

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL

Original Application No. 118/2013 (THC)(CZ)

Madhusudan Sharma v. State of Rajasthan & Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER**

**PRESENT : Applicant : None appeared
R.P.C.B. : Shri Shivendu Joshi, Advocate for
Shri Purushaindra Kaurav, Advocate
Rajasthan State Govt. : Shri Sandeep Singh, Advocate
Respondent No. 7 : Shri Om S. Shrivastav, Advocate**

Date and Remarks	Orders of the Tribunal
Order No. 4 03rd March, 2014	<p>None appeared for the Applicant. Shri Sandeep Singh, Learned Counsel appears for the State of Rajasthan and Shri Shivendu Joshi, Learned Counsel appears for the Rajasthan State Pollution Control Board. Affidavits of the Principal Secretary, Public Health and Engineering Department (PHED), Govt. of Rajasthan and Chief Engineer, Head Quarters, Public Health and Engineering Department, Govt of Rajasthan have been filed.</p> <p>The issue raised pertains to replacement of pipes supplying water in the city of Jaipur where drinking water pipelines and sewage pipelines are laid in close proximity and allegedly due to corrosion these pipes leak resulting in contamination of drinking water with sewage.</p> <p>As per the report submitted by the State and the affidavits filed by the aforesaid two Senior Officers it is stated that by 31st July 2008 drinking water pipelines running to a length of 51,235 mts have been replaced.</p> <p>The RPCB has also submitted their report alongwith analysis report on the testing of the water samples carried out as per the directions of the Hon'ble High Court wherein the results of analysis have been found to be satisfactory.</p> <p>On enquiry about the PHED policy with respect to life expectancy of water pipes and their periodical replacement and</p>

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whether any plan is in force for the above purpose with budgetary allocations and sanctions or the same is based upon the requirement based upon the complaints received, the Learned Counsel submitted that they would seek the information and place the same before the Tribunal.

The Learned Counsel for the State of Rajasthan shall also submit data with respect to water borne diseases cases registered in the government hospitals. The news paper reports filed with the petition revealed that as a result of water contamination and pollution in the city due to leakages of the corroded pipelines which are said to be running along with sewage pipelines resulting in contamination of drinking water due to which people fall sick, a few cases of death have also been reported due to the alleged contamination of water. These facts need to be verified by the respondent and reply to the same needs to be given.

This also raises a larger issue based upon the public policy of the state with respect to not only the capital city of Jaipur but also with respect to other cities in the state. Accordingly, we direct the Learned Counsel for State of Rajasthan to submit the figures as directed above for the period beginning with 2008 and also submit whether similar plans are in place at least in respect of cities where Divisional Headquarters are located such as Ajmer, Kota, Bharatpur, Bikaner, Jodhpur, Udaipur.

The factual reports which have been filed by the State Government and the Pollution Control Board along with Annexures are ordered to be taken on record.

List on **14.04.2014**

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(DALIP SINGH)

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(P.S.RAO)