

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

Original Application No. 985/2019  
(R.A. No. 58/2019)

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

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 Godhrauli village"

Date of hearing: 04.03.2024

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

Amicus: Ms. Katyayni, Adv. (Amicus Curiae in OA Nos. 985 & 986 of 2019)

Respondent: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)  
Mr. Raj Kumar, Adv. for CPCB (Through VC)  
Ms. Priyanka Swami & Ms. Simran Sehgal, Advs. for the State of UP

**ORDER**

1. In the Original Application No. 986/2019, the issue is in respect of failure to scientifically handle and dispose of the chromium dumps at Rania, Kanpur Dehat and Rakhi Mandi, Kanpur Nagar which are existing for last several decades and have resulted into contamination of groundwater affecting the health of the local residents and depriving them of safe drinking water.

2. In OA No. 985/2019, the issue is about continuing water pollution by tanneries discharging untreated industrial effluents containing toxic chromium into the irrigation canal through improperly functioning Common Effluent Treatment Plants (CETPs) at Jajmau, UP.
3. In OA No. 528/2023, the grievance is against industrial pollution in Godhrauli Village and the issue of discharge of chromium into the groundwater by industrial units in that area has been flagged.
4. The Tribunal has passed orders from time to time but till now, no satisfactory progress at the end of the authorities has been reflected.
5. In the report dated 01.02.2024, the Uttar Pradesh Pollution Control Board (UPPCB) had given the details of Environmental Compensation (EC) which was imposed upon the defaulting units by the State Board and their revision by the NGT as under:

“xxx .....xxx.....xxx

*11. That it is submitted that U.P. Pollution Control Board had imposed Environmental Compensation of Rs. 280.01 Crore against 08 defaulting industries on 14.04.2022. Hon'ble NGT has revised the amount of Environmental compensation imposed by UPPCB, considering the appeal filed by industries vide order dated 05.12.2022, 15.12.2022, & 16.01.2023 in Appeal Nos. 14, 15, 16, 17 and 18 of 2020. The detail of revised Environmental Compensation is as follows:*

| <b>Sl. No.</b> | <b>Name &amp; Address of Industry</b>                                       | <b>Environmental compensation amount imposed by the State Board (Rs.)</b> | <b>Revised environmental compensation amount by Hon'ble NGT (Rs.)</b> |
|----------------|-----------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------|
| 1              | Chandani Chemicals Pvt. Ltd. Khanchandpur, Rania, Kanpur Dehat              | 27,40,62,295.00                                                           | 23,09,31,000.00                                                       |
| 2              | Heilger Chem Pvt. Ltd. VIII.- Chiraura, Raipur, Rania, Kanpur Dehat         | 39,62,13,484.00                                                           | 25,52,34,375.00                                                       |
| 3              | Rukmani Chemicals Pvt. Ltd. Rania, Kanpur Dehat                             | 46,89,51,039.00                                                           | 13,69,56,375.00                                                       |
| 4              | Amelia Textiles & Chemicals Pvt. Ltd. 23, Khanchandpur, Rania, Kanpur Dehat | 14,61,66,558.00                                                           | 11,92,50,000.00                                                       |
| 5              | Waris Chemicals Pvt. Ltd. Khanchandpur, Rania, Kanpur Dehat                 | 44,34,53,042.00                                                           | 25,39,68,750.00                                                       |

|   |                                                                                                                                                                                                                    |                        |           |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-----------|
| 6 | <i>Cerulean Chemicals Pvt. Ltd. Khanchandpur, Kania, Kanpur Dehat</i>                                                                                                                                              | <i>87,69,99,345.00</i> | <i>--</i> |
| 7 | <i>Kaleena Chemicals, Pvt Village Malo, GT Road, Chaubepur, Kanpur Nagar</i>                                                                                                                                       | <i>18,02,72,088.00</i> | <i>--</i> |
| 8 | <i>Bharat Chemical Udhog C/O Smt Tarannum Fatima W/o Shri Sahabuddin and Shri Sahabuddin S/o Mohd Nafees, 39/72, Majeed Ahmad Road, Kanpur Nagar and Shrilftekhariul Amin, Shri Iqbal Ahsan, Shri Waqarul Amin</i> | <i>1,40,07.150.00</i>  | <i>--</i> |

*12. That it is submitted that U.P. Pollution Control Board has also given direction vide letter dated 07.02.2023 to the concerned industries to deposit the environmental compensation as per the orders of Hon'ble NGT dated 05.12.2022, 15.12.2022 & 16.01.2023 in Appeal Nos. 14, 15, 16, 17 and 18 of 2020 with copy to District Magistrate, Kanpur Nagar for necessary action. The environmental compensation has not been deposited by any industry till now."*

6. Learned Counsel for the UPPCB has admitted that till now, the above EC amount has not been recovered.

7. In the report only some communication sent on 19.09.2023 to the District Magistrate has been mentioned for recovery of the amount but subsequent action of persuasion of the issue with District Magistrate has not been reflected. On the contrary in the report, a prayer has been made seeking permission for payment of Rs. 211 lakhs and applicable GST (18% as on date) from the environment compensation account of the State for study by CSIR-Indian Institute of Toxicology Research for development and installation of a pilot plan for removal of Chromium-VI metal from the ground water contaminated site at Khanchandpur Rania, Kanpur Dehat. We failed to understand that instead of recovering the EC from defaulting units the Board is seeking to utilize the EC fund for the purpose of study.

8. We also find from the report submitted along with the covering letter of UPPCB dated 02.02.2024 in OA No. 528/2023 that during the spot inspection by three member Committee on 24.01.2024 the

contaminated solid dumps were found near Maa Sheetla Temple at Village Godhrauli on both the sides and near railway crossing and road from Godhrauli to Bania Kheda. The report further reflects that the ground water taken from the handpumps was found to be contaminated and some of the villagers have constructed their house at the dump site. In the water samples collected by the Board from the handpump no. 2, 4, 5, 6, 10 and 11, the contents of chromium were found to be exceeding the limit. The report states that on account of the hazardous waste dumping in the area, serious adverse consequences in future are expected.

9. We do not find any satisfactory action by the Board to remediate the situation at the ground level.

10. Learned Amicus has submitted that the survey should be conducted by the District Magistrate, Kanpur Nagar, Kanpur Dehat and Fatehpur to find out the other areas where all kinds of hazardous waste have been dumped and which are creating health hazard and contaminating the ground water. We are of the view that this exercise should be carried out by concerned three District Magistrates and the report should be submitted before the Tribunal at least one week before the next date of hearing.

11. Learned Amicus has also referred to the earlier order of the Tribunal and has flagged the issue that on the contaminated ground, the State Authorities are permitting setting up of schools, charitable hospitals and other establishments of public utility.

12. Learned Counsel for the State has submitted that now those activities are no longer permitted. She is directed to place on record the report in this regard by competent authority of the State.

13. The UPPCB though has submitted the action plan but there is no time bound action plan to remediate the situation, inspite of the fact that more than three decades have passed and the problem has not been remediated till now. Hence, we require the Member Secretary, UPPCB to place on record a time bound action plan to remediate the situation at all the places which are under consideration before the Tribunal in these three matters.

14. The UPPCB will also carry out the ground water profiling of the areas under consideration.

15. Counsel for UPPCB has stated that 77,000 and odd tons of the chromium waste has been remediated. UPPCB is directed to disclose full particulars of the manner in which the said waste has been treated and disposed of.

16. Let the report in terms of the above directions be submitted by the UPPCB at least one week before the next date of hearing.

17. List on 13.05.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

March 04, 2024  
Original Application No. 985/2019  
(R.A. No. 58/2019) and connected matters  
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