

**REGIONAL OFFICE  
U.P. POLLUTION CONTROL BOARD,  
14, Sector-3B, AVAS VIKAS SIKNDRA YOJNA, AGRA-282007**

**Inspection report in pursuant to direction issued by Hon'ble NGT on 01.07.2019 in the matter of O.A. No 521/2019 Chaudhary Udayveer Singh & Anr. Vs. State of Uttar Pradesh & Ors. :-**

Hon'ble National Green Tribunal in O.A. No 521/2019 Chaudhary Udayveer Singh & Anr. Vs. State of Uttar Pradesh & Ors. passed the following order on 01.07.2019:-

*"Grievance in this application is illegal drawl of water from Yamuna river by Respondent No.8, Radha Soami Satsang Sabha by constructing an unauthorized canal, adversely affecting the river flow. The applicant has relied upon the photographs of the canal which is said to have illegally constructed.*

*Before proceeding further in the matter, we consider it necessary to require a factual and action taken report from the Uttar Pradesh State Pollution Control Board (UPSPCB) within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).*

*A copy of this order be sent to the UPPCB by e-mail for compliance.*

*The applicant may furnish a complete set of papers to the UPPCB and file an affidavit within one week."*

In compliance of the above order, inspection was carried out on 10.09.2019 by the officials of UPSPCB in presence of Mr G P Satsangi, Chairman, Radha Soami Satsang Sabha. There is an old aqueduct(water channel) constructed long ago nearly in 1936 by Radha Soami Satsang Sabha within its premise. It was found that two pumps of capacity 55HP each have been installed at pumping station near Yamuna river at latitude 27°15'19" and longitude 78°0'37". At a time, only one pump is used to draw the water while the other remaining in standby mode.

A pipe line of approx 1700ft length of 10inch diameter has been laid by Radha Soami Satsang Sabha to withdraw water from River Yamuna to this aqueduct for agriculture in its own premise using these pumps.

The representative told that an agreement has been made between Radha Soami Satsang Sabha, Dayalbagh Agra and Secretary of State in the year 1935 providing liberty and permission to the Sabha to pump water (05cusec/day)

from the river Yamuna above the Agra Municipal water works for agriculture uses within the boundaries of land belonging to the Sabha with the terms and conditions imposed. Separate electricity connection of 56KVA has been taken for the operation of pump house and one 75KVA D.G Set has been installed as standby.

The primary condition being that the Sabha will not pump any water in the months of April, May and June. **(Agreement regarding pumping of water from the Yamuna river is annexed as annexure-1)**. It was also noticed that a pipe line has also been laid down between the premise and a 14 MLD Sewage Treatment Plant installed/operational at Jaganpur to fulfill its additional agricultural demand by the Radha Soami Satsang Sabha. The treated water of STP to the extent of 14MLD (about 5.6 cusecs) is also being used for agricultural purposes within the premise of Satsang Sabha. MOU have been signed between Municipal corporation , Agra and the Radha Soami Satsang Sabha on dated 18th May, 2005 to supply free of cost, treated sewage water from the STP to the extent of 16MLD for the Sabha for irrigation purposes. **(Annexure-2)**

The total area of Satsang Sabha is 1500 acre in which agricultural land is 1200 acre. Total 40 rain water harvesting pits have been installed in Radha Soami Satsang Sabha premises.

A population of approx. 2800 is residing in Radha Soami Satsang Sabha premise. For domestic purpose 05 Bore wells (04 of 10HP and 01 of 7.5HP) have been installed by Sabha and also 400KLD water is being supplied by Jal Nigam, Agra.

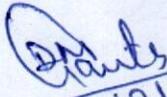
The villages mentioned in the application mainly Lalgarhi, Sikanderpur, Khaspur, Bhadurpur and Manoharpur are situated at downstream of pumping station installed by Satsang Sabha. Farmers of these villages are using ground water through borewells for irrigation purposes.

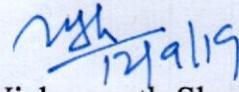
#### **Observations and Recommendations:**

- 1- At the time of inspection, water was found to be taken from river Yamuna.
- 2- The Satsang Sabha has provided separate electricity meter on the pumps.
- 3- The Sabha has not installed water flow meter on intake point. It is recommended that Sabha may be directed to install the water flow meter for assessment of actual water drawl.

