

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

ORIGINAL APPLICATION NO. 1002/2018

IN THE MATTER OF:-

ABHISHT KUSUM GUPTA

APPLICANT

VERSUS

STATE OF UTTAR PRADESH.

RESPONDENTS

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(DIVYA SINHA)
SCIENTIST 'E'

CENTRAL POLLUTION CONTROL BOARD
PARIVESH BHAWAN, EAST ARJUN NAGAR,
DELHI- 110032

PLACE: - DELHI

DATED: - 01.11.2019

**INSPECTION REPORT
ON
STATUS OF WATER QUALITY
OF
NOIDA DRAIN**

**AS PER
HON'BLE NATIONAL GREEN TRIBUNAL
ORDER DATED 30th JULY, 2019**

**IN
ORIGINAL APPLICATION NO 1002/2018**

TITLED

ABHISHT KUSUM GUPTA

VS

STATE OF UTTAR PRADESH

“STATUS REPORT ON ACTION TAKEN BY CONCERNED AUTHORITIES TO IMPROVE WATER QUALITY OF NOIDA DRAIN IN THE MATTER OF ABHISHT KUSUM GUPTA VS STATE OF UTTAR PRADESH & ORS BEFORE HON’BLE NGT, NEW DELHI”

1.0 BACKGROUND

Hon’ble National Green Tribunal, Principal Bench, New Delhi vide its order dated 30.07.2019 has directed as follows:

“Learned Counsel appearing for the SPCB states that since pollution is originating from Delhi, the DJB and the EDMC should also be liable to pay environmental compensation for the damage to the environment in the same way as NOIDA Authority and Ghaziabad Nagar Nigam, have been held to be liable by the CPCB.

CPCB may consider this aspect and pass appropriate orders. Having regard to the seriousness of the issue, we direct the EDMC, DJB, NOIDA Authority and the Ghaziabad Nagar Nigam to furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions of the CPCB, failing which the said amount will be forfeited.

The Committee may also measure the faecal coliform content in the water samples which is a relevant factor for determining the water pollution. Such samples may be taken from each of the drains in question.”

2.0 DIRECTIONS ISSUED BY CPCB AND HON’BLE NGT

CPCB has issued directions under section 5 of the Environment (Protection) Act, 1986 to EDMC, DJB, Ghaziabad Nagar Nigam (GNN), and NOIDA vide letter dated 06/06/2019 and Nagar Palika Parishad Khoda Makanpur vide letter dated 24/09/2019 for taking action for abatement of pollution of Noida drain. Details of directions are mentioned below:

Sl. No	Department	Directions issued u/s 5 of EPA, 1986
1.	NOIDA	i. To develop time bound action plan to stop discharge of untreated wastewater to 30 drains. ii. To intercept all drains and channelize wastewater to STPs so that no untreated wastewater is discharged to Noida drain. iii. To deposit an Interim Environmental Compensation of ₹ 1,00,00,000
2.	Ghaziabad Nagar Nigam	i. To establish sewerage network and treatment facility to treat sewage generated from Khoda village. ii. To Deposit an Interim Environmental Compensation of 1,00,00,000

Sl. No	Department	Directions issued u/s 5 of EPA, 1986
3.	DJB	<p>i. To initiate legal proceedings against the residents of GD colony, Gharauli village and Kondli village, Delhi having failed to take sewer connections.</p> <p>ii. To ensure that each building under their jurisdiction shall have sewer connection so that current practice of discharge of untreated sewage into storm water drainage system should be stopped.</p>
4.	EDMC	<p>i. To direct dairy farms to develop decentralized treatment facility so that their untreated waste shall not be discharged to DDA drainage system</p> <p>ii. To ensure that untreated dairy waste including animal dungs from Gharuli village should not be discharged into storm water drain. Challan / Legal action shall be initiated against such violators.</p>
5.	Nagar Palika Parishad Khoda Makanpur	Show cause notice issued to explain the reasons as to why action should not be taken against Nagar Palika Parishad Khoda including levying of Environmental Compensation for discharge of untreated sewage to drainage system of Delhi. Copy of directions is attached as Annexure-I
6.	Hon'ble NGT directions	In addition, NGT directed EDMC, DJB, NOIDA Authority and the Ghaziabad Nagar Nigam to furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions of the CPCB, failing which the said amount will be forfeited

3.0 FOLLOW-UP ACTION BY CPCB

1. Noida authority made representation against the direction and EC imposed by CPCB on 01/07/2019. Reply of representation was made on 19/07/2019 (copy attached as **Annexure-II**) and hearing was conducted on 23/07/2019 and further directed to ensure compliance of directions. Copy of minutes is attached as **Annexure-III**.
2. Central Pollution Control Board convened meeting with officers of Delhi Pollution Control Committee (DPCC), Delhi Jal Board (DJB), East Delhi Municipal Corporation (EDMC), NOIDA Authority, UP Irrigation Flood Control Department, Nagar Palika Parishad Khoda Makanpur and Uttar Pradesh Pollution Control Board (UPPCB) on 01/10/2019 for further follow-up on action taken by concerned authorities. Minutes of meeting is attached as **Annexure-IV**.
3. **Joint inspection**
Joint inspection of drains with Dr C R Babu, Emeritus Professor, University of Delhi with concerned agencies was conducted on 15.10.2019 to identify suitable locations for in-situ treatment and verify the progress made so far.

Samples were also collected from different locations of drains at Delhi and Noida, U.P to ascertain the extent of organic loadings and Fecal coliform on 15.10.2019. Analytical results are depicted in Table 1.

Table 1: Analytical Results of Drain

Sl. No.	Sample Location	Physico-Chemical Parameters				Bacteriological Parameters	
		pH	COD	BOD	TSS	Total Coliform (MPN/100ml)	Fecal Coliform (MPN/100ml)
Water Quality of Noida Drain at different locations							
1.	Budh Vihar, Sector-11, Noida	7.56	444	219	330	13 X10 ⁶	79 X10 ⁵
2.	S-14, New Kondli Road, Sector-11, Noida.	7.55	433	217	352	23 X10 ⁶	23 X10 ⁶
3.	Sector-50, Noida Link Road.	7.72	169	68	84	11 X10 ⁶	68 X10 ⁵
4.	Sector-137, India TV Metro Station, Noida.	7.78	186	71	65	13 X10 ⁶	13 X10 ⁶
5.	Noida drain at regulator	7.84	145	60	89	-	-
6.	Noida drain at before Confluence with river Yamuna	7.82	163	46	83	78 X10 ⁵	78 X10 ⁵
Water Quality of adjoining drains of Noida Drain							
7.	Khoda village	7.54	314	107	194	78 X10 ⁵	20 X10 ⁵
8.	Drain merges with Noida drain at Sector-142, Advant Navis Buisness IT Park, Noida.	7.70	182	100	63	46 X10 ⁶	46 X10 ⁶
Note: All units are measured in mg/l except Fecal Coliform and pH.							

BOD concentration at entrance of NOIDA, U.P is 219 mg/l whereas Fecal coliform count is 20 X 10⁵. However, concentration of BOD before confluence point is 46 mg/l and Fecal coliform count is 78 X 10⁵ MPN/100 ml. The results indicate that although there is marginal improvement in water quality as the drain travels through NOIDA but still concentration level of BOD and Fecal Coliform at the confluence point of drain with Yamuna is quite high.

4.0 SUMMARY OF ACTION TAKEN BY CONCERNED AGENCIES

Based on the inspection made, analytical results of the samples collected from drains and action taken report of concerned agencies, summarized report is placed below:

Sl. No	Department	Directions of CPCB and NGT	Status report	Recommendations
1.	NOIDA	<p>i. To develop time bound action plan to stop discharge of untreated wastewater to 30 drains.</p> <p>ii. To intercept all drains and channelize wastewater to STPs so that no untreated wastewater is discharged to Noida drain.</p> <p>iii. To deposit an Interim Environmental Compensation of ₹ 1,00,00,000</p> <p>iv. Hon'ble NGT directed to submit furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions of the CPCB, failing which the said amount will be forfeited</p>	<p>i. Noida authority made representation against the direction and EC imposed by CPCB on 01/07/2019. Copy attached as Annexure-V.</p> <p>ii. Reply of representation was made on 19/07/2019 and hearing was conducted on 23/07/2019 and Noida authority was further directed to ensure compliance of CPCB directions.</p> <p>iii. Representative of NOIDA has informed during the meeting on 01.10.2019 that committees being constituted for identification and taking action on high rise buildings discharging untreated waste and to identify villages which are discharging waste into drain</p> <p>iv. Action plan in compliance to direction issued not submitted till date</p> <p>v. Environment Compensation was not submitted till date</p> <p>vi. Performance Bank Guarantee not</p>	<p>Noida authority shall prepare time bound action plan either to stop discharge of untreated waste through aforesaid 30 drains. Alternatively, all such drains be intercepted and taken to STPs so that no untreated wastewater flows to Noida drain.</p>

Sl. No	Department	Directions of CPCB and NGT	Status report	Recommendations
2.	Ghaziabad Nagar Nigam	<p>i. To establish sewerage network and treatment facility to treat sewage generated from Khoda village.</p> <p>ii. To Deposit an Interim Environmental Compensation of 1,00,00,000</p> <p>iii. Hon'ble NGT directed to submit furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions of the CPCB, failing which the said amount will be forfeited</p>	<p>submitted till date</p> <p>i. Ghaziabad Nagar Nigam vide letter dated 24.06.2019 clarified that the Khora village falls under the jurisdiction of Nagar Palika Parishad Khoda Makanpur. Copy attached as Annexure -VI</p> <p>ii. Accordingly, show cause notice issued to Nagar Palika Parishad Khoda Makanpur vide letter dated 24/09/2019</p>	
3.	DJB	<p>i. To initiate legal proceedings against the residents of GD colony, Gharauli village and Kondli village, Delhi having failed to take sewer connections.</p> <p>ii. To ensure that each building under their jurisdiction shall have sewer connection so that current practice of discharge of untreated sewage into storm water drainage system should be stopped.</p> <p>iii. Hon'ble NGT directed to submit</p>	<p>i. Action plan of DJB was received vide letter dated 22/07/2019. Copy of letter is attached as Annexure-VII.</p> <p>ii. Representative of Delhi Jal Board informed that special camps were organized residents to take sewer connection.</p> <p>iii. 732 number of notice issued to residents of Kondli and Gharauli.</p> <p>iv. It was also informed that 3 drains of PWD carrying wastewater shall be</p>	<p>i. DJB shall expedite and complete the interception of 03 adjoining drain in Delhi segment by December, 2019.</p> <p>ii. DJB should initiate legal proceedings against residents of GD colony, Gharauli village and Kondli village on account of their reluctance and failure to take sewerage</p>

Sl. No	Department	Directions of CPCB and NGT	Status report	Recommendations
		<p>furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions of the CPCB, failing which the said amount will be forfeited</p>	<p>tapped and conveyed to Kondli STPs for treatment. Interception of drains will be finished by December, 2019.</p> <p>v. Performance Bank Guarantee not submitted till date</p>	<p>connections.</p> <p>iii. DJB shall ensure that each building under their jurisdiction shall have sewer connection so that current practice of discharge of untreated sewage into storm water drainage system should be stopped.</p>
4.	EDMC	<p>i. To direct dairy farms to develop decentralized treatment facility so that their untreated waste shall not be discharged to DDA drainage system</p> <p>ii. To ensure that untreated dairy waste including animal dungs from Gharuli village should not be discharged into storm water drain. Challan / Legal action shall be initiated against such violators.</p> <p>iii. Hon'ble NGT directed to submit furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions</p>	<p>i. EDMC has informed during the meeting that 591 Challan issued to residents of Kondli and Gharuli for disposing their wastewater into drain and Show-Cause notice is also issued to illegal dairies for discharging waste in drain.</p> <p>ii. East Delhi Municipal Corporation Veterinary Services Department Vide email dated 31/10/2019 provided the action taken report indicating action taken against the illegal dairy farms at Gharoli colony. Copy attached as Annexure-VIII.</p> <p>iii. Performance Bank Guarantee was not submitted. However, it was</p>	<p>i. EDMC should ensure that untreated dairy waste including animal dungs from Gharuli village should not be discharged into storm water drain. Challan / Legal action shall be initiated against such violators.</p> <p>ii. The dairy farms be shifted to outskirts of the area in a time bound manner.</p>

Sl. No	Department	Directions of CPCB and NGT	Status report	Recommendations
5.	Nagar Palika Parishad Khoda Makanpur	<p>of the CPCB, failing which the said amount will be forfeited</p> <p>Show cause notice issued to explain the reasons as to why action should not be taken against Nagar Palika Parishad Khoda including levying of Environmental Compensation for discharge of untreated sewage to drainage system of Delhi.</p>	<p>informed that same was approved by Competent authority and will be submitted in one-week time.</p> <p>i. Executive officer of Khoda Nagar Parishad has informed during the meeting that at present there is no infrastructure facility to treat and tap waste from Khoda colony.</p> <p>ii. Further, no reply received till date.</p>	<p>i. Khoda Nagar Palika should developed facility to tap untreated water of Khoda village and should discharge only treated water to drainage system of Delhi.</p> <p>ii. Directions for submission of performance guarantee in the sum of Rs. 1 crore by Ghaziabad Nagar Nigam to CPCB may refer to Nagar Palika Parishad Khoda Makanpur</p>

Based on observation made by the inspection team including Dr C R Babu, it is further recommended that in-situ treatment of Noida drain in Noida stretch be carried out as immediate measure for treatment of wastewater of NOIDA drain.

