

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

Original Application No. 985/2019

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: 14.08.2024

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

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

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

**ORDER**

1. In this Original Application, the Tribunal is considering the issue of discharge of chromium/untreated industrial effluents by the tanneries at Jajmau and Godrauli Village of Fatehpur District and is also considering the issue of improper functioning of CETP at Jajmau and unscientific dumping/disposal of chromium at Rania, Kanpur Dehat, Rakhi Mandi and Kanpur Nagar.

2. The Tribunal on 13.05.2024 had directed the concerned District Magistrate of Kanpur Dehat, Kanpur Nagar to file their response by specifically mentioning if the District Magistrate directly files the report before the Tribunal then he will personally appear and appraise the Tribunal about the report. This observation was made in light of the submission of the Counsel for the authorities that District Magistrate were filing the reports directly to the Tribunal without routing it through their Counsels who were not made aware of the report. The direction of the Tribunal in the order dated 13.05.2024 was as under:-

*“8. In the next report, the State will give status of affected persons in Rania, Kanpur Dehat and Rakhi Mandi, Kanpur Nagar and the health facilities/aid extended to them. We make it clear that if District Magistrate, Kanpur Dehat or any other District Magistrate wishes to directly file the report before the Tribunal, then he will personally appear before the Tribunal and appraise the Tribunal about the report. The next report will be filed by all the concerned District Magistrates in the form of their own affidavit. Let the same be filed within a period of six weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.”*

3. The District Magistrate, Kanpur Nagar has filed the affidavit dated 12.08.2024 directly in the Tribunal without routing it through the Advocate. Learned Counsel for the State has submitted that the District Magistrate, Kanpur Nagar has not filed the affidavit through her and had not discussed it with her before filing. The District Magistrate, Kanpur Nagar is also not virtually present to appraise the Tribunal about the report so filed by him.

4. Learned Amicus Curiae referring to the affidavit of the District Magistrate, Kanpur Nagar has submitted that in the health camp conducted at Juhi Baburia (Rakhi Mandi); Ruma Treatment Storage and Disposal Facility; Punki Industrial Area, Kanpur; Jajmau Industrial Area, Kanpur; Nauraiya Kheda, Kanpur and Tezab Mill Campus,

Anwarganj Kanpur, large number of persons suffering from the skin problems, gastro disease, liver disease, respiratory problems and anemia have been found. She has submitted that these are the persons who were found to be suffering but the report does not reflect that any blood samples were taken to find out the potential sufferers and these problems can be found to be related to inhalation of chromium, coming in contact with chromium and consuming chromium, mercury and lead. She has also referred to the list of 44 persons (at Page 2452) filed along with the report of the DM, Kanpur Nagar relating to analysis of chromium and mercury in blood from Rakhi Mandi, Kanpur Nagar taken on 09.10.2020 and has submitted that out of these 44 persons, 7 have died, 16 are found to be healthy but it is not disclosed as to what kind of health examination of these persons were done and 21 have migrated.

5. The District Magistrate, Kanpur Nagar who was to respond to these submission has not joined online. Hence, we impose a cost of Rs. 25,000/- on District Magistrate, Kanpur Nagar for not complying with the direction of the Tribunal contained in the order dated 13.05.2024. The cost will be deposited with the NGT Bar Association by him within two weeks.

6. Learned Amicus Curiae submits that the report filed by the District Magistrate, Kanpur Dehat on 07.08.2024 has been received by her today and seeks time to examine the same.

7. Learned Amicus Curiae has sought permission to visit the affected area and collect the information and submit her own assessment before the Tribunal. Regional Officer, CPCB, Lucknow will facilitate the visit of Amicus and District Magistrates, Kanpur Dehat, Kanpur Nagar and

Fatehpur will extend full cooperation to the Amicus during the visit and ensure her safety and security.

8. List on 27.11.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 14, 2024  
Original Application No. 985/2019,  
Original Application No. 986/2019 &  
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SN