- 4- The Satsang Sabha has maintained records and log-book of water drawn from the river. As per record and data made available, the monthly average water drawl found to be varying from 1.67 cusecs to maximum 3.55 cusecs for the period from July-2018 to August-2019. There is no drawl of water in the month of April, May & June, 2019. The data provided by Radha Soami Satsang Sabha is annexed as **annexure-3**.
- 5- The monthly average river flow found to be varying from 945.45 cusecs to maximum 20501.81cusecs for the period from July 2018 to August, 2019. The data provided by Yamuna Basin Organization is annexed as **annexure-4**.
- 6- The assessment of affect on ecology of Yamuna River due to this pumping arrangement can be assessed by Central Water Commission (Ministry of Jal Shakti) or by National Mission for Clean Ganga, as this study is a specialized, tedious and longer time taking.

The above report is being submitted for further necessary action.

  
12/09/2019  
(D.M Gautam)  
Scientific Assistant

  
12/9/19  
(Dr. Vishwanath Sharma)  
Asstt.Sci.Officer

Regional Officer

  
12/9/19

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correspondence should be  
addressed to—  
The Government,  
United Provinces,  
Public Works Department,  
Irrigation Branch.

# Government of United Provinces. PUBLIC WORKS DEPARTMENT.

No. 13648 I.M. of 1935.  
51B-29W.

Dated Lucknow ~~xxx~~ September 25, 1935.

FROM

P.F.B. Hickey Esqr., D.S.O., I.S.E.,  
Joint SECRETARY TO GOVERNMENT,

IRRIGATION BRANCH.

UNITED PROVINCES,  
PUBLIC WORKS DEPARTMENT,  
IRRIGATION BRANCH.

To

His Holiness Sahabji Maharaj,  
President, Radhasoami Satsang Sabha,  
Dayalbagh, Agra.

Subject :- Agreement regarding pumping of water  
from the Jumna river at Agra by the  
Radhasoami Satsang Sabha, Dayalbagh,  
Agra.

Sir,

I am directed to forward for record a copy  
of the above agreement duly signed by me on behalf of  
the Secretary of State, as desired in your letter no.  
811, dated August 21, 1935.

*Copy from 11/14  
Secy. Mr.  
Hickey to file  
copy*

I have the honour to be,  
Sir,  
Your most obedient servant,

Enclosure :-  
A copy of the  
agreement.

*[Signature]*  
For Joint Secretary.  
*20/9/35*

**ATTESTED**

*[Signature]*  
RANVIR SINGH  
DISTT NOTARY  
Gazetted Officer

(Original agreement executed on eight annas stamped paper)

AN AGREEMENT made the 14th day of September 1935, BETWEEN the Radhasoami Satsang Sabha, Dayalbagh, Agra, United Provinces, a body registered under the Societies Act, 1860, (hereinafter called "the Sabha") of the one part AND the Secretary of State for India in Council (hereinafter called "the Secretary of State") of the other part

WITNESSES as follows :-

I. The Secretary of State hereby grants full liberty and permission to the Sabha to pump water from the River Jumna above the Agra Municipal Water Works within the boundaries of land belonging to the Sabha on the terms and conditions hereinafter following.

II. The Sabha hereby covenants with the Secretary of State as follows :-

(a) that the discharge pumped will not exceed five cubic feet per second at any time during the year, the pumping to be done by means of a single five cusec pump connected to a rising main; provided that in the months other than April, May and June, the Sabha, on an application being made in writing to the Chief Engineer, Public Works Department, Irrigation Branch, United Provinces, may be permitted to pump up to an additional five cusecs by means of a second five cusec pump connected to the same rising main; provided also that the said second five cusec pump will remain closed except during the period covered by the aforesaid permission, and will be brought into use only after receipt by the Sabha of the said permission in writing from the said Chief Engineer;

(b) that the Sabha will not pump any water in the months of April, May and June except with the previous permission in writing of the Chief Engineer, Public Works Department, Irrigation Branch, United Provinces;

ATTESTED

*in dupl  
2/9/35*  
RANVI SINGH  
DISTT NOTARY  
Gazetted Officer

(Signed) Nihalchand Gidumal,

(Signed) P.F.B. Hickey,  
14-9-1935.

(c) that the permission granted by the said Chief Engineer under any of the preceding sub-clauses (a) and (b) may be cancelled at any time without notice, and the Sabha will not be entitled to any compensation whatsoever if the permission under any of the said sub-clauses is refused or cancelled.

