

Item Nos. 10 to 13

Court No. 1

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

Original Application No. 985/2019
(I.A. No. 568/2024)

In Re: Water Pollution by Tanneries at Jajmau Kanpur Uttar Pradesh

Versus

Central Pollution Control Board & Ors.

Respondent(s)

WITH

Original Application No. 986/2019

In Re : Water Pollution at Rania Kanpur Dehat & Rakhi Mandi Kanpur
Nagar Uttar Pradesh

WITH

Original Application No. 528/2023

News report published in Dainik Jagran dated 14.08.2023 "highlights a
growing concern regarding industrial pollution in the Godhraul village"

WITH

Original Application No. 934/2024

Rajat Verma

Applicant

Versus

Member Secretary, Uttar Pradesh
Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 01.07.2025

**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: Ms. Katyayni, Adv. (Amicus Curiae in OA Nos. 985-986 of 2019 & OA
934/2024)

Respondent: Ms. Garima Prashad, AAG (Through VC) alongwith Ms. Priyanka Swami,
Adv. with Mr. Rajiv Nayan Giri, CMO Fatehpur (Through VC) & Dr.
Mukesh Matanhelia (Through VC), Joint Director, Health & Welfare
Department, UP
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)
Mr. Gigi. C. George, Advs. for CGWA & NMCG

ORDER

1. The issue under examination in these Original Applications (OAs) relate to chromium dumps at Rania, Kanpur Dehat, Rakhi Mandi, Kanpur Nagar and Fatehpur.
2. Learned Amicus Curiae had visited the affected sites with the permission of the Tribunal and had submitted the report disclosing the prevailing pathetic conditions. It is pointed out by Learned Amicus Curiae earlier that not only the issue of chromium dump is involved in the matter but mercury, fluoride and iron have also been found in the ground water.
3. Earlier Learned Amicus Curiae had submitted the suggestions/recommendations which were taken note of in the proceeding dated 30.01.2025. These suggestions/recommendations were mostly accepted by State of Uttar Pradesh (UP).
4. Reply of Secretary, Medical Health Family Welfare, Government of UP dated 21.01.2025 was also considered in the proceedings dated 30.01.2025 wherein initiation of health camps in the suspected areas was disclosed and in these health camps high-level mercury and chromium in the blood samples of the residents requiring immediate medical intervention was found. Tribunal in the proceedings dated 30.01.2025 had considered report of Secretary, Medical Health Family Welfare, Government of UP dated 21.01.2025 and observed as under:-

“8. We also take note of the latest reply of the Secretary, Medical Health and Family Welfare, Govt. of UP dated 21.01.2025, wherein he has stated that the Medical Health and Family Welfare Department had initiated health camps in the suspected areas, including Rakhi Mandi, Afeem Kothi in Kanpur Nagar and these camps reveal high levels of mercury and chromium in the blood samples of the residents requiring

immediate medical intervention. The report further states that similar camps were organised in Kanpur Dehat, where widespread health issues, including respiratory ailments, neurological disorders, behavioural changes, and skin conditions, were identified. The report also says that J.K. Cancer Institute in Kanpur Nagar lacks in-house facilities for heavy metal testing. As per this report, health camps and surveys had identified high levels of chromium exposure among residents.

9. Learned Amicus has also referred to para 6 of the affidavit of the Secretary, of Medical Health, wherein it is mentioned that the hemodialysis facilities are operational in all 75 Districts of Uttar Pradesh, including Kanpur Nagar, Kanpur Dehat, and Fatehpur, to address severe cases of heavy metal toxicity. She submits that this indicates that the kidneys of the patients are getting affected on account of heavy metal consumption. The next affidavit of the State will cover the above aspects of the matter.”

5. OAs thereafter were adjourned seeking report on the action taken on the recommendations of the Learned Amicus Curiae.

6. Tribunal had taken note of the report concerning patients in village Godharoli wherein heavy metals such as chromium and mercury were found in the blood and they were found to be suffering from abnormalities. In that background, Tribunal in the proceedings dated 27.05.2025 had observed as under:

“14. We are of the view that emergent steps are required to be taken to remediate the problem being faced by the residents of villages of Kanpur Nagar and Fatehpur as noted above. We find that till now the serious efforts are lacking and even the provision for adequate minimum supply of water has not been made. In our view, authorities should be sensitive to the need and the problems of residents of these villages and they should take immediate, effective and remedial measures.

15. We take note of the fact that on the previous date on 08.04.2025 when the matter was taken up, Learned AAG had made the following statement:

"6. Learned AAG has submitted that the issue relating to supply of adequate water in all the affected areas will be re-examined and appropriate provisions will be made and fresh report in this regard will be filed."

16. In spite of lapse of about one and a half month after the previous order, we do not find any significant noticeable improvement. Thus, we are of the view that probably seriousness of the matter has not been understood by the concerned authorities till now, therefore, Chief Secretary, State of Uttar Pradesh is required to look into the issue and ensure appropriate remedial measures and also to ensure that at least minimum requisite supply of clean water is made to the residents of these villages to satisfy their daily need and adequate steps are taken to extend all possible medical help to those who are suffering and proper steps are taken to ensure that chromium dumps do not spread and do not create any health issue to the residents there."

7. After the order dated 27.05.2025, further reports on behalf of District Magistrate, Kanpur Dehat dated 13.06.2025, District Magistrate, Kanpur Nagar dated 13.06.2025, compliance report on behalf of District Magistrate, Fatehpur dated 13.06.2025, Additional affidavit on behalf of Special Secretary, Medical Health and Family Welfare, UP dated 27.06.2025, report on behalf of Chief Engineer, Ramganga, Kanpur, UP dated 26.06.2025 and affidavit dated 30.06.2025 on behalf of Central Pollution Control Board have been filed.

8. Learned Amicus Curiae has examined these affidavits/reports and has handed over her comments which are as follows:-

"OBSERVATIONS FROM THE AFFIDAVIT BY SPECIAL SECRETARY, MEDICAL HEALTH AND FAMILY WELFARE

1. *Point 2 (Health survey)*

Kanpur Nagar:

8 affected areas- Panki industrial area, Rakhi mandi, Jajmau industrial area, Rooma TSDF, Nauraiya khera, Tejab mill campus, Anwar ganj and Gola ghat.

<i>Total people screened</i>	<i>6757</i>
<i>Blood samples collected (potentially affected persons)</i>	<i>391</i>
<i>Persons with Cr (out of 60 received reports)</i>	<i>40</i>
<i>Persons with mercury</i>	<i>0</i>
<i>Pending report</i>	<i>331</i>

Kanpur Dehat:
(Palanpurva, Chauhanpurva, Yadaupurva, Khanchandpur)

<i>Total people screened</i>	<i>1911</i>
<i>Blood samples collected (potentially affected persons)</i>	<i>132</i>
<i>Persons with Cr</i>	<i>132</i>
<i>Persons with mercury</i>	<i>0</i>

Fatehpur:
(Gadhrauli, Ashapur, Baniakhera, Abhaypur)

<i>Total people screened</i>	<i>479</i>
<i>Blood samples collected (potentially affected persons)</i>	<i>49</i>
<i>Persons with Cr</i>	<i>47</i>
<i>Persons with mercury</i>	<i>3</i>

*Timeline to complete survey- within **3 months***

2. *Point 3 (augmentation and strengthening of health- infrastructure)*
 - i. *Diagnostic center is at RML Lucknow*
 - ii. *Timeline to develop medical units in affected areas is **3 months***

3. *Point 14 (health insurance and multi- specialty medical aid)*
 - i. *Ayushman bharat Pradhan mantri jan arogya yojana and Mukhyamantri JA Yojana- “eligible” residents receive free medical treatment upto 5 lakhs.*
 - ii. *Heavy metal treatment is available at- GSVM medical college/ JK Cancer hosp Kanpur nagar; Autonomous State medical college in Kanpur dehat; Dist hosp and Amar shaheed JSATDS medical college Fatehabad.*

OBSERVATION FROM COMPLIANCE REPORT ON BEHLAF OF DM FATEHPUR

1. Point 2- Blood sampling & survey
(Pg. 4237)

All patients (10+15+14+9) tested have been found positive of Chromium and 2 with mercury, 2 with fluoride.
Even with blood sampling reports indicating severe heavy metal contamination of residents, the following submission was made in the Affidavit-

“13. That no patient displaying special or unusual symptoms has been discovered at any Saturday camp, all attendees suffer only from common, minor ailments; photographs of the camps and mobile laboratory are filed as Annexure 06.”

Pg 4283- provides “List of person tested for mercury & chromium” dated 12.06.2025.

The information provided in the table maybe be summarized as:

Number of patients/ persons	39
Age category	21 yrs – 70 yrs
Gender	Female- 30 Male- 9
Area of blood sampling	Godhrauli (13 patients) Ashapur (7 patients) Baniyakheda (12 patients) Abhaypur (7 patients)
Number of patients with Cr	39
Number of patients with Mercury	26
Number of patients with both Cr and mercury	26
Treatment provided (Medical college/ Health camp)	Multivitamins, Pan D, Liver enzymes

Observations Based on the information provided so far:

- Limited Scope of Testing:** Apart from blood sampling, only LFT/KFT tests were undertaken, which is certainly inadequate, especially in case of heavy metal contamination where even neurological impact is high.

- **Gender Disparity:** The data shows a disproportionately higher number of females (77%) among the affected population (Fatehpur)
- **Inadequate demographic Coverage:** Blood sampling was confined to just select “potentially affected persons” and not for the entire affected area.
- **Minimal Medical Intervention:** The treatment provided was generic and symptomatic, lacking any targeted chelation or detoxification therapy.
- **Lack of Infrastructure:** There is no mention of mobile health units, diagnostic labs, multi- specialty hospitals, expert epidemiologist or outreach mechanisms being deployed in the contaminated areas.
- **Absence of Welfare Schemes:** There are no insurance schemes or financial relief measures (specifically designed for residents of these polluted zones) in place for the affected individuals, exacerbating their vulnerability.

It is further observed that:

- No systematic health survey has been undertaken in any of the affected areas.
- Diagnostic and testing facilities specific to heavy metal contamination have not been established in any of the three concerned districts.
- No insurance or compensatory mechanism has been introduced for individuals suffering from Chromium and Mercury-related health complications.

In light of these inadequacies, it is imperative that the Hon’ble Tribunal formulates a time-bound and comprehensive redressal mechanism to ensure proper diagnosis, treatment, and long-term care of the affected population. Any delay in addressing these urgent medical needs may lead to further irreversible health consequences and possible fatalities.

RECOMMENDATIONS FOR HEALTH SURVEY, DIAGNOSIS AND TREATMENT

1. Comprehensive Epidemiological survey- trained public health team has to be deployed for detailed survey in all contaminated areas across three districts. A team of Experts having experience in heavy metal and other chemical (Chromium, mercury, fluoride, arsenic, formaldehyde, hydrogen sulfide, benzene, toluene etc) diagnosis and detoxification may be engaged:

- a) Dr. Rajnarayan Tiwari, Director & Scientist G, ICMR- National Institute for Research in Environmental Health, Bhopal. (director.nireh@icmr.gov.in)
- b) Dr. T K Joshi (Retd. HOD Epidemiology, RML Hospital, Delhi), 9810639658, kantjoshi@gmail.com

- c) All India Institute of Medical Science, Ansari Road, New Delhi, Senior Doctors from the Departments of Neurology, Nephrology, Oncology and Gastroenterologists. Email: director@aiims.gov.in CSIR- IITR Lucknow, Vishvigyan Bhawan, 31 Mahatma Gandhi Marg, Kaiser Bagh, UP- 226001
- d) Chief Secretary, 101, B-Block, Lok Bhawan, U.P., Civil Secretariat, Vidhan Sabha Marg, Lucknow, UP – 226001, E-mail: csup@nic.in
- e) Member Secretary, Department of Health, Govt of UP, psecup.health@gmail.com
- f) Dr. Ram Manohar Lohia Institute of Medical Sciences, Vibhuti khand, Gomtinagar, Lucknow- 226010

The Expert Committee may provide consultation for:

- i. Suggest clinical design and executing protocol (SoP) for conducting diagnosis and treatment of persons contaminated with heavy metals and other chemicals.
 - ii. Lay down evidence- based protocol for treatment and medication.
 - iii. Provide timelines for execution of the diagnosis and treatment protocol.
 - iv. Evaluate precision of the results reported by the State.
 - v. Create a schedule for monthly testing for all exposed individuals to track long term health impact.
 - vi. Design long term rehabilitation program including nutritional aid, mental health etc of the affected individuals.
 - vii. Help set up Heavy Metal Diagnostic labs in each affected district, equipped with testing for blood and urine samples.
2. Mapping and registration- Geotagging of households with confirmed (and suspected) exposure to chromium, mercury and fluoride must be done.
 3. Inclusion of vulnerable groups- special focus on health screening/ testing of pregnant women, children and senior citizens.
 4. Deployment of mobile testing units- for remote villages to facilitate sample collection.
 5. Referral hospitals- establish a clear chain of referral hospitals with toxicology departments offering advanced treatment.
 6. Experts/ specialist doctors visit- monthly health camps must be attended by toxicologists, neurologists, nephrologists alongwith physicians and lab technicians.
 7. Awareness Programs: Implement public awareness campaigns about symptoms, risks, and preventive measures regarding heavy metal toxicity.

The State may also fill in the following table in the format requested:

