

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL**

Original Application No. 56/2017 (CZ)
Shailendra Singh Vs. State of Rajasthan & 6 Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

**PRESENT : Applicant : Shri S.D. Shukla,
RSPCB: Shri Sandeep Singh, Adv.
Shri Rajeev Pareek, RO, Pali
Respondent No. 5 : Shri Vinay Kothari, Adv.
Respondent No. 6 : Shri Shrey Raj Saxena, Adv.
Respondent : Shri Indra Singh Rathore,
Respondent No. 4 : Shri Varun Raj Nair, Adv. for
Shri Sachin K. Verma, Adv.**

Date and Remarks	Orders of the Tribunal
Order No. 6 18th September, 2017	<p>The Municipal Commissioner, Pali is present. Shri Sachin K. Verma, Learned Counsel on behalf of the Municipal Council, Pali prays for time to file the reply. Along with the reply we direct that the Municipal Council Pali shall also file detailed statement of the amount that has been recovered from each plant and the manner in which utilisation was made and the balance amount available with the Municipal Corporation.</p> <p>Shri Vineet Kothari, Learned Counsel appears on behalf of the Respondent No. 5 Foundation. He has moved an application drawing our attention to the various orders that have been passed by the Hon'ble Principal Bench at New Delhi and the Circuit Bench. We, however, direct that the reply be filed by the Respondent No. 5.</p> <p>In the meanwhile, he undertakes that within next 15 days the work of linking all the member industries to the Common Effluent Treatment Plant (CETP) through pipeline will be completed that is on or before 02.10.2017. We make it clear that such of the industries that are not linked to the CETP through the pipe line will be liable to be closed down under our orders as this has become necessary in view of the fact that the</p>

transportation of the pollutants to the CETP through tankers etc. in the facts and circumstances is not proving to be viable alternative.

We hereby appoint Shri Om Shankar Shrivastav, Learned Counsel for the MoEF as the Court Commissioner on behalf of the Court to visit Pali and to submit the report regarding the steps on the following issues :

1. The work of linkage of each of the industries through pipeline to the CETP.
2. For the aforesaid purpose the R.O. Pali shall provide details and accompany the Learned Commissioner either himself or through his staff to each of the plants and their locations.
3. The Learned Commissioner shall also inspect the industries and submit whether there is any evidence of discharge either on the premises or outside and whether they fulfil the criteria of maintaining ZLD.
4. The Learned Commissioner along with the scientists and officers of the RO shall collect the water samples from various points and the RO shall get the same tested and submit the report on the next date of hearing.
5. The second sample shall be brought to Bhopal for being analysed at the lab of the MPPCB.
6. In addition to the above soil sample at least of five locations on the course of the river on various channels shall be taken and the analysis be carried out at the soil testing laboratory through the RO.

For the aforesaid purpose the Collector Pali is directed to provide all necessary assistance.

We have further been informed that the Respondent No. 5 Foundation has already placed the orders to the contractor for carrying out the aforesaid task of linkage of the CETP to the various units through

pipelines. In addition to the above we direct with an amount of Rs. 50,000/- (fifty thousand) be paid towards fee of the Commissioner. The amount of Rs. 25,000/- be paid to Shri Om Shankar Shrivastav on his arrival at Pali by the foundation and the balance of amount shall be paid on submission of the report before this Tribunal.

Let this matter be listed on **16th October, 2017.**

.....,JM
(DALIP SINGH)

.....,EM
(Dr. S.S. GARBYAL)

