

LetH. - 1010/022-0601/19 dt. 27.11.19

From,
Chief Engineer (Ganga)
up jal nigam
Lucknow

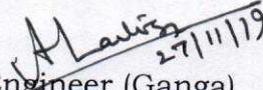
To,
Registrar General
Principal Bench
National Green Tribunal
New Delhi

Sub : Action Taken report of UP Jal Nigam in respect of order of Hon'ble NGT dated 19.072019 in the matter of OA 116/2014 with OA 437/2015 in Meera Shukla vs Municipal Corporation, Gorakhpur & Others with Re Vishwa Vijay Singh Vs U.P. Pollution Control Board & Others

Sir ,
In compliance of the order of Hon'ble NGT dated 19.072019 in the matter of OA 116/2014 with OA 437/2015 in Re Meera Shukla vs Municipal Corporation, Gorakhpur & Others and Vishwa Vijay Singh Vs U.P. Pollution Control Board & Others the decision taken in the meeting of Chief Secretary, Govt of UP dated 18.9.2019, an Action Taken Report is being submitted herewith on behalf of UP Jal Nigam

It is requested that the report may kindly be placed before Hon'ble Tribunal for kind consideration.

Yours Sincerely,


Chief Engineer (Ganga)
UP Jal Nigam
6 RanaPratapMarg, Lucknow

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

IN

Original Application No. 116 of 2014

WITH

Original Application No. 437 of 2015

IN THE MATTER OF

Meera Shukla

Applicant (s)

Versus

Municipal Corporation, Gorakhpur

Respondents

WITH

Vishwa Vijay Singh

Applicant (s)

Versus

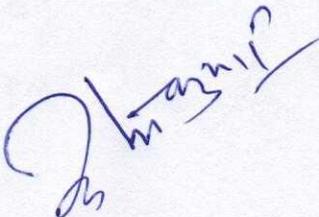
U.P. Pollution Control Board & Ors.

Respondents

**Action Taken Report of UP Jal Nigam regarding order dated
19.7.2019 in O.A. No. 116/2014 with O.A. No. 437/2015
Mira Shukla v/s Municipal Corporation, Gorakhpur & others**

**Page 7 of order dated 19.7.2019 – “(i) 23.05.2019 with regard
to Ramgarh Lake” observes under recommendation and
proposals of the committee as under at page 11:**

“8. All remaining 18 drains be capped on war footings to save the life of Ramgarh lake expeditiously, say within a period of one year and accordingly appropriate project report be prepared and be submitted to the Government of UP for grant of financial support, if already not done.”


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1. That it is submitted that following action have been taken by UP Jal Nigam regarding Ramgarh lake :

(i) 6 main drains falling into the Ramgarh Tal were intercepted and diverted to two sewage treatment plant of 15 MLD and 30 MLD capacity, which were commissioned in June 2015 and February 2015 and working since then. 25 nos. of floating cascade fountains and one floating multimedia fountain and 450 KW solar energy plant were commissioned in June, 2019.

Besides above, about 11.43 lakh cubic meter silt/ sludge were removed from Ramgarh Tal by dredging, which results into the increase in depth of Ramgarh Tal and About 11000 trees have been planted around Ramgarh Tal for ecological balance.

After implementation of project the BOD of water reduced to 11 mg/l from 108 mg/l earlier. A copy of test report is enclosed as

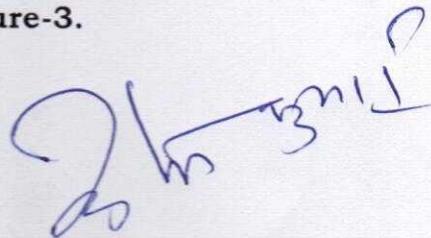
Annexure -1

(ii) Following DPRs have been prepared and submitted for approval -

a) A DPR for the desilting of about 83 Lakh cum silt amounting to Rs. 348.22 Cr has been submitted to NRCD, New Delhi vide Principal Secretary Letter no. - 2056(1)/ Nau-5-2019-28 Budget/2017 dated 13.08.2019 (**Annexure -2**) for the commitment to bear 40% capita cost and 100% O&M cost. Sanction is awaited from Government of India.

b) A DPR for the interception & diversion of 11 drains out of 18 drains (Total discharge 1.357 MLD) situated at the North corner of Ramgarh Tal amounting to Rs. 34.82 Cr. has been submitted to UP Govt. under State sector for sanction and release of funds. A copy of letter of D.M., Gorakhpur dated 21.11.2019 to SMCG, UP is enclosed as **Annexure-3**.


