

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,  
BHOPAL**

**Original Application No. 45/2016 (CZ)**

**Dr. Shailendra Kumar Modi Vs. Bhopal Sahkari Dugdh Sangh Maryadit & 2 Ors.**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE Dr. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

**PRESENT : Applicant : Shri Om. Shankar Shrivastav, Adv.  
Respondent : Shri Sachin K. Verma, Adv.**

**MPPCB: Ms. Aarushi Chauhan, Adv. for  
Shri Purushaindra Kaurav, Adv.  
Respondent No. 5: Shri Siddharth Singh, Adv. for  
Shri Ravi Goyal, Adv.**

**IRSDC: Shri Rajesh Mandloi, DGM  
WCR : Shri A.K. Barsaiyan,  
Respondent No. 1 : Shrey Raj Saxena, Adv.**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 8 14<sup>th</sup> March, 2017</b>	<p>M.A. No. 152/2017 along with the decision taken by the Railways authority i.e. DGM (Civil) IRSDC, Bhopal, DEN (HQ)/WCR/BPL and ADEN (Works)/WCR/ BPL. The minutes of the meeting has been placed before us with the prayer for taking the same on record. The M.A. No. 152/2017 along with the documents is ordered to be taken on record. The same is allowed and disposed of .</p> <p>The Original Application which was filed by the Applicant was with regard to the pollution of both air and water being caused by the plant of the Respondent No. 1 at Habibganj Railway Station, Bhopal.</p> <p>Notices were issued by the Tribunal to the parties on 07.03.2016 thereafter inspection was ordered after the parties appeared and shortcomings which were found were ordered to be rectified. The Respondent No. 1 / Dugdha Sangh agreed for the installation of the R.O. as recorded in our order dtd. 05.07.2016 and on 02.11.2016. A compliance report was submitted before us that 'CTE' i.e. consent to establish for enhanced capacity of 04 lakh</p>

litres of milk per day had been granted. It was brought to our notice that as result of treatment of used water by the ETP the Dugdha Sangh was in possession of roughly 02 lakh litres of treated water and the same could not be fully utilised in the premises of the Respondent / Dugdha Sangh alone. As such for finding a user of the treated water notices were ordered to be issued to the West Central Railway for seeking response on the proposal for utilisation of the treated water at the Habibganj Station at Bhopal. This fact was recorded in our order of 02.11.2016. Subsequently several rounds of meeting were held both between the Dugdha Sangh and the Railways including the representatives of IRSDC, which is now responsible for the development of the Habibganj Railway Station at Bhopal. In the final analysis it has now been agreed between the Railways (IRSDC) and the Dugdha Sangh as follows :

1. That the Dugdha Sangh would supply 02 lakh litres of water from their ETP to the railways,
2. That the said quantity of water shall be stored in the existing water capacity of the Dugdha Sangh which has now capacity of 02 lakhs litres,
3. From the ground water tank of the Respondent No. 1 the same shall be pumped to the Habibganj Station premises through pump as and when required by the railways (IRSDC),
4. For supply of the treated water from its storage the Dugdha Sangh would lay down a pipe line up to the boundary of the Habibganj Station up to a distance of 100 meters inside the boundary to the location which has been identified,
5. For laying down the aforesaid pipe line from the Dugdha

Sangh storage tank the cost would be borne by the Dugdha Sangh itself which is estimated to be Rs. 8.095 lakhs approximately as submitted before us.

6. As per the agreement and the decision taken by the Railways in their meeting held on 10.03.2017 the railways have principally agreed to utilise 2 lakh litres the treated water from Dugdha Sangh. The said treated water being provided by the Dugdha Sangh shall be utilised for the washing purposes by the railways.

7. On the receipt of the aforesaid 2 lakhs litres per day from the Dugdha Sangh the railways would reduce their intake of water being provided by the BMC to the extent of 02 lakh litres which then can be spared for the residents of Bhopal.

8. The railways (IRSDC) in order to carry out the aforesaid task of utilising the treated water from the Dugdha Sangh for its washing and similar activities at Hababibganj Railway Station would be required to lay down its own separate pipeline from the point up to which Dugdha Sangh would provide the water inside the railway boundary,

9. The railways (IRSDC) would lay down the pipelines inside the railway boundary would be incurring the cost on their own and Dugdha Sangh would not be required to contribute towards the said cost,

10. The railways (IRSDC) in order to lay down their pipeline and to take all necessary measures for the same has sought the period of 6 months.

While, we are inclined to grant the aforesaid period we would

still hope that the railways would expedite the matter as early as possible so that 2 laks litre of water which has been spared can be otherwise utilised for the benefit of the local residents of Bhopal and if possible during the crucial summer months of 2017 itself.

A copy of this order be sent to the Commissioner, Bhopal Municipal Corporation for initiating steps for the utilisation of the quantity of 2 lakhs litres out of 11,33,000 litres of water to the railways (IRSDC). The railways shall intimate the BMC by when they will be in a position to spare the aforesaid quantity of 2 lakhs litres.

For reporting compliance, let the matter be listed on **4<sup>th</sup> October, 2017.**

.....JM  
(DALIP SINGH)

.....EM  
(Dr. S.S. GARBYAL)





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