

REPORT OF THE OVERSIGHT COMMITTEE, NGT, U.P, LUCKNOW

IN THE MATTER OF:-

ORIGINAL APPLICATION NO. 889/2019

RESIDENTS OF ANTRIKISH KANBALL 3G, SECTOR-77, NOIDA

VERSUS

STATE OF UTTAR PRADESH & ORS.

INDEX

Sl. No.	Particulars	Page No.
1.	REPORT OF OVERSIGHT COMMITTEE	1-8
2.	Annexure - I	9-70
3.	Annexure - II	71
4.	Annexure - III	72-73
5.	Annexure - IV	74-77
6.	Annexure - V	78-119

**REPORT OF NGT OVERSIGHT COMMITTEE, UP LUCKNOW REGARDING O.A. NO.
889/2019 IN RE: RESIDENTS OF ANTARIKSH KANBALL, 3G SECTOR 77, NOIDA VERSUS
STATE OF UTTAR PRADESH AND OTHERS**

I. INTRODUCTION

The issue for consideration is the remedial action against violation of environmental norms by the project proponent of housing project M/s Antrikish Kanball 3G, Sector 77, NOIDA by discharging effluents in green belt and storm water drain and also extracting ground water illegally.

II. ORDERS PASSED BY HON'BLE NGT IN O.A 889/2019

In this matter, vide order dated 11.02.2020, the Tribunal noted that untreated sewage was being unscientifically discharged in violation of environmental norms and two tube-wells were operational without lawful permission. The Tribunal observed:

"The State PCB needs to take further action for stopping illegality and recovering the assessed environment compensation by using coercive measures, including black listing and seizing assets of the project proponent. Ample powers are available for the purpose under Section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981, which need to be invoked. It is also open to the State PCB to take assistance of any other public authority, including the concerned District Magistrate or the Noida Authority for enforcing the law and environmental rights of the affected parties".

The Tribunal directed action taken report to be furnished by the State PCB. Accordingly, further status reports were filed on 21.05.2020 and 17.06.2020 by the State PCB to the effect that prosecution has been initiated and request has been

sent to the District Magistrate, Gautam Budh Nagar and the Chief Executive Officer, NOIDA to take action.

Vide order dated 07.08.2020, Hon'ble NGT observed that "it is clear that despite violation of the environmental laws, no effective steps are being taken. Learned counsel for the State PCB stated that action is to be taken by the District Magistrate, Gautam Budh Nagar and Chief Executive Officer, NOIDA. Thus, in view of the above, the Tribunal directed DM, Gautam Budh Nagar and Chief Executive Officer, NOIDA to file an action taken reports in matter before the next date". Further, the Tribunal asked this Oversight Committee to oversee the action taken in the matter.

III. MINUTES OF MEETINGS HELD BY OVERSIGHT COMMITTEE REGARDING O.A 889/2019

The Committee reviewed the progress towards compliance of orders of Hon'ble NGT dated 07.08. 2020 passed in **OA 889 of 2019** in re: *Residents of Antriksh Kanball 3G, Sector 77, Noida vs. State of Uttar Pradesh and others*. **The Oversight Committee had held its meeting on 08.10.2020 in which four issues were discussed.**

- (1) Penalty against project proponent of *Antriksh Kanball*
- (2) Coercive action against project proponent
- (3) Status of consent from NOIDA Authority,
- (4) Action taken report by District Magistrate Gautam Budh Nagar and CEO NOIDA Authority

The minutes of meeting are presented as follows:

S.No.	Issue	Decision/Directions by the Committee
1.	Penalty against Antriksh Kanball, NOIDA	It was informed by officers of UPPCB, NOIDA that penalty of 3.28 crore was imposed on Antriksh Kanball but he has obtained stay order from Hon'ble High Court (refer Annexure I) The copy of stay order

		<p>was submitted by UPPCB. Order dated 21.09.2020 states that</p> <p><i>"In pursuance of the order dated 3.3.2020, the Uttar Pradesh Pollution Control Board was granted three weeks to submit its affidavit on or before the next date of listing stating its response to the specific allegations made in the writ petition. Since no affidavit was filed by Uttar Pradesh Pollution Control Board, this Court by its order dated 15.06.2020 had granted further six weeks further time for filing counter affidavit.</i></p> <p><i>Despite specific order passed by the Court, no counter affidavit has been filed by the respondent-UPPCB. Learned Counsel for the petitioner states that instead of filing an affidavit, the respondents are pressing for recovery. As prayed by learned counsel for the respondent-UPPCB three weeks and no more time is granted to file affidavit. The petitioner will have two weeks' time thereafter for filing rejoinder affidavit. Till the next date of listing, no coercive measures shall be taken against the petitioner". (Refer Annexure II)</i></p> <p>The Committee is of the considered view that there has been negligence on the part of UPPCB and directed UPPCB to file counter affidavit within a week.</p>
2.	Coercive action against Antriksh Kanball, NOIDA	<p>Representative from UPPCB informed that his consent to operate has been rejected and prosecution has been filed against him for violation of environmental norms.</p> <p>Prosecution/complaint has been already filed U/s 43 of Water Act, 1974 before learned Special Judicial Magistrate (Air and Water) pollution control/CBI Lucknow as Complaint Case no. 1853 of 2020 against the Perfect Prop Build (P) Ltd., (Antriksh Kanball) and its responsible persons for violation of Water Act, 1974 which is under consideration before the Special Court of Environment.</p> <p>Member Secretary, UPPCB informed that this case</p>

		<p>has not been listed for a long time for which an expedite application will be filed within 2-3 days.</p> <p>The Committee firmly directed that pendency in such matters is not acceptable and directed him to review the status of this case on monthly basis.</p>
3.	Consent from NOIDA Authority	<p>The Committee inquired from official from NOIDA authority that how was this building approved when there was no provision for proper STP. In the NGT order dated 07.08.2020 it is clearly stated that <i>"the builder was given EC (Environmental Clearance) from SEIAA, U.P. (State level Environmental Impact Assessment Authority) in the name of M/s Antariksh Forest in which a STP of 600 KLD capacity was proposed but the builder has established STP of 100 KLD capacity only in Antariksh Forest. This STP is under size and it is not sufficient to treat the whole effluent of the tower"</i>. OSD, NOIDA Authority informed that there must have been a provision for adequate size of STP in the map, on the basis of which approval was given. He will check the files and apprise the Committee.</p> <p>The Committee directed him to submit all the relevant documents.</p> <p>Document submitted NOIDA Authority revealed that M/s Perfect Prop Build Ltd. had applied to obtain occupancy certificate for 11 towers of the township on 10.09.2014. As work was incomplete on the site the occupancy certificates were cancelled on 14.08.2015. M/s Perfect Prop Build Ltd. again applied to get occupancy certificate on 20.07.2017 which was rejected 14.08.2017.</p> <p>Thus, it is confirmed that no occupancy certificate has been given for any of the towers. After 2017, there has been no application from the side of builder to obtain the occupancy certificate. Therefore, the authority is unable to mention anything with reference to STP construction in the township (Refer Annexure III).</p>

4.	Action taken report by DM, Gautam Buddha Nagar and CEO, NOIDA authority	The Committee directed the representatives from the concerned departments to submit the action taken report within a month. Reminders through mail have been sent twice for the same.
----	---	---

Another meeting was held on 20.11.2020 to sensitize the departments to action and to monitor the compliance. The minutes of meeting are presented below (detailed minutes of meeting attached as **Annexure IV**):

1) In the meeting, it was pointed out by the Oversight Committee that the Hon'ble High Court on 19.12.2019 had set aside the notice dated 29.11.2019 whereby environmental compensation of 3.28 crores was imposed, on the ground of natural justice and had directed that the explanation of the project proponent be considered before taking action in accordance with law. Accordingly, UPPCB had given a notice to the project proponent on 10.01.2020, received reply from the project proponent on 20.01.2020 and passed the speaking order for environmental compensation of Rs. 3.28 crores on 31.01.2020. UPPCB mentioned that the counter affidavit has been filed in the Hon'ble High Court in October, 2020 and they will move an expedite application for early hearing so that EC can be realised.

2) Representative from UPPCB had informed the Oversight Committee on 08.10.2020 that the consent to operate of the project proponent has been rejected and prosecution has been filed against him under Section 43 of the Water Act, 1974 before learned Special Judicial Magistrate (Air and Water), Pollution Control/CBI Lucknow as Complaint Case No. 1853 of 2020. It was directed by the Oversight Committee on 08.10.2020 that UPPCB would file an expedite application before the Special Judicial Magistrate. It was mentioned in the meeting dated 20.11.2020 by Shri Vivek Roy, CEO UPPCB that the expedite application has been filed before the Special Judicial Magistrate.

3) In the Hon'ble NGT order dated 07.08.2020, it was clearly mentioned that the environmental clearance from SEIAA, UP had been given on the condition that STP of

600 kld would be established. However, the builder has established STP of 100 kld only. The STP is undersized and is not sufficient to treat the whole effluent of the tower. Noida Authority had mentioned that the occupancy certificate was rejected on 14.08.2017. RO UPPCB NOIDA mentioned that 315 families are living in two towers. The Oversight Committee wanted to know as to how without the occupancy certificate 315 families have got the possession, which does not have proper sewage discharge facility and would be hazardous to the lives of the inhabitants in view of insufficient sewage discharge. CEO NOIDA/District Magistrate, Gautam Budh Nagar were asked to inspect and submit the report on this count.

4) It was mentioned on 08.10.2020 that the Oversight Committee had directed the District Magistrate Gautam Budh Nagar and CEO Noida to file their report within a month. No report has been filed till date. A building without any occupancy certificate having inadequate sewage treatment facilities discharging its sewage in green belt and storm water drain is a health hazard to the inhabitants in the building in particular and residents in the locality in general. How without occupancy certificate, possession has been given is a matter of enquiry. CEO, Noida, and District Magistrate, Ghaziabad may submit their report. Additionally, no permission from Central Ground Water Authority/State Ground Water Authority has been obtained by the project proponent and they are extracting ground water illegally. CGWA/SGWA may explain what action has been taken by them in this regard. CEO, Noida may explain if the issue of ground water extraction has been considered by them and action thereon has been taken by them. CEO Noida and District Magistrate, Gautam Budh Nagar were directed to submit their report in next fifteen days.

IV. INSPECTION REPORT SUBMITTED BY UPPCB DATED 19.11.2020 (For details refer Annexure V)

In the report, it was mentioned that there are 1197 flats. Out of the total, possession has been given for 575 flats and 315 families are residing presently. An STP of 250 KLD was found to be operational and construction work for another STP of 350 KLD was in

progress. No untreated sewage was found to be discharged. The design details of STP are annexed in the inspection report.

Furthermore, it was observed that there are 5 rainwater harvesting pits. No borewell was found and the water requirement is being fulfilled by NOIDA Authority. Moreover, it is mentioned in the report that occupancy certificates have not been obtained by the builder. Letter regarding the same has also been attached in the inspection report.

V. OBSERVATIONS BY OVERSIGHT COMMITTEE

It has been observed by the Committee that the matter has been delayed unnecessarily by the concerned authorities. In the meetings held by the Committee to review the compliances it was observed that counter affidavit was not filed by UPPCB within the time granted by Hon'ble High Court and therefore order that no coercive action could be taken against the builder was passed. After the Committee's direction, an expedite application has now been filed by the Board in this case. Moreover, the Committee is appalled by noticing that how without any occupancy certificate, having inadequate sewage treatment facilities possession has been given to 315 families that are residing there and absolutely no action was taken by any concerned authority in this regard.

VI. RECOMMENDATIONS

1. NOIDA Authority shall submit a detailed report explaining the reason as to how without occupancy certificate, possession could be given for flats by the builder in a building which does not follow environmental norms. Despite directions the report has not been submitted so far. CEO Noida be directed to submit the report positively in a month.
2. District Magistrate, Gautam Budh Nagar shall submit his report as to how builder has allowed people to stay in this building in violation of environmental norms. Despite directions the report has not been submitted so far. The DM may be directed to conduct an onsite inspection and submit the report taking into account all the issues raised in this case positively within one month.

3. UPPCB shall fix responsibility for not filing the affidavit in High Court due to which temporary stay was granted regarding realization of Environmental Compensation. They will ensure proper follow up for vacation of stay regarding imposition of EC. They will also follow up the prosecution case that they have filed in the competent court for violation of Environmental Laws.
4. CEO, Noida with the help of UPPCB and District Administration shall identify builders and the localities developed by them in which environmental laws/rules and regulations are not being complied with and inform NGT through the Oversight Committee the action taken by them in this regard.

The Member Secretary, UPPCB is directed to send this report to the Registrar General, National Green Tribunal, Principal Bench, New Delhi for placing the same before the Hon'ble Tribunal with a copy to the Chief Secretary, Government of Uttar Pradesh for necessary action. The report also be uploaded on the website of the Committee.

04-12-2020

04-12-2020

X Anup Chandra Pandey

Dr Anup Chandra Pandey
Member, Oversight Committee
Signed by: ANUP CHANDRA PANDEY

X SVS Rathore

Justice SVS Rathore
Chairman, Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

Dec 04, 2020

Please visit our website: oscngt.upsdc.gov.in for more information.



क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, नोएडा

ई-12/1, सेक्टर-1 नोएडा, गौतमबुद्धनगर
ई-मेल : ronoida@uppcb.com, फोन : 0120.4974552

संदर्भ संख्या : 1046 / OANo-889 / 2019 / L-91 / 2019
सेवा में

दिनांक : 11/11/2019

पंजीकृत / 5.pest

प्रोजेक्ट मैनेजर

मै0 अन्तरिक्ष केनबाल व मै0 अन्तरिक्ष फॉरेस्ट,
प्लाट नं जी0एच0-3बी, सेक्टर-77, नोएडा।

विषय-माननीय एन0जी0टी0 नई दिल्ली में योजित ओ0ए0 नं0 889/2019 Residents of Antriksh
Kenball 3G, Sector-77, Noida V/s State of U.P. and Ors. में पारित आदेश
दिनांक 20.09.2019 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक के सम्बन्ध में आपके आवासीय परियोजना का निरीक्षण इस कार्यालय के प्राधिकृत अधिकारी द्वारा CGWB Lucknow के अधिकृत प्रतिनिधि के साथ दिनांक 10.10.2019 को निरीक्षण किया गया था। निरीक्षण के दौरान आपसे निम्नलिखित प्रपत्र मांगे गये थे जो कि आप द्वारा अभी तक इस कार्यालय को उपलब्ध नहीं कराया गया है-

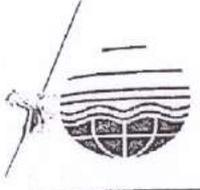
1. मै0 अन्तरिक्ष केनबाल व मै0 अन्तरिक्ष फॉरेस्ट, प्लाट नं जी0एच0-3बी, सेक्टर-77, नोएडा का State Level Environment Impact Assessment Authority, UP की Environment Clearance (EC) की प्रमाणित प्रति।
2. उ0प्र0 प्रदूषण नियंत्रण बोर्ड का अनापत्ति प्रमाण पत्र/सहमति (जल/वायु) प्रमाण पत्र।
3. State Level Environment Impact Assessment Authority, UP से प्राप्त Environment Clearance (EC) की शर्तों की बिन्दुवार अनुपालन आख्या।
4. मै0 अन्तरिक्ष फॉरेस्ट में स्थापित एस0टी0पी0 (क्षमता 100 कि0ली0/दिन) की स्थापना कब हुई तथा उक्त परियोजना में कब से फ्लैट के स्वामी परिवार सहित रह रहे हैं। एस0टी0पी0 के डिजाइन डिस्टेल भी प्रेषित करें। उक्त परियोजना से जनित उत्प्रवाह के निस्तारण हेतु क्या व्यवस्था की गयी है। सूचित करें।
5. नोएडा अथारिटी से उक्त दोनो परियोजनाओं को प्राप्त Occupancy Certificate की प्रति।
6. मै0 अन्तरिक्ष केनबाल के फ्लैटों के स्वामी परिवार सहित कब से रह रहे हैं।
7. मै0 अन्तरिक्ष केनबाल सोसायटी से जनित घरेलू एवं सीवेज उत्प्रवाह के शुद्धिकरण एवं निस्तारण हेतु क्या व्यवस्था की गयी है। सूचित करें।

उपरोक्त सूचनाये समयबद्ध रूप से 3 दिन के अन्दर प्रेषित करें। अन्यथा उपलब्ध अभिलेखों के आधार पर आवश्यक कार्यवाही की जा सकती है।

~~21/11/19~~
~~28/11/19~~

भवदीय

(डा0 अनिल कुमार सिंह)
क्षेत्रीय अधिकारी



क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, नोएडा

ई-12/1, सेक्टर-1 नोएडा, गौतमबुद्धनगर
ई-मेल : ronoida@uppcb.com, फोन : 0120.4974552

संदर्भ संख्या : 1081/ [सामग्री] -149/2019
सेवा में

दिनांक : 15/11/2019

प्रोजेक्ट मैनेजर
मै0 अन्तरिक्ष केनवाल व मै0 अन्तरिक्ष फॉरेस्ट,
प्लाट न0- जी0एच0 -3बी, सेक्टर-77, नोएडा।

Regtd/ mail

विषय-माननीय एन0जी0टी0 नई दिल्ली में योजित ओ0ए0 नं0 889/2019 Residents of Antriksh
Kenball 3G, Sector-77, Noida V/s State of U.P. and Ors. में पारित आदेश दिनांक 20.09.
2019 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक इस कार्यालय के पत्रांक 1046/ओ0ए0 नं0
889/2019/एल0-51/2019 दिनांक 11.11.2019 का संदर्भ ग्रहण करें। उक्त पत्र में आपसे कतिपय
महत्वपूर्ण सूचनायें 03 दिवस के अन्दर मांगी गयी थी। उक्त पत्र के जबाब में आप द्वारा अपने पत्र
दिनांक 13.11.2019 द्वारा अनुरोध किया गया है कि इस कार्यालय के पत्र दिनांक 11.11.2019 में मांगी
गयी सूचनायें देने हेतु आपको 15 दिनों का समय दिया जायें। इस सम्बन्ध में अवगत कराना है कि
उक्त महत्वपूर्ण सूचनाओं को उपलब्ध कराने हेतु दिनांक 10.10.2019 को उक्त परियोजना के निरीक्षण
के दौरान निर्देश दिये गये थे परन्तु आप द्वारा पर्याप्त समयोपरान्त भी उक्त वांछित सूचनायें बोर्ड में
उपलब्ध नहीं कराई गयी। उपरोक्त विषयक वाद की अगली सुनवाई की तिथि 02.12.2019 नियत है।
आप द्वारा जानबूझ कर सूचनायें उपलब्ध नहीं कराई जा रही हैं। निरीक्षण के समय आप द्वारा उपलब्ध
कराये गये अभिलेखों के अनुसार अग्रिम कार्यवाही प्रस्तावित की जा रही है।

उक्त पत्र
21/11/19
[Signature]
28/11/19

भवदीय
[Signature]
(डा0 अनिल कुमार सिंह)
क्षेत्रीय अधिकारी
[Signature]



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

Ref.No. H-44382 / सी-1/जल/1314/का0 व0 नोटिस/201

पंजाकृत
Date 29/11/2019

मै0 अन्तरिक्ष केनवाल,(मै0 अन्तरिक्ष फारेस्ट)
प्लाट नं0-जी0एच0-3बी, सेक्टर-77,
नोएडा, गौतमबुद्ध नगर।
(द्वारा मै0 परफेक्ट प्रोपर्टीज बिल्ड प्रा0लि0 (मै0 अन्तरिक्ष केनवाल प्रोजेक्ट, नोयडा)
द्वितीय तल, प्लाट नं0-2, कामर्शियल काम्पलेक्स, सेक्टर-10,
द्वारका, नई दिल्ली,)

यह कि मै0 अन्तरिक्ष केनवाल,(मै0 अन्तरिक्ष फारेस्ट), प्लाट नं0- जी0एच0-3बी, सेक्टर-77, नोएडा, गौतमबुद्ध नगर एक इकाई ग्रुप हाउसिंग परियोजना है, जो उपरोक्त वर्णित स्थल पर मै0 परफेक्ट प्रोपर्टीज बिल्ड प्रा0लि0 द्वारा स्थापित है तथा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-47 के अंतर्गत एक कम्पनी है।

यह कि परियोजना का निरीक्षण मा0 एन0जी0टी0, नई दिल्ली में योजित वाद ओ0ए0 सं0-889/2019 रजिडेन्ट्स आफ अन्तरिक्ष केनवाल, जी0एच0-3बी, सेक्टर-77, नोयडा में पारित आदेश दिनांक 20.09.2019 के अनुक्रम में क्षेत्रीय कार्यालय, नोयडा के अधिकारियों एवं श्री जगदम्बा प्रसाद, वैज्ञानिक डी, केन्द्रीय भूगर्भ जल प्राधिकरण (सी0जी0डब्लू0ए0) द्वारा दिनांक 10.10.2019 को किया गया। निरीक्षण में पाया गया कि परियोजना द्वारा 560 फ्लैट निर्मित किये गये हैं तथा मै0 अन्तरिक्ष फारेस्ट टावर में 650 फ्लैट निर्मित किये गये हैं। परियोजना अन्तरिक्ष केनवाल टावर से जनित उत्प्रवाह का निस्तारण बिना किसी शुद्धिकरण के परिसर के बाहर किया जा रहा है। परियोजना अन्तरिक्ष फारेस्ट टावर से जनित सीवेज उत्प्रवाह के शुद्धिकरण हेतु 100 के0एल0डी0 क्षमता का एस0टी0पी0 स्थापित किया गया है। उक्त उत्प्रवाह शुद्धिकरण संयंत्र क्षमता से कम है। अतः उपयुक्त नहीं है। निरीक्षण के दौरान उक्त एस0टी0पी0 के फाइनल आउटलेट से उत्प्रवाह का नमूना एकत्र किया गया जिसके परिचालक बोर्ड द्वारा निर्धारित मानको से अधिक पाये गये हैं। मै0 अन्तरिक्ष फारेस्ट की स्थापना हेतु SLEIAA, UP (राज्य स्तरीय पर्यावरण प्रभाव मूल्यांकन प्राधिकरण) से पर्यावरणीय स्वकृति पत्र दिनांक 31.10.2011 द्वारा प्राप्त की गई है जिसके अनुसार उक्त परियोजना में 600 के0एल0डी0 क्षमता का एस0टी0पी0 स्थापित किया जाना था परन्तु परियोजना द्वारा केवल 100 के0एल0डी0 क्षमता का एस0टी0पी0 संचालित किया गया है जो उपयुक्त नहीं है। परियोजना द्वारा बोर्ड से सहमति जल/वायु प्राप्त नहीं की गयी है।

परियोजना द्वारा जनित उत्प्रवाह का निस्तारण बिना किसी शुद्धिकरण के परिसर के बाहर किया जा रहा है। परियोजना मै0 अन्तरिक्ष केनवाल,(मै0 अन्तरिक्ष फारेस्ट), प्लाट नं0- जी0एच0-3बी, सेक्टर-77, नोएडा, गौतमबुद्धनगर के उक्त कृत्य के कारण क्षेत्रीय अधिकारी के पत्र दिनांक 19.11.2019 के माध्यम से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी गाइडलाइन्स के आधार पर परियोजना के विरुद्ध पर्यावरणीय क्षतिपूर्ति 3,28,50,000/- (रु0 तीन करोड़ अठाइस लाख पचास हजार मात्र) अधिरोपित करने एवं जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 के अन्तर्गत कार्यवाही किये जाने की संस्तुति की गयी है। अतः सक्षम अधिकारी के अनुमोदनोपरान्त परियोजना पर पर्यावरणीय क्षतिपूर्ति रु0 3,28,50,000/- (रु0 तीन करोड़ अठाइस लाख पचास हजार मात्र) अधिरोपित की जाती है।

कमश:....2

टी.सी.-12 बी, विभूति खण्ड, गौमती नगर
लखनऊ - 226 010
दूरभाष : 0522-2720828, 2720831.
फैक्स : 0522-2720764, 2720676
ई-मेल : info@uppeb.com
वेब साइट : www.uppeb.com

T.C.-12V, Vibhuti Khand, Gomti Nagar,
Lucknow : 226010
Phone : 0522-2720828, 2720831
Fax : 0522-2720764, 2720676
email : info@uppeb.com
Web Site : www.uppeb.com

