

SUPPLEMENTARY REPORT OF THE OVERSIGHT COMMITTEE,
NGT, U.P, LUCKNOW

IN THE MATTER OF:-
ORIGINAL APPLICATION NO. 909/2018

IN RE: CONFEDERATION OF TRANS HINDAN RWA'S GHAZIABAD

VERSUS

U. P. STATE POLLUTION CONTROL BOARD & ORS.

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SUPPLEMENTARY REPORT OF THE OVERSIGHT COMMITTEE, UP, LUCKNOW IN COMPLIANCE OF THE ORDER OF THE HON'BLE NATIONAL GREEN TRIBUNAL PASSED IN OA NO. 909 OF 2018 IN RE: CONFEDERATION OF TRANS HINDON RWA'S GHAZIABAD VERSUS U.P. STATE POLLUTION CONTROL BOARD & ORS.

The Oversight Committee had reviewed the progress in this case and submitted its report to the Hon'ble NGT on several dates, the last being on 21.02.2022. As the same could not be taken up, a supplementary report was submitted on 01.04.2022 and a second supplementary report based on the facts observed by the Chairman, Oversight Committee during the field visits of Brij Vihar, Pratap Vihar, Rahul Vihar, Arthala, Kaila Bhatta, Indirapuram, Karhera, City Forest, Hindon Vihar and Nandgram drains along with Shakti Khand and Pratap Vihar legacy waste sites conducted on 27.04.2022 is being submitted now. The observations of the Chairman are as follows:

1. Shakti Khand legacy waste site:

1.1 During the inspection conducted on 13.03.2022, the site was generally found clean but some quantity of Refuse-Derived Fuel (RDF) and fresh dumping of some waste was found lying near the boundary wall. It was informed that fresh waste was dumped by the Ghaziabad Development Authority (GDA), which has been directed by the Municipal Commissioner, Nagar Nigam, Ghaziabad to remove the waste from the site at the earliest. However, till the next inspection on 27.04.2022, the waste had not been removed by the GDA.

2. Pratap Vihar legacy waste dump site:

2.1 During the inspection about 20000 tonnes of legacy waste was still left on the site. However, later it was informed by the Municipal Commissioner, Ghaziabad that the site has been cleared.

2.2 It was also informed that post clearance of the dumping site now it will be developed into social forestry.

3. **Management of RDF:** It was informed that for the disposal of the RDF being generated at the waste processing units in the Ghaziabad Nagar Nigam the M/S Geron India will install a RDF-based boiler plant which will supply the steam thus produced to the nearby steam based factories.

4. **Tapping Status of the Drains:** Out of 13 drains inspected by the Chairman, only Indirapuram drain was fully tapped and Brij Vihar drain was partially (90%) tapped. All other drains namely, Pratap Vihar, Rahul Vihar, Arthala, Kaila Bhatta, Karhera, City Forest, Hindon Vihar, Dasna drain, Kallugarhi drain, Bhoorgarhi drain and Nandgram drains were untapped. The Municipal Commissioner informed that for tapping of Karhera drain financial approval has been given by the Government on 09.03.2022. The Nagar Nigam Ghaziabad is conducting bio/phyto-remediation in all the untapped drains except for Kallugarhi drain, Bhoorgarhi drain and Dasna Drain. City forest drain shall also be tapped along with it.

5. **Water Quality Status of Drains:** On 13.03.2022, two drains i.e Kallugarhi drain and Bhoorgarhi drain which joins to constitute Dasna Drain were inspected. On 27.04.2022, Brij Vihar, Pratap Vihar, Rahul Vihar, Arthala, Kaila Bhatta, Indirapuram, Karhera, City Forest, Hindon Vihar and Nandgram drains were inspected. The water quality analysis report of the samples collected during inspection is as follows:

Table: The water quality analysis report of the samples collected from the drains												
S. No	Sampling points	Sampling Date	Color	Odour	pH	Dissolved Oxygen (DO) (mg/l)	Biological Oxygen Demand (BOD) (mg/l)	Chemical Oxygen Demand (COD) (mg/l)	Total Suspended Solids (TSS) (mg/l)	Total Coliform (TC) (MPN/100ml)	Fecal Coliform (FC) (MPN/100ml)	Parameters beyond the permissible limits
1	Arthla Drain	27.04.2022	Turbid	Faint	7.30	nil	27	89	196	17X10 ⁵	13X10 ⁵	TSS, DO, TC, FC
2	Dasna Drain	27.04.2022	Turbid	Unpleasant	7.60	nil	78	447	168	39X10 ⁵	27X10 ⁵	TSS, BOD, COD, DO, TC, FC
3	Hindon Vihar Drain prior confluence of dairy effluents	27.04.2022	Turbid	Faint	7.75	nil	20	38	134	25X10 ⁵	17X10 ⁵	TSS, DO, TC, FC
4	Hindon Vihar Drain post confluence of dairy effluents	27.04.2022	Turbid	Faint	7.70	nil	75	304	303	58X10 ⁵	31X10 ⁵	TSS, BOD, COD, DO, TC, FC
5	Indirapuram Drain	27.04.2022	Turbid	Faint	7.06	nil	32	188	42	40X10 ⁵	26X10 ⁵	BOD, DO, TC, FC
6	Jawali Drain	27.04.2022	Turbid	Faint	7.50	nil	18	57	72	13X10 ⁵	11X10 ⁵	DO, TC, FC
7	Kaila Bhatta Drain	27.04.2022	Turbid	Faint	7.80	nil	53	146	80	63X10 ⁵	31X10 ⁵	BOD, DO, TC, FC
8	Pratap Vihar Drain	27.04.2022	Turbid	Faint	7.20	nil	15	37	60	26X10 ⁵	17X10 ⁵	DO, TC, FC
9	Indrapuri Drain	27.04.2022	Turbid	Faint	7.00	nil	47	258	136	48X10 ⁵	34X10 ⁵	TSS, BOD, COD, DO, TC, FC
10	Karheda Drain	27.04.2022	Turbid	Unpleasant	7.90	nil	80	342	199	46X10 ⁵	31X10 ⁵	TSS, BOD, COD, DO, TC, FC
11	Banthala Drain	27.04.2022	Turbid	Faint	7.40	nil	47	258	140	31X10 ⁵	23X10 ⁵	TSS, BOD,

												COD, DO, TC, FC
12	Rajnagar Extension	27.04.2022	Turbid	Faint	6.90	nil	30	109	141	33X10 ⁵	27X10 ⁵	TSS, DO TC, FC
13	Kallugarhi drain U/s of M/s Eagle food continental Dasna	13.03.2022	Turbid	DNP	7.20	DNP	62	110	196	DNP	DNP	TSS, BOD
14	Kallugarhi drain D/s of M/s Eagle food continental Dasna	13.03.2022	Turbid	DNP	7.0	DNP	27	112	140	DNP	DNP	TSS
15	Bhoorgarhi drain U/s of all units	13.03.2022	Turbid	DNP	7.5	DNP	21	116	85	DNP	DNP	-
16	Bhoorgarhi drain D/s of all units near gate no. 3 of M/s International agro food pvt. Ltd. Dasna	13.03.2022	Turbid	DNP	7.1	DNP	40	128	46	DNP	DNP	BOD
17	Dasna drain after meeting Kallugarhi drain and Bhoorgarhi drain	13.03.2022	Turbid	DNP	7.4	DNP	46	132	81	DNP	DNP	BOD

* DNP- Data Not Provided

From the above table it is evident that water quality is beyond the permissible limits in all the drains except for Bhoorgarhi drain U/s of all units. From the table it is also evident that for certain drains no data has been provided and according to the available data water quality is again beyond the permissible limit. Irrespective of this fact, the UPPCB has not initiated any action against the erring agency and the officers yet.

Detailed inspection report is annexed as Annexure 1.

6. Additional Recommendations:

1. The Nagar Nigam, Ghaziabad may be directed to ensure that the plantation which is proposed to be done at Shakti Khand and Pratap Vihar sites be completed during the coming monsoon season. They should also ensure the survival of these trees through proactive care and protection.
2. The UPPCB may be directed to ensure that the waste, which is freshly dumped by the GDA on the Shakti Khand legacy waste site, is cleared within 15 days. Any further delay in clearing the freshly dumped waste is dealt with strictly in accordance with the environmental laws.
3. The bio-remediation work being done by the Ghaziabad Nagar Nigam is proving insufficient as evidenced by the water quality report presented above. They need to be directed to take immediate steps for effective bio-remediation as a temporary measure and tapping of these drains by constructing STPs of adequate capacity as a permanent solution to this problem.
4. In spite of categorical directions of the Honorable Supreme Court and the NGT and also on being pointed out by the Oversight Committee time and again, the water quality of these drains has not come to the permissible limits. The Member Secretary, UPPCB may be directed to take effective action in terms of imposing EC and initiating other proceedings under the Environmental laws.

The Member Secretary, UPPCB is directed to send this report to the Registrar General, National Green Tribunal, Principal Bench, New Delhi for placing the same before the Hon'ble Tribunal with a copy to the Chief Secretary, Government of Uttar Pradesh for necessary action. The report also be uploaded on the website of the Committee.

