

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

**Original Application No. 200/2014
(M.A. No. 205 of 2016, M.A. No. 206 of 2016, M.A. No. 224 of 2016,
M.A. No.585 of 2016, M.A. No.815 of 2016 & M.A. No.1199 of 2016)
(C.W.P. No. 3727/1985)**

And

**Original Application No. 501 of 2014
(M.A. No. 404 of 2015)**

And

Original Application No. 146 of 2015

And

Appeal No. 63 of 2015

IN THE MATTER OF : -

M.C. Mehta Vs. Union of India & Ors.

And

Anil Kumar Singhal Vs. Union of India & Ors.

And

Society for Protection of Environment & Biodiversity & Anr.

Vs.

Union of India & Ors.

And

**Confederation of Delhi Industries & CETP Societies
(An Organisation of CETP Societies)**

Vs.

D.P.C.C. & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER**

Present Applicant:

**Ms. Katyani, Adv.
Mr. Rahul Choudhary and Ms. Meera Gopal, Advs.
Mr. Sanjay Upadhyay, Mr. Salik Shafique & Ms. Divya
Sharma, Advs.
Mr. Pradeep Misra and Mr. Daleep Dhayani, Advs. for
UPPCB
Mr. B.V. Niren, Adv. for CGWA
Mr. Mukesh Verma and Mr. Bikash Kumar Sinha, Advs.
for UPCB
Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv.,
State of Haryana
Mr. I.K. Kapila, Adv. for UP Jal Nigam & UK Pey Jal
Nigam
Ms. Priyanka Sinha, Adv. for State of Jharkhand
Mr. Atul Batra, Advs & Mr. Kundan Mishra. for Mother
Dairy, Pilakhuwa Unit
Mr. S.A. Zaidi and Mansi Chahal, Advs. for Leather
Industries.
Mr. Rashid Saeed, Adv. for CETP, Banthar & Unnao
Ms. Panchajanya Batra Singh, Adv for Ministry of
Environment, Forest and Climate Change
Ms. D. Bharathi Reddy, Adv. For State of Uttarakhand
Mr. V.K. Shukla, Adv. for State of MP
Mr. Jayesh Gaurav, Adv. for JSPCB
Mr. Dinesh Jindal, LO, Delhi Pollution Control
Committee
Ms. Pushpila Bisht adn Mr. Suraj Prakash Singh,
Advs. For AIDA
Mr. Abhishek Yadav, Adv.
Mr. B. V. Nirern, Adv.
Mr. Amit agarwal, and Ms. Asha Basu, Advs. for State
of west Bengal
Mr. Gautam Singh and Mr. Rudreshwar Singh, Advs.
Mr. Ishwer Singh, Adv.
Mr. Amit Anand Tiwari, Mr. Vivek Singh and Mr.
Vinayak Gupta, Advs.**

Ms. Neelam Rathore, Adv. for Association of Textile Processor
 Mr. Narender Pal Singh, Adv. and Mr. Dinesh Jindal, LO
 Ms. Yogmaya Agnihotri, Adv.
 Mr. Abhishek Yadav, Adv for State of UP
 Mr. Ravi P. Mehrotra and Mr. Abhinav Kr. Malik, Advs. for UPSIDC
 Mr. Motish Kumar Singh and Mr. Saurabh Sachdeva, Advs. for IFFCO (Noticee No. 653)
 Mr. Manoj Kumar, Adv. and Mr. Moni Cinmoy, Adv. for DSIIDC

Present: **Applicant:**
 Respondent No.3: Mr. Pradeep Misra and Mr. Daleep Dhayani, Advs.
 Respondent No.8: Mr. Mukesh Verma and Mr. Bikash Kumar Sinha, Advs. for UP
 Adv. for UP
 Mr. Abhishek Yadav, Adv for State of UP
 Mr. B. V. Nirern, Adv.

Present: **Applicant:**
 Respondent No.2: Mr. Pradeep Misra and Mr. Daleep Dhayani, Advs.
 Respondent No. 4: Mr. Krishna Kumar Singh, Adv.
 Respondent No.8: Mr. Mukesh Verma and Mr. Bikash Kumar Sinha, Advs. for UP
 Adv. for UP
 Respondent Nos. 11 and 12:Mr. Ravindra Kumar, Adv. SPENBIO
 Mr. Rajkumar, Adv. & Mr. Bhupendra Kumar, CPCB
 Mr. Abhishek Yadav, Adv
 Mr. B. V. Nirern, Adv.

