

**DEPARTMENT OF URBAN DEVELOPMENT
GOVERNMENT OF UTTAR PRADESH**

Date: 01.02.2021

To,

The Registrar

National Green Tribunal

Principal Bench

New Delhi.

Subject: Action Taken Report in O.A. No: 490/ 2019

Hon'ble National Green Tribunal in above O.A. No: 490 / 2019 have ordered on 07.10.2020 and directions have been issued by the NGT. The matter pertains to the prevention of discharge of untreated sewage into Sai River at Pratapgarh in Uttar Pradesh.

The direction of Hon'ble Tribunal, includes the following least minimum remedial action to be taken at Urban Local Body level for prevention of discharge of untreated sewage into Sai River :

".... Least which should have been done, without requirement of substantial funds, is Phyto-remediation or other such interim remediation to reduce the pollution load created by discharge of sewage in a drain, before such drain is connected to the river system carrying clean water. It may be preferable that such drain carrying polluted water is not allowed to enter river carrying clean water. After treatment by Phytoremediation, etc. as mentioned above, the water can be used for secondary purposes as per norms on the subject instead of polluted water mixing with the clean water and thereafter the same being treated at high cost. The other alternative is to tap the drain before it joins the river and proper treatment is carried out at an appropriate place near the mouth of the river itself by way of an appropriate treatment system to save huge cost which may have to be incurred after sewage is mixed with clean water."

In the view of the above point, as reported by the Jal Nigam, the work of Main pumping station and the Sewage Treatment Plant (8.95MLD) was already completed by the year 2013. The laying of sewer line was completed by 50% and the intermediate pumping stations couldn't be constructed due to the diversion of funds to other works at that time.

Further to complete the work, a DPR under Namami Gange Programme, amounting to Rs. 33.91 Cr, for I&D of all 4 Drains, including 15 years of O&M was submitted to NMCG (Govt. of India) vide letter dated 28.08.2020. The observations on the aforesaid DPR were communicated by NMCG on 9.10.2020, on the basis of which the revised DPR amounting 32.56Cr. was sent again on 10.12.2020. It is still pending with the NMCG to sanction the same.

On the point of action against the erring officers, It is to submit to the Hon'ble Committee that the works on the project, sanctioned in the year 2006, were started in year 2009 and continued up-to year 2013. The proposed works under the approved project could not be completed due to the diversion of funds. The persons responsible for diverting the funds retired during the years 2014-2018. Further, as per clause 351 (A) of Civil Services Regulation Act, no proceedings can be initiated against the persons responsible after lapse of 4 year period from the date of irregularity. As much, disciplinary proceedings

could not be initiated. Although, an FIR had already been lodged against the following on 30.08.2020 under IPC sections 409, 419 and 420. The concerned persons are named as below:

1. Mr. Rajesh Khare -- The Executive Engineer
2. Mr. Rakesh Kumar Srivastava -- Devisional Accountant
3. Mr. Rampal Ram – Head Clerk
4. M/s Thermax Ltd., Chinchwad, Pune – Contractor Firm

However, It is humbly submitted that in compliance of the order of the Hon'ble Tribunal, that the 4 drains in the said urban local body, namely 1- Ramleela Maidan Nala (1.1MLD) 2- Boliyapur Nala (1.5MLD) 3- Sadar Police Line Nala (4MLD) and 4- Police Line Nala (0.5MLD) having total discharge of approx. 7MLD, are being treated by the method of Bio- Remediation (with the help of enzymatic solution mixed with water) and no drain is being discharged into river without treatment. The report received from the Jal Nigam is attached here as **Annexure-1**.



