

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

Original Application No. 200/2014
(IA No. 340/2022, MA No. 872/2018,
MA No. 875/2014 & MA No. 480/2018)

M.C. Mehta

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 16.04.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Ms. Katyayni, Adv. for Applicant

Respondent: Ms. Garima Prashad, AAG with Ms. Priyanka Swami & Ms. Simran
Sehgal, Advs. for the State of UP
Mr. Daleep Dhyani, Adv. for UPPCB (Through VC)
Mr. Raj Kumar, Adv. for CPCB (Through VC)
Mr. Gigi. C. George, Adv. for NMCG

ORDER

1. In this Original Application, the Tribunal is considering the issue of prevention, control and abatement of pollution of river Ganga. The Tribunal in terms of the order dated 28.08.2023 is taking up the issue State-wise and District-wise from where the main stream of river Ganga and its tributaries are flowing. Today, the matter is under consideration in respect of the status of different Districts in the State of Uttar Pradesh.

2. In the order dated 24.01.2024, the Tribunal had taken note of the Heads and sub-Heads under which the requisite information was required to be submitted by the different Districts. The response on behalf of District Magistrate, Baghpat and the report at the instance of Uttar Pradesh compiling the position in respect of 21 Districts has been

filed on 12.04.2024. On examination of the report filed by the State of UP, it is found that:-

1) Out of 27 district abutting river Ganga and its tributaries, collated information for five districts namely Meerut, Muzaffarnagar, Hapur, Bijnor and Amroha was taken note of in the order of Tribunal dated 5.2.2024 and subsequently, information was disclosed in report dated 12.4.2024 for Bulandshahar, Aligarh, Kasganj, Shahjahanpur, Hardoi Raibareilly, Pratapgarh, Ghazipur, and Ballia. Therefore, information is yet to be provided for district of Badaun, Kannauj, Farrukhabad, Kanpur, Unnao, Fatehpur, Kaushambi, Prayagraj, Mirzapur, Varanasi, Chandauli, Bhadohi and Sambhal.

2) Information has been disclosed about other district like; Baghpat, Mathura, Saharanpur, Lalitpur, Gonda, Hamirpur, Bareilly, Etah, Hathras, Jalaun, Amethi and Ayodhya.

3) Information disclosed in respect of 23 districts is compiled/collated and shown in a Table given below;

Sr. No.	District	ULBs NPP/NP	Sewage Generation in MLDs	Existing Treatment Capacity (MLD)	Utilization Capacity (MLD)	Gap (MLD)	Disposal of Sewage to:	Water Quality of receiving water body
1	Baghpat	9	42.39	14.0	8.6	33.79	Yamuna	
2	Bullandshahar	15	78.82	51.305	27.9	50.99	Ganga Kali	- BOD>40 mg/l - High FC
3	Ballia	12	42.21	No STP	0	42.21	(Kathal at Azamgarh meets Ganga)	'B' Category for Ganga and Sarayu, Lakra river, Kathal 'not fit'.
4	Mathura	14	110.0	82.06	82.06	27.94	Yamuna	'Not fit'
5	Saharanpur	-	138.0	38.0	38.0	100.0	Kali, Krishna, Hindon, Yamuna, Muskara.	Not fit
6	Lalitpur	4	18.7	No STP	Septic Tanks	18.7	Rivers Betwa Sehjad	-
7	Gonda	10	11.40	No STP	Septic Tanks	11.40	River Bisuhi, and Manorama	Water Quality is 'B' Category

