

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

Original Application No. 616/2019  
(I.A. No. 463/2019)  
(Writ Petition (PIL) No. 114/2018)

Ramdevbhai Samatbhai Sanjva

Applicant(s)

Versus

State of Gujarat & Ors.

Respondent(s)

Date of hearing: 29.11.2019

Date of uploading: 06.12.2019

**CORAM:**

**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER  
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

**ORDER**

1. The present matter has been received on transfer from the Gujarat High Court vide order dated 09.05.2019 in *Writ Petition (PIL) No. 114 of 2018, Ramdevbhai Samatbhai Sanjva Vs. State of Gujarat & Ors.* The issue involved relates to pollution of river Bhadar near Ahmedabad. The Writ Petition was filed before the Gujarat High Court on 14.06.2018 alleging that 1900 dyeing and printing units in Jetpur Taluka were discharging pollutants having hazardous chemicals. The boilers used coal on account of which air pollution was created in the air. Chemical raw material used in dyeing and printing created effluents and discharge of such effluents adversely affected the river and the soil. The Common Effluent Treatment Plant (CETP) at Bhatgam did not have adequate capacity. The CETP at Gondra was not functioning. More than 50% Primary Effluent

Treatment Plants (PETPs) were non-functional. Dyed clothes were washed at Jetpur Taluka in ghats. The clothes were mixed with the hazardous chemicals. Such effluents adversely affected ghats at Jetpur town, Derdi, Monpar, Rabarika, Mevasa and Bhatgam specially by industrial units, including, New Khatau, Krishna Cotton (Pitru Krupa), Amar Puja and A.D. Print. Storage ponds were constructed but the water was not treated. Water was also discharged in night hours. Reports of Gujarat Pollution Control Board (GPCB) showed that requisite measures were not taken for stopping water pollution.

2. Reference has been made to earlier order dated 12.09.2012 in *Special Civil Application No. 254 of 2009, Govindbhai Pragajibhai Dobariya, Sarpanch & Anr. Vs. State of Gujarat & Ors.* dealing with the pollution caused by dyeing and printing industries at Jetpur. The said order shows that the High Court monitored the matter from 2009 to 2012 in the light of reports of the GPCB. In course of the said proceedings, the High Court issued directions for setting up of treatment plants, considering the recommendations of the Expert Committees appointed from time to time. The High Court directed the SPCB to conduct periodical inspections and close the polluting units. The Association of the Industries was required to set up treatment plants and the concerned local body was directed to take steps for disposal of solid waste. The parties were given liberty to approach the High Court again, if necessary. The matter was again dealt with vide order dated 07.05.2015 in *Special Civil Application No. 254 of 2009, Govindbhai Pragajibhai Dobariya, Sarpanch & Anr. Vs. State of Gujarat & Ors.* and connected matters.

3. As already noted, the applicants filed writ petition on 14.06.2018 which has been transferred to this Tribunal alleging that the pollution was still taking place as the pollutants were being drained out in the gutter lines of the city which were finally meeting river Bhadar. The said water was also being used for agricultural purpose, causing damage to the soil and the cattle drinking the said water were also suffering. Pollutants were also being discharged in the ghats/wells/ponds contaminating the ground water. The applicants have filed various photographs.
4. The Central Pollution Control Board (CPCB) filed its counter affidavit before the High Court on 28.08.2018 alongwith a report of monitoring on 17<sup>th</sup>& 18<sup>th</sup> May, 2018. A letter was also written to the GPCB to take action based on the said report on 24.08.2018. Thus, it was for GPCB to take further action. The report is based on site visit dated 17<sup>th</sup>& 18<sup>th</sup> May, 2018. Conclusion and recommendations in the report are as follows:

***“CONCLUSION & RECOMMENDATIONS***

*Number of illegal textile washing Ghats are being operated in Derdi & Monpar Villages. The washing ghats are being operated on barren lands & fields surrounded by bushes making it unapproachable. The said washing ghats are having only few tanks constructed in series using rock stones and cement plastering, which can be setup easily with simple construction and without much investment, and can be constructed within no time even if they are demolished by authorities. The washing ghats uses ground water for washing and the wastewater are being let out in open land which finds its way in low lying areas & drains and discharges into Bhadar River resulting in pollution of River Bhadar.*

*The visiting team of CPCB-RD has collected samples from Bhadar River & Drains near Derdi Monpar Villages and found that the Bhadar River & the drains are carrying wastewater mainly from textile washing activities. The samples collected from the outlet of CETP & STP also reveal that the CETP & STP are not meeting the discharge norms prescribed by GPCB in*



CCAs. Therefore, the CETP may be asked to augment/ operate CETP & STP to achieve the discharge standards.