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That it is further submitted that the work on remaining 7 of the above said 18 drains is in progress under Amrut program, which is proposed to be completed by October, 2020.

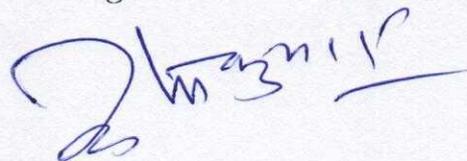
2. That Hon'ble NGT order in OA 673 dated 20.09.2018 (Page No. 27, Point No. 47) has observed that the stretch of River Gomti from Sitapur to Varanasi is taken **under priority III**. An action Plan for pollution control of said stretch has also been prepared by UP Pollution Control Board (**Annexure -4**)
3. That Hon'ble NGT vide order dated 08.04.2019 (page no. 26 point no. 41) passed in the matter of OA 673/2018 has directed as under :-

“We accept the proposal of CPCB to revise the scale of performance guarantee with regard to timeline. We also accept the suggestions of CPCB to extend the timeline for execution of action plans to the extent that upper limit for execution of the action plans will be two years from 01.04.2019 and the monitoring of the action plans may be done not only at the level of the Chief Secretaries of the States / Uts but also by the CPCB.”

4. That the following observations and directions have been made by Hon'ble Tribunal at page 13 onwards of the order regarding **pollution of river Gomti** :

“(b) Pollution of River Gomti: In O.A No. 24/2018 an allegation was made about pollution in River Gomti on account of untreated effluents being discharged through drains on account of inadequate drainage capacity and blockage of drainage system due to garbage and polythene bags. There is collection of


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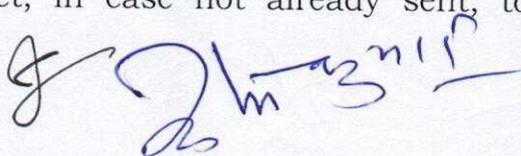
sewage polluting and degrading the environment. Reference was also made to the CAG report of 14 2017, uploaded on the website in May 2017, recording failure of the Uttar Pradesh Pollution Control Board (UPPCB) and other Government authorities. It was alleged that though crores of rupees have been spent, the pollution continues. Vide order dated 17.01.2019 the Tribunal directed the concerned authorities to take remedial measures which were to be overseen by Justice D.P Singh former judge of the Allahabad High Court who was also heading the Committee in the present case as already noted.

Accordingly, report 08.06.2019, has been furnished by the oversight committee showing deficiencies in the management of sewage and other discharges resulting in contamination of groundwater, pollution of River Gomti. It may be noted that River Gomti is one of the 351 polluted river stretches in O.A No. 673/2018 of this Tribunal. The Chief Secretary has been required to monitor measures for rejuvenation by order dated 16.01.2019 in O.A No. 606/2018. The Committee has found that on account of polluting activities and lack of adequate remedial measures, extraordinary situation has arisen requiring prompt actions. The recommendations of the Committee are as follows:

“Proposals/Recommendations

Considering the gravity of the situation and pollution of river Gomti, we propose/recommend as under:

1. Advisory be issued by District Magistrates of all 11 districts i.e. Pilibhit, Shahjahanpur, LakhimpurKheri, Hardoi, Sitapur, Lucknow, Barabanki, Faizabad, Sultanpur, Pratapgarh and Jaunpur and the State of UP for people of the State not to take bath in the river Gomti till it is made 15 environment friendly and children be advised not to have morning walks at the banks of river Gomti apart from taking bath or swimming.
2. The District Magistrates of all 11 districts (supra) shall ensure to send a DPR through Jal Nigam or other agency to the Government of India under Namami Gange project, in case not already sent, to tap all



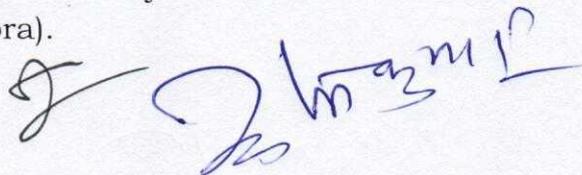
sewer-lines/drains which are discharging untreated sewage into river Gomti within their respective districts in three months.

