

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 200/2014  
(C.W.P. No. 3727/1985)**

**And**

**Original Application No. 501 of 2014  
(M.A. No. 404 of 2015)**

**And**

**Original Application No. 146 of 2015**

**And**

**Appeal No. 63 of 2015**

**And**

**Original Application No. 127 of 2017**

**And**

**Original Application No. 133/2017  
(W.P. (C) No. 200/2013)**

**IN THE MATTER OF : -**

**M.C. Mehta Vs. Union of India & Ors.**

**And**

**Anil Kumar Singhal Vs. Union of India & Ors.**

**And**

**Society for Protection of Environment & Biodiversity & Anr.**

**Vs.**

**Union of India & Ors.**

**And**

**Confederation of Delhi Industries & CETP Societies  
(An Organisation of CETP Societies)**

**Vs.**

**D.P.C.C. & Ors.**

**And**

**J.K. Srivastava Vs. Central Pollution Control Board & Ors.**

**And**

**Swami Gyan Swarop Sanand Vs. Ministry of Home Affairs & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER  
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present Applicant:**

**Mr. M.C. Mehta and Ms. Mehak Rastogi, Advs.**

**Mr. Utkarsh Jain, Adv.**

**Mr. Sanjay Upadhyay and Mr. Salik Shafique, Advs. for  
Indian Chemical Council and Jubilant Rite Sciences**

**Mr. Pradeep Misra and Mr. Daleep Dhayani, Advs. for  
UPPCB**

**Mr. Rahul Pratap and Mr. Anupam, Advs. for MoEF**

**Mr. B.V. Niren, Adv. for CGSC and CGWA**

**Mr. Mukesh Verma and Mr. Bikash Kumar Sinha, Advs.**

**Mr. I.K. Kapila, Adv. for UP Jal Nigam, Kanpur Jal  
Sansthan and Kanpur Nagar Nigam along with EE  
Panpur and SE Coord. Uttar Pradesh Jal Nigam**

**Mr. S.A. Zaidi and Mansi Chahal, Advs. for Leather  
Industries.**

**Ms. Priyanka Sinha, Adv. for State of Jharkhand**

**Ms. Panchajanya Batra Singh, Adv for Ministry of  
Environment, Forest and Climate Change with Mr.  
R.N. Jindal, Scientist, Director, Ministry of  
Environment, Forest and Climate Change**

**Mr. Nikhil Nayyar and Mr. Smriti Shah, Advs. for APPCB**  
**Ms. Antima Bajaj, Adv. for AIDA & for Jain Distillery**  
**Mr. Suraj Prakash Singh and Ms. Pushpila Bisht, Advs. for UPSMA and AIDA**  
**Mr. Atul Batra, and Mr. Kundan, Advs. for Mother Dairy, Pilakhua Unit**  
**Ms. D. Bharathi Reddy, Adv. For State of Uttarakhand**  
**Mr. V.K. Shukla, Adv. for State of MP**  
**Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee**  
**Mr. Abhishek Yadav, Adv. for State of Uttar Pradesh**  
**Mr. Amit agarwal, and Ms. Asha Basu, Advs. for State of West Bengal**  
**Mr. Ishwer Singh, Adv. with Mr. Sandeep, Director (Tech.), NMCG and Mr. M. Kumar Ajitabh, Project Officer-Legal, NMCG**  
**Mr. Gautam Singh and Mr. Rudreshwar Singh, Advs. for State of Bihar and BSPCB**  
**Ms. Neelam Rathore and Ms. Bhawna Gera, Advs. for Association of Textile Processor & Uttar Pradesh Dyes & Bleachers Associations (Micro & Small) & MLA Group & Chamber of Indian Trade & Industry**  
**Mr. Narender Pal Singh, Adv. and Mr. Dinesh Jindal, LO**  
**Mr. Ravindra Kumar, Adv. for R-10 & 11**  
**Ms. Yogmaya Agnihotri, Adv. for CECB**  
**Mr. Ravi P. Mehrotra and Mr. Abhinav Kr. Malik, Advs. for UPSIDC**  
**Mr. Jayesh Gaurav, Adv. for JSPCB**  
**Mr. Sanjeev Ralli, Adv. and Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee**  
**Mr. Taruna A. Prasad, Adv.**  
**Mr. Rajkumar, Adv. & Mr. Bhupendra Shahi, LA, CPCB**  
**Dr. A.B. Akolkar, Member Secretary, CPCB**  
**Mr. Manoj Kumar, Adv. for Mr. Moni Cinmoy, Adv. for DSIIDC**  
**Mr. Rishabh Sharma, Adv. for Noticee No. 9 – M/s. Tara API India Pvt. Ltd.**  
**Mr. Krishna Kumar Singh, Adv.**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<p> <b>Item No. 34 to 39</b>  <b>April 17, 2017</b>  <b>ss</b> </p>	<p> The special Bench has been constituted to hear the Ganga Matter on day-to-day basis. The scope of the entire Project in relation to the Segment `A` and Segment `B` of Phase-I has been discussed with the stakeholders in the Court as well as in the Chamber meeting of high officials from all the stakeholders in the Chamber meeting held on 11<sup>th</sup> April, 2017. </p> <p> At the threshold we have asked the Learned counsel appearing for any of the stakeholders i.e. MoEF, Ministry of Water Resources, National Mission for Clean Ganga, </p>

