

ITEM NO.15

COURT NO.2

SECTION PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 3727/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(With appln(s) for directions, stay, extension of time, intervention, exemption from filing O.T., directions, may refer to remarks and office report)
(For Final Disposal)

WITH

W.P. (C) No. 200/2013

(With appln.(s) for exemption from filing O.T. and permission to replace the page and office report)

Date: 14/01/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE R.K. AGRAWAL
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s) Mr. M.C. Mehta, Adv.
(Petitioner-in-person)

Dr. Kailash Chand, Adv.

For Respondent(s) Mr. Ranjit Kumar, SG
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Ms. Sadhana Sandhu, Adv.
Mr. Ishwar Singh, Adv.
Ms. Binu Tamta, Adv.
Mr. D.S. Mahra, Adv.
Mr. S.N. Terdal, Adv.
Ms. Sushma Suri, Adv.

Mr. C.D. Singh, Adv.
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Mr. Anip Sachthey, Adv.
Mr. Saakaar Sardana, Adv.

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State of Rajasthan Mr. S.S. Shamsbery, AAG
 Mr. Amit Sharma, Adv.
 Mr. Sandeep Singh, Adv.

State of Jharkhand Mr. Mohd. Waquas, Adv.
 Mr. Tapesh Kumar Singh, Adv.

State of UP Mr. Upendra Mishra, Adv.
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Mr. Gunnam Venkateswara Rao, Adv.

Mr. Dharam Bir Raj Vohra, Adv.

Mr. Rajesh Srivastava, Adv.

Mr. Abhijit Sengupta, Adv.

Mr. Sunil Fernandes, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard.

In terms of our order dated 3rd September, 2014, respondent no.1-U.O.I. has filed an additional affidavit on 22nd September, 2014 inter alia setting out the status of projects under National Ganga River Basin Authority (NGRBA). A perusal of Annexure 'A' to the said Affidavit reveals that out of a total of 70 projects spread over five Ganga basin States, 31 STP projects were on-going, 15 were at the bidding stage and 23 already stood completed as in August 2014. Out of those that were on-going, 14 were in the State of Uttarakhand, 7 in Uttar Pradesh, 5 in Bihar and the remaining 5 in West Bengal. Similarly out of 15 projects

at the bidding stage, one was in the State of Uttarakhand, 6 in Uttar Pradesh, 5 in Bihar, 1 in Jharkhand and 2 in West Bengal. Mr. Ranjit Kumar, learned Solicitor General, submits that while the on-going projects may not have been completed because of the short time gap since the previous order, the project which were at the bidding stage may have already progressed to the stage of allotment. He was however unable to state how many of the bidding stage projects have already been allotted in the States concerned. He may therefore file an affidavit indicating the present status of 31 on-going projects in the States, mentioned above, as also the status of the 15 projects that were at the bidding stage in August 2014. In case the projects that were at the bidding stage in August 2014 have not been already allotted, the reason for the delay in allotment shall also be indicated. The affidavit may also indicate the time-frame within which the on-going projects in the States, mentioned above, will take to complete and impediments, if any, in the timely completion thereof.

Mr. Kumar submits that apart from 70 STP projects referred to above, government have also referred the matter to a consortium of IITs to formulate a basin management plan for cleaning the river and for its rejuvenation. He submits that IIT Consortium has not so far submitted its report and is likely to do so shortly. In case the needful has been done by the consortium, a copy of the recommendations made by it shall also be filed along with the affidavit.

Mr. M.C. Mehta, learned counsel appearing in-person, at this stage submits that although vide order dated 3rd September, 2014

this Court took note of a Notification issued on 18.12.2012 in regard "ecological sensitive zones/areas" stretching from Gangotri downstream to 135 kms. of the river length and also directed the Government to file a reply indicating the follow-up steps that have been taken by it, no plan for management has been formulated so far by the Government. He submits that formulation of an appropriate plan for management of such an ecologically sensitive area/zone ought to be a high priority matter with the Government.

Mr. Kumar, in reply, submits that IIT consortium report is expected to address this issue also and we could await the submission of the said report by the consortium. In that view, we do not consider it necessary to issue any further directions at this stage regarding the management plan for the area aforementioned.

Post after six weeks. Needful be done in the meantime.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER