

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

**IN THE MATTER OF:-**

**ORIGINAL APPLICATION NO. 490/2019**

**T.S. SINGH  
VERSUS  
STATE OF UTTAR PRADESH**

**INDEX**

<b>Sl. No.</b>	<b>Particulars</b>	<b>Page No.</b>
<b>1.</b>	<b>REPORT OF OVERSIGHT COMMITTEE</b>	<b>1-12</b>
<b>2.</b>	<b>Annexure - I</b>	<b>13-24</b>
<b>3.</b>	<b>Annexure – II</b>	<b>25-28</b>
<b>4.</b>	<b>Annexure - III</b>	<b>29-31</b>
<b>5.</b>	<b>Annexure - IV</b>	<b>32-35</b>

**UPDATED REPORT OF OVERSIGHT COMMITTEE IN COMPLIANCE OF ORDER OF  
HON'BLE NATIONAL GREEN TRIBUNAL PASSED IN OA NO. 490 OF 2019 IN RE:  
T.S. SINGH VS STATE OF UTTAR PRADESH WITH REGARD TO PREVENTION OF  
DISCHARGE OF UNTREATED SEWAGE INTO SAI RIVER AT PRATAPGARH  
IN UTTAR PRADESH**

\*\*\*

**Introduction:**

Hon'ble NGT has taken up the issue of discharging of untreated sewage into Sai River at Pratapgarh in Uttar Pradesh on several dates 05.08.2019 and 02.01.2019. Hon'ble NGT had considered the earlier proceedings and report of UPPCB dated 30.08.2019 in its recent order dated 02.01.2020. Hon'ble NGT in its order dated 07.10.2020 quoted the report of UPPCB. UPPCB in its report mentioned as follows:

*"1. District Pratapgarh has 9 towns out of them 7 are statutory towns and 2 Census towns. There are 533,546 households in the district accounting for 1.6 percent of the total households in the state. The average size of households in the district is 6.0 persons. Total population of the city Pratapgarh as per 2011 census is 76.133 and water consumption is 13.70 MLD. The total sewage generation of the city is 8.95 MLD.*

*2. In Pratapgarh city main drain named City drain originates from Prayagpur Aurehta joins Sairiver at BelaPratapgarh. Distance covered by city drain from Prayagpur Aurehta to its meeting point to Sai River is approx 0.44 Km. City drain carries domestic waste water of habitations settled along the course of river Sai. Total sewage discharge from city drain to river Sai is 8.95 MLD which is untreated in nature. The city drain with a flow of 8.95 MLD will be intercepted and routed to under construction STP of 8.95 MLD at Pratapgarh city near Belhamai Bridge.*

3. Above mentioned STP of 8.95 MLD capacity is based on Fluidized Aerobic Bed Reactor (FAB) technology whose main units are Screen & grit chamber, FAB reactor I & 11, tube settler, chlorine contact tank, Sludge thickner. sludge drying bed etc. **Atthe time of inspection STP was found non- operational dueto under construction of sewer lines and its connectivitywith STP. At present sewage is directly discharged intoriver Sai.**

4. It has been informed that STP was constructed in year 2009 by Thermax Ltd in Pratapgarh Jalotsaran Yojna Belha Pratapgarh city with total estimated cost of Rs. 1820.75 Crore in which 8.50 Crore for STP and rest for sewer line, main pumping station and intermediate pumping station. Summary of the Pratapgarh sewerage plan is attached herewith and marked as Annexure no.-1.

5. It has been informed by UP Jal Nigam, Pratapgarh that construction work of STP and main pumping station was started by July 2009 as the land for STP and MPS was made available by Nagar PalikaParishad, Pratapgarh. Later the work was delayed due to PIL in Lucknow bench of Allahabad high court lodged by Dr. R.K Singh owner of a hospital near STP campus.

6. **It is informed by U.P. Jal Nigam Pratapgarh that the work of sewer laying etc. cannot be started timely because the funds released for construction was not equivalent to sanctioned amount, and the tender for construction was cancelled six times by competent authority due to different reasons.** Later Forest Department imposed ban onlaying of sewer and asked for permission of Govt. of India.Scheme where works are held up due to ban imposed by ForestDept. Pratapgarh, is attached herewith and marked as Annexureno.-2.

7. It has been informed that total proposed sewer line for connection of drains to STP is 12.472 Kilometre in which approx. 9 Kilometres sewer line has been installed and rest 3.472 Km is under construction. **Approximately 95% workof STP was completed in 2010 and its testing has beenalso done.**

8. Regional office UPPCB Raebareli has been directed to EO Nagar Palika Parishad. Pratapgarh and Executive Engineer Jal Nigam Pratapgarh vide letter no. 1305/STP/2017-18 dated 18.01.2018 and 696/STP/P/18-19 dated 10.09.2018 for completion and operation of STP as soon as possible.

9. **The river Sai is also covered in the identified "Polluted river stretches" as Priority —V.** In compliance of order passed by Hon'ble NGT on 20-09-2018 in OA no. 673/2018 in the matter of NEWS ITEM PUBLISHED IN "THE HINDU" AUTHORED BY SHRI JACOBKOSHY" titled More river stretches are now critically polluted: CPCB, in this regard Pollution Control Board has prepared an Action Plan for rejuvenation of river Sai which has been duly approved by 'River Rejuvenation Committee, U.P.'

## **2. NGT Orders:**

Hon'ble NGT and Supreme Court are dealing with the issues of river pollution in its multiple orders and directed as follows:

- In Paryavaran Suraksha Samiti & Anr. v. Union of India & Ors., (2017) 5 SCC 326 the Hon'ble Supreme Court had directed that, "6. Any failure to follow at least the above minimum course which is easily available, the Principal Secretary, Urban Development Department as well as Chief Executive Officers of the concerned Local Body and Jal Nigam or any other officers entrusted with this function must be held accountable personally by way of disciplinary action as well as requirement of payment of compensation on 'Polluter Pays' principle and making of entry in their ACRs to enforce the rule of law and to enforce citizens' right to clean environment.
- Hon'ble NGT in O.A. No. 200 of 2014 (River Ganga) vide order dated 22.08.2019, observed as "16..... As already observed by this Tribunal including in the order dated 14.05.2019 that River Ganga being National River with distinct significance for the country, even a drop of pollution therein is a matter of concern. All the authorities have to be stringent and depict zero tolerance to the pollution of River Ganga. Wherever STPs

are not operating, immediate bioremediation and/or phyto-remediation may be undertaken if feasible. To avoid procedural delay of tender processes, etc. specifications and norms for undertaking such activities may be specified in consultation with the CPCB as was earlier directed in our order dated 29.11.2018. Performance guarantees may be required to be furnished for ensuring timely performance. It needs to be ensured that setting up of STPs and sewerage network to be completed and carried out so as to avoid any idle capacities being created. Performance guarantees may be taken for preventing such defaults.

- Hon'ble NGT in **O.A. No. 593/2017**, *Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors.*, (dealing with Water pollution for compliance of order of Hon'ble Supreme Court in **(2017) 5 SCC 326**) vide order dated 28.08.2019 had observed, "17. As already noted, prevention of pollution of water is directly linked to access to potable water as well as food safety. Restoration of pristine glory of rivers is also of cultural and ecological significance. This necessitates effective steps to ensure that no pollution is discharged in water bodies. Doing so is a criminal offence under the Water Act and is harmful to the environment and public health. 'Precautionary' principle of environmental law is to be enforced. Thus, the mandate of law is that there must be 100% treatment of sewage as well as trade effluents. This Tribunal has already directed in the case of river Ganga that timelines laid down therein be adhered to for setting up of STPs and till then, interim measures be taken for treatment of sewage. There is no reason why this direction be not followed, so as to control pollution of all the river stretches in the country. The issue of ETPs/CETPs is being dealt with by an appropriate action against polluting industries. Setting up of STPs and MSW facilities is the responsibility of Local Bodies and in case of their default, of the States. Their failure on the subject has to be adequately monitored. Recovery of compensation on 'Polluter Pays' principle is a part of enforcement strategy but not a substitute for compliance. It is thus necessary to issue directions to all the States/UTs to enforce the compensation regime, latest with effect from 01.04.2020. We may not be taken to be the States/UTs themselves have to pay the requisite amount of compensation to be deposited with the

CPCB for restoration of environment. The Chief Secretaries of all the States may furnish their respective compliance reports as per directions already issued in O.A. No.606/2018.

- Hon'ble NGT in **O.A. No.6 of 2012**, *Manoj Mishra Vs. Union of India & Ors.* (dealing with river Yamuna pollution) vide order dated 11.09.2019, observed, "13. Priorities need to be planned. The first step is to ensure that no pollutant is discharged into the river or drains connected thereto. Projects of setting up and upgradation of STPs including setting up of interceptors, laying of sewerage line network etc. have to be completed within strict timelines. Pending such action, immediate bioremediation and/or phytoremediation or any other alternative remediation measure may be undertaken as an interim measure. Pollution of river or water bodies is a criminal offence which needs to be checked by setting up ETPs/CETPs/STPs. The Hon'ble Supreme Court has directed<sup>1</sup> that establishment and proper functioning of ETPs/CETPs/STPs in the country be ensured. This is to enforce the right of access to water. It has been noted by the Hon'ble Supreme Court that water pollution is the cause of various diseases and also affects food safety apart from affecting the environment as such. Following the said judgment, this Tribunal has directed that "All the local bodies have to ensure 100% treatment of the generated sewage and in default to pay compensation which is to be recovered by the States/UTs, with effect from 01.04.2020. In default of such collection, the States/UTs are liable to pay such compensation. The CPCB is to collect the same and utilize for restoration of the environment."
- Hon'ble NGT in O.A. No. 125 of 2017, Court on its own Motion v. State of Karnataka vide order dated 18.12.2019 had directed, "28 (xii) Steps may be taken to explore development of wetlands and bio-diversity parks apart from other remedial action for reducing the pollution load on the recipient water bodies."

The Hon'ble NGT considered the report of Oversight Committee dated 28.08.2020 and directed as follows:

- “1. This committee is of the view that this is an over delayed project where STP construction is going on for last 11 years. The State Govt must complete it along with its sewer lines in the next 6 months and should provide budgetary resources for it on priority.*
- 2. The Committee felt that accountability must be fixed for causing pollution. Since this is a matter of misappropriation of funds, both disciplinary proceedings and criminal action should have been initiated against persons responsible for this. Secretary Urban Development has assured of satisfactory action against the guilty within 10 days.*
- 3. As per Hon'ble NGT's directions, not a single drop of untreated water should be discharged into the river even during monsoon season. The issue of discontinuation of bioremediation during monsoons should be clarified in that context and CPCB should issue clear guidelines in that context.*
- 4. It appears that future enhancement in generation of the sewage has not been taken into consideration while designing the STP. It is recommended that the department should conduct a study to evaluate the future growth of sewage in the city and design capacity of the STP should be increased as per the future demands.*
- 5. The Department may also explore the possibility of creating bio-diversity park or new wetlands to reduce the load of pollution.”*

**Other directions were:**

1. The Principal Secretary, Urban Development (Nagar Vikas) must ensure initiation of remedial steps within one month, out of the State funds or fund collected as per rules from inhabitants, without waiting for the NMCG approval. The Principal Secretary, Urban Development may remain present in person (by Video Conferencing) with the compliance report on the next date of hearing. The report may specifically mention water quality status of river Sai, further progress on laying of sewers, performance of in-situ remediation of four drains and operational status of STP.
2. The State PCB is at liberty to initiate prosecution and recover compensation following due process of law.

### 3. Compliance Report of UP Jal Nigam

Shri.Sushil Patel JMD, Jal Nigam had presented the following compliances in the aforementioned issue on 25.01.2021:

S.No.	Points of Discussion	Action taken																				
1	Current status	<p>Pratapgarh sewerage scheme was sanctioned in the year 2009-10 under State Sector Programme. The major works included under the project and their present status is as follows:</p> <table border="1"> <thead> <tr> <th>S.no.</th> <th>Description</th> <th>Quantity proposed</th> <th>Present Status</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sewer Line</td> <td>12.47 Km</td> <td>6.70 Km laid</td> </tr> <tr> <td>2</td> <td>Intermediate Pumping Station</td> <td>1 No.</td> <td>Not Constructed</td> </tr> <tr> <td>3</td> <td>Main Pumping Station</td> <td>1 No.</td> <td>90% Complete</td> </tr> <tr> <td>4</td> <td>Sewage Treatment Plant</td> <td>8.95 MLD</td> <td>90% Complete</td> </tr> </tbody> </table> <p>Substantial work of construction of 8.95 MLD STP including installation of electrical and mechanical equipments were completed in year 2013. Power connection and other ancillary works of STP are impeded since 2013 due to diversion of funds to other works.</p> <p>Further, it is to inform that 4 drains, namely Police line drain, Bholiyapur drain, Sardar drain and Ram Leela maidan drain are discharging 7.7 MLD of sewage into the river Sai. A DPR under Namami Gange Programme, amounting Rs. 33.91 cr., for construction of above 4 drains, including 15 years O&amp;M was submitted to NMCG dated 28.08.2020. This project also includes provisions for making the STP operational.</p>	S.no.	Description	Quantity proposed	Present Status	1	Sewer Line	12.47 Km	6.70 Km laid	2	Intermediate Pumping Station	1 No.	Not Constructed	3	Main Pumping Station	1 No.	90% Complete	4	Sewage Treatment Plant	8.95 MLD	90% Complete
S.no.	Description	Quantity proposed	Present Status																			
1	Sewer Line	12.47 Km	6.70 Km laid																			
2	Intermediate Pumping Station	1 No.	Not Constructed																			
3	Main Pumping Station	1 No.	90% Complete																			
4	Sewage Treatment Plant	8.95 MLD	90% Complete																			

		<p>Observations on aforesaid DPR were communicated by NMCG vide their letter dated 09.10.2020. After incorporating replies to these observations, revised DPR amounting to Rs. 32.56 cr., including 15 years O&amp;M was submitted to NMCG vide letter dated 10.12.2020.</p> <p>In compliance of Hon'ble NGT order dated 07.10.2020 in the matter, request for allocation of funds against the aforesaid DPR was made by Joint Managing Director, UP Jal Nigam, Lucknow vide letter dated 19.10.2020 through State Govt.</p>																		
	Status of interim measures which has been taken	Interim measures i.e bio-remediation work are being taken by Municipal Committee Belha, Pratapgarh for all the above four drains of Pratapgarh city. Photographs of the progress work are annexed as <b>Annexure 1</b> .																		
	Status of work of sewer line connection with STP	Sewer line connection with STP could not be completed due to unavailability of funds.																		
	Status of action taken against the erring officers	<p>It was informed that the work on this project (sanctioned in year 2006) was started in year 2009 and continued upto 2013. The proposed work under the approved project could not be completed due to diversion of funds. The details of the officers responsible for it are as follows:</p> <table border="1"> <thead> <tr> <th>S.no.</th> <th>Name</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sh. Rajesh Khare</td> <td>Executive Engineer</td> </tr> <tr> <td>2</td> <td>Sh. Rakesh Kumar Srivastava</td> <td>Divisional Accountant</td> </tr> <tr> <td>3</td> <td>Sh. Rampal Ram</td> <td>Head Clerk</td> </tr> <tr> <td>4</td> <td>Late Sh. Satyendranath Srivastava</td> <td>RGC (Expired in June, 2020)</td> </tr> <tr> <td>5</td> <td>M/s Thermax Ltd., Chinchwad, Pune</td> <td>Contractor Firm</td> </tr> </tbody> </table>	S.no.	Name	Designation	1	Sh. Rajesh Khare	Executive Engineer	2	Sh. Rakesh Kumar Srivastava	Divisional Accountant	3	Sh. Rampal Ram	Head Clerk	4	Late Sh. Satyendranath Srivastava	RGC (Expired in June, 2020)	5	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm
S.no.	Name	Designation																		
1	Sh. Rajesh Khare	Executive Engineer																		
2	Sh. Rakesh Kumar Srivastava	Divisional Accountant																		
3	Sh. Rampal Ram	Head Clerk																		
4	Late Sh. Satyendranath Srivastava	RGC (Expired in June, 2020)																		
5	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm																		

		<p>The above concerned persons retired during the years 2014-2018. Further, as per clause 351 (A) of Civil Services Regulation Act, no proceedings can be initiated against the persons responsible after laps of 4 years period from the date of irregularity. As such, disciplinary proceedings could not be initiated.</p> <p>An FIR had already been lodged against the following on 30.08.2020 under IPC section 409,419 and 420:</p> <table border="1"> <thead> <tr> <th>S.no.</th> <th>Name</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sh. Rajesh Khare</td> <td>Executive Engineer</td> </tr> <tr> <td>2</td> <td>Sh. Rakesh Kumar Srivastava</td> <td>Divisional Accountant</td> </tr> <tr> <td>3</td> <td>Sh. Rampal Ram</td> <td>Head Clerk</td> </tr> <tr> <td>4</td> <td>M/s Thermax Ltd., Chinchwad, Pune</td> <td>Contractor Firm</td> </tr> </tbody> </table>	S.no.	Name	Designation	1	Sh. Rajesh Khare	Executive Engineer	2	Sh. Rakesh Kumar Srivastava	Divisional Accountant	3	Sh. Rampal Ram	Head Clerk	4	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm
S.no.	Name	Designation															
1	Sh. Rajesh Khare	Executive Engineer															
2	Sh. Rakesh Kumar Srivastava	Divisional Accountant															
3	Sh. Rampal Ram	Head Clerk															
4	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm															

A copy of compliance report of UP Jal Nigam is Annexed as **Annexure 2**.

#### **4. Compliance report of UPPCB as on 25.01.2021:**

**Status of Environmental Compensation:** Shri. P. K. Agarwal, CEO, UPPCB informed that they had issued show-cause notice to Municipal Committee Pratapgarh for environmental compensation of Rs 36.50 crores in consonance with the Hon'ble NGT's orders. UPPCB has also recommended prosecution against the erring officers and had sent it to the Urban Development Department but their response is still awaited.

