

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

Original Application No. 773/2022

Rajesh Pareek

Applicant

Versus

State of Uttar Pradesh

Respondent

Date of hearing: 05.10.2023

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

Respondent: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB

ORDER

1. The issue involved in this Original Application is in respect of discharge of untreated sewage in Yamuna at Mathura-Vrindavan. The Tribunal in the earlier proceedings had taken note of the stand of the applicant that there are 36 drains in Mathura-Vrindavan discharging sewage into river Yamuna and the quality of water in Yamuna is unfit to sustain any life and also that out of 36 drains in Mathura-Vrindavan, 30 drains were tapped while 6 of them remained untapped. The official claim of 70 MLD sewage being treated in Mathura-Vrindavan is noted to be fallacious.

2. Considering the gravity of issue involved in the matter, the Tribunal by order dated 11.04.2023 had issued following directions:-

*"11. In the light of the said order and observations in the present case, the **Chief Secretary, U.P., in coordination with other concerned authorities in the State, may ensure remedial action in the present case also for which a special meeting of concerned officers be convened preferably within one month to inter alia consider that untapped drains are intercepted and diverted to the identified STPs preferably within two months, treated sewage from each STP is provided to the identified command area for irrigation/agriculture and only during non-utilization period, treated sewage goes to river, performance of***

six STPs is evaluated and improved with defined mode of disposal, chlorination method and formation of THMs are studied in the light of protocol for chlorine dosing corresponding to BOD levels, treatment of effluent of industries individually or through CETP in terms of consented mode of disposal. An action taken report be filed within four months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”

3. After the above order, a report dated 10.08.2023 on behalf of UPPCB has been filed disclosing that Environmental Compensation of Rs. 3.25 crores has been imposed upon the City Commissioner, Mathura-Vrindavan at the rate of Rs. 5 lakhs per drain per month for 13 months for five drains. Another report dated 04.10.2023 has been filed by the CPCB in which Table 3 indicates very high number of Fecal Coliform at outlet of STPs which cannot be allowed to be discharged into river or for other human contact purpose. This also shows that chlorination is not effective. The conclusion and recommendations contained in the report are as follows:-

“3.0 CONCLUSION & RECOMMENDATION

In view of above facts, following conclusion are made in respect of Phytoremediation projects and THMS formation in treated wastewater of STPS:

- 1. In respect of Phytoremediation projects, it is observed that technology deployed for drains having hydraulic load of less than 100 KLD shows reduction of organic loading upto 85 %. There was no substantial reduction in organic load of wastewater in drains having higher hydraulic load.*
- 2. In respect of formation of standardization to control formation of THMS, it is observed that there is no direct relation found between dosing of chlorination with corresponding BOD to control formation of THM. It is also found that possibility of formation THMs arises only in case of dosing of chlorination beyond breakpoint i.e., 5 mg/L. However, the usual dosage of chlorine in STP in field practice is adopted as 5 mg/L.*
- 3. The results of STPs installed at Mathura and Vrindavan depicts that dosing of chlorination at rate of 5ppm do not form any THMS in wastewater.*

In order to validate the above facts and desired correlation of chlorine dosing, BOD and THMS, CPCB has undertaken similar studies on more STPs spread across the Country.

The detailed study shall be completed by CPCB within two months and findings will be discussed in the Technical Working Group

(TWG) constituted by CPCB and further recommendations / concluding remarks of TWG shall be covered in the report to be submitted in the similar matter of O.A. No. 840 of 2022 titled Dr. Sanjay Kulshresthra Vs Government of U.P. & Others.”

4. No action taken report on behalf of Chief Secretary, Uttar Pradesh has been filed. We also find that the direction contained in the paragraph 11 of the order dated 11.04.2023 has not been fully complied with till now. In the background of the aforesaid fact, we direct the Chief Secretary, UP to file the action taken report in pursuance to the directions contained in the paragraphs 11 of the order dated 11.04.2023. Let the said report be filed within six weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. CPCB is also directed to conclude the study and place the complete report before 30.11.2023.
5. Learned Counsel appearing for UPPCB has submitted that he will convey this order to the Chief Secretary of the State of Uttar Pradesh.
6. List this matter on 30.11.2023.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

October 05, 2023
Original Application No. 773/2022
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