3. The Government of India may consider the DPRs of all 11 districts (supra) under the Namami Gange Fund within next three months and the work for construction of STP/ETP, CETP, as the case may be, must begin within a period of nine months.

4. A Committee of Secretary, Urban Development, Secretary, Environment and Secretary Irrigation beconstituted to supervise the implementation of the orders issued by the Honorable NGT within specified time-frame (supra) under the supervision of Principal Secretary Urban Development.

5. (i) UPPCB has failed from its very inception to implement the statutory mandate to keep the Gomti clean as evident from the fact that the Nagar Nigams/Nagar Palikas have neither been saddled with environmental compensation nor have they been prosecuted. This commission and omission makes them accountable and the officers are liable to be prosecuted under the Indian Penal Code and Environment Protection Act 1986 (supra) and is saddled with environmental compensation of ₹ 6,84,75000 as assessed (supra) which may be used in appropriate manner for cleanliness and purity of water of River Gomti under the supervision of the Committee of Secretary Urban Development, Secretary Environment and Secretary Irrigation (supra).

(ii) It is evident from the evidence on record that UP Jal Nigam has not been running the SPS/STPs around the clock for transfer of sewage hence are liable to share the responsibility of the sin of polluting the river Gomti. Hence UP Jal Nigam may be saddled with environmental compensation of ₹ 3 crores which may be used in appropriate manner for cleanliness and purity of water of River Gomti under the 16 supervision of Committee of Secretary Urban Development, Secretary Environment and Secretary Irrigation (supra).



(iii) Nagar Nigam Lucknow has already been proposed to be saddled with environmental compensation of ₹ 5 crores with regard to the report of municipal solid waste. Hence in the present case, to keep on polluting Gomti, the liability of Nagar Nigam Lucknow in committing the sin since of polluting the river Gomti for decades is accessed to ₹ 2 crores which may be used in appropriate manner for cleanliness and purity of water of River Gomti under the supervision of Committee of Secretary Urban Development, Secretary Environment and Secretary Irrigation (supra).

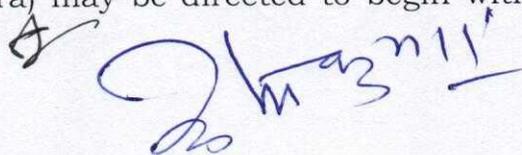
(iv) The municipalities of 10 districts (supra) may be saddled with environmental compensation of ₹ 1 crore each which shall be used to provide quality of life to the citizens of respective districts and ensure cleanliness of river Gomti under supervision of Committee of Secretary Urban Development, Secretary Environment and Secretary Irrigation (supra).

6. No plastic waste, biomedical waste or municipal solid waste shall be dumped or stored within 150 meters of river Gomti on both sides. Further, no construction may be permitted within 150 metres on both sides of river Gomti (within municipal limits of Lucknow).

7. Government of UP through Principal Secretary Finance may deposit a performance guarantee of ₹ 100 crores as decide by Honorable NGT to ensure that within two years, all drains discharging their effluents and sewage in Gomti shall be tapped, otherwise the amount under the performance guarantee be forfeited and used for upliftment of environmental standard of river Gomti.

8. Municipal Commissioner of Lucknow Nagar Nigam and the District Magistrates/Eos of 11 districts (supra) be instructed to ensure that no solid waste or bio-medical waste is discharged into drains and subsequently into river Gomti by use of plastic/ steel/ fiber nets at discharge points.

