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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.176 OF 2012

Rajesh Madhukar Pandit & Ors. ...Petitioners
vs.
The Nashik Municipal Corporation
and others ...Respondents

Mr.Pravartak Pathak for the Petitioners
Mr.M.L.Patil for the respondent Nos.1 and 2
Mr.Ankit Kulkarni i/b Little & Co. for respondent
No.6
Mr.A.B.Vagyani, GP for respondent No.5
Mr.D.A.Nalawade a/w Mr.N.R.Prajapati for respondent
No.4
Mr.Kartikeya Desai i/b Karkikeya and Associates for
respondent No.7.

CORAM : A.S.OKA, &
A.A.SAYED, JJ.
DATE : JUNE 24, 2016

P.C.:

1 We have perused the affidavit of Shri Shivkumar Ramchandra Vanjari, Executive Engineer (Environment) of the Nashik Municipal Corporation as regards Gangapur STP. It is stated that after completing the acquisition, the acquired land has been placed in possession of the Municipal Corporation. It is stated that the Government of Maharashtra recommended a proposal for construction of STP at Gangapur to the Government of India vide letter dated 12th January 2016. The Government of India vide letter dated 26th February 2016 informed the Government of Maharashtra to sanction funds at its

own level. In view of the said letters, on 3rd June 2016, the Municipal Corporation has submitted a project report to the Government of Maharashtra.

2 As far as the land notified for acquisition for the construction of STP at Pimpalgaon Khamb is concerned, the affidavit records that the Municipal Corporation has already deposited a sum of Rs.8,70,62,040/-.

3 Under the orders of this Court, NEERI was appointed to suggest measures for cleaning and rejuvenation of the river Godawari. The recommendations of NEERI have been accepted. The Committee headed by the Divisional Commissioner has been appointed to supervise the entire project. The construction of the STPs at Gangapur and Pimpalgaon Khamb will play a very important role in the scheme. Unless these two STPs are constructed and made functional at earliest, the present pollution level of the river Godavari is not likely to improve. Therefore, the State Government will have to give utmost priority to the completion of both the projects. The Nashik Municipal Corporation has already deposited a substantial amount with the State Government towards cost of acquisition of both the lands.

4 The State Government will have to make a statement regarding the outer limit within which the necessary funds will be provided to the Nashik Municipal Corporation for Gangapur STP and the outer

limit for completion of acquisition and placing the said Corporation in possession of the land earmarked for the STP at Pimpalgaon Khamb. The learned counsel for the Nashik Municipal Corporation states that there is a proposal for sanction of funds for upgrading facility of existing STPs as well.

5 It is pointed that the Nashik Municipal Corporation is facing financial crunch. We, therefore, direct the State Government to make a statement on both these aspects on the next date. The NEERI was directed to submit further recommendations for the purposes of dealing with the huge pollution created by the recent Kumbhamela. We are informed that the suggestions of the NEERI are likely to be considered by the Committee headed by the Divisional Commissioner in the meeting scheduled to be held on 30th June 2016. The decision of the Committee shall also be placed on record on the next date. The State Government will also place on record whether any suggestions have been submitted by the Committee as regards draft development plan pending with the State Government.

6 Place the PIL on 14th July 2016 under the caption of 'Directions'.

(A.A.SAYED, J.)

(A.S.OKA, J.)