8	Hamirpur	7	33.07	No STP	Septic Tanks	33.07	River Betwa and Yamuna	-D' Category
9	Aligarh	-	100.31	45.0	45.0	113.0 (55.31)	Kali, Yamuna	Not fit
10	Bareilly	20	214.95	35.0	21.0	193.95	Ramganga, Aril, West Bengal East Bengal Kichha	Not fit
11	Etah	9	27.5	24.0	12.0	15.5	Kali	Not fit
12	Hathras	9	28.76	No STP	Septic Tanks	28.76	Yamuna and Karvan	Not fit
13	Jalaun	11	67.95	No STP	Septic Tanks	67.95	Pahuj, Betwa, Yamuna	Not fit
14	Kasganj		12.76	15.0	12.76		Kali (E)	Not fit
15	Mau	11	46.5	Septic Tanks	No STP	46.5	Tamsa	-
16	Ambedkarnagar	7	51.08	100 KLD FSTP	Septic Tanks	50.98	Ghagra, Saryu	-
17	Sahajahanpur	12	80.91	32 KLD FSTP	Septic Tanks/FSTP	80.91	Ramganga, Garrah, Khanaut	Not fit
18	Raibareilly		27.0	18.0	3.0	24.0	Sai, Ganga	Not fit
19	Pratapgarh		37.15	12.95	7.95	24.2	Sai, Ganga	Not fit
20	Amethi	6	9.71	No STP	Septic Tanks	9.71	Gomti	Not fit
21	Hardoi	13	61.75	32 KLD FSTP	Septic Tanks/FSTP	61.75	Sai, Garrah	Not fit
22	Ghazipur	8	22.70	No STP	Septic Tanks	22.70	Ganga	Not fit
23	Ayodhya	2	62.25	51.0	51.0	11.25	Saryu, Tamsa	Not fit (FC not given)

4) Observations ;

- (i) There is wide gap in sewage treatment in all the 23 districts except district Kasganj which is yet to be verified.
- (ii) No sewage treatment facility exists in Ballia, Lalitpur, Gonda, Hamirpur, Hathras, Jalaun, Mau, Ambedkar nagar, Shahjahanpur, Amethi, Hardoi and Ghazipur.
- (iii) All the districts are depending upon adoption of Septic tanks and Soak pits. At certain locations in the district of Lalitpur, Ambedkar nagar

Shahjahanpur, Hardoi, Ghazipur and others Fecal Septage Treatment Plants (FSTPs) exist.

(iv) Sewage and sullage generated from smaller Nagar Panchayat flows through open drains and it gets percolated into ground.

(v) At locations (Nagar Palika Parishad and Nagar Panchayat) abutting Ganga and Tributaries, sewage/sullage is directly flowing and thereby impairing water quality of Ganga and Tributaries making them unfit for bathing. Besides Ganga and Yamuna, polluted tributaries are ; Kali (East and West) Krishni, Hindon, Betwa, Sehjwal, Bishui, Manaharan, Ramganga, Aril, West and East Begul, Kichha, Karvan, Pahuj,Tamsa, Saryu, Garrah, Sai. Khannaut, Gomati and Ponds/Talab. These water bodies have high BOD and Fecal coliform.

(vi) No information has been disclosed about the districts which are major contributor of pollution load on river Ganga like district Varanasi, Prayagraj, Farrukhabad, Kanpur, Unnao, and Mirzapur.

(vii) Each district should furnish correct verifiable focussed information on drains carrying sewage and sullage joining Ganga and tributaries with properly geo tagged at their terminal points. The data of quantity of sewage flowing through these drains and their quality depicting pollution load should also be furnished

3. The above report clearly reveals that there is discharge of sewage and effluents in river Ganga and its tributaries in various Districts in State of UP. In respect of the action to be taken against the violators, the oral stand of Counsel for NMCG is that it can only issue directions as execution is the responsibility of State and District Administration.

4. Since, the sewage and trade effluents are being discharged in river Ganga and its tributaries, therefore, preventive/remedial action is required to be taken by the concerned local bodies/administrative

authorities expeditiously. Hence, each of the District Magistrate is required to prepare an action plan for remediating the situation and ensuring the object of zero discharge of sewage/effluent in river Ganga and its tributaries. Such action plan needs to be a time bound action plan with an outer limit to complete the objective in respect of each of the source of pollution of river Ganga and its tributaries.

5. Let the action plan be also filed by District Magistrates in respect of each of the District concerned, where river Ganga and its tributaries flow in the State of U.P. along with the next report.

6. We find from the report of NMCG dated 1.4.2024 that, report filed is too general and cryptic. It has not been disclosed that what is to be done for smaller ULBs to have cost effective treatment of sewage and its utilisation. The NMCG must also be having details of sewage and trade effluent outfalls into Ganga, and tributaries for ensuring their interception and treatment. We direct that NMCG to file its independent report on quantity of sewage and trade effluent being discharged through drains etc into river Ganga and it's tributaries and the time bound action plan for preventing such discharge and getting execution at each district concern State level in Uttar Pradesh.

7. List on 30.07.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

April 16, 2024
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