

To,

The Consultant (Judicial),

National Green Tribunal

Principal Bench

New Delhi,

dated: 22/02/2022

Subject: Action Taken Report in compliance of order dated 22.10.2021 in the matter of O.A. No :909/2018 Confederation of Trans Hindan RWA's Ghaziabad Vs. U.P. State Pollution Control Board & Ors.

Dear Sir,

A detailed Action Taken Report in the above mentioned case is attached herewith.



(Dr. Rajneesh Dube)

Additional Chief Secretary,
Department of Urban Development,
Government of Uttar Pradesh,
Lucknow.

**REPORT OF URBAN DEVELOPMENT DEPARTMENT, GOVERNMENT OF U.P. IN
O.A. NO : 909/2018 CONFEDERATION OF TRANS HINDAN RWA'S GHAZIABAD VS.
U.P. STATE POLLUTION CONTROL BOARD & ORS.**

It is submitted that the subject matter for consideration before the Hon'ble Tribunal in present O.A. 909/2018 is related to scientifically managing the waste at Indirapuram, Vasundhara and Vaishali Ghaziabad, to prejudice of Rule of Law and the environment and public health. Hon'ble Tribunal in it's order dated 22.10.2021 in the said matter the directions were as *"... the Chief Secretary, Uttar Pradesh with the assistance of Additional Chief Secretary, Nagar Vikas, UP and/or any other authorities may review the situation within one month. Compensation payable in terms of orders of this Tribunal may be deposited with CPCB within one month which may be utilized for restoration of damage to the environment by preparing an appropriate action plan. The situation may be constantly reviewed preferably on daily basis for the next one month and at suitable intervals thereafter. The Additional Chief Secretary, Nagar Vikas, UP may file compliance status after coordinating with concerned authorities after three months. "*

1. In compliance of the orders of the Hon'ble Tribunal, the department of urban development, Govt. of U.P. has sought a status report from the Municipal Commissioner Ghaziabad Municipal Corporation. The status report is attached here with as **Annexure-1**.

The Summary of action taken on the directions given by Hon'ble Tribunal are tabulated as under:

Reference: Directions given in the order dated 22.10.2021	Compliance
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Accordingly, the Chief Secretary, Uttar Pradesh with the assistance of Additional Chief Secretary, Nagar Vikas, UP and/or any other authorities may review the situation within one month. Compensation payable in terms of orders of this Tribunal may be deposited with CPCB within one month which may be utilized for restoration of damage to the environment by preparing an appropriate action plan. The situation may be constantly reviewed preferably on daily basis for the next one month and at suitable intervals thereafter. The Additional Chief Secretary, Nagar Vikas, UP may file compliance status after coordinating with concerned authorities after three months. Pending assessment quantification of compensation, the Ghaziabad Nagar Nigam may deposit interim compensation of Rs. 1 crore with the CPCB within 15 days, to be utilized for restoration of the

- The bio-remediation of legacy waste present at Indirapuram Site has been completed and Site cleared.
- It is to mention that the approx. 55% of the legacy waste remediation at Pratap Vihar Site is completed and it is aimed to achieve 100% clearance by April 2022.
- In regards to the environment compensation of rupees 1Cr. imposed by Hon'ble NGT, it is to submit that the Municipal Corporation, Ghaziabad has obtained a stay order from Hon'ble Supreme Court in Civil Appeal No 7916/2021 vide it's order Dated: 10.01.2022.

<p>environment. The Nigam is free to recover the amount out of the salary of erring officers.</p>	
<p>In the micro shed level planning, it should be a mandate to do the real time monitoring of drains major polluting source points. It will not only be beneficial in accessing the actual quality and quantity of the sewage flowing into the river from a particular drain but also help in the infrastructure planning and development on the drains in future.</p>	<p>The Municipal Corporation Ghaziabad has started the in-situ Bio/Phyto remediation of the drains as directed by the Hon'ble Tribunal. The list of drains are as under:</p> <ol style="list-style-type: none"> 1. Karhera Drain 2. HindonVihar drain 3. Kaila Bhatta Drain 4. Arthala Drain 5. Sarvodaya Nagar Drain 6. Rahul Vihar Drain 7. Indrapuran Drain 8. Dasna Drain 9. Nandgram Petrol Pump Drain 10. City Forest Main Gate Drain. <p>A total of 33 places have been marked on the above 10 drains for the work of Bio-remediation and Phyto Remediation in a manner so that the water quality of the drain</p>

	is maintained as per norms. All activities are being monitored regularly in association with the RO of UPPCB by the concerned officials of Municipal Corporation, Ghaziabad.
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The report is being submitted for perusal please.