As, the Noida drain falls under the jurisdiction of UP Irrigation Flood Control Department and it is suggested that in-situ treatment may carried out jointly by NOIDA authority and UP Irrigation Flood Control Department in consultation with Dr C R Babu.



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

File No. A-14011/1/2015-UPC-I

Date: 24/09/2019

To,

2024
The Executive Officer
Nagar Palika Parishad Khoda Makanpur,
Block - A, H. No. - 355, Gali Number 7,
Prashant Garden, Khora Colony, Uttar Pradesh 201309

SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 IN COMPLIANCE TO HON'BLE NATIONAL GREEN TRIBUNAL ORDER DATED 19.02.2019.

Whereas, Ministry of Environment & Forests, Govt. of India, vide notification S.O. 157(E) of 27.02.1996 has delegated powers vested under section 5 of Environment (Protection) Act, 1986 (29 of 1986) to the chairman, Central Pollution Control Board (CPCB), to issue direction to any Industry, Municipal Corporation, Municipal council, Cantonment Board, any local or other Authority for the violation of emission and effluent standards notified among others, under the Environment (Protection) Rules, 1986 and other standards and norms; and

Whereas, CPCB had issued directions to Uttar Pradesh Pollution Control Board vide letter no. No. A-19014/43/06-MON dated 21/04/2015 under Section 18 (1) b of Water (Prevention and Control of Pollution) Act, 1974 to direct concerned stakeholders to develop infrastructure for sewage management and operate the STPs so as to comply with stipulated norms; and

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in the matter of OA no. 1002 / 2018 titled Abhisht Kusum Gupta Vs State of Uttar Pradesh & Ors vide its Order dated 19.02.2019 has directed as follows:

"Accordingly, we direct the Central Pollution Control Board (CPCB), DPCC, DJB, East Delhi Municipal Corporation, NOIDA Authority and UPPCB to have a joint meeting within one month and to prepare an action plan in respect of action in respective States to check the water pollution which may also include action to be taken for prohibiting the discharge of effluents, for prosecuting the polluters and recovering the compensation for the damage being caused to the environment.

[Continued....]

The Nodal Agency will be CPCB for coordination and compliance. The report of the action taken be furnished to this Tribunal within two months by e-mail at ngt.filing@gmail.com"

Whereas, in compliance to Hon'ble NGT directions, Central Pollution Control Board convened meeting with officers of Delhi Pollution Control Committee (DPCC), Delhi Jal Board (DJB), East Delhi Municipal Corporation (EDMC), NOIDA Authority and Uttar Pradesh Pollution Control Board (UPPCB) on 20.03.2019. It was decided to conduct joint inspection of the area under question so as to ascertain the sources of pollution of Kondli / Noida drain on 02.04.2019; and

Whereas, Joint inspection by the officers from DPCC, DJB, EDMC, PWD, DDA, UPPCB and Noida was conducted on 02.04.2019. Applicant was also informed to accompany the team for joint inspection and express his concerns. Based on inspection made, detailed report was prepared and submitted before Hon'ble NGT on 18.04.2019 (Copy enclosed). Major findings of report are mentioned below:

- i. Khoda village, Ghaziabad discharges untreated waste water to drainage system of PWD Delhi near CRPF camp which finally merges with Kondli drain.
- ii. As per the Water quality monitoring of the drain carried out, the concentration of primary pollutants are BOD-153mg/l, COD-492mg/l, TSS-442 mg/l.

WHEREAS, it is evident from the above observations that Khoda village, Ghaziabad discharges untreated waste water to drainage system of PWD Delhi near CRPF camp which finally merges with Kondli drain contributing to pollution to NOIDA drain; and

WHEREAS, in exercise of the powers conferred under section 5 of the Environment (Protection) Act, 1986 CPCB directed Ghaziabad Nagar Nigam vide letter A-14011/1/2015-UPC-I dated 06.06.2019 as follows:

1. To establish sewerage network and treatment facility to treat sewage generated from Khoda village.
2. To Deposit an Interim Environmental Compensation of 1,00,00,000 (Rupees One Crore only) in CPCB Account no.: 532702010009078, IFSC Code: UBIN0553271, UBI, I.P Extension Branch, Delhi as per Environment Compensation policy framed in Compliance of NGT order dated 06.12.2018 in Original Application No. 125/2017 and MA No. 1337/2018 within 07 days from date of receipt of directions.

[Continued....]

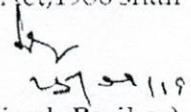
WHEREAS, Hon'ble NGT vide order dated 30.07.2019 directed as follows:

CPCB may consider this aspect and pass appropriate orders. Having regard to the seriousness of the issue, we direct the EDMC, DJB, NOIDA Authority and the Ghaziabad Nagar Nigam to furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions of the CPCB, failing which the said amount will be forfeited.

WHEREAS, Ghaziabad Nagar Nigam acknowledge the receipt of direction u/s 5 issued by CPCB, Delhi vide letter dated 24.06.2019 and clarified that the Khora village falls under the jurisdiction of Nagar Palika Parishad Khoda Makanpur and suitable directions shall be issued to Nagar Palika Parishad Khoda; and

Now, therefore, in view of the above observations and in exercise of powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, show cause notice is hereby served to explain the reasons as to why action should not be taken against Nagar Palika Parishad Khoda including levying of Environmental Compensation for discharge of untreated sewage to drainage system of Delhi.

Nagar Palika Parishad Khoda shall submit compliance report/ time bound action plan for establishment of sewage network and treatment facility in compliance to show cause notice issued to CPCB office within 30 days from the date of receipt of this notice failing which appropriate action as per the provisions of Environment (Protection) Act, 1986 shall be initiated.

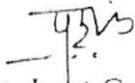

(S.P. Singh Parihar)
Chairman 

Copy to:

1. The Chairman,
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow-226010
2. The Secretary, MoHUA
Mulana Azad Road, Rajpath Area
Central Sectariat, New Delhi - 110001

for information and with a
request to ensure compliance

3. The Secretary, MoEF&CC
Indira Paryavaran Bhavan, Jorbagh Road
New Delhi - 110003
4. Yamuna Monitoring Committee
Office of YPMC, Room No. 58, IIC,
Max Muller Marg, Lodhi Estate, New Delhi - 110003
5. The Regional Director,
Regional Office (Lucknow), CPCB
Building No. TC - 12V, Vibhuti Khand,
Gomti Nagar, Lucknow - 226010
6. The Divisional Head, WQM-I
- ✓ The Divisional Head, IT Division, CPCB


(Prashant Gargava)
Member Secretary



File No. A-14011/1/2015-UPC-I

Date: 19/07/2019

To,

The Chief Executive Officer
New Okhla Industrial Development Authority
Administrative Complex
Sector 6, Noida - 201301
DistrictGautamBudh Nagar
Uttar Pradesh, India

Subject:Reply to representation of NOIDA authority in context to directions issued u/s 5 of EPA, 1986 by CPCB

Reference:

- i. CPCB's direction issued under section 5 of the Environment (Protection) Act, 1986 vide letter dated 06/06/2019.
- ii. Your letter no. NOIDA/CCEO/2019/SM(OA)/502 dated 01/07/2019

Sir,

With reference to above, this is to inform that submission made by Noida authority was examined and following observations are made:

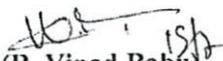
SL. NO	REPLY OF NOIDA	OBSERVATION OF CPCB
1.	Noida refers to CPCB's report and indicate that 152MLD of actual utilization is not clear as STPs are always designed with additional 10-15 % excess load capacity of actual mean and forecasted for next 10 years	CPCB's report mentioned that estimated sewage generation is 216 MLD and capacity utilization of STP is 152 MLD against installed capacity of 231 MLD. It indicates that remaining 64 MLD of sewage generated being untapped (as on date) and discharged into drain and same need to conveyed to STPs for 100 % capacity utilization.
2.	That it may further be noted that the 30 drains meeting with NOIDA drains are not effluent drains and designed to carry only storm water drains. Analysis of water quality drains also indicate	i. List of 30 drains discharging untreated wastewater to NOIDA drain is provided by NOIDA to UP SPCB. ii. NOIDA authority has made proposal for intercepting and treatment of these 30 drains.

SL. NO	REPLY OF NOIDA	OBSERVATION OF CPCB
	<p>the same.</p> <p>In fact, the actual fault lies at the end of Delhi which is injecting industrial pollutants in the Kondli drain.</p>	<p>iii. Team inspected some of the above said drains at sector 24 and 23 to verify their discharges jointly with representative of NOIDA, Sh. Subhash Chandra Mishra Jan Swasthya Vibhag and Sh Anil Singh, Regional Officer, UPPCB.</p> <p>iv. Analysis results also indicates BOD- 94 mg/l and COD – 364 mg/l. It is observed that drains at Sector 23 and Sector 24 were carrying untreated sewage and merges with (Irrigation Canal) NOIDA drain.</p>
3.	<p>Authority mentioned that real violators is the Delhi Jal Board and no action taken against DJB.</p>	<p>i. CPCB has made comprehensive survey and identify sources of pollution from Delhi and Ghaziabad (Khora village).</p> <p>ii. CPCB has also issued directions to Ghaziabad Nagar Nigam, EDMC and DJB to take corrective action and submit EC.</p>

Statement made at point no. c was also contradicting with the content of letter dated 08/02/2019 and 11/02/2019 addressed to UPPCB wherein it was mentioned that drains usually carries grey water and there is no accountability of floating population and IIT Roorkee has recommended for interceptor sewer project for tapping of drains.

In view of above facts, it is concluded that while STPs are operated underutilized a part of untreated sewage is being discharged to Noida drain and storm water drains carries untreated wastewater.

Noida Authority may like to depute a representative to put in its observation if any to above observations; for which a meeting convene on 23/07/2019 at 12:00 PM at CPCB, H.O.


 (B. Vinod Babu)
 Member Secretary

Office Copy

No. A-19014/50/19-UPC-I 5804

Date: 24.08.2019

To,

The Chief Executive Officer,
New Okhla Industrial Development Authority,
 Administrative Complex,
 Sector – 6, Noida – 201301
 District Gautam Budh Nagar
 Uttar Pradesh, India

Subject: Minutes of meeting held on 23/07/2019 in the matter of representation of New Okhla Industrial Development Authority on Environmental Compensation of ₹ 1.0 crore.

Reference:

- i. Direction issued under section 5 of the Environment (Protection) Act, 1986 vide letter dated 06/06/2019.
- ii. Your letter no NOIDA/CCEO/2019/SM(OA)/502 dated 01/07/2019.
- iii. Our letter no A-14011/1/2015-UPC-I dated 19/07/2019.

Sir,

This has reference to meeting held on 23/07/2019 in the matter of representation of New Okhla Industrial development Authority on Environmental Compensation of ₹ 1.0 crore issued vide directions dated 06/06/2019. The minutes of meeting is enclosed herewith for kind for reference and to ensure compliance of directions issued and decision made during meeting.

Yours faithfully

Dy
 [Divya Sinha]
 Divisional Head, UPC-I

Encl.: As above

3174/UPC-I
 26/8/19

o/c

राष्ट्रीय प्रदूषण नियंत्रण बोर्ड
 नई दिल्ली

NEINGK
 27/8/19

**CENTRAL POLLUTION CONTROL BOARD
PARIVESH BHAWAN EAST ARJUN DELHI-110032**

**MINUTES OF MEETING IN THE MATTER OF ABHISHT KUSUM GUPTA VS
STATE OF UTTAR PRADESH & ORS FOR ENVIRONMENTAL COMPENSATION
LEVYED ON NOIDA AUTHORITY.**

Meeting was convened on 23/07/2019 in the office of Member Secretary, CPCB with representatives of NOIDA for hearing on representation of NOIDA on Environmental Compensation of Rs 10,000,000/- and action plan in direction issued u/s 5 of Environment Protection Act, 1986. List of participant is attached at Annexure-I.

Shri Vishal Gandhi, Scientist 'D' explained in detail about background of the case and observations of joint inspection team. Discussions were held on the following points:

1. NOIDA Authority requested CPCB to waive off Environmental Compensation of Rs 10,000,000/- as quality of water in NOIDA drain before confluence of river Yamuna was better than quality of water in NOIDA drain at entry point of Noida. It was further emphasised that NOIDA is contributing less pollution load as compare to Delhi to the NOIDA drain.
2. CPCB informed NOIDA that Environmental Compensation was levied due to following reasons:
 - a. CPCB inspected drains jointly with officials of NOIDA & UPPCB and collected sample of storm water drain at sector 24 on random basis. The water quality of storm water drain at sector 24 revealed the following BOD- 94 mg/l, COD- 364 mg/l, TSS- 176 mg/l etc. This confirms that untreated sewage is being discharged into this drain for Noida Area.
 - b. NOIDA has identified 30 storm water drain carrying waste water and has inform UPPCB regarding preparation of action plan for interceptor for their storm water drains carrying discharge of wastewater from Noida Area. (Annexure-II)
 - c. EC has been levied on NOIDA for damage already done to Environment.

After detailed discussion it was decided that:

1. Request of NOIDA to waive off Environmental Compensation may not be considered by CPCB since 30 drains flowing in Noida are discharging untreated sewage from Noida area thereby contributing to degradation of River Yamuna.
2. NOIDA Authority should submit action plan along with time frame for augmentation of Sewage treatment capacity and interception of 30 drains carrying untreated sewage into Yamuna.

The meeting ended with thanks to the Chair.

LIST OF PARTICIPANTS

1. Sh. B Vinod Babu, Member Secretary, CPCB
2. Smt. Divya Sinha, Scientist E, CPCB
3. Sh. Vishal Gandhi, Scientist 'D'
4. Sh. Gurvinder Singh, Senior Manager, NOIDA
5. Sh. A. K Varun, Manager, NOIDA
6. Sh. Rakesh Kumar, Manager, NOIDA
7. Sh. Danish Meena, Scientist B, CPCB

CENTRAL POLLUTION CONTROL BOARD
PARIVESH BHAWAN EAST ARJUN NAGAR
DELHI-110032

A meeting was convened in CPCB on 01/10/2019 with representatives of EDMC, DJB, NOIDA, Irrigation and Flood Control (I&FC) Delhi, Uttar Pradesh Irrigation Department and Uttar Pradesh State Pollution Control Board to review action taken by concerned authorities for rejuvenation of water quality of Noida/Kondli drain. List of participant is attached at Annexure-I.

Shri Vishal Gandhi, Scientist 'D' welcomed the participants and explained in detail about background of the case and discussions were held on compliance made by the concerned Authorities for abatement of pollution of Kondli / Noida drain.

During the course of action of meeting, concerned officials appraised the progress made in compliance to direction issues and same is summarized below:

1. Representative of Delhi Jal Board informed that special camps were organized for residents to take sewer connection. Further Notice issued to 732 residents of Kondli and Gharauli for taking sewer connection. It was also informed that 3 drains of PWD carrying wastewater shall be tapped and conveyed to Kondli STP for treatment. Interception of drains will be finished by December, 2019.
2. Sh Sunil Tripathi, Assistant Commissioner, EDMC informed that 591 Challans were issued to residents of Kondli and Gharauli for disposing their wastewater into Kondli drain and Show-Cause notice has been issued to illegal dairies for discharging waste water in drain.
3. Executive officer of Khoda Nagar Parishad informed that at present there is no infrastructure facility to treat and tap waste from Khoda colony.
4. Representative of NOIDA informed that Committees were being constituted for identification and taking action on high rise buildings and villages which are discharging waste water into Noida drain.

Progress made by respective agencies depicts that these actions points cited were long term measures and short term measures required to be taken. Accordingly, CPCB has invited Dr. C R Babu, Emeritus Professor, Delhi University to provide assistance to concerned authorities for in-situ treatment for Noida/Kondli, drain.

Dr. C.R Babu shared his experience of Neela-Hauz lake and mentioned that constructed wetland can be used as in-situ treatment for Kondli/Noida drain. It was further informed that same treatment technology could be adopted in Shahdara drain also. Representative of I&FC Dept. Delhi informed that they are in process of developing in-situ treatment using constructed wetland techniques for Shahdara drain in consultation with Dr. C R Babu.

After detailed discussion, it was decided that concerned agencies shall implement their action plan for abatement of pollution of Kondli / Noida drain, in addition, following action points are decided:

1. Respective agencies shall provide their compliance status of directions issued by CPCB within 07 days.
2. Joint inspection of drains shall be conducted on 15.10.2019 to identify suitable locations for in-situ treatment and verify the progress made so far.
3. I&FC Deptt. was requested to share the details regarding implementation of CWT for in-situ treatment of Shahdara drain.

The meeting ended with thanks to the Chair.

LIST OF PARTICIPANTS

1. Smt. Divya Sinha, A.D, CPCB
2. Dr. CR Babu, Professor Emeritus, University of Delhi.
3. Sh. Vishal Gandhi, Scientist 'D'
4. Sh. Sunil Tripathi, Assistant Commissioner, EDMC
5. Dr. Anil Kumar Singh, Regional Officer, UPPCB, Noida
6. Sh. Radhey Shyam, SE,DJB
7. Sh. VK Singh, EE, DJB
8. Sh. Danish Meena, Scientist B, CPCB
9. Dr Raj Kumar, EDMC
10. Sh. A. K Varun, Manager, NOIDA
11. Sh. Rakesh Kumar, Manager, NOIDA
12. Sh. K.K Bhadana, Executive Officer, NPP Khora
13. Sh. Y. K Sharma, SER-I, I&FC Delhi
14. Sh. Manish Agarwal, EE, I&FC Delhi
15. Sh. Arvind Kumar, SSA, DPCC
16. Smt. Sapna Srivastava, ASO, UPPCB, Ghazibad
17. Sh. R.D Sharma, Deputy Revenue Officer, UP irrigation
18. Sh. NP Singh, AE, UP irrigation

PRIORITY

(58)

ANNEXURE-V

C.P.C.B.

No. 119120

Date 27

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY

Main Administrative Building, Sector-6, Noida, G.B.

Nagar-201301
 परिसर भवन, पूर्व अर्जुन नगर, दिल्ली-02
 Dated 01/07/2019
 01 JUL 2019
 119120
 Central Pollution Control Board
 Parivesh Bhavan, East Arjun Nagar, Delhi

No. : NOIDA/CCEO/2019/SM(OA)/502

1 case
 examine
 and put up
 by 05/07

To, ~~UPC-I~~ 3/7

The Chairman
 Central Pollution Control Board
 Ministry of Environment Forest & Climate Change, Govt. of India
 New Delhi

SEE (V4)

01/07
 27/07/19

119120/ms
 02/07

Subject: Direction under Section-5 of the Environment (Protection) Act, 1986 in Compliance to Hon'ble National Green Tribunal Order dated 19/02/2019.

Reference: File No. A-14011/ 1/ 2015-UPC-1/2477 dated 06/06/2019

Dear Sir,

Hon'ble NGT Principal Bench, New Delhi in the matter of OA No. 1002/ 2018 titled Abhisht Kusum Gupta Vs State of Uttar Pradesh & Ors vide its Order dated 19/02/2019 has directed as follows:

"CPCB, DPCC, DJB, EDMC, Noida Authority and UPPCB to have a joint meeting within one month and to prepare an action plan in respect of action in respective States to check the water pollution which may also include action to be taken for prohibiting the discharge of effluents, for prosecuting the polluters and recovering the compensation for the damage being caused to the environment. The Nodal Agency will be CPCB for coordination and compliance. The report of the action taken be furnished to this Tribunal within two months by e-mail at ngt.filing@gmail.com".

In compliance with the Hon'ble NGT directions, a Joint inspection by the Officers of DPCC, DJB, EDMC, PWD, DDA, UPPCB and Noida has been conducted on dated 02.04.2019. Subsequently, Noida has received Letter No.A-14011/1/2015-UPC-1/2477 - Dated 06.06.2019 on 25.06.2019 in which following has been observed:-

"Estimated sewage generation of Noida is 216MLD, whereas, total installed capacity is 231MLD and actual capacity utilization is 152MLD. It shows that 64MLD of untreated sewage is being discharged. 30 drains are discharging untreated waste water to Kondli/ Noida drain and contributing to its organic and hydraulic loading."

Based on above observations, it has been concluded that Noida has failed to discharge its duties related to collection, treatment and lawful reuse/ disposal of the treated sewage. In view of this observation, Noida has been directed to deposit an Interim

Environmental Compensation of Rs.1.0Crore in CPCB account as per Environment Compensation Policy framed in Compliance with NGT order dated 06.12.2018 in OA No. 125/2017 and MA No. 1337/2018 within 07 days of receipt of directions.

In regard to the above, we would like to place our submission as under:-

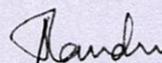
- a) That Noida Authority is a planned industrial urban town in which industrial, commercial, institutional & residential societies are all attached with its laid sewerage network that ultimately are connected and treated at 6 (six) different location based STPs designed on SBR mechanism.
- b) That the criteria to evaluate actual capacity utilization of the STP as indicated in the report i.e. 152MLD is not clear to us. Also, as we understand, the STPs are always designed with additional 10-15% excess load capacity of actual mean load calculated on forecasted next 10-years of effluent discharge. Thus, considering the above facts and based on our records, it is stated that the average discharge from the STPs in the last six months is 192 MLD. The details may be seen at **Annexure - 1**.
Similarly, Noida Authority in anticipation of future projected load has already planned to put more STPs in place to accommodate the load of sewerage effluent discharge of city. The details may be seen at **Annexure-1**.
- c) That it may further be noted that the 30 drains, which are merging with Kondli drain are not effluent drains. They are storm water drains that are not required to be linked with any STP as they are designed and meant to carry only the storm water. The analysis of the sample of the drains as carried by the UPPCB too indicates a positive report. **Infact, the actual fault lies at the end of Delhi which is injecting industrial pollutants in the Kondli drain.** The water analysis report of the sample collected at the entry point of Delhi and Noida border may be seen at **Annexure-2** wherein it could be observed that water quality at the entry point of Noida (from Delhi side) is poor and that it improves at confluence of the Noida drain and Yamuna.
- d) That Noida Authority till date is continuously chasing the DJB and Irrigation Department, Govt. of Delhi for ensuring checks on pollutants reaching to Kondli and Sahadara Drains. But, unfortunately both the departments are silent over this issue. Thus, the real violator is the Delhi Jal Board. We are attaching letter of correspondences with both departments herewith to apprise about the lack of coordination from their end to tackle the drain pollution issues (**Annexure-3**).
- e) That Noida Authority is making all necessary steps to put a check on such violations. In compliance with Hon'ble NGT direction and Water Prevention Act 1976, joint inspections with UPPCB team are conducted at different sections/locations and violators are appropriately prosecuted. Latest joint inspection report is hereby placed below for your ready reference (**Annexure-4**).
- f) That beside above would like to apprise that Noida undertakes regular cleaning of the drains as under:

- All major irrigation drains/ storm water drains above one meter width are cleaned once in a year (particularly before monsoon)
- All other open drains less than one meter are cleaned 3-4 times a month or as and when required basis to remove floating waste material/ litters.
- Some innovative measures are also being taken by the authority for the treatment of organic sludge contents in the open drains that releases foul odour and also affect the flow leading eutrophication on the water surface. The efforts were even appreciated by the CPCB. Details may be seen at **Annexure-5**.

In light of the above, it is requested that the Interim Environmental Compensation of Rs. One Crore may very kindly be revoked and the same be imposed on the department directly responsible i.e. Delhi Jal Board.

Encl.: As above.

Regards


Alok Tandon

Chairman & Chief Executive Officer
Noida

Copy to:-

1. **The Chairman,**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V
Vibhuti Khand, Gomti Nagar
Lucknow-226010
2. **The Secretary,**
Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhavan,
Ali Ganj, Jorbagh Road
New Delhi – 110003


Chairman & Chief Executive Officer
Noida

Annexure-1

ACTUAL AVERAGE DISCHARGE OF EXISTING STPs IN NOIDA CITY
Period JAN - 2019 to JUNE - 2019

S.No.	LOCATION OF STP	TECHNOLOGY OF PLANT	CAPACITY OF PLANT (IN MLD)	ACTUAL AVERAGE DISCHARGE (IN MLD)
1	SECTOR-54 NOIDA	SBR	33	25.00
2	SECTOR-54 NOIDA	I-SBR	54	45.00
3	SECTOR-50 NOIDA	SBR	25	22.00
4	SECTOR-50 NOIDA	I-SBR	34	31.00
5	SECTOR-123 NOIDA	SBR	35	33.00
6	SECTOR-168 NOIDA	SBR	50	36.00
	Gr. Total		231	192

PROPOSED STPs IN NOIDA CITY

Functional STPs	Capacity (MLD)	Proposed Site for STPs	Requirement STPs 2021	Requirement STPs 2031
1) Sector-123	35MLD	1) Sector-168	100MLD	85MLD
2) Sector-168	50MLD	2) Sector-123	80MLD	55MLD
3) Sector-50	25MLD			
4) Sector-50	34MLD			
5) Sector-54	33MLD			
6) Sector-54	54MLD			
Total Capacity	231MLD		180MLD	140MLD


 A.K. Varun
 Manager (Jal-OA)
 Noida

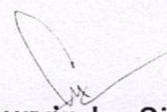

 Gurvinder Singh
 Sr. Manager (JAL-OA)
 Noida

Table 1: Analytical Results of Drain

S.No	Location	pH	COD	BOD	TSS
1	Road no 108, New Kondli Road	7.21	802	246	653
2	Khoda Village	7.22	492	153	442
3	Sector 11 Noida	7.17	610	272	538
4	Sector 24 Noida	7.18	364	94	176
5	Noida drain at Yamuna Confluence	7.46	230	82	146

Based on field visit and analytical results, following observations are made for both Delhi and Noida, U.P region:

A. DELHI

- i. Drain originates with discharge of untreated sewage from Gharauli village, Delhi. DJB has informed that sewerage system was laid in said colony whereas residents have not connected their discharge to sewerage system and thereby discharging untreated wastewater to storm water drainage system of EDMC and PWD.
- ii. DJB has estimated sewage generation from above said colonies to 6.0 MLD. Details of Sewerage network and Number of connected households are depicted in table 2.

Table 2: Details of Sewerage Details of Sewerage network and Number of connected households at Ghanauli and Kondli village

S.no	Name of colonies where sewer line laid	Length of sewer line in meters	No of user estimated population	No of users for applied sewer connection.	No of users have not applied for sewer connection	Estimated Sewage Generated from Colony	Name of STP connected to sewer line.
1	Gharoli Extn , B - block, Rajbeer Colony	2966	16600	860	177	1.13 MGD	Kondli
2	Village Kondli	3044	12900	260	546		
3	Gharoli Extn	680	2750	295	49		
4	Durga Park, Durga Mohalla	868	2600	168	80		
5	Kondli Colony	1180	4850	340	65		
6	Sapera Basti Village, Gharoli	978	1060	80	52		
7	Gharoli Dairy Farm	12600	57000	1000	2200		
Total							

53

नवीन ओखला औद्योगिक विकास प्राधिकरण

मुख्य प्रशासनिक भवन,
सैक्टर-6, नौएडा, जिला गौतमबुद्ध नगर- 201301



NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY

Main Administrative Building,
Sector-6, Noida, Distt. Gautam Budh Nagar - 201301

पत्रांक:- नौएडा/मु0का0आ0/मु0अ0अ0(जल)/162/14
दिनांक : 03/11/2014

प्रेषक,

मुख्य कार्यपालक अधिकारी
नौएडा प्राधिकरण।

सेवा में,

मुख्य कार्यकारी अधिकारी
दिल्ली जल बोर्ड
झण्डेवाला बिल्डिंग
नई दिल्ली।

विषय:- नौएडा क्षेत्र से गुजर रही दिल्ली की शाहदरा ड्रेन एवं कोण्डली की तरफ से सैक्टर-11 नौएडा में प्रवेश कर रही ड्रेन के सम्बन्ध में।

आपको संज्ञानित कराना है कि वर्तमान परिवेश में, जबकि यमुना नदी को प्रदूषण मुक्त करने हेतु सभी स्तरों से प्रयास किये जा रहे हैं। ऐसे में आपको यह अवगत कराना चाहूंगा कि नौएडा क्षेत्र में दिल्ली से आ रहे नालों के अति प्रदूषित जल से नौएडा में वायु व भूगर्भ जल प्रदूषण व्यापक स्तर पर हो रहा है। इस सम्बन्ध में नौएडा प्राधिकरण द्वारा वर्ष-2009 में इन नालों से प्रवाहित हो रहे दिल्ली के अपशिष्ट जल का परीक्षण दिल्ली की प्रतिष्ठित जांच एजेन्सी "श्रीराम इन्सटीट्यूट फॉर इण्डस्ट्रीयल रिसर्च" से कराई गई थी। उक्त जांच एजेन्सी द्वारा चिल्ला रेगुलेटर के पास नौएडा में प्रवेश कर रही शाहदरा ड्रेन एवं न्यू कोण्डली की तरफ से सैक्टर-11 नौएडा में प्रवेश कर रही ड्रेन का पानी जांच में डिस्चार्ज हेतु निर्धारित मानकों की तुलना में अत्यधिक निम्न स्तर का पाया गया था एवं ऐसा प्रदूषित पानी प्रवाहित किया जाना यमुना नदी के पर्यावरण की दृष्टि से बिलकुल भी उचित नहीं है। दोनों ही नालों की जांच रिपोर्ट, पूर्व में मेरे मुख्य अनुरक्षण अभियन्ता(जल) द्वारा श्री वी0एस0 थिंड, तत्कालीन निदेशक दिल्ली जल बोर्ड को पत्रांक नौएडा/मु0अ0अ0(जल)/180/09 दिनांक 24.09.2009 (छाया प्रति संलग्न) के माध्यम से संलग्न कर प्रेषित की गयी थी। जिस पर तदनुसार प्रदूषण नियन्त्रण की कार्यवाही अपेक्षित थी। परन्तु आपको अवगत कराना है कि इस दिशा में अभी तक कोई भी सुधार नहीं हो पाया है।

अतः आपसे अनुरोध है कि उपरोक्त प्रकरण में यमुना नदी को प्रदूषण मुक्त करने की महत्ता के दृष्टिगत सम्बन्धित जिम्मेदार अधिकारी को तदनुसार निर्देशित करने का कष्ट करें।

भवदीय

(रमी रमन)

मुख्य कार्यपालक अधिकारी

प्रतिलिपि:

1. अपर मुख्य कार्यपालक अधिकारी (वी/पी/वाई) को आवश्यक कार्यवाही हेतु।
2. प्रमुख अभियन्ता को आवश्यक कार्यवाही हेतु।
3. मुख्य अनुरक्षण अभियन्ता(जल) को आवश्यक कार्यवाही हेतु।

मुख्य कार्यपालक अधिकारी
नौएडा।

नवीन ओखला औद्योगिक विकास प्राधिकरण
मुख्य प्रशासनिक भवन,
सेक्टर-6, नौएडा जिला गौतम बुद्ध नगर-201301

Noida

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY

Main Administrative Building
Sector - VI, Noida
Distt. Gautam Budh Nagar - 201301

अनुस्मारक-प्रथ

पत्रांक:- नौएडा/मु0का0अ0/प0अ0(जल-बा0सं0)/252/15
दिनांक : 07/8/15

प्रेषक,

मुख्य कार्यपालक अधिकारी
नौएडा प्राधिकरण।

सेवा में,

मुख्य कार्यकारी अधिकारी
दिल्ली जल बोर्ड
झण्डेवाला बिल्डिंग
नई दिल्ली।

विषय:- नौएडा क्षेत्र से गुजर रही दिल्ली की शाहदरा ड्रेन एवं कोण्डली की तरफ से सेक्टर-11 नौएडा में प्रवेश कर रही ड्रेन के सम्बन्ध में।

कृपया विषयांकित सन्दर्भ में मेरे पूर्व पत्रांक नौएडा/मुका0अ0/मु0अ0अ0(जल)/162/14 दिनांक 03.11.2014 का अवलोकन करने का कष्ट करें, जिसके माध्यम से यमुना नदी को प्रदूषण मुक्त करने हेतु किये जा रहे प्रयासों में आपसे अनुरोध किया गया था कि कृपया नौएडा प्राधिकरण में दिल्ली से आ रहे नालों के अति प्रदूषित जल से नौएडा में वायु व भूगर्भ जल प्रदूषण व्यापक स्तर पर हो रहा है, इस सम्बन्ध में नौएडा प्राधिकरण द्वारा दिल्ली की प्रतिष्ठित जांच एजेन्सी "श्रीराम इन्सटीट्यूट फॉर इण्डस्ट्रीयल रिसर्च" से कराई गई जांच रिपोर्ट का उल्लेख भी किया गया था जिनकी रिपोर्ट में चिल्ला रेगुलेटर के पास नौएडा में प्रवेश कर रही शाहदरा ड्रेन एवं न्यू कोण्डली की तरफ से सेक्टर-11 नौएडा में प्रवेश कर रही इरीगेशन ड्रेन के पानी की जांच में उन्हें नदियों में डिसचार्ज हेतु एन0आर0सी0डी0 के निर्धारित मानकों की तुलना में अत्यधिक निम्न स्तर का पाया गया था। जिसके उपरान्त से नौएडा द्वारा लगातार अनुरोध किया जा रहा है, परन्तु अभी तक दिल्ली जल बोर्ड के स्तर से इस हेतु गम्भीर प्रयास नहीं किये गये हैं, जिससे ऊपर अंकित दोनों ही नालों के माध्यम से नौएडा क्षेत्र में अत्याधिक प्रदूषित जल प्रवाहित हो रहा है।

अतः आपसे पुनः अनुरोध है कि उपरोक्त प्रकरण में यमुना नदी को प्रदूषण मुक्त करने के सामूहिक प्रयास के दृष्टिगत दिल्ली जल बोर्ड के सम्बन्धित अधिकारी को कड़े निर्देश देने का कष्ट करें।

भवदीय



(रमा रमन)

मुख्य कार्यपालक अधिकारी

प्रतिलिपि:

1. अपर मुख्य कार्यपालक अधिकारी (पी) को आवश्यक कार्यवाही हेतु।
2. उ०मु०का०अ०आ०आ०को आवश्यक कार्यवाही हेतु।
3. मुख्य अनुरक्षण अभियन्ता(जल) को आवश्यक कार्यवाही हेतु।



मुख्य कार्यपालक अधिकारी

(SI)

3 (III)

न ओखला औद्योगिक विकास प्राधिकरण
मुख्य प्रशासनिक भवन
सेक्टर-6, नोएडा, जिला गौतमबुद्ध नगर-201301

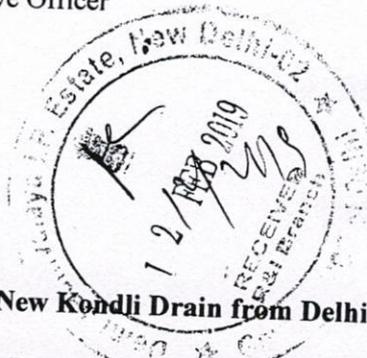


NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY
Main Administrative Building
Sector-6, Noida, Distt. Gautam Budh Nagar - 201301

Letter No.: Noida/CCEO/..G.M(R)/2019/ 612
Date:-11/2/2019.....

From: Chairman Cum Chief Executive Officer
Noida

To, The Chief Secretary
Delhi Government
Delhi Sachivalaya,
I.P. Estate, Delhi-110002



Subject: Delhi Shahdara Drain and New Kondli Drain from Delhi carrying polluted water.

**Reference: Letter No: Noida/CEO/CME(Jal)/162/14 dated 03-11-2014 and
Noida/CEO/PE(Jal-OA)/252/15 dated 07-08-2015 (copy attached)**

Delhi Shahdara Drain and New Kondli Drain are passing through Noida before merging into the Yamuna river. Both the drains are carrying polluted water of Delhi hence causing air pollution and ground water pollution in Noida as well as water pollution in the river Yamuna.

In this regard Noida Authority had requested the Chief Executive Officer Delhi Jal Board vide above referenced letters to make Yamuna pollution free. As per direction of Central Pollution Control Board (CPCB) polluted water should not be discharged in Yamuna river directly. Regarding this Noida Authority has given several reminders to DJB but still no appropriate action has been taken in this regard Shahdara drain & Kondli drain are carrying polluted water from Delhi through Noida continuously.

We again hereby request you to instruct the concerned officers of Delhi Jal Board to make Yamuna river pollution free by treating the polluted water of Shahdara drain and New Kondli drain which are passing through Noida. As per CPCB guidelines only treated water should be discharged in Yamuna river.

Enclosures:- as above.

(Alok Tandon)

Chairman cum Chief Executive Officer
Noida

Copy to:-

- 1- A.C.E.O (R.K.M.) for necessary action.
- 2- General Manager(R) for necessary action.

Handwritten initials 'Jc'

Handwritten signature
Chairman cum Chief Executive Officer
Noida

(SO)

3 (IV)

नदीन ओखला औद्योगिक विकास प्राधिकरण
मुख्य प्रशासनिक भवन,
सैक्टर-6, नोएडा, जिला गौतमबुद्ध नगर-201301

Noida

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY
Main Administrative Building,
Sector-6, Noida, Distt. Gautam Budh Nagar-201301

Letter No: Noida/CCEO/GM(R)/2019/202
Dated: 27/3/19

From:
Chairman Cum Chief Executive Officer
Noida

To,
The Chairman
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

Subject: Delhi Shahdara Drain and New Kondli Drain carrying polluted water from Delhi.

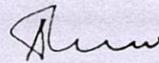
**Reference: (i) Central Pollution Control Board File No. A-14011/1/2015-Mon/6965
Dated 05-03-2019 (Copy attached)
(ii) Noida/CCEO/ GM(R)/2019/612 Dated: 11-02-2019(Copy attached)**

Delhi Shahdara Drain and New Kondli Drain are passing through Noida before merging into the Yamuna river. Both the drains are carrying polluted water of Delhi and thus causing pollution in Noida as well as in river Yamuna.

Correspondence has been done in the past with Chief Executive Officer (Delhi Jal Board) & Chief Secretary, Delhi Government to make Yamuna river pollution free by treating the polluted water of Shahdara drain and New Kondli drain which are passing through Noida.

It is requested that the appropriate instructions may be issued to concerned department of Delhi Government to treat the polluted water as per the guidelines.

Enclosures:- as above.

