

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

**Original Application No. 148 of 2014  
(M.A. No. 497/2014 & M.A. No. 210/2015)**

**Udyog Vyapar Sangthan  
Vs.  
MoEF & Ors.**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant / Appellant :Mr. Amit Singh for Mr. M. V. Chandra  
and Shaily Tarar Singh, Adv.  
Respondent No. 1 :Mr. Vishwendra Verma and Mr. Shirali,  
Adv.  
Respondent No. 2 :Mr. Ardhendumauli Kumar Prasad, Adv.  
Respondent No. 3 :Mr. Abhishek Paruthi, Adv  
Respondent No. 4, 7 & 9 :Mr. Raman Yadav and Mr. Sharad  
Chauhan, Adv.  
Respondent No. 5 :Mr. Pradeep Misra, Mr. Daleep Kumar  
Dhayani and Mr. Suraj Singh, Adv.  
Respondent No. 6 : Mr. Pradeep Misra, Mr. Daleep Kumar  
Dhayani, Adv.  
Respondent No. 7 & 8 : Mr. Chandra Shekhar, Adv.**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 06 August 20, 2015</b>	<p>Heard. Perused.</p> <p>Udyog Vyapar Sangthana, a registered Society of the local traders from the city of Aligarh, have filed this application for formulation of a scheme for removal of the silt (sewage waste) from the streets of the city of Aligarh as well as from the Nallah/drain carrying the sewage in order to prevent the air pollution caused by the silt lying uncared on the streets.</p> <p>Notices were issued to the MoEF as well as CPCB, UPPCB and District Magistrate, Aligarh, Nagar Ayukt, Nagar Nigam Aligarh and Chief Medical Officer, Malkhan Singh Hospital, Aligarh. CPCB and UPPCB have filed the replies. Both are unanimous on the proposition that the sewage/silt should not be allowed</p>

to be left uncared on the streets but removed through proper conveyance system for its treatment and disposal in accordance with law as the silt lying in the streets results in the foul order as well as contributes to rise in particulate matter in ambient air.

The Respondent No. 8 fairly responded to the problem positively and has come out with the scheme for removal of the silt from the streets of city of Aligarh in a proper manner and its disposal thereafter. The Respondent No. 8 Nagar Nigam has placed before us the affidavits dated 15.09.2014, 15.10.2014, 23.07.2015 and 19.08.2015 spelling out the particulars of the scheme.

Affidavit dated 15.09.2014 of Dr. Kuldeep Kumar, Health Officer working with the Municipal Corporation, Aligarh reveals that the city of Aligarh is an old city having very narrow lanes and bye-lanes with open nallahs/drains carrying both storm water as well as domestic sewage however it also reveals that for the purposes of sewage the major part of the city has underground sewer lines. It further reveals that the open nallahs and drains in the lanes and bye-lanes of the city are cleaned manually and cleaning of the underground sewer lines is done by super sucker machines. Action taken plan filed on 15.10.2014 by the Nagar Nigam reveals that the Nagar Nigam resorted to use of the water pumps, hand-carts or water proof-trolleys and wheeled pumps for pumping out domestic waste water and transporting the silt from nallahs directly without leaving it on the road.

Affidavit dated 23.07.2015 filed by the Nagar Nigam reveals that the Municipal Corporation got manufactured water proof hand-carts with lids for taking away the de-watered silt from the narrow lanes and bye-lanes from the city of Aligarh and has employed water proof trolleys for cleaning and transporting the silt from the nallah/drains along the broad roads. It also speaks of using super sucker machines for pumping out the silt from the sewer lines. This affidavit makes reference to huge chunk of land admeasuring 84 bighas 6 biswa (pucca) popularly known as Iglas Rd. sludge far more particularly described as per Annexure-R8/2 to the affidavit dated 19.08.2015 designated for the purposes of carrying and dumping the silt removed from the streets of Aligarh and mustering of man power approximately 350 to 400 persons in addition to the regular employees of the Nagar Nigam for the job of removal of the silt and dumping it at the designated place. In response to our queries made in reference to the periodicity of cleaning and particulars of the land to be designated for dumping of the silt, the Nagar Nigam has filed affidavit dated 19.08.2015. The Learned Counsel appearing for the Respondent No. 8-Nagar Nigam on instructions makes a statement that the Nagar Nigam shall abide by the statements made in these affidavits and would carry out the cleaning and removal of the silt from the streets in the city of Nagar Nigam including its lanes and bye-lanes on daily basis by employing the manual labour as well as mechanical means referred to hereinabove and would clean and

remove the silt/garbage from the nets at the mouths of the drains joining large nallahs twice a day to ensure free flow of water in the large nallahs. As regards cleaning of the large and small nallahs in the city a statement is made that these are cleaned in the months of February to June every year and the same practice would continue in addition to cleaning if required absolutely necessary on other days of the year vide program at Annexure-R8/1 to the affidavit dated 19.08.2015.

The applicant has no reservations about the scheme for cleaning and removal of the silt as proposed by Nagar Nigam in the aforesaid manner. Nothing survives, therefore, for further consideration. The respondent no.8 Nagar Nigam, Aligarh shall abide by the statements made and execute the work of removal and disposal of the silt from drains, nallahs and sewers in the city of Aligarh faithfully without leaving it lying uncared on the streets. The Original Application No. 148 of 2014 thus stands disposed of with no order as to cost. Miscellaneous Applications (M.A.No.497/2014 & M.A.No.210/2015) also stands disposed of accordingly.

.....,JM  
(U.D. Salvi)

.....,EM  
(Ranjan Chatterjee)