Copy Received
2.11.19
30/11/2019.
SHAKTINIDHI BAKSHI
CEO

-2-

उपरोक्त परिपेक्ष्य में परियोजना को निर्देशित किया जाता है कि पर्यावरणीय क्षतिपूर्ति रू० 3,28,50,000/- (रू० तीन करोड़ अठाइस लाख पचास हजार मात्र) पर्यावरणीय क्षतिपूर्ति को बोर्ड के यूनियन बैंक आफ इण्डिया, विभूति खण्ड खण्ड गोमती नगर, लखनऊ स्थित बैंक के खाता सं०-701502010002104 आईएफएससी कोड-UBIN0570150 में 15 दिन के अन्दर जमा कराया जाना सुनिश्चित किया जाए अन्यथा नियमानुसार अग्रिम वैधानिक कार्यवाही प्रारम्भ कर दी जाएगी।

उपरोक्त वर्णित तथ्यों तथा जल प्रदूषण नियंत्रण अधिनियमों का अनुपालन न करने तथा परियोजना द्वारा किये जा रहे जल प्रदूषण के दृष्टिगत जन स्वास्थ्य एवं व्यापक जनहित में जन साधारण को स्वच्छ वातावरण प्रदान करने के लिये राज्य बोर्ड को यह आवश्यक प्रतीत हो रहा है कि आपकी परियोजना को जलीय प्रदूषण की रोकथाम हेतु रोका जाए।

अतः जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-33(ए) के अंतर्गत राज्य बोर्ड को प्रदत्त शक्तियों के पालन में सक्षम अधिकारी के अनुमोदनोपरान्त आपको यह कारण बताओ नोटिस जारी किया जाता है, कि क्यों न आपकी औद्योगिक इकाई के विरुद्ध निम्नरूपेण निर्देश जारी कर दिये जाएं :-

1. यह कि क्यों न परियोजना अपने उत्प्रवाह के निस्तारण को तुरन्त से बन्द कर दे।
2. यह कि क्यों न सक्षम अधिकारियों से यह अपेक्षा की जाए कि वह आपकी परियोजना को मिलने वाली विद्युत एवं जल आपूर्ति का विच्छेदन करने के साथ-साथ अन्य सुविधाओं को तत्कालिक प्रभाव से बन्द कर दें।

उक्त कारण बताओ नोटिस के निर्गमन के 15 दिन के अन्दर स्पष्टीकरण एवं निर्देशानुसार रू० 3,28,50,000/- (रू० तीन करोड़ अठाइस लाख पचास हजार मात्र) पर्यावरणीय क्षतिपूर्ति जमा करने का साक्ष्य बोर्ड मुख्यालय में प्रस्तुत करें। निर्धारित अवधि में स्पष्टीकरण व साक्ष्य प्राप्त न होने/संतोषजनक उत्तर प्राप्त न होने की दशा में उपरोक्त वर्णित आदेश/निर्देशों की पुष्टि कर दी जायेगी जिसकी पूर्ण जिम्मेदारी आवासीय परियोजना के जिम्मेदार संचालकों की होगी।


(ए० के० तिवारी)
मुख्य पर्यावरण अधिकारी(वृत्त-1)

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. जिलाधिकारी, गौतमबुद्ध नगर।
2. विशेष कार्याधिकारी नवीन ओखला औद्योगिक विकास प्राधिकरण को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, नोएडा को इस निर्देश के साथ प्रेषित कि उपरोक्त के संबंध में निर्धारित समयावधि में अपनी आख्या प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी(वृत्त-1)

क्षेत्रीय कार्यालय

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, नोएडा

ई-12/1, सेक्टर-1 नोएडा, गौतमबुद्धनगर

ई-मेल : ronoida@uppcb.com, फोन : 0120.4974552

पत्रांक 1104/4-91/2019
सेवा में

दिनांक 19/11/2019

मुख्य पर्यावरण अधिकारी, वृत्त-1
उ०प्र० प्रदूषण नियंत्रण बोर्ड
लखनऊ।

MCM/S/POST

विषय- मा० ए०जी०टी० नई दिल्ली में योजित ओ.ए. नं०-889/2019 Residents of Antriksh Kenball GH-3B, Sector-77, Noida में पारित आदेश दिनांक 20.09.2019 के अनुपालन में मै० अन्तरिक्ष केनबाल तथा मै० अन्तरिक्ष फारेस्ट-जी०एच०-03बी, सेक्टर-77, नोएडा के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करने के सम्बन्ध में।

महोदय,

मा० ए०जी०टी० नई दिल्ली में योजित ओ.ए. नं०-889/2019 Residents of Antriksh Kenball GH-3B, Sector-77, Noida में पारित आदेश दिनांक 20.09.2019 में आदेशित किया गया है कि उक्त परियोजना के विरुद्ध वादी द्वारा लगाये गये आरोपों की जाँच राज्य प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय भूगर्भ जल प्राधिकरण (CGWA) द्वारा करके Action Taken Report मा० एन०जी०टी० को प्रेषित की जाये। उक्त वाद की आगामी सुनवाई की तिथि 02.12.2019 नियत है। उक्त आदेश के अनुपालन में मै० अन्तरिक्ष केनबाल तथा मै० अन्तरिक्ष फारेस्ट, जी०एच०-03 बी, सेक्टर-77, नोएडा का निरीक्षण अधोहस्ताक्षरी द्वारा दिनांक 10.10.2019 को केन्द्रीय भूमि जल बोर्ड, उत्तरी क्षेत्र, लखनऊ के श्री जगदम्बा प्रसाद, वैज्ञानिक डी, के साथ किया गया। निरीक्षण के दौरान उक्त परियोजना के प्रबन्धक श्री विजय पंडित उपस्थित थे। उक्त आवासीय परियोजना की निरीक्षण आख्या पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने तथा जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 की धारा 25/26 के अन्तर्गत आवश्यक कार्यवाही किये जाने की संस्तुति सहित आपको आवश्यक कार्यवाही हेतु प्रेषित की जा रही है।

संलग्नक:- उपरोक्तानुसार।

भवदीय,

(डा० अनिल कुमार सिंह)
क्षेत्रीय अधिकारी

o/c seal
B

मा० ए०जी०टी० नई दिल्ली में योजित ओ.ए. नं०-889/2019 Residents of Antriksh Kenball GH-3B, Sector-77, Noida में पारित आदेश दिनांक 20.09.2019 के अनुपालन में मै० अन्तरिक्ष केनबाल तथा मै० अन्तरिक्ष फारेस्ट-जी०एच०-०३बी, सेक्टर-77, नोएडा के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करने के सम्बन्ध में आख्या :-

मा० ए०जी०टी० नई दिल्ली में योजित ओ.ए. नं०-889/2019 Residents of Antriksh Kenball GH-3B, Sector-77, Noida में पारित आदेश दिनांक 20.09.2019 में आदेशित किया गया है कि उक्त परियोजना के विरुद्ध वादी द्वारा लगाये गये आरोपों की जाँच राज्य प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय भूगर्भ जल प्राधिकरण (CGWA) द्वारा करके Action Taken Report मा० ए०जी०टी० को प्रेषित की जाये। उक्त वाद की आगामी सुनवाई की तिथि 02.12.2019 नियत है। उक्त आदेश के अनुपालन में मै० अंतरिक्ष केनबाल तथा मै० अन्तरिक्ष फारेस्ट जी०एच०-०३ बी, सेक्टर-77, नोएडा का निरीक्षण अधोहस्ताक्षरी द्वारा दिनांक 10.10.2019 को केन्द्रीय भूमि जल बोर्ड, उत्तरी क्षेत्र, लखनऊ के श्री जगदम्बा प्रसाद, वैज्ञानिक डी, के साथ किया गया।

निरीक्षण के दौरान उक्त परियोजना के प्रबन्धक श्री विजय पंडित उपस्थित थे। निम्नलिखित तथ्य प्रकाश में आये-

1. मै० अंतरिक्ष केनबाल टावर में 560 फ्लैट निर्मित किये गये हैं जिसमें 450 फ्लैट्स में विभिन्न परिवार तीन वर्षों से रह रहे हैं तथा मै० अन्तरिक्ष फारेस्ट टावर में 650 फ्लैट्स निर्मित किये गये हैं जिसमें 150 फ्लैट्स में विभिन्न परिवार विगत 18 माह से रह रहे हैं।
2. मै० अंतरिक्ष केनबाल टावर से जनित सीवेज उत्प्रवाह का निस्तारण बिना किसी शुद्धीकरण के परिसर के बाहर किया जा रहा है। उक्त परियोजना में सीवेज शुद्धीकरण संयंत्र की स्थापना नहीं की गयी है। मै० अंतरिक्ष फारेस्ट टावर से जनित सीवेज उत्प्रवाह के शुद्धीकरण हेतु 100 के०एल०डी० क्षमता का उत्प्रवाह शुद्धीकरण संयंत्र स्थापित किया गया है। उक्त उत्प्रवाह शुद्धीकरण संयंत्र अण्डर साइज है तथा उपयुक्त नहीं है। निरीक्षण के दौरान उक्त सीवेज शुद्धीकरण संयंत्र के फाइनल आउटलेट से उत्प्रवाह नमूना एकत्र किया जिसकी विश्लेषण आख्या संलग्न है। विश्लेषण आख्या में विभिन्न परिचालक बोर्ड द्वारा निर्धारित मानकों से अधिक पाये गये हैं।
3. मै० अन्तरिक्ष फारेस्ट की स्थापना हेतु SLEIAA, U.P. (राज्य स्तरीय पर्यावरण प्रभाव मूल्यांकन प्राधिकरण) से पर्यावरणीय स्वीकृति पत्र दिनांक 31.10.2011 द्वारा प्राप्त की गयी है, जिसके अनुसार उक्त परियोजना में 600 के०एल०डी० क्षमता का एस०टी०पी० स्थापित किया जाना था। परन्तु उक्त परियोजना में केवल 100 के०एल०डी० क्षमता का एस०टी०पी० स्थापित किया गया है जो उपयुक्त नहीं है।
4. उक्त परियोजना द्वारा बोर्ड से सहमति (जल/वायु) प्राप्त नहीं की गयी है।

उपरोक्त तथ्यों के आधार पर मै० अन्तरिक्ष केनबाल तथा मै० अन्तरिक्ष फारेस्ट जी०एच०-०३बी, सेक्टर-77, नोएडा के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किया जाना उचित होगा पर्यावरणीय क्षतिपूर्ति की गणना निम्नवत है-

Penalty = PL x N x R x S x LF

जहाँ PL = Pollution index = 80

N = Number of days = 1095

उक्त परियोजना में परिवार विगत 03 वर्षों से रह रहे हैं तथा परियोजना से जनित सीवेज उत्प्रवाह बिना किसी शुद्धीकरण के परिसर के बाहर निस्तारित किया जा रहा है।

R = Rs. 250.00

S = Category of industry (Large category के लिये 1.5)

अतः S = 1.5

LF = Location factor (1.0 million से कम आबादी हेतु LF 1.0 है) नोएडा की आबादी लगभग 7.0 लाख है।

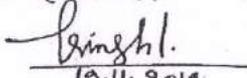
अतः LF = 1.0

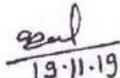
अतः Penalty = 80x1095x250x1.5x1.0

=Rs. 3,28,50,000/-

अतः उपरोक्तानुसार मै० अंतरिक्ष केनबाल व मै० अन्तरिक्ष फारेस्ट, जी०एच०-०३ बी, सेक्टर-77, नोएडा पर रु० 3,28,50,000/- (तीन करोड़ अट्ठाईस लाख पचास हजार मात्र) पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने तथा जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 की धारा 25/26 के अन्तर्गत आवश्यक कार्यवाही किये जाने की संस्तुति की जाती है।

आख्या आपके अवलोकनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।


13.11.2019
(पी०पी० सिंह)
अवर अभियन्ता


13.11.19
(के०एम० श्रीवास्तव)
सहायक पर्यावरण अभियन्ता

क्षेत्रीय अधिकारी महोदय



संलग्नक : उपरोक्तानुसार।

Before the National Green Tribunal Principal Bench, New Delhi

Original Application No 889/2019

Residents of Antriksh Kanball 3G, Sector-77, Noida Applicant (s)

Vs

State of Uttar Pradesh & Ors Respondents

**Action taken Report in the matter of M/s Antriksh Kanball 3G, Sector-77
Noida Vs State of Uttar Pradesh & Ors.**

In compliance of Hon'ble NGT order Dated 20-09-2019 in O.A. No 889/2019 Residents of Antriksh Kanball Vs State of Uttar Pradesh & Ors. A team of UPPCB representative and CGWA, Lucknow representative constituted for joint inspection.

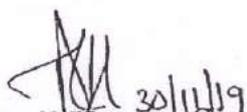
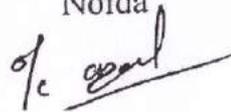
Joint inspection of M/s Antriksh Kanball 3G, Sector-77, Noida (by builder M/s Perfect prop. build Pvt Ltd. Second floor, Plot No -2, Commercial complex, sector-10, Dwarka, New Delhi) was carried out by the team on dated 10-10-2019 and 28-11-2019.

Joint inspection report is annexed. **Annexure – I**

Based on inspection dated 10-10-2019, Recommendation for imposing environmental compensation on Antriksh kanball has been sent to Head office UP Pollution Control Board, Lucknow wide letter dated 19-11-2019 copy enclosed. **Annexure – II.**

UP Pollution Control Board has issued show cause notice to M/s Antriksh Kanball 3G, Sector-77, Noida (by builder M/s Perfect prop. build pvt ltd. Second floor, Plot No -2, Commercial complex, sector-10, Dwarka, New Delhi.) wide its letter no. H-44382/C-1/Jal/1314/कारण बताओ नोटिस/201 dated-29-11-2019 and imposed environmental compensation of Rs. 3,28,50,000 (Three crore, Twenty eight lacks fifty thousand only). Copy enclosed. **Annexure-III**

Action taken report is submitted for kind perusal.


(Dr. Anil Kumar Singh)
Regional Officer
UP Pollution Control Board
Noida


Before the National Green Tribunal Principal Bench, New Delhi

Original Application No 889/2019

Residents of Antriksh Kanball 3G,

Applicant(s)

Vs

State of Uttar Pradesh & Ors

Respondents

Report of the Joint Inspection of M/S Antriksh Kanball 3G, Sector-77 Noida (Group Housing Project), Noida, Gautam Budha Nagar on 28.11.19

In original application no 889/2019 residents of Antriksh Kanball 3G, Sector-77, Noida V/s State of Uttar Pradesh of Ors, Hon'ble National Green Tribunal has ordered on 20.09.2019 as following-

With a view to consider the allegations, we find it necessary to require a factual and action taken report from the State PCB and CGWA by email at judicial-NGT@govt.in. The State PCB will be the nodal agency for coordination and compliance.

In compliance of the above order, Undersigned has visited M/s Antriksh Kanball, Plot No-GH 3B, Sector-77, Noida on dated 10.10.2019 and 28.11.2019. Mr. Vijay Pandit, Project Manager & Mr. Rajendra Singh, Manager of M/s Perfect Prop Build (Private) Ltd. (M/s Antriksh Kanball) Second floor Plot No-2, Commercial Complex, Sector-10, Dwarka, New Delhi and the complainant Mr. Ratnesh Gupta and others were present at the time of inspection on 28.11.2019. The following observations have been made during the inspection-

1. M/s Antriksh Kanball and M/s Antriksh Forest are the two multistoried buliding's established on Plot No-GH 3B, Sector-77, Noida. The complaint has been filed by the residents of Antriksh Kanball.
2. In this tower 560 flats are constructed, in which the 450 families are living.
3. The sewage effluent generated from the flats is stored in pucca tank made in bascmnt. From this tank the untreated sewage effluent is discharged into sewer line by pump.(Photographs attached)
4. Sewage treatment plant has not been installed in this tower.
5. The residents in this tower are living for last three years.
6. The builder was given EC (Environmental Clearance) from SEIAA, U.P. (State level Environmental Impact Assessment Authority) in the name of M/s Antariksh Forest in which a STP of 600 KLD capacity was proposed but the builder has established STP of 100 KLD capacity only in Antariksh Forest. This STP is under size and it is not sufficient

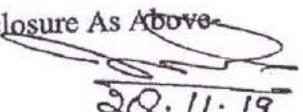
to treat the whole effluent of the tower. A sample of the treated sewage effluent from this STP was collected on 10.10.2019. The analysis report is enclosed in which different parameters are more than the standards prescribed by CPCB.

7. A 500 KVA DG Set has been installed for supply of electricity during disrupt of electricity supply. The chimney as per CPCB norms has not been established on this DG Set. (Photographs attached)
8. The NOC for establishing the project and the Consent (Air/Water) to operate the project has not been obtained from UPPCB.
9. During the joint inspection visit, one tube well has been found in the basement, which is located below the main gate. This tube well was recently covered by cement platform, so that it could not visible.
10. The tube well is fitted with submersible pump and water is being done to residents of Antriskh Kanball for drinking/domestic purposes
11. **Presently, ground water is being abstracted without prior NOC from CGWA.**
12. Besides, earlier, one tube well was also constructed in Antriksh Kanball ,now it has been closed as reported by Shri Vijay Pandit, Project Manager and residents of M/s Antriskh Kanball. This tube well is found dismantled at the time of inspection.
13. It has been observed that design of roof top rain water harvesting system is not correct and systems are also not being maintained. Grey water of the area is being diverted to rain water harvesting systems which may contaminate ground water in the area. Suggestion have been given to the project for the changes to be implemented in rain water harvesting structures.

In view of the above violations the Environmental Compensation and Legal Action is proposed. The case has been recommended for imposing the Environmental Compensation and Initiating legal action to Head Office, UPPCB Lucknow for consideration.(Report Attached)

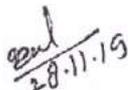
The report is being sent for your kind perusal

Enclosure As Above


28.11.19
(Jagdamba Prasad)

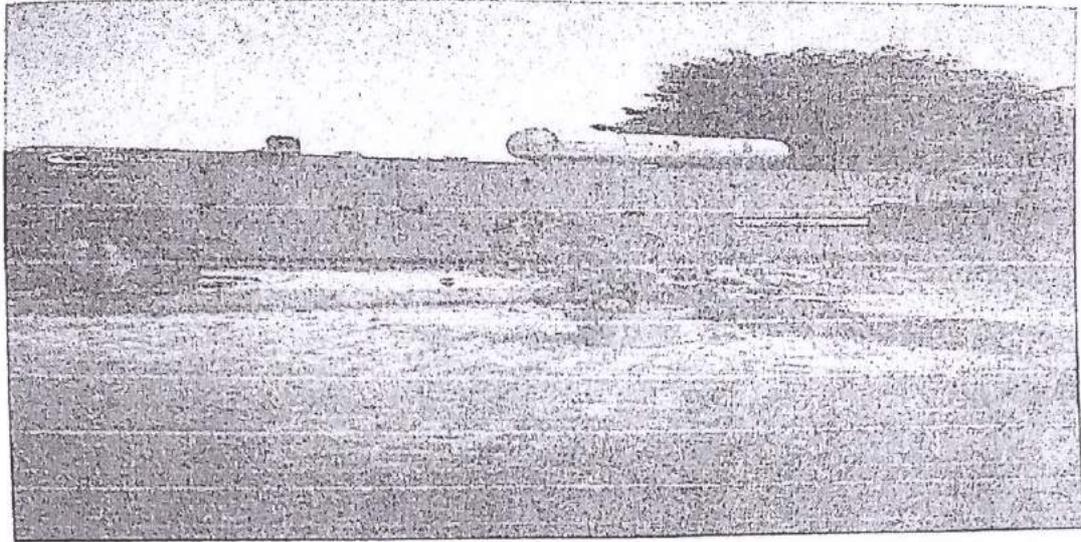
Scientist-D

Central Ground Water Board
Northern Region
Lucknow

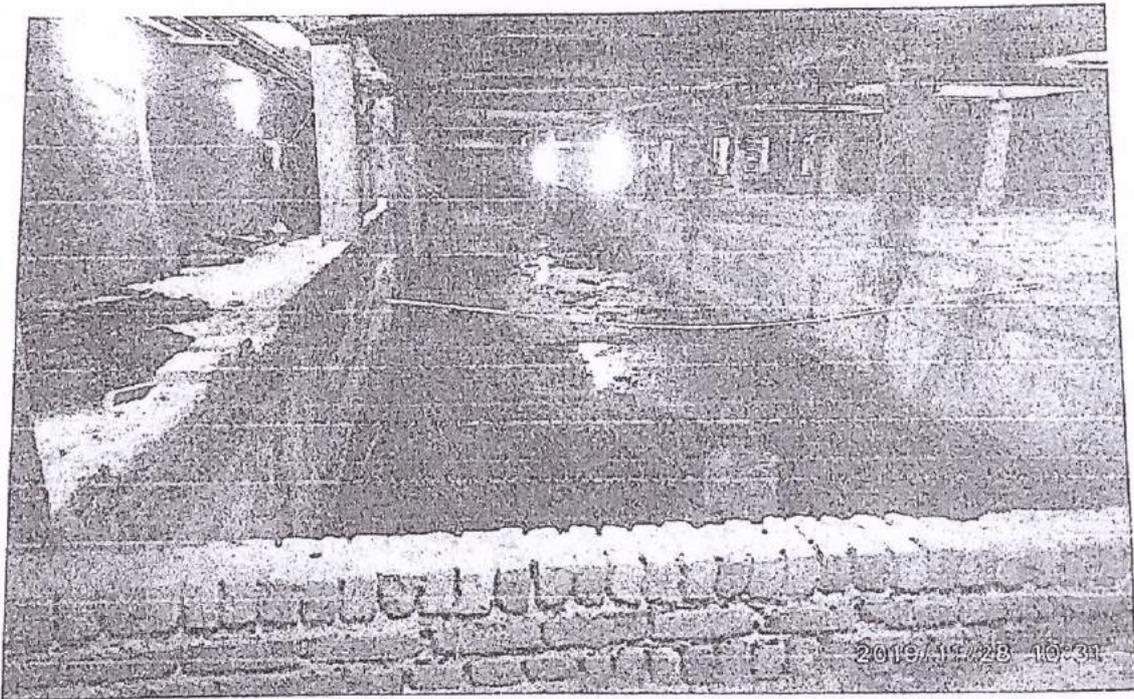

28.11.19

(Krishna Mohan Srivastva)

Assistant Environment Engineer
U.P.Pollution Control Board
Noida



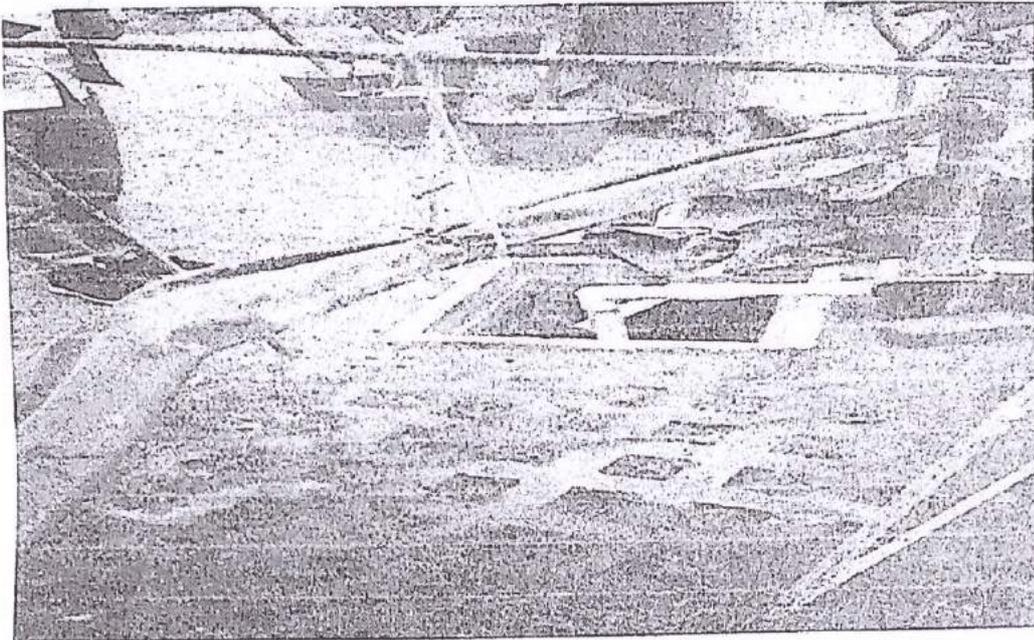
500 KVA DG Set without chimney of proper height



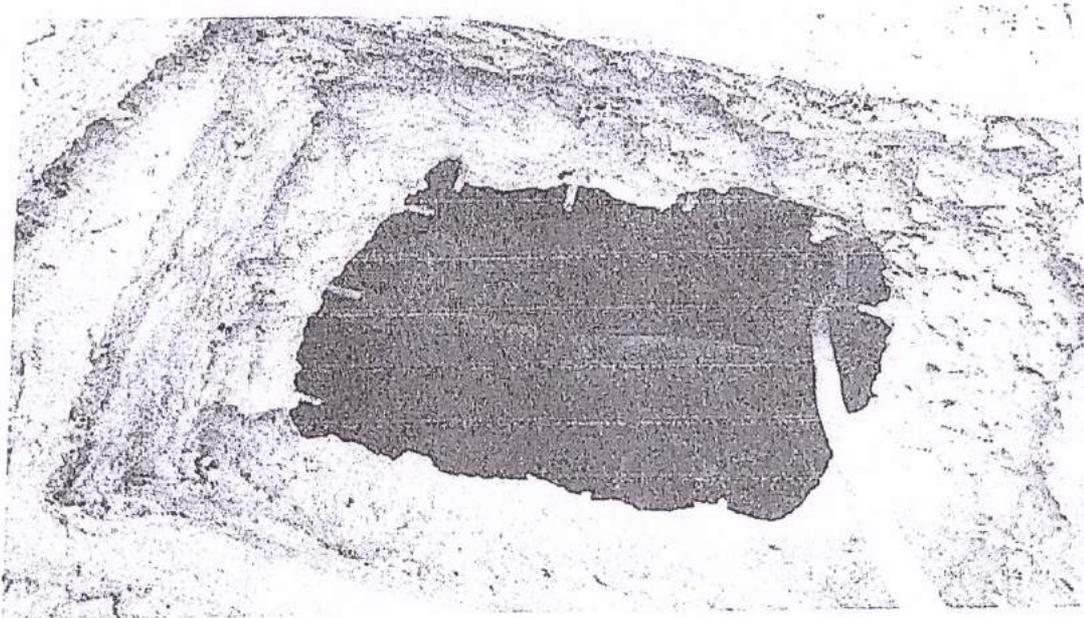
The untreated sewage effluent stored in pucca pit in basement

A handwritten signature in black ink, appearing to be a stylized name, located on the left side of the page.

