

**QUATERLY PROGRESS REPORT
IN
O.A 200/2014
M.C. MEHTA VERSUS UNION OF INDIA & ORS.**

I. INTRODUCTION

The environmentalist Mr. M.C. Mehta had filed a petition in the year 1985 titled M.C. Mehta vs. Union of India & Ors, Writ Petition No. 3727 of 1985. By this petition, he brought into sharp focus the problems arising from the unabated pollution in Ganga. This petition was directed against four industries which were located in Rishikesh, Haridwar and Dehradun, praying that the private respondent industries should be restricted to discharge their untreated/partially treated effluents into the water bodies. Moreover, the petition prayed that the industries must be directed to install/fix necessary equipments to contain and arrest the pollution and/or they should be directed to be shifted. The relief was intended towards prevention of pollution of river Ganga. Further, it was implored that the municipal sewage should be treated before it enters the river. Other reliefs generic in nature in relation to pollution of river Ganga and requiring the official respondents to take preventive measures were also made.

Hon'ble Tribunal vide order dated 13.08.2020 in O.A 200/2014 gave certain directions in continuation of order dated 18.12.2019 dealing with the review of progress of compliance of directions of this Tribunal dated 10.12.2015, 13.07.2017 and 6.8.2018 on the subject of preventing and remedying the pollution of river Ganga. The matter was earlier being considered by the Hon'ble Supreme Court since the year 1985, before being transferred to this Tribunal, in the year 2014 and 2017.

II. LATEST COMPLIANCE STATUS IN O.A 200/2014

The Tribunal had directed Oversight Committee to monitor the compliance of directions passed. In view of the same, the latest compliance status as per the reports received from the concerned departments is as follows:

Sl No	Directions by Hon'ble NGT	Concerned Department	Compliance Status (December, 2020)
1.	The State of UP may take steps for remediating Chromium dump at Rania Kanpur, as directed	UPSIDA	Not Complied Tenders have been cancelled. Assessment study given to NEERI, Nagpur. After obtaining the report from the said agency fresh tenders shall be floated. EC of Rs.280 cr. Imposed on 6 defaulter units

	earlier vide orders dated 22.08.2019 and 15.11.2019		DM, Kanpur has issued RC against the 6 defaulters. Chief Secretary, UP has directed him to transfer the RC to DM, Kanpur Nagar if the properties of defaulters are in Kanpur Nagar.
2.	Vide order dated 22.08.2019 the Tribunal stated that timely completion of all projects relating to sewage treatment be ensured i.e. by 31.06.2020 in respect of ongoing projects and by 31.12.2020 in respect of work not yet started, failing which, compensation has to be paid apart from action against the erring officers. (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 Ganga or its tributaries and Rs. 10 lakhs per month to CPCB per incomplete STP and its sewerage network will	U.P. Jal Nigam, Department of Urban Development, National Mission for Clean Ganga (NMCG)	<p>Partially Complied</p> <p>Status of Tapping of 86 Drains in Phase-I, Segment-B (Bijnor to Kanpur) and 215 Drains Phase-II (Kanpur to U.P. Border) as on 05.10.2020 is as follows:</p> <p>A. Status of 86 Drains in Phase-I, Segment-B (Bijnor to Kanpur)</p> <p>a) 10 drains do not require tapping, b) 30 drains are already tapped, c) 26 drains are proposed to be tapped in ongoing projects. The revised timeline for tapping of these drains is as follows: (21- Drains by June,21 01- Drains by Jan,22 04- Drains by Mar,22) Every effort is being taken to complete the projects as per scheduled timeline.</p> <p>d) 15 drains proposed to be tapped in sanctioned projects. Timeline for tapping of these drains shall be 24 months from date of LoA.</p> <p>e) 4 drains are proposed to be tapped in project (DPR-3/PFR-1) submitted for approval.</p> <p>f) 1 drain is proposed to be tapped in project under preparation and the same shall be submitted to SMCG on 20.10.2020 for approval.</p> <p>B. 215 Drains Phase-II (Kanpur to U.P. Border)</p> <p>a) 14 drains do not require tapping, b) 82 drains already tapped, c) 47 drains are to be tapped in ongoing projects. The revised timeline for tapping of these drains is as follows: (22- Drains by Dec, 2020 12- Drains by Sep, 21 13- Drains by Mar, 22) Every effort is being taken to complete the projects as per scheduled timeline.</p> <p>d) 42 drains proposed to be tapped in sanctioned projects, e) 20 drains are proposed to be tapped in</p>

	<p>apply. Further with regard to the sectors where STP and sewerage network works have not yet started, the States of UP, Jharkhand, Bihar and West Bengal have to pay an Environmental Compensation of Rs. 10 lakhs per month after 31.12.2020)</p>		<p>project (DPR-0/PFR-3) submitted for approval, f) 10 drains are proposed to be tapped in project under preparation. Urban Development Dept. has not complied the timeline for remediation of 120 drains. CPCB has imposed EC of 18 crore vide letter dated 3.02.2020 and issued a letter to Chief Secretary, UP for depositing the same. Reminder for depositing the EC was sent by CPCB on 16.06.2020 to the Chief Secretary, UP.</p> <p>Inspection made by UPPCB in June,2020 revealed that bio-remediation or phyto-remediation has nowhere been done in the State except in Prayagraj where 31 drains have been subjected to bio-remediation.</p>
3.	<p>Interim remedial measures (bioremediation of drains) have to be adopted and for the default after 01.11.2019 compensation has to be deposited in terms of order dated 22.08.2019. CPCB may make necessary calculation within one month from today and raise demands with the Chief Secretaries of the concerned States</p>	<p>Department of Urban Development, U.P. Jal Nigam</p>	<p>Not Complied Till date, 165 drains are untapped and bioremediation has taken place only in Prayagraj. EC of 18 crore imposed by CPCB on 120 drains for the period 1.11.2019 to 31.1.2020) UPPCB had requested Urban Development dept. vide letter dated 27.10.2020 to provide information regarding tapping and bioremediation of drains in the format given by CPCB so as to calculate the EC amount . The information is still awaited from Urban Development Dept.</p>
4.	<p>Preventing discharge of industrial</p>	<p>Department of Urban Development,</p>	<p>Partially Complied The State has 104 existing STPs out of which O & M of 66 STPs are being taken up by UPJN. The</p>

	<p>effluents in Ganga and its tributaries/drains by ensuring installation of proper functioning of ETPs/CETPs.</p>	<p>U.P.Jal Nigam</p>	<p>status of 66 STPs is as follows:-</p> <ol style="list-style-type: none"> 1. Compliant – 56 STPs. 2. Non-compliant - 08 STPs <p>Out of 8 STPs, rehabilitation of 6 STPs (3 under One-City-One-Operator, 3 under HAM) are under progress. Details of these 6 non-compliant STPs are as follows:-</p> <ol style="list-style-type: none"> 2.1 One-City-One-Operator <ol style="list-style-type: none"> i. 02 STPs (at Dundahera, 70 MLD and Indrapuram, 56 MLD) at Ghaziabad are maintained under One-City-One-Operator. A proposal for rehabilitation/repair has been sent to OM&M Cell. Rehabilitation works are likely to be completed by Feb-2021. After that, STPs will comply with the parameters. ii. 01 STP (at Lolepur, 05 MLD) at Sultanpur is undergoing capacity enhancement from 05 MLD to 10 MLD under Namami Gange Programme. After completion of the works by Nov-2021, STP will comply with the parameters. 2.2 Hybrid Annuity Mode (HAM) <ol style="list-style-type: none"> i. 03 STPs (at Masani 13.59 MLD, Transyamuna 14.5 MLD and Trans-yamuna 16 MLD) at Mathura, are undergoing rehabilitation under Namami Gange Programme. After completion of rehabilitation works by Jan-2021, STPs will comply with the parameters. 3. Not operational – 02 STPs (at Banda, 4 MLD and Loni, 30 MLD). <p>To make these STPs operational, G.O. for rehabilitation of Banda and Loni STP had been issued on 04.09.2020 and 28.09.2020 respectively. The bids received for rehabilitation of these STPs have been approved by State Level Technical Committee (SLTC).</p> <p>Timeline for installation of STP has also expired on 30.06.2020. CPCB has to calculate and impose EC accordingly.</p>
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			<p>Upgradation of CETPs approved by NMCG:</p> <ul style="list-style-type: none"> • Mathura CETP of 6.5 MLD • Banthar 4.5 MLD • Site 2 of Unnao CETP of capacity 2.15 MLD • Jajmau Kanpur CETP 20 MLD (Dec,2021) <p>➤ Stringent effluent norms notified for industrial activities in critically/severe polluted areas dated 27.02.2020 is being complied for setting up of new industries.</p> <p>➤ The Primary Effluent Treatment Plant outlet and inlet Effluent Quality standard for 3 CETPs of tannery sector have been notified on 2.11.2019 and are being complied.</p> <p>➤ Inlet Effluent Quality Standards for 5 CETPs of textile sectors have been notified on 7.12.2018.</p> <p>➤ Notification has been issued that all new molasses based distilleries including yeast manufacturing units/expansion project in existing molasses based distilleries including yeast manufacturing units shall achieve zero liquid discharge (ZLD by concentrating and incenerating the spent wash in Slope Boiler on 28.01.2020).</p> <p>➤ All GPI units have been directed to install OCEMS along with PTZ Camera with open access to UPPCB.</p> <p>➤ UPPCB has also set up a control room at headquarters at Lucknow where ETPs of the GPIs are monitored remotely.</p> <p>➤ As per the latest report 977 GPIs have installed and 122 GPIs have installed PTZ web camera also.</p> <p>➤ Regular monitoring of industries along with action against defaulter is being done time to time.</p>
5.	Utilization of treated sewage, use of sludge as a manure and septage management.	U.P Jal Nigam	<p style="text-align: center;">Partially Complied</p> <p>a) A project of Rs. 160 Crores has been sanctioned for covering all the 58 AMRUT towns in State with population more than 1 lakh.</p> <p>b) In the first stage the State has finalized</p>

			<p>tender for mechanized Faecal Sludge and Septage Treatment Plants in 6 cities.</p> <p>c) The 4 FSSTP shall be completed by 31.03.2021 and remaining 02 by 31.09.2021.</p> <p>d) The State has set up Faecal Sludge and Septage Treatment Plant (FSSTP) in Jhansi and Unnao.</p> <p>e) For remaining 52 towns, tender has been finalized and LoA issued for 50 FSTP Plants and expected to be completed by 30.09.2021. Balance 02 FSTP plants are under tendering stage.</p> <p>f) The State has proposed to cover all the ULBs by year 2023.</p> <ul style="list-style-type: none"> ➤ The State's policy for use of treated water is being notified. ➤ Total sewage generation is around 5500 MLD (80 % of water used). The State has 104 STPs with installed capacity of 3200 MLD against which the capacity utilization is 2248 MLD (68 %). ➤ At present, nearly 410 MLD treated water is being used in agriculture. ➤ State is planning to get the treated water utilized in thermal power plants. ➤ The State has promulgated the Septage policy on 31.10.2019. ➤ State Mission for Clean Ganga, UP has informed vide letter dated 7.12.2019 that the State is implementing projects of tertiary treatment and supply of treated water to Indian Oil Corporation Ltd., Mathura and Panki Power Plant in Kanpur. ➤ The Faecal and Septage Treatment Plant projects have been implemented in Jhansi and Unnao. Its under implementation on Chunar.
6.	Demarcation of flood plain zones and preventing encroachments thereof	Department of Irrigation, U.P	<p style="text-align: center;">Partially Complied</p> <p>(Work of setting up pillars initiated in Phase I on 1.06.2020).</p> <ul style="list-style-type: none"> ➤ Notification for identification of flood plain zone in Segment B Phase I from Bijnore to Kanpur issued on 4.09.2020 and permanent construction as per

			<p>notification will be removed by District Authority. Demarcation of flood plain zone has been started, work is in progress. Pillars 734 in number have already been constructed against total 15293 pillars.</p> <ul style="list-style-type: none"> ➤ For Phase II, identification of flood plain zone by Central Water Commission is under process. ➤ For ecological flow, the notification dated 9.10.2018 in river Ganga from Bhimgoda Barrage (Haridwar), Bijnore Barrage and Narora Barrage is being complied with.
7.	Maintenance of e-flow	Department of Irrigation, U.P	<p style="text-align: center;">Partially Complied</p> <p>e-flow maintained only in Ganga, study of e-flow being done by IIT Delhi, report expected to be received in Dec,2020)</p>
8.	Preventing dumping of solid and other waste in and around Ganga	Department of Urban Development	<p style="text-align: center;">Partially Complied</p> <ul style="list-style-type: none"> ➤ With regard to Ganga towns, 21 ULBs have been declared and certified ODF status. 12 ULBs given ODF++ status. All the ULBs doing door to door collection. ➤ There are 697 wards in 21 ULBs with door to door collection of waste facility. ➤ Total waste generation in 21 towns is 3275 TPD out of which the total capacity of mechanized processing of 2650 TPD i.e 81 % is established in 4 major towns i.e. Kanpur, Varanasi, Prayagraj and Kannauj. ➤ Two plants of 140 TPD (Mirzapur-100TPD; Ballia-40TPD) had been awarded for construction. Expected to be completed by March 2021. ➤ In addition, three windrows based mechanized plants (Farrukhabad/Ghazipur/Gangaghat-total 220 TPD) have been sanctioned and expected to be complete by March 2021. ➤ This will enable mechanized processing plant capacity to be around 3010 TPD i.e.92 % against the total 3275 TPD. ➤ Decentralised scientific treatment of waste to be done. ➤ MRF sanctioned in every ULB and construction work under progress.

			<ul style="list-style-type: none"> ➤ 46 open dumps removed. ➤ No legacy waste within 1 km from the banks of river Ganga. However, for accumulated legacy waste in Prayagraj, Kanpur and Varanasi tenders for empanelment of agencies for work of bio-remediation of legacy waste were floated. ➤ In Swachh Sarvekshan 2020, the 3 Best Ganga Towns in different population range are from U.P i.e Varanasi, Kannauj and Bithoor. <p>Strict enforcement for plastic ban in the State. 126 tonnes of banned plastic seized in the ULBs along river Ganga and penalty of Rs.1.27 crore imposed.</p>									
9.	Clearing old legacy waste dump sites	Department of Urban Development, U.P Jal Nigam	<p>Not Complied</p> <p>Delay due to tendering process. For accumulated legacy waste in Prayagraj, Kanpur and Varanasi, tenders for the empanelment of agencies for the work of bio-remediation of the legacy waste were floated by Jal Nigam Uttar Pradesh on 4th November 2019 and refloated on 7th February 2020. Work was expected to commence after monsoon season. No further progress reported.</p>									
10.	Preventing and regulating illegal sand mining	Mining Department	<p>Partially Complied</p> <p>Enforcement (2019-upto Feb2020) No.of raids = 34689 No.of FIR lodged = 1417 No.of complaint lodged = 4362 Compounding amount = 122.05 crore. Integrated Mining Surveillance System (IMSS) rolled out in the State. 150 weigh bridges installed in mining areas and integrated with State Command Centre.</p>									
11.	Steps for conservation of groundwater particularly with reference to critical, semi-critical or over-exploited areas	District Administration/ CGWA	<p>Partially Complied</p> <ul style="list-style-type: none"> ➤ State Govt. notified the Uttar Pradesh Ground Water Management and Regulation Act,2019. ➤ Rajya Sanrakshan Bhoojal Mission started in 2017-18.Under this mission, progress of some major works are given below (upto September,2020): <table border="1"> <thead> <tr> <th>Name of the Structure</th> <th>Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>Check Dam</td> <td>4458</td> <td>2487</td> </tr> <tr> <td>Pond</td> <td>66179</td> <td>28982</td> </tr> </tbody> </table>	Name of the Structure	Target	Progress	Check Dam	4458	2487	Pond	66179	28982
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12.	Restoration of water bodies.	District Administration	<p>Partially Complied</p> <ul style="list-style-type: none"> ➤ State has 7 wetlands listed as Ramsar Sites of International importance. ➤ The Environment, Forest and Climate Change Dept. of Govt. of UP has identified 226 potential wetlands existing within 10 kms of Ganga river and prepared a project for conserving and sustainably managing these Gangetic Floodplain wetlands in the state. This project sanctioned by NMCG. 									
13.	Monitoring and displaying of water quality	CPCB/U PPCB	<p>Partially Complied</p> <p>UPPCB regularly monitoring the water quality of river Ganga at 32 sampling points. Monitoring reports available on UPPCB website.</p>									
14.	Closing, till compliance, all establishments near river banks being run without necessary STPs and compliance of environmental norms.	UPPCB	<p>Partially Complied</p> <p>During Dec, 2019-April 2020, 75 GPIs were found defaulting. UPPCB had issued show cause notices against 45 GPIs and closure order against 4.</p> <p>As per the meeting on 4.2.2020, it was reported that action has been taken to close 137 establishments which are running without necessary STPs/ treatment facilities. EC to the tune of Rs19.59 crores was imposed out of which Rs 8 crores has been realized</p>									
15.	Public awareness and involvement for prevention and control of pollution of Ganga.	Department of Urban Development	<p>Not Complied</p> <p>(Public awareness programmes could not be conducted due to covid-19 pandemic and lockdown in the last 3 months) pertaining to U. P. J. N</p>									
16.	Afforestation and setting up of biodiversity parks. CPCB may take	Department of Environment, Forest and Climate Change, UP.	<p>Partially Complied</p> <p>Project on Biodiversity Parks with estimated total cost 32381.755 lakhs submitted to NMCG. The NMCG showed its limitation to fund the project and also made certain observations</p>									

	<p>further action to finalise and circulate Guidelines for Biodiversity parks expeditiously which may be complied with by the concerned States and status of compliance included in the reports to be filed before this Tribunal.</p>		<p>regarding the location of identified sites and costs involved through letter dated 13.05.2020. In July, 2020 the State planted 25 crore seedlings and the entire exercise was coordinated by Department of Environment, Forest and Climate Change, Government of Uttar Pradesh. The Environment, Forest and Climate Change Dept. of Uttar Pradesh has identified the sites for development of Bio-diversity Park in 25 districts in the main stem of Ganga and in 2 districts in Yamuna covering total area of 3591.984 hectares. The project proposal is being revised as per the guidelines of CPCB and will be implemented if NMCG approves the projects alongwith its funding.</p>
17.	<p>CPCB and SPCBs may periodically undertake biological assessment of Ganga. NMCG and States concerned may depict biological diversity of Ganga in public domain</p>	<p>CPCB/UPPCB/ U.P Jal Nigam</p>	<p>-</p> <p>Partially Complied Water quality report of Ganga available on UPPCB website. Biological assessment of Ganga not yet started.</p>

III. OBSERVATIONS BY THE OVERSIGHT COMMITTEE

1. Regarding chromium dump at Kanpur, it has been observed that no action has yet been taken. Tenders have been cancelled and now re-assessment study is to be done by NEERI, Nagpur. Thereafter, fresh tenders shall be floated. This suggests that the removal of waste is delayed approximately by next six months.
2. The Committee observed that tapping of drains is being done at a slow pace. In the last six months, just two-three drains have been tapped. Moreover, phytoremediation has also not been initiated in any of the untapped drains. The EC of Rs.18 crore imposed by CPCB on account of non-compliance of Hon'ble NGT order of taking interim measures have not yet been deposited by the State government.
3. The State has total 104 STPs out of which 66 are operated and managed by U.P Jal Nigam. As per the report received by U.P Jal Nigam it has been informed that 56 are

compliant as per the set standards while 8 are not. Further, no information has been sent by Urban Development Department which manages the remaining STPs.

4. It has been observed that State government has taken steps to control industrial effluent discharge into Ganga and its tributaries. All GPs have been directed to install OCEMS alongwith PTZ camera with open access to UPPCB. The ETPs of industrial units are monitored by UPPCB at its control room in Lucknow. Furthermore, penalty has been imposed on defaulter units.
5. The projects on sewage management of Rs. 160 Crores has been sanctioned for covering all the 58 AMRUT towns in State with population more than 1 lakh. Work is under progress.
6. Demarcation of floodplain zone is under process. Work of setting up pillars has been initiated in Segment B Phase I. For Phase II, identification of floodplain zone by Central Water Commission is under process.
7. The report regarding study of e-flow in rivers was expected to be received in Dec,2020. No such report has yet been sent to the Committee.
8. Project regarding Biodiversity park is being revised and thereafter shall be sent to NMCG for approval. No further progress is reported in this issue.
9. There is an urgent need for augmenting the treatment capacity of solid waste. Out of the total waste generation of 3275 TPD in 21 towns total capacity of mechanized processing is 2650 TPD i.e 81 % in 4 major towns i.e. Kanpur, Varanasi, Prayagraj and Kannauj. Furthermore, the smaller ULBs do not have dumping grounds/processing facilities. Out of total 652 ULBs, 70 have not been able to identify land for this purpose. It was earlier directed that the State Government shall inform the time frame within which MRF facilities i.e. 1 MRF facility per ULB will be set up for which funds were released last year. No information regarding progress in this matter has been reported.

04-01-2021

04-01-2021

X Anup Chandra Pandey

Dr Anup Chandra Pandey
Member, Oversight Committee
Signed by: ANUP CHANDRA PANDEY

X SVS Rathore

Justice SVS Rathore
Chairman, Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

January 04, 2021

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