S. No	Recommendations	Timeline (specify in DD/MM/YY)
1.	<i>RO – NF Water Plants: Clean Water for All Domestic Purposes at centralised and de- centralised installed RO- NF systems (Identify the usage of wells/handpumps/ borewells/ water source for animals and agriculture)</i>	
2.	<i>Blood Sampling/ survey by Govt in the affected areas of Kanpur Nagar/ Dehat/ Fatehpur (Heavy Metal Analysis- Chromium, Mercury, Fluoride)</i>	
3.	<i>Improve Govt. Hospital's infrastructure to include multi-speciality diagnostic facilities</i>	
4.	<i>List of all Industries (Regardless of Category/ legal/ illegal/ in-house)- Kanpur Nagar, Kanpur Dehat, Fatehpur</i>	
5.	<i>Boundary Wall and Cover for Existing Cr Dump/ Plume (Fatehpur & Kanpur Dehat)</i>	
6.	<i>Soil, Sludge and Water Analysis of- Panki/ Shanigawa Landfill Site/ STP @ Pankha, Sajari</i>	
7.	<i>Operate Existing STP (Resolving Non-Compliance Within 2 Months)</i>	
8.	<i>Drain Action Plan- Untapped & Over Flowing tapped Drains (with name/ location of each sewage drain)</i>	
9.	<i>Permanent Monitoring Plan for Existing STP/ CETP/CCRU/ Landfills/ TSDFs</i>	
10.	<i>Construction and Installation of sewage system and STP in Kanpur dehat and Fatehpur</i>	
11.	<i>Removal of Chromium, Mercury and Ash from the affected area</i>	
12.	<i>Soil & Ground Water Remediation</i>	

13.	<i>River Rejuvenation Plan (Senger/Noon/ Pandu Rivers)- Including Flood Plain Zoning, Rain water harvesting, watershed development, encroachment removal, Eco- flow</i>	
14.	<i>Government Multi-Speciality Medical Aid Facility for victims of Heavy metal contamination (can be established in existing Govt Hospitals in all three districts)</i>	
15.	<i>Induction Of Workforce in CPCB/ PCB</i>	
16.	<i>Technical Infrastructure to State PCB/ SGWB</i>	
17.	<i>Continuous supply of Electricity for STP/CETP/ Hospitals</i>	
18.	<i>Bye- Laws for Preventing Environmental Pollution from Mercury (in lines of Minamata Convention)</i>	
19.	<i>Find out the source of Chromium, Mercury, Fluoride, and Iron in the eco-system.</i>	
20.	<i>Survey And Mapping of (new/old) Dump Sites (of chromium, mercury, ash) in Fatehpur and Kanpur Dehat, Kanpur Nagar</i>	
21.	<i>Survey and Mapping of Groundwater Contamination in Fatehpur and Kanpur Dehat, Kanpur Nagar</i>	
22.	<i>Survey of People/ Cattle/ Food Chain- To Check Degree of Contamination and create an effective Remediation Plan Against Bio- Accumulation of Heavy Metals.</i>	

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9. Learned Amicus Curiae has also referred to the additional affidavit filed on behalf of Special Secretary, Medical Health and Family Welfare, Government of UP dated 27.06.2025 and has pointed out that though a

larger number of residents are stated to be screened but blood sample of only a small number of persons was collected and it has not been disclosed as to what kind of screening was done without collecting the blood sample to ascertain presence of heavy metal such as chromium, mercury etc. She has further referred to the enclosed chart on page 4283 concerning the list of persons tested for mercury and chromium. Referring to the case of Neelam at serial no. 7 in this chart, she has pointed out that presence of 46.5 µg/L of chromium was found as against reference range of 0.05-1.4 µg/L and the only treatment which is given is in the form of multivitamins. She has further submitted that in respect of other similarly situated persons where high level of chromium and mercury is found in the blood samples, the treatment in the form of multivitamin and Pan-D is administered which shows that authorities are not taking effective steps for extending proper medical health to the affected persons.

10. At this stage, Learned Additional Advocate General (AAG), State of UP has sought permission for virtual appearance of Director, Health, State of UP to assist the Tribunal which is allowed. Someone has appeared thereafter and started making the submissions. On enquiry, we found that person appearing virtually was not Director, Health, State of UP but he was representing Director, Health. Such kind of mis-leading appearance and statement cannot be appreciated.

11. Having regard to the seriousness of the issue involved in the matter and considering the fact that a large number of persons are affected/likely to be affected on account of presence of heavy metals such a chromium, mercury etc. and also taking note of the fact that effective steps to render medical assistance have not been pointed out, we are of the opinion that to find out the correct position and to ascertain the kind of treatment which

is to be extended to the affected persons and for ensuring proper medical assistance to them, it is necessary to implead the following as respondent:

Respondent :Director of All India Institute of Medical Sciences
(AIIMS), Ansari Nagar, New Delhi, 110029.

12. Let notice be issued to the above newly added respondent.

13. It will be open to the newly added respondent to download all the reports and proceedings of the Tribunal to understand the gravity of the situation. It will also be open to the newly added respondent to send a team of experts in the affected areas noted above to find out the gravity of the situation, extent to which residents of those areas are suffering on account of presence of mercury, chromium and other heavy metals in their blood sample and nature of effective treatment which can be extended to them. Newly added respondent is permitted to file a comprehensive report in this regard within eight weeks.

14. List on 07.10.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

July 01, 2025
Original Application No. 985/2019
(I.A. No. 568/2024) with other connected OAs
JG.