

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

O.A. No. 298 of 2022

IN THE MATTER OF:

Mansi Chahal

...Applicant

Versus

Govt. of NCT of Delhi & Ors.

...Respondents

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(P.K. Mishra)
Scientist-E

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

Place: Delhi
Date: 09.11.2022

JOINT INSPECTION REPORT

IN COMPLIANCE OF

HON'BLE NATIONAL GREEN TRIBUNAL

ORDER DATED 28th APRIL, 2022

IN

ORIGINAL APPLICATION NO 298 / 2022

TITLED

MANSI CHAHAL

VS

GOVERNMENT OF NCT OF DELHI & ORS

1. Introduction

Hon'ble National Green Tribunal (PB) in O.A. No. 298 of 2022; Mansi Chahal vs Government of NCT of Delhi & Ors vide order dated 28.04.2022 directed as follows:

"...Para 3: In view of above, we consider it appropriate to verify the allegations independently through a joint Committee of CPCB, DPCC and UPPCB. CPCB shall be the nodal agency for coordination and compliance. If any violations are found, the joint Committee may put the PP to notice of these proceedings to enable it to file its response before the next date.

Para 4: An action taken report may be furnished to the Tribunal by the Committee within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF..."

A Copy of Hon'ble Tribunal's order dated 28.04.2022 is enclosed as Annexure I.

2. Compliance to the directions of NGT

For ensuring compliance to Hon'ble Tribunal's order dated 28.4.2022, Central Pollution Control Board vide letter dated 16.6.2022 requested Delhi Pollution Control Committee and Uttar Pradesh Pollution Control Board to nominate an official to represent in the joint committee. Further, DPCC nominated Dr. Siddhartha Gautam, EE, DPCC and UPPCB nominated Sh. Utsav Sharma, RO, Ghaziabad, UPPCB as representatives in Joint Committee constituted by Hon'ble NGT.

The main allegation against M/s T&T Group in the complaint made in Hon'ble Tribunal is with regards to using NGT's ban on construction as a tag line in advertisement, operating the project without obtaining requisite permissions under Air (Protection and Control of Pollution) Act, 1981 and the Water (Protection and Control of Pollution) Act, 1974 and extracting ground water. The Joint Committee inspected the Siddharth Vihar area of Ghaziabad on

10.08.2022 where M/s T&T Group is developing Group Housing Societies on five different plots, namely SP-03, SP-07, SP-06, SP-05 and GH-01. Out of these five plots, plot numbers SP-03, SP-05, SP-07 and SP-06 are plots of Co-operative Societies and GH-01 is a LLP project.

As per project proponent, the said advertisement was made for plot number SP-03 where construction of three towers out of proposed six towers has been completed and project proponent has applied for Completion certificate from UP Aawas Vikas Parishad for two towers. STP of 356 KLD has also been installed on said site but occupancy has not been given yet. Project proponent has obtained environmental clearance and Consent to Establish for said site.

Further, inspection of other four sites being developed by M/s T&T group in Siddharth Vihar was also carried out by the Joint Committee. Out of remaining four sites, construction work was found to be ongoing on only one site, i.e. GH-01 and construction work is yet to begin on site at plot numbers SP-05, SP-06 and SP-07. Compliance status with respect to Environmental Clearance and Consent to Establish are summarized as below:

S.N O	Project	Project Start date	Status of Operation	EC letter	CTE
1	SP-03	07/10/2019	Finish Work Block A,B and E	Ref no. 285/parya/SE AC/3911/2017 dated 31/03/2018	Ref No. 32255/UPPCB/Ghaziabad (UPPCBRO)/CTE/Ghazi abad/2018 Dated:27.9.2019 Validity:18.7.2019- 17.7.2023
2.	GH-01	2022	Under Construction	Ref 145/parya/SE AC/4067/2018 dated 11/06/2018	Ref no. 15661//UPPCB/Ghaziaba d(UPPCBRO)/CTE/Ghazi abad/2022 Dated:8.7.2022 Validity:2.6.2022-1.6.2027

S.N O	Project	Project Start date	Status of Operation	EC letter	CTE
3	SP-07	Not Start yet	Not Start yet	EC Identification No. EC22B038UP13 4288 dated 07/07/2022	Ref no. 160582/UPPCB/Ghaziaba d(UPPCBRO)/CTE/Ghazi abad/2022 Dated:5.8.2022 Validity:5.8.2022 - 4.8.2027
4	SP-06	10/04/2022	PCC Working	Ref 282/parya/SE AC/3912/2017 dated 31/03/2018	Ref no. 20874//UPPCB/Ghaziaba d(UPPCBRO)/CTE/Ghazi abad/2018 Dated:4.1.2019 Validity:10.12.18-9.12.2023
5	SP-05	Not Start yet	Not Start yet	EC Identification No. EC22B038UP19 2605 dated 07/07/2022	Ref no. 160553/UPPCB/Ghaziaba d(UPPCBRO)/CTE/Ghazi abad/2022 Dated:11.8.2022 Validity:5.8.2022 - 4.8.2027