The complainant, Shri Ramdev Samatbhai Sanjvahas also made complaints to GPCB on the same issue. Accordingly, GPCB has visited CETP/pumping stations/ Bhadar River & the sites highlighted by the complainant. Based on the site visit, GPCB has initiated action and issued directions under Section 33 A of the Water Act and show cause notice to the CETP to take steps to avoid discharge of effluent from the c-channel & collection wells into Bhadar River.

JDPA has proposed immediate action plan like providing of a new collection well, providing a new collection sump of 5 MLD capacity, increase the height of the sidewalls of the c-channel along the River Bhadar, providing new pipeline connecting the proposed collecting well and proposed collection sump (5MLD) and has also submitted the said time bound action plan to GPCB. During the visit of CPCB-RD, the excavation work across the Bhadar River for laying of new pipeline was observed. JDPA may be asked to expedite the development work.

GPCB & District Collector/ Mamlatdar of Jetpur may be asked to take immediate steps for demolition of illegal washing ghats and to carry out periodic inspection in that area to ensure the restriction of new illegal washing ghats in accordance to the order of Hon'ble High Court of Gujarat (Order dated: 12.09.2009 in case of SCA No. 254 of 2009).

Jetpur Nagar Palika may be asked to expedite the commissioning of STP & sewage collection system for Jetpur in accordance of the order of Hon'ble High Court of Gujarat.

JDPA may be asked to expedite the work of setting up of new CETP at Derdi area, for Which NOC has –already been issued by GPCB.

It is also recommended to develop a common facility (common washing facility) in Jetpur for washing of textile in which the printing/ dyeing units should compulsorily be members.

Feasibility study should be carried out by an Institute of National repute/ Textile Research Institute for modification/ replacement of silicate process (presently used for colour fastening) so as to reduce the TDS load in effluent during washing, 'al in turn will make effluent treatable with conventional treatment.”

5. We may note the information available in public domain with regard to pollution in Jetpur town and in Bhadar River which, however, may need verification.

## Jetpur

6. Jetpur is small town about 70 kms away from Rajkot on Rajkot Junagadh National Highway No. 8B with a population of 1.25 Lakh. Though a small town, Jetpur is famous all over India for its Textile Dyeing and Printing units. The textile processing units were developed as cottage industries and today there are about 1159 units existing in the town.<sup>1</sup> Factories discharge their effluent, loaded with dyes and other chemicals, into streams and rivers, leading directly to the pollution of the surface water, and by infiltration of the underground water. In addition washing places for the saris have been constructed along the banks of rivers and in the agricultural fields in the surroundings of Jetpur, expanding the pollution of rivers and also affecting agriculture. This widespread pollution is not only prejudicial for the environment, but it also generates health hazards for people and cattle.<sup>2</sup>
7. The town of Jetpur in Rajkot district is seeing red. Tube wells dug in the area spew out red coloured water which contains harmful chemicals. The nearby puddles and ponds look like they have been fed from a river of blood. The effluents are the dark coloured dyes used to print designs on sarees, a principal industry of the town. The blood red effluents have been absorbed into the area's water table over the last 25-30 years. Jetpur has more than 1,100 units which print around four lakh sarees a day. The units use about 80 lakh gallons of water daily in the dyeing and printing process. At the end of the day, the water is allowed to flow out of the unit to accumulate

---

<sup>1</sup> Performance Evaluation of Common Effluent Treatment Plant at Jetpur Dyeing and Printing Association, International Journal for Scientific Research & Development| available at: <http://www.ijrd.com/articles/IJSRDV4I80350.pdf>

<sup>2</sup> THE DYEING AND PRINTING INDUSTRY IN JETPUR <GUJARAT>.

in low lying areas or flow into the Bhadar river. In summer, when most of the river is dry, the water is streaked with a stark red colour. Residents say that it is a reminder that the town is bleeding. More than 60 per cent of the patients who visit the government hospital at Jetpur suffer from ailments caused by water pollution, gastroenteritis, diarrhoea, vomiting, and liver disease.<sup>3</sup>

### **River Bhadar**

8. The Bhadar is one of the major rivers of Kathaiwar (Saurashtra) peninsula in Gujarat. It originates near Vaddi (Aniali Village) about 26 km north – west of Jasdan in Rajkot district at an elevation of 261 m above mean sea level. It flows towards South up to Jasdan and turns towards south - west up to Jetpur and finally changes its direction towards west till its confluence with Arabian Sea at Naviobandar (Porbandar). The total length of this river is 198 km. The Bhadar receives several tributaries on both the banks. There are 9 major tributaries having lengths more than 25 km out of which 6 tributaries namely Gandali, Chapparwadi, Phopal, Utawali, Moj and Venu are feeding from the right and the remaining 3 tributaries namely Vasavadi, Surwa and Galolio from the left. The drainage system of the river on right bank is more extensive as compared to the left bank. It has a drainage area of 7094 sq.km out of which 706 sq km is in hilly and the rest in plain regions of Saurashtra. The basin lies between geographical co-ordinates of 21° 25' and 22° 10'

