

**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)  
(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**

**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.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER  
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:**

**Mr. M. C. Metha, Petitioner in person with Ms. Katyani  
and Ms. Mehak, Advs.  
Mr. Sanjay Upadhyay, Ms. Divya Sharma and Mr.  
Shafique, Advs.  
Mr. Pradeep Misra and Mr. Daleep Dhayani, Advs. for  
UPPCB  
Mr. Mukesh Verma, Mr. Devesh Kr. Agnihotri, 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  
Mr. Abhishek Yadav, Adv. for State of U.P.  
Mr. S.A. Zaidi, Adv. for Leather Industries.  
Ms. Neelam Rathore and Mr. Shashank Singh, Advs. for  
Association of Textile Processors & Uttar Pradesh Dyes  
and Bleachers Association (Micro & Small) & MLA  
Group  
Ms. Priyanka Sinha Advs for State of Jharkhand  
Mr. Kundan Kumar Mishra, Mr. Atul Batra, Advs. for  
Mother Dairy Pilakhua Unit  
Mr. Rudreshwar Singh and Mr. Gautam Singh, Advs.  
Mr. Motish Kr. Singh with Mr. Saurabh Sachdeva, Adv.  
for IFFCO (Noticee No. 653)  
Ms. Panchajanya Batra Singh, Adv. with Mr. Dinesh  
Runiwal Scientist D, for Ministry of Environment,  
Forest and Climate Change  
Ms. Antima Bazaz, Advs. for AIDA  
Mr. Gaurav Dhingra, Adv. for  
State of UP  
Mr. Suraj Prakash Singh and Ms. Pushpila Bisht, Advs.  
for AIDA & UPSMA  
Mr. B.V. Niren, Adv. for CGWA  
Mr. Sanjeev Ralli, Adv. with Mr. Dinesh Jindal, LO,  
Delhi Pollution Control Committee  
Ms. Sushma Singh, Adv.  
Ms. Yogmaya Agnihotri, Adv. for CECB  
Mr. Atul Batra, Mr. Kundan Mishra Advs. for Mother**



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**ss**

effluent, waste and domestic discharge or others join river Ganga or its main tributary i.e. East Kali, Kosi and Ram Ganga falling in Segment 'B' of Phase-I in terms of the Judgement of the Tribunal. This area already for our consideration has been extended from Haridwar to Unnao instead of Haridwar to Kanpur. According to the Member Secretary, CPCB who has stated to have personally visited the area, there are 30 main drains which join river Ganga directly and are matter of serious concern from the point of pollution of river Ganga. According to the Learned Counsel appearing for the U.P. Pollution Control Board there are 172 drains out of which 150 drains directly join river Ganga or its main tributaries as aforesaid. According to the Learned Counsel appearing for the U.P. Jal Nigam, there are 151 drains out of which 83 drains directly terminate into river Ganga. However, it is commonly stated that it cannot be identified if the drain in particular carry industrial, domestic or sewage alone. Most of them are carrying mixed effluent and whether they are even connected to STP/CETP or not cannot be determined unless there is proper inspection of the drains.

We are primarily concerned with Segment 'B' and as already noticed the industrial, domestic and sewage pollution are inseparable and cannot be quantified under their respective head. Thus we have to deal with this issue of pollution of river Ganga collectively in Segment 'B' of Phase-I.

The Tribunal cannot come to any definite conclusion till the time the quantum of pollution and quality of

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pollution is brought before the Tribunal by the concerned authorities. Furthermore, providing of appropriate advise for prevention and control of pollution would directly depend upon the number of drains that are going to river Ganga and its tributaries in Segment 'B' of Phase-I. The uncertainty created reflects upon functioning of these authorities who are obliged to perform different statutory duties and maintain record before it could carry out any project of laying of CETP/STP. Officer present from various departments, Ministries and Government are also unable to assist the Tribunal.

We direct that the Member Secretary, CPCB, Chief Engineer of U.P. Jal Nigam, Senior most Chief Environmental Officer of U.P. Pollution Control Board and representative from the Ministry of Water Resources shall personally visit the area falling in Segment 'B' of Phase-I in terms of our Judgement and as aforesated. They will identify how many drains join river Ganga or its tributaries and make observations in relation to quantum and quality of effluent that is going to river Ganga or its main tributaries through them. Let this report be submitted before the next date of hearing.

List these matters on 20<sup>th</sup> October, 2016.

.....,CP  
(Swatanter Kumar)

.....,JM  
(U.D. Salvi)

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