

Item No. 05

Court No. 1

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

I.A. No. 17/2021 and I.A. No. 18/2021  
IN  
Original Application No. 916/2018  
(Earlier O.A. No. 101/2014)

Sobha Singh & Ors.

Applicant(s)

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 22.01.2021

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

Applicant in I.A. Nos.

17/2021 & 18/2021 : Ms. Uttara Babbar, Advocate for State of Punjab

**ORDER**

1. The above applications filed by the State of Punjab are, in substance, for review of order of this Tribunal dated 14.11.2018 requiring the State of Punjab to pay environmental compensation of Rs. 50 crores by way of deposit with the Central Pollution Control Board (CPCB) for restoration of environment and relief to the victims with liberty to recover the amount from the erring industries, local bodies, individuals and erring officers. The order was passed in view of continued failure of the State to perform its duty to protect Satluj and Beas rivers from industrial and other pollution, seriously affecting the public health and the environment. Appeal filed by the State of Punjab being Civil Appeal No. 83/2020 before the Hon'ble Supreme Court was dismissed on 08.01.2020.

2. According to the averments in the application, the State has now taken several remedial measures, including steps for in-situ remediation of the drains connecting the river. The State is willing to spend the amount of Rs. 50 crores for beautification and landscaping of Budda Nala in Ludhiana.

3. We have heard learned Counsel for the State of Punjab.

4. In view of the fact that appeal of the State of Punjab has been dismissed by the Hon'ble Supreme Court and order of this Tribunal has merged in the order of the Hon'ble Supreme Court, no review of the order is permissible. Moreover, even after dismissal of the State's appeal one year back, the order remains uncomplied for which we do not find any justification whatsoever. Taking of future steps is not be a ground not to pay compensation for the damage already caused. The State has to be model of compliance of binding orders but it is acting at its sweet will with no respect for rule of law. The amount needs to be forthwith deposited with the CPCB, as already directed for being spent on restoration in terms of a plan, duly approved by the CPCB. The draft plan may be prepared by the State of Punjab for consideration by the Chairman, CPCB. The restoration plan should primarily cover the eco-restoration of the rivers.

I.A. Nos. 17/2021 and 18/2021 will stand disposed of.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

January 22, 2021  
I.A. No. 17/2021 and I.A. No. 18/2021  
IN Original Application No. 916/2018  
(Earlier O.A. No. 101/2014)  
DV