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account of excessive pollution due to discharge of pollutants in the water.

It is in the wake of above circumstances, that we indicate our displeasure and proposed action to pass interim order under section 19 of the National Green Tribunal Act, 2010, as well as Section 94 (e) read with Section 151 of Code of Civil Procedure, in order to meet ends of justice. We may seriously think to give directions to relocate the industries, which are found of polluting nature or which may found causing damage to the environment.

We direct the Respondent Nos.1 and 2, to place on record additional affidavit along with all the relevant information including the reports of analysis of the samples of water collected from the outlets of the Industrial Units, which were visited during the course of the inspection, in pursuance to the earlier order. The Respondent Nos. 1 and 2, also shall place on record an action plan, which is contemplated to deal with the problem.

Issue Bailable Warrants in the sum of Rs.20,000/- each against the Municipal Commissioner of the Respondent Nos.5 and the Chief Officer of Respondent No.7, returnable on 12th February, 2014, to the satisfaction of the arresting Officer, in exercise of our powers and in terms of the provision of Section 19(4) (a) of the National Green Tribunal Act, 2010 read with Order XVI Rule 10(3) and Section 151 of the Code of Civil Procedure, 1908.

We also deem it proper to issue directions that the MPCB, shall approach the IIT, Powai, Mumbai and deposit required amount of fees for carrying out special study involving necessary inspection, collection of samples, analysis, survey, assessment of pollution load from various sources and preparing of action plan for the purpose of monitoring activity of the discharging of water pollutants in the river 'Ulhas' or river 'Waldhuni' by the Industries, which are situated in Ulhasnagar, Ambarnath and Kalyan. The IIT, Powai, Mumbai, also may recommend a comprehensive plan to make the above rivers pollution free by taking necessary action, in order to remove the water pollution or by re-locating the industries as may be deemed proper. The study shall be completed in two (2) months and the IIT, shall file status report before the next date of hearing. The MPCB, to immediately contact the IIT, Powai, with a copy of this Order and shall provide all the necessary assistance.

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We request the Principal Secretary, Industry Department State of Maharashtra and the Principal Secretary of Environment Department to organize a joint Meeting, in order to examine the proposal for re-location of such industries, in order to prune the rivers from water pollution, not only in respect of river 'Ulhas' and 'Waldhuni' but even in respect of other rivers like 'Mithi' and 'Patal-Ganga'.

We further direct that the MIDC, be added as a party and the Applicant, shall amend the application accordingly and shall take 'Dasti' Notice. The MIDC, be served with a Notice with further directions that the quantity of effluent discharged of each industry and qualitative examination of such discharge made by polluting industries, also be verified and reported separately, particularly in relation to the nature of end product of such industries and likely effluent discharged, which may contain particular toxic pollutants.

Learned Counsel Mrs. Mahashabde, seeks indulgence to file Intervener-Application. Leave granted to file such Application in the Registry, which shall be separately registered as Misc. Application.

The Applicants are at liberty to furnish copies of this order to the State Government and other offices.

Stand over to 12th February, 2014.

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

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