

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 859/2022
(I.A. Nos. 445/2024, 769/2023 & 632/2023)

Abhisht Kusum Gupta Applicant

Versus

State of Uttar Pradesh & Ors. Respondent(s)

With

Original Application No. 512/2024

News Item titled "Irrigation dept files case against Noida villagers for dumping waste in Hindon" appearing in The Hindustan Times dated 12.03.2024

Date of hearing: 24.01.2025

CORAM: **HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON**
 HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
 HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

Applicant: Mr. Sunil J. Mathews, Ms. Jyoti Chib, Mr. Samanwaya Rautray & Ms. Yashika Singh, Advs. for Applicant in OA 859/2022 (Through VC)

Respondent: Mr. Bhanwar Pal Singh Jadon, Adv. for the State of UP & UPPCB (Through VC)
 Mr. Raj Kumar, Adv. for CPCB
 Mr. Malak Bhatt, Ms. Neeha Nagpal & Ms. Sukamya Joshi, Advs. for Ghaziabad Nagar Nigam (Through VC)

ORDER

1. In the Original Application 859/2022, the Tribunal is considering the issue of pollution of river Hindon by the discharge of industrial effluents and untreated sewage and the failure of the authorities to prevent the pollution therein.

2. In terms of the earlier direction of the Tribunal dated 11.07.2024 and 14.10.2024, Chief Secretary, State of UP has filed the affidavit dated

13.10.2024. In that affidavit, the disclosure has been made about the removal of C&D waste from Garhi Chaukhandi and other various places along river Hindon but, but paragraph 6 of the affidavit states that the C&D waste has been transferred to the Collection Centre in Section 25, 64 and 72 of NOIDA. The details relating to the processing of C&D waste have not been disclosed. The affidavit further states about the solid waste that was choking various drains outfalling in river Hindon and its tributaries and the photographs have been placed on record as Annexure-3 but concerning the shifting and treatment of solid waste, no particulars have been disclosed. The details of seven drains which are out falling in river Hindon are disclosed as under:-

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<i>District</i>	<i>River</i>	<i>Drain</i>
<i>Saharanpur</i>	<i>Hindon</i>	<i>Nagdehi</i>
	<i>Dhamola</i>	<i>Numaesh Camp, Kamdhenu Complex</i>
<i>Muzaffarnagar</i>	<i>Hindon</i>	<i>Dhobi Ghat, Sabzi Mandi, Shamshanghat in Budhana Town</i>
	<i>Kali West</i>	<i>Niyazupurwa, Shamli Road, Khadarwala, Krishnapuri, Suzroo Villaage (I&II), Nai Basti Khalapar, Mansoorpur</i>
<i>Meerut & Baghpat</i>	<i>Hindon</i>	<i>Sardhana Drain at Kalina Village</i>
<i>Ghaziabad & Hapur</i>	<i>Hindon</i>	<i>Karedha, Hindon Vihar Left, Hindon Vihar Right, Rahul Vihar</i>

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3. Most of these drains, i.e. 52 out of 55 are untapped and are discharging untreated sewage in river Hindon. The details of the water quality of river Hindon and its tributaries like Kali West and Krishni and their test reports have not been placed on record. The affidavit of the Chief Secretary further states about the plantation drive, but there is no disclosure about the survival rate, though the alleged plantation within 5 Km of river Hindon was done between 2021 and 2024. The report mentions the sewage generation in Hindon River Basin to be 943.63 MLD and the gap of 155.68 MLD and existing 19 STPs (with installed capacity of 921.0 MLD) but, the capacity utilization of these STPs and the report of treated water from these STPs have not been placed on record. It is not disclosed if these STPs are meeting the standards of requisite parameters. The report further discloses that there are 366 industries in the Hindon River Basin eight have been dismantled, and 358 are operational, out of which 30 are on Zero Liquid Discharge (ZLD). Though, as per the report, 123 units are non-compliant, no effective action is reflected against them. The report states about the passing of closure orders against 30 units under the Water (Prevention and Control of Pollution) Act, 1974 and the imposition of EC but there is no disclosure about recovery of EC and implementation of the closure order.

4. The CPCB along with its report dated 09.07.2024 filed in connected OA No. 512/2024 which relates to the dumping of waste in Hindon River, has enclosed the action plan titled “Pollution Source Mapping of River Hindon and its Tributaries and Restoration Plan for Polluted Stretches”, which was prepared in August 2023. Learned Counsel for CPCB has informed that the said action plan was forwarded to the State of UP in the year 2023 itself. There is no disclosure about the timebound implementation of the said action plan. This action plan discloses the

status of 55 drains joining rivers Krishni, Kali West and Hindon, installed and utilised capacity of STPs, the performance of STPs, the status of industrial pollution control and the water quality of river Hindon and its tributaries. It has been disclosed in the report of CPCB that the rivers are anoxic, carrying high BOD and fecal coliform and not fit for bathing therefore, CPCB has proposed UP State to execute the action plan.

5. Learned Counsel for the State of UP submits that now a fresh affidavit of Chief Secretary, State of UP will be filed keeping in view the observations made above and also disclosing the timebound schedule for completing the action in pursuance to the action plan submitted by the CPCB. He submits that this affidavit will be filed within six weeks. He has submitted that for implementation of the action plan, prepared by the CPCB, Chief Secretary has already issued instructions to the concerned authorities on 06.11.2023.

6. Learned Counsel for CPCB also submits that though the STPs have been constructed, there is an issue relating to household connectivity with the STPs and unless the same is done, the capacity of the STP cannot be utilized to the fullest and the discharge of untreated sewage to the water channels will continue.

7. The Chief Secretary of State of UP will also respond to the above observation of the CPCB.

8. List on 06.05.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

January 24, 2025
Original Application No. 859/2022
(I.A. Nos. 445/2024, 769/2023 & 632/2023)
& Original Application No. 512/2024
SN..