A handwritten signature in black ink, appearing to be a stylized name, located on the right side of the page.



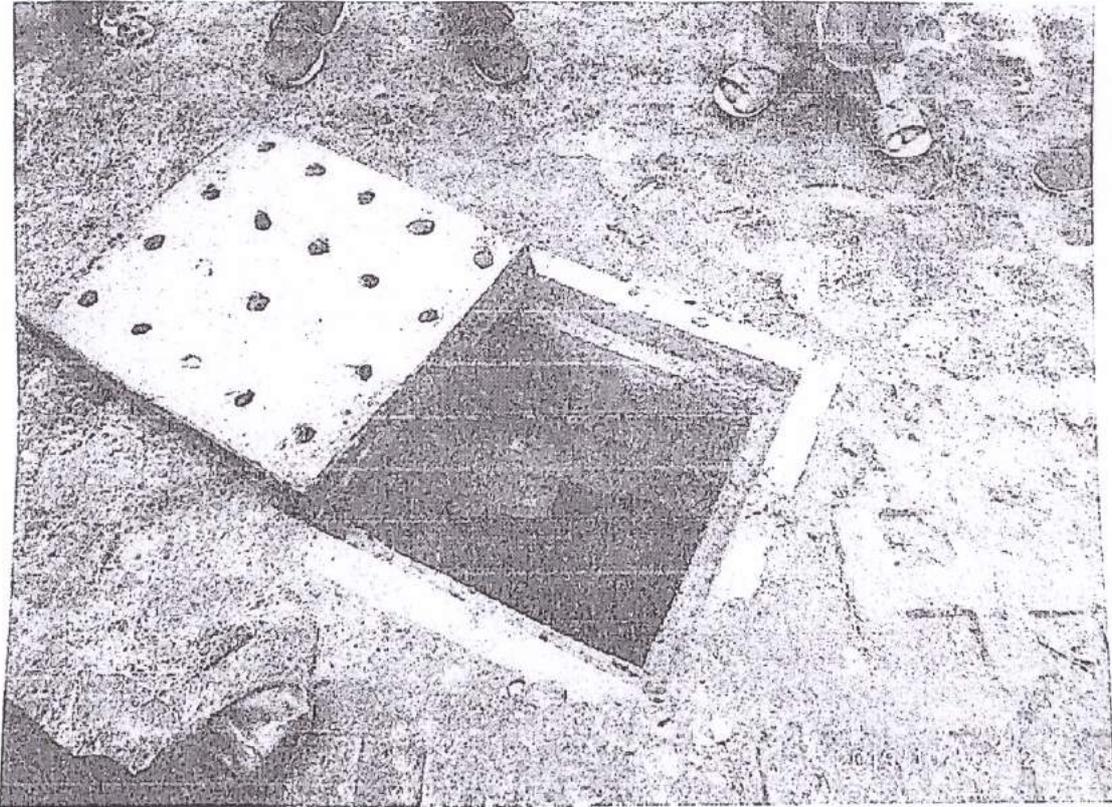
The untreated sewage effluent being pumped outside from pucca pit in basement



Roof Top Rain Water Harvesting Structures in AntrikshKanball project area

[Handwritten signature]

[Handwritten signature]



Roof Top Rain Water Harvesting Structures in Antriksh Kanball project area



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

Ref No- H 46229 /C-1 / 19/11/153/2020

Date: 10/01/2020

सेवा में,

मैसर्स परफेक्ट प्रोप बिल्ड (प्रा0) लि0,
बी-एफ-17/21, सेक्टर-8, रोहिनी,
नई दिल्ली।

mail

विषय :- मा0 उच्च न्यायालय इलाहाबाद द्वारा रिट याचिका संख्या 42240/2019 मैसर्स परफेक्ट प्रोप बिल्ड (प्रा0) लि0 बनाम उ0प्र0 राज्य एवं अन्य में पारित आदेश दिनांक-19.12.2019 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया मा0 उच्च न्यायालय इलाहाबाद द्वारा रिट याचिका संख्या 42240/2019 मैसर्स परफेक्ट प्रोप बिल्ड (प्रा0) लि0 बनाम उ0प्र0 राज्य एवं अन्य में पारित आदेश दिनांक-19.12.2019 (प्रति संलग्न) का संदर्भ ग्रहण करें, जिसके मुख्य अंश निम्नवत् उद्धित हैं :-

".....The U. P. Pollution Control Board vide notice dated 29.11.2019 at one hand directed the petitioner to furnish explanation regarding the damage caused and as to why further action be not taken, and on the other hand demanded a sum of Rs. 3,28,50,000/- against compensation.

We fail to understand as to how the Pollution Control Board determined the compensation without taking into consideration the explanation tendered by the petitioner. The Pollution Control Board should have first consider and decide the explanation submitted by the petitioner and then should have proceed with any action, if required.

In view of whatever stated above, we deem it appropriate to dispose off this petition for writ by setting aside the notice/order dated 29.11.2019 to the extent that demands a compensation to the tune of Rs. 3,28,50,000/- without taking into consideration the explanation tendered by the petitioner.

The matter, being related to cause damage to the environment, requires expeditious consideration of the explanation submitted by the petitioner to taken further action in accordance with law. Therefore, we deem it appropriate to direct the Chief Environment Officer (Circle -I), UP Pollution Control Board to consider and decide the issue for which the petitioner is called upon under notice dated 29.11.2019 in accordance with law on or before 1.2.2020....."

अतः उपरोक्त परिप्रेक्ष्य में बोर्ड के पत्र संख्या एच 44382/सी-1/ जल/1314/ का0ब0नोटिस/201 दिनांक-29.11.2019 (प्रति संलग्न) द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 33 ए के अन्तर्गत जारी कारण बताओ नोटिस एवं मा0 एन0जी0टी0 के आदेश के अनुपालन में रू0 3,28,50,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपण के सम्बन्ध में अपना स्पष्टीकरण/प्रत्यावेदन दिनांक-20.01.2020 तक अनिवार्य रूप से उपलब्ध कराना सुनिश्चित करें अन्यथा की दशा में उपलब्ध सूचनाओं/तथ्यों के आधार पर नियमानुसार अग्रिम कार्यवाही की जाएगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं आपका होगा।

संलग्नक:-उपरोक्तानुसार।

भवदीय,

A.E.R.
[Signature]

(ए0के0 तिवारी)
मुख्य पर्यावरण अधिकारी
(वृत्त-1)

प्रतिलिपि :-

1. सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ प्रेषित।
2. विधि अधिकारी, प्रथम उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ प्रेषित।
- ✓ 3. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, नोएडा को इस निर्देश के साथ प्रेषित कि उक्त की प्राप्ति सुनिश्चित कराते हुये अपनी विस्तृत आख्या संस्तुति सहित एक सप्ताह के अन्दर उपलब्ध कराना सुनिश्चित करें।



मुख्य पर्यावरण अधिकारी
(वृत्त-1)

क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, नोएडा

ई-12/1, सेक्टर-1 नोएडा, गौतमबुद्धनगर
ई-मेल : ronoida@uppcb.com, फोन : 0120-4974552

संख्या : 1461/L-91/2020

दिनांक : 31-01-2020

सेवा में

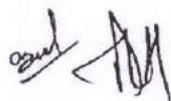
मुख्य पर्यावरण अधिकारी वृत्त-1
उ0प्र0 प्रदूषण नियंत्रण बोर्ड
लखनऊ।

विषय-माननीय उच्च न्यायालय इलाहाबाद द्वारा रिट याचिका 42240/2019 मैसर्स परफेक्ट प्रोप बिल्ड (प्रा0)लि0 बनाम उ0प्र0 राज्य एवं अन्य में पारित आदेश दिनांक 19.12.2019 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक अपने पत्रांक एच 46229/सी-1/विधि/153/2020 दिनांक 10.01.2020 का संदर्भ ग्रहण करें। इस सम्बन्ध में मै0 परफेक्ट प्रोप बिल्ड प्रा0लि0 द्वारा बोर्ड द्वारा जारी कारण बताओ नोटिस संख्या एच 44382/सी-1/जल/1314/का0ब0 नोटिस/201 दिनांक 29.11.2019 का प्रतिउत्तर अपने पत्र दिनांक शून्य द्वारा दिया गया है जो बोर्ड के क्षेत्रीय कार्यालय में दिनांक 16.12.2019 को प्राप्त हुआ है। (संलग्नक-01) बिल्डर द्वारा बोर्ड मुख्यालय के पत्र दिनांक 10.01.2020 का उत्तर अपने पत्र दिनांक 20.01.2020 द्वारा प्रेषित किया गया है। (संलग्नक-02) उक्त पत्र में दिये गये तथ्य निम्नलिखित कारणों से सत्य नहीं है-

1. बिल्डर द्वारा अपने पत्र के बिन्दु संख्या 3 पर उल्लिखित किया गया है कि मै0 अन्तरिक्ष केनबाल, जी0एच0-3बी, सेक्टर-77, नोएडा में 100 किलो लीटर प्रतिदिन क्षमता का एस0टी0पी0 स्थापित किया गया है। जबकि मै0 अन्तरिक्ष केनबाल टावर में 560 फ्लैट निर्मित किये गये हैं जिसमें 450 फ्लैट में विभिन्न परिवार 3 वर्षों से रह रहे हैं। उक्त टावर से जनित सीवेज उत्प्रवाह का निस्तारण बिना किसी शुद्धीकरण के परिसर के बाहर किया जा रहा है। उक्त आवासीय परियोजना में सीवेज शुद्धीकरण संयंत्र (एस0टी0पी0) की स्थापना नहीं की गयी है।
2. मै0 अन्तरिक्ष फारेस्ट में 650 फ्लैट निर्मित है जिसमें 150 फ्लैट में विभिन्न परिवार रह रहे हैं। उक्त आवासीय परियोजना में 100 किलो लीटर प्रतिदिन उत्प्रवाह शुद्धीकरण क्षमता का एस0टी0पी0 स्थापित किया गया है। जबकि राज्य स्तरीय पर्यावरण प्रभाव मूल्यांकन प्राधिकरण (SEIAA, U.P.) से दिनांक 31.10.2011 (छायाप्रति संलग्न) (संलग्नक-03) को प्राप्त की गयी पर्यावरणीय स्वीकृति में यह शर्त अधिरोपित है कि उक्त आवासीय परियोजना में 600 किलो लीटर प्रतिदिन क्षमता का एस0टी0पी0 स्थापित किया जायेगा। इस प्रकार इनके द्वारा राज्य स्तरीय पर्यावरण प्रभाव मूल्यांकन प्राधिकरण (SEIAA, U.P.) द्वारा लगायी गयी एस0टी0पी0 स्थापना सम्बन्धी शर्त का अनुपालन नहीं किया गया है।
3. मै0 अन्तरिक्ष केनबाल तथा मै0 अन्तरिक्ष फारेस्ट में कुल 1210 फ्लैट निर्मित है। जिसमें उक्त दोनो सोसायटी में कुल 600 परिवार वर्तमान में रह रहे हैं। इस प्रकार उक्त दोनो सोसायटी में 135 लीटर प्रति व्यक्ति के हिसाब से तथा 5 व्यक्ति प्रति फ्लैट निवास करने को मानते हुये कुल जल खपत 405000 लीटर या 405 किलो लीटर हो रही है। तथा उक्त के परिपेक्ष्य में लगभग 324 किलोलीटर प्रतिदिन सीवेज उत्प्रवाह जनित हो रहा है। उक्त सीवेज उत्प्रवाह के शुद्धीकरण की व्यवस्था उक्त आवासीय परियोजना में वर्तमान में उपलब्ध नहीं है। वर्तमान में मै0 अन्तरिक्ष फारेस्ट में केवल 100 कि0ली0 प्रतिदिन सीवेज उत्प्रवाह के शुद्धीकरण की व्यवस्था स्थापित है। अतः उक्त एस0टी0पी0 अन्डर साईज है तथा उपयुक्त नहीं है। उक्त एस0टी0पी0 से निस्तारित किये जा रहे शुद्धीकृत उत्प्रवाह का नमूना दिनांक 10.10.2019 को एकत्रित किया गया था तथा क्षेत्रीय कार्यालय की प्रयोगशाला में जमा कराया गया। प्रयोगशाला से प्राप्त विश्लेषण आख्या में विभिन्न परिचालक केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित मानको से अधिक पाये गये जिससे स्पष्ट है कि उक्त 100 कि0ली0 प्रतिदिन क्षमता का एस0टी0पी0 भी उचित ढंग से संचालित नहीं किया जा रहा है।
4. मै0 अन्तरिक्ष केनबाल तथा मै0 अन्तरिक्ष फारेस्ट में कुल 1210 फ्लैट निर्मित है। 05 व्यक्ति प्रति फ्लैट तथा 135 ली0 प्रति व्यक्ति जल उपभोग लेने पर कुल जल खपत 816.75 या 817 कि0ली0 प्रतिदिन है। जिससे कुल सीवेज उत्प्रवाह 654 कि0ली0 प्रतिदिन जनित होगा। उक्त सीवेज उत्प्रवाह के शुद्धीकरण हेतु उक्त दोनो टावर का संयुक्त सीवेज उत्प्रवाह शुद्धीकरण संयंत्र 654 कि0ली0 प्रतिदिन क्षमता का स्थापित किया जाना उचित होगा।



उपरोक्त से स्पष्ट है कि डायरेक्टर मै0 परफेक्ट प्रोप बिल्ड प्रा0लि0 द्वारा अपने पत्र दिनांक शून्य व इस कार्यालय में दिनांक 16.12.2019 को प्राप्त तथा पत्र दिनांक 20.01.2020 में दर्शाई गयी उत्प्रवाह की गणना व अन्य तथ्य सत्य से परे तथा विचारणीय नहीं है।

5.

मै0 परफेक्ट प्रोप बिल्ड प्रा0लि0 नई दिल्ली द्वारा उक्त दोनो परियोजनाओ मै0 अन्तरिक्ष केनवाल व मै अन्तरिक्ष फारेस्ट स्थित प्लाट नं0 जी0एच0-3वी, रोक्टर-77, नोएडा की स्थापना हेतु उ0प्र0 प्रदूषण नियंत्रण बोर्ड से अनापत्ति प्रमाण पत्र तथा आवासीय परियोजना के संचालन हेतु सहगति (जल/वायु) प्राप्त नहीं की गयी है।

6.

परियोजना प्रबन्धन द्वारा मुख्य पर्यावरण अधिकारी वृत्त-1 को सम्बोधित पत्र दिनांक 20.01.2020, जो बोर्ड मुख्यालय के पत्रांक दिनांक 10.01.2020 के अनुपालन में प्रेषित किया गया है, के सम्बन्ध में आख्या निम्नवत् है।

(क) प्रत्यावेदन में मै0 अन्तरिक्ष केनवाल व मै0 अन्तरिक्ष फारेस्ट, जी0एच0-3वी, रोक्टर-77, नोएडा में निवासियों की संख्या भ्रामक दी गई है संयुक्त निरीक्षण आख्या में दोनों प्लॉक (फारेस्ट + केनवाल) में कुल 600 फ्लैट्स में लोग निवास कर रहे हैं।

(ख) प्रत्यावेदन में परिवार के सदस्यों की संख्या मात्र दो एवं जल की मात्रा 86 लीटर/दिन/व्यक्ति दर्शायी गई है जो कि मान्य नहीं है। मानकों के अनुरूप में परिवार की गणना में 5 व्यक्ति का आधार लिया जाता है तथा जल की मात्रा की गणना 135 लीटर/व्यक्ति/दिन का आधार माना जाता है।

(ग) दिनांक 20.01.2020 के प्रत्यावेदन में आरोपित है कि बोर्ड को आर्थिक अर्थदण्ड लगाने का अधिकार नहीं है। इस सम्बन्ध में अवगत कराना है कि पर्यावरणीय क्षतिपूर्ति मा0 एन0जी0टी0 के आदेशों के अनुपालन में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित पद्धति के अनुसार किया गया है। परियोजना के विरुद्ध योजित ओ.ए. सं0-889/2019 में दिनांक 30.11.2019 को बोर्ड द्वारा प्रतिउत्तर आनलाइन प्रस्तुत किया गया है। (छायाप्रति संलग्न)-(संलग्नक-04)

(घ) दिनांक 02.12.2019 को ओ.ए. सं0-889/2019 में परियोजना द्वारा बोर्ड मुख्यालय के आदेश दिनांक 29.11.2019 का विरोध किया गया परन्तु मा0 एन0जी0टी0 द्वारा निम्न आदेश पारित किये गये।

“Accordingly the SPCB may take further action in accordance with law and file a compliance report before the next date by email at judicial-ngt@gov.in.
List again on 11-02-2020.”

(ङ) प्रत्यावेदन में आरोपित किया गया है कि आवासीय परियोजना सहमति प्राप्त करने के दायरे में नहीं है, इस सम्बन्ध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पारित श्रेणीवार विभाजन में परियोजना लाल श्रेणी में चिन्हित है।

(च) मै0 परफेक्ट प्रोप बिल्ड प्रा0 लि0 द्वारा सूचित किया गया है कि उन्हें उक्त ओ0ए0 सं0- 889/2019 में आवश्यक सूचनाएं देने हेतु सूचित नहीं किया गया है। इस संबंध में अवगत कराना है कि क्षेत्रीय कार्यालय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा पत्र सं0-1046/ओ.ए. सं0-889/2019/एल-91/2019 दिनांक 11.11.2019 (छायाप्रति संलग्न) (संलग्नक-05) प्रेषित किया गया था, जिसके उत्तर में मै0 परफेक्ट प्रोप बिल्ड प्रा0 लि0 द्वारा अपने पत्र दिनांक 13.11.2019 में वांछित सूचनायें बोर्ड को उपलब्ध कराने हेतु 15 दिन का समय मांगा गया। (छायाप्रति संलग्न) (संलग्नक-06)। क्षेत्रीय कार्यालय द्वारा पत्रांक सं0-1081/सा0पत्रा0-149/2019 दिनांक 15.11.2019 (छायाप्रति संलग्न) (संलग्नक-07) द्वारा प्रोजेक्ट मैनेजर मै0 अंतरिक्ष केनवाल व मै0 अंतरिक्ष फारेस्ट को उत्तर प्रेषित किया गया कि उनके द्वारा जानबूझ कर सूचनायें उपलब्ध नहीं करायी जा रही हैं।

उपरोक्तानुसार परियोजना को जारी कारण बताओ नोटिस की पुष्टि की जाती है तथा उक्त परियोजना के विरुद्ध पर्यावरणीय क्षतिपूर्ति ₹0 3,28,50,000.00 (तीन करोड अट्ठाईस लाख पचास हजार ₹0) अधिरोपित करने की संस्तुति की जाती है।

भवदीय

(डा0 अनिल कुमार सिंह)
क्षेत्रीय अधिकारी

31/1/2020

ofc gaur



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD

Ref No- H 47089 /C-1 / निम्नारख-1374/2020

Date: 31/01/2020

सेवा में,

मैसर्स परफेक्ट प्रोप बिल्ड (प्रा0) लि0,
बी-एफ-17/21, सेक्टर-8, रोहिनी,
नई दिल्ली।

Ragd.

विषय :- मा0 उच्च न्यायालय इलाहाबाद द्वारा रिट याचिका संख्या 42240/2019 मैसर्स परफेक्ट प्रोप बिल्ड (प्रा0) लि0 बनाम उ0प्र0 राज्य एवं अन्य में पारित आदेश दिनांक-19.12.2019 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया मा0 उच्च न्यायालय इलाहाबाद द्वारा रिट याचिका संख्या 42240/2019 मैसर्स परफेक्ट प्रोप बिल्ड (प्रा0) लि0 बनाम उ0प्र0 राज्य एवं अन्य में पारित आदेश दिनांक-19.12.2019 का संदर्भ ग्रहण करें, जिसके मुख्य अंश निम्नवत् उद्धित हैं :-

".....The U. P. Pollution Control Board vide notice dated 29.11.2019 at one hand directed the petitioner to furnish explanation regarding the damage caused and as to why further action be not taken, and on the other hand demanded a sum of Rs. 3,28,50,000/- against compensation.

We fail to understand as to how the Pollution Control Board determined the compensation without taking into consideration the explanation tendered by the petitioner. The Pollution Control Board should have first consider and decide the explanation submitted by the petitioner and then should have proceed with any action, if required.

In view of whatever stated above, we deem it appropriate to dispose off this petition for writ by setting aside the notice/order dated 29.11.2019 to the extent that demands a compensation to the tune of Rs. 3,28,50,000/- without taking into consideration the explanation tendered by the petitioner.

The matter, being related to cause damage to the environment, requires expeditious consideration of the explanation submitted by the petitioner to taken further action in accordance with law. Therefore, we deem it appropriate to direct the Chief Environment Officer (Circle -I), UP Pollution Control Board to consider and decide the issue for which the petitioner is called upon under notice dated 29.11.2019 in accordance with law on or before 1.2.2020....."

