

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 1021/2018

IN THE MATTER OF :

H.K. Kansal, President,
Avantika Resident Welfare Association ... Applicant

Versus

State of U.P. ... Respondents

**COMPLIANCE AFFIDAVIT ON BEHALF OF MUNICIPAL
CORPORATION GHAZIABAD**

I, Pramod Kumar son of Sri B. D. Ram, aged about 52 years, posted as Addl Commissioner Ghaziabad Nagar Nigam, Ghaziabad, U.P. presently at New Delhi do hereby solemnly affirm and state as under:

1. That the deponent is working as the Addl Commissioner Ghaziabad Nagar Nigam and is well conversant with the facts and circumstances of the case and hence, competent to swear this affidavit.
2. That this Hon'ble Tribunal vide order dated 3.3.2020 directed the Ghaziabad Municipal Corporation to take necessary action to prevent discharge of untreated sewage in the drains which are meeting river Hindon and thereafter river Ganga and also to clean the said drains for restoring the environment. The relevant directions is quoted herein below for your kind perusal:-

"3. Accordingly, the UPPCB in its report, handed over in the course of hearing today, acknowledges that untreated sewer was being pumped out and discharged in open drains. Though sewerage network has been constructed,

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the same is choked due to lack of maintenance. The findings of the inspection dated 22.07.2019 have been communicated to the Municipal Corporation. The Municipal Corporation has also been required to pay environmental compensation of Rs. 99,12,109/- for its failure to take necessary steps.

4. It is, thus, clear that Ghaziabad Municipal Corporation has to take further necessary action to prevent discharge of untreated sewage in the drains which are meeting river Hindan and thereafter river Ganga and also to clean the said drains for restoring the environment.
 5. As a short-term measure, we direct the Ghaziabad Municipal Corporation to stop discharging untreated sewage into the drains and to clean the drains. We are not expressing any opinion about the dispute between the Ghaziabad Municipal Corporation and M/s Ansal Housing and Construction Ltd. Pendency of such dispute does not absolve the Corporation of its liability under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 not to discharge any untreated effluent into any water body or drain which is a criminal offence.
 6. Let a compliance report be furnished by the Ghaziabad Municipal Corporation before the next date by e-mail at judicial-ngt@gov.in."
3. That in compliance of the aforesaid directions of this Hon'ble Tribunal, the Ghaziabad Nagar Nigam has not only taken all necessary action to prevent discharge of untreated sewage in the drains but has also ensured that the discharging of untreated sewage into the drains has been stopped and the drains have been cleaned. The Ghaziabad Nagar Nigam has taken all necessary action to ensure that the sewer line in the concerned area is flowing uninterrupted by any kind of blockage or

disruption. The Ghaziabad Nagar Nigam has taken all necessary steps to ensure that the local waste coming from the houses are not thrown into the drains and a proper procedure is following for disposal of the same.

4. That it is important to submit here that even though the operation of the said sewer line was the responsibility of M/s Ansal & Developers since they are constructing the colony yet the Ghaziabad Nagar Nigam is collecting the wastage coming from home to sewer suckson machine and then disposing of the same through main open drain without causing any kind of disruption or blockage in the said drain.
5. That it is pertinent to mention here that the Ghaziabad Nagar Nigam has also made operational the sewer line in Avantika Phase-I which was totally inoperational and was filled with silt and mud due to which the entire garbage of Avantika Phase-I was going in the drain. But the Ghaziabad Nagar Nigam, in compliance of the directions issued by this Hon'ble Tribunal on 3.3.2020 got the said sewer line cleaned by super-sucker machine and ensured that all garbage and obstacles are removed completely from the said sewer line.
6. That it is important to bring to the notice of this Hon'ble Tribunal that presently the Ghaziabad Municipal Corporation has ensured by taking all necessary action that there is no discharge of untreated sewage in the drains which are meeting river Hindon and thereafter river Ganga and all the sewer lines to the extent of 3.5 kms are operating without any obstacle and taking every steps towards restoring the environment as per this Hon'ble

Tribunal's mandate. A true and correct copy of the letter dated 20.8.2020 written by the Chief Manager (Water) of Nagar Nigam to the Addl. Municipal Commissioner along with the photographs showing the free-flow of drains and the cleanliness is marked and annexed as **Annexure A-1** to this Affidavit.

7. That it is most humbly submitted that the Ghaziabad Nagar Nigam will continue to follow the mandate of this Hon'ble Tribunal in future as well even though M/s Ansal & Developers are not doing anything towards helping the Nigam in maintaining the cleanliness despite the fact that they have constructed the said colony and it was their utmost duty to ensure that the procedure as prescribed in the Environmental Act is followed.


DEPONENT

VERIFICATION:

I, the deponent above named do hereby solemnly swear and verify that the contents of the above mentioned paragraphs of this affidavit are true to my knowledge; and are based on the perusal of the record and on legal advice which all I believe to be true and no part of it is false and nothing material has been concealed.

Verified at New Delhi on day of August, 2020.


DEPONENT

कार्यालय महाप्रबन्धक(जल), नगर निगम, गाजियाबाद

पत्रांक:- 445 /जलकल/2020-21

दिनांक 20.8.2020
विधि प्रभारी
को (कल) को (कल)अपर नगर आयुक्त/विधि प्रभारी
नगर निगम, गाजियाबाद।

विषय:- मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ0ए0संख्या-1021/18/19 के सम्बन्ध में।

महोदय

कृपया उपरोक्त विषयक अवगत कराना है कि ओ0ए0संख्या-1021/18/19 जो मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन श्री एच0के0कंसल, रजिडैन्टस वैलफेयर एसोसिएशन, अवन्तिका बनाम उ0प्र0 राज्य के सन्दर्भ में अवगत कराना है कि अवन्तिका कालोनी गाजियाबाद विकास प्राधिकरण द्वारा स्वीकृत कालोनी है। इस कालोनी के सीवरेज के निस्तारण हेतु इस सीवर लाईन जो गाजियाबाद विकास प्राधिकरण के अधीन मैसर्स अंसल एन्ड डवलैपर्स द्वारा डाली गयी थी, जो पूर्ण रूप से अवरूद्ध है। सीवर पाईप लाईन के अन्दर सिल्ट भरा हुआ है, जिसकी वजह से सीवर लाईन के माध्यम से घरेलू उत्प्रवाह का निस्तारण सीवरेज नैटवर्क से नहीं हो रहा है। इसके अतिरिक्त उक्त बिछायी गयी सीवर लाईन के इन्वर्ट लेबिल में भी कहीं-कहीं समस्या है, जिसका संयुक्त निरीक्षण नगर निगम एवं गाजियाबाद विकास प्राधिकरण के अधिकारियों द्वारा किया गया था।

