

Case Note: Case concerning the stoppage of effluent discharge into the Yamuna.

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IN THE SUPREME COURT OF INDIA

Decided On: 28.04.2000

**News Item "Hindustan Times" A.Q.F.M. Yamuna
v.
Central Pollution Control Board and Anr.**

Hon'ble Judges:

B.N. Kirpal and Syed Shah Mohammed Quadri, JJ.

ORDER

1. Despite order of 13th September, 1999 having been passed requiring stoppage of industrial effluent which did not conform to the parameters prescribed by the C.P.C.B. being discharged into the river Yamuna directly or indirectly, nothing appears to have been done except issuance of few notices in the Press requiring the industries to establish effluent treatment plants. Mr. Verma informed the Court that notices have been issued to 1142 industrial units by the Delhi Pollution Control Committee ordering the closure of the said units and notices have also been issued to the Departments to cut the electricity and water supply to these units.

2. We had on the last occasion required the National Capital Territory of Delhi to submit a report within eight weeks from that day with regard to what steps have been taken for the implementation of this Court's orders. It is regretted that no report has been filed dealing with industrial effluents, the only affidavit which has been filed pertains to pollution emanating from unauthorised colonies and slum clusters. Filing of an independent I.A. with regard to setting up of the treatment plant and the steps taken in that regard is no answer, to our mind, to directions which were issued on 13th September, 1999 to the effect that no industry should be permitted to pollute the river Yamuna with effect from 1st November, 1999 directly or indirectly. What steps are being taken to see that the pollution is not spread, is not the concern of the Court in this matter. Our order was clear and unambiguous to the effect that the Government, with all the powers at its command, may take any steps which it thinks appropriate for the purpose of ensuring that the river Yamuna is not directly or indirectly polluted by discharge of industrial effluents. We had issued such a direction to the National Capital Territory of Delhi through the Chief Secretary but we note that our directions seem to have been ignored and not implemented.

3. We, therefore, issue notice to the Chief Secretary, Delhi Administration to show cause why appropriate action should not be taken for non-compliance of this Court's order of 13th September, 1999. The pendency of this matter will not in any way prevent either the NCT of Delhi or the Pollution Control Board/ Committee from taking appropriate steps in order to ensure the stoppage of contaminated industrial discharge into the river Yamuna.

4. Notice to the Chief Secretary is made returnable in the third week of January 2000.