



क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, ग्रेटर नोएडा

ए-1, प्रथम तल, कॉमर्शियल काम्प्लेक्स, बीटा-2, ग्रेटर नोएडा, गौतमबुद्धनगर
ई-मेल : rogreaternoida@uppcb.in, फोन/फैक्स- 0120-2321024

सन्दर्भ संख्या : 1391 / NUT-74 / 2024

दिनांक : 24/02/24

To,

The Registrar,
The National Green Tribunal,
Principal Bench,
New Delhi
E-mail- judicial-ngt@gov.in

Sub: Response of UPPCB in compliance of the order dated 12.01.2024 passed by Hon'ble National Green Tribunal, New Delhi in Original Application No. 667 of 2023 Vinay Dixit Versus State of Uttar Pradesh & Ors.

Sir,

That in compliance of the order dated 12.01.2024 passed by Hon'ble National Green Tribunal, New Delhi in Original Application No. 667 of 2023 Vinay Dixit Versus State of Uttar Pradesh & Ors, in compliance to the order passed on dated 12.01.2024 by Hon'ble Tribunal's, District Magistrate Gautam Buddha Nagar vide letter dated 29.01.2024 constituted a joint committee (Additional District Magistrate (F/R), OSD (Health), Greater Noida Industrial Development Authority and Regional Officer, U.P.P.C.B., Greater Noida). Site inspection of M/s Saya Zion Society (Promoters M/s Saya Buildcon Consortium Pvt Ltd), Plot No. GC-06/2/GH-01, Sector-4, Gaur City-1, Greater Noida, Gautam Buddha Nagar in question was carried out by the Joint Committee on dated 14.02.2024. Report of Joint Committee is annexed herewith and forwarded to you with the request that the same may be placed before the Hon'ble Tribunal.

Enclosure- As above

Yours Sincerely


24/02/24
(Deo Kumar Gupta)
Regional Officer

Copy to:

1. Shri Pradeep Misra, Advocate, Hon'ble NGT, New Delhi for kind persual and necessary action please.
2. Chief Environmental Officer, C-1, U.P. Pollution Control Board, Lucknow for information please.
3. Law Officer-1, U.P. Pollution Control Board, Lucknow for information and necessary action please.


24/02/24
Regional Officer

9
Compliance Report

In

Original Application No. 667/2023

Vinay Dixit

Versus

State of Uttar Pradesh & Ors.

Order Date – 12.01.2024

Filed on Behalf of:

Uttar Pradesh Pollution Control Board

1. Background

Hon'ble NGT passed order on 12.01.2024 in State of Uttar Pradesh & Ors and relevant paras of the order dated 12.01.2024 are reproduced below: -

".....1. Mr. Vinay Dixit has sent by email the present letter petition to this Tribunal, which has been treated and registered as O.A. No. 667/2023 alleging illegal dumping of garbage in the basement of E/19, Saya Zion Society, Gaur City-1, Greater Noida in violation of environmental norms.

2. In support of the averments made in the application, the applicant has attached photographs showing dumping of solid waste in the basement of the building.

4. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to ascertain the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of Uttar Pradesh State Pollution Control Board, the Commissioner, Municipal Corporation, Greater Noida and the District Magistrate, Gautam Budh Nagar and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position particularly compliance with the Solid Waste Management Rules, 2016 and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The UPPCB will be the nodal agency for coordination and compliance.

5. Factual and Action taken Report may be submitted within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

6. We also consider it appropriate to seek response from the (1) State of Uttar Pradesh through District Magistrate, Gautam Budh Nagar, (2) Commissioner, Municipal Corporation, Greater Noida, (3) Uttar Pradesh Pollution Control Board (UPPCB) through its Member Secretary and (4) the Project Proponent- M/s Saya Group through its HR-Admin Head Mobile No. 9811249263/7290056238, who are impleaded as respondents no. 1 to 4.

7. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents no. 1 to 4 requiring them to file their reply/response to the averments made in the application within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

8. List for further consideration on 05.03.2024.

2. Action Taken by The Joint Committee

In compliance of Hon'ble Tribunal's order dated 12.01.2024, Joint inspection of M/s Saya Zion Society (Promoters M/s Saya Buildcon Consortium Pvt Ltd), Plot No. GC-06/2/GH-01, Sector-4, Gaur City-1, Greater Noida, District – Gautam Budh Nagar was carried out on dated 14.02.2024 by the Joint Committee comprising of following officials:

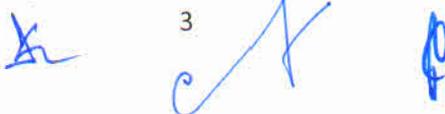
- a. Atul Kumar, Additional District Magistrate (F/R), Gautambuddh Nagar.
- b. Vishu Raja, OSD (Health), Greater Noida Industrial Development Authority, Greater Noida.
- c. Deo Kumar Gupta, Regional Officer, U.P. Pollution Control Board, Greater Noida

During inspection, it was informed by the complainant to the Joint Committee that municipal solid waste generated from said project is being dumped in basement of said project, which is the main cause of foul smell.