#### **5. Suggestions from the Forest Department, Pratapgarh as on 31.01.2021:**

During the meeting dated 25.01.2021 Shri Varun Singh, DFO Pratapgarh was directed to look into the possibilities of construction of wetland/biodiversity park in the area. Proceeding in the

same direction he had presented a rejuvenation action plan for River Sai. The details of the action Plan are as follows:

1. Bioengineering (biological engineering) in context of water cleanup is the use of biological principles of thermodynamics, kinetics and toxicology for application to the design, management, monitoring and economic evaluation of engineered systems in order to protect public health and environment.
2. Bioremediation is an attractive remedial technique because it is a "NATURAL PROCESS," a process through which contaminants are merely transformed from one environmental medium to another and it destroys the target chemical. Bioremediation is also have economic advantage in cleaning up of contaminated water because of low capital energy and material cost and also relatively low-tech required, does not have intensive labour requirement, does not require cost of transportation of hazardous contaminants, In Sai river it will be a best practice to get rid of polluted water.
3. In the same context. in district Pratapgarh, Forest Department planned to develop biodiversity park named as Ranjitpur chillbilla Biodiversity Park Pratapgarh. The project area is almost 42.5 hectare . Duration is 2023 -2024. The legal status of the area is as reserve forest (where park area is proposed). It is located near chillbilla Pratapgarh and Sai river flows west to east almost 0.5 km away from the proposed site. The project is pending for final approval.

Detailed compliance report received from Divisional Director Forest And Wildlife Forest Division, Pratapgarh is annexed as **Annexure 3**.

## **6. Compliance report of CPCB as on 29.01.2021**

During the meeting dated 25.01.2021, CPCB was directed to issue guidelines on the issue of bioremediation during monsoons in compliance to the directions of Hon'ble NGT order dated 07.10.2020. The CPCB informed that they have issued clear directions that not a single drop of untreated water should enter into the rivers even in monsoons. A copy of CPCB directions is annexed as **Annexure 4**.

## 7. Recommendations:

### In view of the above we recommend as follows:

1. In the light of the compliance presented by UP Jal Nigam, this committee feels that no progress had been made in the direction of completing the work on ground. This committee in its meeting dated 25.08.2020 had reminded “the officials that time and again it has been held by Hon’ble Supreme Court and Hon’bleNGT that access to clean water is Right to Life under Article 21 of the Constitution. The water sources cannot be allowed to be contaminated because the STP has not come into operation for the last 11 years. It is the bounden duty of the State Government to provide for finances to complete the project. The Project cannot be allowed to be delayed under the garb of pendency at NMCG level. In fact, in the last more than 6 months since the Hon’bleNGT order of 02.01.2020, the State Government has neither included it in the budget proposal nor sent the proposal to NMCG so far. The State Govt must complete it in the next 3 months from its budgetary resources if NMCG approval is taking time”. However, no progress had been made in this direction. The Oversight Committee reiterated that State Govt should provide funds for this project on priority. If the funds approval from NMCG is taking time, as is evident from the progress in this case, the State Govt should make Budgetary allocations in its State Budget.
2. In the earlier meeting of oversight committee dated 25.08.2020 it was suggested that phytoremediation would be more cost-effective and sustainable way to treat the drains. Yet no progress had been made in adopting phyto-remediation as an in situ measure till the STP is operational .
3. In the earlier meeting of oversight committee dated 25.08.2020 it was noted that the total sewage generation in the city is 8.95 MLD and the proposed STP is 8.95 MLD. The State Govt could not explain as to why the future enhancement of amount in the total generation of the sewage has not been taken into consideration while designing the STP. The Oversight Committee reiterates that the future sewage generation requirements should be incorporated in the revised DPR to be submitted by Jal Nigam.

4. The DFO, Pratapgarh had made some useful suggestions to remediate the pollution in river Sai. It may be directed to use the above mentioned plan in cleaning up the drains with some modifications. The committee recommends that use of bio-engineered plants should be promoted in place of chemicals wherever possible.

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 be uploaded on the website of the Committee.

01-02-2021

01-02-2021

**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

February 01, 2021

Annexures: As above

Please visit our website: [oscngt.upsdc.gov.in](http://oscngt.upsdc.gov.in) for more information.

## कार्यालय नगरपालिका परिषद बेल्हा प्रतापगढ़ ।

संख्या: 10 33/ न0पा0परि0-2021

दिनांक: 28 :जनवरी, 2021

सेवा में,

ओवर साइट कमेटी,  
नेशनल ग्रीन ट्रीव्यूनल,  
लखनऊ ।

महोदय,

कृपय दिनांक 25-1-2021 को आयोजित ओवर साइट कमेटी की बैठक के सन्दर्भअनुपालन आख्या उपलब्ध कराने के निर्देश प्राप्त हुए है। उक्त के क्रम में अवगत कराना है कि नगरपालिका द्वारा सई नदी में गिरने वाले चार नाले क्रमशः पुलिस लाइन नाला, सदर पुलिस लाइन नाला, भुलियापुर नाला एवं रामलीला मैदान नाला एम0एल0डी0 जिसका एल0एल0डी0 फ्लो क्रमशः 0.500, 4.00 व 1.500 एवं 1.100 है। उपरोक्त चारो नालो का बायोरेडिमेशन का कार्य मेसर्स ग्रीनवें टेक्नोलाजी संस्था गाजियाबाद से कराया जा रहा है सम्बन्धित नालों की छायाप्रति संलग्न है।

