

Item No. 7

Court No. 1

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

Original Application No. 649/2023

Shri Krishan Kashyap

Applicant

Versus

State of Uttar Pradesh

Respondent

Date of hearing: 23.02.2024

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

Respondent: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)

ORDER

1. In this original application, the grievance raised is that some anti-social elements have laid the underground pipeline and are discharging sewer waste of Shivam Enclave Colony, Old Haibatpur, Greater Noida in the Hindon River in violation of the environmental norms.

2. The Tribunal by order dated 09.01.2024 had impleaded the respondents and required them to file the report.

3. The response on behalf of Uttar Pradesh Pollution Control Board (UPPCB) has been filed disclosing that the Joint Committee had carried out the inspection and had found as under:

"i. Shivam Enclave colony, old Haibatpur is situated in flood plan area of Hindon river, which is developed like other unplanned residential areas situated along with stretch of both side of Hindon river in Gautambuddh Nagar.

ii. There is no sewerage network in that area. Sewage generated from said residential area is being discharged directly into Hindon river.

iii. *In compliance to the order dated 17.03.2023 passed by the Hon'ble NGT in O.A. no. 859/2022 Abhist Kusum Gupta Vs State of U.P., Field Monitoring Teams are constituted by Government of U.P. vide Office Memorandum dated 26.06.2023 (annexed as **Annexure-1**) to assess the actual status of pollution of Hindon River in concerned Districts. In compliance to Office Memorandum dated 26.06.2023, Field monitoring teams have done inspection of Hindon Catchment area in Gautam Budh Nagar. It was reported earlier by committee that: -*

a. *Untreated sewage generated from areas such as Rahul Vihar and Bahrapur—, which is situated at entry point of Gautam Budh Nagar needs to be treated through nearby STPs by concerning Development Authority/ Municipal Corporation/ Local body.*

b. *The Untreated sewage being generated in flood plain areas such as Chijarsi,—, Bahlolpur, Chotpur, Tigri, Yusufpur which drains in River Hindon and untreated domestic sewage from residential areas located on GT Road, which meets Dasana Drain needs to be treated to nearby STP by concerning local authority.”*

4. Similar report has been filed by the District Magistrate, Gautam Budh Nagar.

5. The report clearly reveals that Shivam Enclave Colony, old Haibatpur is situated in flood plain area of Hindon river and it has no sewerage network and sewage generated from it is directly discharged in Hindon river. Hence, the concerned authorities are required to take appropriate action to ensure that not only the flood plain is protected but also discharge of untreated sewage in Hindon river is prevented within shortest time.

6. Hence, respondents are granted four weeks' time to file the action taken report.

7. It has been pointed out that the description of Respondent No. 3 has been changed therefore following respondent is substituted in place of Respondent No. 3:

iii. Chief Executive Officer (CEO), Greater Noida Authority,
Gautam Budh Nagar.

8. Let notice be issued to Respondent No. 3 for filing the response at
least one week before the next date of hearing.

9. List on 06.05.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

February 23, 2024.
Original Application No. 649/2023
DV