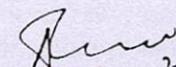

(Alok Tandon)

c/c

Chairman cum Chief Executive Officer
Noida

Copy to:-

- 1- A.C.E.O (R.K.M.) for necessary action.
- 2- General Manager(R) for necessary action.


c/c

Chairman cum Chief Executive Officer
Noida

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32
27 MAR 2019
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi-32

- e) As per the operator of the facility the STP is managed 24x7 in three shifts. Which starts from 2:00PM-9:00PM; 9PM-7:00AM & 7:00AM-2:00PM. The other two operators are Arun & Monu.
- f) It was informed that the STP treated water is utilized for plant irrigation purpose. Whereas, one internal sewage bye-pass arrangements were witnessed that was discharging the water to the nearby storm water drain.
- g) During the inspection, STP was found in a shutdown stage and only one air blower motor was found functional.
- h) It was witnessed that no hour meter, no log book having plant operation/ maintenance details/ schedule or entry of desludging units is recorded or maintained at site. Moreover, the STP is operated by non-technical team having no or lesser knowledge about the STP components and their functions. Thus, maintenance is a big challenge.
- i) The operator was also not informed about that monthly (if the site does not have its own laboratory)/ quarterly (if the site is having in-house laboratory) testing of the treated effluent discharged parameter is got analyzed from outside NABL/ MoEF&CC accredited laboratory. The site was thus not having any such record at site.
- j) The STP premise also lacks safety measures as required under the EMP & DMP norms also it was not having any chart that indicate process flow/ operational management protocols/ daily check lists and last maintenance undertaken etc. as per Environmental Management norms stipulated under Water (Prevention and Control of Pollution) Act, 1974.
- k) Photographs snapped at the site is attached herewith as Annexure-1(a)
- l) The sample from the STP's treated water outlet was collected by the UPPCB team & analysis report submitted is indicating violation of domestic effluent discharged norms. The original report of sample analysis conducted by UPPCB is attached herewith as Annexure-2(a)

Sr.	Parameters	Environment (Protection) Rules, 2017 Prescribed for STPs	Parameters Obtained (Test report of UPPCB Attached)
1)	Colour		Colourless
2)	Odour		Odourless
3)	pH	6.5 - 9.0	7.32
4)	Total Suspended Solids (TSS)	< 100 (for others)	152.0
5)	Total Dissolved Solids (TDS)		1474.0
6)	Total Solids		1626.0
7)	Biological Oxygen Demand (3 days incubation at 27°C)	<30mg/ Ltr	66.0
8)	Chemical Oxygen Demand (Dichromate reflux method)	<250.0mg/ Ltr	384.0

2) M/s Prateek Wisteria, Sector-77, Noida:

- a) Authorized Person/ STP operators available at site was Mr. Jitendra (Operator) +91-9818942670; Supervisor Pitu Lal (+91-9315320627) and Dhananjay Kumar (Facility Manager) +91-9266999660 .
- b) It was reported by the Facility Manager of the Society that the Society is having total no. of residential units' approx.2000, of which approx. 1850units are occupied.
- c) The Supervisor reported that the STP designed capacity is approx.500KLD, whereas, utilization is approx.400KLD, which looks sufficient.
- d) It was observed that the STP is neither operated nor maintained as per the prescribed schedule. The spider webs covered on the mouth of the drains/ motors/ tanks indicate the same. When enquired the facts from the operator, he accepted that the STP frequently have operational challenges. He was also not aware

about the maintenance schedule, importance of bacteria, monitoring parameters of effluent etc.

- e) It was informed that the STP operates 24x7 in three shifts. Which starts from 2.00PM-9.00PM; 9PM-7.00AM & 7:00AM-2:00PM.
- f) It was informed that the STP water is recirculated in the society for domestic use and no system of plant irrigation is provided. When enquired about the kitchen and bathroom waste water drain connectivity with STP he could not answer. Neither the society was having any drain map plan available that can be corresponded at the site.
- g) During the inspection, STP was found in a shutdown stage and when the motors were asked to operate it water started rushing out from the joints. Air blower motor was found functional. But rest all motors were found switched off.
- h) It was witnessed that no hour meter, no log book having plant operation/ maintenance details/ schedule or entry of desludging units is recorded or maintained at site. Moreover, the STP is operated by non-technical team having no or less knowledge about the STP components and their functions. Thus, maintenance seems to be a big challenge.
- i) The operator could not inform about any monthly (if the site does not have its own laboratory) or quarterly (if the site is having in-house laboratory) monitoring/ testing of the treated effluent discharged analysis through any NABL/ MoEF&CC accredited laboratory. The site also lack any such record.
- j) The STP premise also lacks safety measures as required under the EMP & DMP norms also it was not having any chart that indicate process flow/ operational management protocols/ daily check lists and last maintenance undertaken etc. as per Environmental Management Norms stipulated under Water (Prevention and Control of Pollution) Act, 1974.
- k) Photographs snapped at the site is attached herewith as Annexure-1(b)
- l) The sample from the STP's treated water outlet was collected by the UPPCB team & analysis report submitted is indicating violation of domestic effluent discharged norms. The original report of sample analysis conducted by UPPCB is attached herewith as Annexure-2(b)

Sr.	Parameters	Environment (Protection) Rules, 2017 Prescribed for STPs	Parameters Obtained (Test report of UPPCB Attached)
1)	Colour		Turbid
2)	Odour		Odourless
3)	pH	6.5 – 9.0	7.31
4)	Total Suspended Solids (TSS)	< 100 (for others)	134.0
5)	Total Dissolved Solids (TDS)		1324.0
6)	Total Solids		1458.0
7)	Biological Oxygen Demand (3 days incubation at 27°C)	<30mg/ Ltr	54.0
8)	Chemical Oxygen Demand (Dichromate reflux method)	<250.0mg/ Ltr	336.0

3) M/s Golf City, Plot No. 11, Sec-75, Noida:

- a) Authorized Person/ STP operators available at site was Mr. Pradeep Kumar, E&P Supervisor (+91-9250942937).
- b) Total no. of residential units in the said society is Approx.1000, of which approx. 800units are occupied.
- c) The STP was found non-operative having dried sludge area/ equalization ponds that indicate STP non-operative, over a month.
- d) The entire STP raw water was directly pumped outside the premise in the drains.
- e) Most surprising was that entire garden / plant area was irrigated by the bore-well water, which is strictly

अमित कुमार कौशिक
सहान वैज्ञानिक अधिकारी
उपम प्रदूषण नियंत्रण बोर्ड,
गान्धी नगर

(Mukesh Kumar)
Sr Manager
Jal

(Anil K Vora)
JE (Jal)

(R. K. Joshi)
JE (Jal)

not permissible under the act.

- f) It was witnessed that no hour meter, no log book having plant operation/ maintenance details/ schedule or entry of desludging units is recorded or maintained at site. Moreover, the STP is operated by non technical team having no or lesser knowledge about the STP components and their functions. Thus maintenance is a big challenge.
- g) The STP premise also lacks safety measures as required under the EMP & DMP norms also it was not having any chart that indicate process flow/ operational management protocols/ daily check lists and last maintenance undertaken etc. as per Environmental Management norms stipulated under Water (Prevention and Control of Pollution) Act, 1974.
- h) Photographs snapped at the site is attached herewith as Annexure-1(c)
- i) The sample from the STP's raw water was collected by the UPPCB team & analysis report submitted is indicating violation of domestic effluent discharged norms. The original report of sample analysis conducted by UPPCB is attached herewith as Annexure-2(c).

Sr.	Parameters	Environment (Protection) Rules, 2017 Prescribed for STPs	Parameters Obtained (Test report of UPPCB Attached)
1)	Colour		Slight Blackish
2)	Odour		Unpleasant
3)	pH	6.5 - 9.0	7.10
4)	Total Suspended Solids (TSS)	< 100 (for others)	338.0
5)	Total Dissolved Solids (TDS)		2376.0
6)	Total Solids		2714.0
7)	Biological Oxygen Demand (3 days incubation at 27°C)	<30mg/ Ltr	150.0
8)	Chemical Oxygen Demand (Dichromate reflux method)	<250.0mg/ Ltr	448.0

4) M/s JM Orchid, Sector-76, Noida:

- a) Authorized Person/ STP operators available at site was Mr. Sonu, Maintenance (+91-7830707781); Ankit & Sikander Giri. It was informed that the STP is maintained by M/s Ambe Water, whose operator Mr. Sarvesh Pandey (+91-8009365064) was also available at the site.
- b) Total no. of residential units in the said society is Approx.780, of which all were said to be occupied.
- c) The STP plant was under maintenance from almost 15-20days, as informed by the STP Operator, thus, entire raw water was directly discharged into the nearby passing drains without any treatment/ chlorination.
- d) It was witnessed that no hour meter, no log book having plant operation/ maintenance details/ schedule or entry of desludging units is recorded or maintained at site. Moreover, the STP is operated by non-technical team having no or lesser knowledge about the STP components and their functions. Thus, maintenance is a big challenge.
- e) Photographs snapped at the site is attached herewith as Annexure-1(d)
- f) The sample from the STP's treated water outlet was collected by the UPPCB team & analysis report submitted is indicating violation of domestic effluent discharged norms. The original report of sample analysis conducted by UPPCB is attached herewith as Annexure-2(d)

Sr.	Parameters	Environment (Protection) Rules, 2017	Parameters Obtained (Test report of UPPCB Attached)
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अनिल कुमार कौशिक
सहाय वैज्ञानिक अधिकारी
आर० प्रदूषण नियंत्रण बोर्ड,
लौहवा

M.K.
(Mukulshankar)
Sr. Manager
Jal

(Anil Kumar)
J.E. (N.A.)

R.K. Singh
J.E. (N.A.)

R.K.
J.E. (N.A.)

		Prescribed for STPs	
1)	Colour		Turbit
2)	Odour		Slight Unpleasant
3)	pH	6.5 – 9.0	7.32
4)	Total Suspended Solids (TSS)	< 100 (for others)	166.0
5)	Total Dissolved Solids (TDS)		1628.0
6)	Total Solids		1794.0
7)	Biological Oxygen Demand (3 days incubation at 27°C)	<30mg/ Ltr	78.0
8)	Chemical Oxygen Demand (Dichromate reflux method)	<250.0mg/ Ltr	368.0

5) **M/s Assotech Windsor Court, Sector-78, Noida:**

- Authorized Person at site was Mr. Rajiv Kumar, Engineer Civil/ Project Manager (+91-84487-91422).
- Total no. of residential units in the said society is Approx.1000, of which approx. 125units are occupied.
- The STP was under construction and informed that it will become operational within 2-3months time. The entire effluent was overflowing from the semi constructed STP structure over the un-cemented land, raising concern of percolation to the underground water table. It is shocking to see that without erecting/ constructing basic necessity builders allow public to reside in flats.
- Photographs snapped at the site is attached herewith as Annexure-1(e)
- The sample from the STP tank overflow on the ground was collected by the UPPCB team & analysis report submitted is indicating violation of domestic effluent discharged norms. The original report of sample analysis conducted by UPPCB is attached herewith as Annexure-2(e)

Sr.	Parameters	Environment (Protection) Rules, 2017 Prescribed for STPs	Parameters Obtained (Test report of UPPCB Attached)
1)	Colour		Blackish
2)	Odour		Unpleasant
3)	pH	6.5 – 9.0	7.27
4)	Total Suspended Solids (TSS)	< 100 (for others)	312.0
5)	Total Dissolved Solids (TDS)		2274.0
6)	Total Solids		2586.0
7)	Biological Oxygen Demand (3 days incubation at 27°C)	<30mg/ Ltr	180.0
8)	Chemical Oxygen Demand (Dichromate reflux method)	<250.0mg/ Ltr	464.0

6) **M/s Great Value Sharnam, Sector-107, Noida:**

- Authorized Person/ STP operators available at site was Mr. Ashutosh/ Golu +91-8178-841086 and Shyam (Admin) +91-9582122777.
- Total no. of residential units in the said society is Approx.1500, of which approx. 1000units are occupied.
- As per our observation based on the occupancy, the domestic waste water generation is approx.440KLD, whereas, the capacity designed and informed to us by the operator was approx. 200KLD. It clearly indicates that the plant capacity is under designed.
- It was witnessed that no hour meter, no log book having plant operation/ maintenance details/ schedule or entry of desludging units is recorded or maintained at site. Moreover, the STP is operated by non-technical team having no or lesser knowledge about the STP components and their functions. Thus,

maintenance is a big challenge.

- e) During the inspection, STP was operative, but because of excess incoming of raw water and having less holding capacity, the entire raw water was directly discharged in open field outside the premise through a flexible pipe.
- f) Photographs snapped at the site is attached herewith as Annexure-1(a)
- g) The sample from the STP's flexible pipe that was pumped directly outside the premise was collected by the UPPCB team & analysis report submitted is indicating violation of domestic effluent discharged norms. The original report of sample analysis conducted by UPPCB is attached herewith as Annexure-2(a)

Sr.	Parameters	Environment (Protection) Rules, 2017 Prescribed for STPs	Parameters Obtained (Test report of UPPCB Attached)
1)	Colour		Slight Blackish
2)	Odour		Unpleasant
3)	pH	6.5 - 9.0	7.20
4)	Total Suspended Solids (TSS)	< 100 (for others)	218.0
5)	Total Dissolved Solids (TDS)		1828.0
6)	Total Solids		2046.0
7)	Biological Oxygen Demand (3 days incubation at 27°C)	<30mg/ Ltr	150.0
8)	Chemical Oxygen Demand (Dichromate reflux method)	<250.0mg/ Ltr	384.0

7) M/s Aditya Celebrity Homes, Sector-76, Noida:

- a) Authorized Person at site Mr. Robin Tyagi (Estate Manager) +91-817-8807-417 was available at site.
- b) Total no. of residential units in the said society is Approx.630, of which all are occupied.
- c) It was informed by the Estate Manager that Noida Authority has given them the NOC for not installing STP and have allowed them to discharge their entire effluent directly in the sewer line.
- d) Thus no sample could be collected and analyzed.
- e) Reports as furnished by the builder, need to be checked at Authority level.