उपरोक्त सम्बन्ध में बोर्ड के पत्रांक एच 46229/सी-1/विधि/153/2020 दिनांक-10.01.2020 द्वारा परियोजना को कार्यालय के पत्रांक-एच 44382/सी-1/जल/ का0व0नो0/2019 दिनांक-29.11.2019 द्वारा रू0 3,28,50,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपण के सम्बन्ध में अपना स्पष्टीकरण/प्रत्यावेदन दिनांक-20.01.2020 तक उपलब्ध कराने हेतु निर्देशित किया गया था, के अनुक्रम में परियोजना द्वारा प्रेषित पत्र दिनांक-20.01.2020 ई-मेल द्वारा कार्यालय में दिनांक-20.01.2020 को तथा मूल प्रति दिनांक-27.01.2020 को प्राप्त हुई है। आप द्वारा प्रेषित उत्तर पर विचार किया गया। आप द्वारा प्रेषित प्रार्थना पत्र/उत्तर निम्न कारणों से संतोषजनक नहीं है :-

- यह कि परियोजना का निरीक्षण मा0 एन0जी0टी0, नई दिल्ली में योजित ओ0ए0 सं0 889/2019 रेजिडेन्ट्स आफ अन्तरिक्ष केनबाल, जी0एच0-03 बी, सेक्टर-77, नोयडा में पारित आदेश दिनांक-20.09.2019 के अनुक्रम में क्षेत्रीय कार्यालय नोएडा के अधिकारियों एवं श्री जगदम्बा प्रसाद, वैज्ञानिक डी, केन्द्रीय भूगर्भ जल प्राधिकरण (सी0जी0डब्लू0ए0) द्वारा दिनांक-10.12.2019 को किया गया था। तददिनांक में किये गये निरीक्षण में यह पाया गया कि मै0 अन्तरिक्ष फारेस्ट टावर से जनित सीवेज उत्प्रवाह के शुद्धिकरण हेतु 100 के0एल0डी0 क्षमता का एस0टी0पी0 स्थापित किया गया है। उक्त उत्प्रवाह शुद्धिकरण संयंत्र क्षमता से कम है। निरीक्षण के दौरान उक्त एस0टी0पी0 के फाइनल आउटलेट से उत्प्रवाह का नमूना एकत्र किया गया, जिसके परिचालक निर्धारित मानकों से अधिक पाये गये थे। मै0 अन्तरिक्ष फारेस्ट की स्थापना हेतु राज्य स्तरीय पर्यावरण प्रभाव मूल्यांकन प्राधिकरण से पर्यावरणीय स्वीकृति पत्र दिनांक-31.10.2011 द्वारा प्राप्त की

टी0सी0-12बी, विभूति खण्ड
गोमती नगर, लखनऊ-226010
दूरभाष : 2720831, 2720826, 2720891, 2720581
फैक्स : 0522-2720764
ई-मेल : info@uppcb.com | website: www.uppcb.com

T-12V, Vibhuti Khand,
Gomti Nagar, Lucknow-226010
Phone : 2720831, 2720826, 2720891, 2720581
Fax : 0522-2720764
e.mail : info@uppcb.com | website: www.uppcb.com

- गयी है। जिसके अनुसार उक्त परियोजना में 600 कैं0एल0डी0 क्षमता का एस0टी0पी0 स्थापित किया जाना था परन्तु परियोजना द्वारा केवल 100 कैं0एल0डी0 क्षमता का एस0टी0पी0 स्थापित किया गया है, जो उपयुक्त नहीं है। उ0प्र0 प्रदूषण नियंत्रण बोर्ड से परियोजना द्वारा नियमानुसार सहमति जल/वायु प्राप्त नहीं की गयी है।
2. आपका यह कहना कि जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 आपके परियोजना पर लागू नहीं होते हैं, असत्य एवं भ्रामक हैं। आपके उपरोक्त वर्णित भवन निर्माण परियोजना द्वारा बोर्ड से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 25/26 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 21 के अन्तर्गत सहमति प्राप्त करना वैधानिक अनिवार्यता है।
3. आपका यह कहना कि पर्यावरणीय क्षतिपूर्ति अधिरोपण का अधिकार उ0प्र0 प्रदूषण नियंत्रण बोर्ड को प्राप्त नहीं है के सम्बन्ध में आपको यह अवगत कराना है कि मा0 एन0जी0टी0 द्वारा ओ0ए0 संख्या 593/2017 (रिट पिटीशन (सिविल) नं0-375/2012 पर्यावरण सुरक्षा समिति एवं अन्य बनाम यूनियन आफ इण्डिया व अन्य के अन्तर्गत दोषी संस्थाओं के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपण के सम्बन्ध में दिये गये निर्देशों के अनुपालन में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा बनाई गयी गाईड लाइन के अनुसार दोषी औद्योगिक इकाईयों के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपण की व्यवस्था की गयी है। बोर्ड अधिकारियों द्वारा दिनांक-10.12.2019 को किये गये निरीक्षण के क्रम में स्थल पर पायी गयी कमियों एवं केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा बनायी गयी गाईड लाइन्स के आधार पर रू0 3,28,50,000/- (रू0 तीन करोड़ अट्ठाईस लाख पचास हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित करने की संस्तुति की गयी थी, जिसके क्रम में बोर्ड मुख्यालय स्तर पर गठित समिति की संस्तुति के अनुक्रम में सक्षम अधिकारी से अनुमोदनोपरांत बोर्ड के पत्र संख्या एच 44382/सी-1/जल/1314/का0ब0 नोटिस/2019 दिनांक-29.11.2019 के द्वारा रू0 3,28,50,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित करते हुये जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 33 ए के अन्तर्गत कारण बताओ नोटिस जारी किया गया था।
4. मा0 एन0जी0टी0 में योजित ओ0ए0 संख्या 889/2019 Residents of Antrikish Kanball 3G, Sector-77, Noida Applicant(s) Versus State of Uttar Pradesh & Ors. में पारित आदेश दिनांक-02.12.2019 के मुख्य अंश निम्नवत् हैं :-

".....In view of the above violations the Environmental Compensation and Legal Action is proposed. The case has been recommended for imposing the Environmental Compensation and Initiating legal action to Head Office, UPPCB Lucknow for consideration....."

3. Accordingly, the SPCB may take further action in accordance with law and file a compliance report before the next date by e-mail at judicial-ngt@gov.in....."

List again on 11.02.2020.

अतः उपरोक्त परिपेक्ष्य में क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, नोएडा द्वारा प्रेषित निरीक्षण आख्या दिनांक-10.12.2019 में की गयी संस्तुति एवं मा0 एन0जी0टी0 द्वारा पर्यावरणीय क्षतिपूर्ति के सम्बन्ध में दिये गये आदेशों के क्रम में निर्मित गाईडलाइन के अनुपालन में सन्म्यक परीक्षणोपरांत आपका प्रार्थना पत्र निस्तारित किया जाता है एवं निर्देशित किया जाता है कि दोषी संस्थाओं के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करने हेतु केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा बनायी गई गाईड लाइन्स के आधार पर आपके भवन निर्माण परियोजना पर अधिरोपित रू0 3,28,50,000/- (रू0 तीन करोड़ अट्ठाईस लाख पचास हजार मात्र) की पर्यावरणीय क्षतिपूर्ति 15 दिन के अन्दर बोर्ड के यूनियन बैंक आफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ स्थित बैंक के खाता, सं0-701502010002104 आईएफसी कोड-UBIN0570150 में जमा कराया जाना सुनिश्चित किया जाये।

भवदीय,
31/1/2020

(ए0के0 तिवारी)

मुख्य पर्यावरण अधिकारी (वृत्त-1)

प्रतिलिपि :-

1. सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ प्रेषित।
2. विधि अधिकारी, प्रथम उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ प्रेषित।
3. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, नोएडा को इस निर्देश के साथ प्रेषित कि उक्त की प्राप्ति सुनिश्चित कराते हुये अपनी आख्या संस्तुति सहित ससमय उपलब्ध कराना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी (वृत्त-1)

क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, नोएडा

ई-12/1, सेक्टर-1 नोएडा, गौतमबुद्धनगर

ई-मेल : ronoida@uppcb.com, फोन : 0120.4974552

संदर्भ संख्या : 1468 / क्र. 42116 L - 91 / 2020

दिनांक : 01/02/2020

सेवा में

श्री विरेन्द्र सिंह, (ए-404), 9871828613
श्री रतनेश कुमार गुप्ता (बी-1004), 8076600254
सुश्री शिल्पा मेहता, (डी-202) 9810633175
अन्तरिक्ष केनबाल, जी0एच0-3बी, सेक्टर-77, नोएडा

विषय-मै0 परफेक्ट प्रोप बिल्ड (प्रा0) लि0 बनाम उ0प्र0 राज्य एवं अन्य पारित आदेश दिनांक 19.12.2019 के सम्बन्ध में।

महोदय,
कृपया उपरोक्त विषयक का संदर्भ ग्रहण करने का कष्ट करें। माननीय उच्च न्यायालय इलाहाबाद द्वारा रिट याचिका 42240/2019 मेसर्स परफेक्ट प्रोप बिल्ड (प्रा0) लि0 में माननीय उच्च न्यायालय इलाहाबाद द्वारा दिनांक 19.12.2019 को कतिपय आदेश पारित किये। आदेश की प्रति संलग्न है।

माननीय उच्च न्यायालय के आदेशानुसार कार्यवाही की जा रही है। सूचनार्थ।

संलग्नक: यथोपरि

भवदीय,

(डा0 अनिल कुमार सिंह)
क्षेत्रीय अधिकारी

dc-b



Recd by PWR
10-6-20

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ सं०
Ref. No

149455

सी-1/जल-1379/2020

दिनांक

Date

29-5-2020

सेवा में,

1. मुख्य कार्यपालक अधिकारी
नोयडा औद्योगिक विकास प्राधिकरण
सेक्टर-6, नोयडा,
गौतमबुद्ध नगर।
2. जिलाधिकारी, गौतमबुद्ध नगर।

विषय:- मा० एन०जी०टी० नई दिल्ली द्वारा ओ०ए० संख्या 889/2019 रेजीडेन्ट आफ अंतरिक्ष केनबाल 3जी, सेक्टर-77, नोयडा बनाम स्टेट आफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 के अनुपालन के संबंध में।

महोदय,

उपरोक्त विषयक मा० एन०जी०टी०, नई दिल्ली द्वारा ओ०ए० संख्या-889/2019 रेजीडेन्ट आफ अंतरिक्ष केनबाल, 3जी, सेक्टर-77, नोयडा बनाम स्टेट आफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 (छायाप्रति संलग्न) का संदर्भ ग्रहण करने का कष्ट करें। आदेश के मुख्य बिन्दु निम्नवत् हैं:-

".....3. The State PCB needs to take further action for stopping illegality and recovering the assessed environment compensation by using coercive measures, including black listing and seizing assets of the project proponent. Ample powers are available for the purpose under Section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981, which need to be invoked. It is also open to the State PCB to take assistance of any other public authority, including the concerned District Magistrate or the Noida Authority for enforcing the law and environmental rights of the affected parties...."

इस संबंध में अवगत कराना है कि मा० एन०जी०टी० में योजित उक्त ओ०ए० के अन्तर्गत पारित आदेश दिनांक 20.09.2019 के अनुपालन में उ०प्र० प्रदूषण नियंत्रण बोर्ड एवं भूगर्भ जल प्राधिकरण के अधिकारियों द्वारा उक्त परियोजना स्थल का संयुक्त निरीक्षण दिनांक 10.12.2019 को किया गया था तथा यह पाया गया था कि अंतरिक्ष फोरेस्ट टावर से जनित सीवेज उत्प्रवाह के शुद्धीकरण हेतु 100 कि०ली०/दिन क्षमता का एस०टी०पी० स्थापित किया गया है जो पर्याप्त क्षमता का नहीं है। निरीक्षण के समय एकत्रित उत्प्रवाह का नमूना मानकों के अनुरूप नहीं पाया गया था। मैसर्स अंतरिक्ष फोरेस्ट की स्थापना हेतु राज्य स्तरीय पर्यावरणीय प्रभाव मूल्यांकन प्राधिकरण से पर्यावरणीय स्वीकृति पत्र दिनांक 31.10.2011 द्वारा प्राप्त की गयी थी, जिसके अनुसार उक्त परियोजना में 600 कि०ली०/दिन क्षमता का एस०टी०पी० स्थापित

किया जाना था, परन्तु परियोजना द्वारा केवल 100 कि०ली०/दिन क्षमता का एस०टी०पी० स्थापित किया गया है, जो उपयुक्त नहीं है। परियोजना द्वारा उ०प्र० प्रदूषण नियंत्रण बोर्ड से नियमानुसार सहमति जल एवं वायु प्राप्त नहीं की गयी थी। अतः मा० एन०जी०टी० के आदेशों के अनुपालन में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा दोषी उद्योगों/संस्थाओं के विरुद्ध पर्यावरणीय क्षतिपूर्ति के संबंध में बनायी गयी गाइड लाइन्स के आधार पर उक्त परियोजना के विरुद्ध रूपये 3,28,50,000/- (रूपये तीन करोड़ अठ्ठाईस लाख पचास हजार मात्र) की पर्यावरणीय क्षतिपूर्ति बोर्ड के पत्र दिनांक 31.01.2020 (प्रति संलग्न) द्वारा अधिरोपित कर दी गयी थी। परियोजना द्वारा पर्यावरणीय क्षतिपूर्ति की धनराशि जमा नहीं की गयी है।

उक्त परियोजना द्वारा बोर्ड द्वारा अधिरोपित पर्यावरणीय क्षतिपूर्ति के सम्बन्ध में मा० उच्च न्यायालय इलाहाबाद में दायर रिट याचिका संख्या 7712/2020 मैसर्स परफेक्ट प्रोप बिल्ड (प्र०) लि० बनाम उ०प्र० राज्य एवं अन्य में पारित आदेश दिनांक 03.03.2010 की प्रति संलग्न है। मा० उच्च न्यायालय द्वारा पारित आदेश के अनुपालन में राज्य बोर्ड द्वारा रिपोर्ट, प्रतिशपथ पत्र के माध्यम से दाखिल किया जाना है।

परियोजना के निदेशक मण्डल के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 के प्राविधानों के अन्तर्गत सक्षम न्यायालय में Criminal Misc Cases/ 1853 /2000/UPPCB Vs. Perfect Prop build Pvt. Ltd and Ors. वाद भी दायर कर दिया गया है, जो विचाराधीन है।

अतः मा० एन०जी०टी० द्वारा ओ०ए० संख्या-889/2019 रेजीडेन्ट आफ अंतरिक्ष केनबाल, 3जी, सेक्टर-77, नोयडा बनाम स्टेट आफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 के उपरोक्त वर्णित बिन्दु संख्या-3 के अनुपालन में आवश्यक कार्यवाही करने का कष्ट करें।

संलग्नक:- उपरोक्तानुसार।

भवदीय

(आशीष तिवारी)
सदस्य सचिव

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. मुख्य पर्यावरण अधिकारी, वृत्त-1, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
2. विधि अधिकारी-प्रथम, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, नोयडा को इस निर्देश के साथ कि मा० उच्च न्यायालय, इलाहाबाद में दाखिल किए जाने वाले प्रतिशपथ पत्र का विधिक परीक्षण कराकर शपथ पत्र का प्रारूप तैयार कर मा० उच्च न्यायालय में समय से शपथ पत्र दाखिल किया जाना सुनिश्चित करें। यह भी निर्देश दिए जाते हैं कि मा० राष्ट्रीय हरित अधिकरण में अनुपालन आख्या दाखिल किया जाना सुनिश्चित करें।

(सदस्य सचिव)

L-91
 27-6-20

कार्यालय

जिलाधिकारी,

गौतमबुद्ध नगर।

पत्रांक: 2136/एस0टी0-डी0एम0/2020

दिनांक: 27-6-2020

अपर जिलाधिकारी(प्रशासन)
 गौतमबुद्धनगर।

विषय :- माननीय एन0जी0टी0, नई दिल्ली द्वारा ओ0ए0 सं0-889/2019 रेजीडेन्ट ऑफ अंतरिक्ष केनबाल 3जी, सैक्टर-77 नोएडा बनाम स्टेट ऑफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 के अनुपालन के सम्बन्ध में।

उपर्युक्त विषयक क्षेत्रीय अधिकारी, उ0प्र0प्रदूषण नियन्त्रण बोर्ड, नोएडा के पत्र संख्या-248/2-115/2020 दिनांक 24.06.2020 का संदर्भ ग्रहण करें, जिसके अन्तर्गत माननीय एन0जी0टी0, नई दिल्ली द्वारा ओ0ए0 सं0-889/2019 रेजीडेन्ट ऑफ अंतरिक्ष केनबाल 3जी, सैक्टर-77 नोएडा बनाम स्टेट ऑफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 के बिन्दु संख्या-3 के क्रम में आवश्यक कार्यवाही कराये जाने का अनुरोध किया गया है।

संदर्भित पत्र मयसंलग्नकों सहित संलग्न करते हुए मा0 एन0जी0टी0 द्वारा पारित उक्त आदेश के क्रम में नियमानुसार आवश्यक कार्यवाही समयबद्ध रूप से कराये जाने हेतु आपको निर्देशित किया जाता है।

संलग्नक :- उपरोक्तानुसार।

(सुहास एल0वाई0)
 जिलाधिकारी,
 गौतमबुद्धनगर।

पत्रांक एवं दिनांक उपरोक्तानुसार।
 प्रतिलिपि:- क्षेत्रीय अधिकारी, उ0प्र0प्रदूषण नियन्त्रण बोर्ड, नोएडा को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

(सुहास एल0वाई0)
 जिलाधिकारी,
 गौतमबुद्धनगर।

AEE
 27/6

OS
 क. उम्माचिकर फा.
 27/6/20

89-7-20

जिलाधिकारी,
गौतमबुद्धनगर ।

सेवा में,

मुख्य कार्यपालक अधिकारी,
नौएडा औद्योगिक विकास प्राधिकरण,
नौएडा, गौतमबुद्धनगर ।

पत्रांक: 1765 / एसटी-ए0डी0एम0(प्र0) / 2020

दिनांक 7/7/2020

विषय- मा0 एन0जी0टी0 नई दिल्ली द्वारा ओ0ए0 सं0 889/2019 रेजीडेण्ट आफ अंतरिक्ष केनबाल 3जी सेक्टर-77 नौएडा बनाम स्टेट आफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 के अनुपालन के सम्बन्ध में ।

महोदय,

कृपया सदस्य सचिव, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, लखनऊ का पत्र सं0 एम49455 /सी.1/जल-13-74/2020 दिनांक 29.5.2020 जो आपको तथा जिलाधिकारी, गौतमबुद्धनगर को सम्बोधित है, का संदर्भ ग्रहण करने का कष्ट करें जिसके अन्तर्गत मा0 एन0जी0टी0 नई दिल्ली द्वारा ओ0ए0 सं0 889/2019 रेजीडेण्ट आफ अंतरिक्ष केनबाल 3जी सेक्टर-77 नौएडा बनाम स्टेट आफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 (छाया प्रति संलग्न) में बिन्दु सं0 3 में वर्णित तथ्य के आधार पर उ0प्र0 प्रदूषण नियंत्रण बोर्ड लखनऊ द्वारा पर्यावरणीय क्षति वसूल किये जाने का अनुरोध किया गया है ।

"..... 3. The state PCB needs to take further action for stopping illegality and recovering the assessed environment compensation by using coercive measures, including black listing and seizing assets of the project proponent. Ample powers are available for the purpose under section 33A of the water (prevention and control of pollution) Act, 1974 and section 31A of the Air (prevention and control of pollution) Act, 1981 which need to be invoked. It is also open to the state PCB to take assistance of any other public authority, including the concerned District Magistrate or the Noida Authority for enforcing the law and environmental rights of the affected parties....."

उक्त के सम्बन्ध में प्रसंगत पत्र व मा0 एन0जी0टी0 नई दिल्ली द्वारा 11.02.2020 को पारित आदेश की प्रति संलग्न कर इस अनुरोध के साथ प्रेषित है कि मा0 एन0जी0टी0 नई दिल्ली

17/7/20
10-7-20

द्वारा पारित आदेश के बिन्दु सं०-३ का पालन करने हेतु आवश्यक कार्यवाही कराने का कष्ट करें ।
संलग्नक: उपरोक्तानुसार ।

भवदीय

अपर जिलाधिकारी(प्र०)
गौतमबुद्धनगर

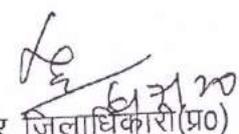
प्रतिलिपि:-

1-

जिलाधिकारी, गौतमबुद्धनगर को उनके पत्र सं० 2136/एसटी-डी०एम०/2020 दिनांक 27.06.2020 के क्रम में सूचनार्थ प्रेषित ।

2-

क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियन्त्रण बोर्ड, नौएडा को आवश्यक कार्यवाही हेतु प्रेषित


अपर जिलाधिकारी(प्र०)
गौतमबुद्धनगर



Received by Post
25-7-20

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD
T.C.-12V, Vibhuti Khand, Gomti Nagar,
Lucknow : 226010

संदर्भ सं० H50879
Ref.No...../सी-1/जल/1160 /2020

दिनांक
Date 15-7-2020

सेवा में,
जिलाधिकारी,
गौतमबुद्ध नगर।

विषय- मै0 परफेक्ट प्रोप बिल्ड प्रा0लि0, प्लाट नं0- 3जी0, सेक्टर-77, नोयडा गौतमबुद्धनगर के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति की वसूली भू-राजस्व की भांति किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक मै0 परफेक्ट प्रोप बिल्ड प्रा0लि0, प्लाट नं0- 3जी0, सेक्टर-77, नोयडा गौतमबुद्धनगर को अशोधित उत्स्रवाह का निस्तारण ओपन ड्रेन में किए जाने के कारण जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 के प्राविधानों का उल्लंघन किया जाना पाया गया तत्कम में संस्था के विरुद्ध केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा बनाई गई गाइडलाइन्स के आधार पर नोटिस दिनांक 31.01.2020(छायाप्रति संलग्न) के माध्यम से पर्यावरणीय क्षतिपूर्ति कुल 602 दिन हेतु धनराशि रू0 3,28,50,000/- (रूपये तीन करोड़ अट्ठाइस लाख पचास हजार मात्र) अधिरोपित की गई थी। जिसका संस्था द्वारा पर्यावरणीय क्षतिपूर्ति राज्य बोर्ड के सम्बन्धित खाते में जमा नहीं किया गया है। क्षेत्रीय अधिकारी, नोयडा के पत्रांक-308/एल.-91/2020, दिनांक 06.07.2020 दिनांक 06.07.2020 द्वारा पर्यावरणीय क्षतिपूर्ति की वसूली भूराजस्व की भांति किए जाने एवं वसूली गयी धनराशि बोर्ड के खाते में जमा किये जाने की संस्तुति की गई है।

अतः अनुरोध है कि मै0 परफेक्ट प्रोप बिल्ड प्रा0लि0, प्लाट नं0- 3जी0, सेक्टर-77, नोयडा गौतमबुद्धनगर के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति रू0 3,28,50,000/- (रूपये तीन करोड़ अट्ठाइस लाख पचास हजार मात्र) की वसूली भू-राजस्व की भांति कराने हेतु सम्बन्धित को निर्देशित करते हुयउ0प्र0 प्रदूषण नियंत्रण बोर्ड के खाता संख्या- सं0-701502010002104 आईएफएससी कोड- UBIN0570150 यूनियन बैंक ऑफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ में जमा कराया जाना सुनिश्चित कराने का कष्ट करें।

संलग्नक-उपरोक्तानुसार।

भवदीय,

(आशीष तिवारी)
सदस्य सचिव

प्रतिलिपि :-

1. मुख्य पर्यावरण अधिकारी (वृत्त-1), उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, नोयडा को इस निर्देश के साथ कि जिलाधिकारी कार्यालय से समन्वय स्थापित कर पर्यावरणीय क्षतिपूर्ति की वसूली कराकर सम्बन्धित खाते में जमा कराये।

सदस्य सचिव

Recd
20/08/20

प्रेषक,

जिलाधिकारी,
गौतमबुद्ध नगर।

सेवा में,

मुख्य कार्यपालक अधिकारी,
नोएडा विकास प्राधिकरण
गौतमबुद्ध नगर।

पत्रांक: 122 / एस0टी0-डी0एम0 / 2020

दिनांक: 20-8-2020

विषय:- **OA- 889/2019 in Hon'ble NGT Court- and order dated 7-8-2020.**
महोदया,

कृपया, उपर्युक्त विषयक श्री विरेन्द्र सिंह, फ्लैट नं0-404 एवं शिल्पा मेहता, फ्लैट नं0-202, निवासी-मै0 अन्तरिक्ष केनबाल 3जी, सैक्टर-77 नोएडा मुझसे मिले और उनके द्वारा एक प्रार्थना पत्र दिनांक 19.8.2020 प्रस्तुत किया गया है, सन्दर्भ ग्रहण करने का कष्ट करें। प्रार्थना पत्र में मै0 अन्तरिक्ष केनबाल 3जी, सैक्टर-77 के निवासीगणों की उल्लिखित मॉगों/समस्याओं जैसे-नोएडा प्राधिकरण से ओ0सी0/सी0सी0 प्राप्त किए बिना 450 परिवारों को कब्जा दे दिया गया, गंगा जल का बुनियादी ढांचा, क्लब, जिम, तैराकी, डब्ल्यू0टी0पी0 आदि का निस्तारण अभी तक न होने के कारण उनके द्वारा असन्तोष व्यक्त करते हुए उल्लिखित मॉगों/समस्याओं का शीघ्र निस्तारण कराये जाने का अनुरोध किया गया है। प्रार्थना पत्र के साथ एन0जी0टी0 द्वारा पारित आदेश की प्रति भी संलग्न की गयी है, जिसमें कार्यवाही हेतु मुख्य कार्यपालक अधिकारी नोएडा को निर्देशित किया गया है।

संदर्भित प्रार्थना पत्र की प्रति मय एन0जी0टी0 के आदेश की प्रति सहित संलग्न कर इस अनुरोध के साथ प्रेषित है कि उल्लिखित मॉगों/समस्याओं एवं मा0 एन0जी0टी0 द्वारा दिये गये निर्देश का अवलोकन करते हुए नियमानुसार यथाशक्य कार्यवाही करने का कष्ट करें।

संलग्नक :-उपरोक्तानुसार।

भवदीय,

(सुहास एल0वाई0)
जिलाधिकारी,
गौतमबुद्ध नगर।

संख्या व दिनांक उपरोक्त

प्रतिलिपि:- क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, नोएडा गौतमबुद्धनगर को उक्त की एक प्रति संलग्न कर आवश्यक कार्यवाही हेतु प्रेषित है।

(सुहास एल0वाई0)
जिलाधिकारी,
गौतमबुद्ध नगर।



क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, नोएडा

ई-12/1, सेक्टर-1 नोएडा, गौतमबुद्धनगर
ई-मेल : ronoida@uppcb.com, फोन : 0120-4974552

संदर्भ संख्या : 216 / L- 91 / 2020

दिनांक : 17/06/2020

To,
The Registrar,
National Green Tribunal,
New Delhi.