उक्त सीवर लाईन को संचालित करने का दायित्व मैसर्स अंसल एन्ड डवलैपर्स का है। उक्त कालोनी के घरेलू उत्प्रवाह को सीवर सक्शन मशीन के माध्यम से एकत्रित कर मुख्य ओपन ड्रेन में निस्तारित किया जा रहा है। यहाँ पर यह भी अवगत कराना है कि उक्त सीवर लाईन अवन्तिका फेस-1 के लिये डाली गयी थी, जो कि पूर्णतया अक्रियाशील थी तथा सिल्ट एवं मिट्टी से पूरी तरह भरी हुई थी, जिसकी वजह से अवन्तिका फेस-1 का समस्त सीवर नाले में प्रवाहित हो रहा था। मा0 राष्ट्रीय हरित अधिकरण के आदेशानुसार नगर निगम, गाजियाबाद द्वारा सीवर लाईन की सफाई सुपरशकर मशीन द्वारा कराया जा रहा है। इसी बीच गाजियाबाद विकास प्राधिकरण एवं अंसल ग्रुप हाऊजिंग द्वारा माह फरवरी-20 में नव-निर्मित अवन्तिका फेस-2 जिसमें लगभग 1200 मकान है, को अनाधिकृत रूप से उसी अक्रियाशील सीवर लाईन में जोड़ दिया गया है, जिसकी वजह से नाले में सीवर का फ्लो और बढ़ गया था।

वर्तमान समय में नगर निगम द्वारा उक्त पूर्ण रूप से अवरूद्ध सीवर लाईन जो कि लगभग 3.5 कि0मी0 की है। जिसे नगर निगम द्वारा सुपरशकर मशीन से माह मार्च-2020 से वर्तमान समय तक 3.5 कि0मीटर सीवर लाईन को दिन रात कार्य कराकर, दिनांक 26.07.2020 को पूर्णतः क्रियाशील कर दिया गया है।