The Joint committee inspected the site in question in presence of applicant Mr. Vinay Dixit. Main observations of the Joint Committee are as follows: -

- i. Project has installed Organic Waste Converter (OWC) Machine for processing and disposal of municipal solid waste generated from said project in basement, which is not being operated by the said project.
- ii. It was found that no electricity connection is provided to OWC machine and OWC machine is kept in useless condition.
- iii. It was observed by the committee that no dumping of MSW is being done in basement or other area in said project.
- iv. No garbage was found in dedicated temporary storage of MSW storage room.
- v. Foul smell was observed by the committee.
- vi. Municipal solid waste generated from project is being disposed of through private vendor M/s Om enterprises, Tulsi Vihar, Dadri, Gautam Buddha Nagar (Proprietor Sri Vipin Nagar, Mob. No. 9871612906), copy of agreement is not provided by the project.
- vii. Project proponent has not provided logbook of OWC operations, daily electricity consumption of OWC, consumption of anti smell chemicals and copy of approved map by GNIDA with location of OWC.

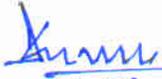
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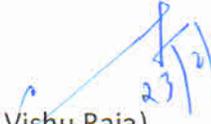


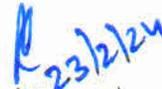
- Photographs taken during inspection are annexed as **(Annexure-1)**.
- In view of above shortcomings observed by the Joint Committee, Regional Officer, UPPCB, Greater Noida (nodal agency) issued notice to the said project, vide letter dated 16.02.2024, copy of same is annexed as **(Annexure-2)**.
- As per information provided by Greater Noida Industrial Development Authority, penalty of Rs 20,200/- has been imposed against project proponent for unsafe/unauthorized disposal of MSW, vide letter dated 23.02.2023, copy of same is annexed as **(Annexure-3)**.
- In compliance of notice issued by UPPCB on dated 16.02.2024, no reply is received from project proponent till date.

In view of above, the Joint Committee observed the shortcoming as mentioned above and action has been initiated by following due process of law.

Report is being submitted for kind perusal and consideration please.


23.02.24
(Deo Kumar Gupta)
Regional Officer,
U.P. Pollution Control
Board, Greater Noida


23/2/24
(Vishu Raja)
OSD (Health)
Greater Noida Industrial
Development Authority.


23/2/24
(Atul Kumar)
Additional District
Magistrate (F/R),
Gautambuddh Nagar.

Photographs taken during joint inspection of M/s Saya Zion Society (Promoters M/s Saya Buildcon Consortium Pvt Ltd), Plot No. GC-06/2/GH-01, Sector-4, Gaur City-1, Greater Noida, Gautam Buddha Nagar on dated 14.02.2024.





14 क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, ग्रेटर नोएडा

Annexure-2

ए-1, प्रथम तल, कॉमर्शियल काम्प्लेक्स, बीटा-2, ग्रेटर नोएडा, गौतमबुद्धनगर
ई-मेल : rogreaternoida@uppcb.in, फोन/फैक्स- 0120-4259329

दिनांक : 16/2/24

सन्दर्भ संख्या : 1368 /NGT-74/24
सेवा में

मेसर्स साया जियोन (पगोट-मेसर्स साया विल्डकॉन कन्सोर्टियम प्रा0लि0).
प्लॉट नं0- जीसी-06/2/जीएच-01, सेक्टर- 4, गौर सिटी,
ग्रेटर नोएडा वेस्ट, गौतमबुद्धनगर।
विषय मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या 667/2023 विनय दीक्षित वनाम
स्टेट ऑफ उत्तर प्रदेश व अन्य में पारित ओदश दिनांक 12.01.2024 के अनुपालन के सम्बन्ध में।
महोदय,