Observations made during the joint inspection are as follows:

- i. As stated earlier, Out of the above sited five projects, construction of three towers out of proposed five has been done at only 01 site (SP-03). Construction work is yet to be initiated for three projects viz. SP-05, SP-06 and SP-07. Construction work is under process in one site i.e. GH-01.
- ii. M/s T and T Infrazone Pvt Ltd has obtained Consent to Establish for all five projects from Uttar Pradesh Control Board.
- iii. Environmental clearance (EC) was obtained for all five projects from State Level Environmental Impact Assessment Authority, Directorate of Environment, Uttar Pradesh.

- iv. During the visit, no ongoing construction work was observed, however labour settlement was found at one site (SP-07) wherein facility of sewerage management was absent.
- v. Treated wastewater from STP being used for the purpose of construction at site GH-01 and SP-03. The copy of MoU with UP Jal Nigam and records of Log book is attached as Annexure-II. No borewells were found on plot numbers GH -01 and SP -03.
- vi. As per the documents provided by project proponent, construction activity remained closed at the project site (SP-03) as per NGT directions and Covid Guidelines:

S.No	Order	Period
a)	Directions of Hon'ble NGT	09.11.2019 to 09.12.2019
b)	As per Guidelines during COVID	21.03.2020 to 08.06.2020
c)	Directions of Hon'ble NGT	04.11.2020 to 21.12.2020
d)	Directions of Hon'ble NGT / Supreme Court	16.11.2021 to 20.12.2021

3. Recommendations

- i) In case of plot number SP-03, where application for completion certificate has been made for two projects the Project Proponent should obtain Consent to Operate under the provisions of Air (Protection and Control of Pollution) Act, 1981 and the Water (Protection and Control of Pollution) Act, 1974 before generating any third-party rights with regards to giving physical possession of flats.
- ii) Project proponent should ensure adequate treatment and disposal of sewage generated from labour hutment at Plot No. SP - 07.


 Utsav Sharma
 Regional Officer, UPPCB
 Ghaziabad


 Dr. Siddhartha Gautam,
 Environmental Engineer,
 DPCC


 Vishal Gandhi
 Scientist 'D'
 CPCB, New Delhi

Item No. 02

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 298/2022

Mansi Chahal

Applicant

Versus

Government of NCT of Delhi & Ors.

Respondent(s)

Date of hearing: 28.04.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Mansi Chahal, Advocate

ORDER

1. Grievance in this application is against violation of environmental norms by respondent no. 6, T&T Group, Noida, engaged in construction of building projects at Siddhartha Vihar, Ghaziabad, the Project Proponent (PP). It is stated that the PP has put up 50 boards in NCR, as follows:-

*“DESPITE 1 GLOBAL CRISIS
DESPITE 2 COVID LOCKDOWNS
DESPITE 3 NGT BANS ON CONSTRUCTION”*

2. The PP is operating without requisite consents under the Air (Protection and Control of Pollution) Act, 1981 and the Water (Protection and Control of Pollution) Act, 1974 and also extracting groundwater without any permission.

3. In view of above, we consider it appropriate to verify the allegations independently through a joint Committee of CPCB, DPCC and UPPCB.

CPCB shall be the nodal agency for coordination and compliance. If any violations are found, the joint Committee may put the PP to notice of these proceedings to enable it to file its response before the next date.

4. An action taken report may be furnished to the Tribunal by the Committee within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration on 27.07.2022.

A copy of this order be forwarded to CPCB, DPCC and UPPCB for compliance.

The applicant may serve a set of papers to CPCB, DPCC and UPPCB and file an affidavit of service within one week.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

April 28, 2022
O.A. No. 298/2022
AVT



गाजियाबाद विकास प्राधिकरण
विकास मंत्र, गाजियाबाद
19090001 301120 19090001 301120

पत्रांक: /4/ई0ई0जोन-6/2022-23

दिनांक

सेवा में
मैसर्स कंटेनरटी0 कन्सो प्रा0लि0,
प्लॉट नं0-8/जी0एच0-1 सी0-8, Eutopia site,
सिद्धार्थ विहार, गाजियाबाद।

विश्व-इन्दिरापुरम योजना में निर्मित ट्रीटमेंट प्लांट से शोधित वाटर लेने के सम्बन्ध में।