कृपया अवगत हो।

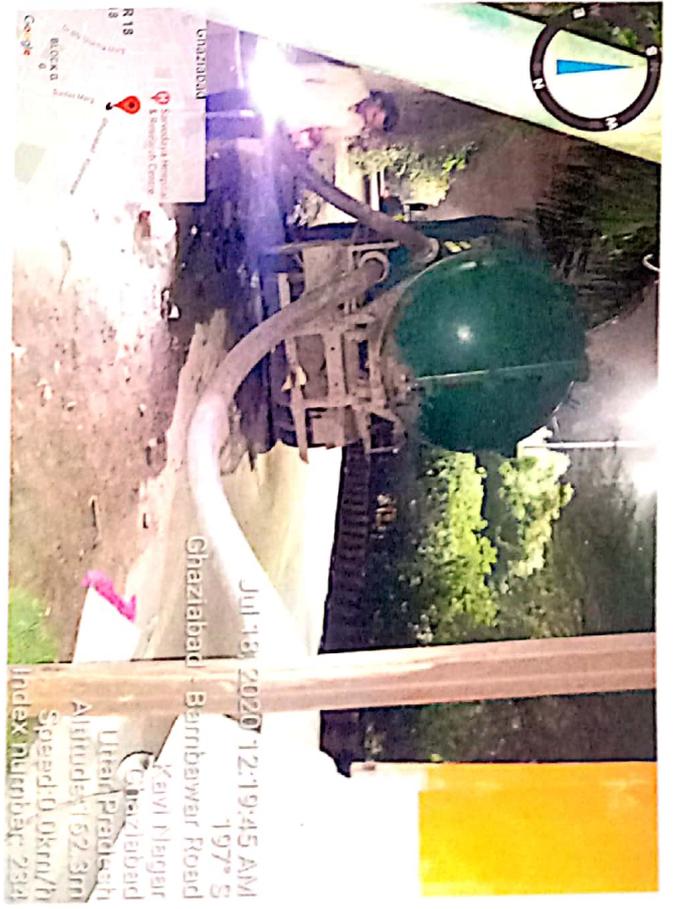
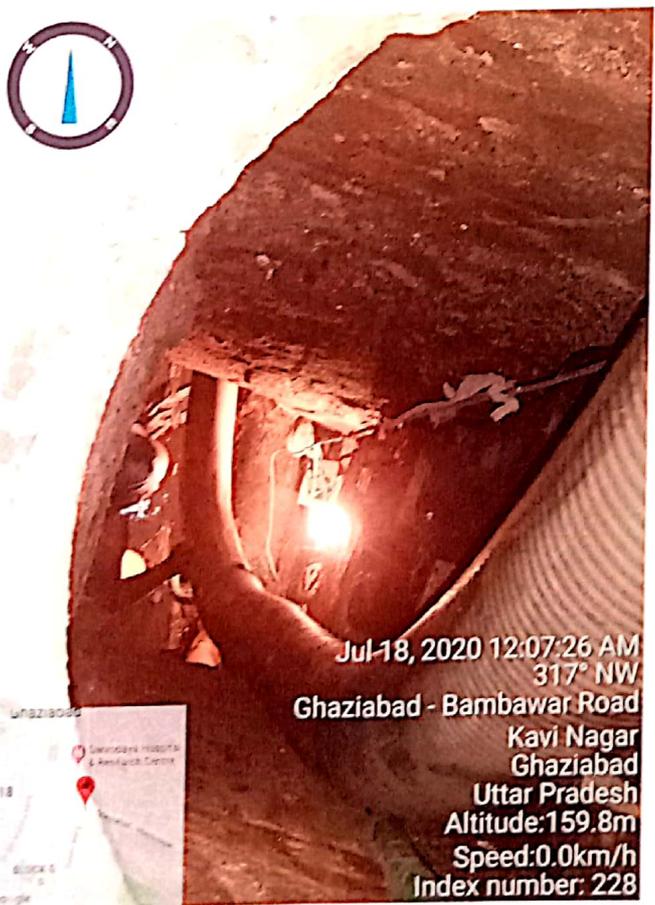
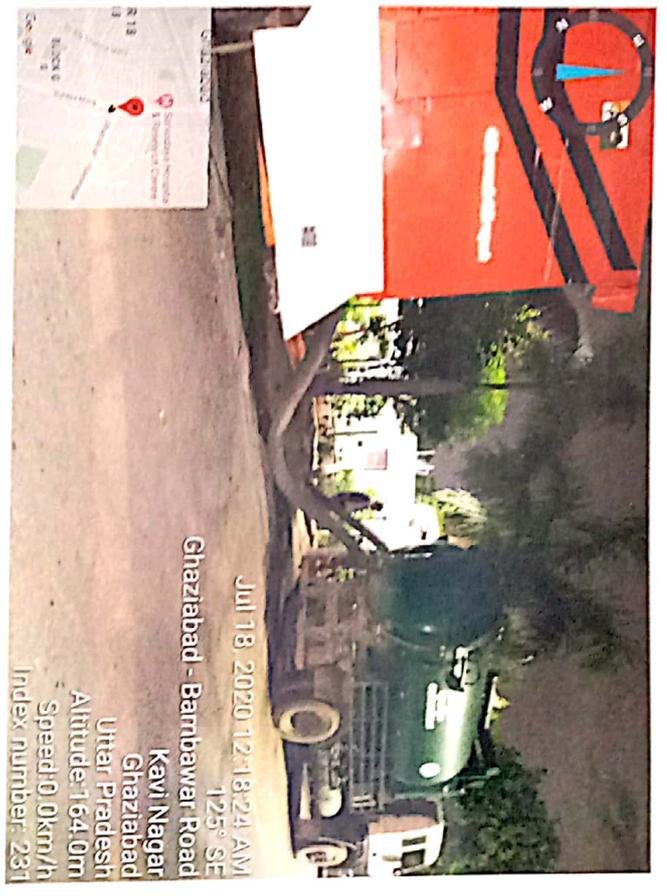
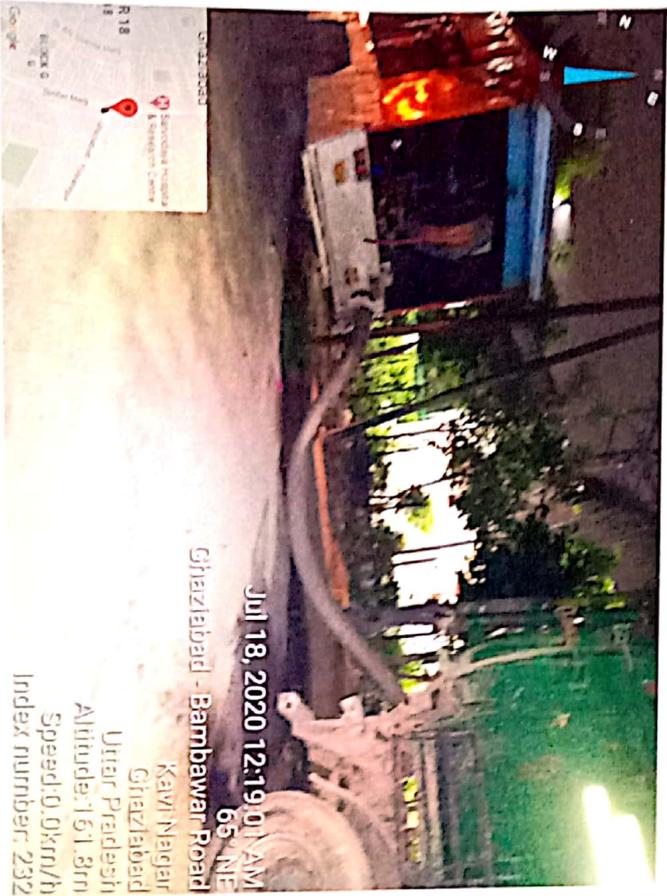
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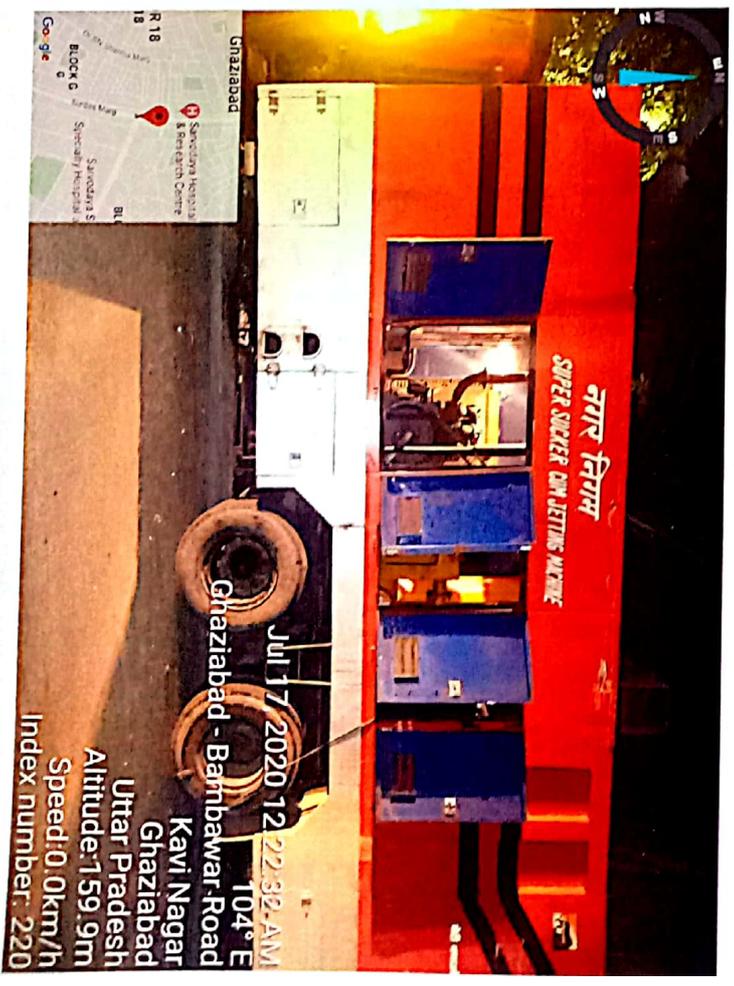
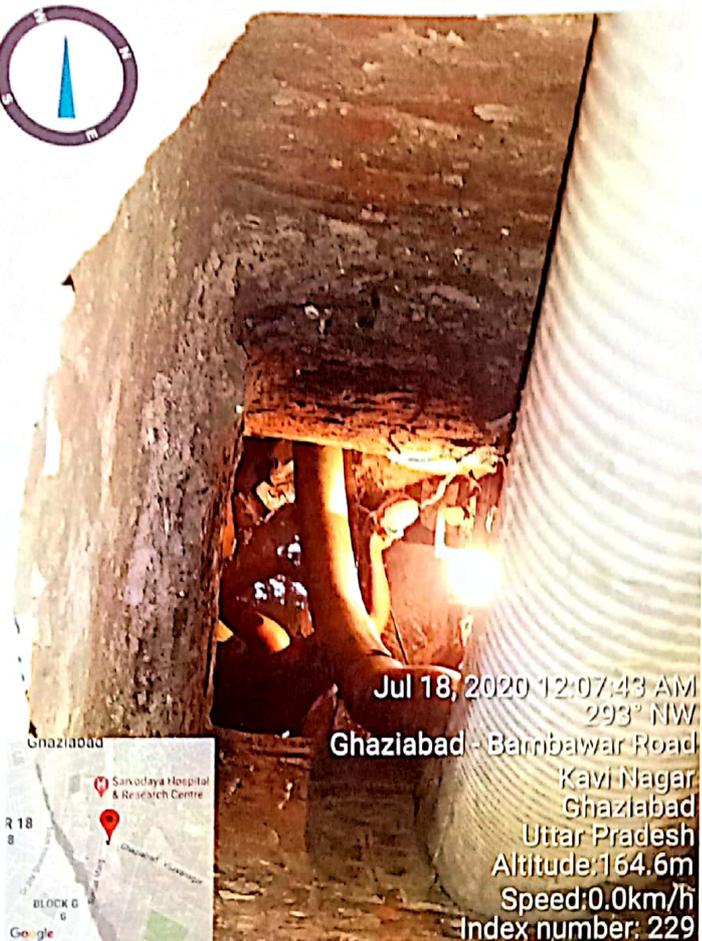
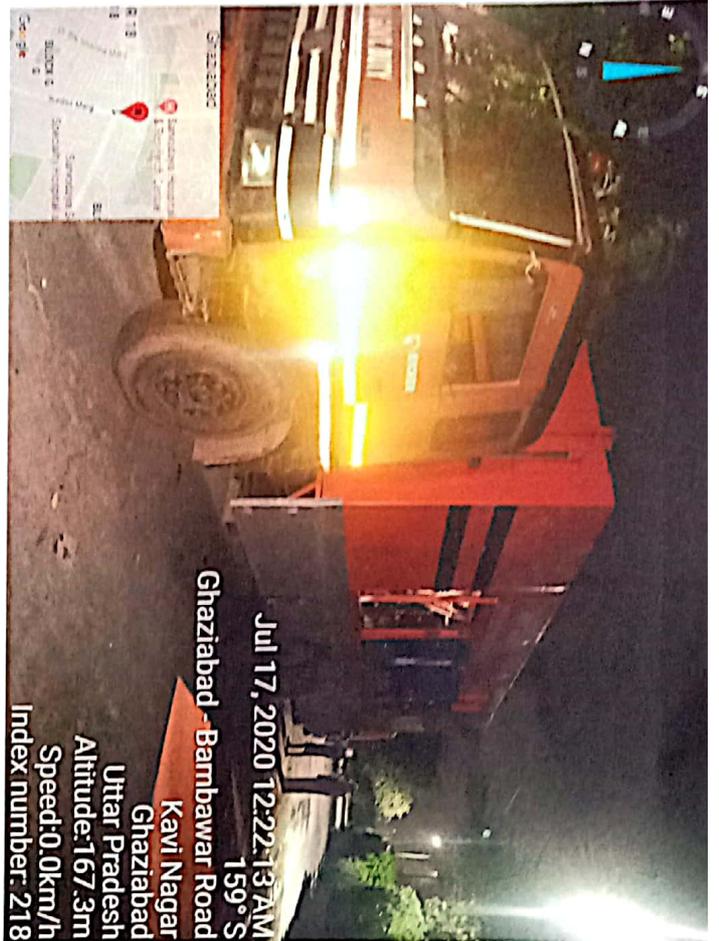
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नगर निगम, गाजियाबाद