Sub: O.A. No. 889/2019; Residents of Antriksh Kanball,
3G, Sector-77, NOIDA Vs. State of U.P. & Ors.

Sir,

Please find enclosed herewith a supplementary report for compliance of order dated 11.02.2020 passed by this Hon'ble Tribunal in the above noted matter.

With regards,

Encl: As above.

Praveen
17/06/2020
(Praveen Kumar)
Regional Officer,
U.P. Pollution Control Board,
NOIDA

36

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 889 OF 2019

IN THE MATTER OF:

RESIDENTS OF ANTARIKSH KANBALL,
3G, SECTOR-77, NOIDA

.... APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.RESPONDENTS

FURTHER REPORT OF COMPLIANCE OF ORDER DATED
11.02.2020

1. That the above noted matter came up for hearing on 11.02.2020 when this Hon'ble Tribunal passed the following direction:

“..... 3. The State PCB needs to take further action for stopping illegality and recovering the assessed environment compensation by using coercive measures, including black listing and seizing assets of the project proponent. Ample powers are available for the purpose under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31A of the Air (Prevention and Control of Pollution) Act, 1981, which need to be invoked. It is also open to the State PCB to take assistance of any other public authority, including the concerned District Magistrate or the Noida Authority for enforcing the law and environmental rights of the affected.....”

Pleee
17/06/2020

(2)

2. That in compliance of the said order a compliance report dated 21.05.2020 on behalf of U.P. Pollution Control Board has already been submitted to this Hon'ble Tribunal. A true copy of the said report is being enclosed herewith and marked as Annexure-1.

3. That further the Board has requested the District Magistrate, Gautam Budh Nagar and Chief Executive Officer, NOIDA to take action in respect of aforesaid directions against the unit for non-compliance of pollution control norms. Besides this, prosecution against the Board of Directors has been filed which is pending. Copy of letter dated 29.05.2020 sent by the Board to Chief Executive Officer, NOIDA and District Magistrate, Gautam Budh Nagar is being enclosed herewith and marked as Annexure-2.

4. That the above report is being submitted for kind consideration of this Hon'ble Tribunal.

DATED: 17.06.2020

Praveen
17/06/2020
(PRAVEEN KUMAR)
Regional Officer,
U.P. Pollution Control Board,
NOIDA.

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

Original Application No-889/2019

Residents of Antariksh Kanball, 3G, Sector-77, Noida Applicant(s)

V/S

State of Uttar Pradesh & Ors. Respondent(s)

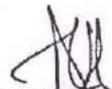
Compliance Report of Order dated 11-02-2020

In the said matter the following order's have been passed by Hon'ble NGT on 11-02-2020-

"The State PCB needs to take action for stopping illegality and recovering the assessed environment compensation by using coercive measures, including black listing and seizing assets of the project proponent. Ample powers are available for the purpose under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31A of the Air (Prevention and Control of Pollution) Act, 1981, which need to be invoked. It is also open to the State PCB to take assistance of any other public authority, including the concerned District Magistrate or the Noida Authority for enforcing the law and environmental rights of the affected parties."

1. In compliance of Hon'ble NGT's above order dated 11-02-2020, the prosecution has been launched against the Director's of M/s Perfect Prop Build (P) Ltd. GH-3B, Sector-77, Noida as Criminal Misc. cases/1853/2020 UPPCB Vs Perfect Prop Build (P) Ltd. & Others. The details of the filing the above case is enclosed as Annex-1.
2. Mean While M/s Perfect Prop Build (P) Ltd. New Delhi has filed Writ Petition No-7712 of 2020 in Hon'ble High Court Allahabad against respondent State of U.P. Dept. of Environment Forest and Climate Change through its Principal Secretary and 2 Others. The Hon'ble High Court has passed an order dated 03-03-2020 to file counter affidavit in the said matter. The matter is pending. The copy of order is enclosed as Annex-2.

Compliance report is submitted for kind perusal.


 Dr. Anil Kumar Singh
 Regional Officer
 U.P. Pollution Control Board
 Noida



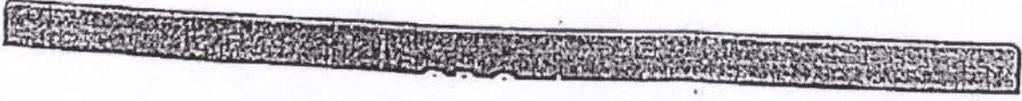
Add Case 

Case Details

Case Type	Criminal Misc. Cases
Filing Number	25846/2020
Filing Date	06-03-2020
Registration Number	1853/2020
Registration Date	06-03-2020
CNR Number	UPLK040258502020

Case Status

First Hearing Date	18-05-2020
Next Hearing Date	18-05-2020
Stage of Case	Evidence
Court No and Judge	77-SPL.JM POLLUTION





Sl. No.	Case Number	Party Name
1	<u>Criminal Misc.</u> <u>Cases/1853/2020</u>	UPPCB vs M/S PERFECT PROBUID PVT. LTD. AND OTHERS
2	<u>Criminal Misc.</u> <u>Cases/1851/2020</u>	UPPCB vs ANNA ASSOCIATES PVT. LTD. AND OTHERS
3	<u>Criminal Misc.</u> <u>Cases/1847/2020</u>	UPPCB vs M/S AHMAD ENT BHATTA AND OTHERS
4	<u>Criminal Misc.</u> <u>Cases/1845/2020</u>	UPPCB vs M/S MIRHA EXPORTS PVT. LTD. AND OTHERS

Court No. - 7

Case :- WRIT - C No. - 7712 of 2020

Petitioner :- Perfect Prop Build (P) Limited, New Delhi Through Its Authorised Signatory

Respondent :- State Of U.P. Dept. Of Environment. Forest and Climate Change, through Its Principal Secretary and 2 others

Counsel for Petitioner :- Siddharth Nandwani holding brief of Sri Siddharth Singhal

Counsel for Respondent No.1 :- Mata Prasad (Standing Counsel)

Counsel for Respondent Nos. 2 and 3 :- Hari Nath Tripathi

Hon'ble Biswanath Somadder,J.

Hon'ble Dr. Yogendra Kumar Srivastava,J.

Learned advocate appearing for the petitioner submits that the order dated 31st January, 2020, passed by the Uttar Pradesh Pollution Control Board is an order without jurisdiction. The facts, however, demonstrate to the contrary. The genesis of the order dated 31st January, 2020 is on the basis of initiation of proceedings by the Uttar Pradesh Pollution Control Board pursuant to an order of the National Green Tribunal dated 02.12.2019.

We are of the view that the matter requires further consideration.

The concerned respondent-authority, namely, the Uttar Pradesh Pollution Control Board shall file a report within three weeks in the form of an affidavit on or before the next date stating its response to the specific allegations made in the writ petition.

List on 24th March, 2020, under the same heading.

Order Date :- 3.3.2020

Imroz

(Biswanath Somadder,J.)

(Dr V K Srivastava J.)

Recd by Pwr
10-6-20

Annexure - 2

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ सं०
Ref. No

149455

सी-1/जा.प्र-1374/2020

दिनांक

Date

29-5-2020

सेवा में,

1. मुख्य कार्यपालक अधिकारी
नोयडा औद्योगिक विकास प्राधिकरण
सेक्टर-6, नोयडा,
गौतमबुद्ध नगर।
2. जिलाधिकारी, गौतमबुद्ध नगर।

विषय:- मा0 एन0जी0टी0 नई दिल्ली द्वारा ओ0ए0 संख्या 889/2019 रेजीडेन्ट आफ अंतरिक्ष केनबाल 3जी, सेक्टर-77, नोयडा बनाम स्टेट आफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 के अनुपालन के संबंध में।

महोदय,

उपरोक्त विषयक मा0 एन0जी0टी0, नई दिल्ली द्वारा ओ0ए0 संख्या-889/2019 रेजीडेन्ट आफ अंतरिक्ष केनबाल, 3जी, सेक्टर-77, नोयडा बनाम स्टेट आफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 (छायाप्रति संलग्न) का संदर्भ ग्रहण करने का कष्ट करें। आदेश के मुख्य बिन्दु निम्नवत् हैं:-

".....3. The State PCB needs to take further action for stopping illegality and recovering the assessed environment compensation by using coercive measures, including black listing and seizing assets of the project proponent. Ample powers are available for the purpose under Section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981, which need to be invoked. It is also open to the State PCB to take assistance of any other public authority, including the concerned District Magistrate or the Noida Authority for enforcing the law and environmental rights of the affected parties...."

इस संबंध में अवगत कराना है कि मा0 एन0जी0टी0 में योजित उक्त ओ0ए0 के अन्तर्गत पारित आदेश दिनांक 20.09.2019 के अनुपालन में उ0प्र0 प्रदूषण नियंत्रण बोर्ड एवं भूगर्भ जल प्राधिकरण के अधिकारियों द्वारा उक्त परियोजना स्थल का संयुक्त निरीक्षण दिनांक 10.12.2019 को किया गया था तथा यह पाया गया था कि अंतरिक्ष फोरेस्ट टावर से जनित सीवेज उत्प्रवाह के शुद्धीकरण हेतु 100 कि०ली०/दिन क्षमता का एस0टी0पी0 स्थापित किया गया है जो पर्याप्त क्षमता का नहीं है। निरीक्षण के समय एकत्रित उत्प्रवाह का नमूना मानकों के अनुरूप नहीं पाया गया था। मैसर्स अंतरिक्ष फोरेस्ट की स्थापना हेतु राज्य स्तरीय पर्यावरणीय प्रभाव मूल्यांकन प्राधिकरण से पर्यावरणीय स्वीकृति पत्र दिनांक 31.10.2011 द्वारा प्राप्त की गयी थी, जिसके अनुसार उक्त परियोजना में 600 कि०ली०/दिन क्षमता का एस0टी0पी0 स्थापित

किया जाना था, परन्तु परियोजना द्वारा केवल 100 कि०मी०/दिन क्षमता का एस०टी०पी० स्थापित किया गया है, जो उपयुक्त नहीं है। परियोजना द्वारा उ०प्र० प्रदूषण नियंत्रण बोर्ड से नियमानुसार सहमति जल एवं वायु प्राप्त नहीं की गयी थी। अतः मा० एन०जी०टी० के आदेशों के अनुपालन में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा दोषी उद्योगों/संस्थाओं के विरुद्ध पर्यावरणीय क्षतिपूर्ति के संबंध में बनायी गयी गाइड लाइन्स के आधार पर उक्त परियोजना के विरुद्ध रूपये 3,28,50,000/- (रूपये तीन करोड़ अट्ठाईस लाख पचास हजार मात्र) की पर्यावरणीय क्षतिपूर्ति बोर्ड के पत्र दिनांक 31.01.2020 (प्रति संलग्न) द्वारा अधिरोपित कर दी गयी थी। परियोजना द्वारा पर्यावरणीय क्षतिपूर्ति की धनराशि जमा नहीं की गयी है।

उक्त परियोजना द्वारा बोर्ड द्वारा अधिरोपित पर्यावरणीय क्षतिपूर्ति के सम्बन्ध में मा० उच्च न्यायालय इलाहाबाद में दायर रिट याचिका संख्या 7712/2020 मैसर्स परफेक्ट प्रोप बिल्ड (प्रा०) लि० बनाम उ०प्र० राज्य एवं अन्य में पारित आदेश दिनांक 03.03.2010 की प्रति संलग्न है। मा० उच्च न्यायालय द्वारा पारित आदेश के अनुपालन में राज्य बोर्ड द्वारा रिपोर्ट, प्रतिशपथ पत्र के माध्यम से दाखिल किया जाना है।

परियोजना के निदेशक मण्डल के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 के प्राविधानों के अन्तर्गत सक्षम न्यायालय में Criminal Misc Cases/ 1853 /2000/ UPPCB Vs. Perfect Prop build Pvt. Ltd and Ors. वाद भी दायर कर दिया गया है, जो विचाराधीन है।

अतः मा० एन०जी०टी० द्वारा ओ०ए० संख्या-889/2019 रेजीडेन्ट आफ अंतरिक्ष केनबाल, 3जी, सेक्टर-77, नोयडा बनाम स्टेट आफ उत्तर प्रदेश व अन्य में पारित आदेश दिनांक 11.02.2020 के उपरोक्त वर्णित बिन्दु संख्या-3 के अनुपालन में आवश्यक कार्यवाही करने का कष्ट करें।

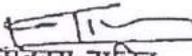
संलग्नक:- उपरोक्तानुसार।

भवदीय

(आशीष तिवारी)
सदस्य सचिव

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. मुख्य पर्यावरण अधिकारी, वृत्त-1, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
2. विधि अधिकारी-प्रथम, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, नोयडा को इस निर्देश के साथ कि मा० उच्च न्यायालय, इलाहाबाद में दाखिल किए जाने वाले प्रतिशपथ पत्र का विधिक परीक्षण कराकर शपथ पत्र का प्रारूप तैयार कर मा० उच्च न्यायालय में समय से शपथ पत्र दाखिल किया जाना सुनिश्चित करें। यह भी निर्देश दिए जाते हैं कि मा० राष्ट्रीय हरित अधिकरण में अनुपालन आख्या दाखिल किया जाना सुनिश्चित करें।


सदस्य सचिव

(9)



Handwritten: 21-01-2020
By Post

PERFECT PROPBUILD (P) LTD.
(Subsidiary Company of Antriksh Group)

Corp. Office : 11nd Floor Plot No. 2, Commercial Complex,
Sec-10, Dwarka, New Delhi, Ph : 011-45075375
CIN NO.U45200DL2007PTC160619

To,
Chief Environment Officer,
Uttar Pradesh Pollution Control Board,
Circle-1, T.C.-12V, Vibhuti Khand, Gomti Nagar,
Lucknow

Date:- 20.01.2020

Subject:- Reply to your letter dated 10.01.2020 having letter reference no. as H46229/C-1/Vidhi/153/2020

Respected Sir,

The instant reply is in regard to the notice issued from the office of your good self dated 10.01.2020 calling for explanation in respect of show cause notice dated 29.11.2019 having been issued under Section 33A of The Water (Prevention and Control of Pollution) Act, 1974. We would like to bring few points in your knowledge which are necessary for disposal of the instant reply:-

1. That at the outset, the facts, figures and findings arrived by the office of your good self in respect of the real estate project of the company before sending the instant letter and show cause notice are incorrect, illusory and baseless hence are vehemently denied. Without affording any opportunity to file appropriate objections to the finding arrived by the office of your good self, the office of your good self has proceeded to impose the monetary compensation and show cause the company.
2. That the project Antriksh Forest and Antriksh Kanball 3G both are a part of single project (one land parcel) which has been constructed on Plot Np. GH-3B, Sector-77 Noida, Gautam Buddh Nagar. The drawing approved from the authority for the complete project is a single drawing. Also, single environment clearance has been obtained for the complete project comprising of towers of both Antriksh Kanball 3G and Antriksh Forest therefore the findings recorded while issuing the show cause notice dated 29.11.2019 is contrary to the actual facts and circumstances of the case in hand. The two different names

3. of the complex have been given by the Company only for the purpose of identification and in no manner 'Antriksh Forest' and 'Antriksh Kanball 3G' can be treated as standalone real estate project.
4. That for the purpose of treating discharge of sewerage effluents, a Sewerage Treatment Plant (hereinafter referred to as 'STP') of 100 KLD was installed at the time of inspection as per the calculations which has been arrived after duly taking into consideration the occupancy of flats by respective families. The STP was functioning properly and was treating the wastage affluently. By passage of time and increase of its usage by the respective families, the STP installed by the company has since then been improvised which can be verified by the office of your good self and currently the STP having loading capacity of 250 KLD is in place.
5. That as per the environment clearance obtained from the state level environment impact assessment authority Uttar Pradesh, the Company is under obligation to install STP having capacity of 600 KLD however, an STP having capacity of 100 KLD has been installed by the Company taking into consideration the present occupancy of flats by respective families. The STP having capacity of 100 KLD has been installed presently on account of the fact that the functioning of STP depends upon the sewerage effluents being discharged into it for their treatment. As per technical know-how full STP shall not function in case of non-discharge of trade effluents required for its functioning. The installation of remaining capacity of STP is proposed which the company undertakes to install as and when the occupancy of flats in the project is increased in its number.

The calculations arrived by the company are as under:-

No of families residing in Antriksh Forest (F1) = 80
 No of Persons per family (P1) = 5 (for 2, 3 & 4 BHK)
 Daily Consumption (lpcd) (C1) = 86
 Total Discharge(D1) = (F1*P1*C1/1000)

i.e. (78*5*86/1000=33.54
 i.e. 33.54 KLD discharge

No of families residing in Kanball 3G Tower (F2) = 200.
(Type 1 flats admeasuring 550 sq.ft)
 No of Persons per family (P2) = 2 (for Type 1 flats)
 Daily Consumption (lpcd) (C2) = 86
 Total Discharge(D2) = (F2*P2*C2/1000)

i.e. (200*2*86/1000=34.4
 i.e. 34.4 KLD discharge

No of families residing in Kanball 3G Tower (F3) = 100
(Type 2 and Type 3 flats admeasuring 855 & 1170 sq.ft)
 No of Persons per family (P3) = 3 (for Type 2 & Type 3 flats)
 Daily Consumption (lpcd) (C3) = 86
 Total Discharge(D3) = (F3*P3*C3/1000)

i.e. (100*3*86/1000=25.8
 i.e. 25.8 KLD discharge

Total Discharge i.e. (D1+D2+D3) = 33.54+34.4+25.8
 =93.74 KLD
 =approx. 94 KLD
 discharge

6. The contention of your good self that the project does not has any consent from the Board under Air and Water Act is absolutely baseless. It is submitted that no consent from board under Water Act is required before establishment of residential complex as the real estate project developed by the company does not falls within the definition of industry

as defined under the provision of Act. The controversy in hand came to have been decided by the Hon'ble High Court of Delhi in Writ Petition No. 'Delhi Pollution Control Committee versus Splendor Landbase Ltd. ILPA 895/2010'. The relevant paragraph of the judgement is being reproduced herein below for the sake of convenience: -

16. A perusal of Section 25 of the Water Act would reveal, on a bare reading thereof, that without the previous consent of the State Pollution Board, „no person could establish or take any steps to establish any industry, operation or process,..... which is likely to discharge sewage or trade effluent“. Thus, even if sewage effluent as defined in Section 2(g) was discharged from any industry, operation or process intended to be established, the requirement of prior consent would be necessary and to this extent the view taken by the learned Single Judge is correct.

17. But, what would encompass „any industry, operation or process“?

18. The Water Act does not define, „industry“, „operation“ or „process“. As held in the decisions reported as 1993 (3) SC 2529 Commissioner of Income Tax Orissa vs. M/s.N.C.Budhiraja & Co. and 2010 (320) ITR 420 (Delhi) Ansal Housing & Construction Ltd. vs. Commissioner of Income Tax, the ordinary dictionary meaning of „industry“ or an „industrial undertaking“ would not include the activity of construction. The word „operation“ is defined, as noted by the learned Single Judge, in the New Shorter Oxford English Dictionary (Lesie Brown Ed.) as follows:

"operation: An action, deed; exertion of force or influence; working, activity; an act of a practical or technical nature, esp one forming a step in a process."

19. The same dictionary defines „process“, as noted by the learned Single Judge, as under:-

"process : The action or fact of going on or being carried on; a continuous series of actions, events or changes; a

systematic series of actions or operations directed at a particular end."

20. As noted herein above, applying purposive construction, the learned Single Judge has held, in para 15, that the two words „operation“ and „process“ have to be given their widest amplitude and meaning. The purposive construction applied by the learned Single Judge is that widest amplitude needs to be given to Section 25(1)(a) of the Water Act.

21. The error committed by the learned Single Judge is to mechanically note the definition of „operation“ and „process“, and ignore the sweep of the span of the two words. We do so. Operation is defined as an activity or an act of a practical or technical nature, with emphasis of the acts forming „a step in a process“. The word „process“ is a going on action or a continuous series of actions „directed at a particular end“. Thus, an operation would be a working or an activity, where the core of the act constituting the activity is of a practical or technical nature especially one forming a step in a process, and since process is an going on action or a continuous series of action directed at a particular end, the conjoint reading of an operation and a process or even if the two have to be read disjunctively would mean that the expression „establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent“ would mean to take steps to establish any industry, establishment or undertaking where the operation or process i.e. activity is of a practical or technical nature, at the core of which are ongoing acts, in a series, directed at a particular end. Thus, the act of ablution in the toilet or washing vegetables and dishes in the kitchen of a residential complex, within the precincts of residential flats, by no stretch of imagination can be called or labeled as an operation or a process.

22. The view taken by the learned Single Judge pertaining to shopping malls and commercial shopping complexes on the applicability of the Water Act is accordingly upheld and the view taken pertaining to the applicability of the Water Act to residential housing complexes is incorrect.

34. For our reasoning herein above pertaining to the Water Act, the said reasoning of the learned Single Judge pertaining to the Air Act is overruled, but would make no difference to the final conclusion arrived at by us pertaining to the applicability of the Air Act when construction activity commences in respect of shopping malls and commercial shopping complexes for the reason, prior consent to establish the same is required on the language of Section 21 of the Air Act in view of the expanded definition of the expression „industrial plant“. **But, for residential complexes, we hold that neither to establish nor to operate, (in fact the concept of „to operate“ is not even applicable to a residential complex), any permission is required under the Air Act.**

7. That the compensation sought to be levied by the office of your good self is totally without jurisdiction. It is submitted that no power is vested with the office of good self to seek environment compensation from the company as no such power to seek compensation is provided under the provisions of the Water Act as also held by the Delhi High Court in the case of 'Delhi Pollution Control Committee versus Splendor Landbase Ltd. ILPA 895/2010'. The relevant paragraph of the judgement is being reproduced herein below for the sake of convenience: -

37. We concur with the reasoning of the learned Single Judge in paras 58 to 64 of the impugned decision and thus do not elaborate any further, but would additionally highlight that the power to issue directions under Section 33A of the Water Act and the power to issue directions under Section 31A of the Air Act, on their plain language, does not confer the power to levy any penalty. We would further highlight that under Chapter VII of the Water Act, and under Chapter VI of

the Air Act penalties and procedure to levy the same have been set out. A perusal of the provisions under the Water Act would reveal that penalties can be levied as per procedure prescribed and only Courts can take cognizance of offences under the Act and levy penalties, whether by way of imprisonment or fine. Similar is the position under the Air Act. The legislature having enacted specific provisions for levy of penalties and procedures to be followed has specifically made the offences cognizable by Courts and the power to levy penalties under both Acts has been vested in the Courts. The role of the Pollution Control Boards is to initiate proceedings before the Court of Competent Jurisdiction and no more.

8. That the instant letter and show cause notice dated 29.11.2019 is completely misconceived as the same has been issued without having taking recourse of remedial action as provided under the provisions of the Water Act; the act which is grossly illegal and suffers from the vice of procedural arbitrariness and therefore is violative of Article 14 of the Constitution of India.

In view thereof, it is submitted that the instant letter and show cause notice dated 29.11.2019 deserves to be recalled.

Yours Faithfully

FOR PERFECT PROPBUILD PVT LTD.

Perfect Propbuild Pvt, Ltd.