संलग्नक:-उपरोक्तानुसार ।

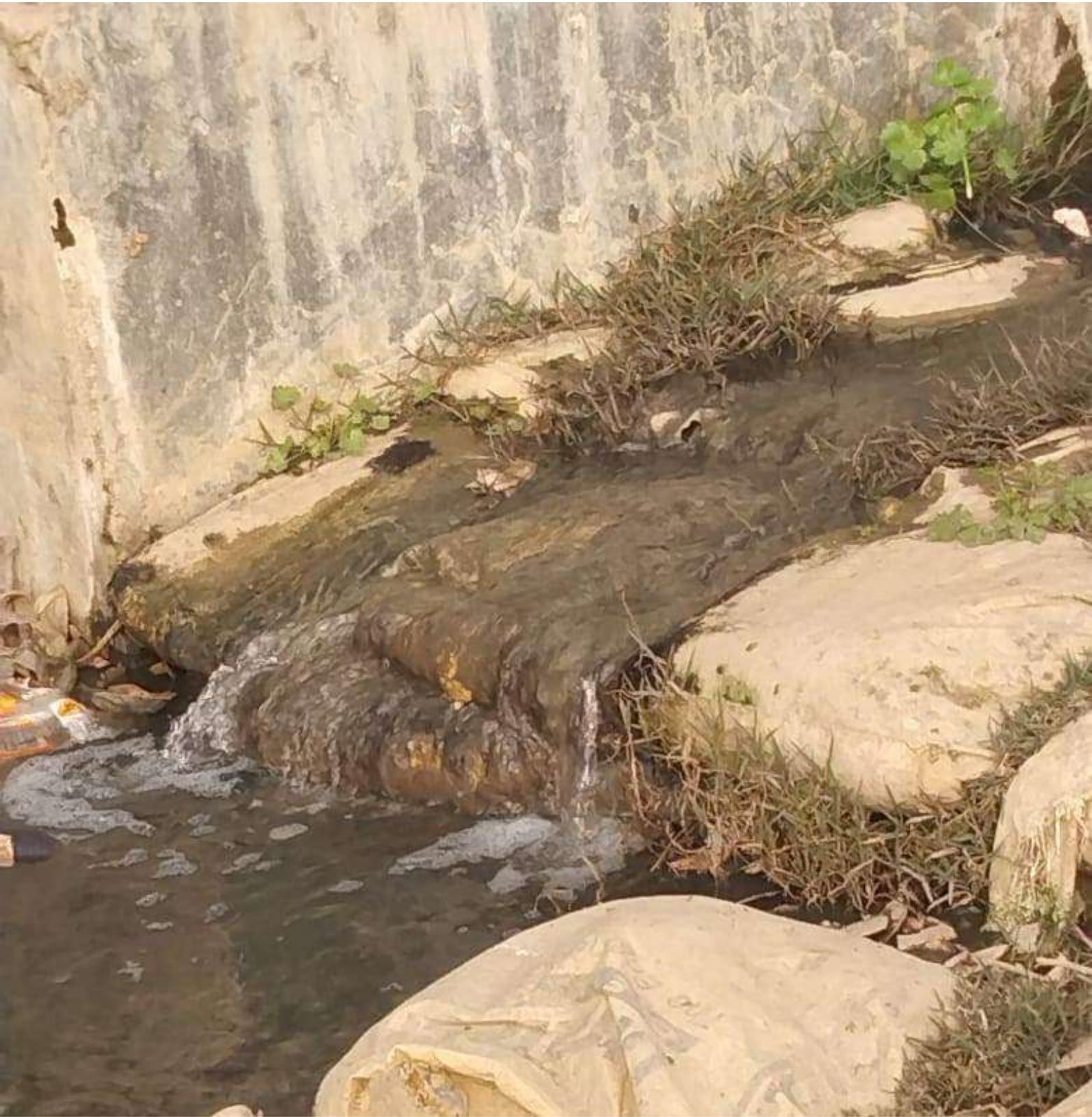
भवदीय



अधिशासी अधिकारी

नगरपालिका परिषद बेल्हा प्रतापगढ़ ।

























# उत्तर प्रदेश जल निगम

प्रधान कार्यालय - 6-राणा प्रताप मार्ग, लखनऊ

पत्र संख्या - 66 /022- 490-2019/2021

दिनांक- 23.01.2021

सेवा में,

श्री ए0एन0 बाजपेई,  
(पी0पी0एस0)

मा0 सदस्य, ओवर साइट कमेटी,  
एन0जी0टी0, यू0पी0  
लखनऊ -226010

**विषय:-** मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ0ए0 सख्या 490/2019 "टी0एस0 सिंह बनाम उ0प्र0 राज्य व अन्य" के अनुपालन विषयक।

महोदय,

उपरोक्त विषयक कृपया अपने ई-मेल दिनांक 21.01.2021 (अपरान्ह 03:42 बजे) का सन्दर्भ ग्रहण करने का कष्ट करें, जिसमें मा0 ओवरसाइट कमेटी, एन0जी0टी0 द्वारा ओ0ए0 सख्या 490/2019 "टी0एस0 सिंह बनाम उ0प्र0 राज्य व अन्य" में वीडियो कॉन्फ्रेंसिंग के माध्यम से एजेन्डा बिन्दुओं को संलग्न करते हुए दिनांक 25.01.2021 को निर्धारित बैठक में प्रतिभाग किये जाने की अपेक्षा की गयी है।

उक्त के क्रम में मुख्य अभियन्ता (प्रयागराज क्षेत्र), उ0प्र0 जल निगम, प्रयागराज के कार्यालय पत्रांक 273/एन0जी0टी0/04 दिनांक 23.01.2021 द्वारा उपलब्ध करायी गयी एजेन्डा बिन्दुओं की बिन्दुवार आख्या संलग्न कर अग्रेतर कार्यवाही हेतु प्रेषित है।

**संलग्नक :- उपरोक्तानुसार।**

भवदीय

(सुशील कुमार पटेल)  
संयुक्त प्रबन्ध निदेशक

**पृ.सं. एवम् दिनांक उपरोक्तानुसार।**

प्रतिलिपि निम्नलिखित को अनुपालन आख्या की प्रति संलग्न कर आवश्यक कार्यवाही हेतु प्रेषित:-

1. प्रमुख सचिव, नगर विकास विभाग, उ0प्र0 शासन।
2. प्रमुख सचिव, वन पर्यावरण एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन।
3. सदस्य सचिव, उ0प्र0 प्रदूषण नियन्त्रण बोर्ड, गोमतीनगर, लखनऊ।