(d) that the Sabha will use the water pumped during the kharif months for growing crops used for fodder, such as Lucerne, Chari and Juar, and not for sugarcane or any other crop or for orchards or gardens;

(e) that the Secretary of State may at any time after giving at least ten days' previous notice require the Sabha to discontinue pumping in the months of January, February, March and July or in any of the said months; and

(f) that the Secretary of State may at any time at his discretion revoke the permission hereby granted after giving one year's notice in writing to the Sabha.

IN WITNESS WHEREOF the parties have signed this agreement on the dates noted under the signature of each respectively.

Signed on behalf of the  
Secretary of State by

Signed on behalf of the  
Sabha by

(Signed) P.F.B. Hickey,  
14-9-1935 (date)

(Signed) Nihalchand Gidumal,  
21-8-1935 (date)

in the presence of

in the presence of

(Signed) M.C. Bijawat  
14-9-1935.

(Signed) Brijbasilal, Dayalbagh  
21-8-1935.

and of (Signed) J.S. Rastogi,  
14-9-1935.

and of (Signed) Misrilal  
Gupta, Dayalbagh,  
21-8-1935.

**ATTESTED**

TRUE COPY

**GANESH SINGH**  
**DISTT NOTARY**  
Gazetted Officer, Agra

*Amber Singh* 21/9/35  
Under Secretary to Government,  
U.P., P.W.D., I.B.

## MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING is entered between the Municipal Corporation of Agra hereafter referred to as the "Corporation" acting through its Commissioner, and the Radhasoami Satsang Sabha, hereafter referred to as the "Sabha" acting through its Secretary on 12 day of May 2005 at Agra.

Whereas the Corporation proposes to construct a sewage treatment plant, hereafter "STP" for short, in villages Sikanderpur and Jaganpur for treatment of 38 MLD of effluents from the Northern Zone Agra i.e., areas north of the bye-pass road, through the Yamuna Pollution Control Unit Agra of the U.P. Jal Nigam, hereinafter "YPCU" for short, and for which purpose it requires land to the extent of 7 hectares and to fulfil which requirement it has approached the Sabha for providing land to the extent of 2.43 hectares in village Jaganpur i.e., 1.72 hectares from Khasra No.3 and 0.71 hectares from Khasra No.5 of village Jaganpur, at a concessional price;

And whereas the Sabha has agreed to sell the above said land at the concessional price of Rs. 60 lacs which is well below the circle rate and market value, in consideration of the firm commitment being given by the Corporation to the effect that it would supply free of cost, treated sewage water from the STP within the permissible chemical and biological limits to the extent of 16 MLD for the Sabha for irrigation purposes.

And whereas the Corporation has through its letter bearing No. 209/D/EE(J) dated 3.3.2005 given the above said commitment and agreed to the other terms and conditions set forth by the Sabha in its letter dated 31.1.2005 addressed to the General Manager, YPCU, Agra;

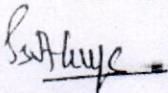
Now therefore this Memorandum of Understanding witnesses as hereunder:

- (1) The Sabha shall sell to the Corporation 2.43 hectares of land of village Jaganpur, Tehsil and District Agra at the concessional price of Rs. 60 lacs as per details given below:

- (i) 1.72 hectares from Khasra No.3;  
(ii) 0.71 hectares from Khasra No. 5

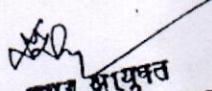
Total area 2.43 hectares

  
Project Manager  
Yamuna Pollution Control Unit  
U. P. Jal Nigam, AGRA.

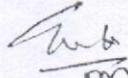


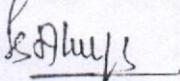
  
Secretary

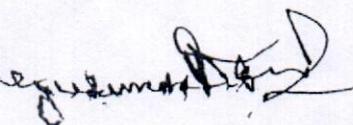
Radhasoami Satsang Sabha,  
Dayalbagh, AGRA-282005