Director

CC:-

Regional Office at E-12/1, Sector 1, Noida, Gautam Buddh Nagar

Chief Justice's Court

Case :- WRIT - C No. - 42240 of 2019

Petitioner :- Perfect Prop Build (P) Limited

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Siddharth Singhal

Counsel for Respondent :- C.S.C., Hari Nath Tripathi, Manoj Kumar Sinha

Hon'ble Govind Mathur, Chief Justice

Hon'ble Vivek Varma, J.

Heard learned counsel for the petitioner.

Respondent no. 1 is represented by learned Standing Counsel, respondent no. 2 is represented by Mr Shambhu Chopra, learned Senior counsel assisted by Sri Manoj Kumar Sinha, Advocate and respondent nos. 3 & 4 are represented by Mr Vishnu Pratap Singh, Advocate.

By this petition for writ, the validity of order dated 29.11.2019 passed by the Chief Environment Officer (Circle-I), UP Pollution Control Board is assailed.

Under the order aforesaid, while asking the explanation as to why appropriate steps be not taken against the petitioner for causing damage to the Environment, a compensation to the tune of Rs. 3,28,50,000/- has been demanded.

It is brought to our notice that National Green Tribunal, Principal Bench (New Delhi) in Original Application No. 889 of 2019 (Residents of Antrikish Kanball 3G, Sector-77, Noida Vs State of UP and others) after considering an inspection report submitted by the State Pollution Control Board, vide order dated 02.12.2019 directed the Board to take further action in accordance with law and file compliance report before the next date i.e. on 11.2.2020.

According to learned counsel for the petitioner, demand of compensation is wholly without jurisdiction and further that no demand for compensation could have been made without considering the explanation submitted by the petitioner in pursuance of the notice/order dated 29.11.2019.

Learned counsel appearing on behalf of UP Pollution Control Board states that entire issue is seized with National Green Tribunal, Principal Bench, New Delhi in Original Application No. 889 of 2019, hence, if petitioner is having any grievance with the compensation demanded, then the appropriate course is to approach the National Green Tribunal and not by invoking an

extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India.

We have considered the arguments advanced.

True it is, National Green Tribunal under order dated 02.12.2019 in Original Application No. 889 of 2019, kept the State Pollution Control Board at liberty to take further action against the petitioner but that must be in accordance with law.

The U. P. Pollution Control Board vide notice dated 29.11.2019 at one hand directed the petitioner to furnish explanation regarding the damage caused and as to why further action be not taken, and on the other hand demanded a sum of Rs. 3,28,50,000/- against compensation.

We fail to understand as to how the Pollution Control Board determined the compensation without taking into consideration the explanation tendered by the petitioner. The Pollution Control Board should have first consider and decide the explanation submitted by the petitioner and then should have proceed with any action, if required.

In view of whatever stated above, we deem it appropriate to **dispose off** this petition for writ by setting aside the notice/order dated 29.11.2019 to the extent that demands a compensation to the tune of Rs. 3,28,50,000/- without taking into consideration the explanation tendered by the petitioner.

The matter, being related to cause damage to the environment, requires expeditious consideration of the explanation submitted by the petitioner to taken further action in accordance with law. Therefore, we deem it appropriate to direct the Chief Environment Officer (Circle -I), UP Pollution Control Board to consider and decide the issue for which the petitioner is called upon under notice dated 29.11.2019 in accordance with law on or before 1.2.2020.

Order Date :- 19.12.2019
RavindraKSingh

(Vivek Varma, J.) (Govind Mathur, C.J.)



Received by Post
18-12-19

PERFECT PROPBUILD (P) LTD.
(Subsidiary Company of Antriksh Group)

CIN NO.U45200DL2007PTC160619

To,
Chief Environment Officer,
Uttar Pradesh Pollution Control Board,
Circle-1,
T.C.- 12V, Vibhuti Khand, Gomti Nagar, Lucknow- 226010.

Subject: Reply of letter dated 29.11.2019 received from Uttar Pradesh Pollution Control Board, Lucknow- Regarding.

Ref: H-44382/C1/Jal/1314/K.B. Notice/ 201 dated 29.11.2019.

Respected Sir,

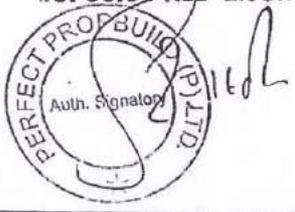
This letter is in regard to the notice issued from your good office dated 29.11.2019 having the above mentioned reference number in regard to the fine imposed on M/s. Perfect Propbuild Pvt. Ltd. for damaging the environment and not complying with the environment norms and regulations. We would like to bring few points in your kind knowledge which are as follows:

1. That Antriksh Forest and Antriksh Kanball 3G both are a part of single project(one land parcel) which has been constructed on Plot no. GH-3B, Sector- 77, Noida, Gautambudh Nagar. The drawing approved from the competent authority for the complete project is a single drawing. Also, single Environment Clearance letter has been obtained for the complete project comprising of towers of both Antriksh Kanball 3G and Antriksh Forest.
2. That the reason of giving two names within a single project is solely for the marketing purposes.
3. That the STP of capacity 100 KLD has been installed in project and is sufficient as per the current requirements of the project. The calculations are as under:

OS/02
5-470-साफाउ.
19.12.19

No. of families residing in Antriksh Forest (F1)=	80
No. of persons per family (P1)	= 5 (for 2, 3& 4 BHK)
Daily consumption (lpcd) (C1)	= 86
Total discharge (D1)	= (F1*P1*C1)/ 1000

i.e. $(78*5*86)/ 1000= 33.54$
i.e. **33.54 KLD discharge**





PERFECT PROPBUILD (P) LTD.
(Subsidiary Company of Antriksh Group)

CIN NO.U45200DL2007PTC160619

No. of families residing in Kanball tower 3G (F2) = 200

**(Type 1
flats measuring 550 Sqft.)**

No. of persons per family (P2) = 2 (for Type 1)
Daily Consumption (lpcd) (C2) = 86
Total discharge (D2) = $(F2 \times P2 \times C2) / 1000$

i.e. $(200 \times 2 \times 86) / 1000$

i.e. 34.4 KLD discharge

No. of families residing in Kanball 3G (F3) = 100

(Type-2 and Type-3 flats measuring 855&1170 Sqft.)

No. of persons per family (P3) = 3 (for Type-2 and Type-3 flats)
Daily Consumption (lpcd) (C3) = 86
Total discharge (D3) = $(F3 \times P3 \times C3) / 1000$

i.e. $(100 \times 3 \times 86) / 1000$

i.e. 25.8 KLD discharge

Total Discharge i.e. (D1 + D2+ D3) = 33.54 + 34.4+ 25.8

= **93.74 KLD discharge**

= **approx. 94 KLD**

4. That the total discharge from the project is 94 KLD which is being treated in the STP of 100 KLD which has been installed at site and is functioning properly (photographs attached).
5. That 600 KLD STP is proposed for the complete project. Looking at the current situation of occupancy in the project, STP of 100 KLD is sufficient and as when the occupancy will increase, the provision of additional STP will be made available at site.
6. That the compensation levied by the office of your good self is totally without jurisdiction. It is submitted that no power is vested with the office of good self to seek environment compensation from the company as no such power to seek compensation is provided under the provisions of the Water Act as also held by the Delhi High Court in the case of 'Delhi Pollution Control Committee versus Splendor Landbase Ltd. ILPA 895/2010'.

On and Behalf of Perfect Propbuild Pvt. Ltd.



Authorized Signatory

CC: Regional Officer, UPPCB

E-12/1, Sector 1, Noida, Gautam Budh Nagar, UP

UKHLA INDUSTRIAL DEVELOPMENT AUTHORITY
GSTIN: 09AAALN0120A1ZV

Invoice/Challan No. **40632**

SB A/C No. **003101220769**
IFSC Code No. - **ICIC0000031**

Applicant's Copy

ICICI BANK
SECTOR -18 NOIDA

Name of Scheme : **WATER CHALLAN**

PAN No. (In case of cash Deposit)

Please find enclosed here with Draft/Pay order No. / Cash Dated..... for Rs. **Due D**
Drawn on..... Being the Payment of Property allotted to me by NOIDA Authority **15/6**

1. Name: **M/s Perfect Prop Build P.Cd.**

Property Detail **77 GH 03B**
Location: Sector **77** Block **GH** Plot No **03B**

2. Address: **GH-03B Sec-77**
Noida

Category* File Ref. No.
*Residential/Commercial/Institutional/Group Housing/Residential Houses/ **39300**
Industrial **Flat 200** **110M**

3. GSTIN:

Sl. No.	Description of Services	SAC Code	Exempt Value	Taxable value (Rs.)	CGST		SGST		IGST		Total Value
					Rate (%)	Rs.	Rate (%)	Rs.	Rate (%)	Rs.	
	Period of Water Deposit			36000	0	-	0	-	0	0	36000
	<i>R/A 7/11-10/6/19</i>										
	<i>1000 x 36</i>										
	<i>7/19/19 to 3/18 57 x 6000</i>			342000	0	4860	0	4860	0	0	351720
	<i>4/18 to 6/19 15 x 9600</i>			144000	0	12960	0	12960	0	0	169920
	Surcharge/Interest				0		0		0	0	
	Administrative charges				0		0		0	0	
	Security Deposit			320000	0	288000	0	288000	0	0	377000
	<i>200 x 16000</i>										
	Maintenance Charge			39300	0	3537	0	3537	0	0	46367
	<i>Area 1/-</i>										
	STP Fees				0		0		0	0	
	<i>Security - 288-75 x 10 x 365</i>			1053930	0		0		0	0	1053930
	STP Water Charges	996921			0		0		0	0	
	Total Rs.			4815238		309357		309357			5433

10 JUN 2019

Grand Total **Fifty four lac thirty three thousand**
Invoice Value (in words) **Nine hundred fifty two**

Amount subject to Reverse Charge

Note:
1. CGST @9% + SGST @9% OR
2. IGST @18%

Name of Signatory **Kamlesh**
Designation **93911093**
Date **10/6/19**

Code No. of Other Income
1. Packing Charge @ 18% SAC Code 996743
2. Road Cutting Charge @ 18% SAC Code 998325
3. Advertisement Fees @ 18% SAC Code 990799

DD. No. **010690**
Punjab Sindh Bank
C/A Sec-63 Noida Rs. **5433952-/-**

Chief Justice's Court

Case :- WRIT - C No. - 42240 of 2019

Petitioner :- Perfect Prop Build (P) Limited

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Siddharth Singhal

Counsel for Respondent :- C.S.C., Hari Nath Tripathi, Manoj Kumar Sinha

Hon'ble Govind Mathur, Chief Justice

Hon'ble Vivek Varma, J.

Heard learned counsel for the petitioner.

Respondent no. 1 is represented by learned Standing Counsel, respondent no. 2 is represented by Mr Shambhu Chopra, learned Senior counsel assisted by Sri Manoj Kumar Sinha, Advocate and respondent nos. 3 & 4 are represented by Mr Vishnu Pratap Singh, Advocate.

By this petition for writ, the validity of order dated 29.11.2019 passed by the Chief Environment Officer (Circle-I), UP Pollution Control Board is assailed.

Under the order aforesaid, while asking the explanation as to why appropriate steps be not taken against the petitioner for causing damage to the Environment, a compensation to the tune of Rs. 3,28,50,000/- has been demanded.

It is brought to our notice that National Green Tribunal, Principal Bench (New Delhi) in Original Application No. 889 of 2019 (Residents of Antrikish Kanball 3G, Sector-77, Noida Vs State of UP and others) after considering an inspection report submitted by the State Pollution Control Board, vide order dated 02.12.2019 directed the Board to take further action in accordance with law and file compliance report before the next date i.e. on 11.2.2020.

According to learned counsel for the petitioner, demand of compensation is wholly without jurisdiction and further that no demand for compensation could have been made without considering the explanation submitted by the petitioner in pursuance of the notice/order dated 29.11.2019.

Learned counsel appearing on behalf of UP Pollution Control Board states that entire issue is seized with National Green Tribunal, Principal Bench, New Delhi in Original Application No. 889 of 2019, hence, if petitioner is having any grievance with the compensation demanded, then the appropriate course is to approach the National Green Tribunal and not by invoking an

Perfect Propbuild Pvt. Ltd.

Authorised Signatory

extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India.

We have considered the arguments advanced.

True it is, National Green Tribunal under order dated 02.12.2019 in Original Application No. 889 of 2019, kept the State Pollution Control Board at liberty to take further action against the petitioner but that must be in accordance with law.

The U. P. Pollution Control Board vide notice dated 29.11.2019 at one hand directed the petitioner to furnish explanation regarding the damage caused and as to why further action be not taken, and on the other hand demanded a sum of Rs. 3,28,50,000/- against compensation.

We fail to understand as to how the Pollution Control Board determined the compensation without taking into consideration the explanation tendered by the petitioner. The Pollution Control Board should have first consider and decide the explanation submitted by the petitioner and then should have proceed with any action, if required.

In view of whatever stated above, we deem it appropriate to **dispose off** this petition for writ by setting aside the notice/order dated 29.11.2019 to the extent that demands a compensation to the tune of Rs. 3,28,50,000/- without taking into consideration the explanation tendered by the petitioner.

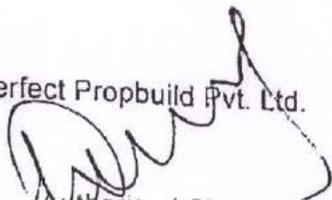
The matter, being related to cause damage to the environment, requires expeditious consideration of the explanation submitted by the petitioner to taken further action in accordance with law. Therefore, we deem it appropriate to direct the Chief Environment Officer (Circle -I), UP Pollution Control Board to consider and decide the issue for which the petitioner is called upon under notice dated 29.11.2019 in accordance with law on or before 1.2.2020.

Order Date :- 19.12.2019

RavindraKSingh

(Vivek Varma, J.) (Govind Mathur, C.J.)

For Perfect Propbuild Pvt. Ltd.



State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

Dr. Bhim Rao Ambedkar Paryavaran Parisar
Vineet Khand-1, Gomti Nagar, Lucknow - 226014
Phone: 91-522-2300544, Fax: 91-522-2300543
E-mail: deup@deu.gov.in
Website: www.deuup.com

Ref. 2464 /Env/SEAC/ 659/2011/AD(H)

21/10
Dated: October, 2011

To.

Mr. Rakesh Yadav,
Owner,
IIND Floor Plot no- 2,
Commercial Complex, Sec-10, Dwarka,
New Delhi.

Subject- Regarding the Environmental Clearance for the "Antriksh Forest" Plot no- 3B, Sector-77
Noida, G.B. Nagar, U.P.

Dear Sir,

Please refer to your letter Project Proposed submitted to the The Secretary, SEIAA/SEAC, Dr. Bhimrao Ambedkar Paryavaran Parisar, Vineet Khand-1, Gomti Nagar, Lucknow on the subject as above. The State Level Expert Appraisal Committee has considered the case in the meeting held on 23.09.2011 and has been given to understand that:

1. Environmental Clearance is sought for group housing project "Antriksh Forest" at Plot No. 041/3B, Sector-77, G.B. Nagar, Noida, U.P.
2. The total Plot area is 39295.5 sq.m. Proposed Built up area is 133993.004 sq.m.
3. The proposal is covered under category 8a of the EIA notification dated 14.9.2009 and the amendments thereof.
4. Green area for the proposed project is 8424.461 sqm.
5. The total water requirement for the project is 584 KLD & fresh water demand is 406.1303 and this requirement will be met from Ganga Jal (Municipal Supply) bore well.
6. 496 KLD waste water is expected to generate and will be treated in STP of 600 KLD capacities. Treated water will be reused in flushing and horticulture. 165 KLD waste water after tertiary treatment will be disposed in to sewerage system.
7. Power requirement is 8.0 MW which will be met from grid supply (Electricity Board) & for backup power 4 DG sets of 750 KVA capacity each has been proposed.
8. For RWI, 3 nos. of pits are proposed for approx. 299.4 m³ run off potential.
9. Approx. 2.8 Tons./day of solid waste will be generated during operation phase. It will be collected and segregated into biodegradable, recyclable and others fractions and disposed off as per MSW Rules, 2000.
10. 9 meter wide road has been provided all round the periphery of the residential blocks.
11. The total proposed parking for the project is 1627 ECS (Basement-872, Silt Area 108 ECS & open area 647 ECS).

21. Alternate technologies for solid waste disposals (like vermin-culture etc.) should be used in consultation with expert organizations.
22. No wetland should be infringed during construction and operation phases. Any wetland coming in the project area should be suitably rejuvenated and conserved.
23. Pavements shall be so constructed as to allow infiltration of surface run-off of rain water. Fully impermeable pavements shall not be constructed. Construction of pavements around trees shall be as per scientifically accepted principles in order to provide suitable watering, aeration and nutrition to the trees.
24. The Green building Concept suggested by Indian Green Building Council, which is a part of CII-Godrej GBC, shall be studied and followed as far as possible.
25. Compliance with the safety procedures, norms and guidelines as outlined in National Building Code, 2005 shall be compulsorily ensured.
26. It is to ensure usage of dual flush systems for flush cisterns and explore options to use sensor based fixtures, waterless urinals and other water saving techniques.
- ✓ 27. It is to ensure exploration of options for use of dual pipe plumbing for use of water with different qualities such as municipal supply, recycled water and ground water etc.
28. It is to ensure usage of measures for reducing water demand for landscaping and using xeriscaping, efficient irrigation equipments & controlled watering systems.
29. It shall be ensured to make suitable provisions for using solar energy as alternative source of energy. Solar energy application should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. Present a detailed report showing how much percentage of backup power for institution can be provided through solar energy so that use and polluting-effects of DG sets can be minimized.
30. Make separate provision for segregation, collection, transport and disposal of e-waste.
31. Educate citizens and other stake-holders by putting up hoardings at different places to create environmental awareness.
32. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
33. It shall be ensured to prepare and present disaster management plan.
34. A report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy efficiency should be prepared incorporating details about building materials and technology, R & U Factors etc.
35. Fly ash should be used as building material in the construction as per the provision of fly ash notification of September, 1999 and amended as on August, 2003 (The above condition is applicable only if the project lies within 100 km of Thermal Power Station).
36. The DG sets to be used during construction phase should use low sulphur diesel type and should conform to E.P. rules prescribed for air and noise emission standards.
37. Alternate technologies to Chlorination (for disinfection of waste water) including methods like Ultra Violet radiation, Ozonation etc. shall be examined and a report submitted with justification for selected technology.
38. The green belt design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential land use. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous variety.
39. The construction of the building and the consequent increased traffic load should be such that the micro climate of the area is not adversely affected.
40. The building should be designed so as to take sufficient safeguards regarding seismic zone sensitivity.
41. High rise buildings should obtain clearance from aviation department or concerned authority of suitable measures shall be taken to restrain the development of small commercial activities or slums in the vicinity of the complex. All commercial activities should be restricted to special areas earmarked for the purpose.

Based on the recommendations of the SEAC (meeting held on 23/09/2011) on the aforesaid project the State Level Environment Impact Assessment Authority U.P. (meeting held on 07/10/2011) has decided to grant the Environmental Clearance to the project subject to the effective implementation of the following conditions :-

a. General Conditions :

1. It shall be ensured that all standards related to ambient environmental quality and the emission/effluent standards as prescribed by the MoEF are strictly complied with.
- ✓ 2. It shall be ensured to obtain the no objection certificate from the U.P. pollution control board before start of construction.
3. It shall be ensured that no construction work or preparation of land by the project management except for securing the land is started on the project or the activity without the prior environmental clearance.
4. The proposed land use shall be in accordance to the prescribed land use. A land use certificate issued by the competent authority shall be obtained in this regards.
5. All tree- felling in the project area shall be as permitted by the Forest Department under the prescribed rules. Suitable clearance in this regard shall be obtained from the competent authority.
6. Impact of drainage pattern on environment should be provided.
7. Surface hydrology and water regime of the project area within 10 km should be provided.
8. A suitable plan for providing shelter, light and fuel, water and waste disposal for construction labour during the construction phase shall be provided along with the number of proposed workers.
- ✓ 9. Measures shall be undertaken to recycle and reuse treated effluents for horticulture and plantation. A suitable plan for waste water recycling shall be submitted.
10. It shall be ensured to obtain proper permission from competent authorities regarding enhanced traffic during and due to construction and operation of project.
11. It shall be ensured to obtain necessary clearances from the competent authority on the abstraction and use of ground water during the construction and operation phases.
12. Hazardous/inflammable/Explosive materials likely to be stored during the construction and operation phases shall be as per standard procedure as prescribed under law. Necessary clearances in this regards shall be obtained.
13. Solid wastes shall be suitably segregated and disposed. A separate and isolated municipal waste collection center should be provided. Necessary plans should be submitted in this regard.
14. Suitable rainwater harvesting system as per designs of Ground Water Department shall be installed. Complete proposals in this regard should be submitted.
15. The emissions and effluents etc. from machines, instruments and transport during construction and operation phases should be according to the prescribed standards. Necessary plans in this regard shall be submitted.
16. Water sprinklers and other dust control measures should be undertaken to take care of dust generated during the construction and operation phases. Necessary plans in this regard shall be submitted.
17. Suitable noise abatement measures shall be adopted during the construction and operation phases in order to ensure that the noise emissions do not violate the prescribed ambient noise standards. Necessary plans in this regard shall be submitted.
18. Separate stock piles shall be maintained for excavated top soil and the top soil should be utilized for preparation of green belt.
19. Sewage effluents shall be kept separate from rain water collection and storage system and separately disposed. Other effluents should not be allowed to mix with domestic effluents.
20. Hazardous/Solid wastes generated during construction and operation phases should be disposed off as prescribed under law. Necessary clearances in this regard shall be obtained.

- 42. It is suggested that literacy program for weaker sections of society/women/adults (including domestic help) and under privileged children could be provided in a formal way.
- 43. The use of Compact Fluorescent lamps should be encouraged. A management plan for the safe disposal of used/damaged CFLs should be submitted.
- 44. It shall be ensured that all Street and park lighting is solar powered. 50% of the same may be provided with dual (solar/electrical) alternatives.
- 45. Solar water heater shall be installed to the maximum possible capacity. Plans may be drawn up accordingly and submitted with justification.
- 46. Treated effluents shall be maximally reused to aim for zero discharge. Where ever not possible, a detailed management plan for disposal should be provided with quantities and quality of waste water.
- 47. The treated effluents should normally not be discharged into public sewers with terminal treatment facilities as they adversely affect the hydraulic capacity of STP. If unable, necessary permission from authorities should be taken.
- 48. Construction activities including movements of vehicles should be so managed so that no disturbance is caused to nearby residents.
- 49. All necessary statutory clearances should be obtained and submitted before start of any construction activity and if this condition is violated the clearance, if and when given, shall be automatically deemed to have been cancelled.
- 50. Parking areas should be in accordance with the norms of MOEF, Government of India. Plans may be drawn up accordingly and submitted.
- 51. The location of the STP should be such that it is away from human habitation and does not cause problem of odor. Odorless technology options should be examined and a report submitted.
- 52. The Environment Management plan should also include the break up costs on various activities and the management issues also so that the residents also participate in the implementation of the environment management plan.
- 53. Detailed plans for safe disposal of STP sludge shall be provided along with ultimate disposal location, quantitative estimates and measures proposed.
- 54. Status of the project as on date shall be submitted along with photographs from North, South, West and East side facing camera and adjoining areas should be provided.
- 55. Specific location along with dimensions with reference to STP, Parking, Open areas and Green belt etc. should be provided on the layout plan.
- 56. The DG sets shall be so installed so as to conform to prescribed stack heights and regulations and also to the noise standards as prescribed. Details should be submitted.
- 57. E-Waste Management should be done as per MoEF guidelines.
- 58. Electrical waste should be segregated and disposed suitably as not to impose Environmental Risk.
- 59. The use of suitably processed plastic waste in the construction of roads should be considered.
- 60. Displaced persons shall be suitably rehabilitated as per prescribed norms.
- 61. Dispensary for first aid shall be provided.
- 62. Safe disposal arrangement of used toiletries items in Hotels should be ensured. Toiletries items could be given complementary to guests, adopting suitable measures.
- 63. Diesel generating set stacks should be monitored for CO and HC.
- 64. Ground Water downstream of Rain Water Harvesting pit nearest to STP should be monitored for bacterial contamination. Necessary Hand Pumps should be provided for sampling. The monitoring is to be done both in pre and post monsoon, seasons.
- 65. The green belt shall consist of 50% trees, 25% shrubs and 25% grass as per MoEF norms.
- 66. A Separate electric meter shall be provided to monitor consumption of energy for the operation of sewage/effluent treatment in tanks.
- 67. An energy audit should be annually carried out during the operational phase and submitted to the authority.