Deepak Kumar
Principal Secretary
Urban Development Department



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ई-मेल :- zce_upju_alld@yahoo.co.in

मुख्य अभियन्ता(प्र०क्षे०)

उत्तर प्रदेश जल निगम, 6--दयानन्द मार्ग, प्रयागराज।

प०सं०

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दिनांक २३-०१-२०२१

सेवा में,

मुख्य अभियन्ता(गंगा),
उ०प्र० जल निगम,
6--राणा प्रताप मार्ग,
लखनऊ।

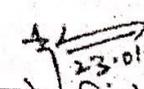
विषय:--मा० एन.जी.टी. में विचाराधीन ओ०ए० संख्या 490/2019 "टी०एस० सिंह बनाम उ०प्र० राज्य" में सम्पन्न ओवर साइट कमेटी एन०जी०टी० यू०पी०, लखनऊ की दिनांक 25.01.2021 की बैठक की अनुपालन आख्या के संबंध में।

महोदय,

कृपया उपरोक्त मा० एन.जी.टी. में विचाराधीन ओ०ए० संख्या 490/2019 "टी०एस० सिंह बनाम उ०प्र० राज्य" में सम्पन्न ओवर साइट कमेटी मा० एन०जी०टी० यू०पी०, लखनऊ की दिनांक 25.01.2021 की बैठक की अनुपालन आख्या इस पत्र के साथ संलग्न कर अग्रिम आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्नक :- उपरोक्तानुसार।

भवदीय


(आशुतोष सिंह)
मुख्य अभियन्ता

प०सं० एवं दिनांक यथोपरि।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

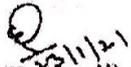
1. अधीक्षण अभियन्ता, द्वितीय मण्डल, उ०प्र० जल निगम, प्रयागराज।
2. अधिशारी अभियन्ता, निर्माण खण्ड, उ०प्र० जल निगम, प्रतापगढ़।

मुख्य अभियन्ता

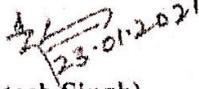
Reply on Points of Discussion in OA 490/2019 "T. S. Singh vs. State of Uttar Pradesh" for meeting of Oversight Committee, NGT, UP, Lucknow scheduled on 25.01.2021 at 11:00 am through V/C

Sl.	Points of Discussion	Reply																				
1	Current status of installation of STP.	<p>Pratapgarh Sewerage Scheme was sanctioned in the year 2009-10 under State Sector Programme. The major works included under the project and their present status is as follows:-</p> <table border="1"> <thead> <tr> <th>S.I</th> <th>Description</th> <th>Quantity proposed</th> <th>Present Status</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sewer Line</td> <td>12.47 km</td> <td>6.70 km laid</td> </tr> <tr> <td>2</td> <td>Intermediate pumping station</td> <td>1 no.</td> <td>Not Constructed</td> </tr> <tr> <td>3</td> <td>Main pumping station</td> <td>1 no.</td> <td>90 % complete</td> </tr> <tr> <td>4</td> <td>Sewage Treatment Plant</td> <td>8.95 MLD</td> <td>90 % complete</td> </tr> </tbody> </table> <p>Substantial work of construction of 8.95 MLD STP including installation of electrical and mechanical equipments were completed in year 2013. Power connection and other ancillary works of STP are impeded since 2013 due to diversion of funds to other works.</p> <p>Further, it is to inform that 4 drains, namely Police line drain, Bholiyapur drain, Sadar drain and Ram Leela Maidan drain, having total discharge of 7.7 MLD, are discharging into the river Sai. A DPR under Namami Gange Programme, amounting to Rs. 33.91 cr., for I&D of above 4 drains, including 15 years O & M, was submitted to NMCG (Govt. of India) vide SMCG letter no. 882/SMCG-UP/0623/SMCG dated 28.08.2020. The project also includes provisions for making the STP operational.</p> <p>Observations on aforesaid DPR were communicated by NMCG vide their letter no. TE- 12014/1/2020-Tech. Construction NMCG dated 09.10.2020. After incorporating the raised observations, revised DPR amounting to Rs. 32.56 cr., including 15 years O & M, was submitted to NMCG vide SMCG letter no. 1220/063/SMCG-UP/04 dated 10.12.2020.</p> <p>In compliance of Hon'ble NGT order dated 07.10.2020 in the matter, request for allocation of funds against the aforesaid DPR was made by Joint Managing Director, U. P. Jal Nigam, Lucknow vide letter no. G-114/022-490-2019/2020 dated 19.10.2020.</p>	S.I	Description	Quantity proposed	Present Status	1	Sewer Line	12.47 km	6.70 km laid	2	Intermediate pumping station	1 no.	Not Constructed	3	Main pumping station	1 no.	90 % complete	4	Sewage Treatment Plant	8.95 MLD	90 % complete
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2	Status of interim measures which must be taken if the STP is not functional.	Interim measures i.e. bioremediation work is being done by NPP Belha, Pratapgarh for all the above four drains of Pratapgarh city.																				
3	Status of work of sewer line connection with STP.	Sewer line connection with STP could not be completed due to unavailability of funds.																				