9. Owing to long gestation periods of installation of STPs/CETPs, UP Jal Nigam and District Magistrates of 11 districts (supra) may be directed to begin within 2



months, bioremediation projects of all the piled solid waste at the 17 banks of river Gomti and its drains of all the 11 districts of UP (supra) by selecting the appropriate bioremediation technique and technologies such as Modular STP based on Electrocoagulation, filtration, Eco-Bioblock, Phytoremediation, GeoTube, Phytoremediation etc. which will effectively reduce pollutant concentration to an innocuous state. 10. Nagar Nigam, UP Jal Nigam be directed to complete all formalities under law keeping in view the observation made by the CPCB and UPPCB in its report (supra) within a period of 3 months. Apart from the above instructions, recommendations made by scientists of CPCB and UPPCB are accepted which are as under:

“1. Nagar Nigam/UP Jal Nigam Lucknow may submit DPR for construction of sewage treatment plant (STP) and tapping of major drain discharging untreated sewage of city in River Gomti making it unfit for bathing and human uses.

2. To increase the sewage treating capacity, Jal Nigam/Nagar Nigam has prepared the project and has submitted to the Government for approval.

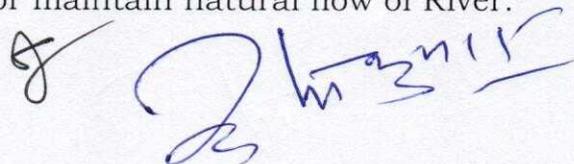
3. To provide additional water into the River and thus bring about improvement in the future drinking water situation and environment of Lucknow city through Mahdoiya and Ataria escape of the Sharda Canal System.

4. To develop the Riverfront by developing green belt on the banks of the River, under which facilities like cycle track, walking track, water sports facilities, water transport and tourism activities can be promoted.

5. To provide water for regeneration of the River by reviving lakes and ponds in Sitapur, Lakhimpur Kheri and Lucknow districts.

6. Nagar Nigam should immediately removed illegal dumping of solids on River Bank and in its catchment area.

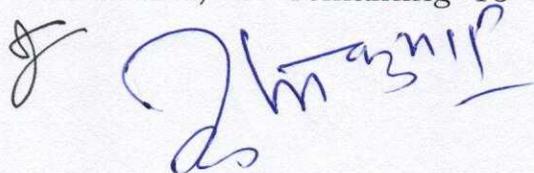
7. River Gomti ghats may develop with green plantation and remove the silting and garbage dumped in River Stream for maintain natural flow of River.”



We direct that a copy of this report be forwarded to the Chief Secretary, Uttar Pradesh who may furnish action taken report in the matter within two month by email at judicialngt@gov.in.

A copy of the said report may be placed by the 18 registry in O.A No. 673/2018 which is now to come up on 29.11.2019. O.A No.24/2018 which is listed on 09.08.2019 may now be listed after 29.11.2019.”

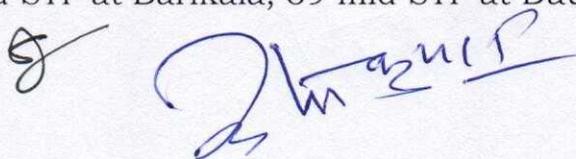
5. That pursuant to the order of Hon'ble Tribunal dated 19.7.2019 in OA 116/2014, a meeting was called by Chief Secretary, Govt of UP on 18.9.2019. Minutes of the meeting dated 18.9.2019 are enclosed as **Annexure-5**.
6. That in compliance of the order of Hon'ble Tribunal dated 13.9.2019 and decisions taken in the meeting of Chief Secretary, Govt of UP, following action have been taken by UP Jal Nigam in the 11 districts mentioned in the order quoted at para 4 above. It is pertinent to mention here that the Action Plan prepared by UP Pollution Control Board relates only to identified polluted stretch of river Gomti which does not cover all the areas and river bodies in said 11 districts:
 1. **Pilibhit** :-Pilibhit falls outside the polluted stretch. Gomti River Originate from Madhotanda (GomatTaal) town of this district. A total of 6 drains falls in water body out of which 3 drain are less than 1 mld. Relevant Map and details are enclosed as **Annexure - 6**.
 2. **Shahjanahpur** :- Shahjahanpur also falls outside the polluted stretch. Total of 23 drains of town areas discharge its waste in water body 17 drains are having discharge of more than 1 mld. Sewer laying works are under execution in the town which will tag sewerage of falling in 10 drains, for remaining 13 drains Bio-



remediation is being proposed. Relevant Map and details are enclosed as **Annexure -7.**

