

Item No. 14

Court No. 1

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

Original Application No. 1002/2018

Abhisht Kusum Gupta

Applicant(s)

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 19.02.2019

**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**

For Applicant(s): Mr. Mahaling Pandarge, Advocate

For Respondent (s): Mr. Daleep Dhyani, Advocate for UPPCB

ORDER

1. The issue for consideration is discharge of untreated sewage in the irrigation canal near Sector 137, NOIDA at village Kondli, in violation of the provisions of Water (Prevention and Control of Pollution) Act, 1974.
2. Vide order dated 30.11.2018, the Tribunal directed NOIDA Authority and Uttar Pradesh Pollution Control Board (UPPCB) to furnish a joint report in the matter.
3. Accordingly, report dated 14.02.2019 has been furnished, concluding as follows:-

“1. Kondli Drain originates from Kondli village, Delhi and enter into the NOIDA at the

place of Hari darshan Police Chowki, Sector-11, (Entry point of NOIDA) and after travelling (about 17km) in NOIDA region of Sector-11, Sector-12, Sector-22, Sector-50 and Sector-168 it submerge into Yamuna River near Chak Mangrola Sector – 168, NOIDA.

2. Kondli Drain is not connected to any river or canal before meeting in Yamuna River and has no source of fresh water.

3. During inspection it was found so many drains are connected to Kondli drain from Delhi side before entering into NOIDA.

4. The pollutant parametes in Kondli drain, (Entry Point at NOIDA) is found above the norms.

5. Delhi's polluted water comes into NOIDA (Kondli drain), for which NOIDA Authority has send letter from time to time to the Chief Secretary, Delhi Government to get the treated effluent.

6. All the villages, industrial, residential and institutional areas of NOIDA Authority areas are connected to the sewer line network.

7. Sewage generation from the NOIDA is approximately 200 MLD and it is treated in STP of capacity 231 MLD. Standards are being achieved by STP.”

4. The above report shows that the drain is originating from Kondli village in Delhi and other drains are also connected to the said drain. Kondli drain carries polluted effluents from Delhi and thereafter joins river Yamuna at NOIDA, Sector 168. Sewage is also being dumped into the drain in Sector 137, NOIDA. It was found that the water quality was not up to the standards. The NOIDA has also written a letter to the Chief Secretary, Delhi.

5. In view of the above, action is also required to be taken by the authorities at Delhi including the Delhi Pollution Control Committee (DPCC), Delhi Jal Board (DJB), and East Delhi Municipal Corporation. The coordination will be required by a

central agency as two States are involved in dealing with the matter.

6. Accordingly, we direct the Central Pollution Control Board (CPCB), DPCC, DJB, East Delhi Municipal Corporation, NOIDA Authority and UPPCB to have a joint meeting within one month and to prepare an action plan in respect of action in respective States to check the water pollution which may also include action to be taken for prohibiting the discharge of effluents, for prosecuting the polluters and recovering the compensation for the damage being caused to the environment. The Nodal Agency will be CPCB for coordination and compliance. The report of the action taken be furnished to this Tribunal within two months by e-mail at ngt.filing@gmail.com
7. The applicant is at liberty to furnish a set of papers to the above authorities.

Copies of this order be sent to the above authorities by e-mail.

List for consideration of the report on 20.05.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

February 19, 2019
Original Application No. 1002/2018
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