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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI, NEW DELHI
ORIGINAL APPLICATION NO. 06 OF 2012**

IN THE MATTER OF:

MANOJ MISHRA

VS.

UNION OF INDIA & Ors.

...APPLICANT

...RESPONDENTS

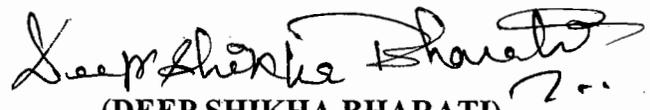
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N.D.O.H :18.02.2020

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FILED BY

THROUGH COUNSEL



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DATE: 15.02.2020

PLAE: NEWDELHI

BEFORE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 06 OF 2012**IN THE MATTER OF:**

MANOJ MISHRA

...Applicant

-Versus-

Union of India & Ors.

-...Respondents

**AFFIDAVIT ON BEHALF OF STATE OF UTTAR
 PRADESH THROUGH ITS UNDER SECRETARY,
 ENVIRONMENT, FOREST AND CLIMATE CHANGE
 DEPARTMENT IN COMPLIANCE OF THE ORDER
 DATED 11.09.2019**

I, Bharat Prasad S/o Late Hari Lal, aged about 57 years, posted as Under Secretary, Environment, Forest and Climate Change Department at presently Lucknow do hereby solemnly affirm and declare as under:-

1. That, in the official capacity mentioned above I am acquainted with the facts and circumstances of the case and such I am competent to make, swear and affirm this affidavit.
2. That the captioned matter relates to remedial measures for the pollution in River Yamuna. Hon'ble Tribunal considered the matter in the light of Report




submitted by Yamuna Monitoring Committee and directed that Principal Secretaries, Environment and Forest and Urban Developments are required to prepare short and long term plans to control flow of sewage from Uttar Pradesh into the river Yamuna at Ghaziabad with time lines for execution and U.P. Chief Secretary to monitor it. In aforementioned matter, Hon'ble National Green Tribunal has passed the following order:

".....The monitoring Committee may continue to monitor compliance of directions of this Tribunal and furnish its next status report as on 31.12.2019 by 31.01.2020 with comments on the affidavits of the concerned authorities. The same may also be uploaded on its website. We further direct the NCT of Delhi, the States of Haryana and UP, DDA to file affidavits of compliance of the directions of this Tribunal as on 31.12.2019 before the Committee as well as this Tribunal on or before 15.01.2020....."

3. That it is submitted that State of Uttar Pradesh has prepared an Action Plan for control of pollution in River Yamuna. The short term and long term action points dealing with issues of Sewage management, Industrial waste management, Ground water management and Monitoring dealt in Yamuna Action Plan of State of Uttar Pradesh, has been duly approved by Central Pollution Control Board and is being adopted in totality and followed with





perseverance with regards to Sahibabad drain, Banthala Canal Drain and Indirapuri drain in Ghaziabad as well so as to reduce and minimize environmental impact on receiving water streams. In compliance of this Hon'ble Tribunal order dated 12.07.2019 a Consolidated Action Taken report dated 10.08.2019 was submitted to Monitoring Committee constituted by Hon'ble Tribunal. Further In compliance of Hon'ble Tribunal's order dated 23.08.2019, the Consolidated Report along with specific timelines was also submitted to Additional Solicitor General nominated by Hon'ble Tribunal vide U.P. Government letter no. NGT-440/81-7-2019-01(Parya)/2015 dated 02-09-2019.

4. That it is submitted that in compliance to this Hon'ble Tribunal Order dated 11-09-2019 a meeting was convened by Principal Secretary, Environment, Forest and Climate Change, Government of Uttar Pradesh on 04-10-2019 to update status of compliances related to various directions of Hon'ble Tribunal passed vide orders in the captioned matter. The minutes of meeting dated 04-10-2019 are being annexed herewith and marked as **Annexure-1**.



That it is submitted that Chief Secretary, Government of Uttar Pradesh has also reviewed the

Status of Compliances on 17-10-2019 with Additional Chief Secretaries/Principal Secretaries and other officers of concerned Departments for ensuring timely action according to the directions of Hon'ble Tribunal. The minutes of meeting dated 17-10-2019 are being annexed herewith and marked as **Annexure-2.**

6. That it is submitted that the Yamuna Monitoring Committee convened a meeting on dated 30-12-2019 with the Principal Secretary, Nagar Vikas Vibhag, Department of Environment, Forest & Climate Change and other senior officers of the concerned departments of Uttar Pradesh to review the progress of compliances and directed that the Action Plan for sewage management related to implementation of Septage Management in Loni and Sahibabad areas and Phyto/Bio remediation in 03 drains namely Sahibabad, Loni and Indirapuri Drains at Ghaziabad be revised and the compliance report with revised timelines be placed before Monitoring Committee. The minutes of meeting dated 30-12-2019 was received on dated-07-01-2020.

7. That it is submitted that in compliance to orders passed by Hon'ble Tribunal and Yamuna Monitoring Committee in its meeting dated-30.12.2019, the



[Signature]

Compliance Report concerned with U.P. Pollution Control Board regarding detailed inventory of action taken against industries situated in conforming and non-conforming areas related to Industrial Waste Management has been submitted to the Monitoring Committee on dated-06-01-2020 and affidavit of compliance dated-16-01-2020 was filed before this Hon'ble Tribunal. As per affidavit the brief action taken is given below:-

Area	Total No. of Industries	Default er	EC imposed (Lakh)	Show Cause/Closure order issued
Conforming Area of Loni and Sahibabad	236	33	248.75 Lakh	20- Show Cause Notice 04- Closure Order
Non conforming area of Loni and Sahibabad	331	331	1.35 Lakh	Closed/Demolished by District Administration

That it is also submitted that in compliance to direction issued by Yamuna Monitoring Committee in its meeting dated 30-12-2019, inspection of 06 MLD CETP, Apparel Park, Tronica City Loni was carried out on 06-01-2020 by UPPCB. Sample of treated effluent collected

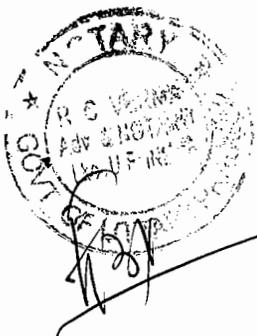


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during inspection was analyzed for heavy metals at Central Laboratory, UPPCB, Lucknow. As per analysis report only 01 parameter namely lead was found 0.109 mg/l as against standard of 0.1 mg/l. Hence a notice dated 05-02-2019 has been issued to Executive Engineer, Uttar Pradesh State Industrial Development Authority, Loni for ensuring treatment of effluent as per prescribed standards.

8. That it is submitted that in compliance to directions issued by Yamuna Monitoring Committee, a meeting was convened by Principal Secretary, Environment, Forest and Climate Change, Government of Uttar Pradesh on 22-01-2020 to update status of compliances related to various directions of Hon'ble Tribunal passed vide orders in the captioned matter and decisions taken by Yamuna Monitoring Committee in its meeting dated-30.12.2019. Officers of concerned Departments were directed for ensuring timely action and to submit revised time line, according to the directions of Yamuna Monitoring Committee. The minutes of meeting dated 22-01-2020 are being annexed herewith and marked as

Annexure-3.



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9. That it is submitted that Urban Development Department Government of Uttar Pradesh has issued the Government Order No: 574/ukssS-5-2020-284lk/2019 Dated: 31.01.2020 to all the Nagar Nigam and Urban Local Bodies of Uttar Pradesh to cater the Bioremediation/phyto-remediation of all the drains falling in the river Ganga and its tributaries or in any water body with immediate effect. The copy of Government Order dated-31.01.2020 is being annexed herewith and marked as **Annexure-4**.

10. That it is submitted that in compliance to directions issued by Yamuna Monitoring Committee, Zonal Chief Engineer, Uttar Pradesh Jal Nigam has submitted status of sewage management with revised time line vide letter dated- 01-02-2020. As per compliance report, the short term works will be completed by June 2020, the long term works regarding septage management, new sewage pumping stations and ongoing projects will be completed by November, 2020. New STP of 60 MLD capacity for treatment of sewage going into Indirapuri and Banthala Drain will be established in 24 months after sanction from National Mission for Clean Ganga (NMCG). The compliance report of Zonal Chief Engineer, Uttar Pradesh Jal Nigam dated-01-02-



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2020 is being annexed herewith and marked as

Annexure-5.

11. That it is submitted that Chief Engineer, U.P. Irrigation & Water Resource Department has submitted Compliance Report regarding Demarcation, Protection and Rejuvenation of Floodplains vide letter dated 14-01-2020, stating that Irrigation & Water Resource Department has defined flood plain zone, the extreme boundary of flood plains has been demarcated by fixing bollards at the extreme edges of flood plain. Department has also informed that on verification demarcated flood plain has been found free from pucca constructions. It has also been informed that an execution no. 45449/2016 state of Uttar Pradesh Vs Delhi Development Authority & 221 others is pending in Karkarduma court, Delhi for taking repossession of the land which is to be used for the development of wetland development on the eastern bank of River Yamuna. Delhi Development Authority will create Biodiversity Park on the UP portion of the floodplain and the State of U.P. would reimburse the cost thereof to the Delhi Development Authority as agreed between Principal Secretary, Irrigation & Water Resource Department of Uttar Pradesh & Vice



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.Chairman, Delhi Development Authority. The cost of project (first phase) is 35 Cr. The project is under consideration for approval at Government level. After approval and release of fund the money will be transferred to Delhi Development Authority for development of Bio-diversity Park. The compliance report of Chief Engineer, Uttar Pradesh Irrigation & Water Resource Department dated-14-01-2020 is being annexed herewith and marked as **Annexure-6**.

12. That it is submitted that Chief Secretary, Government of Uttar Pradesh has directed the Principal Secretary Urban Development Department to take necessary action regarding the orders of Hon'ble Tribunal to deposit performance guarantee of Rs. 10 Crores and an additional performance guarantee of Rs. 1 Crore as per the rules.
13. That it is further submitted that Government of Uttar Pradesh is committed towards keeping river Yamuna pollution free by ensuring compliance of Action Plan and orders of Hon'ble Tribunal.
14. That it is submitted that in persuasion to National Mission for Clean Ganga (NMCG) regarding sanction of proposals for bioremediation of drains from 1st January 2020, revision of timelines with respect to proposed sewage management works in compliance



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to directions issued by Yamuna Monitoring Committee and in compiling the consolidated status, the delay of 29 days in filing the affidavit has occasioned which is not bona fide and is deeply regretted.

15. That the above compliance report is being placed for kind consideration of the monitoring committee as well as Hon'ble Tribunal.

[Signature]
DEPONENT

VERIFICATION:

I, the deponent abovenamed, do hereby solemnly affirm that the contents of para 1 to 15 of the foregoing affidavit are true and correct to my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified at Lucknow on this the ^{13th} day of February 2019.

NOTARY

13M

[Signature]
DEPONENT

NOTARY



**Sworn & Verified
Before Me.**

[Signature]
**ADVOCATE
OATH COMMISSIONER
High Court, Allahabad
Lucknow Bench, Lucknow**

[Signature]
I Identify the Deponent /Applicant/
who has signed /put L.T.I./R.T.I.
Bij Kumar (Advocate)
High Court
Reg. No. 2216/91
Reg. No. - 8/S0626
Mob. - 9935638483

ANNEXURE R- 1 TO 6 (COLLY)

(PAGES NOS.5348 TO 5377)

DIRECTIONS AND MINUTES OF MEETINGS DATED 04.10.2019

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित आदेशों के अनुपालन के अनुश्रवण हेतु प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन की अध्यक्षता में दिनांक-04.10.2019 को पारिजात कक्ष, अरण्य भवन, 17 राणा प्रताप मार्ग, लखनऊ में आहूत अनुश्रवण बैठक का कार्यवृत्त।

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित निम्न आदेशों के अनुपालन की स्थिति के अनुश्रवण हेतु प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन की अध्यक्षता में दिनांक 04.10.2019 को अपराह्न 04:00 बजे अनुश्रवण बैठक आहूत की गई -

- (1) ओ०ए० सं०- 231/2014, दोआबा पर्यावरण समिति बनाम स्टेट ऑफ यू०पी० व अन्य में पारित आदेश दिनांक-20.09.2019
- (2) ओ०ए० सं०- 06/2012, मनोज मिश्रा बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक- 11.09.2019
- (3) ओ०ए० सं०- 606/2018, Compliance of Municipal Solid Waste Management Rules, 2016 में पारित आदेश दिनांक- 12.09.2019
- (4) ओ०ए० सं०- 116/2014, मीरा शुक्ला बनाम म्यूनिसिपल कार्पोरेशन व अन्य में पारित आदेश दिनांक-27.09.2019
- (5) ओ०ए० सं०- 985/2019, In Re: Water Pollution by Tanneries at Jajmau, Kanpur, Uttar Pradesh WITH In Re: Water Pollution at Rania, Kanpur Dehat & Rakhi Mandi, Kanpur Nagar, Uttar Pradesh में पारित आदेश दिनांक- 27.09.2019

बैठक दिनांक 04.10.2019 में उपस्थित अधिकारीगण की सूची संलग्न है।

- 2- ओ०ए० सं०-231/2014, दोआबा पर्यावरण समिति बनाम स्टेट ऑफ यू०पी० व अन्य में पारित आदेश दिनांक-20.09.2019 द्वारा जारी निर्देशों का विवरण समस्त उपस्थित प्रतिनिधियों के समक्ष सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा प्रस्तुत किया गया। यह प्रकरण हिण्डन नदी एवं उसकी सहायक नदियों कृष्णा एवं काली नदी में प्रदूषण से सम्बन्धित है। मा० अधिकरण द्वारा दिये गये आदेशों में हिण्डन एवं सहायक नदियों के कैथमेन्ट क्षेत्र में आने वाले गांवों में स्वच्छ पाइपड पेय जल आपूर्ति एवं हैण्डपम्प की जलगुणता की नियमित जांच कराया जाना, दूषित पेय जल आपूर्ति के हैण्डपम्प को स्थायी रूप से समाप्त किया जाना, घरेलू जल-मल के शोधन हेतु एस०टी०पी० की स्थापना किया जाना तथा एस०टी०पी० की स्थापना होने तक फाइटो रेमिडियेशन, बायो रेमिडियेशन के माध्यम से घरेलू उत्प्रवाह शोधन की अन्तरिम व्यवस्था किये जाने सम्बन्धी बिन्दु सम्मिलित हैं। मा० अधिकरण के आदेश में निर्देशित किया गया है कि क्षेत्र में गम्भीर रोगों से ग्रसित व्यक्तियों जिन्हें उपचार हेतु अन्यत्र उच्च चिकित्सा संस्थानों में सन्दर्भित किया गया है, के स्वास्थ्य की स्थिति का अनुश्रवण चिकित्सा एवं स्वास्थ्य विभाग द्वारा किया जाए। मा० अनुश्रवण समिति एवं मा० अधिकरण

के निर्देशों का अनुपालन यथासमय सुनिश्चित किये जाने हेतु मा0 न्यायधिकरण के आदेश दिनांक 19.03.2019 द्वारा रू0 5.00 करोड़ की परफार्मेंन्स गारण्टी जमा किये जाने के निर्देश राज्य सरकार को दिये गये थे। उक्त आदेश के अनुपालन अथवा उसे चुनौती दिये जाने का कार्य नगर विकास विभाग के स्तर पर अभी लम्बित है। मा0 अधिकरण द्वारा परफार्मेंन्स गारण्टी जमा न किये जाने पर असंतोष व्यक्त किया गया है। बैठक के दौरान मा0 अधिकरण के आदेशों का बिन्दुवार विवरण सम्बन्धित विभागों के प्रतिनिधियों को उपलब्ध कराया गया एवं उक्त की प्रति ई-मेल द्वारा भी प्रेषित की गई।

उक्त ओ0ए0 में सुनवाई हेतु अग्रिम नियत तिथि 21.10.2019 है तथा मुख्य सचिव, उ0प्र0 शासन द्वारा अग्रिम नियत तिथि से पूर्व अनुपालन आख्या ई-मेल "judicial-ngt@gov.in" के माध्यम से मा0 अधिकरण में प्रस्तुत की जानी है। अनुपालन आख्या मा0 अधिकरण में प्रस्तुत न किये जाने पर मुख्य सचिव, उ0प्र0 शासन को मा0 अधिकरण में स्वयं प्रस्तुत होने हेतु मा0 अधिकरण द्वारा निर्देशित किया गया है। सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा समस्त सम्बन्धित विभागों के उपस्थित प्रतिनिधियों से अपेक्षा की गयी कि मा0 अधिकरण द्वारा जारी उक्त निर्देशों के क्रम में आवश्यक कार्यवाही सुनिश्चित करते हुए अनुपालन आख्या दिनांक 10.10.2019 की सायं 5:00 बजे तक साफ्ट कॉपी ई-मेल "ms@uppcb.com" एवं "ceol@uppcb.com" के माध्यम से उ0प्र0 प्रदूषण नियंत्रण बोर्ड, मुख्यालय प्रेषित करना सुनिश्चित करें।

(कार्यवाही हेतु सम्बन्धित विभाग- ग्राम्य विकास विभाग, नगर विकास विभाग, उ0प्र0 जल निगम, लखनऊ, चिकित्सा एवं स्वास्थ्य विभाग, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ, जिलाधिकारी (सहारनपुर/मुजफ्फरनगर/शामली/मेरठ/बागपत/गाजियाबाद/गौतमबुद्ध नगर)

- 3- ओ0ए0 सं0-06/2012, मनोज मिश्रा बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक-11.09.2019 के द्वारा जारी निर्देशों का विवरण समस्त उपस्थित प्रतिनिधियों के समक्ष सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा प्रस्तुत किया गया। यह प्रकरण यमुना नदी के जल प्रदूषण से सम्बन्धित है, जिसके अन्तर्गत उ0प्र0 राज्य का गाजियाबाद क्षेत्र आच्छादित है। मा0 अधिकरण द्वारा पारित आदेश में कहा गया है कि नगर विकास विभाग एवं पर्यावरण, वन एवं जलवायु परिवर्तन विभाग द्वारा यमुना नदी में सीवेज निस्तारण नियंत्रित करने हेतु लघु एवं दीर्घ कालीन समयबद्ध कार्ययोजना तैयार की जाए, मुख्य सचिव द्वारा क्षेत्र के सीवर क्षेत्र, अन्सीवर्ड क्षेत्र एवं सीवर नेटवर्क में लीकेज की स्थिति का अनुश्रवण किया जाएगा, ऐसे सीवेज उपचार संयंत्र जिनके द्वारा मानकों की प्राप्ति नहीं की जा रही हो, का अनुश्रवण मुख्य सचिव द्वारा किया जाएगा तथा अन्तरिम शोधन व्यवस्था के रूप में बायो रेमिडियेशन/फाइटो रेमिडियेशन के माध्यम से शोधन विलम्बतम् दिनांक 01.01.2020 तक प्रारम्भ कर दिया जाए। मा0 अधिकरण द्वारा यह भी निर्देश दिये गये हैं कि साहिबाबाद ड्रेन, इन्दिरापुरी एवं बन्थला ड्रेन में उत्प्रवाह की वास्तविक स्थिति का मापन कराया जाए। इन्दिरापुरम स्थित एस0टी0पी0 के आउटफाल ड्रेन की क्षमता को बढ़ाये

जाने के निर्देश मा0 अधिकरण द्वारा दिये गये हैं। साहिबाबाद ड्रेन में घरेलू एवं औद्योगिक उत्प्रवाह प्रवाहित होने के दृष्टिगत एस0टी0पी0 को तकनीकी रूप से उच्चिकृत किये जाने के निर्देश दिये गये हैं। मा0 एन0जी0टी0 द्वारा कार्यरत एस0टी0पी0 की कमियों को 03 माह में निराकरण करने अन्यथा रू 5 लाख प्रति एस0टी0पी0 की दर से सी0पी0सी0बी0 को पर्यावरणीय क्षतिपूर्ति जमा कराने के निर्देश दिये गये हैं। मा0 एन0जी0टी0 द्वारा दिनांक 01.07.2020 से ड्रेन में अशोधित सीवेज के निस्तारण के लिए रू 10 लाख प्रतिमाह सी0पी0सी0बी0 को पर्यावरणीय क्षतिपूर्ति जमा करने तथा निर्माणाधीन एस0टी0पी0 का निर्माण कार्य निर्धारित समयवाधि में पूर्ण न होने पर रूपये 10 लाख प्रति माह प्रति अपूर्ण एस0टी0पी0 हेतु पर्यावरणीय क्षतिपूर्ति जमा करने के निर्देश दिए गए हैं। जिन एस0टी0पी0 परियोजनाओं में निर्माणकार्य अभी तक प्रारम्भ नहीं हुआ है वहां दिनांक 31.12.2020 के पश्चात् विलम्ब हेतु रू 10 लाख/माह/एस0टी0पी0 की दर से पर्यावरणीय क्षतिपूर्ति जमा करने के निर्देश दिये गये हैं। प्रमुख सचिव, सिंचाई द्वारा फलड प्लेन के चिन्हीकरण एवं वेटलैण्ड तथा बायो डायवर्सिटी पार्क के माध्यम से फलड प्लेन के विकास हेतु स्पष्ट समयसीमा निर्धारित की जाए। मा0 अधिकरण द्वारा अपने आदेश दिनांक 29.01.2019 को रू0 10.00 करोड़ की परफार्मेंस गारण्टी जमा किये जाने हेतु राज्य सरकार को निर्देशित किया गया था, जिसके संबंध में कार्यवाही नगर विकास विभाग से अपेक्षित थी। नगर विकास विभाग द्वारा परफार्मेंस गारण्टी के संबंध में उचित कार्यवाही न किये जाने के कारण मा0 अधिकरण द्वारा अपने आदेश दिनांक 11.09.2019 को रू0 1.00 करोड़ की अतिरिक्त परफार्मेंस गारण्टी जमा किये जाने हेतु निर्देशित किया गया है। बैठक के दौरान मा0 अधिकरण के आदेशों का बिन्दुवार विवरण सम्बन्धित विभागों के प्रतिनिधियों को उपलब्ध कराया गया एवं उक्त की प्रति ई-मेल द्वारा भी प्रेषित की गई।

सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा समस्त सम्बन्धित विभागों के उपस्थित प्रतिनिधियों से कहा गया कि मा0 अधिकरण द्वारा जारी उक्त निर्देशों के कम में आवश्यक कार्यवाही सुनिश्चित करते हुए अनुपालन आख्या दिनांक 10.10.2019 की सायं 5:00 बजे तक साफ्ट कॉपी ई-मेल "ms@uppcb.com" एवं "ceol@uppcb.com" के माध्यम से उ0प्र0 प्रदूषण नियंत्रण बोर्ड, मुख्यालय प्रेषित करना सुनिश्चित करें।

(कार्यवाही हेतु सम्बन्धित विभाग-नगर विकास विभाग, नगर निगम गाजियाबाद, उ0प्र0 जल निगम, लखनऊ, आवास एवं शहरी नियोजन विभाग, गाजियाबाद विकास प्राधिकरण, नगर पालिका परिषद, लोनी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, सिंचाई विभाग, प्रबन्ध निदेशक, यू0पी0एस0आई0डी0सी0)

- 4- ओ0ए0 सं0- 606/2018, Compliance of Municipal Solid Waste Management Rules, 2016 में पारित आदेश दिनांक-12.09.2019 के द्वारा जारी निर्देशों का विवरण समस्त उपस्थित प्रतिनिधियों के समक्ष सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा प्रस्तुत किया गया। मा0 अधिकरण द्वारा उक्त आदेश में निम्न विषयों पर अनुपालन आख्या प्रस्तुत किये जाने के निर्देश दिये गये हैं :-

- Compliance of Solid Waste Rules including Legacy Waste.
- Compliance of Bio-medical Waste Rules
- Compliance of Construction & Demolition Waste.
- Compliance of Hazardous Waste Rules.
- Compliance of E-waste Rules.
- 351 Polluter Stretches in the country.
- 122 Non-attainment cities.
- 100 industrial clusters.
- Status of STPs and re-use of treated water.
- Status of CETPs/ETPs including performance.
- Ground water extraction/contamination and re-charge.
- Air pollution including noise pollution.
- Illegal sand mining.
- Rejuvenation of water bodies.

मा0 अधिकरण द्वारा निर्देशित किया गया है कि उपरोक्त विषयों पर प्रस्तुत अनुपालन आख्या में निम्न बिन्दु सम्मिलित किये जाए-

- Current status
- Desirable level of compliance in terms of statutes.
- Gap between current status and desired levels.
- Proposal for attending the gap with time lines.
- Name and designation of designated officer for ensuring compliance to provisions under statute.

बैठक में समस्त सम्बन्धित विभागों को बोर्ड द्वारा तैयार की गई टेम्प्लेट जिसमें मा0 अधिकरण में प्रस्तुत किये जाने हेतु फार्मेट तथा बोर्ड में उपलब्ध अभिलेखों के अनुसार अद्यतन स्थिति का विवरण संकलित किया गया है, उपलब्ध कराई गई तथा ई-मेल द्वारा भी प्रेषित की गई। उक्त ओ0ए0 सं0-606/2018 में मा0 अधिकरण के समक्ष समस्त अभिलेखों एवं अनुपालन की स्थिति का विवरण प्रस्तुत किये जाने हेतु मुख्य सचिव, उ0प्र0 को दिनांक 10.01.2020 को उपस्थित होना है तथा आदेश की तिथि दिनांक 12.09.2019 के 01 माह के अन्दर अर्थात् 12.10.2019 तक अनुपालन आख्या ई-मेल "judicial-ngt@gov.in" के माध्यम से मा0 अधिकरण में प्रस्तुत की जानी है।

सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा समस्त सम्बन्धित विभागों के उपस्थित प्रतिनिधियों से अपेक्षा की गयी कि मा0 अधिकरण द्वारा

जारी उक्त निर्देशों के क्रम में आवश्यक कार्यवाही सुनिश्चित करते हुए अनुपालन आख्या दिनांक 10.10.2019 की सायं 5:00 बजे तक साफ्ट कॉपी ई-मेल "ms@uppcb.com" एवं "ceo7@uppcb.com" के माध्यम से उ०प्र० प्रदूषण नियंत्रण बोर्ड, मुख्यालय प्रेषित करना सुनिश्चित करें।

(कार्यवाही हेतु सम्बन्धित विभाग-नगर विकास विभाग, उ०प्र० जल निगम, लखनऊ, ग्राम्य विकास विभाग, चिकित्सा एवं स्वास्थ्य विभाग, चिकित्सा शिक्षा विभाग, आवास एवं शहरी नियोजन विभाग, अवस्थापना एवं औद्योगिक विकास विभाग, प्रबन्ध निदेशक, यू०पी०एस०आई०डी०सी०, उ०प्र० प्रदूषण नियंत्रण बोर्ड, सिंचाई विभाग, लघु सिंचाई एवं भूगर्भ जल विभाग, उद्यान विभाग, कृषि विभाग, केन्द्रीय भूगर्भ जल प्राधिकरण, गृह विभाग, भूतत्व एवं खनिकर्म विभाग, लोक निर्माण विभाग, परिवहन विभाग)

- 5- ओ०ए० सं०- 116/2014, मीरा शुक्ला बनाम म्यूनिसिपल कार्पोरेशन व अन्य में पारित आदेश दिनांक-27.09.2019 द्वारा जारी निर्देशों का विवरण समस्त उपस्थित प्रतिनिधियों के समक्ष सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा प्रस्तुत किया गया। सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा अवगत कराया गया कि मा० अधिकरण द्वारा उक्त ओ०ए० में पारित आदेश द्वारा सचिव, नगर विकास, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, सिंचाई विभाग, बाढ़ नियंत्रण विभाग, उ०प्र० एवं उ०प्र० प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड की एक संयुक्त कमेटी गठित की गई है, जिसके द्वारा प्रकरण में सुनवाई हेतु अग्रिम नियत तिथि 09.12.2019 से पूर्व मा० अधिकरण में कार्यवाही आख्या प्रस्तुत की जानी है। मा० अधिकरण द्वारा उक्त कार्यवाही हेतु सचिव, सिंचाई को नोडल नामित किया गया है, जिसके द्वारा मा० अधिकरण में रिपोर्ट प्रस्तुत की जानी है।

सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा समस्त सम्बन्धित विभागों के उपस्थित प्रतिनिधियों से अपेक्षा की गयी कि मा० अधिकरण द्वारा जारी उक्त निर्देशों के क्रम में आवश्यक कार्यवाही सुनिश्चित करते हुए अनुपालन आख्या दिनांक 10.10.2019 की सायं 5:00 बजे तक साफ्ट कॉपी ई-मेल "ms@uppcb.com" एवं "cco6@uppcb.com" के माध्यम से उ०प्र० प्रदूषण नियंत्रण बोर्ड, मुख्यालय प्रेषित करना सुनिश्चित करें।

(कार्यवाही हेतु सम्बन्धित विभाग-नगर विकास, सिंचाई विभाग, उ०प्र० प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड)

- 6- ओ०ए० सं०- 985/2019, In Re: Water Pollution by Tanneries at Jajmau, Kanpur, Uttar Pradesh WITH In Re. Water Pollution at Rania, Kanpur Dchat & Rakhi Mandi, Kanpur Nagar, Uttar Pradesh में पारित आदेश दिनांक-27.09.2019 के द्वारा जारी निर्देशों का विवरण समस्त उपस्थित प्रतिनिधियों के समक्ष सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा प्रस्तुत किया गया। मा० अधिकरण द्वारा जस्टिस अरूण टण्डन, पूर्व न्यायधीश इलाहाबाद हाईकोर्ट द्वारा मा० अधिकरण में प्रस्तुत रिपोर्ट दिनांक 25.09.2019 एवं 26.09.2019 में पाये गये तथ्यों को संज्ञान में लेते हुए निम्न आदेश जारी किये गये हैं :-

- 1- Chief Secretary, UP, may forthwith ensure steps for supply of drinking water to the residents in the affected area, apart from taking other remedial measures in the light of report of Justice Tandon in respect of Rania, Kanpur Dehat and Rakhi Mandi, Kanpur Nagar, around the area of Chromium dump and earlier orders of this Tribunal.
- 2- Chief Secretary, UP, may ensure that untreated sewage is not discharged in River Ganga and pending a permanent solution, at least temporary arrangement by way of phytoremediation, bio-remediation or any other technology is done to disinfect/treat water before the same is discharged into the River Ganga.
- 3- The Chief Secretary, UP, may initiate necessary action against the Principal Secretary, Urban Development, UP, UP Jal Nigam, State PCB for their illegal action in permitting discharge of untreated sewage and effluents directly into River Ganga.
- 4- A compliance report may be filed in the matter within one month by email at judicial-ngt@gov.in

उक्त ओ०ए० में सुनवाई हेतु अग्रिम नियत तिथि 04.11.2019 है तथा मुख्य सचिव महोदय, उ०प्र० द्वारा दिनांक 27.10.2019 से पूर्व अनुपालन आख्या ई-मेल "judicial-ngt@gov.in" के माध्यम से मा० अधिकरण में प्रस्तुत की जानी है। सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा समस्त सम्बन्धित विभागों के उपस्थित प्रतिनिधियों से अपेक्षा की गयी कि मा० अधिकरण द्वारा जारी उक्त निर्देशों के क्रम में आवश्यक कार्यवाही सुनिश्चित करते हुए अनुपालन आख्या दिनांक 10.10.2019 की सायं 5:00 बजे तक साफ्ट कॉपी ई-मेल "ms@uppcb.com" एवं "ceo2@uppcb.com" के माध्यम से उ०प्र० प्रदूषण नियंत्रण बोर्ड, मुख्यालय प्रेषित करना सुनिश्चित करें।

(कार्यवाही हेतु सम्बन्धित विभाग-नगर विकास विभाग, उ०प्र० जल निगम, लखनऊ, नगर निगम कानपुर, अवस्थापना एवं औद्योगिक विकास विभाग, चिकित्सा एवं स्वास्थ्य विभाग, जिलाधिकारी कानपुर देहात, प्रबन्ध निदेशक, यू०पी०एस०आई०डी०सी०, उ०प्र० प्रदूषण नियंत्रण बोर्ड)

7- अन्त में प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा समस्त उपस्थित प्रतिनिधियों को निर्देशित किया गया कि मा० अधिकरण द्वारा पारित उक्त आदेशों के अनुपालन में की कार्यवाही की अद्यतन स्थिति का विवरण दिनांक 10.10.2019 तक उ०प्र० प्रदूषण नियंत्रण बोर्ड को उपलब्ध करायें, जिससे समस्त सूचनाएं संकलित करते हुए मुख्य सचिव महोदय को अवलोकित कराते हुए मा० अधिकरण में अनुपालन एवं कार्यवाही आख्या मुख्य सचिव महोदय के माध्यम से ससमय प्रेषित की जा सके।

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन एवं सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा समस्त प्रतिनिधियों को उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 के अन्तर्गत विभिन्न अपशिष्ट नियमों के अनुपालन तथा अनुश्रवण हेतु तैयार किये गये Three Tier Monitoring Mechanism से अवगत कराया गया तथा ऑनलाइन सूचना भरे जाने हेतु अनुश्रवण बैठक के दौरान मॉनिटरिंग मैकेनिज्म प्रदर्शित किया गया। प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा समस्त प्रतिनिधियों को निर्देशित किया गया कि फील्ड में अपने अधिकारियों एवं कर्मचारियों को प्रत्येक माह उक्त मॉनिटरिंग मैकेनिज्म में ऑनलाइन सूचनाएं भरे जाने हेतु अपने स्तर से निर्देशित करना सुनिश्चित करें।

बैठक धन्यवाद के साथ समाप्त हुई।

(KS)
कल्पना अवस्थी
प्रमुख सचिव।

उत्तर प्रदेश शासन

पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7

संख्या-N67-498/81-7-2019-44(रिट)/2016 टी.सी.

लखनऊ : दिनांक : 14 अक्टूबर, 2019

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित -

1. अपर मुख्य सचिव/प्रमुख सचिव/सचिव, नगर विकास/ग्राम्य विकास/सिंचाई/चिकित्सा एवं स्वास्थ्य/चिकित्सा शिक्षा/अवस्थापना एवं औद्योगिक विकास/आवास एवं शहरी नियोजन/गृह/भूतत्व एवं खनिकर्म/लघु सिंचाई एवं भूगर्भ जल/परिवहन/लोक निर्माण/उद्यान/कृषि विभाग, उ०प्र० शासन।
2. प्रबन्ध निदेशक, उ०प्र० जल निगम, लखनऊ।
3. प्रबन्ध निदेशक, यू०पी०एस०आई०डी०सी०, कानपुर।
4. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली/उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
5. जिलाधिकारी, सहारनपुर/मुजफ्फरनगर/शामली/मेरठ/बागपत/गाजियाबाद/गौतमबुद्ध नगर/कानपुर देहात।
6. नगर आयुक्त, नगर निगम, गाजियाबाद/कानपुर।
7. उपाध्यक्ष, गाजियाबाद विकास प्राधिकरण, गाजियाबाद।
8. अधिशासी अधिकारी, नगर पालिका परिषद, लोनी, गाजियाबाद।
9. सदस्य सचिव, केन्द्रीय भूगर्भ जल प्राधिकरण, नई दिल्ली।
10. गार्ड फाइल।

आज्ञा से,
(भारत प्रसाद)
अनु सचिव।

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा विभिन्न वादों में पारित आदेशों के अनुपालन के अनुश्रवण हेतु मुख्य सचिव, उ०प्र० शासन की अध्यक्षता में दिनांक-17.10.2019 को सम्पन्न समीक्षा बैठक का कार्यवृत्त।

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित विभिन्न आदेशों के अनुपालन की स्थिति के अनुश्रवण हेतु मुख्य सचिव, उ०प्र० शासन की अध्यक्षता में दिनांक-17.10.2019 को अपराह्न 01:00 बजे समीक्षा बैठक आहूत की गई। आदेशों का विवरण निम्नवत् है :-

- (1) ओ०ए० सं०- 231/2014, दोआबा पर्यावरण समिति बनाम स्टेट ऑफ यू०पी० व अन्य में पारित आदेश दिनांक-20.09.2019
 - (2) ओ०ए० सं०- 06/2012, मनोज मिश्रा बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक- 11.09.2019
 - (3) ओ०ए० सं०- 606/2018, Compliance of Municipal Solid Waste Management Rules, 2016 में पारित आदेश दिनांक- 12.09.2019
 - (4) ओ०ए० सं०- 116/2014, मीरा शुक्ला बनाम म्यूनिसिपल कार्पोरेशन व अन्य में पारित आदेश दिनांक-27.09.2019
 - (5) ओ०ए० सं०- 985/2019, In Re: Water Pollution by Tanneries at Jajmau, Kanpur, Uttar Pradesh WITH In Re. Water Pollution at Rania, Kanpur Dehat & Rakhi Mandi, Kanpur Nagar, Uttar Pradesh में पारित आदेश दिनांक- 27.09.2019
- उक्त बैठक की उपस्थिति का विवरण संलग्न है।

2- प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन ने मा० एन०जी०टी० द्वारा पारित उक्त आदेशों में दिये गये निर्देशों का विवरण बैठक में प्रस्तुत किया गया तथा यह भी अवगत कराया गया कि उनके द्वारा दिनांक 04.10.2019 में समस्त संबंधित अधिकारियों की बैठक बुलाकर उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा तैयार किए गए टैम्पलेट पर अनुपालन आख्या दिनांक 10.10.2019 तक उपलब्ध कराने के निर्देश दिए गए थे, परन्तु संबंधित विभागों से वांछित समस्त अनुपालन आख्याएँ/पूर्ण सूचनाएँ प्राप्त नहीं हुई हैं।

- i. ओ०ए० सं०- 231/2014, दोआबा पर्यावरण समिति बनाम स्टेट ऑफ यू०पी० व अन्य आदेश दिनांक- 20.09.2019 (हिण्डन नदी में प्रदूषण के संबंध में)

(क). प्रभावित ग्रामों में पाईपड वाटर सप्लाई (PWS) की व्यवस्था।

जनपद- सहारनपुर, मुजफ्फरनगर, शामली, मेरठ, बागपत एवं गाजियाबाद के प्रभावित 148 ग्रामों में पेयजल आपूर्ति सुनिश्चित किए जाने के संबंध में मा० अधिकरण द्वारा समयबद्ध कार्यवाही के निर्देश दिए गए हैं। प्रमुख सचिव, ग्राम्य विकास विभाग, उ०प्र० शासन द्वारा अवगत कराया गया कि 43 ग्रामों में पाईपड

जलापूर्ति (PWS) की जा रही है, 22 ग्रामों में कार्य प्रगति पर है, 38 ग्रामों के लिए टेण्डर अप्रूव हो चुके हैं, 13 ग्रामों के लिए टेण्डरिंग प्रक्रिया प्रगति पर है। 32 ग्रामों में से 30 ग्रामों की डीपीआर दिनांक 14.10.2019 में अनुमोदित की जा चुकी है। 01 ग्राम विराल, जनपद बागपत में स्थित है, उसमें भूमि की उपलब्धता न होने के कारण डीपीआर नहीं बनायी जा सकी है। उनके द्वारा अवगत कराया गया कि दिसम्बर, 2020 तक 103 ग्रामों में जलापूर्ति प्रारम्भ हो जाएगी। उ0प्र0 जल निगम द्वारा यह भी सूचित किया गया है कि प्रभावित 1056 ग्रामों में मानक के अनुसार 4790 हैण्ड पम्प की आवश्यकता के सापेक्ष 9056 हैण्ड पम्प स्थापित हैं। मार्च, 2018 के बाद कुल 251 हैण्ड पम्पस के जल की जाँच की गयी। जाँच में जल गुणवत्ता उचित पायी गयी है। प्रमुख सचिव, नगर विकास विभाग, उ0प्र0 शासन द्वारा अवगत कराया गया कि जनपद मेरठ के अन्तर्गत स्थित ग्राम हारा टाउन एरिया कमेटी है, जिसका डीपीआर शासन में प्राप्त हुआ है तथा जिसमें अनुमोदन की कार्यवाही प्रक्रियाधीन है।

सम्यक् विचारोपरान्त यह निर्णय लिया गया कि ग्राम विराल में पेयजल आपूर्ति हेतु डीपीआर बनाये जाने के लिए भूमि की उपलब्धता सुनिश्चित करा ली जाए। दिसम्बर 2020 तक समस्त प्रभावित ग्रामों में पाईपड जलापूर्ति सुनिश्चित किए जाने एवं इण्टरमीडिएट माइल स्टोन तैयार कर कार्य की प्रगति की नियमित समीक्षा कर उसकी रिपोर्ट प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन को उपलब्ध करायी जाय। समस्त प्रभावित गांवों जिनमें पाईपड पेयजल की आपूर्ति नहीं हो पायी है, उनमें टैंकरों से पेयजल आपूर्ति सुनिश्चित करायी जाय।

(कार्यवाही-प्रमुख सचिव, ग्राम्य विकास/नगर विकास विभाग, उ0प्र0 शासन/
प्रबन्ध निदेशक, उ0प्र0 जल निगम)

(ख). प्रभावित ग्रामों के स्वास्थ्य कैंम्पों में पाए गए गंभीर बीमारी यथा कैंसर के मरीजों के उपचार के संबंध में।

चिकित्सा एवं स्वास्थ्य विभाग से प्राप्त सूचना के अनुसार प्रभावित ग्रामों में वर्ष 2019 में हेल्थ चैकअप कैंम्प लगाए गए थे, जिनमें से 174 कैंसर पेशेन्ट पाए जाने की सूचना यद्यपि प्राप्त हुई है, परन्तु मरीजों के उपचार का पूर्ण विवरण प्रेषित नहीं किया गया है। आयोजित किए गए कैंम्प एवं गंभीर रोगियों के उपचार की पूर्व सूचना से भिन्नताएँ भी पायी गयी हैं। उक्त के संबंध में यह निर्णय लिया गया कि गंभीर रोग तथा कैंसर के मरीजों के उपचार की व्यवस्था सुनिश्चित कराये जाने तथा जनपदों में लगाए गए कैंम्प एवं कैंसर के मरीजों का जिन अस्पतालों में उपचार चल रहा है, का पूर्ण विवरण दिनांक 18.10.2019 तक प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन को उपलब्ध करा दिया जाय। प्रभावित गांवों में लगातार स्वास्थ्य कैंम्प आयोजित कराये जाय तथा गंभीर बीमारियों से ग्रसित मरीजों की स्पेशियलिटी अस्पतालों में उपचार सुनिश्चित कराया जाय।

(कार्यवाही- प्रमुख सचिव, चिकित्सा एवं स्वास्थ्य विभाग, उ0प्र0 शासन)

(ग). प्रस्तावित एस0टी0पी0 के निर्माण में विलम्ब तथा एस0टी0पी0 की स्थापना होने तक तात्कालिक व्यवस्था के रूप में बायोरेमिडिएशन की व्यवस्था किए जाने के संबंध में।

उ0प्र0 जल निगम द्वारा अवगत कराया गया कि सहारनपुर में प्रस्तावित 93.65 एम0एल0डी0 एस0टी0पी0 के लिए डीपीआर राष्ट्रीय स्वच्छ गंगा मिशन के स्तर से तैयार की जा रही है। बुढ़ाना 10 एम0एल0डी0 एवं मुजफ्फरनगर 22 एम0एल0डी0 के लिए बिड प्राप्त हो गयी है तथा तकनीकी परीक्षण प्रगति पर है। बायोरेमिडिएशन के लिए टेण्डर आमंत्रित किए गए हैं। बायो रेमिडिएशन का कार्य माह नवम्बर-2019 से प्रारम्भ किया जायेगा। प्रबन्ध निदेशक, उ0प्र0 जल निगम द्वारा अवगत कराया गया कि मुजफ्फरनगर एवं बुढ़ाना में प्रस्तावित उक्त दोनों एस0टी0पी0 एक ही पैकेज में सम्मिलित हैं जिनकी निविदा प्रक्रिया गतिमान है। प्रमुख सचिव, नगर विकास विभाग, उ0प्र0 शासन द्वारा अवगत कराया गया कि प्रस्तावित एस0टी0पी0 का निर्माण कार्य निर्धारित टाईमलाईन में पूर्ण कर लिया जायेगा।

सम्यक् विचरोपरान्त यह निर्णय लिया गया कि सहारनपुर एस0टी0पी0 की डीपीआर को शीघ्र तैयार कराये जाने हेतु राष्ट्रीय स्वच्छ गंगा मिशन से अनुरोध किया जाये तथा एस0टी0पी0 निर्माण की योजना में निर्धारित समयावधि में कार्य पूर्ण किये जाने के लक्ष्य के अनुरूप अंतरिम माईल स्टोन प्रदर्शित करते हुए अनुपालन आख्या दिनांक 18.10.2019 तक प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन को उपलब्ध करायी जाय। पीरिओडिकल माईलस्टोन के आधार पर प्रमुख सचिव, नगर विकास विभाग, उ0प्र0 शासन नियमित अनुश्रवण कर रिपोर्ट प्रेषित करेंगे तथा विलम्ब पाये जाने की स्थिति में उत्तरदायी अधिकारियों के विरुद्ध दण्डात्मक कार्यवाही सुनिश्चित करायेंगे। बायो-रेमिडिएशन का कार्य माह नवम्बर-2019 से अवश्य प्रारम्भ कर लिया जाये तथा उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा बायो-रेमिडिएशन कार्य का नियमित अनुश्रवण किया जाये।

(कार्यवाही=प्रमुख सचिव, नगर विकास विभाग, उ0प्र0 शासन/प्रबन्ध निदेशक, उ0प्र0 जल निगम/सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड)

(घ) हिण्डन नदी के प्रदूषण की रोकथाम हेतु एक्शन प्लान के कियान्वयन, मॉनीटरिंग व्यवस्था एवं पर्यावरणीय क्षतिपूर्ति की रिकवरी के संबंध में।

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन द्वारा अवगत कराया गया कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित आदेशों के अनुपालन में हिण्डन नदी के प्रदूषण की रोकथाम के संबंध में एक्शन प्लान बनाया गया है, जिसे केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा अनुमोदनोपरान्त संबंधित विभागों द्वारा अनुपालन सुनिश्चित किया जा रहा है। प्रदेश में प्रभावी प्रदूषण नियंत्रण एवं पर्यावरण संरक्षण सुनिश्चित कराये जाने के उद्देश्य से त्रिस्तरीय अनुश्रवण तंत्र एवं एक वेब पोर्टल "U.P. Environmental Compliance Portal" (www.upecp.in) विकसित किया गया है। दोषी उद्योगों/संस्थाओं के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति 9.4 करोड़ के सापेक्ष रूपये 2.75 करोड़ की

रिकवरी की जा चुकी है। पर्यावरणीय क्षतिपूर्ति की वसूली हेतु कार्यवाही की जा रही है।

सम्यक् विचरोपरान्त यह निर्णय लिया गया कि पर्यावरणीय क्षतिपूर्ति की वसूली हेतु त्वरित कार्यवाही सुनिश्चित की जाए तथा जिन उद्योगों/संस्थाओं द्वारा क्षतिपूर्ति जमा नहीं की जाती है, के विरुद्ध सहमति रिवोक कर जल अधिनियम में निहित प्रावधानों के अनुसार दण्डात्मक कार्यवाही एवं भू-राजस्व की भांति वसूली की कार्यवाही सुनिश्चित की जाए।

(कार्यवाही-सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड/जिलाधिकारी, सहारनपुर, मुजफ्फरनगर, शामली, बागपत, मेरठ, गाजियाबाद)

(ड) रुपये 05 करोड़ की परफार्मेंस गारण्टी जमा करने के संबंध में।
मा० एन०जी०टी० द्वारा रुपये 05 करोड़ की परफार्मेंस गारण्टी जमा किए जाने के संबंध में आदेश दिनांक 15.03.2019 पारित किए गए थे। मा० एन०जी०टी० द्वारा पारित आदेश दिनांक 15.03.2019 के अनुपालन में रुपये 5 करोड़ की परफार्मेंस गारण्टी जमा किए जाने का कार्य लम्बित है। मा० अधिकरण द्वारा परफार्मेंस गारण्टी जमा न किए जाने पर असंतोष व्यक्त किया गया है तथा परफार्मेंस गारण्टी को जमा करने से अवमुक्त किए जाने संबंधी शासन के अनुरोध को अस्वीकार कर दिया गया है। मा० एन०जी०टी० में उक्त वाद दिनांक 21.10.2019 को सुनवाई हेतु नियत है तथा अनुपालन आख्या मुख्य सचिव, उ०प्र० शासन स्तर से दाखिल की जानी है।

उक्त के संबंध में सम्यक् विचरोपरान्त यह निर्णय लिया गया कि प्रश्नगत प्रकरण ग्रामीण क्षेत्रों में पेयजल आपूर्ति की व्यवस्था से संबंधित है अतः परफार्मेंस गारण्टी के सम्बन्ध में कार्यवाही ग्राम्य विकास विभाग द्वारा की जानी होगी। प्रमुख सचिव, ग्राम्य विकास विभाग, उ०प्र० शासन द्वारा मा० एन०जी०टी० द्वारा अधिरोपित परफार्मेंस गारण्टी के संबंध में अविलम्ब नियमानुसार कार्यवाही सुनिश्चित की जाए तथा उसकी सूचना प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन को प्रस्तुत की जाय।

(कार्यवाही-प्रमुख सचिव, ग्राम्य विकास विभाग, उ०प्र० शासन)

मुख्य सचिव, उ०प्र० शासन द्वारा निर्देशित किया गया कि समस्त विभाग, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा उपलब्ध कराये गए टेम्पलेट पर दिनांक 18.10.2019 तक सूचना/अनुपालन आख्या उ०प्र० प्रदूषण नियंत्रण बोर्ड को ई-मेल आई.डी. ms@uppcb.com एवं ceol@uppcb.com पर उपलब्ध कराया जाना सुनिश्चित करें।

(कार्यवाही-समस्त संबंधित विभाग)

- ii. ओ०ए० सं०-०६/२०१२, मनोज मिश्रा बनाम यूनियन ऑफ इण्डिया व अन्य आदेश दिनांक-११.०९.२०१९ (गाजियाबाद में यमुना नदी के प्रदूषण के संबंध में)

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(क). सीवेज मैनेजमेंट:-

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा अवगत कराया गया कि यह प्रकरण यमुना नदी के जल प्रदूषण से सम्बन्धित है, जिसके अन्तर्गत उ०प्र० राज्य का गाजियाबाद जनपद आच्छादित है। मा० अधिकरण द्वारा पारित आदेश में कहा गया है कि नगर विकास विभाग एवं पर्यावरण, वन एवं जलवायु परिवर्तन विभाग द्वारा यमुना नदी में सीवेज निरन्तरण नियंत्रित करने हेतु लघु एवं दीर्घ कालीन समयबद्ध कार्ययोजना तैयार की जाए, मुख्य सचिव द्वारा क्षेत्र के सीवर क्षेत्र, अन्वीवर्ड क्षेत्र एवं सीवर नेटवर्क में लीकेज की स्थिति का अनुश्रवण किया जाएगा, ऐसे सीवेज उपचार संयंत्र जिनके द्वारा मानकों की प्राप्ति नहीं की जा रही हो, का अनुश्रवण मुख्य सचिव द्वारा किया जाएगा तथा अन्तरिम शोधन व्यवस्था के रूप में बायो रेमिडियेशन/फाइटो रेमिडियेशन के माध्यम से शोधन विलम्बतम् दिनांक 01.01.2020 तक प्रारम्भ कर दिया जाए। मा० अधिकरण द्वारा यह भी निर्देश दिये गये हैं कि साहिबाबाद ड्रेन, इन्दिरापुरी एवं बन्थला ड्रेन में उत्प्रवाह की वास्तविक स्थिति का मापन कराया जाए। इन्दिरापुरम स्थित एस०टी०पी० के आउटफाल ड्रेन की क्षमता को बढ़ाये जाने के निर्देश मा० अधिकरण द्वारा दिये गये हैं। साहिबाबाद ड्रेन में घरेलू एवं औद्योगिक उत्प्रवाह प्रवाहित होने के दृष्टिगत एस०टी०पी० को तकनीकी रूप से उच्चिकृत किये जाने के निर्देश दिये गये हैं। कार्यरत एस०टी०पी० की कमियों को 03 माह में निराकरण करने अन्वथा रु 5 लाख प्रति एस०टी०पी० की दर से सी०पी०सी०बी० को पर्यावरणीय क्षतिपूर्ति जमा कराने हेतु मा० एन०जी०टी० द्वारा निर्देश दिये गये हैं। मा० एन०जी०टी० द्वारा सीवेज मैनेजमेंट से सम्बन्धित निर्माणाधीन कार्यों को पूरा न करने पर दिनांक 01.07.2020 से रु 10 लाख प्रतिमाह सी०पी०सी०बी० को पर्यावरणीय क्षतिपूर्ति जमा करने तथा जहां निर्माण कार्य अभी तक प्रारम्भ नहीं हुआ है वहां दिनांक 31.12.2020 के पश्चात् विलम्ब हेतु रु 10 लाख/माह/एस०टी०पी० की दर से पर्यावरणीय क्षतिपूर्ति जमा करने के निर्देश दिये गये हैं।

बैठक में उपस्थित प्रमुख सचिव, नगर विकास विभाग, उ०प्र० शासन द्वारा अवगत कराया गया कि लोनी क्षेत्र में सैप्टेज मैनेजमेंट का कार्य चल रहा है। इसी प्रकार इन्दिरापुरम एस०टी०पी० के आउटफाल ड्रेन की कैपेसिटी बढ़ाये जाने हेतु भी डीपीआर का अनुमोदन किया जा चुका है। साहिबाबा ड्रेन के एस०टी०पी० को उच्चिकृत कराये जाने हेतु आवश्यक कार्यवाही की जा रही है। प्रबन्ध निदेशक, उ०प्र० जल निगम द्वारा अवगत कराया गया कि साहिबाबाद ड्रेन के डिस्चार्ज का पुनः निर्धारण कराया जा चुका है। प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा अवगत कराया गया कि नगर विकास विभाग, उ०प्र० जल निगम से सूचना का विवरण प्राप्त नहीं हुआ है। उनके द्वारा यह भी अवगत कराया गया कि मा० अधिकरण द्वारा आदेश दिनांक 29.01.2019 द्वारा रुपये 10 करोड़ की परफार्मेंस गारण्टी जमा किए जाने हेतु राज्य सरकार को निर्देशित किया गया था जिसके संबंध में कार्यवाही नगर विकास विभाग से अपेक्षित थी। नगर

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विकास विभाग द्वारा परफार्मेंस गारण्टी जमा न किए जाने के कारण मा0 अधिकरण द्वारा आदेश दिनांक 11.09.2019 द्वारा 01 करोड़ रुपये की अतिरिक्त परफार्मेंस गारण्टी 01 माह के अन्दर जमा किए जाने के निर्देश दिए गए हैं।

सम्यक् विचारोपरान्त यह निर्णय लिया गया कि परफार्मेंस गारण्टी जमा किए जाने की कार्यवाही नगर विकास विभाग द्वारा की जानी होगी। प्रमुख सचिव, नगर विकास विभाग द्वारा मा0 एन0जी0टी0 द्वारा अधिरोपित परफार्मेंस गारण्टी के संबंध में अविलम्ब नियमानुसार कार्यवाही सुनिश्चित की जाए। नगर विकास विभाग द्वारा उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा उपलब्ध कराये गए टैम्पलेट पर दिनांक 18.10.2019 तक अनुपालन आख्या पर्यावरण, वन एवं जलवायु परिवर्तन विभाग को उपलब्ध करायी जाए।

(कार्यवाही-प्रमुख सचिव, नगर विकास विभाग, उ0प्र0 शासन)

(ख). इण्डस्ट्रीयल वेस्ट मैनेजमेंट:-

दोषी उद्योगों के विरुद्ध प्रभावी कार्यवाही, उद्योगों की इन्वेन्ट्री एवं पर्यावरणीय क्षतिपूर्ति की वसूली की त्वरित कार्यवाही सुनिश्चित किए जाने के निर्देश दिए गए। जिन उद्योगों/संस्थाओं द्वारा क्षतिपूर्ति जमा नहीं की जाती है, के विरुद्ध सहमति रिवोक कर जल अधिनियम में निहित प्रावधानों के अनुसार दण्डात्मक कार्यवाही एवं भू-राजस्व की भांति वसूली की कार्यवाही सुनिश्चित किए जाने के निर्देश दिए गए।

(कार्यवाही-सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड/संबंधित जिलाधिकारी)

(ग). फ्लड प्लेन के चिन्हीकरण, बायोडायवर्सिटी पार्क के निर्माण के संबंध में:-

विशेष सचिव, सिंचाई विभाग, उ0प्र0 शासन द्वारा अगवत कराया गया कि यमुना नदी के फ्लड प्लेन का चिन्हीकरण किया गया है। प्रमुख सचिव, सिंचाई एवं उपाध्यक्ष, दिल्ली विकास प्राधिकरण के मध्य सम्पन्न बैठक में लिए गए निर्णय के अनुसार दिल्ली विकास प्राधिकरण द्वारा बायो डायवर्सिटी पार्क का निर्माण किया जाएगा। उक्त कार्य हेतु दिल्ली विकास प्राधिकरण को रू0 36 करोड़ का भुगतान किये जाने हेतु अग्रिम कार्यवाही की जा रही है। सम्यक् विचारोपरान्त यह निर्णय लिया गया कि सिंचाई विभाग द्वारा मा0 एनजीटी के निर्देशानुसार कार्यवाही सुनिश्चित की जाए तथा फ्लड प्लेन के चिन्हीकरण एवं अन्य बिन्दुओं पर कृत कार्यवाही की सूचना पर्यावरण, वन एवं जलवायु परिवर्तन विभाग को उपलब्ध करायी जाय।

(कार्यवाही-प्रमुख सचिव, सिंचाई विभाग, उ0प्र0 शासन)

मुख्य सचिव, उ0प्र0 शासन द्वारा निर्देशित किया गया कि समस्त विभागों द्वारा कृत कार्यवाही का विवरण उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा उपलब्ध कराये गए टैम्पलेट पर दिनांक 18.10.2019 तक उ0प्र0 प्रदूषण नियंत्रण बोर्ड को ई-मेल आई. डी. ms@uppcb.com एवं ceo1@uppcb.com पर उपलब्ध कराया जाना सुनिश्चित करें।

(कार्यवाही-समस्त संबंधित विभाग)

iii. ओ0ए0 सं0-116/2014 मीरा शुक्ला बनाम म्यूनिसिपल कार्पोरेशन व अन्य आदेश दिनांक-27.09.2019

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन द्वारा अवगत कराया गया कि मा0 अधिकरण द्वारा इस प्रकरण में निर्देशित किया गया है कि मुख्य सचिव, उ0प्र0 शासन द्वारा इस तथ्य का परीक्षण किया जाए कि किन परिस्थितियों में बिना संचालन हेतु सहमति प्राप्त करने वाले उद्योगों को मात्र स्थापनार्थ सहमति के आधार पर विद्युत कनेक्शन दिये गये तथा बिना केन्द्रीय भूजल प्राधिकरण की पूर्वानुमति के ट्यूबवेल के प्रयोगों को अनुमत्य किया गया। मा0 अधिकरण द्वारा निर्देशित किया गया कि इस प्रकार की अनियमितताओं को राज्य स्तर पर रोके जाने हेतु मुख्य सचिव, उ0प्र0 शासन द्वारा समुचित मैकेनिज्म विकसित की जाए।

सम्यक् विचारोपरान्त यह निर्णय लिया गया कि मा0 अधिकरण के उपरोक्त आदेशों के क्रियान्वयन हेतु संबंधित विभागों से अभिमत प्राप्त कर शासनादेश जारी कराये जाने की कार्यवाही तत्काल सुनिश्चित की जाए।

(कार्यवाही-प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन)

iv. ओ0ए0 सं0-606/2018 Compliance of Municipal Solid Waste Management Rules, 2016 में मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित आदेश दिनांक 12.09.2019 के अनुपालन के सम्बन्ध में।

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन द्वारा अवगत कराया गया कि मा0 अधिकरण द्वारा मुख्य सचिव, उ0प्र0 शासन को निम्न बिन्दु पर अनुपालन आख्या केन्द्रीय प्रदूषण नियंत्रण बोर्ड के समक्ष माह नवम्बर तक प्रस्तुत करते हुए प्रकरण में दिनांक 10.01.2020 को मा0 अधिकरण के समक्ष उपस्थित होकर निम्न विषयों एवं मा0 अधिकरण के पूर्व आदेशों के अनुपालन की स्थिति प्रस्तुत किये जाने के निर्देश दिए गए हैं।

- Compliance to Solid Waste Rules including Legacy Waste.
- Compliance to Bio-medical Waste Rules.
- Compliance to C & D Waste.
- Compliance to Hazardous Waste Rules.
- Compliance to E-waste Rules.
- 351 Polluter Stretches in the country.
- 122 Non-attainment cities.
- 100 industrial clusters.
- Status of STPs and re-use of treated water.
- Status of CETPs/ETPs including performance.
- Ground water extraction/contamination and re-charge.
- Air pollution including noise pollution.

- **Illegal sand mining.**
- **Rejuvenation of water bodies.**

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा अवगत कराया गया कि उपरोक्त विषयों पर अनुपालन आख्या मा० अधिकरण के आदेश में निर्धारित निम्न बिन्दुओं को सम्मिलित करते हुए प्रस्तुत की जानी है :-

- Current status
- Desirable level of compliance in terms of statutes.
- Gap between current status and desired levels.
- Proposal of attending the gap with time lines.
- Name and designation of designated officer for ensuring compliance to provisions under statute.

सम्यक् विचारोपरान्त यह निर्णय लिया गया कि ओ०ए० सं०-606/2018 में मा० अधिकरण द्वारा पारित आदेश दिनांक 12.09.2019 के अनुपालन के सम्बन्ध में प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन की अध्यक्षता में बैठक दिनांक 04.10.2019 में लिये गये निर्णय का संज्ञान लेते हुए मा० अधिकरण के उक्त आदेश में सम्मिलित समस्त विषयों पर निर्धारित बिन्दुओं को सम्मिलित करते हुए विभाग से सम्बन्धित बिन्दुओं पर अनुपालन आख्या समस्त विभागों द्वारा विलम्बतम् एक सप्ताह में पर्यावरण विभाग, उत्तर प्रदेश शासन (ई-मेल soenvups@rediffmail.com) तथा उ०प्र० प्रदूषण नियंत्रण बोर्ड (ई-मेल ms@uppcb.com, ceo7@uppcb.com) पर प्रस्तुत की जाए तथा पर्यावरण विभाग, उ०प्र० शासन एवं उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा मा० अधिकरण के आदेश में सम्मिलित विषयों पर अनुपालन आख्या संकलित की जाए।

कृत कार्यवाही हेतु सम्बन्धित विभाग :-

1. **Compliance to Solid Waste Rules including Legacy Waste.**: नगर विकास, पंचायती राज, ग्राम्य विकास विभाग
2. **Compliance to Bio-medical Waste Rules**: चिकित्सा एवं स्वास्थ्य तथा चिकित्सा शिक्षा विभाग
3. **Compliance to C & D Waste**: नगर विकास, आवास एवं शहरी नियोजन
4. **Compliance to Hazardous Waste Rules**: अवस्थापना एवं औद्योगिक विकास, एम.एस.एम.ई विभाग, उ०प्र० प्रदूषण नियंत्रण बोर्ड,
5. **Compliance to E-waste Rules**: अवस्थापना एवं औद्योगिक विकास, एम.एस.एम.ई., श्रम विभाग, उ०प्र० प्रदूषण नियंत्रण बोर्ड
6. **351 Polluter Stretches in the country**: सिंचाई, नगर विकास, वन विभाग, केन्द्रीय भूजल प्राधिकरण, उ०प्र० प्रदूषण नियंत्रण बोर्ड

7. **122 Non-attainment cities** :आवास एवं शहरी नियोजन, परिवहन, नगर विकास, वन विभाग, ऑयल कम्पनीज, राष्ट्रीय राजमार्ग प्राधिकरण, उ०प्र० प्रदूषण नियंत्रण बोर्ड
8. **100 industrial clusters** :अवस्थापना एवं औद्योगिक विकास विभाग, एम. एस.एम.ई., यू०पी०एस०आई०डी०सी०, उ०प्र० प्रदूषण नियंत्रण बोर्ड
9. **Status of STPs and re-use of treated water** :नगर विकास विभाग
10. **Status of CETPs/ETPs including performance**: अवस्थापना एवं औद्योगिक विकास विभाग, एम.एस.एम.ई., यू०पी०एस०आई०डी०सी०
11. **Ground water extraction/contamination and re-charge**: केन्द्रीय भूजल प्राधिकरण
12. **Air pollution including noisepollution** :गृह विभाग, उ०प्र० प्रदूषण नियंत्रण बोर्ड
13. **Illegal sand mining** :भूतत्व एवं खनिकर्म विभाग
14. **Rejuvenation of water bodies** :नगर विकास, ग्राम्य विकास, पंचायती राज विभाग

V. ओ०ए० सं०- 985/2019, In Re: Water Pollution by Tanneries at Jajmau, Kanpur, Uttar Pradesh WITH In Re. Water Pollution at Rania, Kanpur Dehat & Rakhi Mandi, Kanpur Nagar, Uttar Pradesh में पारित आदेश दिनांक- 27.09.2019 में दिये गये निर्देशों के संबंध में:-

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा अवगत कराया गया कि मा० अधिकरण द्वारा जस्टिस अरूण टण्डन, पूर्व न्यायमूर्ति, उच्च न्यायालय इलाहाबाद द्वारा मा० अधिकरण में प्रस्तुत रिपोर्ट दिनांक 25.09.2019 एवं 26.09.2019 में पाये गये तथ्यों को संज्ञान में लेते हुए मा० एन०जी०टी० द्वारा उक्त ओ०ए० में निम्न आदेश जारी किये गये-

- 1- Chief Secretary, UP, may forthwith ensure steps for supply of drinking water to the residents in the affected area, apart from taking other remedial measures in the light of report of Justice Tandon in respect of Rania, Kanpur Dehat and Rakhi Mandi, Kanpur Nagar, around the area of Chromium dump and earlier orders of this Tribunal.
- 2- Chief Secretary, UP, may ensure that untreated sewage is not discharged in River Ganga and pending a permanent solution, at least temporary arrangement by way of phytoremediation, bio-remediation or any other technology is done to disinfect/treat water before the same is discharged into the River Ganga.

3- The Chief Secretary, UP, may initiate necessary action against the Principal Secretary, Urban Development, UP, UP Jal Nigam, State PCB for their illegal action in permitting discharge of untreated sewage and effluents directly into River Ganga.