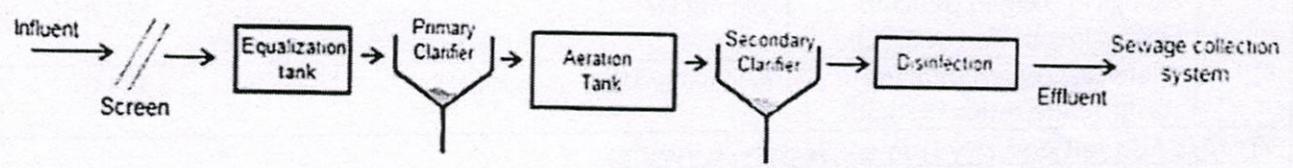
General Observations of the Inspecting Committee:

- 1) Large volume of sewage is generated in these high rise apartments/ societies and the effluent is not treated adequately and disposed-off in the open drains which flows downstream and getting mixes in water bodies. The intensive use of ground water and the large quantity of wastewater generation in these societies pose threat to ground water quality. There is lot of gap between the wastewater generation and treatment. Therefore it is very much essential to treat the domestic wastewater in proper manner by installation of adequate capacity sewage treatment plants to prevent the contamination of ground water & surface water bodies etc.
- 2) Proper records are not being maintained for the operation of STPs like inlet flow, outlet flow, sludge generation etc by these STP operators. It was observed that reuse/ recycling of treated wastewater is not planned yet. The treated sewage is being discharged in the nearest wastewater drain. Chlorination is also not being done at outlet of any of the STP inspected for control of Total/Faecal Coliforms. And most surprising all STPs have by-pass arrangement.
- 3) Lack of technical know-how is also a challenge witnessed in these building owners having STP Operators. The basic science behind the STP is seriously not clear to the operators. No STP operational protocols/ procedures/

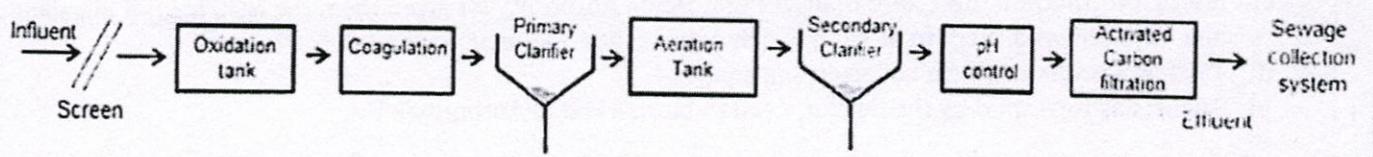
maintenance schedules/ operational hours/ parameter check/ record keeping etc found missing at these STPs respective sites.

- 4) Majority of STPs are operating without obtaining consent to operate under Water(Prevention & Control of Pollution) Act, 1974 from UPPCB. This need to be validated from the concerned UPPCB Regional office, Noida.
- 5) It was observed that the agencies engaged in Operational & Maintenance of STPs is suffering crisis of skilled manpower. Due to lack of skilled manpower there was no proper record being maintained. Lack of skilled staff is also a reason for STPs not able to meet the prescribed norms/ standards as set by CPCB.
- 6) Majority of STPs have no arrangements to measure inlet and outlet flow. As per some operators the flow has been calculated based on the pump running hours. During the visit it was observed that about 50% of wastewater was found by-passing in to the passing drain and 50% taking for treatment.
- 7) All the STPs have by-pass arrangement. It is observed that STPs kept operational during peak flow of sewage received in day time and during the night hours (lean flow) the sewage discharged through by-pass arrangements.
- 8) The treated sewage of almost all STPs is not being monitored & analyzed on regular basis that can assess degree of treatment.
- 9) The STPs which were inspected were designed on below two models, both the models are technically good, but the difference between compliant and non-compliant operation is made by the way it is operated and managed.

(a)



(b)



Recommendations:

- 1) STPs which are in operation without obtaining Consent to operate needs to obtain consent from UPPCB without any further delay.
- 2) The by-passing of untreated sewage from STPs shall be stopped immediately introducing some alternate arrangement of storage of sewage during peak hours and upgrading the capacity of pumping stations.
- 3) The primary treatment units should be operated properly and rags/grit/coarse material shall be removed regularly for improving the treatment efficiency. The collected material should be stored at a designated place and disposed in accordance with the environmental rules.
- 4) The utilization of treated sewage in plantation, gardening, recycling etc after proper disinfection must be ensured at Society level. The responsibility of concerning officers/ staff of that Work Circle may also be fixed in case of violation of environmental or municipal norms.
- 5) Proper records should be maintained for inlet and outlet flow by installation of flow measuring devices/ arrangement. Also records as indicated above should be maintained and placed at the site.
- 6) Proper flow chart, maintenance schedule, last inspection visit etc having important details on display board

M.A.
 अनिल कुमार कोशिक
 सहाय वैज्ञानिक अधिकारी
 उपग्रह प्रदूषण नियंत्रण बोर्ड,
 कोयंबूर

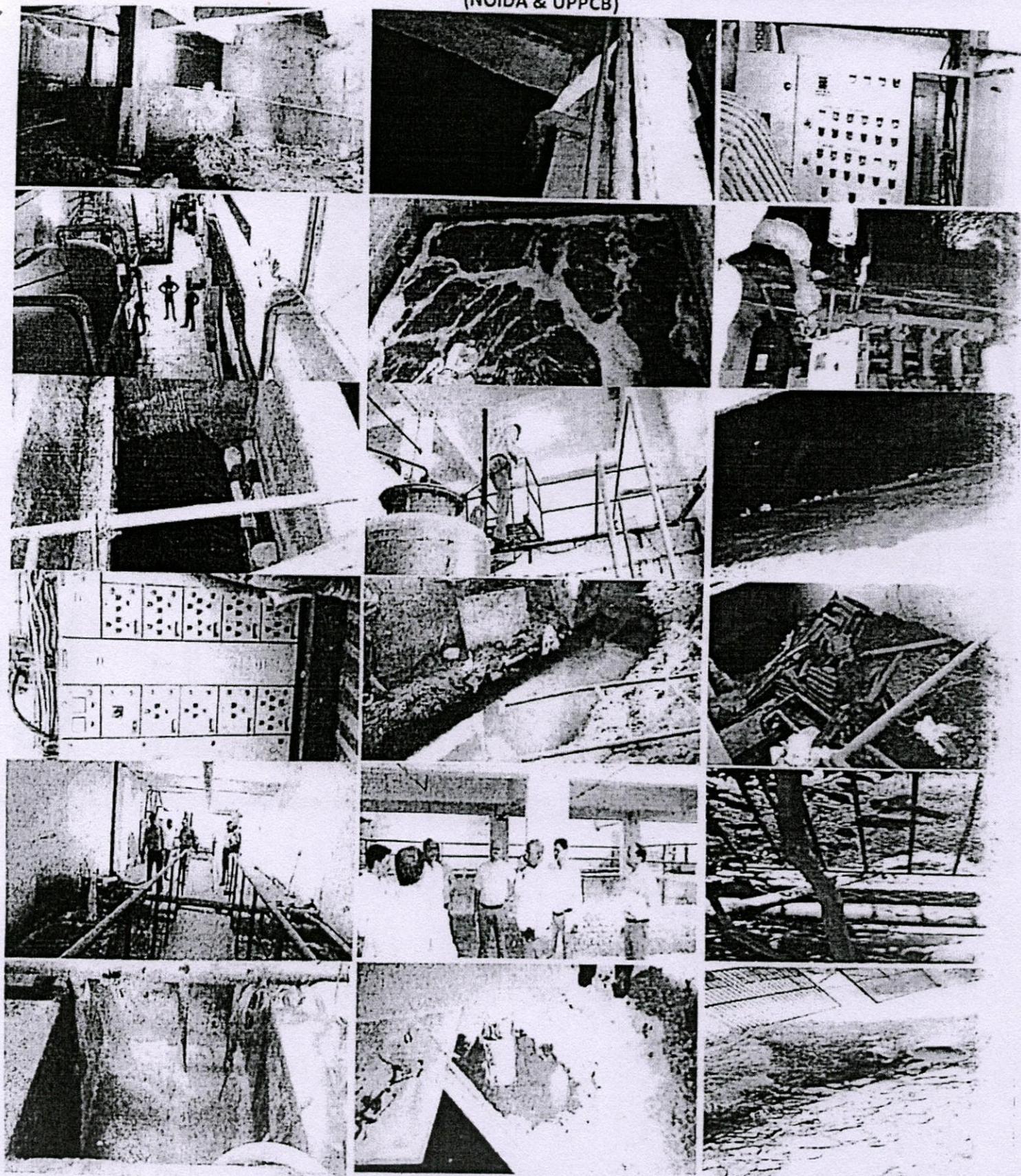
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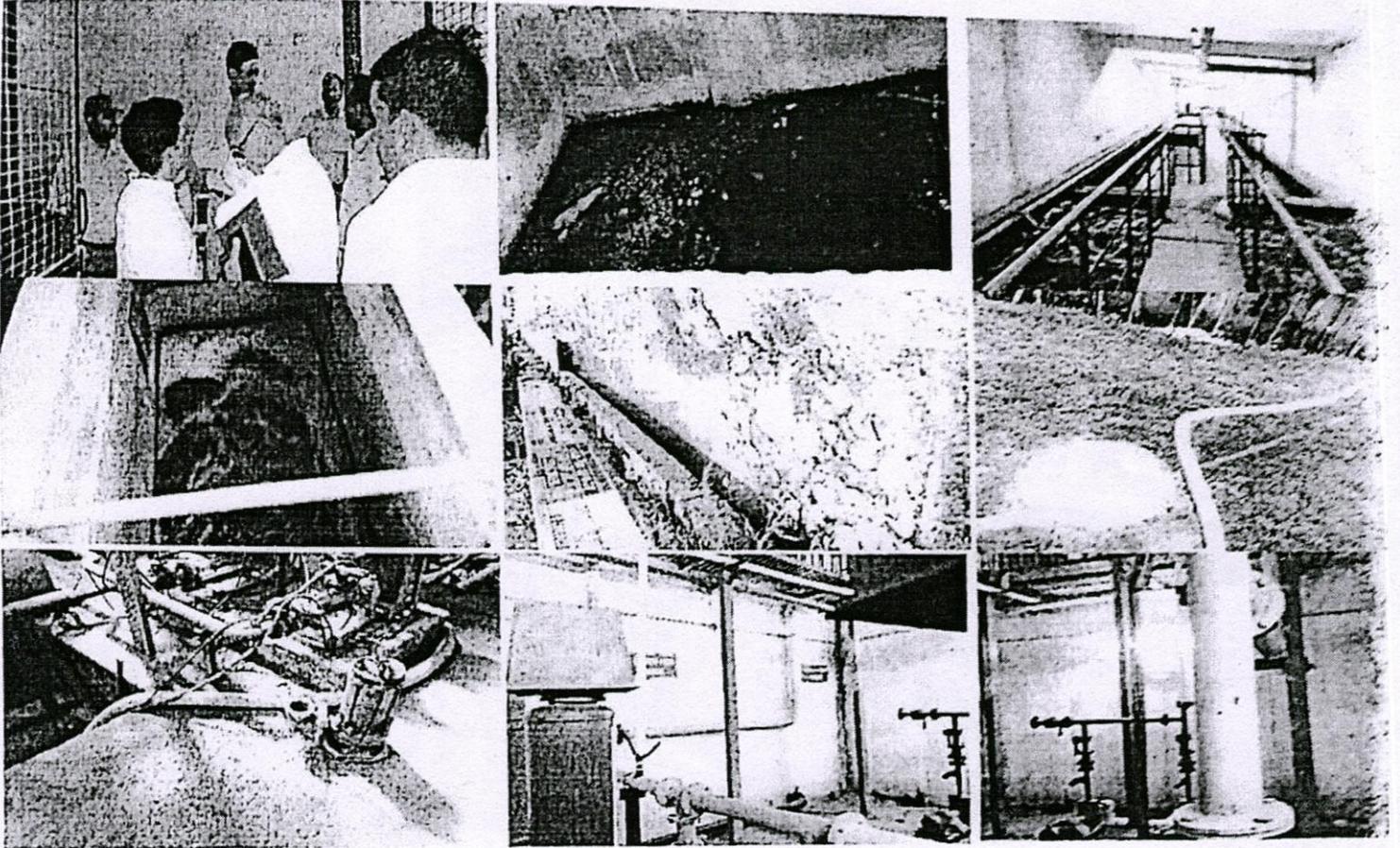
(Anil Kumar)
 JE (ND)-2

R.K. Tiwari
 JE (ND) III

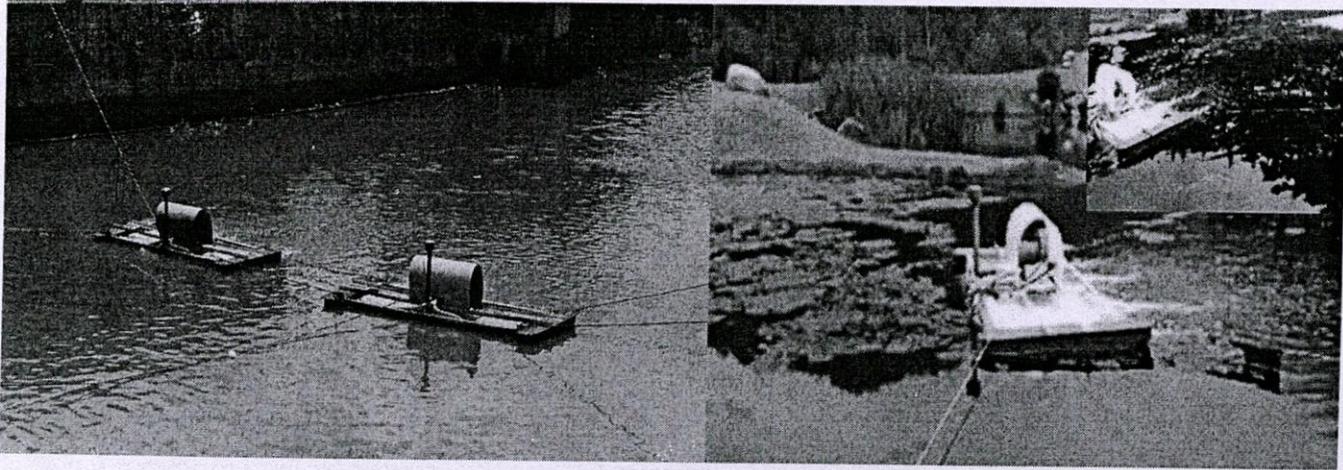
JE (ND) III

PHOTOGRAPHS OF HIGH RESIDENTIAL SOCIETIES STPs INSPECTION WITH THE JOINT INSPECTION TEAM (NOIDA & UPPCB)





Annexure -5



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

A-14011/1/2018-MON

29th June 2018**To Whomsoever It May Concern**

This is to certify that the demonstration of Biocleaner Reactor technology in drain passing through Sector 29 Noida on pilot basis by BioCleaner Inc. has shown remarkable visual improvement and reduction in odour in the wastewater flowing through drain between upstream and downstream segment.

