

Original Application No. 139/2013 (CZ)

**Akhil Bhartiya Vidyarthi Parishad & Anr. v. Union of India & Ors.**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE MR. P.S.RAO, EXPERT MEMBER**

**PRESENT :** Applicant : Shri Sachin Dave  
Respondent No.2, 5 to 17, 19, : Shri Sachin K. Verma, Advocate  
24 to 38 & 41  
Respondent No.18 & 20 : Shri Shinvindu Joshi, Advocate  
for Shri Purushaindra Kaurav, Advocate  
Respondent No. 40,42,43 & 45 : Shri Ajay Misrha, Sr. Advocate with  
Shri Mukesh Rajput, Advocate  
Respondent No. 4 : Shri Sandeep Singh, Advocate  
Respondent No. 1 : Shri Neel Choudhary, Advocate for  
Shri Vijay Kumar Choudhary, Advocate  
Respondent No. 39 : Shri S.K. Dubey, Advocate

Date and Remarks	Orders of the Tribunal
<p><b>Order no. 3</b> <b>25<sup>th</sup> February, 2014</b></p>	<p>The District Collector, Hoshangabad along with the Chief Municipal Officer, Municipal Council, Hoshangabad is present. The problems which were highlighted by the Applicant with regard to the cleanliness at Sethani Ghat in particular at the banks of the river Narmada especially in the light of the ensuing 'Shivratri' festival and congregation of large number pilgrims for holy dip etc. were discussed in detail.</p> <p>The District Collector has pointed out that various long terms and short term measures are being put into place for checking the direct discharge of sewage and effluents into the river Narmada.</p> <p>It was submitted that the process for setting up of the Sewerage Treatment Plants (STP) is in progress and the tender for the same has already been invited which is due to be opened on 28.02.2014 and thereafter STP of 12 MLD capacity is to be set up. It is further stated that the site for the same has also been selected. It was stated that with the commencement of the aforesaid STP the problem of direct flow of sewage into the river would be considerably checked.</p> <p>As regards the problem as reflected in the photograph at page no. 167 of the paper book is concerned both the Collector and the CMO of Hoshangabad submitted that they would ensure that direct over flow of sewage into Ghat area as they have already made provision for pumping out the sewage by diverting the same</p>

downstream from the city of Hoshangabad but sometimes when there is excessive flow of sewage water into the drain the over flow results in the problem as reflected in the photographs at page no. 167 of the paper book.

The Learned Collector as well as the CMO, Hoshangabad have stated that at present the aforesaid over flow is not occurring as the inflow into the Nalah has been considerably reduced. However, with a view to ensure that this problem does not recur they would consider the feasibility of raising the height of the wall to ensure that sewage water does not enter the Sethani Ghat directly and would take necessary preventive action.

As far as ensuing the Shivratri festival arrangements are concerned both the Collector and CMO have stated that all the efforts to this effect are being taken in this regard and the same would be put into place within next 48 hours and regular monitoring and cleanliness of the Ghats would be undertaken including at the Sethani Ghat.

They have also stated that a massive awareness programme shall also be undertaken by mobilising the Administration as well as the NGOs and even the Applicant organization is free to participate in the same so as to create awareness amongst others for maintaining cleanliness at the Ghat and keeping them free from pollution.

It was also stated that since major pollutants enter the river by way of pooja material which are disposed of along with non-biodegradable poly carry-bags, the Administration would ensure that no such material is allowed to be brought within the Ghat area at various points along the river Narmada in Hoshangabad. They would also make arrangements for providing alternatives for carrying out the pooja material. It was also stated that volunteers would be kept on the Ghats for ensuring that all the pooja material is not thrown into the river, the same is as far as possible, will be removed from the banks and put into designated place which then would be removed by the municipality at regular intervals during the aforesaid period and thereafter. On the suggestions put forth by the Applicant the District Collector has stated that they would make separate arrangements for women and men to take bath and make holy dip in the river during the festival of 'Shivratri' and also make arrangements for providing privacy so far as the women are concerned.

From the photographs which were shown it was revealed that non-biodegradable solid waste is also dumped into the Nalahs which regularly flows along with the sewage downstream into the river. Municipal Authorities are accordingly directed to take steps for cleaning of the aforesaid Nalahs so that such non-biodegradable waste is not allowed to flow into the river even downstream of the town of Hoshnagabad and same be regularly removed, transported and disposed in designated Municipal Solid Waste disposal sites.

We are expecting that the aforesaid measures be implemented in toto and the people of Hoshangabad and people around would be able to observe the Shivratri festival falling on 27.02.2014 in pollution free environment.

The matter shall be posted for the Respondents to file their reply after four weeks as prayed.

Stand over to **03.04.2014**.

.....JM  
(DALIP SINGH)

.....EM  
(P.S.RAO)

