

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

**Original Application No. 200 of 2014
(M.A. No. 254/2018)
(C.W.P. No. 3727/1985)**

And

**Original Application No. 668 of 2017
(Earlier M.A. No. 923/2017)**

In

Original Application No. 200/2014)

And

M.A. No. 141 of 2016, M.A. No. 328 of 2018 and M.A. No. 337 of 2018

In

Original Application No.10 of 2015

IN THE MATTER OF:

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

And

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

And

Indian Council for Enviro-Legal Action

Vs.

National Ganga River Basin Authority & Ors.

**CORAM : HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present:

Applicant:

Mr. M.C. Mehta, Ms. Katyayni and Ms. Mehak, Adv.

Respondent:

Mr. B.V. Niren and Mr. Vinayak Gupta, Adv. for CGWA

Mr. Attin Shankar Rastogi and Mr. Prateek Yadav, Adv.

Mr. V. K. Shukla, Adv. and Mr. Vijay Laxmi and, Adv. for State of Madhya Pradesh

Mr. Gautam Singh and Mr. Shoeab Alam, Adv. for State of Bihar

Mr. Neeraj Kishan Kaul, Sr. Adv., Mr. Neil Hildreth Sajlan, Mr. Kahul Jain and Ms. Hitakshi Mittal, Adv.

Mr. Rudreshwar Singh, Adv. for BSPCB

Mr. Jayesh Gaurav, Adv. for JSPCB

Mr. Rajkumar, Adv. and Mr. Bhupendra, LA for Central Pollution Control Board

Mr. Sudeep Director and Mr. Kumar Ajitabh, Legal Officer

Ms. Priyanka Sinha, Adv.

Ms. Deep Shikha Bharti, Adv.

Mr. Ishwer Singh, Adv for NMCG

Mr. Pradeep Mishra, and Daleep Dhyani, Adv. for UPPCB

Mr. Ajay Marwah, Adv. for State of Himachal

Mr. Divya Prakash Pande, Adv.

Mr. Mukesh Verma adv. Mr. S.S. Pal CEO and Mr. Rajendra Singh, ASO for UPCEB

Mr. Varun Thakur and Mr. Brajesh Pandey, Adv. for NMCG

Mr. Debopriyo Pal Ms. Asha Basu, Adv. for West Bengal Pollution Control Board

Mr. Rajul Shrivastav, Adv.

Mr. I.K. Kapila, Adv. for Uttar Pradesh Jal Nigam, UK Pey Jal Nigam and Kanpur Nagar Nigam

Mr. Om Prakash, Adv. for M/o Railways

Ms. Yogmaya Agnihotri, Adv. and Ms. Prity, Adv. for CECB
 Mrs. D. Bharathi Reddy and Ms. Vidyottma, Advs for State of Uttarakhand.
 Mr. Raja Chatterjee, Mr. Piyush Sachdev and Ms. Abhinandini Yadav, Advs. for State of WB
 Mr. Anil Grover, AAG, Mr. Rahul Khurana, Mr. Mishal Vij. Adv. for State of Haryana and HSPCB
 Mr. Rahul Verma, AAG, Adv. for State of Uttarakhand
 Mr. Atul Batra & Mrs Shreya Mathur for Mother dairy
 Ms. Panchajanya Batra Singh Adv. for MoEF and CC
 Mr. Sanjeev Ralli, Adv and Mr. Dinesh Jindel LO DPCC
 Mr. Aishwarya Bhatt, Mr. Nilava Bandhopadhyay, Advs. Dr. Sandeep Singh
 Mr. Santosh Kumar and Ms. Shilpi Shivangi, Advs.
 Ms. Yogmaya Agnihotri, Adv. and Ms. Prity

	Date and Remarks	Orders of the Tribunal
	<p>Item Nos. 21 to 23 April 03, 2018 A</p>	<p><u>Original Application No. 200 of 2014 (M.A. No. 254/2018) (C.W.P. No. 3727/1985) and Original Application No. 668 of 2017 (Earlier M.A. No. 923/2017) in Original Application No. 200/2014)</u></p> <p>Learned counsel appearing for the State of Uttarakhand submits that as all directions of the Tribunal contained in the judgement passed in December, 2015 have been substantially complied and various status reports have been filed till now, including supplementary report filed yesterday in the Registry copy of which served on Mr. M.C. Mehta and other contesting Respondents. Mr. Mehta submits he would be looking to the report filed and make his submissions. However the assertion of the State of Uttarakhand is in view of the report in support its contentions that the substantial compliance is made they may be granted further time. However we direct they will make all efforts to ensure all directions are complied and file final report.</p> <p>We have perused the report of National Mission for Clean Ganga as pointed out by Mr. Mehta with regard to</p>

**Item Nos.
21 to 23**

**April 03,
2018**

A

compliance contained in the judgment dated 13th July, 2017 and subsequent directions issued.

The report filed by National Mission for Clean Ganga refers to statement that the detailed project report for upgradation to CETP at Unnao has not been finalized. It is also stated that Uttar Pradesh Jal Nigam is yet to prepare and submit a detailed project report for four towns that is Kasganj, Bareilly, Kannauj and Rampur. It is further stated in the report that Uttar Pradesh Pollution Control Board and Central Pollution Control Board have not furnished information status of industries that have not complied with directions of this Tribunal.

However, Mr. Mishra appearing for Uttar Pradesh Pollution Control Board and Mr. Rajkumar appearing for Central Pollution Control Board submit that the Boards have already filed their statement on record but the same have not been taken into consideration by National Mission for Clean Ganga while submitting the report in question.

It is stated by Mr. Kapila that the Uttar Pradesh Jal Nigam has already filed preparation of DPR in four towns. In view of the said submissions made by the learned counsel for Uttar Pradesh Pollution Control Board, Central Pollution Control Board and Uttar Pradesh Jal Nigam, the National Mission for Clean Ganga must file additional statement with regard to the statement made as aforesaid by the Boards and with its own observations and comments after serving copy upon them.

We direct Association of Tannery industries to file report about the compliance to our direction contained in

	<p>Item Nos. 21 to 23</p> <p>April 03, 2018</p> <p>A</p>	<p>the judgement in question.</p> <p>In the meanwhile we further permit all stakeholders to who claim they have complied to file statement exchanging copy among themselves.</p> <p>Post these matters for further hearing with regard to compliance about the directions</p> <p>List these matters relating to Segment – A Phase – B on 15th May, 2018 and on 17th May, 2018 with regard to compliance about the directions and also for consideration of Segment – B, Phase - II.</p> <p>In the case which relates to Phase – II we shall consider Unnao to Uttar Pradesh Border.</p> <p>Incidentally it is brought to our notice that another case which covers the area from Bihar to Bengal raising of same issues is for consideration and is pending before Eastern Bench. Hence we order to secure records of the case from the said bench to this Principal Bench.</p> <p><u>M.A. No. 141 of 2016, M.A. No. 328 of 2018 and M.A. No. 337 of 2018 In Original Application No.10 of 2015</u></p> <p>Issue Notice on M.A. No. 328/2018 to the contesting Respondents. They shall file their Reply within two days from today.</p> <p>List this matter on 09th April, 2018.</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p style="text-align: right;">03.04.2018</p>
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