

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

Original Application No.8/2015 (WZ)

In the matter of:-

**Sujal Sahakari Gruha Rachana Sanstha Maryadit V/s The Commissioner, Pune
Municipal Corporation & Ors.**

**CORAM: HON'BLE MR. JUSTICE U. D. SALVI, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

Present: Applicant/Appellant : Mr. Asim Sarode, Adv.
 Respondent No.2 : Mrs. Supriya Dangare, Adv.

Date and Remarks	Orders of the Tribunal
Item No.1 3 rd July, 2017 Order No.	<p>Judgment delivered and pronounced in Open Court. Following order is passed for the reasons recorded in the Judgment delivered:</p> <p>a) All the directions issued by the Hon'ble High Court of Judicature at Bombay in <i>PIL Nos. namely 173/2010 and Ors. [Dr. Mahesh Vijay Bedekar Vs. State of Maharashtra and Others]</i> shall be strictly complied with by all the Respondents.</p> <p>b) The Maharashtra Pollution Control Board is directed to regulate the activities at marriage halls/ lawns as per the guidelines framed by them in performance of its functions under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 within a period of next 02 months. In case of non-compliance, the Board shall take suitable legal action including that of closure of non-complying marriage halls/ lawns.</p> <p>c) The marriage halls/ lawns shall be directed by respective urban local bodies/ authorities to segregate their solid waste and treat and dispose of the same through composting or bio-methenation within their premises and handover recyclable material either to the authorized waste pickers or the authorized recyclers as per the Solid Waste Management Rules, 2016. In case of unauthorized haphazard dumping of the solid waste by the marriage Halls/ lawns, they will be liable to pay Rs.50,000/- as environmental cost per incident to respective urban local body and the same shall be recovered from them by respective urban local body.</p> <p>d) There shall not be any use of loud speakers and bursting of fire</p>

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crackers at the marriage halls/ lawns without specific written permission from the competent authority contemplated by Noise Rules, 2000 or any other law for time being in force in that regard.

- e) Owner/s of the marriage halls/ lawns shall be responsible for compliance of all the directions passed herein and shall be liable for legal action including prosecution by competent authority in case of non-compliance.
- f) Use of vehicles mounted with high pitch sound amplifying system without valid permission from the competent authority is strictly prohibited.
- g) The Transport Commissioner and the concerned Police Authority shall remain responsible to enforce these directions; and they shall immediately confiscate and seize such unauthorized vehicle/s mounted with high decibel sound amplifying system and shall not release the same without express permission from the Tribunal. The owner of such vehicle shall be liable to pay environmental compensation of Rs.50,000/- for every such incident of use apart from any further cost as decided by the Tribunal.
- h) The Transport and Police Authority shall ensure that the sound systems are not used in notified Silence Zones.
- i) The Transport Department and MPCB shall give wide publicity to the above directions. The Transport Department shall also publish separate e-mail address and Whatsapp number within 2 weeks to enable the general public to send details of unauthorised vehicles mounted with high decibel sound amplifying systems for necessary action.
- j) The Respondent No.1 - PMC and Respondent-3 Chief Engineer, Irrigation Department are directed to jointly identify the unauthorized construction and/or dumping carried out by the marriage halls/lawns, within the blue line flood zone of River Mutha along the DP Road Pune stretching from Mhatre Bridge to Rajaram Bridge, within 02 weeks from today and carry out demolition/removal of such construction/dumping/filling for ecological restoration of riverine zone of River Mutha within 04 weeks thereafter. Commissioner PMC and Chief Engineer Irrigation Department shall file a compliance affidavit promptly

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after the compliance period. Collector, Pune and Commissioner of Police, Pune are directed to provide all necessary help to the PMC and Chief Engineer Irrigation Department for compliance of the above directions.

The Application No. 8 of 2015 accordingly stands disposed. No costs.

....., **JM**
(Justice U. D. Salvi)

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