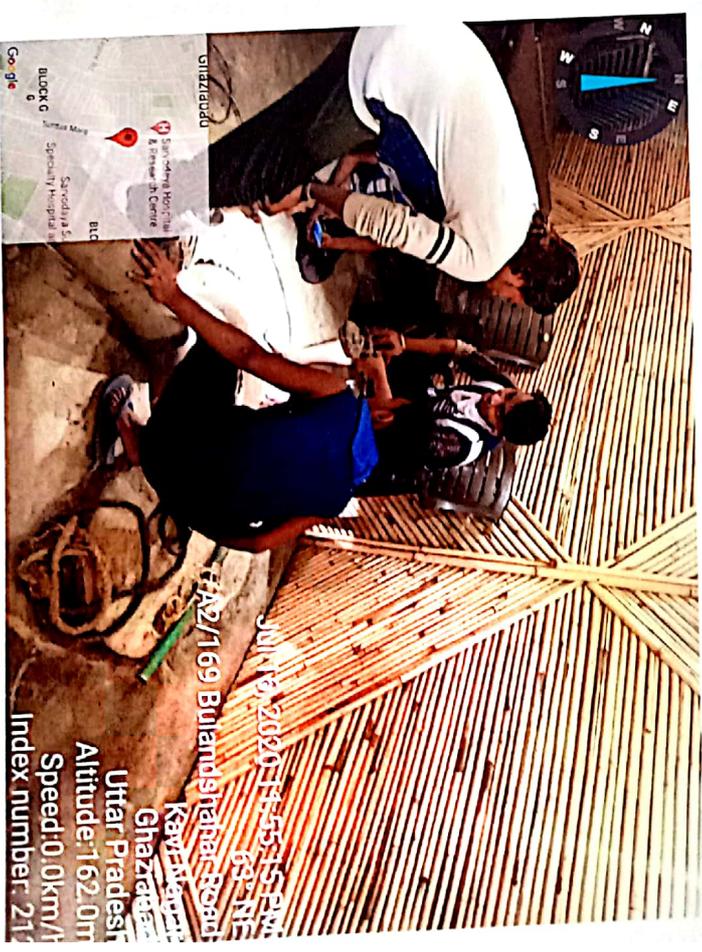
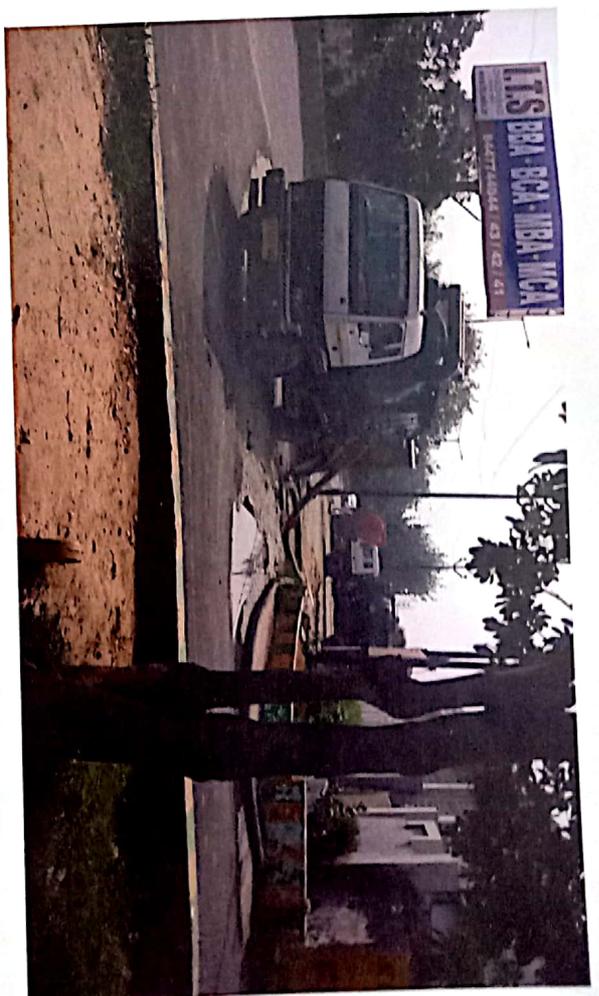
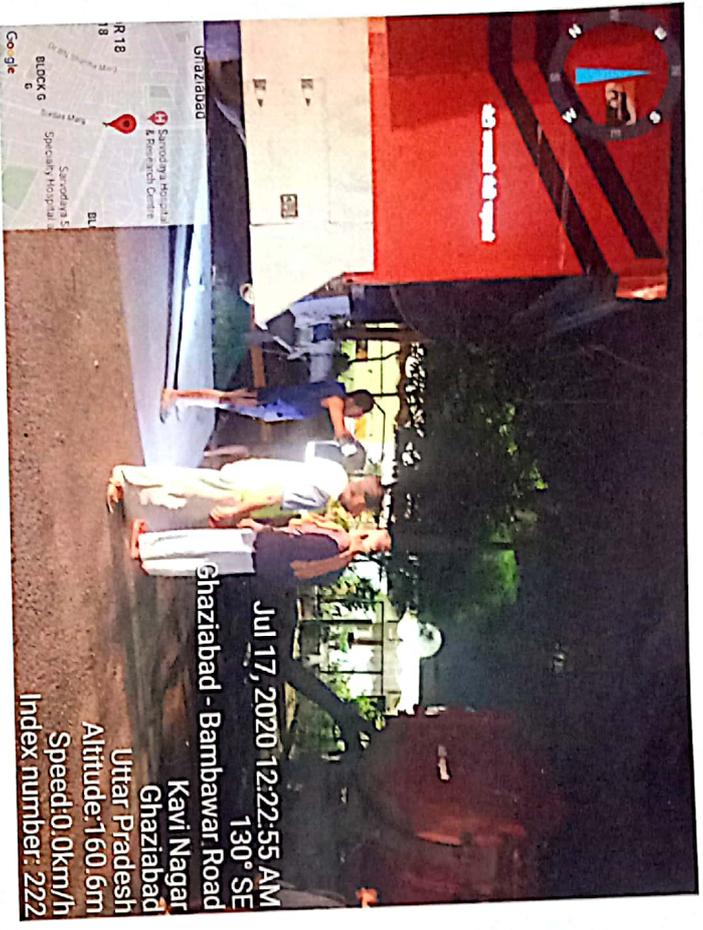
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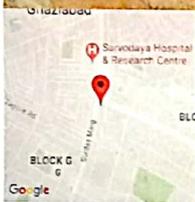
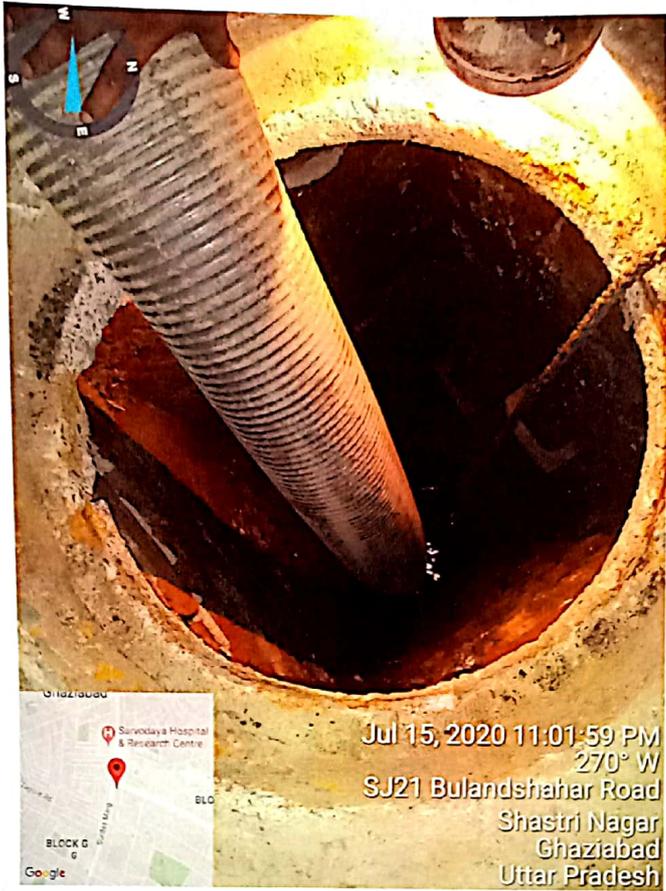
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महाप्रबन्धक(जल)