4- A compliance report may be filed in the matter within one month by email at judicial-ngt@gov.in

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा उपरोक्त बिन्दुओं पर संबंधित विभागों द्वारा की गयी कार्यवाही का संक्षिप्त विवरण प्रस्तुत करते हुए मा० एन०जी०टी० द्वारा पारित आदेश दिनांक 27.09.2019 की अनुपालन आख्या संबंधित विभागों द्वारा समय से उपलब्ध कराने हेतु अनुरोध किया गया।

उक्त ओ.ए. संख्या 985/2019 में दिनांक 27.09.2019 को पारित आदेश का समयबद्ध रूप से अनुपालन किए जाने हेतु सम्यक् विचारोपरान्त निम्नलिखित निर्णय लिए गए:-

(क) रनिया, कानपुर देहात के क्रोमियम डम्प साईट के आस-पास के प्रभावित ग्रामों में स्वच्छ पेयजल आपूर्ति हेतु वर्तमान में अधिशासी अधिकारी, नगर पंचायत, अकबरपुर द्वारा की जा रही जलापूर्ति जोकि अस्थाई रूप में है, की नियमित रूप से जलापूर्ति की व्यवस्था सुनिश्चित किए जाने हेतु प्रभावित क्षेत्र में पाईप लाइन जलापूर्ति सुनिश्चित की जाए।

(कार्यवाही- प्रमुख सचिव, ग्राम्य विकास विभाग, उ०प्र० शासन/जिलाधिकारी, कानपुर देहात)

(ख) रनिया, कानपुर देहात के क्रोमियम डम्प साईट के आस-पास के प्रभावित ग्रामों में स्थापित चिन्हित हैण्ड पम्पों/नलकूप/बोरवेल जिनका जल पेय योग्य नहीं है, को सील किया जाये तथा उन पर जनसामान्य की जानकारी हेतु पेन्ट से यह भी लिख दिया जाये कि "जल पीने योग्य नहीं है" तथा उनका प्रयोग प्रतिबंधित किए जाने हेतु त्वरित कार्यवाही सुनिश्चित की जाए।

(कार्यवाही-प्रमुख सचिव, ग्राम्य विकास/पंचायती राज विभाग, उ०प्र० शासन/जिलाधिकारी, कानपुर देहात)

(ग) खानचन्दपुर, रनिया-कानपुर देहात के क्रोमियम डम्प साईट के आस-पास के प्रभावित ग्रामों तथा राखी मण्डी-कानपुर नगर में हैल्थ चैकअप एवं सर्वेक्षण कर हैल्थ सर्वे रिपोर्ट चिकित्सा एवं स्वास्थ्य विभाग द्वारा प्रस्तुत की जाए।

(कार्यवाही-प्रमुख सचिव, चिकित्सा एवं स्वास्थ्य विभाग, उ०प्र० शासन/मुख्य चिकित्सा अधिकारी-कानपुर देहात)

(घ) राखीमण्डी, कानपुर नगर के स्वच्छ पेयजल आपूर्ति हेतु नगर निगम, कानपुर द्वारा की गयी व्यवस्था का पूर्ण विवरण तैयार कर 02 दिन के अन्दर प्रस्तुत

किया जाए यदि इस क्षेत्र में कोई हैण्ड पम्प/नलकूप/बोरवेल का जल पेय योग्य न हो तो उसको तत्काल सील किए जाने की कार्यवाही की जाए तथा उन पर जनसामान्य की जानकारी हेतु पेन्ट से यह भी लिख दिया जाये कि "जल पीने योग्य नहीं है"।

(कार्यवाही-प्रमुख सचिव, नगर विकास विभाग, उ०प्र० शासन/नगर आयुक्त, नगर निगम कानपुर/जिलाधिकारी, कानपुर नगर)

- (ड) कानपुर नगर से जनित घरेलू जल/मल के शुद्धीकरण हेतु स्थापित सीवेज ट्रीटमेंट प्लाण्ट एवं सी०ई०टी०पी० को शीघ्र संचालित किया जाय। गंगा नदी में मिलने वाले नालों के बायो रेमिडिएशन हेतु की जा रही कार्यवाही का पूर्ण विवरण पर्यावरण, वन एवं जलवायु परिवर्तन विभाग को प्रस्तुत किया जाए। गंगा नदी में किसी भी दशा में अशुद्धीकृत उत्प्रवाह के निस्तारण न किया जाय तथा प्रमुख सचिव, नगर विकास विभाग, उ०प्र० शासन द्वारा कानपुर स्थित टैनरी इकाइयों की संगठनों के साथ बैठक कर कार्यवाही की जाए।

(कार्यवाही-प्रमुख सचिव, नगर विकास विभाग, उ०प्र० शासन/गंगा प्रदूषण नियंत्रण इकाई/प्रबन्ध निदेशक, उ०प्र० जल निगम)

- (च) खानचन्दपुर, रनिया- कानपुर देहात में डम्प क्रोमियम के उपचार एवं डिस्पोजल हेतु केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा तैयार करायी गयी कार्ययोजना के अनुसार in-situ साईट पर उपचारित किए जाने की प्रथम फेज के अन्तर्गत अनुमानित लागत रूपये 23.44 करोड़ की धनराशि यूपीएसआईडीसी द्वारा उपलब्ध करायी जाये तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड से समन्वय स्थापित कर क्रोमियम स्लज के निस्तारण किए जाने की कार्यवाही सुनिश्चित की जाए।

(कार्यवाही-प्रमुख सचिव, अवस्थापना एवं औद्योगिक विकास विभाग, उ०प्र० शासन/प्रबन्ध निदेशक, यूपीएसआईडीसी/जिलाधिकारी, कानपुर देहात)

प्रमुख सचिव, अवस्थापना एवं औद्योगिक विकास विभाग, उ०प्र० शासन द्वारा एम.एस.एम.ई. विभाग, यूपीएसआईडीसी, जिला प्रशासन एवं उ०प्र० प्रदूषण नियंत्रण बोर्ड के अधिकारियों की संयुक्त टीम गठित कर ऐसे उद्योगों को चिन्हित किया जाए कि जिनके द्वारा अपना क्रोमियम वेस्ट को उक्त स्थल पर डम्प किया गया है तथा जाँच कर दोषी उद्योगों के विरुद्ध polluters pay principle के आधार पर पर्यावणीय क्षतिपूर्ति अधिरोपित कर वसूली की कार्यवाही की जाए।

(कार्यवाही-प्रमुख सचिव, अवस्थापना एवं औद्योगिक विकास/एम.एस.एम.ई. विभाग, उ०प्र० शासन/निदेशक, उद्योग/प्रबन्ध निदेशक, यूपीएसआईडीसी/जिलाधिकारी, कानपुर देहात/उ०प्र० प्रदूषण नियंत्रण बोर्ड)

उक्त ओ०ए० में सुनवाई हेतु अग्रिम नियत तिथि 04.11.2019 है तथा मुख्य सचिव, उ०प्र० शासन द्वारा दिनांक 27.10.2019 से पूर्व अनुपालन आख्या ई-मेल "judicial-ngt@gov.in" के माध्यम से मा० अधिकरण में प्रस्तुत की जानी है। मा० अधिकरण द्वारा जारी उक्त निर्देशों के क्रम में आवश्यक कार्यवाही सुनिश्चित करते हुए अनुपालन आख्या दिनांक 22.10.2019 की सायं 5:00 बजे तक साफ्ट कॉपी ई-मेल "soenvups@rediffmail.com, ngtcell@uppcb.com" के माध्यम से पर्यावरण, वन एवं जलवायु परिवर्तन विभाग एवं उ०प्र० प्रदूषण नियंत्रण बोर्ड को उपलब्ध करायी जाय।

(कार्यवाही - प्रमुख सचिव, अवस्थापना एवं औद्योगिक विकास, नगर विकास, चिकित्सा एवं स्वास्थ्य विभाग, उ०प्र० शासन/प्रबन्ध निदेशक, उ०प्र० जल निगम/नगर आयुक्त, नगर निगम, कानपुर/प्रबन्ध निदेशक, यू०पी०एस०आई०डी०सी०/जिलाधिकारी, कानपुर देहात/सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड/गंगा प्रदूषण नियंत्रण इकाई)

3- अन्त में प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा समस्त उपस्थित प्रतिनिधियों से यह अनुरोध किया गया कि मा० अधिकरण द्वारा पारित उक्त आदेशों के अनुपालन में की गयी कार्यवाही की अद्यतन स्थिति का विवरण उपरोक्तानुसार निर्धारित समयावधि में पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन एवं उ०प्र० प्रदूषण नियंत्रण बोर्ड को उपलब्ध कराया जाए जिससे समस्त सूचनाएं संकलित करते हुए मुख्य सचिव, उ०प्र० शासन को अवलोकित कराते हुए मा० अधिकरण में अनुपालन एवं कार्यवाही आख्या मुख्य सचिव, उ०प्र० शासन के माध्यम से ससमय प्रेषित की जा सकें।

प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा समस्त प्रतिनिधियों को उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 के अन्तर्गत विभिन्न अपशिष्ट नियमों के अनुपालन तथा अनुश्रवण हेतु तैयार किये गये Three Tier Monitoring Mechanism से अवगत कराया गया तथा ऑनलाइन सूचना भरे जाने हेतु अनुश्रवण बैठक के दौरान मॉनिटरिंग मैकेनिज्म प्रदर्शित किया गया। प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन द्वारा समस्त प्रतिनिधियों से यह भी अनुरोध किया गया कि फील्ड में अपने अधिकारियों एवं कर्मचारियों को प्रत्येक माह उक्त मॉनिटरिंग मैकेनिज्म में ऑनलाइन सूचनाएं भरे जाने हेतु अपने स्तर से निर्देशित करना सुनिश्चित करें।

बैठक धन्यवाद के साथ समाप्त हुई।

(कल्पना अवस्थी)
प्रमुख सचिव।

उत्तर प्रदेश शासन

संख्या- N.G.T.535(2)/81-7-2019-44(रिट)/2016 टी0सी0

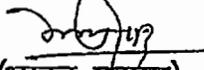
पर्यावरण, वन एवं जलवायु परिवर्त अनुभाग-7

लखनऊ : दिनांक : 19 अक्टूबर, 2019

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

- 1- अपर मुख्य सचिव/प्रमुख सचिव/सचिव, नगर विकास/अवस्थापना एवं औद्योगिक विकास/सूक्ष्म लघु एवं मध्यम उद्योग तथा निर्यात प्रोत्साहन (एम0एस0एम0ई0)/खाद्य एवं रसद/ग्राम्य विकास/चिकित्सा एवं स्वास्थ्य/पंचायती राज/गृह/सिंचाई/भूतत्व एवं खनिकर्म/श्रम/चिकित्सा शिक्षा/आवास एवं शहरी नियोजन/न्याय/लघु सिंचाई एवं भूगर्भ जल विभाग, उ0प्र0 शासन।
- 2- प्रबन्ध निदेशक, उ0प्र0 जल निगम, लखनऊ।
- 3- प्रबन्ध निदेशक, यूपीएसआईडीसी, कानपुर।
- 4- प्रधान मुख्य वन संरक्षक और विभागाध्यक्ष, उ0प्र0, लखनऊ।
- 5- जिलाधिकारी, सहारनपुर/मुजफ्फरनगर/शामली/मेरठ/बागपत/गाजियाबाद /कानपुर नगर/कानपुर देहात।
- 6- सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।
- 7- महाप्रबन्धक, उ0प्र0 गंगा प्रदूषण नियंत्रण इकाई, जल निगम, कानपुर।
- 8- निदेशक, उद्योग, उ0प्र0, कानपुर।
- 9- नगर आयुक्त, नगर निगम, कानपुर।
- 10- मुख्य चिकित्साधिकारी, कानपुर देहात।
- 11- परियोजना प्रबन्धक, राष्ट्रीय राजमार्ग प्राधिकरण, पूर्वी/पश्चिमी।
- 12- गार्ड फाइल।

आज्ञा से,


(भारत प्रसाद)
अनु सचिव।

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 संख्या-06/2012 मनोज मिश्रा बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 11.09.2019 एवं मॉनीटरिंग कमेटी-यमुना की बैठक दिनांक 30.12.2019 में दिए गए निर्देशों के अनुपालन में प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन की अध्यक्षता में दिनांक 22.01.2020 को आहूत बैठक का कार्यवृत्त।

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या 06/2012 मनोज मिश्रा बनाम यूनियन आफ इण्डिया व अन्य में पारित आदेश दिनांक 11.09.2019 एवं मॉनीटरिंग कमेटी-यमुना की बैठक दिनांक 30.12.2019 में दिए गए निर्देशों के अनुपालन में प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन की अध्यक्षता में दिनांक 22.01.2020 को उनके कार्यालय कक्ष, बापू भवन, उ0प्र0 सचिवालय में बैठक आयोजित की गयी। बैठक में उपस्थित अधिकारीगण की सूची संलग्न है।

2- सर्वप्रथम सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा अवगत कराया गया कि मा0 एन0जी0टी0 द्वारा पारित आदेश दिनांक 11.09.2019 के अनुपालन में मा0 एन0जी0टी0 एवं यमुना मॉनीटरिंग कमेटी को अनुपालन आख्या दिनांक 15.01.2020 तक दाखिल की जानी थी। आदेश का मुख्य अंश निम्न है:-

" ...The Monitoring Committee may continue to monitor compliance of directions of this Tribunal and furnish its next status report as on 31.12.2019 by 31.01.2020 with comments on the affidavits of the concerned authorities. The same may also be uploaded on its website. We further direct the NCT Delhi, the States of Haryana and UP, DDA to file affidavits of compliance of the directions of this Tribunal as on 31.12.2019 before the Committee as well as this Tribunal on or before 15.01.2020...."

सदस्य सचिव द्वारा यह अवगत कराया गया कि यह प्रकरण यमुना नदी के जल प्रदूषण से संबंधित है, जिसमें उ0प्र0 राज्य का गाजियाबाद क्षेत्र आच्छादित है। मा0 अधिकरण द्वारा पारित आदेशों के अनुपालन में यमुना नदी में प्रदूषण नियंत्रण हेतु लघु एवं दीर्घकालीन समयबद्ध कार्ययोजना तैयार कर मा0 एन0जी0टी0 में दाखिल की जा चुकी है। मा0 एन0जी0टी0 के आदेश दिनांक 11.09.2019 द्वारा यह निर्देश दिए गए हैं कि नालों में अंतरिम शोधन व्यवस्था के रूप में बायो रेमिडिएशन/फाईटो रेमिडिएशन का कार्य विलम्बतम् दिनांक 01.01.2020 तक प्रारम्भ कर दिया जाए, अन्यथा रुपये 05 लाख/माह/ड्रेन की दर से क्षतिपूर्ति केन्द्रीय प्रदूषण नियंत्रण बोर्ड में जमा की जानी होगी। कैचमेंट में कार्यरत एस0टी0पी0 की कमियों को 03 माह में निराकरण करने, अन्यथा रुपये 05 लाख/एसटीपी

CEO (C-1)
meena
03/02/2020
ce
3/2/2020

की दर से केन्द्रीय प्रदूषण नियंत्रण बोर्ड को पर्यावरणीय क्षतिपूर्ति जमा की जानी होगी। दिनांक 01.07.2020 से ड्रेन में अशोधित सीवेज के निस्तारण के लिए रुपये 10 लाख प्रतिमाह केन्द्रीय प्रदूषण नियंत्रण बोर्ड को पर्यावरणीय क्षतिपूर्ति जमा करने तथा निर्माणाधीन एस0टी0पी0 का निर्माण कार्य पूर्ण न होने पर रुपये 10 लाख/माह प्रति अपूर्ण एस0टी0पी0 हेतु पर्यावरणीय क्षतिपूर्ति जमा करने के निर्देश दिए गए हैं तथा जिन परियोजनाओं में निर्माण कार्य अभी तक प्रारम्भ नहीं हुआ है, वहाँ दिनांक 31.12.2020 के पश्चात् विलम्ब हेतु रुपये 10 लाख प्रतिमाह प्रति एस0टी0पी0 की दर से पर्यावरणीय क्षतिपूर्ति जमा करने के निर्देश दिए गए हैं। मा0 एन0जी0टी0 के उक्त आदेशों के अनुपालन में प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग की अध्यक्षता में दिनांक 04.10.2019 एवं मुख्य सचिव, उ0प्र0 शासन की अध्यक्षता में दिनांक 17.10.2019 को आयोजित बैठकों में समस्त संबंधित विभागों को अनुपालनार्थ कार्यवाही हेतु निर्देश दिए जा चुके हैं।

सदस्य सचिव द्वारा यह भी अवगत कराया गया कि मॉनीटरिंग कमेटी की बैठक दिनांक 30.12.2019 को प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन एवं प्रमुख सचिव, नगर विकास, उ0प्र0 शासन सहित अन्य अधिकारियों द्वारा भाग लिया गया था। मॉनीटरिंग कमेटी की बैठक के कार्यवृत्त प्राप्त हुए हैं, जिसके अनुसार औद्योगिक प्रदूषण नियंत्रण के संबंध में उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड की रिपोर्ट उन्हें प्राप्त हो गयी है। मॉनीटरिंग कमेटी द्वारा लोनी एवं साहिबाबाद क्षेत्र में नगर विकास विभाग द्वारा सेप्टेज मैनेजमेंट का कार्य नवम्बर, 2020 से प्रस्तावित किए जाने की समयसीमा को अस्वीकार करते हुए समयसीमा को कम करने के लिए टाईम लाइन में संशोधन हेतु निर्देशित किया गया है। साहिबाबाद, लोनी एवं बन्थला ड्रेन में फाईटो/बायो रेमिडिएशन का कार्य प्रारम्भ करने के लिए टाईम लाइन से शीघ्र अवगत कराने हेतु निर्देशित किया गया है।

3— उपस्थित अधिकारियों से विस्तृत विचार-विमर्श के उपरान्त प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन द्वारा निम्नानुसार निर्देश दिए गए:—

1. साहिबाबाद एवं लोनी क्षेत्र में सीवेज मैनेजमेंट हेतु short term plan के अन्तर्गत साहिबाबाद ड्रेन, इन्दिरापुरी ड्रेन एवं बन्थला कैनाल ड्रेन में बायो रेमिडिएशन का कार्य एवं उक्त क्षेत्र में सीवेज मैनेजमेंट हेतु long term plan के अन्तर्गत सीवेज नेटवर्क, प्रस्तावित 60 एमएलडी एस0टी0पी0 लोनी, साहिबाबाद ड्रेन में 16 एमएलडी सीवेज निस्तारण के लिए प्रस्तावित main pumping station

(MPS), इन्दिरापुरम के एस0टी0पी0 से शोधित सीवेज के निकासी के लिए डी0पी0आर0 के अनुसार स्वीकृत योजनान्तर्गत ड्रेनेज निर्माण कार्य तथा उक्त क्षेत्रों के un sewerred area में AMRUT कार्यक्रम के अन्तर्गत सेप्टेज मैनेजमेंट एवं फीकल स्लज ट्रीटमेंट हेतु प्रस्तावित योजनाओं की अध्ययन स्थिति एवं टाईम लाइन/संशोधित टाईम लाइन का पूर्ण विवरण सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा उपलब्ध कराये गए प्रारूप पर 03 दिन के अन्दर ceol@uppcb.com पर उपलब्ध करायी जाए।

(कार्यवाही-नगर विकास विभाग, उ0प्र0 शासन)

2. मा0 अधिकरण के आदेश दिनांक 29.01.2019 द्वारा रूपये 10 करोड़ की परफारमेंस गारण्टी जमा किए जाने हेतु राज्य सरकार को निर्देशित किया गया था, जिसके संबंध में कार्यवाही नगर विकास से अपेक्षित थी। परफारमेंस गारण्टी के न जमा किए जाने के कारण मा0 अधिकरण के आदेश दिनांक 11.09.2019 द्वारा रूपये 01 करोड़ की अतिरिक्त परफारमेंस गारण्टी जमा किए जाने हेतु निर्देशित किया गया है। मुख्य सचिव, उ0प्र0 शासन की अध्यक्षता में दिनांक 17.10.2019 को आहूत बैठक में नगर विकास को उक्त रूपये 11 करोड़ की परफारमेंस गारण्टी के संबंध में अग्रेतर कार्यवाही हेतु निर्देश जारी किए गए हैं। एन0जी0टी0 के आदेशों तथा मुख्य सचिव, उ0प्र0 शासन की अध्यक्षता में आहूत बैठक दिनांक 17.10.2019 में दिए गए निर्देशों के अनुपालन में रूपये 11 करोड़ की परफारमेंस गारण्टी के संबंध में कृत कार्यवाही की सूचना 03 दिन के अन्दर सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड को उपलब्ध करायी जाए।

(कार्यवाही-नगर विकास विभाग, उ0प्र0 शासन)

3. अवस्थापना एवं औद्योगिक विकास विभाग द्वारा एक्शन प्लान में निर्धारित एक्शन प्वाइन्ट्स से संबंधित सूचना/अनुपालन आख्या 03 दिन के अन्दर ceol@uppcb.com पर उपलब्ध करायी जाए।

(कार्यवाही-अवस्थापना एवं औद्योगिक विकास विभाग, उ0प्र0 शासन)

4. यमुना नदी के फ्लड प्लेन में वेटलैण्ड एण्ड बायोडायवर्सिटी पार्क के निर्माण की कार्यवाही दिल्ली विकास प्राधिकरण द्वारा की जानी है। सिंचाई विभाग द्वारा रूपये 35 करोड़ की धनराशि दिल्ली विकास प्राधिकरण को उपलब्ध कराये

जाने के संबंध में नवीनतम् स्थिति की सूचना सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा उपलब्ध कराये गए प्रारूप पर 03 दिन के अन्दर ceo1@uppcb.com पर उपलब्ध करायी जाए।

(कार्यवाही:- सिंचाई एवं जल संसाधन विभाग, उ०प्र० शासन)

5. सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा संबंधित विभागों को पूर्व में उपलब्ध कराये गए निर्धारित प्रारूप को पुनः उपलब्ध करा दिया जाए। संबंधित विभागों द्वारा नवीनतम् सूचना/अनुपालन आख्या संशोधित टाईम लाइन सहित संबंधित प्रमुख सचिव से अनुमोदित कराकर विलम्बतम् 03 दिन के अन्दर पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन तथा सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड को उपलब्ध करा दी जाए तथा सूचना की प्रति ई-मेल ceo1@uppcb.com पर भी प्रेषित की जाए।
- अन्त में धन्यवाद के साथ बैठक समाप्त हुई।

सुधीर गर्ग
प्रमुख सचिव

उत्तर प्रदेश शासन
पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7
संख्या-NGT-430/81-7-2020-01(पर्या)/15
लखनऊ : दिनांक : 31 जनवरी, 2020

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- प्रमुख सचिव/सचिव, नगर विकास/अवस्थापना एवं औद्योगिक विकास विभाग/सिंचाई एवं जल संसाधन विभाग, उ०प्र० शासन।
- 2- सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
- 3- मुख्य कार्यपालक अधिकारी, उ०प्र० राज्य औद्योगिक विकास प्राधिकरण (यूपीसीडा), कानपुर।
- 4- प्रबन्ध निदेशक, उ०प्र० जल निगम, लखनऊ।
- 5- गार्ड फाइल।

आज्ञा से,

(भारत प्रसाद)
अनु सचिव।

प्रेषक,

मनोज कुमार सिंह

प्रमुख सचिव,

उत्तर प्रदेश शासन।

सेवा में,

1-समस्त मण्डलायुक्त, उत्तर प्रदेश।

2-समस्त जिलाधिकारी, उत्तर प्रदेश।

3-मा0 महापौर/नगर आयुक्त, समस्त नगर निगम, उत्तर प्रदेश।

4-मा0 अध्यक्ष/अधिसासी अधिकारी-समस्त नगर पालिका परिषद/नगर पंचायत, उ0प्र0।

नगर विकास अनुभाग-5

लखनऊ, दिनांक 31 जनवरी, 2020

विषय- जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 एवं गंगा नदी (संरक्षण, सुरक्षा एवं प्रबंधन) प्राधिकरण आदेश 2016 के प्राविधानों के अनुपालन विषयक।

महोदय,

जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 एवं गंगा नदी (संरक्षण, सुरक्षा एवं प्रबंधन) प्राधिकरण आदेश 2016 के तहत नगर के नालों द्वारा जनित अशोधित जल जो कि तालाब, झील, नदी आदि में प्रवाहित हो रहा है और उसको प्रदूषित कर रहा है यह जल प्रदूषण का एक मुख्य कारण है। गंगा नदी (संरक्षण, सुरक्षा एवं प्रबंधन) प्राधिकरण आदेश 2016 के पैरा-6 (1) के अनुसार कोई व्यक्ति गंगा नदी अथवा इसकी उपनदियों अथवा इसके तटों पर प्रत्यक्ष रूप से अथवा अप्रत्यक्ष रूप से अशोधित अथवा शोधित सीवेज अथवा सीवेज/सेप्टेज नहीं डालेगा।

2- नदी संरक्षण के उद्देश्य से मा0 राष्ट्रीय हरित न्यायधिकरण (एन.जी.टी.) द्वारा निर्गत आदेश में स्पष्ट किया गया है कि नगर के नालों द्वारा जनित अशोधित जल गंगा नदी अथवा उसकी सहायक नदियों में प्रवाहित हो रहा है तथा नदियों को प्रदूषित कर रहा है। मा0 राष्ट्रीय हरित न्यायधिकरण (एन.जी.टी.) द्वारा Writ petition OA-200/2014 दिनांक 07-08-2019 के सन्दर्भ में निम्नानुसार निर्देशित किया गया है :-

"Wherever the work has not commenced, it is necessary that no untreated sewage is discharged into the River Ganga. Bioremediation and/or phytoremediation or any other remediation measures may start as an interim measure positively from 01.11.2019, failing which the State may be liable to pay compensation of Rs. 5 Lakhs per month per drain to be deposited with the CPCB. This however, is not to be taken as an excuse to delay the installation of STPs. For delay of the work, the Chief Secretary must identify the officers responsible and assign specific responsibilities. Wherever there are violations, adverse entries in the ACRs must be made in respect of such identified officers. For delay in setting up of STPs and sewerage network beyond prescribed timelines, State may be liable to pay Rs. 10 Lakhs per month per STP and its network. It will be open to the State to recover the said amount from the erring officers/contractors."

3- जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 में प्राविधानित एवं मा0 एन0जी0टी0 के निर्देश के अनुपालन में तत्काल नालों पर बायोरेमेडिएशन विधि/फाइटो रेमेडिएशन या अन्य विधि से दूषित जल के शोधन की कार्यवाही नगर निकाय स्तर पर किया जाना है, इस कार्य को सम्पादित करने के लिए आवश्यक धनराशि को निकाय निधि/अवस्थापना निधि/राज्य वित्त आयोग/14वें वित्त आयोग से व्यय किया जा सकता है। 14वें वित्त आयोग के दिशा-निर्देश के बिन्दु संख्या-7 में निम्न प्राविधान है-

"The Grants provided are intended to be used to support and strengthen the delivery of basic civic services including water supply, sanitation including septic management, sewage and solid waste management, storm

water drainage, maintenance of community assets, maintenance of roads, footpaths, street-lighting, burial and cremation grounds and any other basic service within the function assigned to them under relevant legislation. The FFC has not distinguished between O&M and capital expenditure within the components of basic services. However, it is advised that the cost of technical and administration support towards O&M and capital expenditure should not exceed 10% of the allocation to a Gram Panchayat or Municipality under any circumstance and the expenditure can be incurred only by the local body concerned".

- 4- गंगा एवं उसकी सहायक 11 नदियों में गिरने वाले नालों की tentative सूची संलग्न है (संलग्नक-1)। इसके अतिरिक्त अन्य नगर निकाय जिनमें जनित होने वाला दूषित जल किसी नदी या किसी वाटर बाडी में प्रवाहित हो रहा है उनमें भी नालों का शोधन किया जाना अनिवार्य है। प्रत्येक नगर निकाय द्वारा अपने स्तर पर नगर में स्थित नालों का पुनः सर्वेक्षण कर नालों का बायोरेमेडिएशन/फाइटोरेमेडिएशन या अन्य विधि से शोधन का कार्य करवाना सुनिश्चित करें। वाटर बाडी के Rejuvenation का कार्य भी कराया जाए।
- 5- राष्ट्रीय पर्यावरण अभियांत्रिकी अनुसंधान संस्थान (नीरी, नागपुर) सी0एस0आई0आर0 भारत सरकार द्वारा प्रयागराज में 06 नालों पर शोधन का कार्य किया जा रहा है। उक्त को अतिरिक्त कुम्भ के दौरान कार्य करने वाली फर्मों की सूची संलग्नक-2 पर तथा संबंधित कार्य का ड्राफ्ट टेण्डर डॉक्यूमेंट संलग्नक-3 पर आपके सुलभ सन्दर्भ हेतु संलग्न है।
- 6- अतः इस संबंध में मुझे यह कहने का निदेश हुआ है कि संबंधित नगर निकाय के ऐसे नालों जिन पर शोधन की आवश्यकता है या संलग्न सूची में निर्दिष्ट नालों के शोधन हेतु तत्काल समस्त कार्यवाही करते हुए नालों को बायोरेमेडिएशन विधि/फाइटो रेमेडिएशन या अन्य विधि से शोधन कराना सुनिश्चित करें।

भवदीय

 (मनोज कुमार सिंह)
 प्रमुख सचिव

Compliance of Hon'ble NGT Order dated 11.09.2019 in OA No: 06/2012 (Nanaj Mishra Vs. UoI)

General Status:

The population of Ghaziabad is approx. 22 lacs, Which is supposed to generate sewage of 264 MLD (with assumption of 150 lpcd water consumption and 80% generation of sewage). There are eight STPs with installed capacity of 490 MLD. The sewage being received is around 400 MLD (This may be because of drain and industrial effluents before and after treatment reaching STPs). The requirement of sewer network is 2336 Kilo Meters against which 1950 kilo meter has been laid and 51 Kilo meter is under implementation. The balance network of 386 Kilo meter needs to be taken up on priority.

Compliance Status and Time Line

S.N.	Directions	Action Taken	Time Line
1	To under take bioremediation / phytoremediation /or any other remediation measure of drains from 1 st January, 2020 till STPs are set up.	Hon'ble NGT has issued similar directions on 07.08.2019 for drains on Ganga and its tributaries in O.A. No: 200/2014 (M.C. Mehta Vs. UoI). The NMCG has also been asked to bear 50% of environmental compensation in case of non-compliance. River Ganga and its 11 tributaries are covered by the notification of 2016 on Ganga. The state has prepared a DPR in collaboration with the NEERI-CSIR and submitted the proposal for taking up bioremediation on 459 drains and bringing them under REENUJE technology of NEERI. The proposal has O&M for five years and covering these drains under treatment for a longer term as it may not be feasible to have STP on each of them. The proposal was submitted on 10.10.2019 and reminder sent by Chief Secretary on 04.11.2019. The State has also sent a letter on 19.12.2019 asking for sanction of project and funding 50% of the requirement with a commitment that remaining 50% will be borne by the State. The NMCG has not yet sanctioned the project. These three drains are part of that project.	The remediation work can begin after 45 days of sanction of the project by the NMCG.
	The principal secretaries of Environment and Forests and Urban Development to give a short term and long term plan to control flow of sewage from U.P. into the river Yamuna at Ghaziabad with time lines	The State has sanctioned project for Rs. 587.24 cr. On improving sewerage management in Ghaziabad, Modinagar and Loni with funding for sewage house connections under AMRUT, which provides for last mile connectivity for better utilization of STPs.	The short term works will be completed by June, 2020. (Correcting leakages, making Loni STP fully functional and laying of new effluent pipeline)

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Annexure No. 5 5374

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<p>for execution.</p>	<p>Three (Ghaziabad, Modi Nagar and Loni) Projects of Faecal Sludge and Septage Treatment has also been sanctioned which are under implementation. The State has issued Septage Management Policy in October, 2019 which envisages coverage of entire urban areas by 2023.</p> <p>The State has also created an arrangement for long Term Operation and Management of STPs, IPS, network and house connection in an integrated manner of having One City One Operator. M/s V.A Tech Wabag, Chennai has been awarded the contract of O&M in Ghaziabad Zone for 10 years. Assets has been handed over to them on 16.12.2019. This has been completed after one and half long years of process of bidding and approvals.</p> <p>A project for laying new effluent pipeline has been sanctioned for Rs. 10 cr. and contract awarded for its execution. This will enable running of STPs at Indirapuram on full capacity.</p> <p>A project of Rs. 126 cr. has also been sanctioned for real time on-line monitoring of all STPs/IPSs through SCADA. The same is under tendering.</p>	<p>The long term works will be completed by November, 2020. (Septage management project, new SPS and completion of on-going projects)</p> <p>The new STP of 60 MLD will be completed in 24 months of its Sanction by the NMCG.</p>
<p>Complete Tapping of Sahibabad Drain</p>	<p>This will be done with completion of Project of laying new effluent pipeline and new IPS at Vijay Park.</p>	<p>November, 2020</p>
<p>Tapping and treatment of Indrapuri and Banthala Drain</p>	<p>New STP of 60 MLD has been proposed. Sanction from NMCG is awaited.</p>	<p>In 24 months after sanction.</p>
<p>Sewage going into Sahibabad from sewer area (4 Points)</p>	<p>These sewage will be taken to the STP</p>	<p>April, 2020</p>
<p>Repair of all leakages in sewer lines in Ghaziabad and Loni</p>	<p>Will be taken up by V.A. tech Wabag on priority and completed.</p>	<p>June, 2020</p>
<p>Up-gradation of STPs to meet the norms</p>	<p>The STP are designed for 30/50 norm for BOD/TSS. The new norm of 10/20 of BOD/TSS has not yet been notified by the Ministry of Environment, Forests and Climate Change. In absence of that notification it will be difficult to fund the up-gradation or change the conditions in ongoing project.</p>	<p>In six months after notification of new norms by the MoEFCC.</p>

- Sd -
(Manoj Kumar Singh)
 Principal Secretary
 Department of Urban Development
 Government of Uttar Pradesh

5375

प्रेषक,

मुख्य अभियन्ता (जल संसाधन)
कार्यालय प्रमुख अभियन्ता,
सिंचाई एवं जल संसाधन विभाग,
उत्तर प्रदेश, लखनऊ।

प्रेषित,

विशेष सचिव,
सिंचाई एवं जल संसाधन अनुभाग-4,
उत्तर प्रदेश शासन, लखनऊ।

पत्रांक- 18 / (1)/अनम-1/मु.अ.ज.सं./

दिनांक- 14/01/2020

विषय- मनोज मिश्रा बनाम सुनियत आफ इण्डिया व अन्य वाद सं0- ओए 06/2012 के प्रतिशपथ पत्र में सिंचाई विभाग उ0प्र0 से सम्बन्धित बिन्दुओं पर आख्या।

महोदय,

कृपया उपरोक्त वाद का सन्दर्भ ग्रहण करने की कृपा करें। इस सम्बन्ध में सिंचाई विभाग उ0प्र0 की आख्या निम्नवत् है:-

1. फ्लड प्लेन जोन:

फ्लड प्लेन जोन निर्धारण पत्रांक-38/ईएनसी/सूबिट-9, दिनांक 15.01.2015 द्वारा कर दिया गया है। फ्लड प्लेन जोन की सीमा युमना नदी के पूर्वी किनारे पर निर्मित बन्द है, जिसकी बौलडरी के द्वारा चिह्नित कर दिया गया है। उक्त सूचना पूर्व में दिनांक 07.08.2019 को ई-मेल के माध्यम से ceo1@uppcb.com पर दिनांक 12.07.2019 को पारित आदेश की अनुपालन आख्या में उपलब्ध करा दिया गया था। मुख्य सचिव महोदय के निर्देशानुसार उक्त सूचना दिनांक 17.10.2019 को पुनः ms@uppcb.com पर उपलब्ध करा दी गयी है।

2. बायोडायवर्सिटी पार्क:

बायोडायवर्सिटी पार्क के प्रथम चरण की परियोजना जिसकी लागत रु0 35.00 करोड़ है, को मुख्य अभियन्ता समिति द्वारा संस्तुति कर शासन को प्रेषित कर दी गयी है। शासन स्तर से उक्त परियोजना को वित्तीय स्वीकृति के उपरान्त अनुमोदन हेतु अग्रिम कार्यवाही प्रक्रियाधीन है। उपरोक्त परियोजना की धनराशि दिल्ली विकास प्राधिकरण को उ0प्र0 सरकार द्वारा कार्य कराने हेतु 03 माह में उपलब्ध कराया जाना प्रस्तावित है।

उक्त प्रकरण अग्रिम एवं आवश्यक कार्यवाही हेतु प्रेषित है।

भवदीय



(श्री गोपाल सिंह)

मुख्य अभियन्ता (जल संसाधन)

पत्रांक- / (1)/अनम-1/मु.अ.ज.सं./ दिनांक- / /2020

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- प्रमुख सचिव, वन एवं पर्यावरण, उ0प्र0 शासन, लखनऊ।
- 2- प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग उ0प्र0, लखनऊ।
- 3- सचिव सदस्य, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, लखनऊ।

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(श्री गोपाल सिंह)

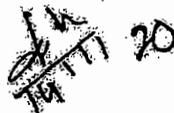
मुख्य अभियन्ता (जल संसाधन)

5377

(C) Demarcation, Protection and Rejuvenation of Floodplains:

Sr. no.	Direction	Timeline	Concerning Department	Action Taken
1.	The floodplain should be demarcated and developed through wetlands and biodiversity parks. Vice Chairman DDA and Principal Secretary, Irrigation, U.P to give specific timelines for setting up of same. The Chief Secretary UP shall supervise and monitor the same.	To be fixed by DDA	U.P. Irrigation Department.	Irrigation & Water Resource Department has informed that department has defined flood plain zone vide letter no. 38/ENC/unit-9 dated 15.01.2015. The extreme boundary of flood plains is the bunds existing on the banks of the river Yamuna on the eastern side (on the land of U.P. Irrigation Department) upstream of Okhla Barrage in the area of NCT Delhi / UP. It has been demarcated by fixing bollards at the extreme edges of flood plain. Department has also informed that on verification demarcated flood plain has been found free from pucca constructions. It has also been informed that an execution no. 45449/2016 state of UP Vs DDA & 221 others is pending in Karkarduma court, Delhi is pending for taking repossession of the land which is to be used for the development of wetland development on the eastern bank of River Yamuna. DDA will create Biodiversity Park on the UP portion of the floodplain and the State of U.P. would reimburse the cost thereof to the DDA as agreed between Principal Secretary, Irrigation & Water Resource Department of Uttar Pradesh & V.C., DDA. The cost of project (first phase) is 35 Cr. The project is under consideration for approval at Government level. After approval and release of fund the money will be transferred to DDA for development of Bio-diversity Park.

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 C.E. (W.R.)
 I & W.R. Deptt.
 U.P. Lucknow

ANNEXURE R- II

(PAGES NOS.5378 TO 5427)

**ORDER DATED 11.09.2019 OF HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI-1, IS ANNEXED
HEREWITH AS ANNEXURE NO. R-7**

Item No. 01

Court No. 1

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

Original Application No. 6/2012

Manoj Mishra

Applicant(s)

Versus

Union of India &Ors.

Respondent(s)

Date of hearing: 23.08.2019

Date of uploading of order: 11.09.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

ORDER

Particulars	Paragraphs
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Action Plan prepared by the Committee	5
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Second Report of the Committee dated 27.03.2019, supplementary reports 28.06.2019 and 02.07.2019 and further reports commenting upon compliance status by authorities in Delhi dated 13.08.2019 and states of Haryana and Uttar Pradesh dated 20.08.2019	7-8
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Directions	15-16

Introduction

1. The matter has been taken up to review the progress in execution of directions in the judgment of this Tribunal dated 13.01.2015 reported in *2015 ALL (I) NGT REPORTER (1) (DELHI) 139*. In the said judgment, the Tribunal dealt with the issue of control of pollution and

rejuvenation of River Yamuna in Delhi. The matter of enforcement of the said directions has been taken up from time to time in the last four years but the progress has been found to be far from satisfactory. Even today the situation is same.

Orders of the Hon'ble Supreme Court and this Tribunal

2. It is necessary to give a brief background of the case before issuing further directions. The issue of control of pollution and rejuvenation of river Yamuna was taken up by way of Writ Petition No. 725/1994 by the Hon'ble Supreme Court based on a news item published in Hindustan Times titled 'And Quite Flows the Maily Yamuna'. Grim situation of pollution and failure of authorities to take appropriate action was noted by Hon'ble Supreme Court in various orders¹. Vide order dated 10.12.2012, the Hon'ble Supreme Court noted "*despite heavy expenditure, in thousands of crores, having been incurred by the Central Government, Government of the States of Haryana and Uttar Pradesh and the local authorities in the National Capital Territory of Delhi, the pollution of river Yamuna has increased by the day*". It was further observed that the water quality of river Yamuna at the Nizamuddin Bridge as shown from the analysis of the samples by the Central Pollution Control Board (CPCB) to be BOD 37 mg/l (against permissible limit of 3 mg/l), faecal coliform 17,00,00,00,000 (against permissible limit of 500 MPN/100 ml). The situation was found to be similar at Kalindi Kunj, Okhla and even Palwal. The Hon'ble Supreme Court directed preparation of action plans and after continuing to monitor it for 23 years, on 24.04.2017, the proceedings were transferred to this Tribunal. In the meanwhile, O.A. No. 6/2012 was

¹ (1999) 1 SCC 161, (2000) 10 SCC 587, (2000) 9 SCC 440, (2004) 8 SCC 638, (2009) 17 SCC 708, 716, 718, (2012) 13 SCC 736, 786

filed before this Tribunal on which response was sought from Govt. of NCT of Delhi, DJB, DDA, DPCC and the States of Haryana and Uttar Pradesh. In the light of material furnished, vide order dated 13.01.2015, this Tribunal issued directions to take remedial steps to control the pollution and to rejuvenate the river Yamuna. Further directions were also issued in the light of order of the Hon'ble Supreme Court dated 24.04.2017. The said orders required time bound actions. Orders dated 13.01.2015 and 08.05.2015 divided the project of cleaning and rejuvenation into 2 phases. First Phase related to Najafgarh, Delhi and supplementary drains. Second phase related to all other drains. Order dated 08.05.2015, accepted "Maily Se Nirmal Yamuna" Revitalization Plan, 2017 in principle subject to specific directions. It was further directed that environmental compensation will be recovered from every household generating sewage on polluter pays principle irrespective whether the household was sewerage or not.

3. Finally, on 25.07.2018, after noticing the earlier proceedings, it was again noted that there was no meaningful progress in the last three years. The work for 14 STPs had not even begun for which no justification was furnished.² The Tribunal directed that the said work must commence positively by 01.12.2018. Coronation Pillar was to be completed by 11.04.2019. Work of Najafgarh drain was to be completed by 31.12.2018. 11 drains were said to have been tapped and work for trapping of 5 drains was to be awarded and completed by December 2020, except the one for which the work was to be completed by 2018. The State of Haryana was directed to file an

²Para 9

affidavit showing the steps taken to ensure that no untreated pollutants are discharged into Najafgarh drain and no untreated sewage flows from DD2 drain at Panipat.

Appointment of Monitoring Committee to Monitor Execution/Compliance of Orders of this Tribunal

4. In continuation of the said order, on 26.07.2018, a status report on sewage management was noted and it was found that at most of the places, BOD/SS levels were not meeting the required parameters.³ The Tribunal constituted a two Member Committee for time bound action plan and framework for implementation. The Committee was to draw up comprehensive, integrated and inclusive strategy with clear measurable indicators of progress and success. The action plans were also to include creation of biodiversity parks. The DDA was required to make the entire flood plains available to the Forest Department after demarcation. The Monitoring Committee was also required to lay down a plan for collection of funds on the 'Polluter Pays' principle and to deal with the problems of idol immersion in the river Yamuna. The States of Uttar Pradesh and Haryana were directed to constitute their own Monitoring Committees. The existing Committees were to function in tandem with the Committees so constituted. The Committee was to give interim report by 31.12.2018.

