

**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**

**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.**

**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**

**Present Applicant:**

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

**Mr. Sanjay Upadhyay with Mr. Salik Shafique, Advs.  
for Indian Chemical Council & Jubilant Life Sciences  
Mr. B.V. Niren, Adv. for CGWA with Mr. Varun Bhati,  
Advs.**

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

**Mr. Narender Pal Singh and Ms. Prateek Gupta, Advs.  
and Mr. Dinesh Jindal, LO, Delhi Pollution Control  
Committee**

**Mr. Motish Kumar Singh and Mr. Saurabh Sachdeva,  
Advs. for Noticee No. 653 (IFFCO)**

**Ms. Neelam Rathore, Adv. for Association of Textiles  
Processors & Uttar Pradesh Dyes & Bleachers  
Associations (Micro & Small) and MLA Group &  
Chamber of Indian Trade & Industry**

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

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

**Mr. Atul Batra, Advs & Mr. Kundan Mishra. for Mother  
Dairy, Pilakhuwa Unit**

**Ms. Panchajanya Batra Singh, Adv for Ministry of  
Environment, Forest and Climate Change**

**Mr. Sanjeev Ralli, Adv. with Mr. Dinesh Jindal, LO,  
DPCC**

**Ms. Antima Bazaz, Adv. for AIDA and Jain Distillery**

**Ms. Antima Bazaz, Adv. for Mr. Mohit, Adv. for  
Petrochemicals**

**Mr. Jayesh Gaurav, Adv. for JSPCB**

**Mr. V.K. Shukla with Ms. Vijay Laxmi, Advs. for State  
of Madhya Pradesh**

**Mr. Amit agarwal, and Ms. Asha Basu, Advs. for State of west Bengal**

**Mr. Gautam Singh and Mr. Rudreshwar Singh, Advs. for State of Bihar and BSPCB**

**Mr. Ishwer Singh, Adv., National Mission for Clean Ganga WITH Mr. Sandeep, Director**

**Ms. Yogmaya Agnihotri, Adv. for C.E.C.B.**

**Mr. Ravi P. Mehpotra, Adv. with Mr. Abhinav Kr. Malik, Advs.**

**Ms. Alpana Poddar, Adv. and Mr. Bhupender, LA, Central Pollution Control Board**

**Mr. Abhishek Yadav, Adv. for State of Uttar Pradesh**

**Respondent No.3: Mr. Pradeep Misra and Mr. Daleep Dhayani, Advs.**

**Mr. I.K. Kapila, Adv. for UP Jal Nigam & UK Pey Jal Nigam with Incharge of Uttar Pradesh Jal Nigam Sewerage work**

**Respondent Nos. 10 and 11:Mr. Ravindra Kumar, Adv. SPENBIO**

**Respondent: Mr. Krishna Kumar Singh, Adv. for MoEF**

**Mr. Manoj Kumar, Adv. for Mr. Moni Cinmoy, Adv. for DSIIDC along with Mr. Vipin Kaushik, AEE, DSIIDC**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 16 to 19</b> <b>February 15, 2017</b> <b>ss</b>	<p>In furtherance to the order of the Tribunal Ms. Poornima, Executive Officer of the Parishad is present. She stated that the Parishad was informed in May, 2016 by the Nigam that the sewage pipeline has been laid and Parishad should provide connections to the residents, connecting with the sewer. According to her, immediately thereafter the board of the Parishad has passed resolution that there were no fund available with the Parishad to provide connections to the households to the sewer line and had asked the Government to provide fund and Jal Nigam to execute the work. The letters were written in June, 2016 and had informed the Jal Nigam in September and October, 2016. However, no response had been received by the Parishad from the said authority.</p> <p>She further states that she knows that the sewer pipeline has been laid and she had personally inspected the pipelines of 16 Kms. rest of the pipelines she had not inspected, however according to her, sewer pipelines have been laid. Presently the sewage of the area is being</p>

	<p><b>Item No. 16 to 19</b></p> <p><b>February 15, 2017</b></p> <p><b>ss</b></p>	<p>discharged on the land through drains. Mr. Ajay Yadav and Mr. Anil Dhinghra, District Magistrate had asked her to inspect the sewer pipelines and the STP. Mr. Ajay Yadav had told her 8 months back to conduct the inspection. She has informed the Tribunal that she has prepared the report however that report is not available with her today and she had submitted that report to Mr. Ajay Yadav, DM, Hapur.</p> <p>Even this officer from the Parishad had provided information that lacks credibility. At this stage, we do not pass any comment on the information provided by this officer and proper opportunity is provided to respond before we record our findings. However, it would be essential by the Tribunal to have before it exact physical position existing on the site. Therefore we direct as follows :-</p> <ol style="list-style-type: none"> <li>1. The Committee constituted with the following:- <p>Mr. Ritwick Dutta as a Local Commissioner, Mr. Sandeep, Director, Ministry of Water Resources and Mr. C.B. Chourasia, Sc. 'E', Central Pollution Control Board who are present in Court. This Committee shall visit the site Garh Mukteshwar and Brij Ghat tomorrow i.e. on 16<sup>th</sup> February, 2017 starting at 10:00 AM and shall report to the Tribunal whether 58 Kms. sewer pipeline has been actually laid down and is operational.</p> </li> <li>2. The Status of the STP of 3 MLD as well as 6 MLD which is stated to have been completed and other</li> </ol>
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	<p><b>Item No. 16 to 19</b></p> <p><b>February 15, 2017</b></p> <p><b>ss</b></p>	<p>under construction. The locations of these STPs and justification for construction of STPs at those points.</p> <p>3. Quantum of discharge at the drain where these STPs have been proposed.</p> <p>4. The drain at Brij Ghat is dry or has adequate flow or it may have overflowed in rainy season and joins river Ganga with its effluents.</p> <p>5. The discharge at Jodh in Brij Ghat of the entire sewage of the colony. The status of the groundwater at that point and land as well as its adverse impact on public health and environment.</p> <p>6. The Committee would be entirely free to make its observations and inspect any area that it may desire with the primary object of ensuring that there is no pollution on river Ganga and even make observations with regard to the suggestions made by the joint inspection team.</p> <p>7. The Committee may also observe if there are industries operating in these areas.</p> <p>The Local Commissioners aforesaid, shall be provided Police Protection and all help and assistance which would be rendered by the Government to ensure that the directions of the Tribunal is complied with without delay and default.</p> <p>The S.P. of the area and D.M., District Hapur shall be personally responsible for compliance of these</p>
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	<p><b>Item No. 16 to 19 February 15, 2017</b></p> <p><b>ss</b></p>	<p>directions.</p> <p>List these matters tomorrow i.e. on 16<sup>th</sup> February, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
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