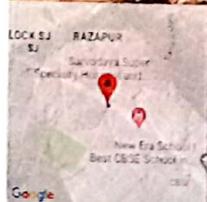
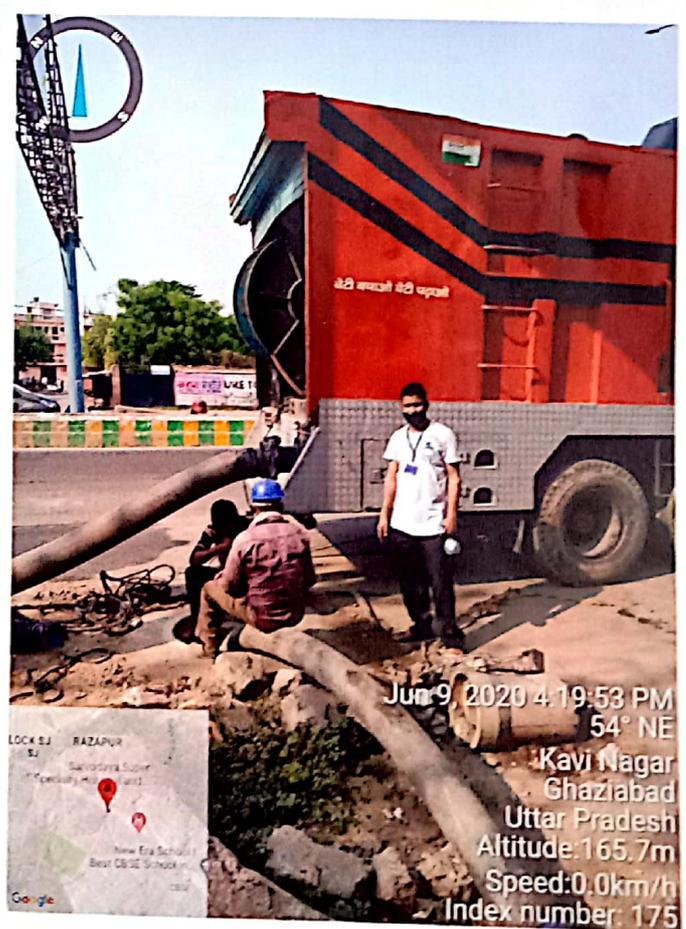
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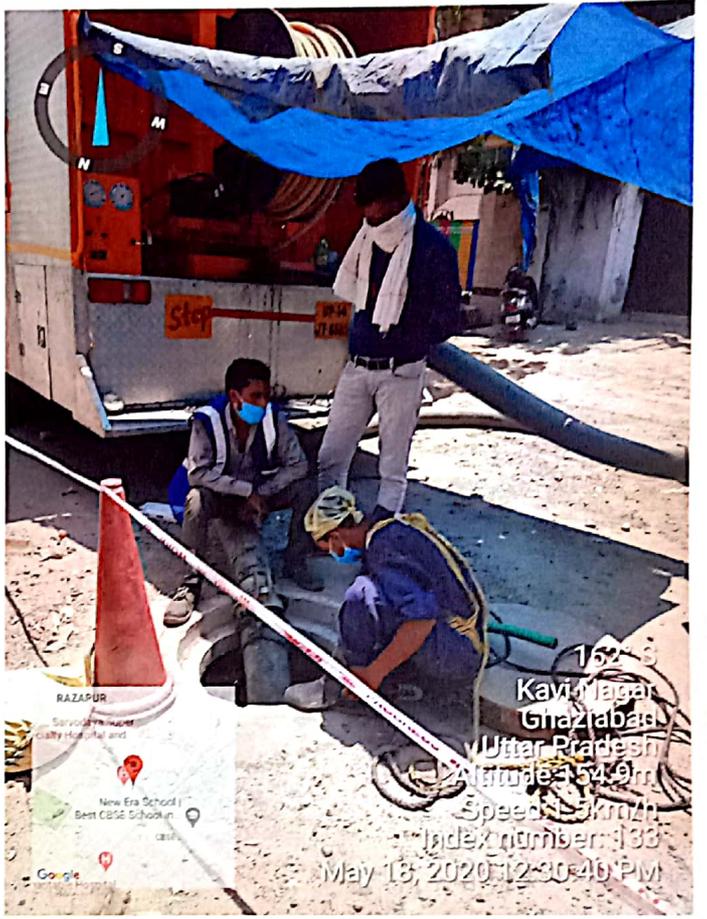
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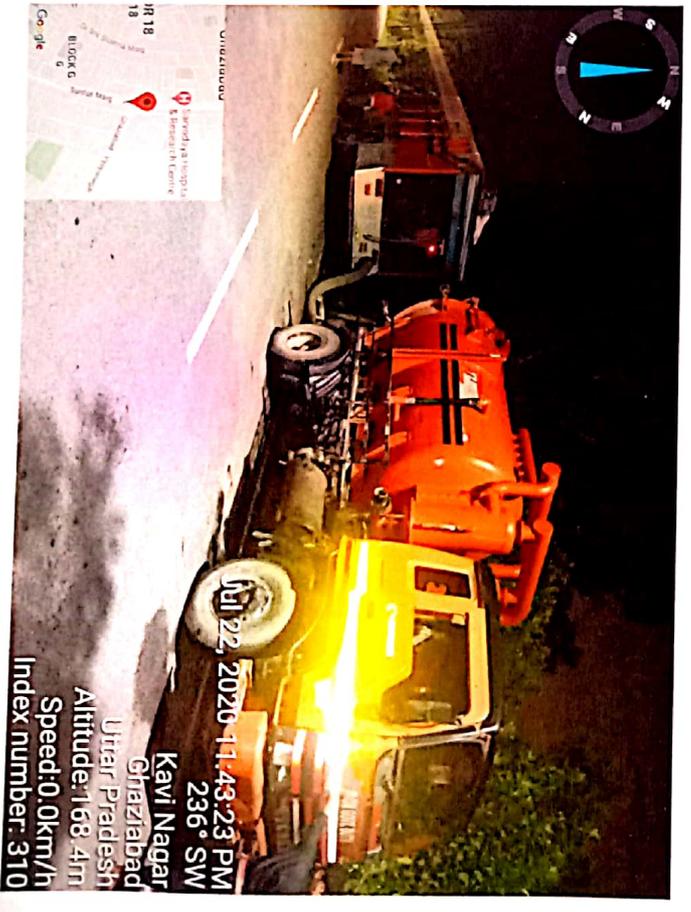
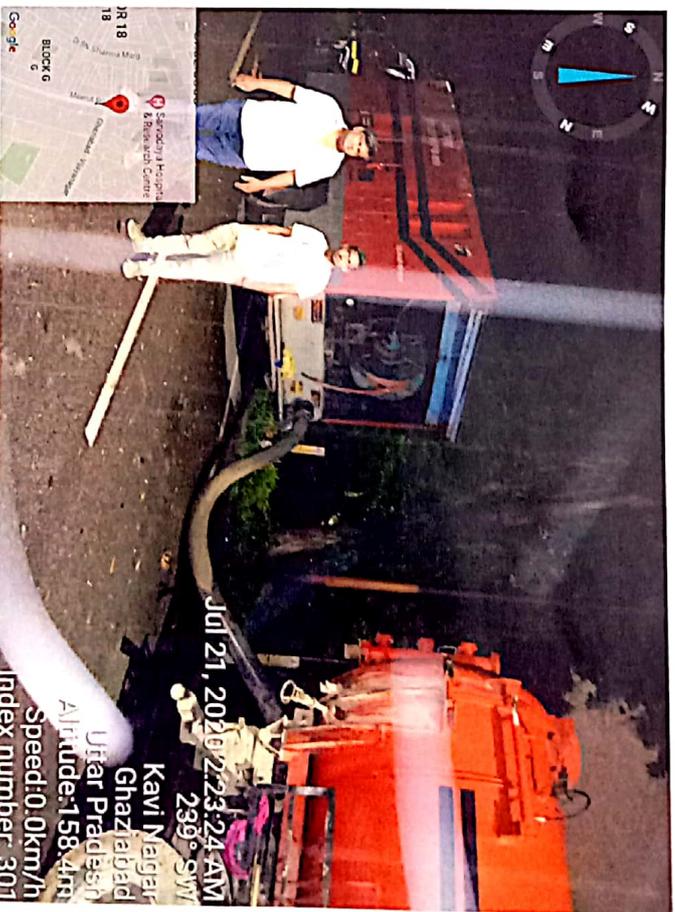


