

Item No. 01

Court No. 1

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

Review Application No. 58/2019

In

Original Application No. 985/2019

In Re: Water Pollution by Tanneries at Jajmau, Kanpur  
Uttar Pradesh

Date of hearing: 19.12.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**ORDER**

1. This application is being disposed of in terms of Rule 22 (3) of the National Green Tribunal (Practice and Procedure) Rules, 2011 by circulation.
2. The application has been filed for review of the order dated 15.11.2019 by which the UP Jal Nigam was directed to deposit Rs. 1 crore as environmental compensation to be deposited with the CPCB.
3. Such direction was issued in view of the illegal permission granted by the Principal Secretary, Urban Development, vide letter dated 8.8.2019 for release of large quantity of untreated sludge and effluents directly into river Ganga on the ground of cleaning trunk sewer.
4. In support of this application, it is stated that certain facts could not be placed before the Tribunal at the time when the order was passed. It is contended that the action was permissible in view of the prevailing circumstances under Section 24(3) of the Water (Prevention and Control of Pollution) Act, 1974. In view of the bonafide action, the applicant is also protected under Section 24 (2) (a) of the Water (Prevention and Control of Pollution) Act, 1974.

5. We have considered the pleadings contained in the application in the light of the records and the legal premises set out by the applicant and, we are of the view that there is no merit in this application in as much as the factual position set out by the applicant with regard to the unlawful action of the Jal Nigam has been dealt with in detail in the impugned order, apart from it being deliberated at length during the course of the hearing. The permission granted by the Principal Secretary, Urban Development does not fall within the provision of Section 24 (3) of the Water (Prevention and Control of Pollution) Act, 1974 as would be evident from a bare reading of the very provision.
6. In the above circumstances the review application stands dismissed.  
No order as to cost.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

December 19, 2019  
Review Application No. 58/2019 in  
Original Application No. 985/2019  
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