

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

Original Application No. 239 of 2015

**Suo Motu Uttarakhand Human Rights Commission Vs. Chief Secretary, Govt. Of
Uttarakhand & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present:

**Respondent No. 4 : Mr. I. K. Kapila, adv. for UP Jal Nigam
Sansthan**

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 06</p> <p>May 06, 2016</p> <p style="text-align: center;">A</p>	<p>Vide our order dated 10th December, 2015 various directions for compliance were issued. The Committee was also constituted to submit a complete and comprehensive action plan in terms of the judgment within three months from the date of judgment. Today neither anybody appeared on the behalf of the Committee nor the Report has been filed.</p> <p>None present on behalf of the State of Uttarakhand. We are of the considered view that the State of Uttarakhand needs to show greater seriousness and carry out orders of the Tribunal with sincerity and effectiveness. Two months have passed after the period prescribed in the judgment has expired. No Application has been filed for extension of time and no steps have been taken in terms thereof.</p> <p>Execution of the orders of the Tribunal is essence of environmental justice and the person, particularly Authorities, who do not carry out the directions not only are liable for disobedience but are also responsible for causing pollution and degradation of environment and</p>

ecology of the area. This relate to a serious matter like dealing with the sewage that was generated in various towns. One of the basic and fundamental source of pollution of river Ganga is discharge of untreated sewage into the river. If this is the attitude which the State of Uttarakhand proposes to deal with the matters of such serious source of environment, much need to be said as well as appropriate actions are required to be taken against the concerned Authorities, since the records are necessary to be produced. As there is no compliance of the orders passed by the Tribunal, consequently, we issue bailable warrants against Secretary of Environment, State of Uttarakhand, CEO of Pay Jal Nigam and Pay Jal Sansthan, District Magistrate and Member Secretary of Uttarakhand Pollution Control Board in the sum of Rs. 10,000/- each to the satisfaction of the arresting Officer, in exercise of our powers and in terms of the provision of Section 19 (4) (a) of the National Green Tribunal Act, 2010 read with Order XVI Rule 10(3) and Section 151 of Code of Civil Procedure, 1908. The Bailable warrants shall be executed by the concerned SHO of the area.

They shall also show cause as to why costs for adjournments of the cases be not imposed personally upon the above Officers and recovered from their salaries.

Bailable warrants returnable on 04th July, 2016.

.....,CP
(Swatanter Kumar)

		<p>.....,JM (M.S. Nambiar)</p> <p>.....,EM (Prof. A.R. Yousuf)</p> <p>.....,EM (B.S. Sajwan)</p>
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