It has great potential for use in the drain, oxidation ponds and riverine stretch to change the scenario in short term and as a polishing technology in the existing sewage treatment plants.

(R.M. Bhardwaj)

Scientist E and Head
Water Quality Management Division

Shri Sidharth Chaudhary
Country Head
BioCleaner Inc.
Noida, Gautam Budh Nagar,
Uttar Pradesh
Email: sidharth@sociobiotech.com

कार्यालय नगर निगम गाजियाबाद

प्रेषक,

नगर आयुक्त,
गाजियाबाद नगर निगम।

सेवा में,

अध्यक्ष,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, ईस्ट अर्जुन नगर,
दिल्ली। 110032

पत्रांक:- 1185/एन0जी0टी0/विधि/2019-20

दिनांक:- 24/6/19

विषय:- मा0 राष्ट्रीय हरित अधिकरण के आदेश दिनांक-19.02.2019 के अनुपालन में पर्यावरण संरक्षण अधिनियम 1986 की धारा 5 के अन्तर्गत दिये गये दिशानिर्देश के सम्बन्ध में।

महोदय,

कृपया अपने कार्यालय पत्र संख्या-ए-14011/1/2015-यू0पी0सी-1 दिनांक-06.06.2019

का सन्दर्भ ग्रहण करने का कष्ट करें। जोकि ई0मेल के माध्यम से दिनांक-22.06.2019 को प्राप्त कराया गया, जिसमें अवगत कराया गया है कि मा0 राष्ट्रीय हरित अधिकरण के समक्ष विचाराधीन ओ0ए0 संख्या-1002/2018 अभिष्ट कुसुम गुप्ता बनाम उ0प्र0 सरकार व अन्य में पारित आदेश 19.02.2019 के आदेश के क्रियात्मक अंश निम्नवत है:-

1. The issue for consideration is discharge of untreated sewage in the irrigation canal near Sector 137, NOIDA at village Kondli, in violation of the provisions of Water (Prevention and Control of Pollution) Act, 1974.
6. Accordingly, we direct the Central Pollution Control Board (CPCB), DPCC, DJB, East Delhi Municipal Corporation, NOIDA Authority and UPPCB to have a joint meeting within one month and to prepare an action plan in respect of action in respective States to check the water pollution which may also include action to be taken for prohibiting the discharge of effluents, for prosecuting the polluters and recovering the compensation for the damage being caused to the environment. The Nodal Agency will be CPCB for coordination and compliance. The report of the action taken be furnished to this Tribunal within two months by e-mail at ngt.filing@gmail.com

(Signature)

मा० अधिकरण के आदेश के अनुपालन में उपरोक्त आदेश में वर्णित कमैटी द्वारा कोडली/नोएडा ड्रेन का 02.04.2019 को निरीक्षण किया गया तथा मा० अधिकरण के समक्ष कमैटी द्वारा रिपोर्ट प्रेषित की गयी, दाखिल की गयी रिपोर्ट के अनुसार पाया गया कि खोड़ा ग्राम में गाजियाबाद द्वारा बिना शोधित किये गये ड्रेन के पानी को सी०आर०पी० कैम्प के निकट पी०डब्लू०डी० दिल्ली में बहाया जाता है जो कि अन्त में जाकर कोडली ड्रेन में मिल जाता है। उक्त रिपोर्ट के अनुसार यह उल्लेख किया गया है कि गाजियाबाद नगर निगम का उत्तरदायित्व है कि बिना शोधित सीवेज को नालो में न बहाया जाये जिस कारण नगर निगम अपने उक्त दायित्व का निर्वाहन करने में असमर्थ रहा है। इस कारण आप द्वारा पर्यावरण प्रोटेक्शन एक्ट 1986 की धारा 5 के अन्तर्गत निम्नलिखित दिशानिर्देश दिये गये हैं।

1. To establish sewerage network and treatment facility to treat sewage generated from Khoda village.
2. To Deposit an Interim Environmental Compensation of 1,00,00,000 (Rupees One Crore only) in CPCB Account no.: 532702010009078, IFSC Code: UBIN0553271, UBI, I.P Extension Branch, Delhi as per Environment Compensation policy framed in Compliance of NGT order dated 06.12.2018 in Original Application No. 125/2017 and MA No. 1337/2018 within 07 days from date of receipt of directions.

उपरोक्त दिशानिर्देशों के सम्बन्ध में अवगत कराना है कि प्रश्नगत खोड़ा गांव गाजियाबाद नगर निगम सीमान्तर्गत नहीं है। जिस कारण नगर निगम स्तर से कोई कार्यवाही अपेक्षित नहीं है। प्रश्नगत स्थल खोड़ा नगर पालिका के क्षेत्राधिकार में होने के कारण दिये गये निर्देशों के सम्बन्ध में आवश्यक कार्यवाही खोड़ा नगर पालिका से अपेक्षित है।

तदनुसार अवगत होने का कष्ट करें।

भवदीय


दिनेश चन्द्र 24/6/19
(आई.ए.एस)

नगर आयुक्त
गाजियाबाद नगर निगम।

CHAIRMAN OFFICE
C. P. C. B.
128067
Date 6/9

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI

OFFICE OF THE CHIEF ENGINEER (EAST)

ROOM NO. 501, VARUNALAY PH-II, KAROL BAGH, NEW DELHI-05 128067
05 SEP 2019

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्व अर्जुन नगर, दिल्ली-32
128067
Central Pollution Control Board
Fresh Bhavan, East Arjun Nagar, Delhi

No. DJB /CE(East)/2019/450

Dated 30/8/19

Subject:- A.T.R. on directions issued by Hon'ble NGT in OA No. 1002/2018 order dated 30.07.2019 titled Abhisht Kusum Gupta V/s State of Uttar Pradesh & Ors.

MS
UPC
6/9/19

R/Sir,

In reference to above and in continuation of letter No.DJB/CE(EAST)/2019/F95/726-27 Dated 22.07.2019 (copy enclosed) the point wise current status of actions initiated by DJB are given below:

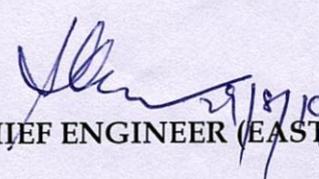
1. List of properties in Kondli & Gharoli area which are not having sewer connections was sent to EDMC for action under DMC/E.P Act. etc. EDMC has issued challans to residents in these localities who are discharging sewer in storm water drains. The matter was discussed with them and they will be filing their details with CPCB separately.
2. The tenders for trapping of drains at three locations contributing sewer discharge in Kondli drain is under approval for award. This work will be taken up after rainy season and completed by December 2019. Details of trapping points along with location map are enclosed. After completion of these works of trapping by Dec. 2019, there will not be any flow of untreated sewage from Kondli & Gharoli area (Delhi Catchment area) into Kondli Drain.
3. The camps are being organized for expediting sanction of sewer connections with the help of Revenue Wing of Delhi Jal Board. Further notices are also being served by Revenue wing to these defaulting consumers as per DJB Act.

Key
6/9/19

S.D.M

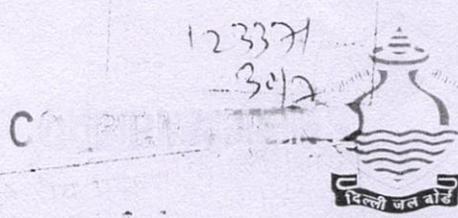
Encl: As above

128067/m
06/09


CHIEF ENGINEER (EAST)

The Chairman
Central Pollution Control Board,
Ministry of Environment, Forest & Climate Change,
Govt. of India.

शुभ कुमार
सदस्य (जल)
Shalabh Kumar
Member (Water)



दिल्ली जल बोर्ड
प्रधानी क्षेत्र, दिल्ली सरकार
वरुणालय, फेज II, करोल बाग, नई दिल्ली 110005
DELHI JAL BOARD
Govt. of National Capital Territory of Delhi
Varunalaya, Phase-II, Karol Bagh, New Delhi-110005
Ph. 011-23528578
E-mail: memberwsdjbb@gmail.com

123371/m
31/7

30 JUL 2019
123371
Central Pollution Control Board
Indira Gandhi Bhawan, East Arjun Road, Delhi 110002

AMS
UPCT
31/7/19

NO.: DJB/CE (EAST)/2019/F95/726
Dated: 22-07-19

Subject: A.T.R. on directions under Section 5 of the environmental Act 1986 in compliance to Hon'ble National Green Tribunal Order dated 19.02.19 in OA No.1002 /2018 titled Abhisht Kusum Gupta V/S State of Uttar Pradesh & Ors.
Ref: Letter No. File No.A-14011/1/2015-UPC-I Dated 06.06.2019.

R/Sir,

SEEL (vii)
Dy
31/7/19

In reference to above the following actions have been initiated by Delhi Jal Board:-

1. The list of residents having sewer connections along with total house holds existing in G.D. Colony, Gharoli Village & Kondli Village have been sent to Dy. Commissioner Shd. South, EDMC for taking penal against the houses discharging sewer into drains. (copy of letter attached)
2. Proposal for trapping of drains of these areas from which sewerage is being discharged into drains has been prepared and this work shall be completed by December 2019.
3. A camp has been organized on 06.07.2019 with Zonal Revenue Officer and Residents Welfare associations for on site sanction of sewer connections at the first instant. It is proposed to organize more such camps in near future.
Further, leaflets shall be distributed to area residents along with water bills to sensitize them to take sewer connections.

[Shalabh Kumar]
Member(Water)

The Chairman,
Central Pollution Control Board,
Ministry of Environment, Forest & Climate Change,
Govt. of India



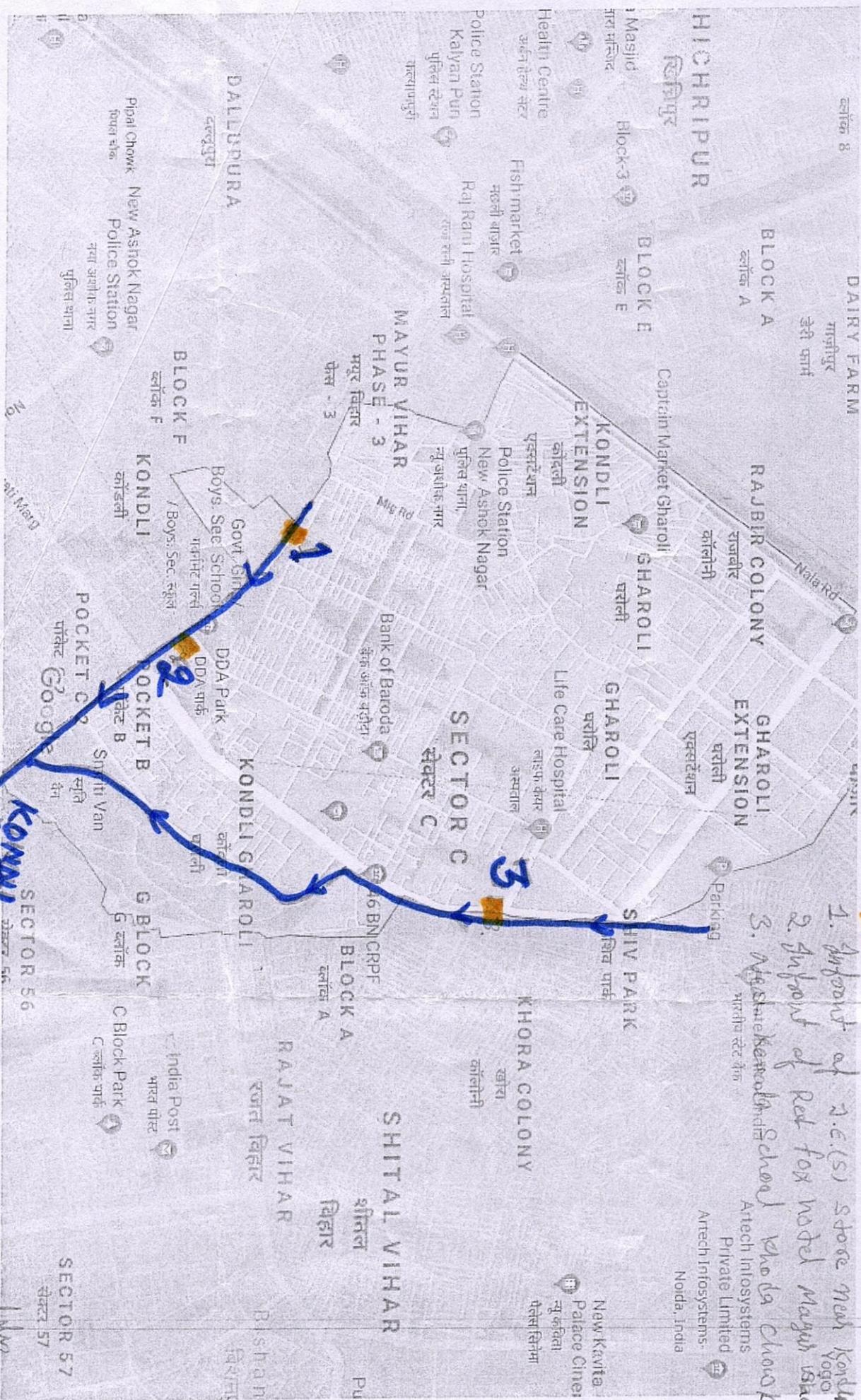
Details of trappings proposed in Kondli Constituency to trap drain water into sewer line.