20-May-22

20-May-22

X Anant Kumar Singh

Anant Kumar Singh
Member, Oversight Committee
Signed by: ANANT KUMAR SINGH

X SVS Rathore

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

May 20, 2022

Annexures: As above

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Inspection report of Drains of Ghaziabad, UP

Vide order dated 22.10.2021 passed in **OA No. 909 of 2018** in re: *Confederation of Trans Hindon RWA's Ghaziabad vs UP State Pollution Control Board and others*, the Hon'ble NGT had given the following directions:

"12. Accordingly, the Chief Secretary, Uttar Pradesh with the assistance of Additional Chief Secretary, Nagar Vikas, UP and/or any other authorities may review the situation within one month. Compensation payable in terms of orders of this Tribunal may be deposited with CPCB within one month which may be utilized for restoration of damage to the environment by preparing an appropriate action plan. The situation may be constantly reviewed preferably on daily basis for the next one month and at suitable intervals thereafter. The Additional Chief Secretary, Nagar Vikas, UP may file compliance status after coordinating with concerned authorities after three months. Pending assessment quantification of compensation, the Ghaziabad Nagar Nigam may deposit interim compensation of Rs. 1 crore with the CPCB within 15 days, to be utilised for restoration of the environment. The Nigam is free to recover the amount out of the salary of erring officers.

13. We also direct CPCB to give an independent report on the issue of management of solid as well as liquid waste in the area in question before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of ImagePDF. The report may mention the area of both the legacy sites reclaimed, quantity of waste bio-mined, routing of recovered material for further usage. Lifting of stabilised organic fraction by the Fertilizer agencies and blending by NPK to enhance fertilizer nutritive value may be ascertained. It may be enquired whether any more legacy waste site exists. Further, whether the RDF contains plastic/chlorinated plastic used as fuel. With regard to four garbage factories, information is required about the process adopted, material balance and Authorization under MSW Rules. In case of ten sewage drains, the technologies adopted and their performance duly supported by the analytical results needs to be indicated. Storm water drains are not be used for disposal of sewage, as earlier held by this Tribunal, being prohibited under the Water Act. The performance of STPs and the gap between sewage generation and treatment may be mentioned.

14. The Additional Chief Secretary, Nagar Vikas, UP may remain present in person by Video Conferencing on the next date.”

In order to verify the tapping of drains of Ghaziabad falling in river Hindon, I considered it appropriate to personally inspect the conditions of the drains. Accordingly, I, Justice Surendra Vikram Singh Rathore, Chairman, Oversight Committee, NGT, UP inspected the drains of Ghaziabad on 27th day of April, 2022.

Before going for inspection, I had directed the Regional Officer, UPPCB, Ghaziabad to get the water samples of all the drains tested on all standards and submit reports. He submitted the reports at the time of inspection. **(Annexure-1)**

At the time of inspection, the following officers of the district administration were present:

1. Shri Mahendra Singh Tanwar, Municipal Commissioner, Ghaziabad
2. Shri Utsav Sharma, Regional Officer, UPPCB Ghaziabad
3. Shri AnandTripathi, General Manager, Jalkal, Ghaziabad
4. Shri Yogendra Kumar, Executive Engineer, Jalkal, Ghaziabad
5. Dr Mithlesh Kumar, Nagar Swasthya Adhikari, Ghaziabad
6. Dr Umar Saif, Inhouse Environmental Consultant, Nagar Nigam, Ghaziabad

There are eleven drains in total that fall in river Hindon within the area of district Ghaziabad. Apart from them, there is one more drain viz Brij Vihar drain which passes through Ghaziabad and goes towards Delhi.

I first inspected Pratap Vihar drain and Rahul Vihar drain. The length of Pratap Vihar drain is 5576 meter while the length of Rahul Vihar drain is 431 meter. Both these drains have confluence at one point in river Hindon. The water quality of Pratap Vihar drain, by its appearance, was good, but the water quality of river Hindon at the point of confluence of the above two drains appeared to be very bad. It was almost black in colour. Since steam-based factories situate by the side of this drain, its water quality is not so bad as of others.

Shri Mahendra Singh Tanwar, Municipal Commissioner, Ghaziabad told me that he has not given the work of treating the water of drains to any private company, but it is being done by his own team with limited means. The Nagar Nigam, Ghaziabad has engaged one Inhouse Environmental Consultant Shri Umar Saif and other science students to carry out the work of treating the water of drains. I was informed that all the drains of Ghaziabad are being treated with oxidation as well as by mixing of culture at three points. (Details are in **Annexure-2.**)

Rahul Vihar drain is a small drain and its water quality did not appear to be very bad. I was informed that oxidation and culture mixing is being done in both the drains i.e. Pratap Vihar drain and Rahul Vihar drain. A list of drains having their GPS location of the points of treatment has also been given to me.

Brij Vihar drain originates from Mohan Nagar and passes through Ghaziabad. The length of this drain is 11 kms. This drain is 90% tapped and somewhat 10% of its untreated water during overflow goes to river Yamuna.

Thereafter, I went to inspect Arthala drain. The length of this drain is 2507 meter. Dr Umar Saif told me that this drain is being bio-remediated with nano silica of Himalayan Institute. Discharge of Arthala drain is 2 mld. Industrial waste also falls in this drain. A film of oil and grease was very much visible on the surface of the water of this drain. It needs to be stopped immediately. The Regional Officer, UPPCB Ghaziabad was directed to take action in this regard and ensure that the factories, which are discharging their untreated oil waste, become ZLD at the earliest.

Thereafter I went to Kaila Bhatta drain. The length of this drain is 5.29 kms. This is also untapped drain. Bio-remediation work in the upper part of the drain is being carried out. Adjacent to this drain exists 60 acres of open land. As per information of the Municipal Commissioner, Ghaziabad, a DPR has been prepared to convert this land into a bio-diversity park and the treated water of the drain shall be used in this park, and it shall become ZLD within next four months.

I then went to Indirapuram drain. The length of this drain is 5.75 kms. This drain is tapped.

Thereafter I went to Karhera drain. The length of this drain is 2.64 kms. This is an untapped drain. The work of bio-remediation is being carried out. As stated earlier, water quality of this drain is of class 'E' category. For tapping of this drain, the financial approval has been given by the Government and, as informed by the Municipal Commissioner, the moment finances are received, immediate steps shall be taken to tap this drain.

Close to Karhera drain is the City Forest drain. The length of this drain is 7.44 kms and this too shall be tapped along with Karhera drain. Industrial and domestic wastes are being discharged into these two drains.

Thereafter, I went to Hindon Vihar and Nandgram drains. The length of Hindon Vihar drain is 1560 meter while of Nandgram drain, it is 1.76 kms. In both these drains, local dairies waste is being discharged and it was very much visible on the surface of water where cow dung was floating. I was told that initially when these local dairies were shifted from the city of Ghaziabad to this place, it was an uninhabited area but thereafter several persons started living here and the local dairies are still discharging their wastes in these two drains. At Hindon Eco Park, the team of Nagar Nigam is developing culture. A small plant has been made for this purpose.

The water quality of all the drains is not within the prescribed limits.

The Municipal Commissioner told me that he is working on the lines of collecting cow dung from these local dairies and convert it into compost and this will not only help to improve the water quality of drains, but will also fetch money to Nagar Nigam by the sale of compost. He also informed that he has developed some "Miyawaki forests" and has given them the name of "*Lungs of Ghaziabad*". I asked him to show one such Miyawaki forest. I then went to one "Miyawaki forest". Though it situated in a small area, inside a big forest, but the growth of plants in the area within a period of one year was very good. Its results are very encouraging. I was told that at several other places of Ghaziabad, such Miyawaki forests/gardens are being developed.

The Municipal Commissioner also took me to Pratap Vihar legacy waste site, where about 20000 tonnes of legacy waste is remaining. The Municipal Commissioner told me that the machines by which the waste is being treated have the capacity of treating 1000

tonnes per day, so the entire waste would be treated within one month only positively. For the disposal of RDF, he told me that the company, which is assigned with the work of treatment, is going to start a boiler very soon. It shall supply its steam to the steam-based factories. He also told that the moment this area is cleared, huge plantation shall be carried out on this land and more than 50000 trees shall be planted in this waste site. He further told that though the Ghaziabad Development Authority was asked to remove the waste from Shakti Khand legacy waste site, but the same has not yet been removed.

I was informed by the Municipal Commissioner that he has engaged the rag pickers and has allotted wards to them. They come to the place where waste is collected; they sort out the solid waste from municipal wastes on payment. It not only helps in segregating the waste but also fetches money to the Nagar Nigam. The Municipal Commissioner is taking personal interest in his work and it is appreciable as the same is being done by own means of Nagar Nigam.

Some photographs taken during the course of inspection of the sites discussed above are annexed herewith.

So far as the water quality of drains is concerned, the same is poor. Though the work of bio-remediation is being done, but it is not sufficient and all the drains need to be tapped. Immediate steps need to be taken for tapping all the remaining drains to make the Hindon river clean.

Detailed reports regarding bio-remediation work being carried out on all the drains were provided to me separately, which are annexed with this report.

27-Apr-22

X SVS Rathore

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

April 27, 2022



Vaishali



Pratap Vihar



Vaishali



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