

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRICIPAL BENCH, NEW DELHI**

IN

**ORIGINAL APPLICATION No. 985/2019**

WITH

**ORIGINAL APPLICATION No. 986/2019**

**IN THE MATTER OF:**

**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**

**SUBMISSION**

Since 1976, the groundwater and soil in Khanchandpur, Rania, Kanpur Dehat and Rakhi Mandi, Kanpur Nagar is being contaminated due to unabated dumping and unregulated disposal of hazardous Chromium waste generated from 06 industries (as identified by UP-PCB).

The above titled matter was listed today before the Hon'ble Tribunal for consideration of Compliance Reports filed by CPCB (dated 14/7/2020) and the Chief Secretary (dated 11/6/2020).

From bare perusal of the Compliance Report filed by CPCB, it is evident that the various State authorities/ departments have not entirely executed several directions of the Board dated 21/04/2015, 09/10/ 2015, 10/03/2017, 12/03/2018 and 26/06/2020.

Keeping the facts of CPCB Report in mind, I most humbly submit the following suggestions:

1. That the Central Ground Water Board may be directed to do a detailed mapping of the impugned area. Because the contamination has continued unabated since 1976, a larger area may be at serious risk of Chromium pollution.

The water supply project sanctioned for Rania, Kanpur Dehat includes 2 tubewells for extraction of groundwater (*as per Chief Secretary Compliance Report, pg. 3, para 10*). It is therefore, important for CGWB to conduct a detailed survey of Kanpur District and mark zones according to current groundwater quality.

2. That Emergency Action needs to be taken for checking further leaching of Hexavalent Chromium due to coming Monsoons. The open dump site has to be covered (waterproofed) and bunds/ boundaries should be constructed around it to avoid inundation of rain water.

The Hon'ble Tribunal had passed the following directions vide order dated 15/11/2019 that:

*“17. The stand of the State of UP shows that it is being understood in certain quarters that during monsoon any pollution load, including sewage or any other polluting effluents can be discharged in the water bodies/rivers which is clearly against the mandate of Section 25 of the Water (Prevention and Control of Pollution) Act, 1974. The CPCB may need to issue an appropriate direction to ensure that such illegality does not take place anywhere in the country.”*

3. That the water supplied to Rania, Kanpur Dehat must be checked for quality and quantity assessment (as it is still provided @ 5 tankers/day). It may not be safe to provide drinking water directly from tubewells.

According to the Compliance Report dated 11/6/20 by Chief Secretary,

*“The safe water supply to the affected areas by direct pumping of the tubewells is proposed to be started by 15<sup>th</sup> July 2020.”*

4. That it is pertinent to bring to your kind notice, order dated 15/11/2019, (para 14, pg 10) wherein the Hon’ble Bench directed that:

*“14. With regard to supply of potable water in the affected areas, **such supply should take care of not only drinking purposes but also other purposes. It is well known that adverse effect on health is not only by drinking contaminated water but also on account of bathing or cooking and also on account of it being part of the food chain. It is necessary to put the concerned inhabitants in the area to notice of adverse consequences of use of contaminated water and placing the data of contents of water quality on website of the State. The affected area should also be delineated and put in public domain.”***

The State must provide water not only for drinking but for other household activities and cattle feeding.

The impugned area should be delineated and dangers of such contamination may be displayed at public places to generate awareness amongst the residents & tourists.

5. That Action Plan for removal of Chromium waste should incorporate **Occupational Hazard**, as mining of legacy waste and transportation may expose workers/ labourers to serious health risk.
6. That Status Report on sealing of handpumps/ tubewells in the impugned area may also be furnished.
7. That the Hon'ble Tribunal had passed directions to specify norms for Tender processes. This must be executed with immediate effect to avoid further delay in starting restoration projects.
8. That the Hon'ble Tribunal vide order dated 27/9/19 had directed that:  
*“13. (ii) The 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.”*

Similar direction was reiterated vide order dated 15/11/19, that:

*“19 (vi) CPCB may issue appropriate directions to ensure that no authority allows discharge of polluted sewage or polluted effluents directly into a water channel or stream in violation of law even in monsoon and also the standards for faecal coliform are duly maintained.”*

As noted above, Status Report on temporary arrangements of disinfecting drains/ water bodies may also be submitted by the State. It is most urgent

to treat streams/ drains before monsoons to avoid discharge of pollutants in River Ganga.

9. That the Compliance Report of CPCB (dated 14/7/20) noted that:

*“It is submitted that none of the authorities have yet deposited the levied Environmental Compensation with CPCB till date as per the direction of Hon’ble NGT.”* (as was directed vide order dated 15/11/2019).

Dated: 16/07/2020

Through

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(Amicus Curiae)

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