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

IN

ORIGINAL APPLICATION NO. 593 OF 2017

WITH

ORIGINAL APPLICATION NO. 606 OF 2018

IN THE MATTER OF:

PARYAVARAN SURAKSHA SAMITI V. UNION OF INDIA & ORS

WITH

**COMPLIANCE OF MUNICIPAL SOLID WASTE MANAGEMENT RULES, 2016 AND
OTHER ENVIRONMENTAL ISSUES**

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Dated: 27.05.2026

New Delhi



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**COMPLIANCE OF MUNICIPAL SOLID WASTE MANAGEMENT RULES, 2016 AND
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**Observation note by the Amicus Curiae to Status Report/ Compliance Affidavit filed by
the Respondent State of UP**

The compliance report/ affidavit under consideration consists of two documents namely, the Progress Report by way of Affidavit sworn by Shri Maneesh Mittal, Secretary, Environment, Forest and Climate Change, State of U.P., dated 21.05.2026; and *Additional Submissions in Support of I.A. No. 542/2025* by the same deponent, also dated 21.05.2026 — seeking a further extension of time for commissioning of ETPs, CETPs, and STPs

Uttar Pradesh is the most vital state in this case. By 2026, it will hold a population of roughly **24.35 crore people** across about **762 urban centres**. This massive population makes it India's top producer of urban waste and sewage. Because the state controls access to highly sacred and ecologically vital rivers like the Gangaji, its failure to properly treat urban wastewater creates a massive national crisis. When Uttar Pradesh's sewage treatment fails, the

repercussions extend far beyond state borders. This pollution threatens downstream ecosystems, public health, and the health of the entire Gangetic basin.

It is respectfully submitted that the undernoted observations emerge from the affidavits and compliance reports filed in the above-captioned matter by the States of UP.

LIQUID WASTE MANAGEMENT SUMMARY

Liquid waste issues	Status (page number)
GAP	2571.08 MLD
Total sewage generated (2026 estimate, based on 2011 Census projection)	6,415 MLD (p. 5591/5600)
Total sewage generation in 2017	5,479 MLD (Annexure-1 table, p.
Total number of urban drains	3,312 (revised from 3,396) (p. 5591)
Drains completely tapped and diverted to STP	443 (13.4% of total drains) (p. 5591/5596)
Drains partially tapped	45
Drains untapped — discharging untreated sewage directly	2,869 (85%- maths: 3312 total drains- 443 tapped= 2869)
Drains discharging directly into rivers (2025)	1,385 (p. 5589, as per State report)
Drains discharging into rivers (2017, at time of SC direction)	1,230 (p. 5589)
Net increase in river-polluting drains since Supreme Court order	+155 drains (12.6% increase) (p. 5589)
Total STPs — operational	160 (p. 5592; Additional Affidavit p. 5295)
Total STP installed capacity	4,836.095 MLD (p. 5592)
Total STP utilised capacity	3,843.92 MLD
Gap: Installed vs. utilised capacity	992.18 MLD (unutilised)

Gap: Sewage generated vs. STP utilised capacity	2,571.08 MLD (40% of generation untreated daily)
STPs under construction (55 STPs)	1,389.65 MLD proposed capacity (p. 5936/Additional Affidavit p. 5360)
STPs planned (65 STPs)	1,247.4 MLD proposed capacity
Final discharge point of untapped drains	(pg. 5226) Gangaji, Yamunaji, Rohini, Varuna, Pandu, Ishaan, Sasur, Sai, Ghaghra, Kali, Gomti, Saryu, Dhamola, Hindon, Ramganga, Kosi, Rapti, tamsa, neem, beta, sengar, Arind, Sarayan, Ahnaiya, Karvan, kaak, Ull, Kali,
Water quality data — STP inlet and outlet	Not provided
Water quality of rivers and streams	Not provided
Final STP discharge locations	Not provided
Number of storm water drains used for sewage	Not provided
Household sewer connections (total)	26.8 lakh reported (p. 5598) —total urban Household
Flood plain zoning data for STPs and drains	Not provided
STP sludge utilisation	Not provided

It is pertinent to note that the State presents the increase in utilised capacity from approximately 2,246 MLD in 2017 to 3,843.92 MLD in 2025 as evidence of progress. However, during the same period, total sewage generation increased from approximately 5,479 MLD (2017, per Annexure-1 table, p. 5600) to 6,415 MLD (2026). The effective reduction in untreated sewage is therefore:

Untreated sewerage in 2017 (total sewage 5,479 – STP utilised capacity 2,246) = 3,233
Untreated sewerage in 2026 (total sewage 6,415 - STP utilised capacity 3,843.92) = 2,571 MLD

Net improvement over 9 years: 662 MLD/ or approximately 73 MLD per year

At this rate, achieving zero discharge would take over 35 years from today (approx..)

In 2017, when the Hon'ble Supreme Court issued its directions, 1,230 drains were discharging into rivers in Uttar Pradesh. In 2025- after nine years of compliance reporting, nine years of affidavits, and nine years of judicial supervision- that number stands at 1,385 drains: an increase of 155 additional drains now polluting rivers that were not doing so when the Supreme Court's directions were issued (Additional Submissions, p.213; Tribunal order, p. 5589)

The Four non- complaint districts (as per specific finding in the last order):

Parameter	Status / Quantum (Page Reference)
Ghazipur — 42 drains (p. 5596)	23 drains: sewer network under AMRUT (no I&D/STP connection). 19 drains: CSAP — plan approved only, zero works completed. I&D tapped to STP: NIL
Ballia — 30 drains (p. 5597)	STP of 20 MLD completed; sewer network to be completed by June 2028. 29 drains: CSAP plan only. I&D tapped to STP: NIL
Azamgarh — 33 drains (p. 5597)	Household coverage only 43.14%. Sewer network completion: June 2028. 15 drains: CSAP only. I&D tapped to STP: NIL
Mahu — 41 drains (p. 5598)	CSAP approved for 28 drains — plan only. I&D tapped to STP: NIL
TOTAL — 146 drains	I&D connections to STP: ZERO. Years since Supreme Court deadline: 6+

OBSERVATIONS

- i. Tribunal Order dated 07.01.2026, Para 16 (p. 5591); Progress Report, Para 13 (p. 5595)- The Tribunal specifically raised the issue: "*why STPs are being set up in the forest area and flood plain zones*" (order Para 16, p. 5591). The State's response at Para 13 of the Progress Report (p. 5595) addresses only the Agra STP (74 MLD), stating that Supreme Court permission was obtained for felling 704 trees. The State

must disclose whether any other STP/ treatment plant has been established in/ around a forest land and/ or floodplain zones.

- ii. The increase in utilized capacity from the previous affidavit (3,746.87 MLD, per Tribunal order para 10, p. 5589) to the present figure (3,843.92 MLD) is merely **97.05 MLD**. Against an annual sewage generation growth of **approximately 101 MLD/ year**, the State's treatment infrastructure is effectively falling behind demand in net terms.
- iii. Industrial effluent is not accounted for in the 6,415 MLD figure, which addresses only domestic sewage. The total pollution load on rivers in U.P. — combining domestic and industrial effluents — is substantially higher. This document does not address CETP (Common Effluent Treatment Plant) capacity or compliance.
- iv. The State relies on **COVID-19 (2020–2022)** as a justification for delays in STP construction. (Additional Submissions, Para 16 (p. 5218)- The Supreme Court's compliance deadline was February 2020- predating the COVID-19 pandemic. This is not stagnation; this is regression. This is the direction opposite to the one mandated by the Supreme Court.
- v.

SUGGESTIONS:

Accordingly, the following suggestions are respectfully proposed to ensure time-bound compliance, strengthen institutional accountability, enhance environmental safeguards, and align implementation with statutory mandates and judicial directions.

1. The District Magistrates of Ghazipur, Ballia, Azamgarh and Mahu - the four districts specifically identified by the Hon'ble Tribunal in its order dated 07.01.2026 as having zero compliance- may be directed to personally appear before the Hon'ble Tribunal on the next date and submit district-specific action plans with defined, auditable milestones.

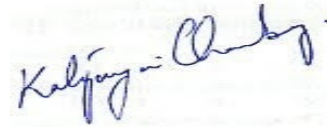
2. The State may be directed to disclose all STPs- operational, under construction, and planned- that are located within flood plain zones and forest areas and immediately suspend construction of any such STP pending *Environmental Impact Assessment* and alternative site identification.
3. The State should file drain action plan (district wise) for all untapped drains/ partially nallas carrying sewerage with the information of the district officer responsible. The information must also contain the nature of targeted drain (whether a storm drain stream/ tributary/ dry river bed etc). The action plan shall also explain the increase from 1,230 to 1,385 river-discharging drains, drain by drain, with particulars of the 155 additional drains identified since 2017.
4. The State must also file a comprehensive water quality monitoring report covering: (a) all major rivers named in the discharge destinations list at p. 5226 of the Affidavit, at points upstream and downstream of each major drain outfall; (b) the Gangji at Prayagraj, Varanasi, Kanpur, Mirzapur, and Ghazipur; (c) the Yamunaji at Agra, Mathura, and at the Haryana-U.P. boundary; (d) parameters to include: BOD, DO, TSS, faecal coliform, total coliform, heavy metals, and ammonia. The monitoring data shall be placed in the public domain on the UPPCB website simultaneously with filing before this Tribunal.
5. OCEMS- install Online Continuous Effluent Monitoring Systems (OCEMS) at all 160 operational STPs and all CETPs that are presently without such systems.
6. The State of U.P. may be directed to file, within 30 days, a compendium of monthly average effluent quality data (BOD, TSS, faecal coliform) for each of the 160 operational STPs. Their locations, design capacity, outlet effluent quality.
7. The State may be directed to file, within 30 days, a district-wise table disclosing: (i) total urban households, (ii) households with functioning sewer connections as of March 2026, (iii) percentage coverage, and (iv) target date for 100% coverage in each district.
8. The State of U.P. may be directed to file a separate status report on the compliance of ETPs and CETPs.

The observation note is respectfully submitted for the kind perusal of the Hon'ble National Green Tribunal, Principal Bench, New Delhi.

AND FOR THIS ACT OF KINDNESS, THE ADVOCATE AS IN DUTY BOUND SHALL
EVER BE GRATEFUL.

Dated: 27.05.2026

New Delhi




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