कृपया उपरोक्त विषय का संदर्भ ग्रहण करने का कष्ट करें। तत्कम में आप अवगत है कि आपकी परियोजना से जनित ठोस अपशिष्ट का निस्तारण उचित रूप से नहीं किये जाने के सम्बन्ध में मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में ओ0ए0 संख्या 667/2023 योजित है। मा0 राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश दिनांक 12.01.2024 के अनुपालन में परियोजना का स्थलीय निरीक्षण किये जाने हेतु कार्यालय जिलाधिकारी, गौतमबुद्धनगर के पत्रांक 1290/एन0जी0टी0-54/ओ0ए0 नं0- 667/2023 दिनांक 29.01.2024 द्वारा संयुक्त टीम का गठन किया गया। तदोपरान्त गठित संयुक्त टीम द्वारा परियोजना का निरीक्षण दिनांक 14.02.2024 को शिकायतकर्ता एवं परियोजना प्रतिनिधि की उपस्थिति में किया गया। निरीक्षण के समय परियोजना में स्थापित OWC (Organic Waste Converter) मशीन संचालित नहीं पायी गयी। निरीक्षण के समय परियोजना प्रतिनिधि द्वारा अवगत कराया गया कि OWC मशीन में कुछ तकनीकी खराबी होने के कारण विगत 01 माह से संचालित नहीं है। परियोजना प्रतिनिधि द्वारा यह भी अवगत कराया गया कि परियोजना से जनित ठोस अपशिष्ट को बाह्य संस्था द्वारा ट्राली से स्थानान्तरित कर परियोजना परिसर के बाहर निस्तारित किया जाता है। निरीक्षण के दौरान परियोजना में पायी गयी कमियों के निराकरण हेतु निम्न बिन्दु के अनुपालन हेतु निर्देशित किया जाता है:-

- परियोजना द्वारा OWC (Organic Waste Converter) मशीन का संचालन सुचारु रूप से किया जाये तथा उक्त के संचालन सम्बन्धी लॉगबुक मेन्टेन की जाये।
- परियोजना में OWC मशीन की स्थापना, परियोजना से जनित ठोस अपशिष्ट का भंडारण एवं संग्रहण का कार्य ग्रेटर नोएडा औद्योगिक विकास प्राधिकरण द्वारा स्वीकृत मैप में चिह्नित स्थल पर ही किया जाये।
- परियोजना के OWC सेक्शन में एन्टी स्मेल केमिकल्स का नियमित छिड़काव सुनिश्चित किया जाये, जिससे की OWC सेक्शन में दुर्गंध की समस्या न रहे।
- परियोजना से जनित नगरीय ठोस अपशिष्ट के पृथक्कीकरण के पश्चात विभिन्न प्रकार के पृथक्कीकृत अपशिष्टों की मात्रा का उल्लेख करते हुये लॉगबुक तैयार किया जाये तथा उसका निस्तारण अधिकृत संस्था से ही किया जाये।

उपरोक्त बिन्दुओं की अनुपालन आख्या पत्र प्राप्ति के एक सप्ताह के अन्दर इस कार्यालय को प्रेषित किया जाना सुनिश्चित करें। अन्यथा की स्थिति में परियोजना के विरुद्ध नियमानुसार कार्यवाही प्रारम्भ किये जाने की संस्तुति बोर्ड मुख्यालय प्रेषित कर दी जायेगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं उद्योग के उत्तरदायी पदाधिकारियों का होगा।

भवदीय

Kumar
16.02.24
(डी0के0 गुप्ता)

de क्षेत्रीय अधिकारी

प्रतिलिपि: निम्नलिखित को सूचनार्थ सादर प्रेषित।

1. अपर मुख्य कार्यालयपालक अधिकारी, ग्रेटर नोएडा औद्योगिक विकास प्राधिकरण, ग्रेटर नोएडा।
2. अपर जिलाधिकारी (वि0/रा0), गौतमबुद्धनगर।
3. मुख्य पर्यावरण अधिकारी, वृत्त-1, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।

Kumar
16.02.24
de क्षेत्रीय अधिकारी



Annexure-3

Greater Noida Industrial Development Authority

Plot No. 1, Knowledge Park-IV, Greater Noida-201301

2404

CHALLAN / FINE RECEIPT

49

Challan No.

Book No.

In compliance with Solid Waste (Management and Handling) Rules, 2016

Date of Inspection : 23/02/2024

Time :

Name of Defaulter : Saya Zone GH Society,

Address : Gaur City, Greater Noida West

S.No.	Particulars	Violation Details & Description	Fine Imposed (In Rs.)
1.	Failure to deal with Sanitary Waste.	2.1	200.00
2.	Failure to deal with Bulk Waste in accordance with the rule	3.2 (C)	20,000.00
Total			20200.00/-
Total Amount (In Figure) : Rs. 20,200/-			
Total Amount (In Words) : Twenty thousand two hundred only			

Signature of Recipient

Inspected By :
(Name & Signature)**Note :**

- Challan payment can be made either by cash/cheque/demand draft in favour of Greater Noida Industrial Development Authority payable at Greater Noida. A/c No.: 50100310065601, Account Name : GNIDA Coll Account, IFSC Code: HDFC0000278.
- Payment to be deposited within 3 working days else FIR shall be filled against the defaulter.
- Any mishandling or misleading the team will further be severely prosecuted as per IPC Act.
- Fines shall increase 2X times of every next offence.

