

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

**Original Application No.156 of 2015
(M.A. No. 474 of 2015)**

IN THE MATTER OF:

Mrs. Sunita Pandey & Anr. Vs. Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Present: **Applicant:** Mr. Mithlesh Kumar Pandey, Adv.
Respondent No. 1: Dr. Abhishek Attrey and Mr. Sumit Razora, Adv.
Respondent Nos. 2 to4: Mr. Abhishek Yadav, Adv.
Respondent No. 6: Mr. Pradeep Misra and Mr. Daleep Kr. Dhyani, Adv.
Respondent No. 7: Mr. Rajkumar, Adv. and Mr. Bhupinder Kr. LA, CPCB
Respondent No. 8: Mr. Ardhendumauli Kr. Prasad and Mr. Panshul Chandra, Adv.
Mr. I. K. Kapila, Adv. with Sh. P. H. Parekh Sr. Adv. for Uttar Pradesh Jal Nigam

	Date and Remarks	Orders of the Tribunal
	Item No. 13 May 17, 2016 jg	<p>It is admitted on behalf of the Nigam that there is arsenic in the ground water of Balia area. However, there are 183 handpumps which have already been provided with arsenic removal plant and therefore the water that finally comes from these handpumps is potable. It is further stated that the pipe line for potable water is provided in the area, but the residents of the area are not taking water connection despite the fact that they levy a very reasonable charges of Rs. 18 per month for taking independent connection. It is also stated that there are public points from the said pipelines, from where water could be taken by the residents of the area who have no independent connection.</p> <p>The learned Counsel appearing for the applicant however, submits that this is not correct as according to</p>

him the water from the handpumps contain arsenic and people are falling sick largely. It is further stated that the claims raised by the Nigam is factually incorrect.

In light of the above, we direct a team of Scientists from Central Pollution Control Board, Ministry of Environment & Forest, & CC , Uttar Pradesh Pollution Control Board and Central Ground Water Authority of India to conduct a Joint Inspection and report to the Tribunal. They will submit comprehensive and submit the complete report which will cover all matters but inter-alia the following:

1. The number of handpumps where arsenic removal plants have been installed and whether such plants are actually working satisfactorily or not.
2. The water samples from the handpumps will be collected and analysed not only for arsenic but even for other heavy metals and water pollutants.
3. They will check whether the water supplied through the pipelines is available to all the residents and the reason as to why residents are not taking pipeline water connection.
4. They will also comment on the health of the people and particularly the averments that number of people have died as a result of consuming arsenic water regularly.
5. They will also inspect public water connection and whether on the public posts water is available, if so its duration and the quality of water.
6. The applicant would be intimated and is at liberty to be present at the time of the joint inspection.

List the matter on 18th July, 2016.

.....,CP
(Swantanter Kumar)

.....,JM
(M.S. Nambiar)

.....,JM
(Raghuvendra S. Rathore)

.....,EM
(Prof. A.R. Yousuf)

.....,EM
(Bikram Singh Sajwan)