संयुक्त प्रबन्ध निदेशक



फैक्स 0532-2624499

फोन : 2420677

ई-मेल :- zce\_upjn\_allid@yahoo.co.in

## मुख्य अभियन्ता(प्र०क्षे०)

उत्तर प्रदेश जल निगम, 6-दयानन्द मार्ग, प्रयागराज।

प०सं० 273 / M.F.T / 04 दिनांक 23-01-2021

सेवा में,

मुख्य अभियन्ता(गंगा),  
उ०प्र० जल निगम,  
6-राणा प्रताप मार्ग,  
लखनऊ।

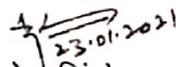
**विषय:-** मा० एन.जी.टी. में विचाराधीन ओ०ए० संख्या 490/2019 "टी०एस० सिंह बनाम उ०प्र० राज्य" में सम्पन्न ओवर साइट कमेटी एन०जी०टी० यू०पी०, लखनऊ की दिनांक 25.01.2021 की बैठक की अनुपालन आख्या के संबंध में।

महोदय,

कृपया उपरोक्त मा० एन.जी.टी. में विचाराधीन ओ०ए० संख्या 490/2019 "टी०एस० सिंह बनाम उ०प्र० राज्य" में सम्पन्न ओवर साइट कमेटी मा० एन०जी०टी० यू०पी०, लखनऊ की दिनांक 25.01.2021 की बैठक की अनुपालन आख्या इस पत्र के साथ संलग्न कर अग्रिम आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्नक :- उपरोक्तानुसार।

भवदीय

  
(आशुतोष सिंह)  
मुख्य अभियन्ता

पृ०सं० एवं दिनांक यथोपरि।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. अधीक्षण अभियन्ता, द्वितीय मण्डल, उ०प्र० जल निगम, प्रयागराज।
2. अधिशारी अभियन्ता, निर्माण खण्ड, उ०प्र० जल निगम, प्रतापगढ़।

मुख्य अभियन्ता

**Reply on Points of Discussion in OA 490/2019 "T. S. Singh vs. State of Uttar Pradesh" for meeting of Oversight Committee, NGT, UP, Lucknow scheduled on 25.01.2021 at 11:00 am through V/C**

Sl.	Points of Discussion	Reply																				
1	Current status of installation of STP.	<p>Pratapgarh Sewerage Scheme was sanctioned in the year 2009-10 under State Sector Programme. The major works included under the project and their present status is as follows:-</p> <table border="1"> <thead> <tr> <th>S.I</th> <th>Description</th> <th>Quantity proposed</th> <th>Present Status</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sewer Line</td> <td>12.47 km</td> <td>6.70 km laid</td> </tr> <tr> <td>2</td> <td>Intermediate pumping station</td> <td>1 no.</td> <td>Not Constructed</td> </tr> <tr> <td>3</td> <td>Main pumping station</td> <td>1 no.</td> <td>90 % complete</td> </tr> <tr> <td>4</td> <td>Sewage Treatment Plant</td> <td>8.95 MLD</td> <td>90 % complete</td> </tr> </tbody> </table> <p>Substantial work of construction of 8.95 MLD STP including installation of electrical and mechanical equipments were completed in year 2013. Power connection and other ancillary works of STP are impeded since 2013 due to diversion of funds to other works.</p> <p>Further, it is to inform that 4 drains, namely Police line drain, Bholiyapur drain, Sedar drain and Ram Leela Maidan drain, having total discharge of 7.7 MLD, are discharging into the river Sai. A DPR under Namami Gange Programme, amounting to Rs. 33.91 cr., for I&amp;D of above 4 drains, including 15 years O &amp; M, was submitted to NMCG (Govt. of India) vide SMCG letter no. 882/SMCG-UP/0623/SMCG dated 28.08.2020. The project also includes provisions for making the STP operational.</p> <p>Observations on aforesaid DPR were communicated by NMCG vide their letter no. TE- 12014/1/2020-Tech. Construction NMCG dated 09.10.2020. After incorporating the raised observations, revised DPR amounting to Rs. 32.56 cr., including 15 years O &amp; M, was submitted to NMCG vide SMCG letter no. 1220/063/SMCG-UP/04 dated 10.12.2020.</p> <p>In compliance of Hon'ble NGT order dated 07.10.2020 in the matter, request for allocation of funds against the aforesaid DPR was made by Joint Managing Director, U. P. Jal Nigam, Lucknow vide letter no. G-114/022-490-2019/2020 dated 19.10.2020.</p>	S.I	Description	Quantity proposed	Present Status	1	Sewer Line	12.47 km	6.70 km laid	2	Intermediate pumping station	1 no.	Not Constructed	3	Main pumping station	1 no.	90 % complete	4	Sewage Treatment Plant	8.95 MLD	90 % complete
S.I	Description	Quantity proposed	Present Status																			
1	Sewer Line	12.47 km	6.70 km laid																			
2	Intermediate pumping station	1 no.	Not Constructed																			
3	Main pumping station	1 no.	90 % complete																			
4	Sewage Treatment Plant	8.95 MLD	90 % complete																			
2	Status of interim measures which must be taken if the STP is not functional.	Interim measures i.e. bioremediation work is being done by NPP Belha, Pratapgarh for all the above four drains of Pratapgarh city.																				
3	Status of work of sewer line connection with STP.	Sewer line connection with STP could not be completed due to unavailability of funds.																				