3. **Lakhimpur Khiri** :- This district falls outside the polluted stretch. A total of 10 drains of town area carrying sewage discharge in water bodies. DPR for Gola Gorakhpur town area is under preparation. Following district falls in polluted stretch mentioned in order. Relevant Map and details are enclosed as **Annexure -8**
4. **Hardoi**:- Sewerage Generated from the town area is carried by drains which falls in River Sai. BOD is 13 mg/lt. which is within norms. therefore no action is required. Relevant Map and details are enclosed as **Annexure -9.**
5. **Sitapur** :- A total of 53 drains of town area falls in water body. Out of 53 drains 52 drains have discharge of less than 01 mld. Bio remediation for 1 drain is being proposed. Relevant Map and details are enclosed as **Annexure -10.**
6. **Lucknow** :-In Lucknow city total 33 no.'s drains flowing towards River Gomti and the discharge was measured in Jan, 2015 and is 674 mld. The measured discharge is higher when compared with theoretical rate of water supply due to higher production of water and private borings. Relevant Map and details are enclosed as **Annexure -11.**

Previously there were total 26 drains and all of these were intercepted and diverted under GAP-I & II programme into the STPs. Out of these, presently 16 drains continue to be fully tapped while 10 drains are carrying excess discharge to the tune of about 155 mld. Total treatment capacity available in Lucknow city is 438 mld (345 mld Bharwara, 56 mld Daulatganj and 37 mld Vrindavan). 7 new drains have also come up in the city with total discharge of 72 mld. 4 DPRs for I&D works of these 7 drains and up-gradation of pumping plants at 10 drains receiving excess discharge for 155 mld and 5 treatment plant facility for total 206 mld capacity (1 mld STP at Barikala, 39 mld STP at Daulatganj, 80



mld STP at Bijnor, 22 mld STP at Ghaila & 64 mld STP at Bharwara) have been prepared and submitted to NMCG for approval and allotment of funds. Observations of NMCG on these DPRs have also been addressed on 28.2.2019. One of these DPRs amounting to Rs 298.12 cr is sanctioned for 1 mld STP at Barikala, 39 MLD STP at Daulatganj, I&D works of Barikala drain and Up-gradation of pumping stations of 3 out of 10 overflowing drains. A separate DPR for 120 mld STP at GH canal has also been sanctioned under state sector by GoUP. Works are under construction & expected to be completed by September 2020.

SUMMARY OF TREATMENT CAPACITY EXISTING, UNDER CONSTRUCTION AND PROPOSED

EXISTING STP		
1.	Bharwara	345 MLD
2	Daulatganj	56 MLD
3.	Vrindavan	37 MLD
	Total	438 MLD
UNDER CONSTRUCTION		
1	G H Canal	120 MLD
PROPOSED PROJECT	UNDER	SANCTIONED
1	Daulatganj	39 MLD
2	Barikala	1 MLD
PROPOSED ESTIMATES	UNDER	SUBMITTED
1	Bijnore	80 MLD

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2	Ghaila	22 MLD
3	Bharwara	64 MLD
	G. TOTAL	764 MLD

Above treatment capacity will be sufficient to cater the sewage generated up to the Year- 2035

Also referring the Hon'ble N.G.T order Dated 19-07-2019 , Para 5 (ii), this is being submitted that the inspection was made by Shri Chet Nararyan Singh, Advocate Commissioner appointed by the Solid waste Management Monitoring committee of Hon'ble NGT. The inspection was made of S.P.S G.H canal on 24-12-2018, S.P.S Kukrail on 30-12-2018, S.P.S Ghasyari Mandi & River bank Colony on 03-01-2019, S.P.S Mohan Making On 05-01-2019 and S.P.S Jiamau on 09-01-2019, S.P.S Nadwa College and Inspection Note was issued by Nagar Ayukt Lucknow vide their Letter NO 11-05-2019. River bank colony and Nadwa College pumping Stations are Flood pumping Stations. Regarding rest Sewage pumping Station it is to submit that sewage pumping station does not receive uniform flow all the time.

