

Item No. 06

Court No. 1

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

Original Application No.06/2012

Nizamuddin West Association

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 09.01.2024

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

Applicant: Mr. A.Q Zaidi, Adv. for Applicant in OA 06/2012

Respondent: Ms. Jyoti Mendiratta, Adv. for Govt. of NCT of Delhi
Mr. Bhanwar Pal Singh Jadon, Mr. Navin Kumar & Mr. Hardik Saxena,
Adv. for the State of UP
Mr. Rahul Khurana, Adv. for the State of Haryana & HSPCB
Ms. Puja Kalra & Mr. Virendra Singh, Adv. for MCD with Mr. S.K.
Meena, EE, Mr. Sanjeev Mudgal, EE & Mr. N. Ahuja, AE
Mr. Narender Pal Singh & Ms. Anjali, Adv. for DPCC
Ms. Deeksha L. Kakar & Ms. Akansha Choudhary, Adv. for DDA

ORDER

1. This Original Application involves issue of rejuvenation of river Yamuna. In the proceedings dated 17.10.2023, the Tribunal had considered various reports and had found that the situation regarding cleaning of river Yamuna was far from satisfactory and had noted the deficiencies in following respect:-

"6. The situation with regard to cleaning of river Yamuna is far from satisfactory. The report submitted by all the above agencies seems to be deficit on the following issues.

- i. Details of the drains discharging into the River Yamuna (both with treated waste water/untreated waste water). The details include the quantity and quality of the discharge water.*
- ii. Details of the STPs that have been constructed and operational to treat the waste water discharged from the above drains.*

The capacity of the existing STP and the quality of the treated waste water, if it is meeting the standards or not.

- iii. Details of upgradation of the existing STPs.*
- iv. Details of those areas/colonies which have so far not been covered in the above scheme shall be furnished indicating timelines for laying down sewage network system to trap all the sewage generated from authorized and unauthorized colonies and linking to the main drain for treatment & disposal.*
- v. Measures/steps taken for utilization of the treated waste water for agriculture, horticulture, construction activities, dust mitigation and other non-contact purposes.*
- vi. Details of monitoring of the functioning of the STPs, water quality monitoring.*
- vii. Rejuvenation and restoration of the Yamuna River Flood Plain and the associated wetlands.*

2. CPCB was also directed to verify the facts and figures disclosed in the report and place on record the requisite information as directed in paragraph 7 of the order as under:-

“7. CPCB is directed to verify the facts and figures disclosed in the report placed on record by the States and the authorities and file a comprehensive report reflecting the correct position. CPCB will also place on record the material disclosing that the sewage treatment being done is accordance with the prescribed standards and also the details of the proposed activities for the treatment of sewage/effluent.”

3. The reports, at the instance of the State of Haryana, NCT Delhi and State of UP have been filed but we find that the requisite information which is necessary for ascertaining the correct factual situation has not been disclosed. The reports must disclose each drain which is discharging the treated or untreated effluent in river Yamuna in the state/NCT concerned, the total quantity of treated/untreated discharge by that drain in the river, the STPs set up on that drain at different locations and end point local body which is ultimately responsible to ensure that no untreated discharge takes place from the drain.

4. River Yamuna is the major and second largest tributary of river Ganga and in Delhi stretch alone is responsible for 76% of river's

pollution. NCT of Delhi has 11 Districts- North, North-East, North-West, West, South, South-West, South-East, New Delhi, Central, Shahadra and East. A District-wise approach may be undertaken for rejuvenation of river Yamuna in Delhi.

5. As per River Ganga (Rejuvenation, Protection and Management Authorities Order, 2016, every District Level Committee has the powers and responsibility in relation to River Ganga and its tributaries flowing through it.

6. We have considered the reports submitted by the State of Haryana, NCT Delhi and UP which are deficient in following aspects:-

Delhi

1) Out of 22 drains meeting river Yamuna, only nine drains have been tapped and untapped 13 drains are still discharging huge quantity of sewage (2976.4 MLD)

2) Najafgarh and Shahdara drains which are the major source of sewage discharge (507.4 MGD), are said to be not feasible for interception. No timeline is disclosed for completion of Interceptor Sewer Project to divert flow of these two drains.

3) There is a gap of 222 MGD in sewage treatment thus untreated sewage is being discharged into Yamuna. For assessing the factual status, sewage being discharged through drains and sewage diverted to STPs is to be accounted for.

4) In the Performance results provided in R-6 of the report on STPs, no data has been provided for fecal coliform. The performance results provided by CPCB in their report on nine STPs, show that only two STOs are meeting with FC norms.

Haryana (Report dated 4.12.2023)

1) Treated and untreated sewage are mixed together and thereby making all the efforts futile.

2) Location of STPs with respect to each town and in context of each drain joining river Yamuna is not provided.

3) Connectivity of 378866 households to the sewer lines is yet to be provided.

4) Annexure - 3 provides the status of STPs in form of Complying and Non-complying but not in context of Parameters particularly in terms of FC.

Uttar Pradesh

1) Out of 14 drains in Ghaziabad, only one drain has been tapped and one drain in NOIDA remains untapped.

2) Ninety (90) MLD of treated sewage, instead of being utilised, is simply discharged into Ghazipur drain which is meeting Yamuna.

3) Two drains namely, Indirapuri and Banthala are discharging 52 MLD untreated sewage to Shahdara drain meeting Yamuna.

4) Untreated sewage of 150 MLD is reaching Yamuna via river Hindon.

5) Data on Fecal coliform for STPs in Noida has not been disclosed.

CPCB

Report of CPCB has been on website which could not be perused as the Counsel was not online. CPCB is directed to update the Status and file the Report before next hearing.

7. In the circumstances of the case, we direct the State of Haryana, NCT Delhi and UP to furnish the requisite information as required by preceding paragraphs of this order and file fresh report within a period of four 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 file fresh report in terms of the above directions.

8. Learned Counsel for the applicant submits that he has filed the Execution Application. Let the same be also listed for consideration on the next date of hearing.

9. List this matter on 13.02.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

January 09, 2024
Original Application No.06/2012
SN.

Dr. A. SenthilVel, EM