mohd sibtan

S.No.	Sub Cl.	Spot Fine Category				GNIDA (Rs.)
1	Failure to Segregate and hand over non-segregated waste					
	1.1	Residential				
		Upto 50 Sq. Mt.	Between 51 - 300 Sq. Mt.	Above 300 Sq. Mt.		
		100.00	500.00	1,000.00		
	1.2	Marriage/Party Halls, Festival Halls, Party Lawns, Exhibition and fairs				
	a)	Area Less than 500 Sq. Mt.				10,000.00
	b)	Area equal or more than 5000 Sq. Mt.				20,000.00
	1.3	Clubs, Cinema halls, Pubs, Community Halls, Multiplexes				
	a)	Area Less than 5000 Sq. Mt.				10,000.00
	b)	Area equal or more than 5000 Sq. Mt.				20,000.00
	1.4	Non-residential (Other than above category)				
	a)	Area less than 100 Sq. Mt.				500.00
	b)	Area equal or more than 100 Sq. Mt.				1,000.00
2	Failure to deal with Sanitary Waste (Like Sanitary, Napkins, Baby Diapers, Adult Diapers etc.)					
	2.1	Residential				200.00
	2.2	Non-residential				1,000.00
3	Failure to deal with bulk waste in accordance with the rule (Waste Segregation, Disposal, Processing, Li)					
	3.1	Resident Welfare Association, Gated Community, Cooperative Society				10,000.00
	3.2	Builder Society (Society developed by Private Developers/Builders)				
	a)	Society having Upto 100 Flats				5,000.00
	b)	Society having 100 to 500 Flats				10,000.00
	c)	Society having 501 to 1000 Flats				20,000.00
		Society having more than 1000 Flats				25,000.00
	3.3	Market Association				20,000.00
	3.4	Institution				20,000.00
	3.5	Hotel				
	a)	Unstar Hotel	3 Star Hotel	4 Star Hotel	5 Star Hotel	7 Star Hotel
	b)	5,000.00	10,000.00	25,000.00	50,000.00	1,00,000.00
	3.5	Restaurant				
	a)	Upto 25 seats (sitting capacity)				2,500.00
	b)	Above 25 seats (sitting capacity)				5,000.00
	3.7	Hostel				
	a)	upto 25 Beds				1,000.00
	b)	Rooms between 26 to 200 Beds				5,000.00
	c)	Room above 200 Beds				10,000.00
	3.8	Street vendors who do not use garbage containers/Street vendor failing to deal with waste in accordance with the rule				200.00
	3.9	Non-licensable trade shops/ten shops/street hawkers/Kiosks not using garbage containers				200.00
	3.10	Commercial Establishments, Shops, eating places (Sweet Shop/Coffee house etc) not using proper garbage containers				1,000.00
	3.11	Industrial Units (shall include MSME/workshops/service centres/factories etc.) not handling waste as per SWM rules 2016				
		Area upto 500 Sq. Mt.	Area between 501 Sq. Mt. to 4000 Sq. Mt.	Area between 4001 Sq. Mt. to 20000 Sq. Mt.	Area Above 20000 Sq. Mt.	
		5,000.00	10,000.00	20,000.00	50,000.00	
	3.12	Selling or Marketing of disposable products without a system of collecting back the packing waste generated due their production system of collecting back the packing waste generated due to their production				
	a)	Manufacturer and/or Brand Owner				1,00,000.00
	3.13	Godowns/ Ware house/ Cold Storage (Non-hazardous/Sports Club/Parking Stands etc. not handling waste as per SWM rules 2016)				
	a)	Upto 100 Sq. Mt.				10,000.00
	c)	Above 100 Sq. Mt.				50,000.00
	3.14	Spiritual Centres (Any religion)				5,000.00
4	Failure to deal with Construction and Demolition waste					
	4.1	Residential / Individuals				1,000.00
	4.2	Non-residential				2,000.00
	4.3	Construction Sites (Developed by Builders/Developers)				25,000.00
5	Open burning of solid waste					5,000.00
6	Littering					
	6.1	Dumping and littering in any public place and other assets of council such as drain footpath, road, park etc. meant for public utility				500.00
	6.2	Disposing waste outside the storage containers				1,000.00
7	Open Defecation, Urination and Spitting					
	7.1	Spitting, urinating and defecation in public spaces				
	a)	Open Defecation	Open Urination	Open Spitting		
	b)	200.00	100.00	50.00		

Note: Above spot fines will be imposed, if offence is being done by waste generator for the first time. On every repeated offence found the spot fine will be doubled. In case of S. No. 4, sub clause No. 4.3, every repeated offence will be charged four (4) times of the previous fine imposed.