(Dr. Rajneesh Dube)

**Additional Chief Secretary,
Department of Urban Development, Govt. of UP**



गाजियाबाद नगर निगम

-----ODF++ City

प्रेषक,

नगर आयुक्त,
नगर निगम गाजियाबाद।

सेवा में,

राज्य मिशन निदेशक,
स्वच्छ भारत मिशन-नगरीय,
राज्य मिशन निदेशालय
सेक्टर-7, गोमती नगर विस्तार, लखनऊ।

पत्रांक-1312/न.आ./कैम्प/2021-22

दिनांक: 19/02/2022

विषय:- मा0 राष्ट्रीय हरित अधिकरण में लम्बित वार्द ओ0ए0 संख्या-909/2018 कन्फेडरेशन ऑफ ट्रान्स हिण्डन रेजीडेन्ट्स वेलफेयर एसो0 व अन्य में पारित आदेश दिनांक 22.10.2021 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक कार्यालय पत्रांक संख्या पी.एम.यू./5037/429(14)/20-21 लखनऊ दिनांक 31.01.2022 एवं एन. जी.टी.-20/81-7-2022-01(रिट)/2019 लखनऊ दिनांक 04 फरवरी, 2022 का सन्दर्भ ग्रहण करने का कष्ट करें। मा0 राष्ट्रीय हरित अधिकरण द्वारा दिये गये आदेश के अनुपालन में वर्तमान में इन्दिरापुरम स्थित डम्पिंग ग्राउण्ड का बायोरेमीडेशन का कार्य दिसम्बर 2021 में शत-प्रतिशत पूर्ण करा लिया गया है तथा प्रताप विहार में 50-55 प्रतिशत कार्य पूर्ण हो गया है तथा शेष कार्य 30 अप्रैल 2022 तक पूर्ण कराया जाना सम्भावित है। कार्य की अद्यतन स्थिति का विस्तृत विवरण साथ संलग्न है।

उपरोक्त के अतिरिक्त यह भी अवगत कराना है कि मा0 अधिकरण के आदेश दिनांक 22.10.2021 में नगर निगम पर अधिरोपित 1 करोड़ रुपये की पर्यावरण क्षतिपूर्ति जुर्माने के विरुद्ध नगर निगम गाजियाबाद द्वारा मा0 उच्चतम न्यायालय में सिविल अपील संख्या-7916/2021, म्युनिसिपल कॉर्पोरेशन गाजियाबाद बनाम केन्द्रीय पॉल्यूशन कन्ट्रोल बोर्ड एवं अन्य योजित की गयी जिसमें सुनवाई करते हुये दिनांक-10.01.2022 को मा0 उच्चतम न्यायालय द्वारा 1 करोड़ ₹0 के पर्यावरण क्षतिपूर्ति जुर्माने को स्टे कर दिया गया है तथा ओवर साईट कमेटी के अध्यक्ष न्यायाधीश श्री एस0वी0एस0 राठौड़ इलाहाबाद हाई कोर्ट द्वारा दिनांक 21.12.2021 को लिगेसी वेस्ट साईट के निरीक्षण के दौरान गाजियाबाद नगर निगम द्वारा कराये जा रहे बायोरेमिडेशन के कार्यों को सन्तोषजनक पाये जाने पर मा0 अधिकरण के समक्ष अपनी रिपोर्ट प्रेषित की गयी, प्रताप विहार स्थित लिगेसी वेस्ट साईट पर बायोरेमिडेशन का कार्य प्रगति पर है, जिसे अप्रैल 2022 तक पूर्ण कराये जाने हेतु नगर निगम पूर्ण रूप से प्रयासरत है। उक्त वर्णित दोनो लिगेसी वेस्ट साईट पर कराये गये जा रहे कार्यों की अद्यतन स्थिति के स्थलीय फोटोग्राफ अवलोकनार्थ संलग्न है। कृपया उपरोक्त के सम्बन्ध में आख्या सादर अवलोकनार्थ प्रस्तुत है।

संलग्न:-यथोक्त।

(महेन्द्र सिंह त्वर)

आई.ए.एस.

नगर आयुक्त

गाजियाबाद नगर निगम।

प्रतिलिपि:

1. अपर मुख्य सचिव, नगर विकास विभाग, उ0प्र0 शासन लखनऊ।
2. पर्यावरण वन एवं जलवायु परिवर्तन विभाग उ0प्र0 सरकार।

नगर आयुक्त
गाजियाबाद नगर निगम।

मा0 राष्ट्रीय हरित अधिकरण में लम्बित वाद ओ0ए0 संख्या-909/2018 कन्फेडरेशन ऑफ ट्रान्स हिण्डन रेजीडेन्ट्स वेलफेयर एसो0 व अन्य में पारित आदेश दिनांक 22.10.2021 के अनुपालन के सम्बन्ध में।