P

→

Sl.	Points of Discussion	Reply																																	
4	Status of action taken against the erring officers.	<p>It is to submit that the works on the project, sanctioned in year 2006, were started in year 2009 and continued upto year 2013. The proposed works under the approved project could not be completed due to diversion of funds. The persons responsible for diversion of funds are as follows:</p> <table border="1"> <thead> <tr> <th>Sl.</th> <th>Name</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sh. Rajesh Khare</td> <td>Executive Engineer</td> </tr> <tr> <td>2</td> <td>Sh. Rakesh Kumar Srivastava</td> <td>Divisional Accountant</td> </tr> <tr> <td>3</td> <td>Sh. Rampal Ram</td> <td>Head Clerk</td> </tr> <tr> <td>4</td> <td>Late Sh. Satyendranath Srivastava</td> <td>RGC (Expired in June, 2020)</td> </tr> <tr> <td>5</td> <td>M/s Thermax Ltd., Chinchwad, Pune</td> <td>Contractor Firm</td> </tr> </tbody> </table> <p>The above concerned persons retired during the years 2014-2018. Further, as per clause 351 (A) of Civil Services Regulation Act, no proceedings can be initiated against the persons responsible after lapse of 4 year period from the date of irregularity. As such, disciplinary proceedings could not be initiated.</p> <p>Although, an FIR had already been lodged against the following on 30.08.2020 under IPC sections 409, 419 and 420.</p> <table border="1"> <thead> <tr> <th>Sl.</th> <th>Name</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sh. Rajesh Khare</td> <td>Executive Engineer</td> </tr> <tr> <td>2</td> <td>Sh. Rakesh Kumar Srivastava</td> <td>Divisional Accountant</td> </tr> <tr> <td>3</td> <td>Sh. Rampal Ram</td> <td>Head Clerk</td> </tr> <tr> <td>4</td> <td>M/s Thermax Ltd., Chinchwad, Pune</td> <td>Contractor Firm</td> </tr> </tbody> </table>	Sl.	Name	Designation	1	Sh. Rajesh Khare	Executive Engineer	2	Sh. Rakesh Kumar Srivastava	Divisional Accountant	3	Sh. Rampal Ram	Head Clerk	4	Late Sh. Satyendranath Srivastava	RGC (Expired in June, 2020)	5	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm	Sl.	Name	Designation	1	Sh. Rajesh Khare	Executive Engineer	2	Sh. Rakesh Kumar Srivastava	Divisional Accountant	3	Sh. Rampal Ram	Head Clerk	4	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm
Sl.	Name	Designation																																	
1	Sh. Rajesh Khare	Executive Engineer																																	
2	Sh. Rakesh Kumar Srivastava	Divisional Accountant																																	
3	Sh. Rampal Ram	Head Clerk																																	
4	Late Sh. Satyendranath Srivastava	RGC (Expired in June, 2020)																																	
5	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm																																	
Sl.	Name	Designation																																	
1	Sh. Rajesh Khare	Executive Engineer																																	
2	Sh. Rakesh Kumar Srivastava	Divisional Accountant																																	
3	Sh. Rampal Ram	Head Clerk																																	
4	M/s Thermax Ltd., Chinchwad, Pune	Contractor Firm																																	
5	Steps taken to explore the development of wetlands and biodiversity park apart from other remedial action.	Not related to U. P. Jal Nigam																																	

(Ghanshyam Dwivedi)  
Superintending Engineer  
2<sup>nd</sup> Circle, U.P. Jal Nigam,  
Prayagraj

(23/1/21)  
Executive Engineer  
Construction Division  
U.P. Jal Nigam,  
Pratapgarh

(23.01.2021)  
(Ashutosh Singh)  
Chief Engineer (Prg. Zone)  
U.P. Jal Nigam,  
Pratapgarh

**Office Divisional Director Forest and wildlife Forest Division, Pratapgarh**

**Memo NO.- 1991 Dated- 30/01/2021**

To,

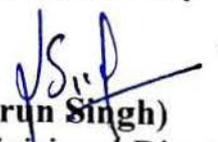
**OSC, NGT  
Lucknow, UP**

**Subject :-** Instruction found in Vc on 25/01/2021,

**Sir/ Madam,**

In above mention subject it is directed by you in the video conference organized on 25 Jan 2021 to submit the recommendations of forest department Pratapgarh for Sai river water treatment, for same some recommendation made by me in the same context, here it is attached as Annexure 1.

Yours faithfully

  
**(Varun Singh)**

Divisional Director  
Pratapgarh Social Forest Division,  
Pratapgarh

A national sense of urgency with regard to the cleaning of contaminated water has been motivated by recent legislation promulgated as result of adverse public health and environmental impacts. However, current technologies for cleaning of contaminated water containing hazardous organic substances are often expensive or inappropriate for specific conditions in handling complex pollutant mixtures of pollutants. As we all know the **SAI river and its bank** In district Pratapgarh situated mostly in the area of human habitation or near the private lands or farm lands, so the concept of wetland and the other heavy infrastructure development will be not fit and will not be feasible for the treatment of river water.

**The proposed action plan for rejuvenation of river Sai consisting following components:-**

1. **Bioengineering** (biological engineering) in context of water cleanup is the use of biological principle of thermodynamics, kinetics and toxicology for application to the design management monitoring and economic evaluation of engineered system in order to protect public health and environment.
2. **Bioremediation** is an attractive remedial technique because it is a "NATURAL PROCESS" a process through which contaminants are merely transformed from one environmental medium to another and it destroy the target chemical, bioremediation is also have economic advantage in cleaning up of contaminated water because of low capital energy and material cost and also relativity low-tech required, does not have intensive labour requirement , does not required cost of transportation of hazardous contaminants, in Sai river it will be a best practice to get rid of polluted water.

3. In the same context, in district Pratapgarh, Forest Department planned to develop biodiversity park named as **Ranjitpur chilbila biodiversity park Pratapgarh**, the project area almost 42.5 hectare , duration 2023 -2024 the legal status of the area as a reserve forest( where park area is proposed) it is located near the chillbilla Pratapgarh and that sai river flows west to east almost 0.5 km away from the proposed site. The project is pending for final approval.





Speed Post

F. No. B-19114/NGT/WQM-II/CPCB/2020- 21 1734-1738

To

26/06/2020

The Chairman  
State Pollution Control Boards  
(Uttarakhand, Uttar Pradesh, Bihar, Jharkhand & West Bengal)

**DIRECTIONS ISSUED UNDER SECTION 18 (1) (b) OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 REGARDING TREATMENT AND DISPOSAL OF SEWAGE AND OTHER EFFLUENTS INTO A WATER CHANNEL OR STREAM**

**WHEREAS**, the Central Pollution Control Board has delegated powers vested under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to the Chairman, Central Pollution Control Board vide its resolution made on 133<sup>rd</sup> Board meeting item no. 3.12 dated 24<sup>th</sup> March 2005 to issue directions under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to the State Pollution Control Boards; and

**WHEREAS**, under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974, no person shall, without the previous consent of the State Pollution Control Board establish or take steps to establish any industry, operation, or process or any treatment or disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land; and

**WHEREAS**, the Central Government has notified the general discharge standards of environmental pollutants from various sources including municipal wastewater under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, CPCB issued directions dated 21.04.2015 to SPCBs/PCCs under Section 18(1)(b) of the Water (Prevention And Control of Pollution) Act, 1974 and directed to ensure compliance of directions to following directions:

- i. State Pollution Control Board shall make mandatory for local/urban bodies to set up STPs of adequate capacity and provide underground sewerage system to cover the entire local/urban areas and to bridge the treatment gap along with enforcement of consent management in line with the prescribed standards for sewage treatment.
- ii. SPCB/PCC shall issue directions to all municipalities and other concerned authorities in the State/UT responsible for treatment and disposal of sewage to the following effect:
  - a) The existing STPs which are being operated before issuance of these directions shall meet the prescribed standards within prescribed time frame.

