphazard manner at Deonar site. There is huge amount
113	of legacy based dumped at the site. No leachate collection
	and treatment plant is there and fire incidents have also
	taken place. Similar is the condition of the site at Mulund
-30	and Kanjur. The inspection report shows serious failure
	of the Municipal corporation of Greater Bombay. Damage
	to the environment and public health is self -evident. The
	report can be acted upon as Municipal Corporation is also
	a party to the report.
	Accordingly, for the acknowledged violation of law
	and for damage to the environment we levy environmental
	compensation of Rs. 5 crores upon the Municipal
	Corporation of Greater Mumbai. The amount may be
	deposited with the Central Pollution Control Board within

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October 30, 2018 A one month to be spent for environmental restitution. It has not been considered necessary to issue notice to the Municipal Corporation as the Municipal Corporation itself is a party to the joint inspection report. It will be open to the said corporation to recover the amount from the polluters or erring officers on "pollution pays" principle by framing an action plan. Further, levy of environmental compensation will be considered, if the defects are not rectified in a reasonable time. For this purpose also, an action plan may be prepared within one month fixing a timeline for execution within next six months.

The report of steps taken in the matter be furnished to this Tribunal by e-mail at ngt.filing@gmail.com by the Municipal Corporation of Greater Mumbai on or before 15.12.2018. A copy of this order be sent to Municipal Corporation of Greater Mumbai by e-mail.

Put up for consideration of such report on 21.12.2018.

, СР
(Adarsh Kumar Goel)
,JM (S.P. Wangdi)
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,EM
(Dr. Nagin Nanda)
30.10.2018