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 Kavi Nagar
 Ghaziabad
 Uttar Pradesh



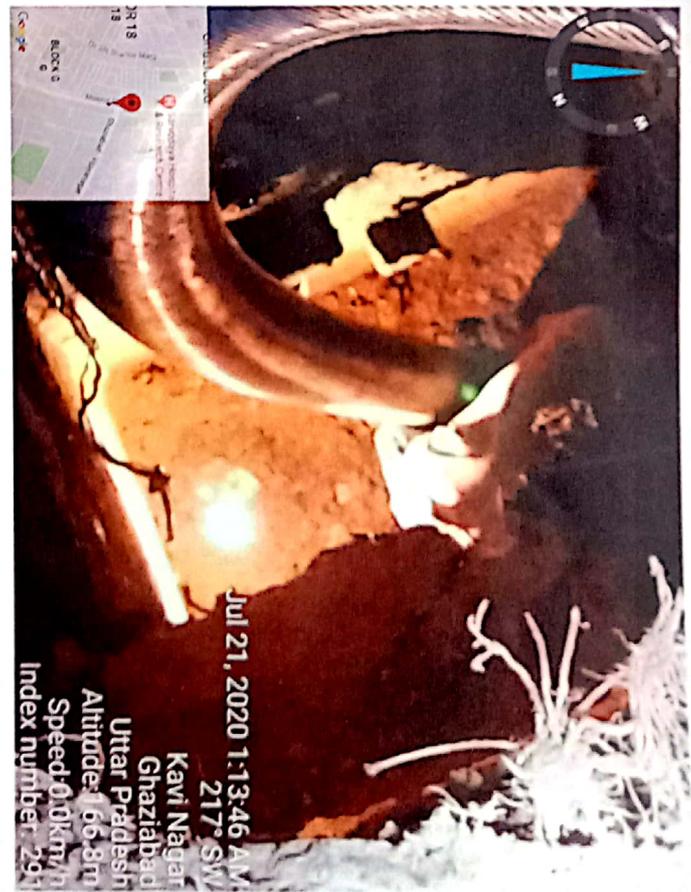
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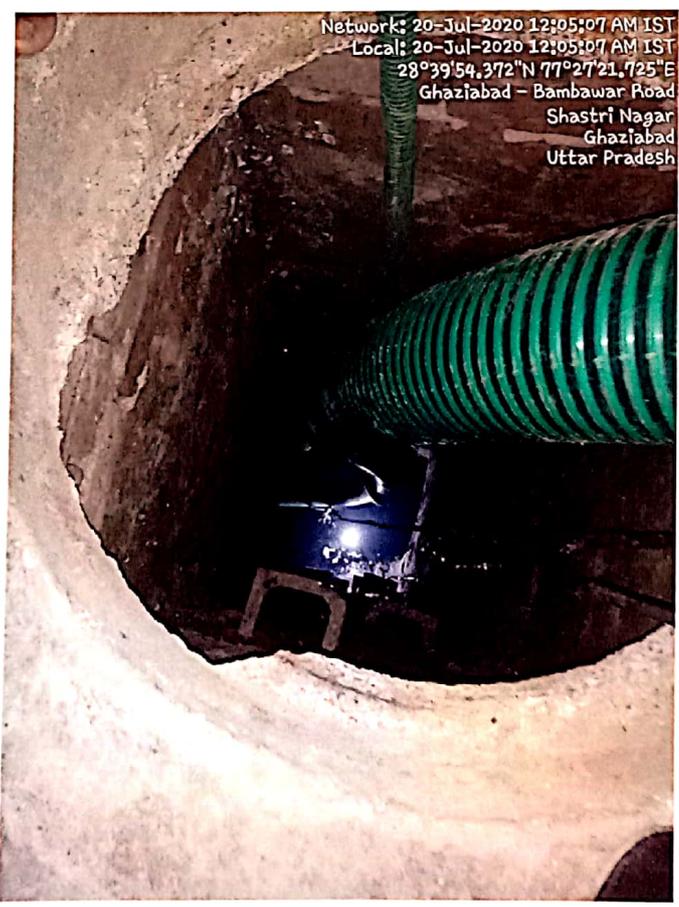
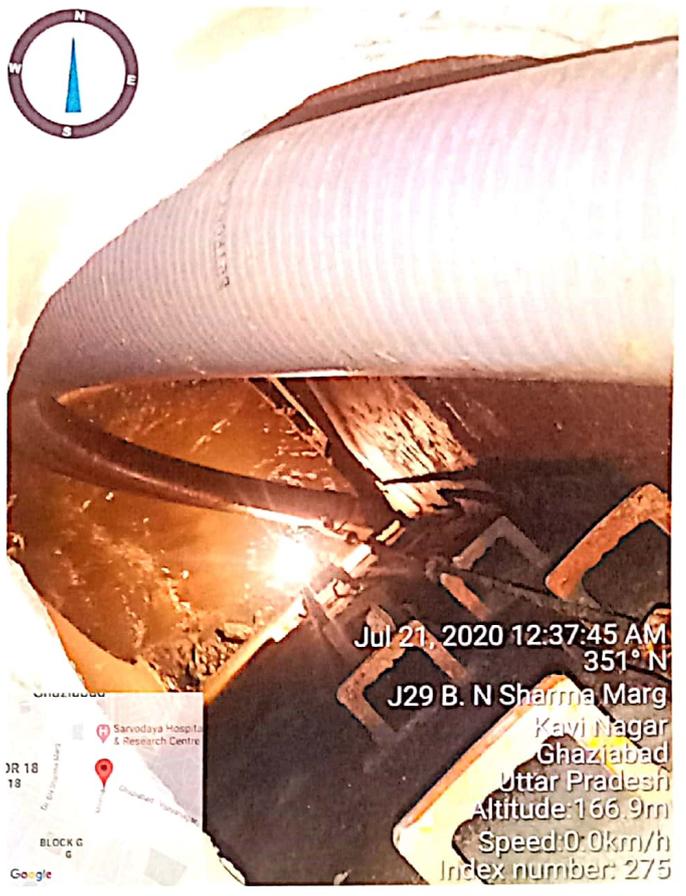
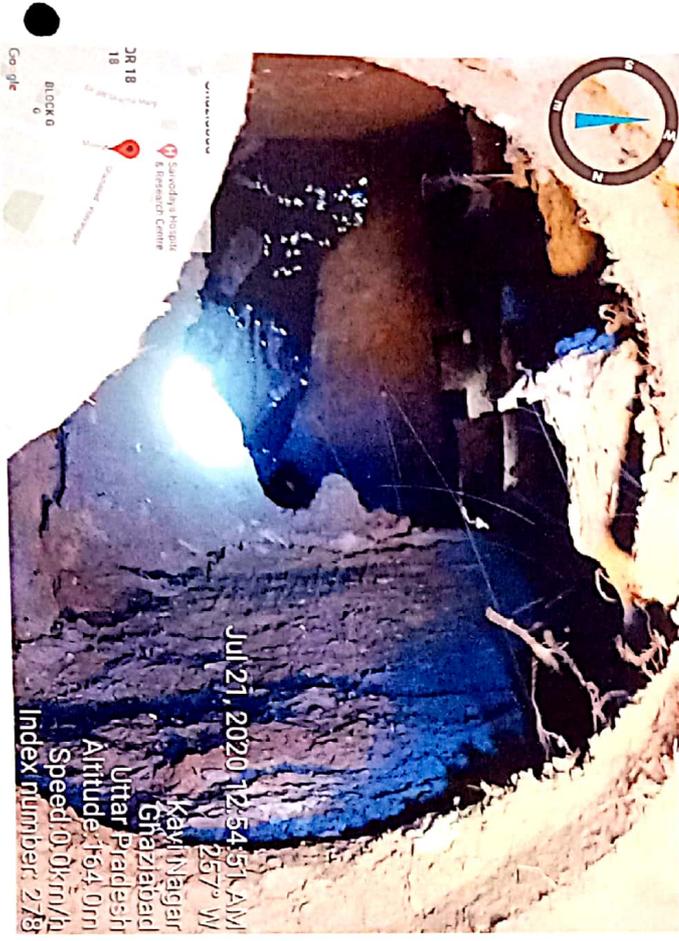
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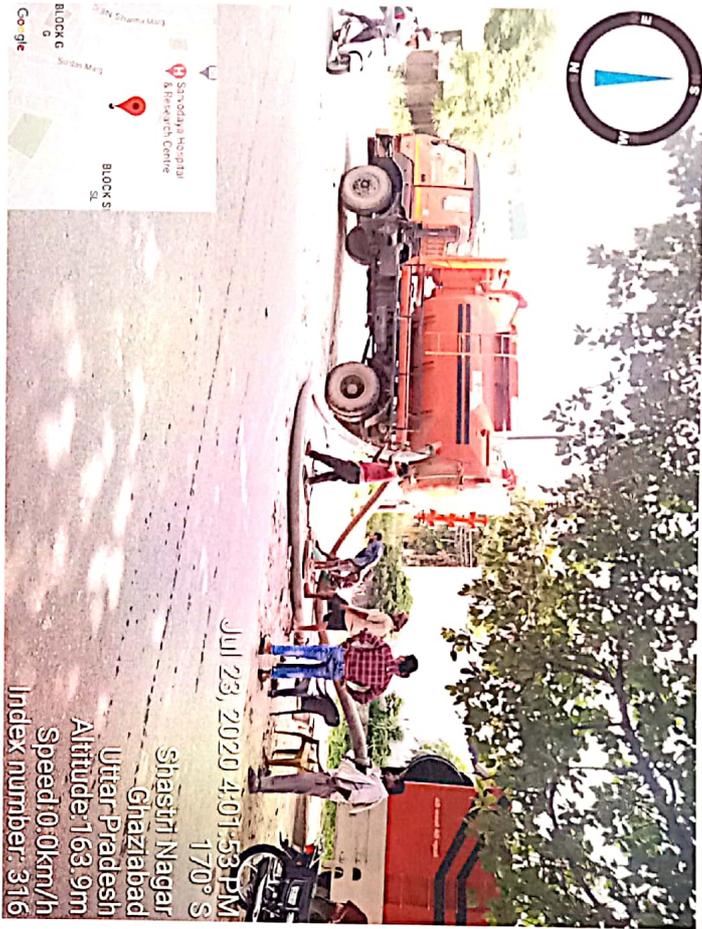


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Google

Ghaziabad, Uttar Pradesh, India

E3, Kavi Nagar Industrial Area, Sector 17,
Shastri Nagar, Ghaziabad, Uttar Pradesh
201002, India

Lat N 28° 39' 40.4838"
Long E 77° 27' 51.435"

25/07/20 07:36 AM

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29.0 μT