BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

Original Application No. 381 OF 2017

Gaurav Kumar Bansal Vs. State of U. P. & Ors.

CORAM: HON'BLE MR. JUSTICE U.D.SALVI, ACTING CHAIRPERSON HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Present: Applicant / Appellant

Respondent No. 2.

:. Mr. Gaurav Kumar Bansal, Adv.

: Mr. Pradeep Mishra & Mr. Daleep Dhayani,

Advs.

Mr. B.V. Niren and Mr. Vinayak Gupta, Advs.

for CGWA.

State of UP

Nagar Palika Sambhal

Mr. Bhanwar Pal Singh Jadon, Adv.

: Mr. Sharad Chauhan, adv. and for DPRO

Mr. I.K. Kapila, Adv. for Uttar Pradesh Jal

Nigam

Date and	Orders of the Tribunal
Remarks Item No.	
15	Replies have been filed by respondents nos. 2, 3 and
January 29, 2018	5. Ot <mark>hers have not filed their</mark> replies.
11 11/11	Learned Counsel appearing on behalf of respondent
00 z	n <mark>o.1-State</mark> of UP, re <mark>spondent</mark> no.4-DM Sambhal and
A	respondent no.6- SDM, Sambhal seeks time to file replies.
119	Learned Counsel appearing on behalf of respondent
1 2	no.7-UP Jal Nigam submits that some more time be
100	granted in order to complete the analysis of water samples
	collected from 1104 borewells fitted with the handpumps
	in the area in question. He adds that water samples from
	458 such borewells have been analyzed and 77 water
	samples from amongst them were found to be
	contaminated with Arsenic. He qualifies that no water
	samples from such borewells within the limits of Sambhal
	Nagar Palika were collected, and such water samples will
	be collected and analyzed in due course.
	Learned Counsel appearing on behalf of respondent
	no.3 and 8 submits that reply of respondent no.3 is on
	record and there are about 500 such borewells within the

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limits of Sambhal Nagar Palika. He further elaborates that no water samples from these borewells have been collected and analyzed for detection of contamination if any therein. He seeks time to file reply. He undertakes to file reply on behalf of respondent no.8 Zila Panchayat Raj Adhikari within a week's time. He admits that it is the obligation of the respondent no.3-Sambhal Nagar Palika and respondent no.8- Zila Panchayat Raj Adhikari to provide drinking water to the populace within the limits of Sambhal Nagar Palika and District Sambhal.

We direct the respondent no.1-State of UP, respondent no.4- District Magistrate and respondent no6-Sub-Divisional Magistrate, Sambhal to file their replies within two weeks from today with advance copies to the Learned Counsel appearing for the applicant who may file rejoinder thereto, if any, within one week thereafter.

In the meanwhile, we direct the respondent no.7

-UP Jal Nigam to carry out the analysis of the water samples collected by them and provide a comprehensive plan for supply of the water to the affected persons. Report of Analysis of the water samples so far been done and wherein Arsenic has been found shall be communicated by respondent no.7-UP Jal Nigam to respondent no.8-Zila Panchayat Raj Adhikari as well as to respondent no.4 District Magistrate Sambhal.

Copies of the report be furnished to the respondent no.8- Zila Panchayat Raj Adhikari and Respondent No. 4 District Magistrate, Sambhal within a week.

We direct the respondent no.8 Zila Panchayat Raj Adhikari to take due cognizance of the said reports and Item No. 15

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make arrangements for supply of drinking water to the affected parties at the places where such contaminated borewells are situate within two weeks thereafter. Time granted. Four weeks time is granted for filing the reply to respondent no.7-UP Jal Nigam. Advance copy of the reply be furnished to the applicant.

Such borewells contaminated with Arsenic shall be sealed by the District Magistrate, Sambhal on the arrangements being made for supply of drinking water.

List the matter on 14th March, 2018.

....,ACP (U.D. Salvi)

..<mark>....</mark>,EM (Dr. <mark>N</mark>agin Nanda)