S.No.	Location	Latitude & Longitude	Total discharge (Approx.)
1.	Near Kondli SPS in front of JE(Sewer Store Mayor Vihar Phase-III	28.61075, 77.329666	0.24 MGD
2.	In front of Red Fox Hotel, Mayur Vihar Phase-III	28.605810, 77.373575	0.15 MGD
3.	Near Kerala School Khoda Chowk	28.615657, 77.341268	0.35 MGD
	TOTAL		0.74 MGD

Handwritten signature
S. S. S.

Google Maps

Mayur Vihar Phase III
trapping location of drain water into sewer line



LOCATIONS OF TRAPPING OF DRAINS

1. Infront of N.E(S) store near Kondli St
2. Infront of Ret for hotel Mayur Shah-2
3. Near Khetola school Khola Chowk.

TOWARDS NOIDA
KONDLI DRAIN

Map data ©2019
47



**EAST DELHI MUNICIPAL CORPORATION
VETERINARY SERVICES DEPARTMENT**

419, Udyog Sadan, Patparganj Ind. Area, Delhi-92
Phone No 011-66667330, 66667331

ATR in R/o OA No. 1002/2018 titled Abhisht Kusum gupta Vs State of Uttar Pardesh & Ors.

The case pertains to discharge of untreated waste (Human & Animal) into storm water drain and into DDA drainage system. In this connection it is stated that the drains in question run through Kondli Village, Gharoli Dairy farm, Mulla Colony, Rajbir Colony and Sapera Basti. These colonies are spread across Ward Nos. 06 E and 07 E. The action taken by DEMS deptt. to reduce/minimize the discharge of untreated waste into the drains is as under:-

1. Meetings were held on 02-09-2019 and 20-09-2019 with representative of RWAs and residents of the area to sensitize people to get sewer connection and not to discharge toilet waste into drains.
2. 343 Challans under DMC Act have been issued to households having insanitary toilets in Ward No. 215.
3. 332 Challans under DMC Act have been issued to households having insanitary toilets in Ward No. 216.
4. Total amount realized through the challans is Rs. 145300/-.

Regarding flowing of dung in the drains – action taken by Veterinary Services Department:-

1. In Gharoli Dairy colony there are about 4919 number of households wherein more than 95% plots have been converted into residential and during inspection it was found that only 55 dairies were operational.

2. As per survey of DEMS Department 4201 households have septic tanks, 317 have sewer connections whereas 157 households were found having unhygienic toilets.

3. Most of the dairies in Gharoli dairy colony collect the dung in a corner of nearby park and deport it to the nearby areas, after it is dried.

4. During a survey in 2018, there were 63 dairies, out of which 02 were having licenses. In August 2019 there were 56 dairies i.e. rest of dairies were found closed. Now the Show Cause Notices have been issued to 56 dairies to obtain licenses and till date 39 dairies owners have applied for licenses for running the dairy in Gharoli dairy colony.

5. During inspection only 25 dairy owners were found discharging dung in a drain who has been challaned as per directions of NGT.

6. While serving deficiency letters in response to their applications for licenses it was observed that only 39 dairies are running and to all 39 dairy owners deficiency letters have been issued, rest of the dairies were found closed.

7. Undertakings are being obtained from Dairy owners that dung will not be allowed to flow in the sewer/storm water drain.

8. Those who do not fulfil the condition of Dairy Licensing Policy will be sealed after giving 15 days time for which police force has been booked for 31.10.2019 & 05.11.2019.

9. The Performance Guarantee of Rs.1.00 Crore is being processed and the amount has been approved by the competent authority, the same will be submitted within next week.

30.10.2019
Director (VS)

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

Original Application No. 1002/2018

Abhisht Kusum Gupta

Applicant(s)

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

(Report filed in O.A. No. 1002/2018)

Date of hearing: 30.07.2019

CORAM:

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

For Applicant(s):

Mr. Mahaling Pandarge, Advocate

For Respondent (s):

Mr. Pradeep Misra with Mr. Daleep
Dhyani, Advocates for UPPCB
Mr. Rajkumar, Advocate for CPCB
Mr. Balendu Shekhar, Advocate for EDMC

ORDER

1. The issue for consideration is discharge of untreated sewage in the irrigation canal near Sector 137, NOIDA at village Kondli, in violation of the provisions of Water (Prevention and Control of Pollution) Act, 1974.
2. Under the orders of this Tribunal, a joint report dated 14.02.2019 was furnished by the NOIDA Authority and the Uttar Pradesh Pollution Control Board (UPPCB) as follows:

"1. Kondli Drain originates from Kondli village, Delhi and enter into the NOIDA at the place of Hari darshan Police Chowki, Sector11, (Entry point of NOIDA) and after travelling (about 17km) in NOIDA region of Sector-11, Sector-12, Sector-22, Sector-50 and Sector-168 it submerge into Yamuna River near Chak Mangrola Sector - 168, NOIDA.

2. Kondli Drain is not connected to any river or canal before meeting in Yamuna River and has no source of fresh water.

3. During inspection it was found so many drains are connected to Kondli drain from Delhi side before entering into NOIDA.

4. The pollutant parametes in Kondli drain, (Entry Point at NOIDA) is found above the norms.

5. Delhi's polluted water comes into NOIDA (Kondli drain), for which NOIDA Authority has send letter from time to time to the Chief Secretary, Delhi Government to get the treated effluent.

6. All the villages, industrial, residential and institutional areas of NOIDA Authority areas are connected to the sewer line network.

7. Sewage generation from the NOIDA is approximately 200 MLD and it is treated in STP of capacity 231 MLD. Standards are being achieved by STP."

3. After considering the above, vide order dated 19.02.2019, the

Tribunal directed as follows:

"5. In view of the above, action is also required to be taken by the authorities at Delhi including the Delhi Pollution Control Committee (DPCC), Delhi Jal Board (DJB), and East Delhi Municipal Corporation. The coordination will be required by a central agency as two States are involved in dealing with the matter.

6. Accordingly, we direct the Central Pollution Control Board (CPCB), DPCC, DJB, East Delhi Municipal Corporation, NOIDA Authority and UPPCB to have a joint meeting within one month and to prepare an action plan in respect of action in respective States to check the water pollution which may also include action to be taken for prohibiting the discharge of effluents, for prosecuting the polluters and recovering the compensation for the damage being caused to the environment. The Nodal Agency will be CPCB for coordination and compliance. The report of the action taken be furnished to this Tribunal within two months by e-mail at ngt.filing@gmail.com."

4. Accordingly, a further report dated 18.04.2019 has been furnished by the Central Pollution Control Board (CPCB) recording its findings and recommendations as follows:

“3.0 MAJOR FINDINGS

Based on the inspection made and analytical results of the samples collected from drains, it is observed that sources of pollution of the drain are located both in Delhi as well as in Noida. Accordingly, following observations are made:

i. MAJOR ISSUES PERTAINING TO DELHI REGION

- *Unauthorized colonies namely GD colony, Gharauli village and Kondli village are discharging their untreated sewage to drainage system of PWD, DDA, EDMC and contributing to pollution to NOIDA drain.*
- *DJB has laid sewerage system to convey sewage from said colonies to Kondli STP. However, residents of said colonies are reluctant to take sewerage connection which resulting in discharge of untreated sewage to storm water drainage system*

ii. MAJOR FINDINGS PERTAINING TO NOIDA (U.P REGION)

- **Ghaziabad:**
Khoda village, Ghaziabad discharges untreated waste water to drainage system of PWD Delhi near CRPF camp which finally merges with Kondli drain.
- **NOIDA:**
30 drains are discharging untreated wastewater to Kondli / Noida drain and contributing to its organic and hydraulic loading.

4.0 RECOMMENDATIONS

In view of above facts and findings, following recommendations are made:

- i. DJB and EDMC should initiate legal proceedings against residents of GD colony, Gharauli village and Kondli village on account of their reluctance and failure to take sewerage connections.*
- ii. DJB and EDMC shall ensure that each building under their jurisdiction shall have sewer connection so that current practice of discharge of untreated sewage into storm water drainage system should be stopped.*

iii. PWD and DDA should carry out de-silting of drains frequently.

iv. EDMC shall direct dairy farms at Gharuli village to develop Decentralized treatment facility so that their untreated waste shall not be discharged to DDA drainage system.

v. EDMC should ensure that untreated dairy waste including animal dungs from Gharuli village should not be discharged into storm water drain. Challan / Legal action shall be initiated against such violators.

vi. The dairy farms be shifted to outskirts of the area in a time bound manner.

vii. Ghazibad Nagar Nigam should developed facility to tap untreated water of Khoda village and should discharge only treated water to drainage system of Delhi.

viii. Noida authority shall prepare time bound action plan either to stop discharge of untreated waste through aforesaid 30 drains. Alternatively, all such drains be intercepted and taken to STPs so that no untreated wastewater flows to Noida drain.

ix. Noida authority shall ensure that the available sewage treatment facility be fully utilized.”

Based on the above recommendations and findings, following action plan is formulated for compliance by the concerned Authorities for abatement of pollution of Kondli / Noida drain:

Sl. No.	Task / Action Plan Suggested	Organizations	Time Frame
1.	Legal proceedings against the residents of GD colony, Gharauli village and Kondli village, Delhi having failed to take sewer connections	EDMC and DJB	02 months
2.	Development of decentralized treatment facility for dairy farms	EDMC / Dairy farms at Gharauli village, Delhi	03 months
3.	Challan / Legal action against Dairy farms at Gharauli village	EDMC	01 month
4.	To develop sewerage network and facility for Khoda Village, Ghaziabad	Ghaziabad Nagar Nigam	03 months
5.	To stop discharge of untreated waste to 30 drains or to intercept 30 drains and conveying to STPs.	NOIDA authority	03 months

CPCB is in the process of issuing directions to EDMC, DJB, Ghaziabad Nagar Nigam and Noida Authority for implementation of the aforesaid action plan so as to prohibit the discharge of effluents, for prosecuting the polluters and recovering the compensation for the damage being caused to the environment.”

5. The supplementary report dated 08.07.2019 refers to directions of the CPCB under Section 5 of the Environment (Protection) Act, 1986 for implementation of the above action plan. The directions have been issued to the East Delhi Municipal Corporation (EDMC), Delhi Jal Board, Ghaziabad Nagar Nigam, NOIDA Authority respectively as follows:

“1. Directions issued to EDMC:

- i. To direct dairy farms to develop decentralized treatment facility so that their untreated waste shall not be discharged to DDA drainage system.
- ii. To ensure that untreated dairy waste including animal dungs from Gharuli village should not be discharged into storm water drain. Challan / Legal action shall be initiated against such violators.

2. Directions issued to DJB:

- i. To initiate legal proceedings against the residents of GD colony, Gharauli village and Kondli village, Delhi having failed to take sewer connections.
- ii. To ensure that each building under their jurisdiction shall have sewer connection so that current practice of discharge of untreated sewage into storm water drainage system should be stopped.

3. Directions issued to Ghaziabad Nagar Nigam:

1. To establish sewerage network and treatment facility to treat sewage generated from Khoda village.
2. To Deposit an Interim Environmental Compensation of 1,00,00,000 (Rupees One Crore only) in CPCB Account no.: 532702010009078, IPSC Code: UBIN0553271, UBI, I.P Extension Branch, Delhi as per Environment Compensation policy framed in Compliance of NGT order dated 06.12.2018 in Original Application No. 125/2017 and MA No. 1337 /2018 within 07 days from date of receipt of directions.

4. Directions issued to NOIDA Authority:

- i. To develop time bound action plan to stop discharge of untreated wastewater to 30 drains.*
- ii. To intercept all drains and channelize wastewater to STPs so that no untreated wastewater is discharged to Noida drain.*
- iii. To deposit an Interim Environmental Compensation of 1,00,00,000 (Rupees One Crore only) in CPCB Account no.: 532702010009078, IFSC Code: UBIN0553271, UBI, LP Extension Branch, Delhi as per Environment Compensation Policy framed in Compliance of NGT order dated 06.12.2018 in Original Application No. 125/2017 and MA No. 1337 /2018 within 07 days from date of receipt of directions."*

6. Learned Counsel appearing for the SPCB states that since pollution is originating from Delhi, the DJB and the EDMC should also be liable to pay environmental compensation for the damage to the environment in the same way as NOIDA Authority and Ghaziabad Nagar Nigam, have been held to be liable by the CPCB.
7. CPCB may consider this aspect and pass appropriate orders. Having regard to the seriousness of the issue, we direct the EDMC, DJB, NOIDA Authority and the Ghaziabad Nagar Nigam to furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions of the CPCB, failing which the said amount will be forfeited.
8. The Committee may also measure the faecal coliform content in the water samples which is a relevant factor for determining the water pollution. Such samples may be taken from each of the drains in question.
9. Further report may be furnished to this Tribunal by 31.10.2019 by the CPCB by e-mail at judicial-ngt@gov.in.

List for further consideration on 04.11.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

July 30, 2019
Original Application No. 1002/2018
DV