Action Plan prepared by the Committee

5. The Committee submitted its Core Action Plan dated 22.10.2018, identifying road map for monitoring the directions of this Tribunal activity wise and agency wise. The plan highlighted issues, present status and future actions. The sixteen action points identified are:

³Para 3

- i) Environmental Flow*
- ii) DDA and Demarcation of the Flood Plains and Conservation Activities*
- iii) Quality of River water*
- iv) Sewage Treatment Plants*
- v) Interceptor Sewer Project (ISP)*
- vi. Repair and maintenance of Drains*
- vii) Polluter Pays principle*
- viii) Dredging and desilting*
- ix) . Industrial Pollution and CETPs*
- x) . Sewage and Faecal Sludge Management*
- xi) Online Monitoring of STPs, CETPs and Yamuna.*
- xii). Use of treated Waste Water*
- xiii). Idol Immersion*
- xiv). State of Haryana and pollution of the Yamuna*
- xv) State of Uttar Pradesh and Pollution of the River*
- xvi) Creating Public Awareness Through Information Dissemination Strategies and Management*

First Report of the Committee dated 16.01.2019

6. The first report dated 16.01.2019 was furnished by the Committee which was considered vide order dated 29.01.2019. It was found that DDA was yet to undertake demarcation of the flood plains. There was a need to have a mechanism to stop dumping of debris by installing electronic surveillance system, aerial mapping to track debris, to set up check posts to track transportation of debris and for recovery of environmental compensation, setting up of more water quality monitoring stations, improvement and upgradation of STPs, setting up new STPs to bridge the gap between sewage generated and sewage treated, need for interceptors, maintenance of drains, improvement of CETPs and to set up sewerage network for unauthorized colonies. The Committee noted that the faecal coliform count was upto 6,400 times above the prescribed standards. Only 14% of the 1797 colonies had sewage pipelines. DDA had failed to remove the debris and to secure the area by erecting barbed wire fencing. The authorities in the State of Haryana were required to expedite action for reducing water

pollution load. The State of Uttar Pradesh was required to tap the drains, set up STPs and take action against the polluting industries releasing effluents into drains joining the river. The Tribunal noted that the situation was grim and that the regulatory authorities had failed to apply the 'Polluter Pays' principle to control the polluting activities. In spite of the serious damage being caused, the authorities were not acting against the offenders either by prosecuting them and/or recovering the cost of restoration. Apart from failure of the Delhi Government, there was failure on the part of DDA, UP Government as well as Haryana Government. The Delhi Government, UP Government as well as Haryana Government were required to furnish performance guarantees in the sum of Rs. 10 Crores each with the CPCB. The DDA was also required to furnish a performance guarantee in the sum of Rs. 50 Lakhs with the CPCB. This Tribunal directed that further report be furnished by 20.05.2019.

Second Report of the Committee dated 27.05.2019, supplementary reports 28.06.2019 and 02.07.2019 and further reports commenting upon compliance status by authorities in Delhi dated 13.08.2019 and states of Haryana and Uttar Pradesh dated 20.08.2019.

7. Accordingly, the Second Report dated 27.05.2019 was furnished by the Committee followed by supplementary reports dated 28.06.2019 and 02.07.2019. The said reports were considered vide order dated 12.07.2019 as follows:

"12. The Committee has furnished second report dated 27.05.2019. The report deals with 16 core areas including the progress on projects, enforcement action and new initiatives agreed upon with the key agencies, supplementary cases incidental to the Manoj Mishra matter and specific matters where the Committee seeks intervention of the Tribunal. Apart from the said report, the Committee has also forwarded a supplementary report dated 28.06.2019 and

second supplementary report dated 02.07.2019. The supplementary report refers to the e-flow study report. The Committee also suggested flat rate for sewage connection and treatment which may be assessed by the National Institute of Financial Policy and Training.

13. Since unfortunately none of the Counsel is ready with their respective instructions and the authorities including heads of the Departments may be required to be held accountable for executing the orders of this Tribunal which continue to be defied and performance guarantees, may have to be forfeited and further compensation directed to be paid or performance guarantees required to be furnished, we give further opportunity to the States of Haryana, Uttar Pradesh, Delhi, DDA, DJB, DPCC and the Municipal Corporations to furnish their comments, if any, within two weeks from today.

14. We further direct the NCT Delhi, the States of Haryana and U.P., DDA to file an affidavit of compliance of the directions of this Tribunal in a clear cut tabular statement indicating:

- i) Actions required to be taken,
- ii) Actions taken so far,
- iii) The target date prescribed in the Orders,
- iv) Reasons for the delay in execution and
- v) Expected date of completion.

All this information may be in quantifiable as well as qualitative terms with measurable indicators, also indicating reasons in detail in case of over-shooting of prescribed timelines. This statement should cover all the components of Yamuna Mailey se Normal Yamuna Revitalization plan, 2017 approved by this Tribunal which covers environment flow, interception of drainages to STPs, up-gradation of existing STPs, meet the standards, setting up of new STPs, utilization of treated sewage, identification and demarcation of Flood Plain Zone (FPZ), removal of encroachments from FPZ, Sewage Treatment Plants, repair and maintenance of drains, dredging and desilting, Industrial Pollution and trade effluent including performance of ETPs and CETPs, sewage and fecal sludge management, online monitoring of STPs, CETPs in river Yamuna, use of treated waste water, idol immersion, pollution of the river Yamuna in the State of Haryana, and pollution of River in the State of U.P., creating public awareness through information, dissemination strategies and management and polluter pays principle. A copy of this statement may also be provided by the NCT Delhi, the State of Haryana and Uttar Pradesh and DDA to the Monitoring Committee before 05.08.2019 and Monitoring Committee may provide consolidated status report by recording its comments/remarks by 10.08.2019."

8. Reports were filed by the National Capital Territory of Delhi (NCTD), Delhi Jal Board (DJB), Delhi Development Authority (DDA), Delhi Pollution Control Committee (DPCC) and the States of Haryana and Uttar Pradesh. The Monitoring Committee on its part furnished status reports dated 13.08.2019 and 20.08.2019 with comments on the said status reports/affidavits.

Summary of Status of compliance

9. We heard the learned Additional Solicitor General appearing on behalf of GNCTD and learned Counsel appearing on behalf of DJB, DDA, DPCC and the States of Haryana and Uttar Pradesh on 23.08.2019. After the arguments were concluded on 23.08.2019, the following order was passed:

"We have heard learned Additional Solicitor General appearing on behalf of GNCTD, learned Senior Advocate appearing on behalf of the DJB and the learned Counsel appearing on behalf of States of Haryana and Uttar Pradesh, DDA and DPCC.

We have perused the reports furnished by the Monitoring Committee and the affidavits/reports filed by States of the Haryana and Uttar Pradesh, DDA and DPCC.

Order will be uploaded on the website on or before 06.09.2019.

In the meanwhile, learned Counsel for all the authorities may file specific timelines for the actions to be undertaken in terms of order of this Tribunal. Learned ASG may compile such information and suggest extended timelines wherever timelines have already expired. It is made clear that the Tribunal will finalize the fresh timelines with clear adverse consequences of violating such revised timelines. This is necessary as repeated timelines have not been adhered to in the last 30 years and pollution of river Yamuna is continuing. Such pollution needs to be controlled at the earliest for protection of environment and public health and having regard to unique significance of the river Yamuna which is a major tributary of river Ganga."

The date of uploading was later notified to be 11.09.2019 as Hon'ble member was not available till that day. No compilation was filed by

the Learned ASG in above terms. However, e-mail dated 09.09.2019 had been sent hard copy of which was filed on 11.09.2019 after the order was ready for uploading leaving no opportunity for the Tribunal to look into the same. As the matter had already been fully considered, we have thus proceeded to consider the matter on the available materials.

10. We may notice the observations of the Monitoring Committee with regard to the progress on each of the above heads with reference to which compliance of directions of this Tribunal is to be monitored:

STATUS IN RESPECT OF DELHI

I. Environmental Flow:

It has been reported by Monitoring Committee under the subject of Environmental Flow that the 2nd Interim Report had referred to the Principal Committee's report dated 6.5.2015 which had *inter alia* recommended creation of off-river shallow reservoirs along the floodplains of river Yamuna. The IFCD of Govt of NCT Delhi has in its report submitted that the pilot project could not commence as the land for the project could not be finalised.

II. Demarcation and Rejuvenation of the Flood Plain:

It has been commented by the Monitoring Committee with regard to the subject of Demarcation and Rejuvenation of the Flood Plain that following steps are required:

1. Physical demarcation of the entire floodplain to be done by DDA (Para 5A, Page 82)
2. No construction activity in the demarcated floodplain.
3. Repossessing the floodplain area under illegal and unauthorized possession. No activity of edible crop/ cultivation on the floodplain.
4. No activity of edible crop/ cultivation on the floodplain (Para E, Page 87)

5. No person/ authority shall dump any kind of construction debris on the floodplain area. There shall be prohibition of any kind of dumping of malba/ material in and around River Yamuna. (Para 6B, Page 88)
6. Polluter Pays Principle: Compensation of 50,000 INR. This compensation will be utilized for Restoration and Rejuvenation work. (Page 86)
7. Prohibition of throwing Pooja material or any kind of other material in River Yamuna except only the designated sites. Violators to pay 5,000 INR on 'Polluter Pays Principle' (Para D, Page 88)
8. Existing wetlands and water bodies should be deepened and enlarged and provide more water bodies. (Para A, Page 90)
9. Floodplains shall be restored, preserved and beautified in accordance with the reports of the experts committee. (Para xi, Page 91)
10. Restricted activities of Floriculture/ Silviculture can be carried-out subjected to permission. (Para xii, Page 91)

The Committee noted details from DDA's Report giving status and area where action is required. Total area of 5128 ha area of zone O. (Reference page 15 of DDA's Action Taken Report)-Area 1.Old Railway Bridge to ITO Barrage (Western Bank)-Asita, Area 2.Gesla Colony Bridge to ITO Barrage (Western Bank) Eco Tourism, Area 3.Old Railway Bridge to ITO Barrage (Eastern Bank) - Asita East, Area 4. NH24 to DND Flyway (Western Bank)-Project area: 268 Ha, Area 5. DND to proposed Kalindi By-pass (Western Bank) - Khijrabad Area 6. NH-24 to DND Flyway (Eastern Bank) Part Area- I, Area 7: NH-24 to DND Flyway Eastern Bank) Part Area- II- Hindon Cut Wetlands I&II, Area 8. Wazirabad Barrage to ISBT Bridge (Eastern Bank) around Garhi Mandu Village & Usmanpur Village, Area9.Wazirabad to Old Railway Bridge (Western Bank) Area 10. ITO to NH-24 (Eastern Bank)- Commonwealth Games Village Area.

III. Quality of River Water:

The quality of river water needs to be monitored continuously.

IV. Sewage Treatment Plants:

1. As per DJB, Delhi generates 720 MGD of sewage(though it could be an underestimation as a large number of illegal bore wells have not been accounted for in this estimate) but the actual treatment is only 500 MGD(69%).
2. Capacity Utilisation of STPS: As many as 13 STPs have capacity utilisation of less than 70%, some even having capacity utilisation of 10 %(Ghittorni).
3. **Addition/Upgradation of STPs:** At present only five STPs have design parameters of TSS/BOD: 10/10 mg/L and three plants with design parameters of TSS/BOD: 10/15 mg/L. All the other 27 STPs have design parameters of 20/30 or 30/50. Although by 2022, DJB plans to add 90 MGD of capacity (with TSS/BOD: 10/10 mg/L) and upgrade 20 MGD STP at Rithala. However, bulk of the existing plants will continue to work at TSS/BOD parameters that are higher than 10/10.
4. **Setting of 14 STPs as per the Sewer Master Plan (SMP) 2031:** It has been reported by Monitoring Committee that the NGT orders dated 13.1.15 had directed setting up 32 STPs as per the SMP 2031. None of these STPs have so far come up. Out of these, 14 were proposed in the Najafgarh basin. Seven projects were sanctioned by NMCG and funds released in 2017. However, land is available for only 2 out of these 7 so far. The Committee of NMCG had recommended only 7 out of 14 STPs to be recommended for approval. Work order was also issued in favour of Larsen & Toubro in 2017 for seven projects sanctioned by NMCG although land was available only for two. In 2018 a study was undertaken through WAPCOS to assess the quantum of flow in all the 14 drains. Till date no work has commenced for any of the 14 STPs. It has been reported by Monitoring Committee that it has not received any definitive milestone and timeline and is not sure if at all these 14 projects will commence on the ground. It has been reported that the Monitoring Committee is of the view that DJB has failed to fulfill its commitment to the National Green Tribunal.

5. **Decentralised STPs:** DJB had proposed 46 decentralized STPs with a total capacity of 158 MGD.

V. Interceptor Sewerage Project (ISP):

1. It has been reported by Monitoring Committee that The ISP is divided into six packages which together seek to trap 108 drains in the catchment area of Najafgarh and Shahdara drains which together contribute 550 MGD of flow in the Yamuna and account for almost 85 percent of waste water flowing into Yamuna within the Delhi stretch of the river. A total of 242 MGD of sewage is targeted to be trapped and treated once the ISP is commissioned.
2. It has been reported by monitoring committee that there is no effective project monitoring within DJB. Resultantly, timelines are not being adhered to and accountability fixed for default.

VI. Maintenance of Drains:

1. Out of the 18 drains, 11 drains claimed to have been trapped by DJB Tonga Stand Drain, Civil Military and Dr. Sen Nursing Home drain were found to carry sewage on an inspection by DTU team. DJB has now claimed that except for the Dr Sen Nursing Home drain, the other two drains have been completely trapped. Overflow has been observed from the gates on the Dr Sen Nursing Home nallah installed by the agency operating the STP. DJB has proposed a weir on the drain to trap it by December 19. It has been recommended by Monitoring Committee that DJB and NDMC have been asked to identify and plug source of sewage.
2. Trapping of Drains: Out of the remaining 6 drains two drains, namely, Kalkaji and Tel hand drains have been trapped. As regards the other 4 drains, the position is as under:
 - (a) Qudasiabagh+ Mori Gate drain (Flow: 43.2 MLD).
 - (b) Barapula Drain (Flow: 145.15 MLD).
 - (c) Maharani Bagh Drain (30.24 MID)
 - (d) Najafgarh drain (2056 MID) and Shahdara outfall drain (475 MID)

The Monitoring Committee has reported that these plains are linked to ISP and sewage treatment is linked to commissioning of ISP and the connected STPs. It has also been stated that there is a mismatch between timelines for commissioning of the STPs and commissioning of ISP. About 227 MLD of sewage from UP flows into Shahdara drain and 477 MLD into Najafgarh Drain from Haryana.

3. Status of other storm water drains carrying sewage:

It has been reported by the Monitoring Committee that a total of 79 water drains in Sewered areas were found to be carrying sewage. In respect to this DJB has stated 39 have been plugged and 40 would be plugged as per the action plan submitted by them.

4. Status of Punctured Sewers:

It has been reported by the Monitoring Committee that at 344 locations sewer were punctured and drains connected to the sewer network. It has been reported that out of 344 locations 252 punctured sewers have been repaired.

5. Ameliorative measures for cleaning drains & Constructed Wetlands and *in-situ* Bioremediation Technology: Controlled Dredging in River Yamuna is required.

VII. Industrial Pollution:

1. Action against Water Polluting Industries
2. Action against the Industries in Swana, Narela and SMA&SSI Industrial areas.
3. EC imposed for dumping of Solid waste in drains and river Yamuna.

VIII. Sewage and Faecal Sludge Management and Levy of Environmental Compensation

1. Septage Management

As reported by Monitoring Committee, the progress with regard to Septage Management from April to July 2019 has been reported as under:

- a). 96 Licenses issued for collection, transportation and disposal of septic tank waste.
- b). 2 Crore Litres of Septic Tank Waste has been collected/ treated from the unsewered/ un-authorized areas in 4 months.
- c). Coverage has expanded from Rohini to now cover Dwarka, Uttam Nagar, Najafgarh and Yamuna Vihar.
- d). Claim of BOD reduction load in river by about 2.5 metric tonnes per day.

The Monitoring Committee reports that it is necessary to expand the coverage to all collectors of sewage operating in the unauthorised colonies. It also states that coordination with the DMCs is still weak and ineffective.

It has been commented that the mushroom growth of unauthorized colonies has been the bane of urban planning and has resulted in giving rise to a grave situation. Environmental pollution and destruction of the river Yamuna is the direct consequence of haphazard growth in unauthorized colonies. This phenomenon is not confined to Delhi but is also happening in UP and Haryana.

The experience of the last 20 years shows how the unchecked expansion of unauthorised colonies has led to haphazard proliferation of vast habitations of populations bereft of roads, drainage or sewerage. Apart from sewage all such households also eke out living through home-based activities many of which have been found to be hazardous and which exacerbate pollution in the drains and river. No amount of STPs and professional management inputs, repair of drains and interception of sewage will result in making the Yamuna cleaner unless the most major among the causes of pollution are confronted. In a city of 20 million if over 7 million inhabitants of unauthorised colonies live without sewerage it will affect the environment of all citizens.

It states that while the implementation of the Septage Management Regulations has to continue it will not address the basic problem. Forward planning is necessary keeping the future population growth in mind. Laying sewer lines and drains needs to be forecast and attended to well in advance to avoid the present situation in which most unauthorised colonies have no outlet for sewage.

2. Sewage from Sewered areas

The DJB has reported that sewer network has been extended from 255 unauthorised colonies in 2015 to 384 in 2019 and that work is in progress to extend sewer network to another 432 unauthorised colonies covering a population of 21.60 lacs. Even in the existing 951 KMs of new sewer lines have been added.

The M.C. has stated that while the coverage of sewer network has been increased considerably during the last four years, it is a matter of concern that the individual household connection of sewer network is very low. On DJB's own admission, although entire East Delhi is sewered, only about 60% households have taken sewer connections. In fact, there are colonies like West Jyoti Nagar Shandara, which was notified as a sewered colony in 2015 for 1446 active water connections, only 167 households (11.5%) have taken the sewer connections. DJB's reply has not spelt out any policy measures or forceful steps that are envisaged to compel households in the sewered areas to take household connections.

Enforcement and Levy of Environmental Compensation-Polluter Pays Principle

The Monitoring Committee report states that NGT order of 8th May 2015 that dealt with Environmental Compensation (EC) under Polluter Pays Principle (PPP) on all households 'whether in sewered areas or unsewered areas', has not been given effect to by GNCT/DJB. It states that "this sort of prevarication appears to be deliberated to find alibis for not using the Polluter Pays Principle to levy user charges or charge upfront for sewage collection and treatment".

It states that in the case of unauthorized colonies there is reluctance to recover even nominal charges. Since August 2018 DJB has been assuring MC that a policy to give free or extremely cheap sewer connections is in the offing but on ground no such thing has happened. Compounded with the refusal of households to take house connections even where sewers have been provided, tens of thousands of households spew their sewage into the storm water drains and pay nothing for the environmental damage caused.

It states that the whole of East Delhi has a sewer network but only 60% households are connected to the sewer system. It further states that officers and engineers accept no responsibility for compelling each household to take sewer a connection which amounts to dereliction of DJB's statutory functions under the DJB Act.

IX. Online Monitoring of STPs and CETPs

1. OLMS in Sewage Treatment Plants:
2. OLMS in CETPs.

X. Use of treated waste water

DJB uses only 90 MGD of treated waste water against 500 MGD of waste water treated at 35 operational STPs. This is only 18% utilisation of treated waste water. The MC had highlighted that some of the treated waste water is of very good quality with BOD as low as 5-6 mg/L. Not utilising this water results in wasteful expenditure besides wasting a scarce natural resource treated at a very high cost of about Rs. 11.90 per KLD (as per the information furnished by DJB). MC had asked the DJB and the Park owning agencies like the DDA, DMC and PWD to use treated waste water from STPs for all the parks within 5 Km radius of STPs and pending laying pipelines to have water transported through tankers. This has not been implemented by the authorities, despite DJB having pursued the matter with the DMCs, DDA, PWD and others. The DJB has now reported to NGT that it has done the following:

- 1) Plotted all the Parks located within 5 Km radius of all the DJB STPs and shared details with the Park Owning agencies

- ii) Installed filling points at all the STPs for tankers lifting water. Notices issued to DDA, NDMC, All DMCs, CPWD, DMRC, PWD, DSUIB to submit ATR for utilisation of treated waste water failing which Advisory Committee shall be asked to seal the bore wells.

XI. Pollution due to Idol Immersion

The Divisional Commissioner and the DMCs which have the responsibility and accountability for implementation of mandate with respond to idol immersion must ensure that such activities are scientifically regulated and non-compliance strictly dealt with by imposition of Environmental Compensation to be decided jointly by PCB and DPCC.

STATUS IN RESPECT OF STATE OF HARYANA

The MC had reported that the total quantity of waste water was 1238 MLD despite the urban areas having sewage treatment capacity to treat 80% of the sewage generated. Further, there is an absence of proper maintenance of STPs and the bulk of the sewage being generated is not being conveyed to the STPs on account Malfunctioning STPs and an absence of sewer network. It has been stated that multiplicity of agencies/departments in different cities/towns of rural areas has resulted in poor coordination and a single supervisory authority is needed at the state level for monitoring and implementation.

A. Status of STP

1. It has been stated that 33 Nos. of Towns in the catchment area of River Yamuna is generating 1290 MLD sewage. There are 82 Nos. of STP with cumulative treating capacity of 1562.7 MLD. Out of these 82 No's of STPs, 39 No's of STPs are existing whereas 43 No's of STPs are either under construction, under upgradation or replacement with cumulative treatment capacity 766.2 MLD and 796.5 MLD respectively. The State of Haryana has planned their action for construction of new STPs, upgradation of existing STPs

and treatment of sewage generated from these towns by 31.12.2023 for abatement of Pollution in River Yamuna.

2. The affidavit appending the status report of the line department indicates that 31 Nos. of STP are complying and 08 Nos. of STPs are not complying. These averments of the line departments are not corroborating with the facts at site. The RYMC, Haryana observed that out of 39 Nos. of existing STPs only 06 Nos. of STPs are now found complying. The reasons for non compliance in the existing STPs have been elaborated in the report. Standard operating procedure for STPs is not being followed.

The RYMC, Haryana has observed that 1127.5 MLD of untreated/partially treated sewage is being discharge from Yamuna Nagar, Karnal, Panipat, Sonapat, Rohtak, Bahadurgarh, Faridabad and Gurugram to River Yamuna through 11 Nos. of drains mainly because of the reasons that the sewage generated from the town is not reaching the existing treatment plants and is being discharged into the drain by-passing the STPs and multiple agencies are working for construction and operation of the STPs, laying of sewer lines for diversion of sewage with no coordination amongst these agencies.

B. Status of Diversion of Sewage in approved areas

It has been reported that out of the proposal to lay 1789 KM Sewage from the approved areas of 83 No's towns to divert the sewage to the STP 580 KM (31%) sewage has been laid till date. The RYMC, Haryana observed that the work of laying sewage in Yamuna Nagar, Karnal, Panipat, Sonipat, Bahadurgarh, Rohtak, Faridabad, Nuh and Palwal is being done by the ULB Department which was proposed to be completed by 31.03.2020. However, the department has now informed that the work will be delayed by 3 months and will be completed only by 30.06.2020.

C. Status of Diversion of sewage in unapproved areas

1. The affidavit submitted by the State Government indicates that 90MLD sewage is required to be intercepted in 31 Towns in the

catchment area of River Yamuna. No Action Plan has been submitted for Faridabad Town. The plan for Gurugram has been incorporated in the Action Plan for diversion of sewage from Storm Water Drain, Leg-I, Leg-II and Leg-III (Badshapur Drain).

It has been reported that 28MLD sewage has already been intercepted and rest 62 MLD shall be tapped by 31.12.2020.

D. Status of Sewage Treatment and laying of sewer line in Faridabad.

1. It has been reported that 300 MLD sewage is generated from Faridabad & town. It has further been reported that 04 Nos. of existing STPs are not working. Untreated Effluent is being discharged into River Yamuna through Budia Nallah and Gouchi Drain.
2. The report states that as per the Action Plan submitted by the ULD Department, 293 MLD sewage shall be treated by rectification/upgradation of existing 45 MLD STP at Badshapur and replacing 50 MLD STP at Partagarh and 45 MLD STP at Mirzapur respectively with new 130 MLD and 108 MLD STPs. A new STP of 10 MLD capacity at Sector 21-A Faridabad is being constructed by the Department.
3. The Department has intimated that only administrative approval has been accorded for construction of 02 Nos. of new STP (130 MLD and 108 MLD) and shall be completed by 31.12.2021 which according to Monitoring Committee seems unachievable.
4. It has been reported that a separate sewer for carrying industrial effluent to the CETP proposed to be constructed by the HSIIDC.
5. Also that HSVP is constructing 1 No. of STP of 7.5 MLD and there is a proposal to construct another 30 MLD STP in the Grater Faridabad area. The report states that it seems that untreated effluent from Grater Faridabad areas will continue to be disposed through tankers in low lying areas till both the

STPs are installed. It is recommended trunk sewer should be made functional and sewer connection be provided for the colonizers wherever required.

E. Status of Sewage Treatment and laying of sewer line in Gurugram

1. It has been reported that the GMDA has again submitted a revised Action Plan for sewage generation, construction and operational STP and diversion of sewage presently being disposed through Storm Water Drain, Leg-I, Leg-II and Leg-III (Badshapur Drain) leading to Najafgarh Drain.
2. Further, the quantum of present sewage generation as per the revised Action Plan is 408 MLD whereas the projected sewage generation for 2023 is 471 MLD. The existing treating capacity is 388 MLD out of which 68 MLD STP at Dhanwapur and 50 MLD STP at Behrampur are under upgradation. The effective treatment capacity at present is 270 MLD.
3. The MCG has proposed to install additional 13 MLD STP by 31.12.2020, whereas GMDA has proposed to install 20 MLD STP and 50 MLD STP by 31.12.2021 and 31.12.2023 respectively.
4. The cumulative capacity of STP by 31.12.2023 will be 471 MLD. The Monitoring Committee states quantum of sewage generation and treatment facility should be critically assessed so that untreated effluent should not be discharge into River Yamuna at any given time.
5. There is a proposal to install 20 MLD CETP at Sector 34 Gurugram for 20 MLD industrial discharges from the area by GMDA.
6. Presently the quantum of sewage discharged into Storm Water Drain, Leg-I is 12.1 MLD, Leg-II is 23.75 and Leg-III (Badshapur Drain) is 49.35 MLD i.e., 85.2 MLD in total. The GMDA had submitted target dates in the previous Action Plan to divert of sewage from Leg I and Leg II to be 30.05.2019 and 30.06.2019 respectively but, the untreated sewage is still flowing in these Storm Water Drains. The revised target date submitted by GMDA to plug untreated domestic effluent being

discharged into the Storm Water Drain Leg I, Leg II and Leg III (Badshapur Drain) is 31.12.2020.

Observations:

- i. The GMDA to consider the quantum of sewage generated by the floating population in the town and other unspecified sources which are discharging into Storm Water Drain Leg I, Leg II and Leg III (Badshapur Drain).
- ii. The GMDA should ensure that the Storm Water Drain should not carry any discharge during dry weather after the diversion of sewage.
- iii. The target date for diversion of sewage from these drains is being extended many times since 2015. GMDA must ensure that the work of diversion of sewer from Storm Water Drains shall be completed by 30.06.2020.

II. Status of Industrial Waste Water Pollution:

a) Status of CETP

1. It has been reported that there are 16 Nos. of CETPs out of which 14 Nos. of CETPs are existing ones and 02 Nos. of CETPs are proposed to be constructed and there is no change in the status of Existing CETPs submitted earlier to the Tribunal. 140 MLD Untreated/Partially treated effluent is being discharged to the adjoining drains.
2. It has been reported that there are compliance issue with regard to functioning of CETPs of Industrial Estate at Bari, Rai, Kundli, Murthal, IMT Faridabad, IMT Manesar, IMT Rohtak, Manak Pura, Yamunanagar and Panipat. Operational and design deficiencies have been highlighted in the report of Monitoring Committee.
3. There is a proposal to install 20 MLD CETP at Sector 34, Gurugram. In the meanwhile, discharge from the industrial

sector is being illegally disposed into the adjoining sewage systems.

4. The ULB Department in its Action Plan for Faridabad Town indicates that 86MLD Industrial Effluent is presently being discharged through the STPs/Drains. The Municipal Corporation Faridabad (MCF) proposed to install 3 New CETPs with the capacity of 50 MLD, 24 MLD and 12 MLD respectively in Zone I, Zone II and Zone III. These CETPs shall be installed by the HSIIDC whereas the separate industrial sewer line and Main Pumping Station (MRS) by MCF. The Government of Haryana should ensure that these 03Nos. of CETPs got installed on priority in the Faridabad Town.

b) Status of Stand Alone ETPs

1. There is 1930 Nos. of Stand Alone ETPs discharging their 108 MLD of treated effluent to the receiving environment.
2. The HSPCB is mandated to ensure that all the Stand Alone ETPs should comply with the provision of Water Act, 1974 through regular, effective monitoring. Imposition of Environmental compensation and Closure action Under Section 33-A of Water Act, 1974, against the violating units is being taken.

c) Septage Management Policy

The Government of Haryana has published a Septage Management Policy for Gurugram Town on 23.07.2019 according to which all the Municipal Committees and Corporations in Haryana are to notify Septage Management Policy on the same guidelines with modifications to suit their local conditions.

d) Diversion and reutilization of Domestic Sewage generated from villages

The Development and Panchayat Department of Haryana submitted revised action plan stating that 193 villages in

the catchment area of River Yamuna are generating 40MLD sewage. The sewage will be treated by using Phytoid Technology with three pond and five pond technology in 169 villages. The Department informed that the work of installation of sewage treatment plant is in progress in 15 villages. The effluent generated from rest 24 villages will be diverted to the nearby sewage system.

G. Status of Online Monitoring Devices (OMD) in Industries, STPs and CETPs

1. There are 26 No. of OMD installed in the existing STPs and 08 No. of OMD installed in the CETPs connected to HSPOB Server.
 2. The RYMC, Haryana observed that the installed OMD in STPs and CETPs are not serving any purpose for which they have been installed.
 3. No mechanism in place with the line department to monitor the efficacy of these OMD. The OMDs are neither cleaned and calibrated regularly nor placed at appropriate locations for effective monitoring.
- No mechanism in place with Haryana State Pollution Control Board to monitor these data generated from the OMDs and to take appropriate action in case of failure.

STATUS IN RESPECT OF STATE OF UTTAR PRADESH

It has been reported by the Monitoring Committee that there are four drains, namely Sahahibad, Indirapuri, and Banthala drains originating in Ghaziabad district of UP which carry sewage and industrial effluent into river Yamuna. Both Sabahibad and Indira puri drains also carry industrial effluent from Loni and Sahibabad industrial areas both in conforming and non-conforming areas. The report has also brought out the status of non

functional 30 MLD STP at Ioni, and 74 MLD STP at Sahibabad which is running below its installed capacity.

a) Sewage Management:

1. Discharge in Sahibabad drain has been shown as 90 MLD based on measurements done in May 2019, whereas in previous reports, the flow measured was stated to be 166 MLD. The flow in other two drains, namely, Indirapuri and Banthala have been shown at 78 MLD and 10 MLD respectively. This needs to be correctly assessed.
2. The reply submitted by the State of UP has stated that there is a 74 MLD STP at Indirapuram to treat the sewage in Sahibabad drain. It has also been stated that the plant is not running to the full capacity as the outfall drain where treated sewage is released also receives treated sewage from 56 MLD STP operated by Ghaziabad Development Authority and another 56 MLD STP operated by Ghaziabad Nagar Nigam at Indirapuram. It has been stated that unless the capacity of the outfall drain is enhanced or a separate outlet provided for the entire 74 MLD capacity STP the plant would continue to operate at reduced capacity. The Action plan for this lacks clarity in terms of milestones and timelines.
3. Regarding interception and diversion of Banthala Canal drain and Indirapuri drain, current status of implementation of DPR is not clear and further timelines for execution have not been specified.
4. Since the catchment area of these drains include both sewerage areas as well as unsewered areas, two pronged strategy one for the sewerage areas where leakages in the sewer network need to be fixed and the other for the unsewered areas where sewer network combined with septage management needs to be planned.
5. Since, waste water of Sahibabad drain is mixture of domestic & industrial waste, the present STP of 74 MLD (running at considerably reduced capacity) may not be able to reduce COD and other chemical pollutants. Therefore, there is a need for upgradation of STPs which was not meeting the norms.

6. It is also evident from the reply that different authorities/agencies, namely, Ghaziabad Development Authority, Ghaziabad Nagar Nigam and UP Jal Nigam are responsible for Sewage management in Ghaziabad district. Due to this multiplicity of authorities, accountability for managing sewage and sewerage in Ghaziabad has been ineffective despite the MC pursuing the matter with the state of UP for more than a year now.

b) Industrial Pollution: On control of industrial pollution, the State has taken some action. It has been reported that out of 150 water polluting industries identified in Sahibabad and 88 in Loni, 20 industries have been issued show cause notices. Closure order are being issued against 4 defaulting units in Rajendra nagar area in Ghaziabad and 545 illegal industries in nonconforming areas have been closed. The Report also states that an amount of Rs 89,69,375 has been levied by way of EC. However, it is not clear if all the EC levied by the State has been realized.

c) Demarcation, Protection and Rejuvenation of Floodplains: A portion of Yamuna floodplains on the Eastern bank of the river, measuring 708 acres, falls within the State of UP. Some area out of this is embroiled in litigation. Some land has also allotted to different organizations like DMRC, RWD etc. The DDA has informed that after discussion on with Principal Secretary Irrigation of UP it was agreed that DDA would create Biodiversity Park on the UP portion of the floodplains and the state of UP would reimburse the cost thereof to the DDA.

Further consideration

11. Having noticed the status of compliance of directions of this Tribunal in NCT Delhi, State of Haryana and Uttar Pradesh, we may now consider further directions to be issued in respect of each of the identified action points. As already noted in the order dated 23.08.2019, in view of repeated failure of the timelines earlier, fresh

timelines have to be laid down with accountability for failure in the interest of protection of environment and public health and for rejuvenation of the river Yamuna, which is a major tributary of river Ganga and has its unique significance. This is also necessary to comply with the mandate of directions of the Hon'ble Supreme Court referred to earlier. It may be noted that there are 351 polluted river stretches in the country identified as such by CPCB⁴ which include all major rivers and their tributaries⁴. This Tribunal is also dealing with the pollution of River Ganga and several directions have been issued including that no untreated sewage or effluents are discharged in the river and floodplains are protected.⁵ Yamuna flows through the National Capital and its rejuvenation can be a model to be followed for all other polluted river stretches. Restoration of the river is a matter of grave environmental urgency that also concerns the prestige of the country.

12. One of the major concerns of this Tribunal is that repeated directions remain un-complied in spite of largescale failures, no accountability is fixed. There is huge loss to public exchequer for which no action is taken. Timelines are conveniently and unilaterally changed. Officers indulge in blame game in shifting responsibility from one to another. There is failure at higher levels in monitoring and taking actions. If this continues, it is difficult to expect any positive change for long. This requires paradigm shift in approach adopted so far. The approach to be adopted is to have clear time-

⁴ The said matter is being separately dealt with by this Tribunal in O.A. No. 673/2018. All the States/UTs have been required to prepare and execute action plan for remedying the said pollution. Chief Secretaries of all the States/UTs have been required to remain present in person with progress reports in the matter, along with other vital issues. All the 35 Chief Secretaries have already appeared once and are scheduled to appear again.

⁵ O.A. No. 200/2014 order dated 22.08.2019.

bound plan with flexibility and due to accountability for failure by way of departmental action and monetary compensation. The rescheduled timelines have to be compressed so as to complete every action by December, 2020 except where shorter timelines are specified in this order or are otherwise possible. If any contract permits longer timeline, it is clearly in violation of binding orders of the Tribunal which has attained finality. Violation thereof is per se criminal offence. Such longer timeline has to be consistent with orders of the Tribunal and compressed within 31.12. 2020. Failing to do so may invite criminal prosecution. NMCC may also monitor the compliance. The Chief Secretaries of Delhi, Haryana and U.P. have to personally see the compliance and have to set up Monitoring Cell directly under them. Vice Chairman, DDA can also monitor and coordinate with Chief Secretary, Delhi. All other departments can monitor subject to overall directions of the Chief Secretaries. This can avoid shifting of responsibilities once ownership is with highest authorities in the State. Monthly review reports may be shared with the Monitoring Committee and also placed on websites of concerned States. Failure and successes of the individual involved may be specifically recorded and reflected in service record of the concerned officer. Stock taking may be done by the Chief Secretaries of the failure and successes so far and appropriate actions be initiated against those who have been responsible for the failure. Nodal Officers may be identified in respect of different projects clearly defining the responsibilities. Wherever there is misappropriation of funds, criminal case has to be registered. Posting of Officers entrusted with the responsibility may be reviewed from time to time

depending on their responsibility. Procedure for giving of contracts may be shortened and standardized at State level and if possible at National level by NMCG and CPCB. Giving of contracts should be based on successful credentials instead of mere lowest rates. Pollution load at entry and exist point of each concerned State may or at entry points of each drains need to be recorded periodically. The Chief Secretaries of Delhi, Haryana and U.P. may furnish action taken reports in this regard at the time of their personal appearance before this Tribunal in Q.A. 606/2018.

13. Priorities need to be planned. The first step is to ensure that no pollutant is discharged into the river or drains connected thereto. Projects of setting up and upgradation of STPs including setting up of interceptors, laying of sewerage line network etc. have to be completed within strict timelines. Pending such action, immediate bioremediation and/or phytoremediation or any other alternative remediation measure may be undertaken as an interim measure. Pollution of river or water bodies is a criminal offence which needs to be checked by setting up ETPs/CETPs/STPs. The Hon'ble Supreme Court has directed⁶ that establishment and proper functioning of ETPs/CETPs/STPs in the country be ensured. This is to enforce the right of access to water. It has been noted by the Hon'ble Supreme Court that water pollution is the cause of various diseases and also affects food safety apart from affecting the environment as such. Following the said judgment, this Tribunal has directed⁷ that *All the local bodies have to ensure 100% treatment of the generated sewage*

⁶ (2017) 5 SCC 326

⁷ Order dated 28.08.2019 in Paryavaran Suraksha Samiti &Anr. Vs. Union of India &Ors., O.A No. 593/2017

and in default to pay compensation which is to be recovered by the States/UTs, with effect from 01.04.2020. In default of such collection, the States/UTs are liable to pay such compensation. The CPCB is to collect the same and utilize for restoration of the environment." While dealing with the pollution of river Ganga, this Tribunal directed

"Bioremediation and/or phytoremediation or any other remediation measures may start as an interim measure positively from 01.11.2019, failing which the State may be liable to pay compensation of Rs. 5 Lakhs per month per drain to be deposited with the CPCB. This however, is not to be taken as an excuse to delay the installation of STPs. For delay of the work, the Chief Secretary must identify the officers responsible and assign specific responsibilities. Wherever there are violations, adverse entries in the ACRs must be made in respect of such identified officers. For delay in setting up of STPs and sewerage network beyond prescribed timelines, State may be liable to pay Rs. 10 Lakhs per month per STP and its network. It will be open to the State to recover the said amount from the erring officers/contractors.

*With regard to works under construction, after 01.04.2020, direction for payment of environmental compensation of Rs. 10 lakhs per month to CPCB for discharging untreated sewage in any drain connected to river Ganga or its tributaries and Rs. 10 lakhs per month to CPCB per incomplete STP and its sewerage network will apply. Further with regard to the sectors where STP and sewerage network works have not yet started, the State has to pay an Environmental Compensation of Rs. 10 lakhs per month after 31.12.2020. The NMCG will also be equally liable for its failure to the extent of 50% of the amount to be paid. Till such compliance, bioremediation or any other appropriate interim measure may start from 01.11.2019."*⁸

14. Second important issue pertains to demarcation and protection of flood plains and preventing dumping of any waste. Other significant issues have already been identified by way of action points noted above. On some of these aspects, further specific directions are necessary.

Directions

15. Accordingly, apart from direction in paras 12 & 13 above, we proceed to issue following further directions:

⁸O.A No. 200/2014 order dated 22.08.2019

A. IN RESPECT OF NCT DELHI

(i) Environmental Flow:

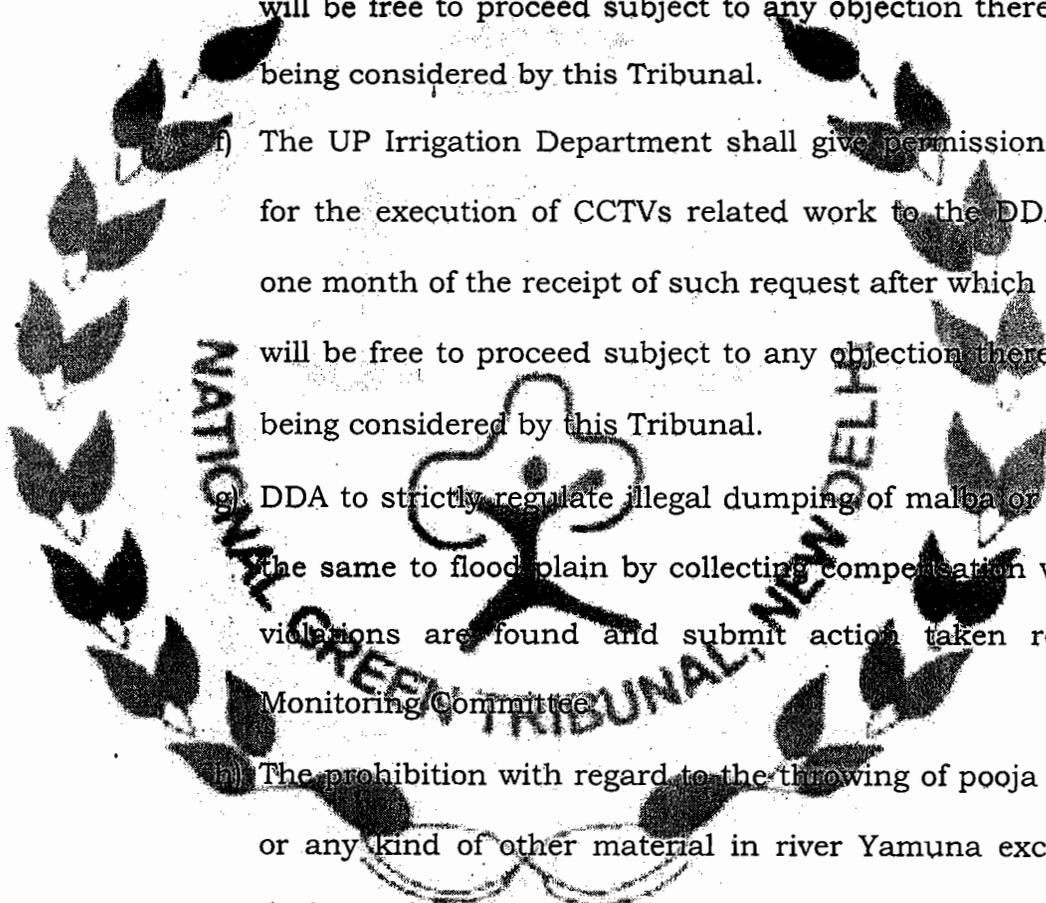
- a) The impact on ground water regime due to pilot project may be monitored by CPCB, DPCC and CGWA. The study being carried out by the National Institute of Hydrology, Roorkee (NIH) on directions of NMCG may be completed as per schedule by March 2020. An interim report be furnished by December 2019.

The current regime of Environmental flows may be augmented especially in lean seasons. There is a need of coordination amongst member states stakeholders.

(ii) Demarcation and Rejuvenation of the Flood Plains:

- a) DDA may undertake physical demarcation of the entire floodplain within three months and thereafter, after taking re-possession within next three months, fence such areas and convert them into bio-diversity parks as per the action plan proposed by them. DDA will be liable to pay a sum of Rs. 5Lakh per month till compliance of this direction from 01.04 2020 which may be recovered from the erring officers and deposited with the CPCB for restoration of the environment. The Monitoring Committee will look into the compliance.
- b) No activity of edible crop/ cultivation on the floodplain may be undertaken. The DDA may ensure compliance in the same manner as direction (a) above with regard to accountability of officers.

- c) The DDA to assign the task of demarcation, re-possession, fencing and development of bio-diversity park thereon to an appropriate and dedicated institutional set up.
- d) DDA shall complete the work of putting of CCTVs and keep the area secure from further encroachments as such.
- e) The agencies (Railways, NHA&E and GAIL) shall give requisite permission to DDA for launch of optical fiber cable within one month of the receipt of such request after which the DDA will be free to proceed subject to any objection there against being considered by this Tribunal.
- f) The UP Irrigation Department shall give permission to DDA for the execution of CCTVs related work to the DDA within one month of the receipt of such request after which the DDA will be free to proceed subject to any objection there against being considered by this Tribunal.
- g) DDA to strictly regulate illegal dumping of malba or carrying the same to flood plain by collecting compensation wherever violations are found and submit action taken report to Monitoring Committee.
- h) The prohibition with regard to the throwing of pooja material or any kind of other material in river Yamuna except only designated sites to be ensured by DDA, GNCT, UP and Haryana.
- i) The Transports Departments of GNCT, UP and Haryana need to enforce the said polluter pays principle so that no malba is dumped on the flood plains.



- j) In view of comments of the Monitoring Committee, the DDA is directed to undertake the work of restoration of flood plains so that such flood plains undertakes or performs the requisite ecological functions and DDA submits an action plan with timelines to Monitoring Committee in this regard, within one month from today.

(iii) Quality of River Water:

Monthly reports on the water quality be furnished by DPCC to the Monitoring Committee which must also contain data on faecal coliform and till the time DPCC establishes its own laboratory network, the samples may be analyzed either from CPCB laboratory or other accredited laboratory with respect to aforesaid parameter. Such reports must be placed on the website of DPCC and CPCB. For failure to comply with this direction, DPCC will be liable to pay environment compensation of Rs. 2lakh per month to CPCB for restoration of environment with effect from 01.10.2019. The amount can be recovered from the erring officers apart from appropriate entries in their service records.

(iv) Sewage Treatment Plants:

- a) DJB has to give definite milestones and timelines to bridge the gap in terms of poor capacity initialization within one month.
- b) The DJB to prepare an Action Plan with timelines for better capacity utilization of STPs by tapping the drain as a short term measure to reduce pollution in River Yamuna within one month.

- c) DJB to prepare an action plan with specific timelines and implement the same in terms of bridging the capacity gap and upgradation of existing STPs that are functioning on old parameters.
- d) DJB to take concerted steps in terms of actions not taken so far and fix the accountability of erring officials.
- e) DJB to complete the task of setting up of STPs by 31.12.2020.
- f) The DJB needs to spell out action to be taken with specific timelines within one month.
- g) Bioremediation and/or phytoremediation or any other remediation measures may start as an interim measure positively from 01.01.2020, failing which the Govt. of NCT of Delhi may be liable to pay compensation of Rs. 5 Lakhs per month per drain to be deposited with the CPCB. This however, is not to be taken as an excuse to delay the installation of STPs, sewerage network and its connectivity. For delay of the work, the Chief Secretary, Govt. of NCT Delhi must identify the officers responsible and assign specific accountability. Wherever there are violations, adverse entries in the ACRs must be made in respect of such identified officers for delay in setting up of STPs, sewerage network and its connectivity by the concerned head of the department.
- h) The Govt. of NCT, Delhi will be liable to pay Environment Compensation if defaults take place as under:

- i. The operational deficiencies of the existing STPs must be rectified within three months failing which Environmental compensation of Rs. 5 Lacs per month for STP shall be deposited with CPCB.
- ii. With regard to works under construction, after 01.07.2020, direction for payment of environmental compensation of Rs. 10 lakhs per month to CPCB for discharging untreated sewage in any drain connected to river Yamuna and Rs. 10 lakhs per month to CPCB per incomplete STP, sewerage network and its connectivity will apply.
- iii. With regard to the situation where works with regard to STP, sewerage network and its connectivity have not yet started, the Govt. of NCT, Delhi has to pay an Environmental Compensation at the rate of Rs. 10 lakhs per month per STP, Sewerage network and its connectivity after 31.12.2020 for the delay in setting up of the same. It will be open to Govt. of NCT of Delhi to recover the said amount from erring officers/contractors.

(v) Interceptor Sewerage Project (ISP):

- a) DJB to put the systems in place for project monitoring so that timelines are adhered to.
- b) DJB is directed to adhere to the timelines with regard to ISP and treat all the 242 MGD sewage by 31.12.2019.
- c) For failure to comply with the above directions compensation will be payable at the rate of Rs. 5 Lakhs per

month till compliance from 01.01.2020. Entries be also made in the service records of the erring officers to fix their responsibility.

(vi) Maintenance of Drains:

a) The DJB and NDMC to identify and plug the sources of sewage within two months positively and report compliance to Monitoring Committee.

b) Tapping of Drains :

- i. Qudasiabagh+ Mori Gate drain (Flow: 43.2 MLD): DJB to make an assessment of sewage coming from sewerred areas and prepare an action plan with timelines for plugging the discharge into storm water. New STPs be established only for non-sewerred areas.
- ii. Barapula Drain (Flow: 145.15 MLD): DJB to submit action taken on Action Plan which it had submitted to NGT in 2014 in terms of actions on short term, medium term and long terms measures envisaged.
- iii. Maharani Bagh Drain (30.24 MID): DJB to indicate proposal to stop the flow in the drain with specific timelines in terms of tapping or laying of sewer lines in un-authorized colonies.
- iv. Najafgarh drain (2056 MID) and Shahdara outfall drain (475 MID): The DJB is directed to attend to the observation of Monitoring Committee so that all the intercepted sewage is treated. The States of

Haryana and UP are directed to submit their Action Plan with specific timeline to attend the flow of untreated sewage into said drains.

v. Status of other storm water drains carrying sewage: The DJB is directed to submit a specific timelines with specific accountability so that no sewage finds its ways from sewerred areas into the storm water drain.

vi. Status of Punctured Sewers: DJB to ensure that such instances are attended on priority with specific accountability.

vii. Ameliorative measures for cleaning drains & Constructed Wetlands and In-situ Bioremediation Technology: The Irrigation and Flood Control Department to develop a mechanism of third party verification report on the ameliorative measures undertaken by it.

viii. Controlled Dredging in River Yamuna: The finding of the study undertaken by NEERI to assess slug deposition on river bed of Yamuna be evaluated and appropriate decisions by undertaken by IFCB (The Irrigation and Flood Control Department).

c) For failures in tapping the drains, environmental compensation at the rate of Rs. 5 lakh per drain per month will be paid by the DJB or concerned department to the CPCB for environmental restoration. Entries in the record of

the erring officers also be recorded consistent with the earlier directions.

(vii) Industrial Pollution:

a) DPCC is directed to continue with the survey and monitoring of industries both in confirming and non-confirming areas and take action in accordance with law against polluting units and file report of action three months besides recovery of EC. In case of non-compliance Delhi Govt will be liable to pay Rs. 5 lakh per month from 01.01.2020

b) As there are 13 Departments responsible for regulating illegal dumping of solid waste and C & D waste in Yamuna and drains leading to Yamuna. The Chief Secretaries, GNCT Delhi is directed to coordinate so an effective mechanism is evolved for stopping of said waste in Yamuna or its drains. In case of non-compliance Delhi Govt will be liable to pay Rs. 1 lakh per month from 01.11.2019 to the CPCB in the manner mentioned earlier. Accountability of the officers may be determined in the manner mentioned earlier. The Committee may monitor this aspect.

(viii) Sewage and Faecal Sludge Management and Levy of Environmental Compensation:

a) An incremental progress of collecting 2 MGd of septage in 120 days needs to be quantified by DJB in terms of the number of households with pit latrines, map the SPS' where the collected septage has to be deposited colony wise and sub-district wise and monitor licenses issued at a

disaggregated level. DJB to assign responsibility to an organisation which can collect and furnish incremental progress.

b) DJB may prepare an Action Plan for providing unauthorized colonies with sewerage systems.

c) Govt. of NCT Delhi, DJB, DMCs and DDA to collectively undertake advance planning for location of STPs, SPS', peripheral and trunk lines before new populations settle in.

d) Chief Secretary, Govt. of NCT Delhi make it mandatory for those provided with piped water supply and those having a sewage conveyance system in the vicinity to take sewer connections.

e) Chief Secretary, Govt. of NCT Delhi, DJB and DMCs to introduce the regime of levy sewerage charges as presently no such charges are being levied within two months including areas where network has been laid (whole of East Delhi).

f) Considering that tens of thousands of households spew their garbage into the storm water drains and pay nothing for the environmental damage caused, the CEO, DJB and DMCs to ensure sewer connectivity where sewer network has been laid before 31.12.2019 failing which both these agencies shall be saddled with environment compensation to the tune of Rs. 10 lakh per month and disciplinary action against the Zonal Officer responsible for his zone.

g) The Chief Secretary, GNCT Delhi, DJB and DMCs to ensure that a mechanism is evolved where by raw sewage from

unauthorized colonies gets collected and taken to some central STP facility for treatment till the time sewer line network is laid in unauthorized colonies within three months and six months thereafter ensure implementation of laying of sewer line network failing which Environmental Compensation of Rs. 10 lacs per month shall be levied on each of them.

h) An institutional mechanism be established by the Chief Secretaries, GNCT Delhi, DJB and DMCs whereby the collection, transportation and disposal of septic tank waste is monitored.

i) Accountability of the officers may be determined in the manner mentioned earlier. The Committee may monitor this aspect.

(ix) Online Monitoring of STPs and CETPs

Regular calibration of OLMS in Sewage Treatment Plants and CETPs to validate sensor results with lab results to be overseen by DPCC and DJB and report submitted to the Chief Secretary, Delhi and Monitoring Committee on quarterly basis.

(x) Use of treated waste water

DJB and park owning societies like DDA, DMCs, PWD to mandatorily use the treated water from STPs for all parks within 5 km radius of STPs and pending laying of pipelines, such treated water to be transported through tankers. Compliance be reported by 31.12.2019 failing which DJB,

DDA, DMCs, PWD and others shall each be charged Environmental Compensation at the rate of Rs. 5 lakh per month till compliance is reported. This shall be overseen by the Chief Secretary, Govt. of NCT, Delhi and the Monitoring Committee as this colossal waste of treated water cannot be allowed

(xi) Pollution due to Idol Immersion

The Chief Secretary Delhi to oversee and monitor and quarterly submit the report in terms of quantitative and qualitative improvement in this regard to the Monitoring Committee.

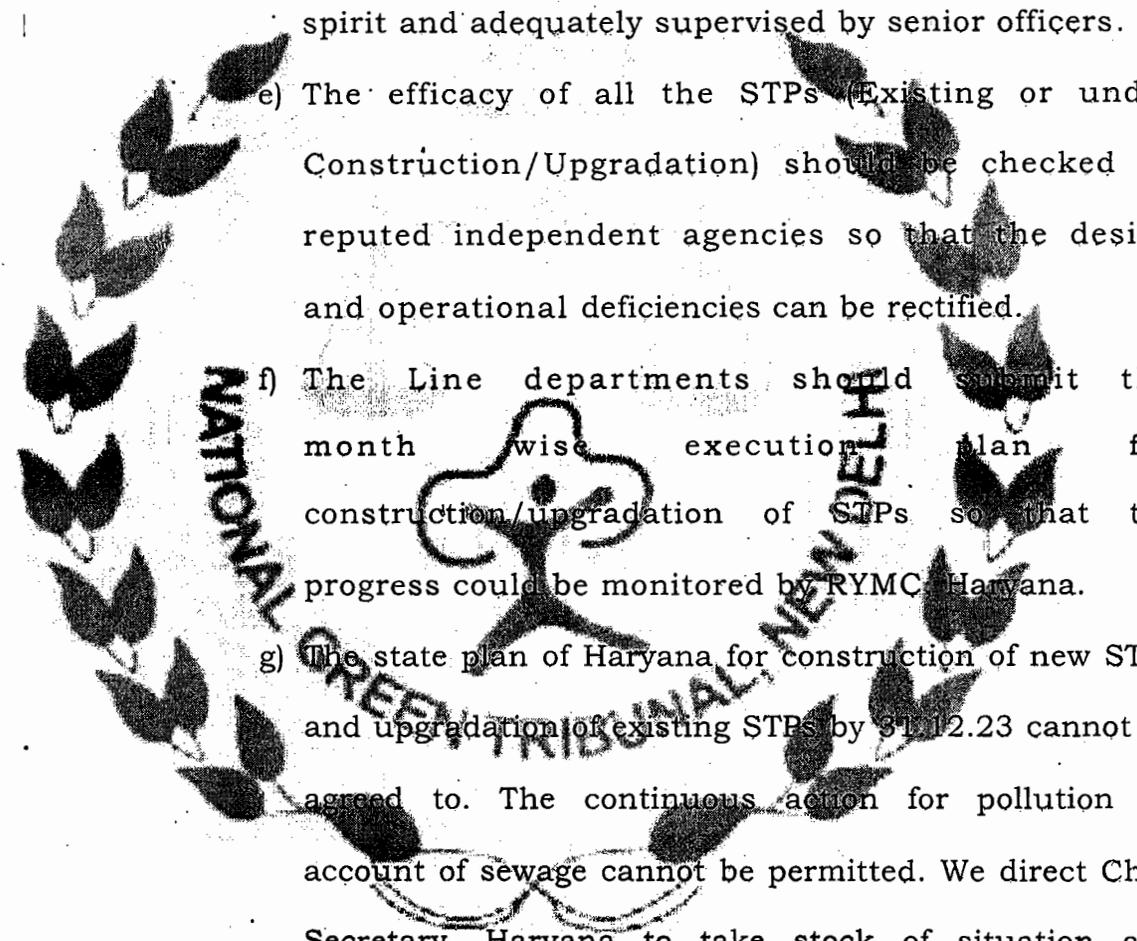
xiii The DDA is not shown to have to furnished performance guarantee in terms of order dated 29.01.2019. The same may now be furnished with additional sum of Rs. 5 lakhs for the delay within one month failing which coercive method have to be adopted for enforcement of the order

B. IN RESPECT OF THE STATE OF HARYANA

(i) Status of STP:

A single supervisory authority be made responsible for monitoring and implementation and proper coordination be ensured by the Chief Secretary, Haryana as multiple agencies are functional in STP construction, operation and implementation and maintenance etc.

- b) The operational deficiencies of the existing STPs must be rectified within 03 months incorporating the observations of RYMC, Haryana.
- c) The accountability of the responsible senior officer for each STP is required to be fixed by the Department. They must regularly evaluate the efficacy of the STP.
- d) The Standard Operating Procedure for STPs must be formulated expeditiously and followed in letter and spirit and adequately supervised by senior officers.
- e) The efficacy of all the STPs (Existing or under Construction/Upgradation) should be checked by reputed independent agencies so that the design and operational deficiencies can be rectified.
- f) The Line departments should submit the month wise execution plan for construction/upgradation of STPs so that the progress could be monitored by RYMC, Haryana.
- g) The state plan of Haryana for construction of new STPs and upgradation of existing STPs by 31.12.23 cannot be agreed to. The continuous action for pollution on account of sewage cannot be permitted. We direct Chief Secretary, Haryana to take stock of situation and complete all works by 31.12.2020.



(ii) Status of Diversion of Sewage in approved areas:

The Chief Secretary, Haryana to ensure that the Line departments must be adhered to the target date as no further extension of time is permitted and the Line departments should also submit the month wise execution plan for laying of sewer so that the progress could be monitored by RYMC, Haryana.

(iii) Status of Diversion of sewage in unapproved areas:

a) The ULB Department will ensure that the diversion of sewage from unapproved area of 31 Nos. of Towns must be completed along with the laying of sewer in approved area. No further extension of time will be permitted.

b) The Chief Secretary, Haryana to ensure that the Line departments must adhere to the target dates as no further extension of time is permitted and the Line Departments should also submit the month wise execution plan for laying of sewer to divert the sewage to the STP so that the progress could be monitored by RYMC, Haryana.

(iv) Status of Sewage Treatment and laying of sewer line in Faridabad:

a) Comprehensive date bound Action Plan is required to be submitted by the ULB Department for treatment and diversion of sewage from approved areas and unapproved areas of Faridabad Town. This is the only town where no planning has been made so far and entire sewage generated is being disposed without any treatment.

- b) The State ULB and HSVP to submit the time bound Action Plan for treatment and diversion of sewer from approved and unapproved areas within 02 months.
- c) The Principal Secretary, Urban Local Bodies Department (ULB) and Chief Administrator, Haryana Shahari Vikas Pradhikaran (HSVP) is directed to give administrative and financial sanction for the same in a time bound manner.
- d) The Line departments should submit the month wise execution plan for laying of sewer to divert the sewage to the STP so that the progress could be monitored by RYMC, Haryana.

(v) Status of Sewage Treatment and laying of sewer line in Gurugram:

- a) Chief Secretary, Haryana to coordinate and submit a time bound action to stop the discharge of untreated effluent into the Storm Water Drain, Leg-I, Leg-II and Leg-III (Badshapur Drain) leading to Najafgarh Drain as this has been pending with the GMDA/State Government despite assurance given to the State since 23.01.2015.
- b) The detail Action Plan for construction of 20 MLD at Jhajgarh and 50 MLD STP at Dhanwapur shall be submitted within 01 month.

(vi) Status of Industrial Waste Water Pollution:

- i. Status of CETP

- a) Chief Secretary Haryana, to Coordinate and enforce the work so that the ongoing works are completed in shortest possible time.
- b) Managing Director of HSIIDC to upgrade the existing STP at different locations on the basis of influent characteristics and submit revised Action Plan within one month and execute the same within next three month.
- c) Chief Administrator HSVP and Chief Administrator, GMDA to take appropriate corrective measures in their respective CETPs and report compliance to Monitoring Committee.

ii. Status of Stand Alone ETPs

State PCB to monitor all stand alone ETPs thereafter effective monitoring of Air and Water Norms and impose Environmental Compensation as per the protocol fixed by CPCB

iii. Septage Management Policy

The Chief Secretary, Haryana to ensure necessary action and compliance within three months positively.

iv. Diversion and reutilization of Domestic Sewage generated from villages

The Additional Chief Secretary, Development and Panchayat Department of Haryana to complete the work of treatment of sewage in all 169 villages by 31.03.2019.

v. Status of Online Monitoring Devices (OMD) in Industries, STPs and CETPs

- a) The State Pollution Control Board, Haryana to ensure necessary action as regards effective

functioning of OMD in Industries, STPs and CETPs.

b) The Chief Secretary, Haryana to take concrete steps to strengthen Haryana State PCB in terms of the order of Tribunal in O.A No. 95/2018 order dated 28.08.2019.

vi. **Compensation and accountability:** Directions on the subject in respect of NCT Delhi will apply to the State of Haryana also. Bioremediation and/or phytoremediation or any other remediation measures may start as an interim measure positively from 01.01.2020, failing which the Govt. of Haryana may be liable to pay compensation of Rs. 5 Lakhs per month per drain to be deposited with the CPCB. This however, is not to be taken as an excuse to delay the installation of STPs, sewerage network and its connectivity. For delay of the work the Chief Secretary, Govt. of Haryana must identify the officers responsible and assign specific accountability. Wherever there are violations, adverse entries in the ACRs must be made in respect of such identified officers for delay in setting up of STPs, sewerage network and its connectivity by the concerned head of the department.

The Govt. of Haryana will be liable to pay Environment Compensation if defaults take place as under:

a). The operational deficiencies of the existing STPs must be rectified within three months failing which Environmental compensation of Rs. 5 Lacs per month for STP shall be deposited with CPCB.

b). With regard to works under construction, after 01.07.2020, direction for payment of environmental compensation of Rs. 10 lakhs per month to CPCB

for discharging untreated sewage in any drain connected to river Yamuna and Rs. 10 lakhs per month to CPCB per incomplete STP, sewerage network and its connectivity will apply.

c). With regard to the situation where works with regard to STP, sewerage network and its connectivity have not yet started, the Govt. of Haryana has to pay an Environmental Compensation at the rate of Rs. 10 lakhs per month per STP, Sewerage network and its connectivity after 31.12.2020 for the delay in setting up of the same. It will be open to Govt. of Haryana to recover the said amount from erring officers/contractors.

d). The state of Haryana is not shown to have to furnished performance guarantee in terms of order dated 29.01.2019. The same may now be furnished with additional sum of Rs. 1 crore for the delay within one month failing which coercive method have to be adopted for enforcement of the order.

C. IN RESPECT OF STATE OF UTTAR PRADESH

(i) Sewage Management:

- a) The Principal Secretaries, Environment and Forest and Urban Developments are required to prepare short and long term plans to control flow of sewage from UP into the river Yamuna at Ghaziabad with time lines for execution. U.P. Chief Secretary to monitor it.

- b) Chief Secretary U.P to ensure that clarity in terms of execution of time lines are given and action taken on ground with regard to interception and diversion of Banthala and Indira Canal drains.
- c) Chief Secretary, U.P to review the matter with regard to sewerage area, un-sewered areas and leakages in the sewer networks etc. and fix timelines for execution of same.
- d) Chief Secretary U.P to review the matter with regard to upgradation of STPs which are not meeting the norms and ensure coordination amongst departments.

(ii) Industrial Pollution:

- a) State PCB to evolve a mechanism to recover the EC from those refusing to pay.
- b) Complete inventory of industries both in conforming and non-conforming areas be prepared by State PCB within one month
- c) Report be submitted on performance of CETPs and ETPs of industries by UPSIDC and PCB.

(iii) Demarcation, Protection and Rejuvenation of Floodplains

The floodplain should be demarcated and developed through wetlands and biodiversity parks. Vice Chairman DDA and Principal Secretary, Irrigation, U.P to give specific timelines for setting up of same. The Chief Secretary UP shall supervise and monitor the same.

(iv) **Compensation and Accountability:** Directions on the subject in respect of NCT Delhi and Haryana will apply to the State of Uttar Pradesh also. Bioremediation and/or phytoremediation or any other remediation measures may start as an interim measure positively from 01.01.2020, failing which the State of Uttar Pradesh may be liable to pay compensation of Rs. 5 Lakhs per month per drain to be deposited with the CPCB. This however, is not to be taken, as an excuse to delay the installation of STPs, sewerage network and its connectivity. For delay of the work, the Chief Secretary, State of Uttar Pradesh must identify the officers responsible and assign specific accountability. Wherever there are violations, adverse entries in the ACRs must be made in respect of such identified officers for delay in setting up of STPs, sewerage network and its connectivity by the concerned head of the department.

The State of Uttar Pradesh will be liable to pay Environment Compensation if defaults take place as under:

a) The operational deficiencies of the existing STPs must be rectified within three months failing which Environmental compensation of Rs. 5 Lacs per month for STP shall be deposited with CPCB.

b). With regard to works under construction, after 01.07.2020, direction for payment of environmental compensation of Rs. 10 lakhs per month to CPCB for discharging untreated sewage in any drain connected to river Yamuna and Rs. 10 lakhs per month to CPCB per

incomplete STP, sewerage network and its connectivity will apply.

c). With regard to the situation where works with regard to STP, sewerage network and its connectivity have not yet started, the State of Uttar Pradesh has to pay an Environmental Compensation at the rate of Rs. 10 lakhs per month per STP, Sewerage network and its connectivity after 31.12.2020 for the delay in setting up of the same. It will be open to State of Uttar Pradesh to recover the said amount from erring officers/contractors.

d). The State of UP is not shown to have to furnished performance guarantee in terms of order dated 29.01.2019. The same may now be furnished with additional sum of Rs. 1 crore for the delay within one month failing which coercive method have to be adopted for enforcement of the order.

e). The State of UP may cooperate and coordinate with the committee constituted by this Tribunal in absence of any satisfactory mechanism constituted by the State.

16. The Monitoring Committee may continue to monitor compliance of directions of this Tribunal and furnish its next status report as on 31.12.2019 by 31.01.2020 with comments on the affidavits of the concerned authorities. The same may also be uploaded on its website. We further direct the NCT Delhi, the States of Haryana and UP, DDA to file affidavits of compliance of the directions of this Tribunal as on 31.12.2019 before the Committee as well as this Tribunal on or before 15.01.2020. The registry may upload them on

website as soon as received so that all concerned can access the same before the hearing to avoid the situation which arose on 12.7.2019 as noted in para 7 above.

List for further consideration in the third week of February, 2020.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

September 11, 2019
Original Application No. 6/2012

