

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

**Original Application No. 101/2014
Sobha Singh & Ors. vs. State of Punjab & Ors.**

CORAM: HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE PROF. A.R YOUSUF, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant/Appellant(s) : Mr. Manish Kumar and Mr. Ansar Ahmad Choudhary, advs
Respondent No. 3 :Ms. Panchajanya Batra Singh, Adv. for MoEF
Respondent No.5 :Mr. Shubham Bhalla Adv. for PPCB
Respondent No.6 & 7 :Mr.Madhavendra Singh, Mr. Saurabh Shyam Shamsheri, Advs
Respondent No. 9 & 10 : Mr. A. R. Takkar, Mr. Ankur Sharma Adv.
Respondent No. 17 :Mr. Rajkumar, Adv., Ms. Niti Choudhary, (Legal Asst.)
MoUD :Mr. B.V. Niren, Adv.

Date and Remarks	Orders of the Tribunal
<p>Item No. 10</p> <p>February 10, 2016</p>	<p>By order dated 15th September, 2015, Ministry of Urban Development, Govt. of India was impleaded and the learned counsel took notice for the Ministry of Urban Development, Union of India. Thereafter, the learned counsel was directed to “take necessary instruction as to the release of funds for the project in Punjab”. The matter was listed thereafter to 09th October, 2015. After hearing the parties on 09th October, 2015, a detailed order was passed and the relevant portion of the order reads:</p> <p>“We hope and trust that the Project will gather pace with release of funds and will be completed as early as possible. We, therefore , direct the PWSSB to furnish utilization certificates to the Govt. of India within 15 days. Govt. of India shall release their share of funds as quoted here in above for the said projects on getting the appropriate utilization certificates within a month thereafter. Compliance Report as well as the Report of the progress made in the projects shall be placed before us on the next date. ”</p>

The matter was again listed on 13th January, 2016. It was submitted by the learned counsel appearing for the Punjab Pollution Control Board that the project at Jalandhar is yet to be commissioned and the untreated domestic sewage is passing through the river Satluj and the action plan for handling it has been placed on record. It is pointed out by the learned counsel appearing on behalf of the Punjab Water Sewage Board that the Govt. of India has not yet released the fund for commencement of plan. Therefore, it was directed "PWSSB to furnish utilization certificate to Government of India vide order dated 09th October, 2015. We are told that Utilization Certificate is not furnished to Government of India and fund has not been released.

Today when the matter was called the learned counsel appearing for the Ministry of Urban Development submitted that the fund could not be released as the Utilization Certificate is to be routed through the State Government and not by PWSSB. In the light of the previous orders passed in the presence of Ministry of Urban Development, Union of India, we cannot accept submissions even though a letter written by the Under Secretary to the Learned Counsel dated 15th October, 2015 is shown. We direct the concerned Joint Secretary of Ministry of Urban Development to be present before the Tribunal on the next posting date and explain why the amount was not released, if the amount is not released by 11th March, 2016.

.....,JM
(M.S. Nambiar)

	,JM (Raghuvendra S. Rathore)
	,EM (Prof. A.R Yousuf)
	,EM (Ranjan Chatterjee)

