

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

(By Video Conferencing)

Original Application No. 02/2020

(With report dated 01.09.2020)

News item published in "The Hindu" Authored by Ashok Kumar

Titled

**"Overflowing sewage on National Highway-19 sparks safety concerns"**

Date of hearing: 07.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Mr. Rahul Khurana, Advocate for DC Faridabad & HSPCB

**ORDER**

1. Vide order dated 07.01.2020, a factual and action taken report was sought from the District Magistrate, Faridabad and Haryana State PCB with reference to the allegation that sewage from Seekri village in Faridabad District in Haryana is over flowing on to the service road and on the stretch of Delhi – Agra Highway. The flooded road hampers the movement of vehicles, emits foul smell, causes water borne diseases and accidents on the Highway. Pipeline and drains get frequently choked due to dumping of garbage in the open drain, leading to over flowing of sewage to the service road.

2. Accordingly, a report has been filed by the State PCB on 01.09.2020 inter-alia as follows:

“4. That the HSPCB communicated the stand of the NHAI to the DDPO and again requested to submit the Action taken Report. After several communications and request to submit immediate solution apart from permanent solution of the problem, the BDPO, Ballabgarh, vide letter dated 11.08.2020 submitted that till about last 3 years, water from village was being channelized through a Naala alongside the National Highway. However, the NHAI constructed the service road and that **Naala was broken**. In place of said naala, a drain was constructed between National Highway and Service road. Further, the NHAI connected the drain with four underground pipes under the service road and water of village was being channelized. However, **no new naala was constructed by the NHAI despite oral assurance**. It has been further informed that due to waste and polythene in the drain/pipes, **water got over flowed on Mohla Road** which reached to National Highway. **As a temporary measure, a Kacchi drain has been made by Gram Panchayat along the service road**. Now, water of drain/pipe is not overflowed towards Mohla road and National Highway. This Kacchi drain is being cleaned by the Gram Panchayat from time to time. The Kacchi drain and four underground pipes are being shown in google map. As a permanent measure, **plan to construct pakka Naala has been prepared by the Gram Panchayat. Demand of fund has been sent to the Special Secretary, Development & Panchayat Dept., Chandigarh**. At present no water is flowed over the road/ National Highway. Copy of letter dated 11.08.2020 of the Block Development and Panchayat Officer, Ballabgarh is annexed herewith as Annexure-R/3. Copy of google map Showing Mohla road, underground 4 pipes, Kacchi drain and service road is annexed herewith as Annexure-R/4. Photographs are annexed herewith as Annexure-R/5.

5. That after taking note of the ground situation, the Deputy Commissioner has directed the Project Director, NHAI to ensure the regular cleaning of drain and four underground pipes till the permanent solution is executed so that over flow of water is not being caused on the road. The letter dated 1'8.08.2020 sent by Deputy Commissioner, Faridabad to the Project Director, NHAI is annexed herewith as **Annexure-R/6**.

6. That at present no water is being over flowed at road/highway from the village Sikri after taking interim measure by the Gram Panchayat. However, it is recommended that till the construction of pakka Naala by Gram Panchayat Sikri, the NHAI should clean the drain and underground pipes regularly.”

3. From the above report, it is clear that only an *ad hoc* arrangement has been made and further remedial measures are required to be taken. Let the State PCB take further steps in coordination with other concerned authorities, including the Nagar Panchayat and Development

Department and furnish a compliance report before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. It is made clear that if the concerned authorities fail to take remedial action, the State PCB may initiate prosecution under the Water (Prevention and Control of Pollution) Act, 1974 and recover compensation for damage to the environment.

List for further consideration on 11.12.2020.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 07, 2020  
Original Application No. 02/2020  
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