

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 42936 of 2025
(IN REFERENCE (PIL) Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 14-01-2026

Shri R.S. Thakur, learned Amicus curiae with Shri P.K. Shah-Advocate.

Shri Vivek Sharma, learned Deputy Advocate General for the respondent/State.

Shri Siddharth Seth, learned counsel for the respondent no.4.

Shri Sourabh Sunder, learned counsel for the respondent no.6

1. Status report has been filed by the M.P. Pollution Control Board which states that pursuant to order dated 21.11.2025, the District Collector, Jabalpur constituted a joint inspection team of District Administration, Agriculture Department, Health officer, Municipal Officer, Jabalpur alongwith the team of Madhya Pradesh Pollution Control Board. Surprise inspections were carried out by the joint inspection team and samples of water being used for agricultural purposes were collected from *Omni Nala, drain in front of M/s Ravishankar Sohane Agricultural Farm, Moti Nala, Khooni Nala, Udarna Nala and Omti Nala.*

2. The report reveals that the test report of the water samples show that the water is highly contaminated and there is presence of Faecal Coliform which is dangerous for human health. Report further indicates that 174 MLD (million litres per day) of Sewage/waste water is generated in the Jabalpur city and there are 12 sewage treatment plants, which have a total

capacity of 104.33 MLD, however, on inspection it transpired that only 75.14 MLD of waste water/sewage was being treated and approximately over 98 MLD untreated water was reaching the drains/nalas.

3. The Pollution Control Board has made the following suggestions:-

"i. That, the samples which were collected from the aforementioned Sources/Nalas/Farmland, on 23.11.2025, clearly reflect that the water is contaminated and that the samples are having more than prescribed standard limits, whether it is BOD, Total Coliform or Faecal Coliform. As the sample report and the examination clearly depict that the water is untreated sewer water which is not suitable for drinking, bathing or for any other purposes, including cultivation, the concerned authorities should take immediate steps to prohibit the use of such contaminated water for the purposes of cultivation.

ii. That, appropriate steps should be taken against the use of such farmland strictly in accordance with the law. It is noteworthy that the sample water, which was collected, also contains the element of faecal coliform, which is grossly fatal for human consumption in any form. This may result in severe health issues. It is further submitted that the farmlands which are illegally operating on government land/ encroached lands and which are using drainage/sewage/untreated water for cultivation should immediately be prohibited for the larger public good.

iii. That, the record available with the M.P. Pollution Control Board clearly reflects that in the city of Jabalpur, every day around 174 MLD per day of sewage is generated. In other words, every day 1,74,000 cubic meters of sewage is generated in the city of Jabalpur. At present, only 12 Sewage Treatment Plants (STP) are there and in these 12 sewage treatment plants, only 75.14 MLD of Wastewater/Sewage water is being treated. In some of the inspection reports conducted by the M.P. Pollution Control Board, it is found that even these 12 Sewage Treatment Plants are partially operational and at times are under maintenance. It is further noted and the record also indicates that, in view of the aforementioned data, around 98.86 million litres per day (MLD) of untreated contaminated Water/Sewage is reaching the drains either directly or indirectly. Strict remedial measures should be taken by the municipal authorities.

iv. That, the data available also show that there are approximately 3,00,070 household connections in the Jabalpur Municipal Corporation area, out of which only 73,875 houses have been connected to the sewer line and the process of connecting the remaining household connections to the sewer line is underway.

Unless these households are fully connected to the Sewer Treatment Plants, the sewer water can never be treated. It is found that it is this untreated sewage water which is flowing in the drains/nallas as mentioned above. The drains/nallas are essentially to be used for rainwater or for the flow of treated water and not sewage water, as per the guidelines. Immediate steps should be taken in this regard by concerned authorities.

v. That, as per the direction issued by the Hon'ble National Green Tribunal, the Madhya Pradesh Pollution Control Board has assessed the environmental compensation which is required to be levied on the Municipal Corporation on the aforementioned lapses. As per the present status, the amount of environmental compensation payable against the Municipal Corporation, Jabalpur is Rs. 17.80 crore for the period 01.07.2020 to 31.03.2025 for the discharge of untreated polluted water from the households of the city directly into the rivers/drains. This environmental compensation has been levied in view of the directions issued by the National Green Tribunal for the discharge of both sewage water/ untreated water for non-implementation of solid waste management. The onus and responsibility for the recovery of such environmental compensation has been fastened on the District Collector, Jabalpur. In this regard, the Pollution Control Board Regional Office, Jabalpur, as well as the M.P. Pollution Control Board Headquarters at Bhopal, have written several letters for the recovery of the said amount. The said amount of environmental compensation has till date not been paid by Municipal Corporation, Jabalpur. Therefore, environmental compensation should immediately be paid by Municipal Corporation, Jabalpur so that the fund can be used for the conservation of environment and other such use as per law."

4. Consideration the suggestions given by the Pollution Control Board, it is directed that;

(i) Immediate steps should be taken by the authorities to prohibit use of contaminated water for the purposes of cultivation, drinking and bathing.

(ii) The respondent/State should ensure that the 12 Sewage treatment plants are made fully operational as they are presently working at only about 75% of their capacity.

(iii) The respondent/authority should identify industries/ factories/ commercial establishment which are discharging effluent in the drains/nallas

and direct them for setting up of private STPs in those factories, industries and commercial establishments to ensure that the effluent is treated at the source itself before it reaches in drains/nalas.

(iv) The respondent shall also constitute a committee to examine the feasibility of connecting all the households and colonies in Jabalpur city with the main sewer line.

5. The report further indicates that M.P. Pollution Control Board has imposed penalties and determine environmental compensations exceeding Rs.17.80 crore during the period of 01.07.2020 to 31.03.2025.

6. Learned counsel for Municipal Corporation prays for time to take instruction with regard to imposition of penalty and payment of penalty.

7. List for further directions on 04.02.2026.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE