

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

**Original Application No. 19(T<sub>HC</sub>) of 2013**

**IN THE MATTER OF:**

**Court on its own motion Vs. State of Punjab**

**CORAM : HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. P.S. RAO, EXPERT MEMBER**

**Present: Amicus Curie:  
Respondent:**

**Mr. Arjun Pant, Mrs. Sonali Jaitley Bakshi, Mr. Jaiyesh Bakshi, Mr. Shubhanshu Gupta, Ms. Sanya Kapoor, Mr. Shyam Kumar, Adv. and Mr. Souvik Banerjee and Mr. Tushar Ahale, Project Manager For Project Proponent  
Mr. A.K. Prasad and Mr. Shashank Saxena, Adv. for Military Engineering Services  
Mr. Ashish Negi , Adv. for Ms. Richa Kapoor for Punjab Pollution Control Board.**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 01  June 20, 2017</b>	<p>Affidavit filed on behalf of Punjab Water Supply and Sewerage Board by Mr. Amarjit Kumar, Learned Counsel appearing for the said Respondent through Mr. Pankaj Jain, Executive Engineer, Amritsar is taken on record.</p> <p>Let the copy be served to Mr. Arjun Pant, the Learned Counsel appearing for the Project Proponent.</p> <p>Mr. Arjun Pant, Adv. submits on instructions that the Project Proponent has the capacity even today to treat the contracted load of 95 MLD of sewage completely even if it is discharged today.</p> <p>Mr. Amarjit Kumar, the Learned Counsel appearing for the Sewerage Board, however, submits that the submission is not fully correct as 3 pumps as on 19<sup>th</sup> June, 2017 were not functional, as a consequence of which it would not be possible for the sewage treatment plant to take in the entire load. He submits that several reminders issued to the Project Proponent for the purpose have failed to result in any positive steps being taken by them towards that direction.</p>

	<p><b>Item No. 01</b></p> <p><b>June 20, 2017</b></p>	<p>Our order dated 29<sup>th</sup> May, 2017 was clear and specific in directing that in the event of default, we would impose at least Rs. 10 lakhs as environmental compensation.</p> <p>However, before we take a decision on this, let an Affidavit be filed by the Project Proponent in reply to the one filed today by the Sewerage Board.</p> <p>It may be noted that the order dated 29<sup>th</sup> May, 2017 was issued on specific submissions made by these parties and the affidavits filed by them. As already observed, the order was peremptory and the sewage STP was required to be functional to its full capacity before this date.</p> <p>Mr. Arjun Pant's submission does not appear to be completely correct in view of the conflicting nature of his submissions, albeit made on instructions of the officers of the Project Proponent in as much as some of the components of the plant for it to be fully functional are yet to be completed. For instance the bacterial culture and the chlorination processing plant which is said to be now at the slab stage, are yet to be completed apart from some others pointed out by the Board in their Affidavit filed today. In view of the specific and categorical submissions made today on behalf of the Project Proponent that the STP has the capacity to take in the complete load of 95 MLD, we direct the Sewerage Board to release the entire contracted quantum which is 95 MLD by tomorrow.</p> <p>In the event of any adverse impact on the environment arising, if any, as a result thereof, the Project Proponent shall be held entirely responsible. As a measure of precaution, let the Project Proponent deposit a bank</p>
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	<p><b>Item No. 01</b></p> <p><b>June 20, 2017</b></p>	<p>guarantee of Rs. 1 crore in favour of Punjab State Pollution Control Board in a recognized Nationalized Bank within a week from today.</p> <p>An Affidavit of compliance of this order and on complete functioning of the STP shall be filed by the Board as well as by the Project Proponent on the next date of hearing.</p> <p>The aspect regarding payment of the penalty of Rs. 10 lakhs shall also be considered on the next date.</p> <p>List this matter on 29<sup>th</sup> June, 2017.</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (P.S. Rao)</p>
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