- 68. Project proponents shall endeavor to obtain ISO:14001 certification. All general and specific conditions mentioned under this environmental clearance should be included in the environmental manual to be prepared for the certification purpose and compliance.
- 69. 2% of total project cost should be utilized to create a corpus of funds for implementing management plan under social corporate and environmental responsibility and a proposal in this regard is to be submitted within a month from issuance of Environmental Clearance.

b. Specific Conditions:

- 1) No ground water extraction should be done during operational phase.
- 2) 100% waste water will be treated. Treated water should conform to prescribed standards of receiving body or designated use.
- 3) Explore the possibility of providing 10% EWS houses in the project scheme.
- 4) Stack Height should be calculated on the basis of combined capacity of DG sets and should be 11mt. above the tallest building in the project.
- 5) For horticulture propose water requirement be revised to 1 ltr/sqm.
- 6) Only rooftop runoff shall be used for the purpose of rain water harvesting initially. Rain water harvesting from green area should be done only after CGWB permission.
- 7) STP to be provided during operation phase and STP sludge management plan be submitted.
- 8) Criteria/ norms provided by competent authority regarding the seismic zone be followed for construction work.

The project proponent will have to submit approved plans and proposals incorporating the conditions specified in the Environmental Clearance within 03 months of issuance of this clearance. Failing this, the environmental Clearance shall be deemed to be cancelled.

Necessary statutory clearances should be obtained and submitted before start of any construction activity. In the event of the violation of the condition the environmental clearance shall be automatically deemed to have been cancelled.

These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006 including the amendments and rules made thereafter.

This is to request you to take further necessary action in matter as per provision of Gazette Notification No. S.O. 1533(E) dated 14.9.2006 and send regular compliance reports to the authority as prescribed in the aforesaid notification.

(Signature)
 (Dr. C.S. Bhatt)
 Member Secretary, SEIAA

Copy for necessary action to:

- 1. The Principal Secretary, Environment, U.P. Govt., Lucknow.
- 2. Dr. Nalini Bhatt, Advisor, Ministry of Environment & Forests, Govt. of India, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi.
- 3. Chief Conservator, Ministry of Environment & Forests, Regional Office (Central Region), Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow.
- 4. The Member Secretary, U.P. Pollution Control Board, PICUP Bhawan, Gomti Nagar, Lucknow.

(Signature)
 (O.P. Varma)
 Secretary, SEAC and
 Director, (I/c) Directorate of Environment.

Court No. - 32

Case :- WRIT - C No. - 7712 of 2020

Petitioner :- Perfect Prop Build (P) Limited Through Its Authorised Signatory

Respondent :- State Of U.P. Dept. Of Env. Forest And Climate Change Through Its Principal Secretary And 2 Others

Counsel for Petitioner :- Siddharth Singhal

Counsel for Respondent :- C.S.C., Hari Nath Tripathi

Hon'ble Shashi Kant Gupta, J.

Hon'ble Sanjay Kumar Pachori, J.

In pursuance of the order dated 3.3.2020, the Uttar Pradesh Pollution Control Board was granted three weeks time to file its report in the form of an affidavit on or before the next date of listing stating its response to the specific allegations made in the writ petition.

Since no affidavit was filed by the Uttar Pradesh Pollution Control Board, this Court by its order dated 15.6.2020 had granted six weeks further time for filing counter affidavit.

Despite specific order passed by this Court, no counter affidavit has yet been filed by the respondent-Uttar Pradesh Pollution Control Board.

Learned counsel for the petitioner states that instead of filing an affidavit, the respondents are pressing for recovery.

As prayed by learned counsel for the respondent-Uttar Pradesh Pollution Control Board three weeks and no more time is granted to file counter affidavit.

The petitioner will have two week's time thereafter for filing rejoinder affidavit.

List thereafter.

Till the next date of listing, no coercive measures shall be taken against the petitioner.

Order Date :- 21.9.2020

Ishan

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CAVEAT APPLICATION NO. OF 2020

S.L.P. (CIVIL) NO. OF 2020

(Arising out of Judgment & order dated 11.02.2020 passed by The Hon'ble National Green Tribunal, Principal Bench, in Original Application No. 889/2019)

IN THE MATTER OF:

State of Uttar Pradesh & Ors. Petitioner

Versus

Residents of Antrikish Kanball
3G, Sector-77, NoidaCaveator/Respondent

To,
The Registrar
Supreme Court of India
New Delhi-110001.

CAVEAT ✓

Let nothing be done in the above matter without notice to the undersigned.

Thanking you

FILED BY:



(VARDHMAN KAUSHIK)

Advocate for the Caveator/Respondent

CODE: 2736

Filed no: 13.02.2020

Chamber: 419, M.C. Setalvad Chambers,
Supreme Court, Bhagwan Das Road,
New Delhi-110001

Note: Caveators were party before High Court in the abovementioned matter.

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL/APPELLATE/ORIGINAL JURISDICTION
Special Leave Petition (Civil/Criminal) No. _____ of 2020
Writ/Transfer Petition (Civil/Criminal) No. _____ of 2020
Suit/Appeal (Civil/Criminal) No. _____ of 2020

IN THE MATTER OF:

State of Uttar Pradesh and ors Petitioner(s)
Appellants(s)

Versus

Residents of Annikishan Kambal 30, Sec-77, Noida Respondent(s)

VAKALATNAMA

I/We

Petitioner(s)/ Respondent(s)/ Appellant(s) in the above Suit/ Petition/ Appeal do hereby appoint and retain, Mr. VARDHMAN KAUSHIK, Advocate of the Supreme Court of India to act and appear for me/us in the above Suit/Petition/ Appeal and on my/our behalf conduct and prosecute (or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review, to file and obtain, return of documents and to deposit and receive money on my/ our behalf in the above Suit/ Petition/ Appeal and application for Review, and to represent me/us and to take all necessary steps on my/ our behalf in the above matter. I/ we agree to ratify all acts done by the aforesaid Advocate, in pursuance of this authority.

Dated this the13.....day of.....02.....2020

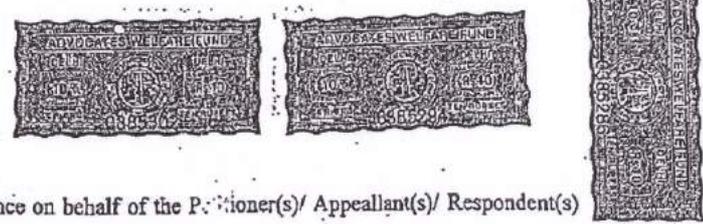
Accepted: Edwenty filed by

(VARDHMAN KAUSHIK)
Advocate-on-Record, Supreme Court
AoR Code : 2736

(Vinendra Singh)
Petitioner(s)/Appellant(s)

MEMO OF APPEARANCE

To,
The Registrar
Supreme Court of India,
New Delhi



Sir,
Please enter my appearance on behalf of the P..tioner(s)/ Appellant(s)/ Respondent(s) in the above matter.

Your's faithfully

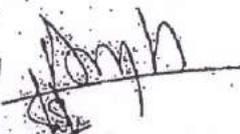
Dated: 13/02/2020

(VARDHMAN KAUSHIK)
Advocate-on-Record, Supreme Court
AoR Code: 2736

RESOLUTION

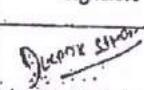
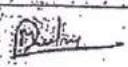
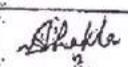
It has been resolved in the meeting of the residents of Antriksh Kanball-3G, Sector 77, Noida on 05.09.2019 that the issue of the illegal withdrawal of ground water, discharge of waste water in storm water drain, non-function of rain water harvesting system and illegal operation of DG Sets by the builder shall be taken before the Hon'ble Court/Tribunal

It has been further resolved that Mr. Virendra Singh (A-404) / Mr. Ratnesh Kumar Gupta (B-1004) / Ms. Simpa Mehta (D-202) are authorised to file petitions, applications, affidavit and vakalatnami etc on our behalf of the residents of Antriksh Kanball-3G, Sector 77, Noida whose names are mentioned with signature attached along with this resolution.

Signature attached (D) Virendra Singh A-404 

(Name) (E) Simpa Mehta D-202 

(B) Ratnesh Kumar Gupta B-1004 

S.No	Name	Address/Flat.No.	Signature
01	JEETAR KUMAR SINGH	A-501	
02	MINISH KUMAR DUBEY	A-309	
03	NAZIFA SHARIFA	A1802	

S. No.	Name	Address	Sig
4.	Narenindra Jha	A-1203, Anita Kulkarni	Narenindra
5.	Smita	L-1204	Smita
6.	Devendra Singh	A-1603	Devendra
7.	SURESH KUMAR	A-602	Suresh
8.	CHANDAN SHrivastava	A-7202	Chandanshri
9.	Yashika P. Saha	L-1101	Yashika
10.	PRASHANT KUMAR	L-803	Prashant
11.	MANU FLRI	L-1302	Manu Flri
12.	P.C. Bhatnagar	L-1101	P.C. Bhatnagar
13.	Bhupendra Singh	L-603	Bhupendra
14.	Shamim Ahmad	L-503	Shamim
15.	Parveen Samra	L-202	Parveen
16.	Sachin Dixit	L-204	Sachin
17.	C. Sadaniva	D-1102	C. Sadaniva
18.	Prasad	D-704	Prasad

S.No.	Name	Address	Sig.
19	Ashish Sharma	B-803	Ashish Sharma
20	Pooja Goyal	E-1004	Pooja Goyal
21	Ashish Chakraborty	E-1004	Ashish
22	Amit Kr. Gupta	G-904	Amit
23	Sheikh Farhan	J-503	Sheikh Farhan
24	R. K. Tyagi	J-1203	R. K. Tyagi
25	Sanjeev Kumar	H-1204	Sanjeev Kumar
26	Utkarsh Singh	H-303	Utkarsh Singh
27	PARMESH JOSHI	G-101	Parmesh
28	RAJUN	G-401	Rajun
29	Rajeev Kumar	G-404	Rajeev Kumar
30	Kaesturi Banija	C-1301	Kaesturi Banija
31	Jagdish Nayak	B-1301	Jagdish Nayak
32	Ganesh Tendulkar	G-201	Ganesh

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
 PRINCIPAL BENCH, AT NEW DELHI
 MEMORANDUM OF APPLICATION
 ORIGINAL APPLICATION NO. 889 OF 2019

(Under Section 14 read with Sections 15 and 18(1) of
 the National Green Tribunal Act, 2010)

IN THE MATTER OF:

Residents of Antriksh Kanball 3G

Sector 77, Noida

Uttar Pradesh - 201301

..... Applicant

Versus

1. The State of Uttar Pradesh

Through the Chief Secretary,

Secretariat, 1st Floor, Room No. 110,

Lalbahadur Shastri Bhawan Lucknow - 226 001

2. Central Pollution Control Board

Through Chairman

Parivesh Bhawan, CBD-CUM Office Complex

East Arjun Nagar, Delhi - 110032

3. Central Ground Water Authority of India

Through Member Secretary

18/11, Jamnagar House, Man Singh Road

New Delhi-110011

4. Uttar Pradesh State Pollution Control Board

Through Member Secretary

Building No. TC- 12V Vibhuti Khand, Gomti Nagar

Lucknow, Uttar Pradesh- 226010

5. District Magistrate

GautamBudh Nagar

G-33, Tulsii Marg, G Block

Pocket G, Sector 27

Noida, Uttar Pradesh- 201301

6. New Okhla Industrial Development Authority

Through Chairman

Administrative Complex

Sector 6, Noida- 201301

District, GautamBudh Nagar

Uttar Pradesh, India

7. Perfect Prop build Private Limited

Through Director

Subsidiary Company of Antrikish Group

34/C-8, Sector-8, Rohini

New Delhi- 110085

..... Respondents

DATE: 13.09.2019

PLACE: New Delhi

DRAWN & FILED BY:

MR. SALIK SHAFIQUE

Advocate for the Original Applicant

29, LGF, Presidential Estate, Nizamuddin East

New Delhi- 110013

salikshai@gmail.com; +918527929297

Petitioner :- Perfect Prop Build (P) Limited Through Its Authorised Signatory

Respondent :- State Of U.P. Dept. Of Env. Forest And Climate Change Through Its Principal Secretary And 2 Others

Counsel for Petitioner :- Siddharth Singhal

Counsel for Respondent :- C.S.C., Hari Nath Tripathi

Hon'ble Shashi Kant Gupta, J.

Hon'ble Sanjay Kumar Pachori, J.

In pursuance of the order dated 3.3.2020, the Uttar Pradesh Pollution Control Board was granted three weeks time to file its report in the form of an affidavit on or before the next date of listing stating its response to the specific allegations made in the writ petition.

Since no affidavit was filed by the Uttar Pradesh Pollution Control Board, this Court by its order dated 15.6.2020 had granted six weeks further time for filing counter affidavit.

Despite specific order passed by this Court, no counter affidavit has yet been filed by the respondent-Uttar Pradesh Pollution Control Board.

Learned counsel for the petitioner states that instead of filing an affidavit, the respondents are pressing for recovery.

As prayed by learned counsel for the respondent-Uttar Pradesh Pollution Control Board three weeks and no more time is granted to file counter affidavit.

The petitioner will have two week's time thereafter for filing rejoinder affidavit.

List thereafter.

Till the next date of listing, no coercive measures shall be taken against the petitioner.

Order Date :- 21.9.2020

Ishan

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY
MAIN ADMINISTRATIVE BUILDING SECTOR-06, NOIDA
GAUTAMBUDH NAGAR

LETTER NO. Noida/OSD(T)/2020/94
Dated-.....16/10/2020.....

From:-
Officer on Special Duty
Noida

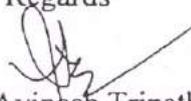
To,
Ms. Pragya
Senior Research Fellow
Oversight Committee, NGT

Subject- **Writ Petition No. 7712/2020 (A.O. No. 889/2019 Antriksh Kanball 03G Sector-77 Noida V/s State of UP &Others), M/s Perfect Prop Build Pvt. Ltd. V/s State of UP and others.**

Dear Ma'am,

As per our communication over WhatsApp, please find attached report from Planning Department. Noida Authority shall be in a position to take appropriate action once stay granted by Hon'ble court, in this case, gets vacated.

Regards


(Dr. Avinash Tripathi)
Officer on Special Duty
Noida

नवीन ओखला औद्योगिक विकास प्राधिकरण

भवन प्रकोष्ठ एवं वास्तुकला व नियोजन विभाग
मुख्य प्रशासनिक भवन, सैक्टर-6, नौएडा, जि. गौतमबुद्ध नगर

पत्र सं-नोहा/भूखण्ड(10)
2020/1036



दिनांक - 12-10-20

विशेष कार्याधिकारी (टी०)
नौएडा

विषय:- ग्रुप हाऊसिंग भूखण्ड सं० जीएच-03बी, सैक्टर - 77, नौएडा के सम्बन्ध में ।

महोदय,

कृपया दूरभाष पर हुई वार्ता के क्रम में उपरोक्त परियोजना के संदर्भ में आपके द्वारा की गयी पृच्छा के सम्बन्ध में अवगत कराना है कि ग्रुप हाऊसिंग भूखण्ड सं० जीएच-03बी, सैक्टर - 77, नौएडा के आवंटी संस्था मैसर्स परफेक्ट प्रोप बिल्ड प्रा० लि० द्वारा परियोजना के 11 टॉवर्स के अधिभोग प्रमाण पत्र हेतु दिनांक 10.09.2014 को आवेदन किया गया । स्थल पर निर्माण कार्य अपूर्ण होने के कारण दिनांक 14.08.2015 को आवेदन निरस्त कर दिया गया । आवंटी संस्था द्वारा पुनः दिनांक 20.07.2017 को अधिभोग हेतु आवेदन किया गया । स्थल पर निर्माण कार्य अपूर्ण होने एवं अधिभोग प्रमाण पत्र सम्बन्धी समस्त वांछित प्रपत्र जमा नहीं कराये जाने के कारण अधिभोग हेतु आवेदन पुनः दिनांक 14.08.2017 के निरस्त कर दिया गया ।

संदर्भित परियोजना के किसी भी टॉवर का अधिभोग प्रमाण पत्र निर्गत नहीं किया गया है तथा आवंटी संस्था द्वारा पुनः वर्तमान में संदर्भित योजना के अधिभोग हेतु आवेदन नहीं किया गया है । अतः परियोजना में एस०टी०पी० का निर्माण किया गया है अथवा नहीं के सम्बन्ध में आख्या दिया जाना सम्भव नहीं है ।

वरि० प्रबन्धक(नियोजन)
नौएडा

olc &

Meeting No. 70

MINUTES OF MEETING OF NGT OVERSIGHT COMMITTEE, UP LUCKNOW HELD ON 20.11.2020 AT 11-00 A.M IN O.A. NO. 889/2019 IN RE: RESIDENTS OF ANTARIKSH KANBALL, 3G SECTOR 77, NOIDA VERSUS STATE OF UTTAR PRADESH AND OTHERS.

(THROUGH VIDEO-CONFERENCING)

**Present: Hon'ble Mr Justice SVS Rathore, Chairman, and
Dr Anup Chandra Pandey, Member**

Other dignitaries present are:

1. Shri Vivek Roy, CEO UPPCB Lucknow
2. Shri Praveen, RO UPPCB Noida

The meeting was held as scheduled.

The Committee reviewed the progress towards compliance of orders of Hon NGT dated 07.082020 passed in **OA No. 889 of 2019** in re: *Residents of Antriksh Kanball 3G, Sector 77, Noida vs. State of Uttar Pradesh and others.* The issue for consideration was the remedial action against violation of environmental norms by the project proponent of the Housing Project Antarikh Kanball, (i) discharging effluent in green belt and storm water drain; and (ii) Extracting ground water illegally.

The Oversight Committee had held its meeting on 08.10.2020 in which four issues had been discussed.

- (1) Penalty against project proponent of *Antriksh Kanball*
- (2) Coercive action against project proponent
- (3) Status of consent from NOIDA Authority,
- (4) Action taken report by District Magistrate Gautam Budh Nagar and CEO Noida

(1) Penalty against project proponent of Antriksh Kanball:

It had been informed in the meeting of Oversight Committee dated 08.10.2020 that a penalty of Rs. 3.28 crores has been imposed on project proponents of *Antriksh Kanball 3G, Sector 77, Noida* which could not be realized because of the Stay Order granted by Hon'ble High Court. On perusal of the High Court order, it was found that since no counter affidavit was filed by UPPCB, the Hon'ble Court had asked to file a counter affidavit and directed that no coercive measure be taken till the next date of listing. The Oversight Committee on 08.10.2020 had directed the UPPCB to file counter affidavit.

In today's meeting, it was pointed out by the Oversight Committee that the Hon'ble High Court on 19.12.2019 had set aside the notice dated 29.11.2019 of imposing environmental compensation of 3.28 crores on the ground of natural justice and had directed that the explanation of the project proponent be considered before taking action in accordance with law. Accordingly, UPPCB had given a notice to the project proponent on 10.01.2020, received reply from the project proponent on 20.01.2020 and passed the speaking order for environmental compensation of Rs. 3.28 crores on 31.01.2020. UPPCB mentioned that the counter affidavit has been filed in the Hon'ble High Court in October, 2020 and they will move an expedite application for early hearing so that EC can be realised.

(2) Coercive action against project proponent:

Representative from UPPCB had informed the Oversight Committee on 08.10.2020 that the consent to operate of the project proponent has been rejected and prosecution has been filed against him under Section 43 of the Water Act, 1974 before learned Special Judicial Magistrate (Air and Water), Pollution Control/CBI Lucknow as Complaint Case No. 1853 of 2020. It was directed by the Oversight Committee on 08.10.2020 that UPPCB would file an expedite application before the Special Judicial Magistrate. It was mentioned today by ShriVivek Roy, CEO UPPCB that the expedite application has been filed before the Special Judicial Magistrate.

(3) Status of consent from NOIDA Authority:

In the Hon'ble NGT order dated 07.08.2020, it was clearly mentioned that the environmental clearance from SEIAA, UP had been given on the condition that STP of 600 kld would be established. In the meeting dated 20.11.2020 it was informed that the builder has established STP of 100 kld which has now been upgraded to 250 KLD capacity. Still, the STP is undersized and is not sufficient to treat the whole effluent of the tower which is almost 600-800 KLD. Noida Authority had mentioned that the occupancy certificate was rejected on 14.08.2017. RO UPPCB NOIDA mentioned that 315 families are living in this tower. The Oversight Committee wanted to know as to how without the occupancy certificate 315 families are living in this tower, which does not have proper sewage discharge facility and would be hazardous to the lives of the inhabitants in view of insufficient sewage discharge. CEO NOIDA/District Magistrate, Gautam Budh Nagar may be asked to inspect and submit the report on this count.

(4) Action taken report by District Magistrate Gautam Budh Nagar and CEO, Noida:

It was mentioned that on 08.10.2020, the Oversight Committee had directed the District Magistrate Gautam Budh Nagar and CEO Noida to file their report within a month. No report has been filed. A building without any occupancy certificate having inadequate sewage treatment facilities discharging its sewage in green belt and storm water drain is a health hazard to the inhabitants in the building in particular and residents in the locality in general. How without occupancy certificate, possession has been given is a matter of enquiry. CEO, Noida, and District Magistrate, Gautam Budhha Nagar may submit their report. Additionally, no permission from Central Ground Water Authority/State Ground Water Authority has been obtained by the project proponent and they are extracting ground water illegally. CGWA/SGWA may explain what action has been taken by them in this regard. CEO, Noida Authority may explain if the issue of ground water extraction has been considered by them and

action thereon has been taken by them. Both CEO Noida and District Magistrate, Gautam Budh Nagar may submit their report in next fifteen days.

20-11-2020

20-11-2020

X Anup Chandra Pandey

Dr Anup Chandra Pandey
Member, Oversight Committee
Signed by: ANUP CHANDRA PANDEY

X SVS Rathore

Justice SVS Rathore
Chairman, Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

Nov 20, 2020

Please visit our website: oscngt.upsdc.gov.in for more information.



क्षेत्रीय कार्यालय उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, नोएडा
Regional Office, U.P. Pollution Control Board, Noida

Annexure-5

पत्रांक : 978/सा.प.मा. -181/2020
सेवा में

दिनांक 23/11/2020

मा0 एन0जी0टी0 प्रकरण/महत्वपूर्ण

मुख्य पर्यावरण अधिकारी (वृत्त-1)
उ0 प्र0 प्रदूषण नियंत्रण बोर्ड,
लखनऊ।

विषय:-मा0 राष्ट्रीय हरित अधिकरण की ओवर साईट कमेटी द्वारा आयोजित बैठक दिनांक 20.11.2020 में O.A. No-889/2019 Residents of Antriksh Kenball Vs State of U.P. & Ors. में दिये गये निर्देशों के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक का संदर्भ ग्रहण करें। मै0 परफेक्ट प्रोप विल्ड (प्रा0) लि0 द्वारा प्लाट संख्या जी0एच0-03बी पर विकसित 02 आवासीय परियोजनाए क्रमशः मै0 अंतरिक्ष केनवाल, प्लाट नं0-जी0एच0-03बी, सेक्टर-77, नोएडा तथा मै0 अंतरिक्ष फारेस्ट, प्लाट नं0-जी0एच0-03बी, सेक्टर-77, नोएडा का निरीक्षण दिनांक 19.11.2020 को इस कार्यालय के द्वारा किया गया। निरीक्षण आख्या संलग्न है।

अग्रेतर ओवर साईट कमेटी द्वारा आयोजित बैठक दिनांक 20.11.2020 में यह निर्देश दिये गये है कि प्रकरण से सम्बन्धित मा0 उच्च न्यायालय प्रयागराज में विचाराधीन Writ-C No-7712 of 2020 M/s Perfect Prop Build (P) Ltd. Vs State of U.P. Dept. of Env. Forest And Climate Change में दिनांक 21-09-2020 को पारित आदेश-

"Till the next date of listing no coercive measures shall be taken against the petitioner....."