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4	Status of action taken against the erring officers.	<p>It is to submit that the works on the project, sanctioned in year 2006, were started in year 2009 and continued upto year 2013. The proposed works under the approved project could not be completed due to diversion of funds. The persons responsible for diversion of funds are as follows:</p> <table border="1"> <thead> <tr> <th>Sl.</th> <th>Name</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sh. Rajesh Khare</td> <td>Executive Engineer</td> </tr> <tr> <td>2</td> <td>Sh. Rakesh Kumar Srivastava</td> <td>Divisional Accountant</td> </tr> <tr> <td>3</td> <td>Sh. Rampal Ram</td> <td>Head Clerk</td> </tr> <tr> <td>4</td> <td>Late Sh. Satyendranath Srivastava</td> <td>RGC (Expired in June, 2020)</td> </tr> <tr> <td>5</td> <td>M/s Thermax Ltd., Chinchwad, Pune</td> <td>Contractor Firm</td> </tr> </tbody> </table> <p>The above concerned persons retired during the years 2014-2018. Further, as per clause 351 (A) of Civil Services Regulation Act, no proceedings can be initiated against the persons responsible after lapse of 4 year period from the date of irregularity. As such, disciplinary proceedings could not be initiated.</p> <p>Although, an FIR had already been lodged against the following on 30.08.2020 under IPC sections 409, 419 and 420.</p> <table border="1"> <thead> <tr> <th>Sl.</th> <th>Name</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sh. Rajesh Khare</td> <td>Executive Engineer</td> </tr> <tr> <td>2</td> <td>Sh. Rakesh Kumar Srivastava</td> <td>Divisional Accountant</td> </tr> <tr> <td>3</td> <td>Sh. Rampal Ram</td> <td>Head Clerk</td> </tr> <tr> <td>4</td> <td>M/s Thermax Ltd., Chinchwad, Pune</td> <td>Contractor Firm</td> </tr> </tbody> </table>	Sl.	Name	Designation	1	Sh. Rajesh Khare	Executive Engineer	2	Sh. Rakesh Kumar Srivastava	Divisional Accountant	3	Sh. Rampal Ram	Head Clerk	4	Late Sh. Satyendranath Srivastava	RGC (Expired in June, 2020)	5	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm	Sl.	Name	Designation	1	Sh. Rajesh Khare	Executive Engineer	2	Sh. Rakesh Kumar Srivastava	Divisional Accountant	3	Sh. Rampal Ram	Head Clerk	4	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm
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5	Steps taken to explore the development of wetlands and biodiversity park apart from other remedial action.	Not related to U. P. Jal Nigam																																	


 (Ghanshyam Dwivedi)
 Superintending Engineer
 2nd Circle, U.P. Jal Nigam,
 Prayagraj


 Executive Engineer
 Construction Division
 U.P. Jal Nigam,
 Pratapgarh


 (Ashutosh Singh)
 Chief Engineer (Prg. Zone)
 U.P. Jal Nigam,
 Pratapgarh