---

<sup>3</sup>Gujarat high court notice after PIL complains of pollution in Jetpur, <https://timesofindia.indiatimes.com/city/ahmedabad/hc-notice-after-pil-complains-of-pollution-in-jetpur/articleshow/64770586.cms>.



north latitudes and 69° 45' and 71° 20' east longitudes. It drains about 1/7th of the area of Saurashtra.<sup>4</sup>

9. The stretch of Bhadar river between Jetpur and Saran village is the third most polluted rivers in the country.<sup>5</sup> All the units under the common effluent treatment plant (CETP) in Dhareshwar Gujarat Industrial Development Corporation (GIDC) are lying inoperative since a long time, and thousands of litres of untreated industrial effluent from all the textile dyeing and printing units of the Jetpur town are being directly released into the Bhadar river, which caters to the drinking water needs of more than 400 nearby villages. The polluted water of the river was affecting health of the local people in the nearby villages, which get drinking water from Bhadar river.<sup>6</sup>

10. We may note that this matter was listed with O.A. 673/2018 dealing with the issue of pollution of 351 polluted river stretches in India which include polluted stretch of River Bhadar which is subject matter of consideration in the present case as the said river is one of such polluted stretches. Separate order is being passed in the said matter which will also govern the present matter, to the extent applicable particularly with regard to the timelines for ensuring prevention of pollutants in any river or drain connected thereto.

11. In view of above, let a joint Committee of CPCB and GPCB take further action by way of carrying out monitoring of river Bhadar and

---

<sup>4</sup> Hydrological Study of Bhadar River Basin in Saurashtra region, Gujarat, International Journal of Advance Engineering and Research Development, available at: [http://ijaerd.com/papers/finished\\_papers/Hydrological%20Study%20of%20Bhadar%20River%20Basin%20in%20Saurashtra%20region,%20Gujarat-IJAERDV04I0258175.pdf](http://ijaerd.com/papers/finished_papers/Hydrological%20Study%20of%20Bhadar%20River%20Basin%20in%20Saurashtra%20region,%20Gujarat-IJAERDV04I0258175.pdf)

<sup>5</sup> <https://timesofindia.indiatimes.com/city/ahmedabad/rajkots-bhadar-stretch-is-indias-3rd-most-polluted/articleshow/66011214.cms>.

<sup>6</sup> Untreated industrial effluent being released into Bhadar river by govt-run units, <https://indianexpress.com/article/cities/ahmedabad/untreated-industrial-effluent-being-released-into-bhadar-river-by-govt-run-units-5313811/>.

polluting industries by following model as per this Tribunal's order dated 19.12.2018 in O.A. No. 673/2018 and file action taken report to this Tribunal within one month. The said model is as follows:

- i. Execution of field surveys to assess pollution load generated by industries and sewage generated in a city or town discharging sewage and trade effluent into river Hindon and its tributaries.*
- ii. Collating water quality monitoring data of river Hindon and its tributaries and assigning the class as per primary water quality criteria.*
- iii. Water quality assessment of river in context of sewage/industrial drain outfalls with dilution and distance factors.*
- iv. Laying time-limes for regulating industrial pollution control by ensuring consent compliance and closing the defaulting industries till they comply with the norms stipulated to them.*
- v. Setting up of STPs in towns located in the river catchment and emphasis on utilization of treated sewage.*
- vi. Adopting water conservation practices, ground water regulation, flood plain zone management and maintaining environmental flow.”*

12. Meanwhile, GPCB and District Collector, Jetpur may take action in accordance with the findings in the report of 17<sup>th</sup> and 18<sup>th</sup> May, 2018, quoted earlier, and file an action taken report so as to prevent pollution, recover compensation for the damage caused and to initiate prosecution against the violators of law including the CETP of JDPA by following due process of law. Justice B.C. Patel, former Chief Justice of Delhi is requested to oversee the remedial action and furnish a report to this Tribunal within three months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in). The execution of action plan approved by the CPCB may also be overseen.

A copy of this order be sent to CPCB, GPCB, District Collector, Jetpur and Justice B.C. Patel, former Chief Justice of Delhi by e-mail.



List for further consideration on 22.04.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

Saibal Dasgupta, EM

December 06, 2019  
Original Application No. 616/2019  
(I.A. No. 463/2019)  
(Writ Petition (PIL) No. 114/2018)  
DV