- b) The new sewage treatment plants which will come in existence after the issuance of these directions shall be designed to treat and achieve standards as per the prescribed standards.

**AND WHEREAS,** CPCB issued directions dated 09.10.2015 under Section 5 of The Environment (Protection) Act, 1986 to the Commissioner/Mayor/Chief Executive Officer of the Nagar Nigam/Municipal Corporation/Local Bodies/Panchayat of the identified 118 Ganga front towns for compliance of the following directions:

- i. Untreated sewage shall not be disposed into the river or at any other recipient system.
- ii. In case of disposal of effluents on land or river or any water body including coastal water/creek or a drain, the treated effluents shall meet the prescribed standards.
- iii. Existing sewage treatment plants, if any, as applicable shall be properly maintained to comply with the prescribed standards.
- iv. The Municipal Authority shall properly manage the wastewater flowing in drains and take required actions to ensure that such wastewater is treated and disposed off in accordance with the prescribed standards.

**AND WHEREAS,** CPCB issued directions dated March 10, 2017 under Section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 to the SPCBs of Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal for restoration of water quality of River Ganga to grant consent-to-operate to industries having requisite effluent treatment facilities and to ensure that no industry disposes coloured effluent into any drain / tributaries so that River Ganga and its tributaries do not receive any coloured effluent; and

**WHEREAS,** the Central Government has notified the discharge standard for sewage treatment plants under the Environment (Protection) Rules, 1986 vide notification dated 13.10.2017; and

**WHEREAS,** CPCB issued directions dated 12.03.2018 to the SPCBs of Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal under Section 18(1)(b) of the Water (Prevention And Control Of Pollution) Act, 1974 to identify industrial units and direct them to submit an action plan for reuse of treated sewage for industrial and other purpose (non-potable applications) wherever possible; and

**WHEREAS,** the Hon'ble NGT in the O.A. no. 1069/2018 vide order dated 21.12.2018 granted stay on discharge standard for sewage treatment plants notified vide notification dated 13.10.2017; and

**WHEREAS,** the Hon'ble NGT in the O.A. no. 1069/2018 vide order dated 30.04.2019 accepted the standards recommended by expert committee (constituted by Hon'ble NGT) with the modification that the standard recommended for Mega and Metropolitan Cities will also apply to the rest of the country, not only for new STPs but also for existing/under construction STPs without any delay. The link of order is as follows <https://greentribunal.gov.in/caseDetails/DELHI/0701102005292018>; and

**WHEREAS**, the Municipal Corporation of Greater Mumbai filed a civil appeal no. 5036/2019 dated 08.05.2019 in Hon'ble Supreme court against Hon'ble NGT order dated 30.04.2019 in matter of O.A. no. 1069/2018. The Hon'ble Supreme court in C.A. no. 5036/2019 issued order dated 17.05.2019. The verbatim of order is as under:

*"the Municipal Corporation of Greater Mumbai shall follow the parameters laid down by the Expert Committee in its report/recommendations for the mega metropolitan cities in processing the tender as also the directions of the Ministry of Environment, Forest and Climate Change in this regard."*

**AND WHEREAS**, the Hon'ble NGT in the O.A. no. 985/ 2019 with O.A. No. 986/ 2019 (With report dated 30.10.2019) 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, has issued order dated 15.11.2019. The verbatim of order is as under:

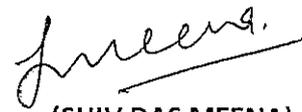
*"Point no. 17. The stand of the State of UP shows that it is being understood in certain quarters that during monsoon any pollution load, including sewage or any other polluting effluents can be discharged in the water bodies/rivers which is clearly against the mandate of Section 25 of the Water (Prevention 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."*

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

**AND NOW, THEREFORE**, in view of above-mentioned observations and in exercise of the power conferred under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 you are hereby directed to issue appropriate directions to the concerned authorities including urban local bodies in your state for compliance of following direction:

1. **No authority shall allow the discharge of polluted sewage or polluted effluents directly into a water channel or stream in violation of the law even during monsoon season and they shall ensure that the standards for faecal coliform are duly maintained.**

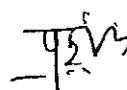
SPCB shall acknowledge the receipt of these directions immediately and submit a pointwise action plan along with a roadmap to implement direction within 30 days from the date of receipt of these directions.

  
(SHIV DAS MEENA)  
CHAIRMAN

DIRECTIONS UNDER SECTION 18 (1) (b) OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 REGARDING TREATMENT AND DISPOSAL OF SEWAGE AND OTHER EFFLUENTS INTO A WATER CHANNEL OR STREAM

**Copy to:**

1. **Director General** : For kind information, please.  
National Mission for Clean Ganga,  
(MoWR, RD & GR)  
1st Floor, Major Dhyan Chand National Stadium,  
India Gate, New Delhi – 110002
2. **Joint Secretary (CP Divison),** : For kind information, please.  
Ministry of Environment, Forests, & Climate Change  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110013
3. **Regional Director** : For kind information, please.  
Regional Directorate  
Central Pollution Control Board  
PICUP Bhawan, Vibhuti Khand,  
Gomti Nagar, Lucknow - 226010
4. **Regional Director** : For kind information, please.  
Regional Directorate  
Central Pollution Control Board  
South end Conclave, Block-502, 5<sup>th</sup> & 6<sup>th</sup> Floor,  
1582, Rajdanga Main Road, Kolkata - 700107
5. ✓ The In-charge, IT Division, CPCB : With a request to upload on  
CPCB's website.
6. Incharge, Law Division, CPCB, DELHI : For kind information, please.
7. Incharge, WQM-II, CPCB, DELHI : For record.

  
(PRASHANT GARGAVA)  
MEMBER SECRETARY