

NOIDA Sector 14 Residents Welfare Assn. & Others

v.

State of Delhi & Others

(Supreme Court Of India)

HON'BLE MR. JUSTICE A.K. PATNAIK HON'BLE MR. JUSTICE
SWATANTER KUMAR

Writ Petition (Civil) No. 914 Of 1996 | 27-08-2012

1. Having perused the affidavits filed by various Authorities and the State Governments, we are of the considered view that it falls short in more than one respects. The purpose of this Court regulating this Project for cleaning of the River Yamuna has hardly advanced itself. The pollution of the river has increased by the day. We regretfully observe that the affidavits filed by all the Authorities including the State of Uttar Pradesh are unsatisfactory in their content and projections of the steps which are required to be taken for controlling the pollution of the Yamuna river.

2. Be that as it may, before we pass some effective orders in this case, it will be appropriate to require these Authorities to comply with the following directions:-

(i) A detailed map shall be filed by the Delhi Jal Board in conjunction with the Noida Development Authority reflecting the position of the river Yamuna in the States of Haryana, Uttar Pradesh and the National Capital Territory of Delhi. This map shall exhibit the points where the solid waste or industrial waste is being discharged through different drains into the river Yamuna.

(ii) It will also show the Sewage Treatment Plants (STPs) if any, installed by the two States and the NCT of Delhi for treatment of the effluent that is being discharged into the river Yamuna.

(iii) It has been stated in the affidavit of the Delhi Jal Board that water of the river Yamuna is being pumped at different points and is subjected to treatment.

However, there are no details. The same shall be detailed in the map which obviously would be accompanied by an affidavit of the Member (Drainage) who shall file a personal affidavit.

(iv) The Central Pollution Control Board along with Delhi Pollution Control Board shall file a common affidavit specifying the quantity of discharge of solid waste, industrial effluent and other waste into the river Yamuna in the territory inclusive from Panipat to Ghaziabad.

(v) The Chief Executive Officer of the Noida Development Authority shall file a personal affidavit as to where the Noida colonies at or near river Yamuna are discharging their solid wastes, sewage and industrial wastes. If that is being discharged into river Yamuna, then the details thereof. If they are not discharging in the river Yamuna, the details of the place where this is being discharged and the quantity of discharge as well as the capacity of the point where the discharge is being made?

(vi) Let these affidavits now be positively filed within a period of two weeks. We make it clear that no further time will be allowed to report for this purpose. The matter to come up for directions on Thursday, the 20th September, 2012.

(vii) Counsel appearing for the Union of India and the petitioner shall file a copy of the order wherein the Bhure Lal Committee was appointed and directed to examine the issue of pollution of the river Yamuna in Delhi along with report, if any filed by that Committee.

(viii) The National Capital Territory of Delhi and all the Municipal Corporations of the NCT, Delhi shall file similar affidavits. They shall meet all the queries raised by the Court. They shall specify as to where the domestic sewage, solid wastes and industrial waste and the industrial effluents are being discharged and the manner thereof. The affidavit shall particularly deal with the discharge from Shahdara zone and through which route the discharge is being made into river Yamuna, if any.

3. It is further made clear that if the affidavits as afore- stated are not filed, Senior-most Officer of such State/Authority shall be present in Court and we make it clear that we will be compelled to impose exemplary costs personally recoverable from the officers.

4. Issue notice to the Bhure Lal Committee as well.

5. Registry is directed to issue copy of this order, without process fee, to all the concerned Authorities, Corporations, State Administrations within two days from today.