क्रमांक	वाद बिन्दु/Issues	Compliance
1	<p>Accordingly, the Chief Secretary, Uttar Pradesh with the assistance of Additional Chief Secretary, Nagar Vikas, UP and/or any other authorities may review the situation within one month. Compensation payable in terms of orders of this Tribunal may be deposited with CPCB within one month which may be utilized for restoration of damage to the environment by preparing an appropriate action plan. The situation may be constantly reviewed preferably on daily basis for the next one month and at suitable intervals thereafter. The Additional Chief Secretary, Nagar Vikas, UP may file compliance status after coordinating with concerned authorities after three months. Pending assessment quantification of compensation, the Ghaziabad Nagar Nigam may deposit interim compensation of Rs. 1 crore with the CPCB within 15 days, to be utilised for restoration of the environment. The Nigam is free to recover the amount out of the salary of erring officers.</p>	<ul style="list-style-type: none"> ● In the compliance of order passed by NGT the bio-remediation work at indirapuram site has been completed in December 2021. ● As per the legacy waste at pratap vihar is concerned the GNN has complete 50-55 % work at the site and remain will be completed by 30th April 2022. ● As per the environment compensation of rupees 1 cr imposed by Hon ble NGT is concern it is pertinent to mention here that the GNN challenged the aforesaid EC at Supreme Court vide civil appeal no 7916/2021 Municipal corporation Ghaziabad versus CPCB & othrs and the supreme court stay the 1 cr EC by order Dated 10-01-2022.
2	<p>In the micro shed level planning, it should be a mandate to do the real time monitoring of drains major polluting source points. It will not only be beneficial in accessing the actual quality and quantity of the sewage flowing into the river from a particular drain but also help in the infrastructure planning and development on the drains in future.</p>	<ul style="list-style-type: none"> ● Ghaziabad Nagar Nigam identified the 10 drains for bioremediation & phytoremediation which are as follows <ol style="list-style-type: none"> 1. Karhera Drain 2. Hindon Vihar drain 3. Kaila Bhatta Drain 4. Arthala Drain 5. Sarvodaya Nagar Drain 6. Rahul Vihar Drain 7. Indrapuran Drain 8. Dasna Drain 9. Nandgram Petrol Pump Drain 10. City Forest Main Gate Drain.

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		<ul style="list-style-type: none">• Total 33 sites /places selected amongst the aforesaid 10 drains in which bioremediation & phytoremediation work is on progress and the Regional Officer UPPCB also evaluate the progress of work.• The bioremediation/phytoremediation lab are also in working, the uglin & bioreactors will also starting soon. The departmental report is annexed here with for your perusal.
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TEM NO.9

Court 7 (Video Conferencing)

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 7916/2021

MUNICIPAL CORPORATION GHAZIABAD

Appellant(s)

VERSUS

CENTRAL POLLUTION CONTROL BOARD & ORS.

Respondent(s)

(IA No.170241/2021-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.170240/2021-EX-PARTE STAY)

Date : 10-01-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE KRISHNA MURARI

For Appellant(s) Mrs. Niranjana Singh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Application for exemption from filing certified copy
of the impugned judgment is allowed.

Issue notice.

In the meantime, the penalty imposed by the National
Green Tribunal shall remain stayed.

(ANITA MALHOTRA)
COURT MASTER

(KAMLESH RAWAT)
COURT MASTER

Digitally Verified
Date: 2022/01/11
10:55:48 AM
Reason: [illegible]



Ghaziabad, Uttar Pradesh, India

ROSE TOWER, FRAGRANCE SIDDHARTH VIHAR, sector-3, Siddharth Vihar, Pratap Vihar, Ghaziabad, Uttar Pradesh 201009, India

Lat N 28° 39' 4.3632"

Long E 77° 23' 43.2816"

01/01/22 15:30



Mahiuddin Pur Kanawni, Uttar Pradesh, India

Unnamed Road, Pratap Vihar, Mahiuddin Pur Kanawni, Uttar Pradesh 201009, India

Lat N 28° 39' 8.4024"

Long E 77° 23' 43.0224"

25/12/21 11:47



Mahiuddin Pur Kanawni, Uttar Pradesh, India

Unnamed Road, Pratap Vihar, Mahiuddin Pur Kanawni, Uttar Pradesh 201009, India

Lat N 28° 39' 4.0824"

Long E 77° 23' 40.9272"

01/01/22 15:34



Ghaziabad, Uttar Pradesh, India

ROSE TOWER, FRAGRANCE SIDDHARTH VIHAR, sector-3, Siddharth Vihar, Pratap Vihar, Ghaziabad, Uttar Pradesh 201009, India

Lat N 28° 39' 4.23"

Long E 77° 23' 43.4904"

01/01/22 15:30