प्रतिदय
उपरोक्त विषयक आपके पत्र दिनांक 12.04.2022 का संदर्भ ग्रहण करने का कष्ट करे जी इन्दिरापुरम
योजना में निर्मित सीवरेंज ट्रीटमेंट प्लांट से प्लॉट नं0-8/जी0एच0-1 सी0-8, Eutopia site, सिद्धार्थ
विहार, गाजियाबाद पर निर्माण कार्य हेतु शोधित वाटर लेने के सम्बन्ध में है। आपके द्वारा इन्दिरापुरम
योजना में प्राधिकरण द्वारा निर्मित किये गये सीवरेंज ट्रीटमेंट प्लांट से 25 किलोलीटर प्रतिदिन एक वर्ष
तक ट्रीटेंड पानी देने की अनुमति निम्न शर्तों के साथ प्रदान की जाती है:-

- 1- ट्रीटेंड पानी की दर रू0 5.00 प्रति किलोलीटर है।
- 2- यह पानी पीने योग्य नहीं है, प्रयोग में लाये जाने वाले टैंकर पर प्रदर्शित कराना आवश्यक होगा।
- 3- ट्रीटेंड पानी ले जाने हेतु वाटर टैंकर आप द्वारा स्वयं प्रयोग किया जायेगा।

अधिसासी अभियन्ता जोन-6

पत्रांक: 546/4/ई0ई0जोन-6/2022-23

दिनांक 20/4/2022

प्रतिलिपि- मैसर्स टेक्नोकाप्ट कन्सो प्रा0लि0 डी-27 सैक्टर-49 नौएडा, गौतमबुद्ध नगर को इस
आशय से कि उक्त फर्म को 25 किलोलीटर प्रतिदिन, एक वर्ष तक उपलब्ध कराने हेतु
सम्बन्धित को सूचित करने का कष्ट करे।

Atchully
अधिसासी अभियन्ता जोन-6

Aug-2022

S.No.	Date	Tanker NO.	Sig.
01	01/08/2022	UPI4 BM- 8959	Raj
02	01/08/2022	"	Raj
03	01/08/2022	"	Raj
04	01/08/2022	"	Raj
05	01/08/2022	"	Raj
06	02/08/2022	UPI4 BM- 8959	Raj
07	02/08/2022	"	Raj
08	02/08/2022	"	Raj
09	02/08/2022	"	Raj
10	02/08/2022	"	Raj
11	03/08/2022	UPI4 BM- 8959	Raj
12	03/08/2022	"	Raj
13	03/08/2022	"	Raj
14	03/08/2022	"	Raj
15	03/08/2022	"	Raj
16	04/08/2022	UPI4 BM- 8959	Raj
17	04/08/2022	"	Raj
18	04/08/2022	"	Raj
19	04/08/2022	"	Raj
20	04/08/2022	"	Raj
21	05/08/2022	UPI4 BM- 8959	Mritu
22	05/08/2022	"	Mritu
23	05/08/2022	"	Mritu
24	05/08/2022	"	Mritu
25	05/08/2022	"	Mritu
26	06/08/2022	UPI4 BM- 8959	Raj
27	06/08/2022	"	Raj
28	06/08/2022	"	Raj
29	06/08/2022	"	Raj

ST
to

AUGUST - Month

Date |

Page No. |

Date	Driver's No	Tractor Number	In Time	Out Time
1/08/22	Gopal	UP1622-8274	6:40	7:20
			7:55	8:23
			9:08	10:10
			10:40	11:18
			12:17	1:00
2/08/22	Gopal	UP1622-8274	7:10	8:00
			8:45	9:00
			9:43	10:04
			10:56	11:27
			12:25	1:10
3/08/22	Gopal	UP1622-8274	6:57	7:25
			8:00	8:42
			9:33	10:00
			10:49	11:22
			12:12	1:05
4/08/22	Gopal	UP1622-8274	7:05	7:45
			8:20	9:00
			9:47	10:15
			11:00	11:38
			12:19	1:00
5/08/22	Gopal	UP1622-8274	6:56	7:28
			8:12	9:00
			9:35	10:00
			10:38	11:10
			12:00	12:35

Date	Driver No.	Tractor Number	In Time	Out Time
06/08/22	Gopal	UP1620-8274	7:05	7:45
			8:25	9:00
			9:34	10:07
			10:55	11:27
			12:00	12:21
07/08/22	Gopal	UP1620-8274	6:48	7:21
			8:00	8:42
			9:30	10:00
			10:46	11:25
			12:38	1:00
8/08/22	Gopal	UP1620-8274	7:00	7:33
			8:28	9:05
			9:54	10:26
			11:13	12:00
			12:45	1:00
9/8/22	Gopal	UP1620-8274	7:10	7:47
			8:25	9:00
			9:49	10:28
			11:24	12:00
			12:05	1:00
10/8/22			6:55	7:10
			7:40	8:15
			9:00	9:33
			10:42	11:00
			11:48	12:00