Present: **Applicant:**
 Mr. Narender Pal Singh, Adv. and Mr. Dinesh Jindal, LO
 Respondent: **Mr. Krishna Kumar Singh, Adv.**
 Mr. Manoj Kumar, Adv. and Mr. Moni Cinmoy, Adv. for DSIIDC

Date and Remarks	Orders of the Tribunal
<p>Item Nos. 18 to 21 January 25, 2017 <small>sn</small></p>	<p>Mr. M.C. Mehta appearing in person states that the matter in relation to cleaning of river Ganga and its monitoring for domestic waste has also been transferred to the Tribunal vide Order dated 24th January, 2017 passed by the Hon'ble Supreme Court of India. It may be noticed that the industrial effluent causing pollution of river Ganga had already been transferred to the Tribunal by the Hon'ble Supreme Court of India and has been heard on day-to-day basis. Now the entire matter with regard to industrial as well as sewage and other allied polluting matters is to be heard by the Tribunal. We direct that the Learned Counsel appearing before the Tribunal to be ready on the entire matter which shall be put to day-to-day hearing with effect from 6th February, 2017.</p>

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sn

By different Orders passed by the Tribunal, we had directed all the stakeholders to put forward their submissions/suggestions in regard to the 30 drains which join river Ganga and which cause all major pollution in Segment-B of Phase-I, but we regretfully note that the assistance provided to the Tribunal in that behalf is far from what is desired. We, therefore, direct that during the intervening period, CPCB, UPPCB, UP Jal Nigam, the Secretary to Government responsible for all the local authorities falling in Segment-B of Phase-I in the State of UP, Senior representative from Ministry of Urban Development, Government of India and the Additional Secretary, Ministry of Water Resources responsible for Namami Gange shall hold meeting in the meanwhile and answer the following:

- a) Out of the total 86 drains which are meeting river Ganga or its main tributaries like Ram Ganga, Kali East and Pandu which are the drains that require interception and their effluent to be pumped to another drain for being treated through CETP/STP.
- b) How many STP's/CETP's are required to be constructed on these drains.
- c) How many STP's are in existence in Segment-B of Phase-I and whether they are capable of treating the sewage/industrial and other effluent within the prescribed limits or not. If not, what upgradation they require, if upgradation would not be an appropriate solution then, would it be possible to

	<p>Item Nos. 18 to 21</p> <p>January 25, 2017</p> <p>sn</p>	<p>direct construction of a new STP/CETP.</p> <p>We make it clear that these stakeholders would keep in mind that need of end-of-pipe treatment is the proper remedy for dealing with high pollutants which are being put into river Ganga and its tributaries. Furthermore, whether the treated water/ re-cycled could be used for industrial, agricultural and such other allied purposes. Needless to notice that the release of the effluent or treated water from CETP/STP has to be as per prescribed norms.</p> <p>According to the CPCB, the values for release of treated water from STP's of BOD is 30 mg/l and Faecal Coliform is less than 230 MPN, however, now the preferred standard of BOD is 10 mg/l which is proposed in the draft Notification.</p> <p>We are providing this time to these stakeholders to make their submissions and if they come up <i>ad idem</i> on certain issues it may help the Tribunal in resolving the Environmental issue involved in the case expeditiously. We will hear all the stakeholders on that date, the senior responsible officers shall be present before the Tribunal.</p> <p>It is also informed to us that Chhoiya drain is being highly polluted because of industrial discharge from petrochemical industries and distilleries.</p> <p>Issue Notice to all the industries particularly the petrochemical, distilleries and other major industries which are polluting this drain which ultimately joins river Ganga. The Pollution Control Board shall issue Notice to</p>
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them to be present before the Tribunal on 6th February, 2017 and it shall be the responsibility of the PCB to ensure their presence before the Tribunal.

Bhagad river which because of heavy industrial pollutants has become practically a drain also needs the directions by the Tribunal in relation to taking up anti-pollution measures to ensure that there is no pollution in river Ganga. However, this river does not join river Ganga as it is stagnant. This observation is not disputed by any of the stakeholders before us, but it is pointed out that it was not meeting river Ganga at the time of inspection, however, whenever there is heavy flow, the effluent would meet river Ganga. There is no CETP fixed at this river and that it is receiving industrial pollutants from Gajraula and Bhagrara Industrial Clusters.

Let Notice be issued to the industries association of both these places and all the big industries which are discharging their effluent into this river. The UPPCB shall ensure service upon them before the next date of hearing.

Notice made returnable on 6th February, 2017.

List these matters on 6th February, 2017.

.....,CP
(Swatanter Kumar)

.....,JM
(Dr. Jawad Rahim)

.....,EM
(Bikram Singh Sajwan)

.....,EM
(Dr. Ajay A Deshpande)