

ITEM NO.18

COURT NO.4

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).10582/2017

ULHASNAGAR MUNICIPAL CORPORATION

Appellant(s)

VERSUS

VANASHAKTI PUBLIC TRUST & ORS.

Respondent(s)

(WITH IA No.66013/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.66011/2017-PERMISSION TO BRING ON RECORD ADDITIONAL FACTS AND DOCUMENTS and IA No.66012/2017-STAY APPLICATION and IA No.66789/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

WITH

C.A. No. 10796/2017 (XVII)

C.A. No. 10794/2017 (XVII)

C.A. No. 10795/2017 (XVII)

Date : 14-11-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

For Appellant(s) Mr. Ranjit Kumar, Sr. Adv.
Mr. Subrat Birla, Adv.
Mr. S. C. Birla, AOR

Mr. N.K. Kaul, Sr. Adv.
Mr. Saket Mone, Adv.
Mr. Ninad Laud, Adv.
Mr. Aman Varma, AOR
Ms. Anshula Grover, Adv.
Mr. Kush Chaturvedi, AOR

For Respondent(s) Mr. Colin Gonsalves, Sr. Adv.
Mr. Zaman Ali, Adv.
Mr. Satya Mitra, AOR

Mr. Mukul Rohtagi, Sr. Adv.
Mr. Mukesh Verma, Adv.
Mr. Pawan Kumar Shukla, Adv.
Mr. Yash Pal Dhingra, AOR

Mr. A.N.S. Nadkarni, ASG
Mr. G.S. Makker, Adv.

Ms. Nivedita Nair, Adv.
Mr. Salvador S. Rebello, Adv.
Mr. Abhishek Bhardwaj, Adv.

Mr. Saurabh Mishra, AOR
Mr. Abhishek Singh, Adv.
Mr. Onkar Singh, Adv.

Mr. S. C. Birla, AOR

Mr. Soumik Ghosal, AOR

Mr. Nishant Ramakantrao Katneshwarkar, AOR

Mr. Guru Prasad Pal, Adv.
Ms. Ramni Taneja, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Mr. Sumit Mullick, Chief Secretary of the Government of Maharashtra is present in Court pursuant to our order dated 6th October, 2017. He makes a solemn statement before us that a total amount of Rs.100 crores under the AMRUT Scheme or otherwise will be sanctioned for all the four Municipal Corporations/Councils with which we are concerned, viz., Kalyan Dombivli Municipal Corporation, Ulhasnagar Municipal Corporation, Ambarnath Municipal Council and Kulgaon Badlapur Municipal Council.

He states that a total amount of Rs.50 crores will be released to these Corporations/Councils within a period of 30 days from today, i.e., on or before 15th December, 2017; a further amount of Rs.25 crores will be released on or before 15th January, 2018 and the balance Rs.25 crores will be released on or before 18th February, 2018.

It is made clear that individual amounts will be released as per the requirements of the Municipal Corporations/Councils as assessed by the Chief Secretary and will be released only for the purpose of sewage treatment and for bringing Ulhas and Walduni rivers hopefully back to their natural state.

Mr. Mullick is bound by his statement.

It has been brought to our notice that the expert body constituted by our order dated 14th August, 2017 including officers from the National Environmental Engineering Research Institute (NEERI) at Nagpur, the Director, IIT Powai and the National Institute of Oceanography have submitted a report. This report is a part of the affidavit filed on behalf of the Maharashtra State Pollution Control Board. The Chief Secretary may consider the report which is dated 13th September, 2017 and any other further documents or reports in this regard.

It has also been brought to our notice that there are more than 500 jeans washing units that are discharging effluents into the rivers. It is stated that show cause notices have been issued to all of them and that a decision will be taken in this regard within three weeks from today. If necessary, the water supply and electricity to these polluting units may be stopped, if felt necessary by the Chief Secretary.

The affidavit on the progress made in this regard may be filed within a period of four weeks from today.

The Chief Secretary has assured that he will monitor the entire programme for cleaning up these two rivers and will be bound by the affidavit that he has filed in this regard with regard to the short-term and long-term solutions.

We make it clear that the amounts that will be given by the State of Maharashtra under the AMRUT Scheme or otherwise to the Municipal Corporations/Councils will be released only for sewage treatment and for the purpose of cleaning of these two rivers.

All pending proposals given by the Municipal Corporations/Councils in this regard should be cleared at the earliest.

The Chief Secretary says that he will personally monitor all the efforts.

List the matters for directions on 14th December, 2017 in the first instance and thereafter 18th January, 2018.

The presence of the Commissioner and the Chief Secretary is dispensed with for the time being.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER