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Regd. No.: 33  
Date: 10/10/2023

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO. 91/2023 (WZ)

IN THE MATTER OF: -

Mr. Aditya Singh Chauhan

PETITIONER

VERSUS

Gujarat Pollution Control Board & Ors.

RESPONDENT(S)

REPLY AFFIDAVIT ON BEHALF OF RESPONDENT No. 06 i.e., CENTRAL POLLUTION CONTROL BOARD

I, Praseon Gargava, aged about 50 years and having office at the Regional Directorate, Vadodara, Near VMC Ward Office No. 10, Subhanpura, Vadodara, Gujarat – 390023, do hereby solemnly affirm and sincerely state as follows: -

That I am presently working as Scientist 'E' & Regional Director, Central Pollution Control Board (hereafter will be referred as CPCB), Regional Directorate Vadodara. I am fully conversant with the facts of the case and hence, competent and authorized to depose and swear the present Reply Affidavit as under:

1. That it is respectfully submitted that the answering respondent is responding to the Original Application altogether in following paragraphs and seeks liberty of this Hon'ble Tribunal to file additional reply if the same will be required in future.
2. That the averments made in the application is regarding textile industrial units located in the areas of Suez Farm, Behrampur & Danilimda in Ahmedabad are discharging their industrial waste untreated or partially treated into the open or in pipelines of Ahmedabad Municipal Corporation, unauthorized and/or in violation of Zero Liquid Discharge (hereafter will be referred as ZLD) condition under Consent to Establish ( hereafter will be referred as CTE) granted to them by Respondent No. 1 i.e. Gujarat Pollution Control Board and illegal discharge of untreated industrial wastewater through drainage system of Ahmedabad Municipal Corporation (hereafter will be referred as AMC), various permission granted by State Authorities etc. and have caused extensive damage to land/soil, ground water and water bodies and are liable to pay for the damage caused to the

environment and further they are liable to restore the environment.

3. That the petitioner has mentioned 55 industrial units including 2 CETPs, 130 MLD Karnavati Textile Association (which is under proposal stage) and 30 MLD Ahmedabad Hand Screen Printing Association (AHSPA) (which is yet to become operational) as party respondent. Further, it is mentioned in the application that these industries have not installed the ZLD system of optimum / required capacity to treat the entire effluent and discharging the untreated / partially treated effluent directly into AMC pipeline (storm water drains / sewers) which is ultimately discharged into River Sabarmati.
4. That it is humbly submitted that averment of the application has also mentioned a Suo Motu cognizance of the issue pertaining to pollution in River Sabarmati due to discharge of untreated industrial wastewater and sewage in Ahmedabad region by the Hon'ble High Court of Gujarat and the matter was registered as Writ Petition (PIL) No. 98 of 2021. The Hon'ble High Court constituted a Joint Task Force (hereafter will be referred as JTF) in this matter vide its Order dated 14th September 2021 (Annexure-I). In this regard, it is to humbly submit that the JTF was constituted by Hon'ble High Court Gujarat and has appointed Regional Director, CPCB, Vadodara as Head of the JTF. The JTF has submitted reports as per the directions of Hon'ble High Court from time to time. The reports covered sampling / monitoring of River Sabarmati, outfalls discharging into River Sabarmati, STPs, CETPs and few industrial units in Ahmedabad. Based on the findings, Hon'ble High Court Gujarat has issued directions from time to time and the matter is under consideration of Hon'ble High Court of Gujarat.
5. That the averments in the application alleging that the respondent authorities 1 to 8 (CPCB is Respondent No.6) are not performing their duties which has resulted in inappropriate treatment of the industrial waste water of the area in question and are being discharged untreated on barren lands situated nearby and/or is being directly connected to the drainage pipelines of the Ahmedabad Municipal Corporation or is being fed into open drainage pipelines into river Sabarmati, leading to water and land pollution and adversely affecting the environment in general. In this regard, it is humbly submitted that as per Act/Rules applicable concerned State Pollution Control Board is empowered to grant permission to the industrial units in the area. It is further humbly submitted that violations, if any, under the concerned Acts/Rules are to be dealt by the respective agency as per the provisions stipulated under such Acts/Rules.
6. That it is humbly submitted that this Hon'ble Tribunal vide its order dated 20.07.2023 in the present matter had constituted a joint Committee comprising officials from CPCB, Gujarat Pollution Control Board, Ministry of Environment, Forest & Climate Change (MoEF&CC) and Ahmedabad Municipal Corporation (AMC). It is further humbly submitted that CPCB has participated in the field visit along with the joint Committee and submitted its joint inspection report through the GPCB before this Hon'ble Tribunal. The report of joint Committee submitted by the GPCB before this Hon'ble Tribunal is on record.

That in light of the above submissions, it is respectfully prayed that this answering Respondent No. 6 i.e. CPCB shall abide by any order or directions passed by Hon'ble Tribunal.

*P. Gargava*  
DEPONENT

VERIFICATION

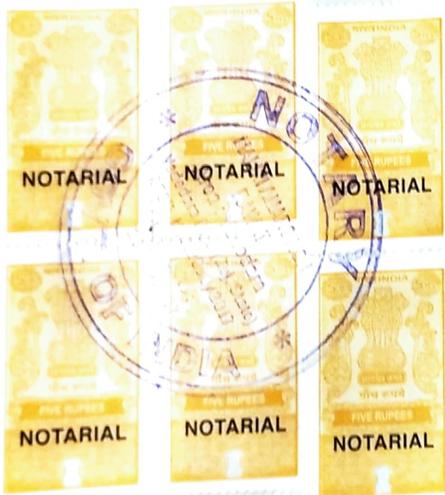
It is verified that the content of this Reply Affidavit which is based on official records and information available in the office are true and correct. Nothing has been concealed therein.

Signed and verified at Vadodara on this <sup>5<sup>th</sup></sup> Day of October, 2023.

*P. Gargava*  
DEPONENT

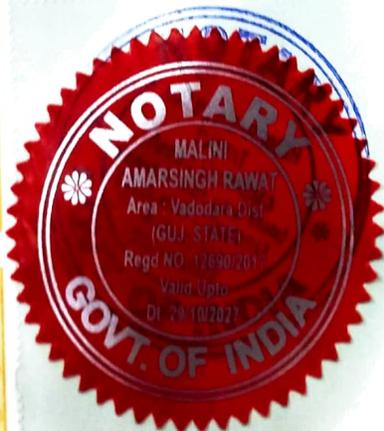


Respondent No. 6  
प्रसून गार्गव / PRASOON GARGAVA  
क्षेत्रीय निदेशक / REGIONAL DIRECTOR  
केन्द्रीय प्रदूषण नियंत्रण बोर्ड / Central Pollution Control Board  
(पर्यावरण, वन एवं ज.प. मंत्रालय, भारत सरकार)  
(Ministry of Environment, Forest & Climate Change, Govt. of India)  
क्षेत्रीय निदेशालय (पश्चिम), वडोदरा-390023.  
Regional Directorate (West), Vadodara-390023.



Solemnly Affirmed / Declared  
Sworn Before me by... *Mr. Prasoon Gargava*  
*Malini* 10/10/2023  
MALINI AMARSINGH RAWAT  
NOTARY, (Govt. of India)

My Commission Expires  
on 29/10/2027  
MALINI AMARSINGH RAWAT  
NOTARY (Govt. of India)



## IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

## R/WRIT PETITION (PIL) NO. 98 of 2021

SUO MOTU

Versus

AHMEDABAD MUNICIPAL CORPORATION THROUGH THE MUNICIPAL  
COMMISSIONER, AHMEDABAD & 3 other(s)

Appearance:

MR HEMANG M SHAH, AMICUS CURIAE for the Applicant(s) No. 1  
MR MIHIR JOSHI, SR.ADVOCATE with M/S. G.H.VIRK, SIMRANJIT H.VIRK  
and PRASHANTH UNDURTI, ADVOCATES for the Opponent-1  
MR PRASHANT DESAI, SR.ADVOCATE with MR RUTUL P.DESAI for the  
Opponent-2  
MR DEVANG VYAS for the Opponent-3  
MR KH BAXI for the Opponent-4

CORAM: **HONOURABLE MR. JUSTICE J.B.PARDIWALA**  
and  
**HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI**

Date : 14/09/2021

**ORAL ORDER**  
**(PER : HONOURABLE MR. JUSTICE J.B.PARDIWALA)**

1. Mr.Hemang Shah, the learned Amicus Curiae, has placed on record a very exhaustive report prepared by him of the site visit undertaken by him on 5<sup>th</sup> September 2021 along with the members of the Paryavaran Suraksha Samiti and the officials from the Gujarat Pollution Control Board and the Central Pollution Control Board respectively.

2. We may give a fair idea as regards the report.

3. Mr.Shah and the other members of the team visited few sites from where the sewage water mixed with the industrial effluent water being released/discharged/pumped into the Sabarmati river. The following sites were visited :

- (a) Danilimda – Behrampura Outfall;
- (b) 180 MLD Sewage Treatment Plant run by the DNP Infrastructure;
- (c) Mega Pipeline catering to Vatva, Odhav and Naroda Industrial Zones;
- (d) Narol Textile Infrastructure & Enviro Management;
- (e) 20 Kms. Downstream – The Miroli Piyat Sahakari Mandli Ltd.;
- (f) Sabarmati Riverfront.

4. A cursory perusal of the entire report depicts a very horrifying picture calling for some urgent steps in the right direction. We are informed that the water samples were also drawn from various places and the results of the same are shocking.

5. Mr. Shah specifically brought to our notice the illegal and dubious activities being undertaken by a society running in the name of 'The Miroli Piyat Sahakari Mandli Limited'. This Mandli operates 20 Kms. downstream. We are informed that the members of the Society claim that they are officially drawing sewage-cum-industrial effluent and irrigating their fields. According to them, the water mixed with sewage-cum-industrial effluent contains higher concentration of fertilizers and is proving helpful in getting good yield of crops. This area where the Mandli operates falls within the jurisdiction of the Collector, Ahmedabad. According to Mr. Shah, while interacting with some of the members of the Mandli, they came to learn that the Collector, Ahmedabad had granted permission and also had allotted the land to put up a pumping station. There are six

pumps installed which draw the sewage-cum-industrial effluent and carry the same into the fields through pipes. Mr. Shah pointed out that samples were collected from the site and the stench at the site was unbearable. Many photographs have also been clicked and placed on record.

6. Having regard to the report filed by the learned Amicus Curiae and the other materials on record, we deem fit to issue the following directions :

(1) We direct the Ahmedabad Municipal Corporation to furnish the following details :

(a) The true and correct details in terms of the volume and the parameters as stipulated by the National Green Tribunal for every Sewage Treatment Plant including the volume discharged within the Ahmedabad District.

(b) The true and correct details in terms of the volume and the parameters as stipulated by the National Green Tribunal for every CETP/ETP in the Ahmedabad District.

(c) Furnish the necessary particulars and details as regards the sanctions/permissions/authorizations granted by it to the industrial associations, industrial set-ups, residential premises running the industries or any such set-up to discharge waste water into the sewer lines.

(2) We want the Ahmedabad Municipal Corporation to furnish the details about the Miroli Piyat Sahakari Mandli Limited. We want to know how the pump rooms have been set-up by the Mandli at the place in question and how the electric connection came to be provided to such pump rooms. In what manner the Mandli is being permitted to draw the sewage water as well as the trade effluent and release the same in the agricultural fields.

7. In the aforesaid context, we implead the Miroli Piyat Sahakari Mandli Limited as one of the party respondents in the present litigation.

8. The registry is directed to issue NOTICE to the Miroli Piyat Sahakari Mandli Limited, returnable on 23<sup>rd</sup> September 2021.

9. We request Mr.Shah to collect the notice and serve the same to the responsible officer of the Miroli Piyat Sahakari Mandli Limited at the earliest.

10. In the report filed by the learned Amicus Curiae, few more directions are sought for. However, we shall consider issuing such directions on the next date of hearing.

11. We constitute a Joint Task Force comprising of the following :

- (1) Mr.Prasoon Gargava, Regional Director, Central Pollution Control Board;
- (2) Dr.Deepa Gavali, Director & Secretary, Gujarat Ecology Society;

- (3) Professor Dr.Upendra Patel;
  - (4) Mr.Rohit Prajapati, Engineer, Researcher and Writer, Paryavaran Suraksha Samiti;
  - (5) A responsible officer from the Ahmedabad Municipal Corporation;
  - (6) Two responsible officers from the Gujarat Pollution Control Board.
  - (7) A responsible officer from the Torrent Power;
  - (8) A responsible police personnel not below the rank of Deputy Superintendent of Police and two Armed Police Constables;
12. Mr.Prasoon Gargava, Regional Director, Central Pollution Control Board, shall be the head of the Joint Task Force.
13. Post this matter for further hearing on 23<sup>rd</sup> September 2021.

(J. B. PARDIWALA, J.)

(VAIBHAVI D. NANAVATI, J.)

/MOINUDDIN

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