Therefore, as per the Quantity of Inflow the pumping plants are installed in the Sewage pumping station and some pumps are installed as stand-by pumps. In inspection note it is mentioned that "**All the pumping plants were not operational at the pumping station**", in this regard it is to submit that at the time of inspection pumping plants were being operated as per the flow being received at the pumping station i.e. peak, non-peak and average discharge. The nos., for the operation of pumping plants, is scheduled, which vary as per the level of sewage available in pumping station. There may be a situation of overflow if the pumping is being done in less quantity than the inflow sewage

quantity. At the time of inspection there was no overflow on any pumping station as per the inspection note. Thus the appropriate number of pumping plants were operational and others were in off condition. Therefore, the recommendation of the Committee to impose environmental compensation appear to have been made due to mis-understanding only and the same may kindly not be imposed on UP Jal Nigam.

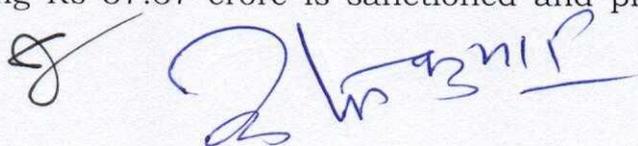
7. **Barabanki :-** 2 No's drain carry the sewage generated from town area & falls in water body. Bio remediation is being proposed. Relevant Map and details are enclosed as **Annexure -12.**
8. **Faizabad :-** In District Faizabaad there is catchment area of two river i.e. Gomti River and Saryu River. Relevant Map and details are enclosed as **Annexure -13.**

Gomti river

In this district Betwa drain originates from Jorium Gram panchayat taking flow of Kumarganj Agriculture University and after travelling 10 km from there it ultimately falls into river Gomti at Kakarkola gram panchayat District Sultanpur. In its 10 km of travel, major contribution is from village areas. The flow of the drain at meeting point of river is around 1 MLD. Sample from start point and last point of drain is taken and send for testing. The flow of the drain at meeting point of river is less than 1 MLD. Prima facia the quality of water of the drain was found to be ok and its result is to be provided by 25.11.19

Saryu River

Nagar Nigam Ayodhya is situated on the bank of river Saryu. Nagar Nigam consists two town area i.e. Ayodhya town and Faizabad town. In Ayodhya town total 5 drains fall into river Saryu. For tapping these 5 drains project of interception and diversion amounting Rs 37.67 crore is sanctioned and project is



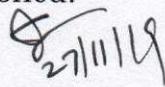
under progress which is expected to complete by Dec 2019. In Faizabad town total 16 Drains originates from city that ponded near River and meet river at 5 points. The total Discharge of all these drains is 26 MLD. For tapping these drains, DPR is under preparation and land of S.T.P. is available and is to purchase. The DPR will be submitted by 15.12.19.

9. **Sultanpur**:- Total 6 no's drains available in sultanpur town 3 drains are seasonal & drain out before meeting any water body. Remaining 3 no's drains were tapped on priority & was treated at 5 mld STP. Presently considering above 3 drains a DPR is sanctioned by NMCG, New Delhi wide letter no. AA&ES no. 15011 dated. 24.12.2018. The completion date of project is 29.11.2021. Relevant Map and details are enclosed as **Annexure -14**.

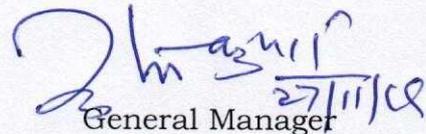
10. **Pratapgarh** :-A STP of 8.95 mld capacity has been constructed but not functional at present. An estimate for the I&D works of all the three drains is being prepared and shall be submitted for approval upto 31.12.2019.

11. **Jaunpur**:- A total of 29 drains carries waste water of town area. Out of 29 drains 12 drain dry out before meeting any water body. 14 drain DPR sanctioned under Namami Gange is which is expected to be completed by 20.10.2021. Relevant Map and details are enclosed as **Annexure -15**. Remaining 3 drains discharge is less than 1 mld.

That there has been a delay in filing the ATR due to time taken in collection of data from the field. The delay may kindly be condoned.



Project Manager
Gomti Pollution Control Unit (Temp.)
UP Jal Nigam, Lucknow



General Manager
Gomti Pollution Control Unit
UP Jal Nigam, Lucknow