  
नगर आयुक्त  
नगर निगम, आगरा

- (2) The Corporation shall not demand from the Sabha nor seek acquisition of more land of the Sabha over and above the said 2.43 hectares of land for the project at any stage as this is based on total requirement of the project worked out by the YPCU for both the phases of the project;
- (3) (a) The Corporation shall make available to the Sabha free treated water from the STP to the extent of 14 MLD (about 5.6 cusecs) in the first phase of the project, and an additional 2 MLD making a total of 16 MLD (6.4 cusecs) when the second phase of the project is completed.
- (b) The supply of the free treated water shall continue in perpetuity;
- (c) this free supply shall be a consideration for the aforesaid concession in the price of land given by the Sabha;
- (4) The free treated water shall be supplied to the Sabha by the Corporation at the exit point of the STP from where the Sabha would make its own arrangement for carrying it to its fields for irrigation and at its own cost;
- (5) The treated water to be supplied by the Corporation from the STP to the Sabha shall be within the permissible chemical and biological limits.
- (6) (a) For transfer of land conveyance deed shall be executed on which all expenditure including stamp duty payable shall be borne by the YPCU on behalf of the Corporation;
- (b) The payment of the sale price of the land shall be made by the YPCU on behalf of the Corporation to the Sabha before or at the time of the execution of the conveyance deed;
- (c) The conveyance deed shall incorporate the fact of concession in price of land in consideration of the commitment to supply water free of charge 16mld.
- (7) All expenditure including stamp duty, if payable, on execution and registration of this Memorandum of Understanding shall be borne by the YPCU on behalf of the Corporation
- (8) The Corporation shall obtain all the necessary approvals and sanctions for executing the sale deed from competent authorities.

  
 Project Manager  
 Yamuna Pollution Control Unit  
 U. P. J. N. J. A. G. R. A.





Secretary  
 Radhasoami Satsang Sabha,  
 Dayalbagh, AGRA-282005,

  
 नगर आयुक्त  
 नगर निगम, आगरा

(9) The Sabha being a Society under the Societies Registration Act 1860 the sale of the land it would seek prior approval of the District Judge Agra for the same as required under Section 5A of the said Act. The conveyance deed shall be executed only after approval has been accorded by the District Judge to the proposed sale.

*[Handwritten Signature]*

For <sup>18/5/05</sup> (O.P. Asoka)  
Project Manager  
Yamuna Pollution Control Unit  
U.P. Jal Nigam, Agra  
Project Manager(Civil)

*[Handwritten Signature]*  
For <sup>18/5/05</sup>  
Radhasoami Satsang Sabha  
Secretary  
Radhasoami Satsang Sabha,  
Dayalbagh, AGRA-282005

*[Handwritten Signature]*  
For (G. P. Tripathi)  
Agra Municipal Corporation  
Nagar Ayukat  
नगर आयुक्त  
नगर निगम, अग्रा

Witness 1: *[Handwritten Signature]*  
(SHRIHANT JAIN)  
BREN ANN

Witness 2: *[Handwritten Signature]*  
<sup>18.05.05</sup>  
(Bhupinder Singh Ahuja)  
Engineer Consultant.  
R.S. Satsang Sabha.

R.S.

**RADHASOAMI SATSANG SABHA  
DAYALBAGH, AGRA-282005.**

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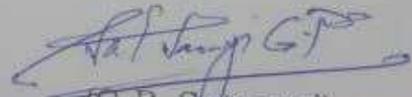
Please address all  
Correspondence to Secretary.

E-mail: [secysabha@dayalbagh.org.in](mailto:secysabha@dayalbagh.org.in)

12<sup>th</sup> September, 2019.

Monthly average of Yamuna river water pumped into our channel for irrigation is tabulated below. The quantity is shown in MLD.

Month	MLD
July 2018	7.8
August 2018	4.54
September 2018	4.81
October 2018	8.722
November 2018	8.4
December 2018	6.2
January 2019	6.13
February 2019	6.63
March 2019	7.78
April 2019	0
May 2019	0
June 2019	0
July 2019	4.1
August 2019	6.7

  
(G.P. Satsangi)  
Secretary

Regional Officer  
Uttar Pradesh Pollution Control Board – Agra

# Regarding river discharge monthly average data (in cusec) of Poiya Ghat

**Chief Engineer Yamuna Basin Organisation**  
To roagra@uppcb.com

4:58 PM 

▶  1 attachment View Open in browser Download

Sir,  
Please find the attachment.

With Regards:  
YBO

<b>Month</b>	<b>Average Discharge(Cusec) at Poiyaghat</b>
Jul-18	4277.62
Aug-18	20501.81
Sep-18	14812.37
Oct-18	10223.67
Nov-18	3006.53
Dec-18	1688.13
Jan-19	1474.69
Feb-19	3420.06
Mar-19	2796.69
Apr-19	4520.37
May-19	1947.21
Jun-19	945.45
Jul-19	1351.30
Aug-19	10485.07