	<p><b>Item No. 34 to 39</b></p> <p><b>April 17, 2017</b></p> <p><b>ss</b></p>	<p>Central Pollution Control Board, Uttar Pradesh Pollution Control Board, Uttar Pradesh Jal Nigam, Kanpur Nagar Nigam and State of Uttar Pradesh to raise any contention with regard to scope of project that was discussed in relation of all facets of prevention and control of pollution and rejuvenation of river Ganga particularly in Segment 'B' of Phase-I.</p> <p>The Learned counsel appearing for Uttar Pradesh Pollution Control Board submits that there should be issue specific directions by the Tribunal in relation to the Societies, Builders, Developers and even the State Colonies which are being developed in different areas, particularly near and closer to rivers, should have their own STP which will treat the sewage and other waste to the prescribed standards. There should be complete mechanism for dealing with the municipal solid waste, recycling of treated water and strict adherence to pollution control norms wherever applicable.</p> <p>Secondly, he contends that the industries particularly tannery industries located at Jajmau should either be shifted, if not shifted then, the same should be under strict vigilance and supervision. The industries which have their own Chromium Recovery Plant and if they do not operate it, then they should be directed to be closed for a short period and subsequently, for a longer period. Similarly all other defaulting industries should also be penalized from time to time. Effective systems should be provided to treat effluents by establishment of new CETP, Chromium Recovery Plant, carriage and</p>
--	---	--

	<p><b>Item No. 34 to 39</b></p> <p><b>April 17, 2017</b></p> <p><b>ss</b></p>	<p>management of sludge generated.</p> <p>It is stated on behalf of Uttar Pradesh Pollution Control Board that the new CETP i.e. ZLD, is not a desired solution as it would generate salt of the capacity which will be very difficult to store and handle and even failed to create a market for reuse, even if the 70% of the generated salt can be converted to sodium salts which is saleable by itself. It is further submitted that ZLD based CETP will not be economically viable as well.</p> <p>According to Central Pollution Control Board they are technology neutral, however according to them new CETP to be established i.e. ZLD will be technically acceptable and can operate efficiently as well as practically to prevent pollution. Technological – in terms of workability and practicability, the Board supports CETP with ZLD, however economically it will have to be examined.</p> <p>According to the MoWR and National Mission for Clean Ganga the new CEPT should be with the improved technology and should be ZLD. According to them, ZLD is practical, technologically sound and a reasonably good solution for prevention and control of pollution. It is also stated that the Chennai, ZLD experience of Tannery industries is not proved very successful as far as disposal of salt is concerned and quantum of salt that it will generate is a very serious problem as of today. However to the large extent, this could be addressed by improvement of the technology. The technology that should be adopted</p>
--	---	---

	<p><b>Item No. 34 to 39</b></p> <p><b>April 17, 2017</b></p> <p><b>ss</b></p>	<p>can be that of the ultra-filtration and nano-filtration.</p> <p>After certain arguments, the Central Pollution Control Board wishes to take stand that keeping in view of the proposed three pipeline system, Chromium Recovery Plant and establishment of new CETP and dealing with the sludge separately, it will be more advisable and scientifically workable as opposed to ZLD, if the treated CETP effluent is further diluted with treated sewage and used for irrigation purposes. However, according to the MoWR and National Mission for Clean Ganga, ZLD still would be a better option.</p> <p>According to the MoWR and National Mission for Clean Ganga, it should be seriously pondered over the 10 mg/l, 10 mg/l and 230 MPN standards for BOD, Suspended Solid and Faecal Coliform respectively. The proposed standards need to be considered before they are notified, keeping in view the necessity of imposing of such stringent standards and economic viability.</p> <p>The Central Pollution Control Board is of the opinion that these standards should be enforced in the interest of prevention and control of pollution.</p> <p>According to the Uttar Pradesh Jal Nigam and Kanpur Nagar Nigam, the dilution system as above should be preferred to ZLD in relation to the new CETP in view of economic principles, practical and land availability.</p> <p>None of the stakeholders wish to say anything more in any aspect of the case being heard by the Tribunal. Therefore, we will proceed to examine the integrities of the</p>
--	---	---

	<p><b>Item No. 34 to 39</b></p> <p><b>April 17, 2017</b></p> <p><b>ss</b></p>	<p>projects. We pass the following directions for immediate compliance and without default:-</p> <ol style="list-style-type: none"> <li>1. The MoEF, the MoWR and the Central Pollution Control Board will take a clear stand which they were expected to inform the Tribunal today in relation to minimum environmental flow of river Ganga in Segment `B`.</li> <li>2. Extraction of groundwater in this sector.</li> <li>3. We direct the CEO, TWIC – Tamil Nadu Water Investment Company; Director, Central Leather Research Institute (CLRI); Member Secretary, Tamil Nadu Pollution Control Board and Professor T. Ramaswamy, Former Secretary, Government of India, Science and Technology to be present for a Chamber meeting with the Tribunal on 21<sup>st</sup> April, 2017 at 02:30 P.M.</li> </ol> <p>The Registry will communicate the order of the Tribunal to all the concerned immediately. The Chamber meeting would be held on 21<sup>st</sup> April, 2017.</p> <p>The MoWR and Namami Gange has not filed any document as were prayed for, they must do the needful, if they so desire, positively by 21<sup>st</sup> April, 2017.</p> <p>List these matters on 19<sup>th</sup> April, 2017.</p> <p style="text-align: right;">.....,CP (Swatanter Kumar)</p> <p style="text-align: right;">.....,JM (Dr. Jawad Rahim)</p> <p style="text-align: right;">.....,JM (Raghuvendra S. Rathore)</p>
--	---	--

	<p><b>Item No. 34 to 39</b></p> <p><b>April 17, 2017</b></p> <p><b>ss</b></p>	<p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Ajay A. Deshpande)</p> <p>.....,EM (Dr. Nagin Nanda)</p>
--	---	---