को Vacate कराये जाने हेतु बोर्ड स्तर से प्रभावी पैरवी की जाये तथा मा0 उच्च न्यायालय में Expedite Application दाखिल की जाये।

उक्त आवासीय परियोजना को नोएडा प्राधिकरण से OC/CC प्राप्त नहीं है एवं उक्त आवासीय परियोजना में लगभग 315 फ्लैटों में विभिन्न परिवार निवास कर रहे हैं। इस सम्बन्ध में नोएडा अथारिटी से आख्या प्राप्त किया जाना उचित होगा।

उक्त आवासीय परियोजना प्रबन्धक के विरुद्ध Prosecution हेतु विशेष न्यायालय पर्यावरण, लखनऊ में दायर वाद में प्रभावी पैरवी की जाये।

सूचनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित।

संलग्नक:-उपरोक्तानुसार।

भवदीय

(प्रवीण कुमार)
क्षेत्रीय अधिकारी

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवम् आवश्यक कार्यवाही हेतु सादर प्रेषित।

1. सदस्य सचिव, उ0 प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।
2. मुख्य विधि अधिकारी, उ0 प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।

क्षेत्रीय अधिकारी

क्षेत्रीय कार्यालय : ई-12/1, सेक्टर-1, नोएडा-201301 फोन नं0 : 0120-4974552

मुख्यालय : TC-12V, विभूति खण्ड, गोमती नगर, लखनऊ 226010

Website - www.uppcb.com, e-mail : ro_noida@uppcb.com

मा० राष्ट्रीय हरित अधिकरण की ओवर साईट कमेटी द्वारा O.A. No-889/2019 Residents of Antriksh Kenball Vs State of U.P. & Ors. में दिये गये निर्देश के अनुपालन में मै० परफेक्ट प्रोप बिल्ड (प्रा०) लि० (मै० अंतरिक्ष केनबाल तथा मै० अंतरिक्ष फारेस्ट, प्लाट नं०-जी०एच०-०३बी, सेक्टर-७७, नोएडा) की निरीक्षण आख्या-

मै० परफेक्ट प्रोप बिल्ड (प्रा०) लि० द्वारा एक प्लाट पर दो नामों से दो आवासीय परियोजनाए क्रमशः मै० अंतरिक्ष केनबाल, प्लाट नं०-जी०एच०-०३बी, सेक्टर-७७, नोएडा तथा मै० अंतरिक्ष फारेस्ट, प्लाट नं०-जी०एच०-०३बी, सेक्टर-७७, नोएडा का निर्माण किया गया है तथा परियोजना में निर्माण कार्य पूर्ण है। उक्त आवासीय परियोजनाओं की निरीक्षण आख्या निम्नवत है:-

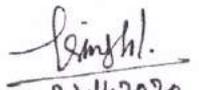
1. मै० अंतरिक्ष केनबाल, प्लाट नं०-जी०एच०-०३बी, सेक्टर-७७, नोएडा।
 - (a) उपरोक्त वर्णित आवासीय परियोजना का निरीक्षण दिनांक 19.11.2020 को अद्योहस्ताक्षरियों द्वारा परियोजना के प्रबन्धक श्री राजेन्द्र सिंह, मैनेजर की उपस्थिति में किया गया।
 - (b) उक्त आवासीय परियोजना में कुल 560 फ्लैट निर्मित किये गये हैं, जिसमें 01 BHK के 336 फ्लैट, 02 BHK 112 फ्लैट तथा 03 BHK 112 फ्लैट निर्मित किये गये हैं। उक्त आवासीय परियोजना में 300 फ्लैट का पजेशन दिया गया है, जिसमें 235 परिवार वर्तमान में रह रहे हैं, जिसमें 01 BHK के 336 फ्लैटों में 200 परिवार, 02 BHK व 03 BHK के फ्लैटों में 35 परिवार निवास कर रहे हैं।
 - (c) उक्त आवासीय परियोजना में विद्युत सप्लाई बाधित होने की स्थिति में विद्युत सप्लाई हेतु 500 कॅ०वी०ए० क्षमता के एक डी०जी० सेट की स्थापना की गयी है। डी०जी० सेट पर एकोस्टिक एन्क्लोजर तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित मानकों के अनुरूप चिमनी की स्थापना कर ली गयी है।
 - (d) आवासीय परियोजना के परिसर में 01 रेन वाटर हार्वेस्टिंग पिट की स्थापना की गयी है।
 - (e) उक्त आवासीय परियोजना से जनित घरेलू जल-मल का निस्तारण सह इकाई मै० अंतरिक्ष फारेस्ट में स्थापित एस०टी०पी० के माध्यम से किया जा रहा है। मै० अंतरिक्ष फारेस्ट में 250 कॅ०एल०डी० क्षमता का एस०टी०पी० स्थापित किया गया है जो संचालित पाया गया। एस०टी०पी० के शुद्धिकृत उत्प्रवाह का निस्तारण नोएडा सीवर लाइन में किया जाता है। नोएडा सीवर लाइन का सीवेज अंततः नोएडा प्राधिकरण के एस०टी०पी० में शुद्धिकरण हेतु जाता है।
 - (f) उक्त आवासीय परियोजना में घरेलू सीवेज उत्प्रवाह के शुद्धिकरण हेतु एक नये एस०टी०पी० की स्थापना का कार्य किया जा रहा है। एस०टी०पी० का सिविल निर्माण कार्य पूर्ण कर लिया गया है। एस०टी०पी० में मकेनिकल व इलेक्ट्रिकल कार्य किये जाने शेष है। उपस्थित परियोजना प्रबन्धक द्वारा बताया गया कि निर्माणाधीन एस०टी०पी० की क्षमता लगभग 350 कॅ०एल०डी० है तथा एस०टी०पी० का संचालन जनवरी, 2021 से प्रारम्भ कर दिया जायेगा। निर्माणाधीन एस०टी०पी० के डिजाइन डिटेल्स संलग्न है (संलग्नक-1)।
 - (g) निरीक्षण के दौरान लिये गये फोटोग्राफ संलग्न है (संलग्नक-2)।
2. मै० अंतरिक्ष फारेस्ट, प्लाट नं०-जी०एच०-०३बी, सेक्टर-७७, नोएडा।
 - (a) उपरोक्त वर्णित आवासीय परियोजना का निरीक्षण दिनांक 19.11.2020 को अद्योहस्ताक्षरियों द्वारा परियोजना के प्रबन्धक श्री रवीन्द्र कुमार राठी, मैनेजर की उपस्थिति में किया गया।
 - (b) उक्त आवासीय परियोजना में कुल 637 फ्लैट निर्मित किये गये हैं, जिसमें 03 BHK के 337 फ्लैट तथा 04 BHK के 300 फ्लैट निर्मित किये गये हैं। उक्त आवासीय परियोजना में 275 फ्लैटों का पजेशन दिया गया है। वर्तमान में उक्त आवासीय परियोजना में 80 परिवार निवास कर रहे हैं।

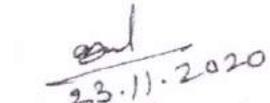
- (c) उक्त परियोजना में घरेलू सीवेज उत्प्रवाह के शुद्धिकरण हेतु पूर्व में स्थापित एस0टी0पी0 की क्षमता 100 के0एल0डी0 से बढ़ाकर 250 के0एल0डी0 क्षमता का एस0टी0पी0 स्थापित कर लिया गया है, जो संचालित पाया गया तथा इस एस0टी0पी0 में मै0 अंतरिक्ष केनबाल का सीवेज भी शुद्धिकृत किया जा रहा है। एस0टी0पी0 के डिजाइन डिटेल्स संलग्न है (संलग्नक-3)।
- (d) आवासीय परियोजना के परिसर में 04 रेन वाटर हार्वेस्टिंग पिट की स्थापना की गयी है।
- (e) उक्त आवासीय परियोजना में विद्युत सप्लाई बाधित होने की स्थिति में विद्युत सप्लाई हेतु 500 के0वी0ए0 क्षमता के एक डी0जी0 सेट की स्थापना की गयी है। डी0जी0 सेट पर एकोस्टिक एन्क्लोजर तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित मानकों के अनुरूप चिमनी की स्थापना कर ली गयी है।
- (f) निरीक्षण के दौरान लिये गये फोटोग्राफ संलग्न है (संलग्नक-4)।

वर्तमान में परिसर में कोई भी बोरवेल स्थापित नहीं पाया गया, परिसर में जलापूर्ति नोएडा प्राधिकरण द्वारा की जा रही है। नोएडा अथारिटी से लिये गये वाटर कनेक्शन के प्रपत्र संलग्न है (संलग्नक-5)। आवासीय परियोजना को प्राधिकरण से OC/CC प्राप्त नहीं है (नोएडा अथारिटी के पत्र की प्रति संलग्न) (संलग्नक-6)।

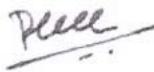
वर्तमान में मै0 अंतरिक्ष केनबाल तथा मै0 अंतरिक्ष फारेस्ट, प्लॉट नं0-जी0एच0-03बी, सेक्टर-77, नोएडा के परिसर में कुल 1197 फ्लैट बनाये गये हैं, जिसमें से वर्तमान में 315 फ्लैटों में विभिन्न परिवार निवास का रहे हैं, जिससे जनित होने वाले कुल सीवेज उत्प्रवाह के शुद्धिकरण हेतु मै0 अंतरिक्ष फारेस्ट आवासीय परियोजना में 250 के0एल0डी0 का एस0टी0पी0 स्थापित तथा संचालित पाया गया है। वर्तमान में परिसर से अशुद्धिकृत उत्प्रवाह निस्तारित होता नहीं पाया गया।

आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।


23.11.2020
(पी0पी0 सिंह)
अवर अभियन्ता


23.11.2020
(के0एम0 श्रीवास्तव)
सहा0पर्या0 अभियन्ता

क्षेत्रीय अधिकारी



FEASIBILITY REPORT OF SEWAGE TREATMENT PLANT

350 KLD

**Group Housing Project
Antariksh kanball
at
Sector 77, Noida, Gautam Budh Nagar,
Uttar Pradesh**

**Project Owner :
M/s Perfect Probuild Pvt. Ltd.**

Table of Contents

- 1. Details of STP.
- 2. Design Criteria.
- 3. Specification of Equipments.
- 4. P & I Diagram.

PREAMBLE

The oldest method of sewage treatment is irrigation or spraying on agricultural lands. The oxygen presents in the soil oxidizes the organic matter in the sewage and purifies it. The mineral constituents in the sewage are also thus supplies to the soil. As the sewage per person per year contains 3 Kg of Nitrogen, 0.75 Kg of Phosphorous and 2.2 Kg of Potassium, use of sewage in agriculture may reduce the requirement of chemical fertilizers. But the difficulties involved are:-

1. The location of the sewage throughout the year.
2. Hygienic consideration including spread of infectious disease.

Hence use of raw sewage for agriculture is not favored.

Treatment processes for waste water renovation can be classified in a number of ways. The most common method is to characterize them by function i.e. Precipitation, biooxidation or adsorption. In the treatment of domestic waste, primary treatment usually removes about 35% of BOD & 60% of SS.

DETAILS OF S.T.P.**A. COMPONENTS OF CONCERN**

It is estimated that the sewage effluent quantity which shall be generated shall be to the tune as reported by the company representative. Therefore an STP (in MBBR Technology) is being proposed to limit the impurities viz. SS & BOD. Keeping in view the future expansion plans.

It is evident from the above activity that the sewage accruing from the Kitchen and the domestic toilets shall show variation in critical pollutants like S.S. (Suspended Solids) & BOD (Biochemical Oxygen Demand).

B. DISCHARGE OBJECTIVES

The discharge requirements are stipulated by the Pollution Control Board. The society shall reuse the treated water for flushing, gardening or may be discharged into the public sewer.

C. TREATMENT REQUIREMENTS

1. Removal of Suspended Solids
2. Oil Separation
3. Reduction of organic content: BOD & COD

D. TREATMENT METHOD

- a. Biological

E. PROCESS ENVISAGED

The objective of the treatment is envisaged to be met with Biological Treatment to attain a high degree of efficacy. We offer a Unique Waste Water Package Unit to tackle the sewage waste.

Package Sewage Waste Water Treatment units are designed keeping in view of the operational problems faced by the conventional waste system. These units are an ideal solution to the treatment of waste water in:-

- Hotels
- Health Resorts
- Hostels
- Restaurants
- Auditorium
- Hospitals
- Industries

And other small communities generating biodegradable waste waters.

MOVING BED BIO REACTOR

BIO REACTOR

The Bio Reactor is based on the Fluidized Random Aerobic Reactor which combines the advantage of an Activated Sludge Plant with the Random distribution systems such as Biofilters. With capacities that could be as low as 1/10th of ASP and fractional power consumption, such a reactor is ideal for the efficient removal of BOD and organics from the wastewater.

The tanks are packed with RIGID PP-UV-sterilized Gas Fluted Media with liquid random distribution wherein air diffusers are placed to uniformly release air across the tanks.

BACTERIAL GROWTH

Bacteria grow rapidly in the Bio-Pac unit under properly engineered conditions. They consume organic chemical for their growth and remove them from the wastewater. The bacteria converts' chemical into biological cells, which under proper growth conditions, form slims. The slims adhere to available surfaces and accumulate into what we call random biological film or fixed film. The high surface area-to-volume ratio of the units allows for accumulation of substantial concentration of bacteria in the relatively small reactor units. Further, the accumulated bacteria which provides high rates of removal or organic chemicals are fixed in the system and do not need to be recycled back to the basin.

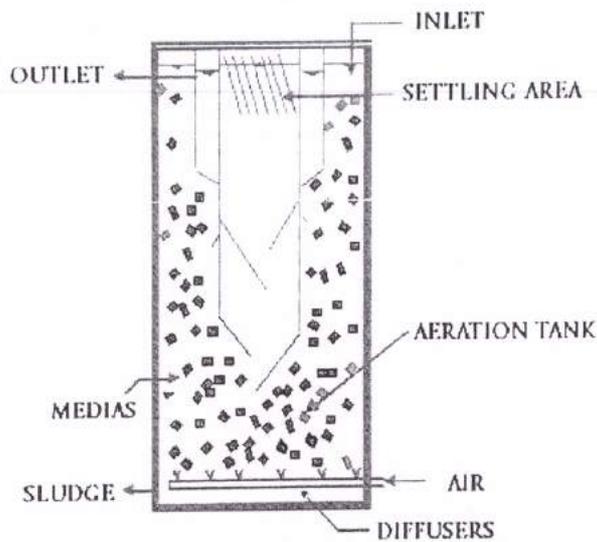
In the Bio Reactor system the water is constantly flowing through rigid PVC matrix to which the biological film attached. As the water flows past the biological film, bacteria in the film absorb organic chemicals as well as oxygen, nitrogen, phosphorus, and other trace nutrients required for their growth.

As the bacteria grow on the matrix and as more chemicals are added to the unit, the stationary biological film will continue to build in thickness. As the film becomes thicker the depth of penetration by diffusion of the absorbed material such as oxygen or other nutrients is not sufficient to reach the entire distance through the slime of the plastic media. At some point, the film will become sufficiently thick and portion of the film closest to the plastic media will not receive any food or nutrient, particularly oxygen. The inner layer of the film becomes anaerobic and the organisms lose their ability to adhere to the media surface. The shear forces of the water and / or air bubbles flowing through the matrix will ultimately become great enough to tear this portion of the biological film loose from the media. This process is called sloughing. The solids which slough from the media will flow out of the system with the effluents and are to be removed from the water through clarification in a settling module. The exposed portion of media surface will repeat the process of slime accumulation and sloughing.

In actual operation of the Bio Reactor units, biological film will be in a state of dynamic, continuous growth and sloughing. At any given time, portion of the media are always at some point between forming a new film sloughing.

WORKING PRINCIPAL

The MBBR works on the same principle as the submerged fixed film process with only one exception - the media is not fixed and floats around in the aeration tank. The main advantage of this system over the submerged fixed film process is that it prevents choking of the media. This also avoids sludge recirculation. Compared to conventional technologies the MBBR is compact, energy efficient and user friendly. It also allows flexibility in design of the reactor tank.



EFFLUENT QUALITY

The effluent discharged from the Bio Reactor system will contain sloughed biological solids, but would be relatively free of soluble organic chemicals. The quantity of biological solids in the effluent will depend substantially on the quantity of suspended solids and the concentration of soluble BOD entering the system. It is therefore necessary to provide means of separating the biological mass from the effluent.

PACKAGE UNIT contains TUBE SETTLERS for sedimentation and 60 Gross fluted Rigid PVC fill media for the FAB units to treat the wastewater for discharge into the receiving waters and/or the sanitary sewers as per the local regulations. The media thickness changes with the design parameters/depth of the unit and can vary from 0.25 to 0.40mm thickness.

F. CLARIFIER (TUBE SETTLER)

The equalized and chemically treated effluent is pumped to this tank. This is a rectangular hopper bottom tank. The purpose of clarifier is to separate the dispersed and colloidal impurities by way of flocculation, coagulation and settling. The clarified supernatant overflows to the treated water storage tank and the sludge being heavier is drawn on towards the lagging end for further de watering and disposal.

G. CLEAR WATER TANK

In this tank, clear water is subjected to tertiary treatment for further polishing of effluent.

H. FILTRATION AND ADSORPTION COLUMN

The clear effluent from the above tank is passed through Multigrade Filter Column & Activated Carbon Filter which serves the purpose of filtration as for undesirable suspended impurities as well as adsorb maximum dissolved impurities and color by activated carbon particles..

I. FILTER PRESS

The sludge generated in the process shall be discharged onto the Filter Press. The wet sludge shall be left in the shape of cakes and allowed to sun dry. The water shall return to the inlet collection tank for retreatment.

SEWAGE TREATMENT PLANT – 350 KLD		
DESIGN CRITERIA & SPECIFICATIONS OF EQUIPMENTS		
Parameters	Inlet	Outlet
BOD	250-350 mg/L	<10 mg/L
COD	400-450 mg/L	< 50 mg/L
TSS	250-350 mg/L	< 10 mg/L
Oil & Grease	50 mg/L	< 1 mg/L
PH	6.5 - 8.5	6.5- 8.5
OPTION - I		
DETAILS OF Civil COMPONENTS		

EWAGE TREATMENT PLANT – 350 KLD	
DETAILS OF COMPONENTS	
1.BAR SCREEN	
Quantity	1 No.
Size	1.2m x 1.0m x1.3m+1.3 FB
MOC	Civil/RCC
2.OIL & GREASE TRAP	
Quantity	1 No.
Size	1.2m x 2.0m x1.3+0.5 FB
MOC	Civil/RCC
3.COLLECTION TANK	
Quantity	1 No.
Capacity	101m ³
Size	Area(21m ²)x depth- 4.8m
MOC	Civil/RCC
3.ANOXIC TANK	
Quantity	1 No.
Capacity	22.5m ³
Size	2.5 m x 1.7m x 4.8m+0.5FB
MOC	Civil/RCC
4. AERATION TANK -1	
Quantity	1 No.
Capacity	45.05m ³
Size	5.0m x 1.7m x 4.8m+0.5FB
MOC	Civil/RCC
4. AERATION TANK -II	
Quantity	1 No.
Capacity	44.2m ³
Size	5.0m x 1.7m x 4.7m+0.5FB
MOC	Civil/RCC
5. CLARIFIER/ TUBE SETTLER TANK	

Quantity	1 Nos.
Capacity	44.1m ³
Size	3.6m x 2.5m x 4.6 m+ 0.3FB(Inc hopper)
MOC	Civil/RCC

6. FILTER FEED TANK

Quantity	1 Nos.
Capacity	35.9m ³
Size	4.9m x 2.15m x 3.2m+ 0.2FB
MOC	Civil/RCC

7. SLUDGE HOLDING TANK

Quantity	1No.
Capacity	23.5m ³
Size	3.2m x 2.1m x 3.2m+0.3mFB
MOC	Civil/RCC

8. TREATED WATER TANK

Quantity	1 No.
Capacity	67.5m ³
Size	5.0m x 4.5m x 2.8m+0.2FB
MOC	Civil/RCC

9. ULTRAFILTRATION SYSTEM

Quantity	1 No.
Capacity	67.5m ³
Size	5.0m x 4.5m x 2.8m+0.2FB
MOC	Civil/RCC

DETAILS OF ELECTRO-MECHANICAL EQUIPMENTS

1. BAR SCREEN

Quantity	2 Nos.
Size	As per requirement
MOC	Fabricated

2. RAW SEWAGE PUMP

Quantity	2 Nos. (1W + 1S)
Capacity	17.5m ³ /hr
Head	8 m
Make	Kirloskar / Equivalent

3. FILTER FEED PUMP

Quantity	2 Nos. (1W + 1S)
Capacity	22 m ³ /hr
Head	20 m
Make	Kirloskar

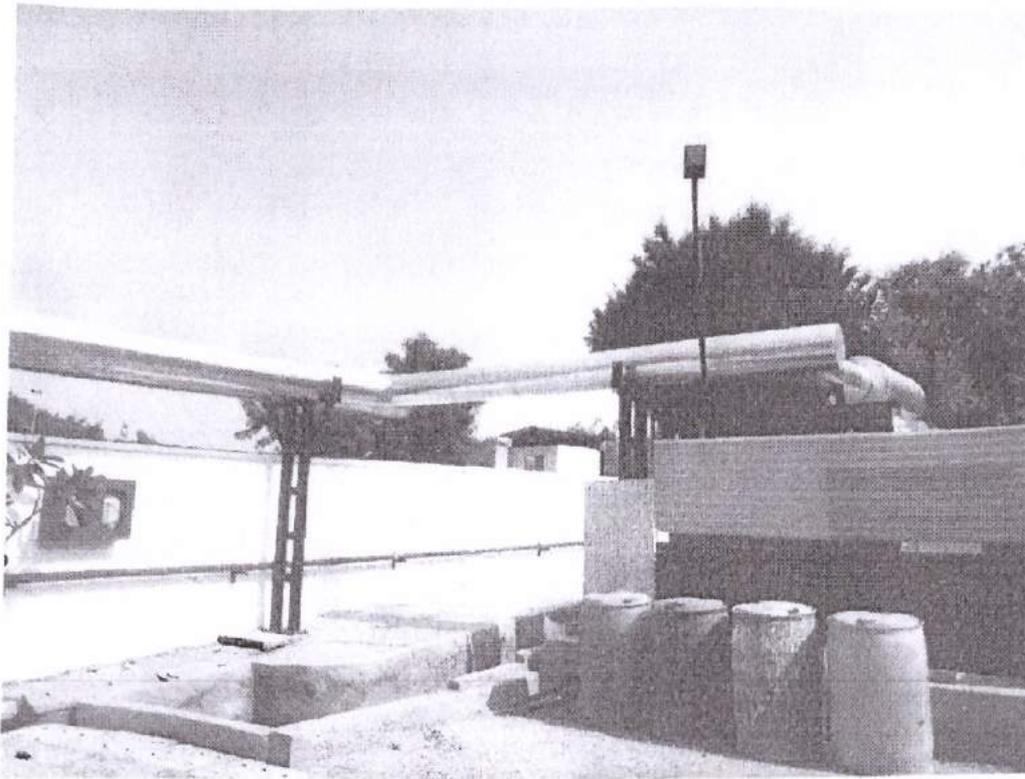
4. SLUDGE RECIRCULATION PUMP

Quantity	2 Nos. (1W + 1S)
Capacity	8 m ³ /hr

Head	8 m
Make	Kirloskar
5. PLANT ROOM SUMP PUMP	
Quantity	2 Nos. (1W + 1S)
Capacity	22 m ³ /hr
Head	20 m
Make	Kirloskar
6. AIR BLOWER	
Quantity	2 Nos. (1W + 1S)
Type	Twin Lobe
Capacity	518 m ³ /hr
Head	4500 MMWC
Make	Beta
7. ULTRAVIOLET STERILIZER	
Quantity	1 Nos.
Capacity	17.5 m ³ /hr
Make	Alfa UV
8. COARSE BUBBLE DIFFUSERS	
Quantity	1 lot
Type	Disc
Size	150 mm Dia
MOC	EPDM
Make	Welcome
9. FINE BUBBLE DIFFUSERS	
Quantity	1 lot
Type	Tube
Size	63 mm Dia, 600 mm Long
MOC	EPDM
Make	Welcome
10. PRESSURE SAND FILTER	
Quantity	1 No.
Dia	1350mm
HOS	2000mm
Media	Multigrade Sand
Make	MSFRP
11. ACTIVATED CARBON FILTER	
Quantity	1 No.
Dia	1350mm
HOS	2000mm
Media	Activated Carbon
Make	MSFRP
12. MBBR MEDIA	
Quantity	1 Lot

Surface Area	400 M ₂ /M _t
MOC	PP
Make	Welcome
13. TUBE SETTLER MEDIA	
Quantity	1 Lot
Shape	Hexagonal
Length	750 mm
Surface Area	16 M ₂ /M ₃
Hopper Angle	60°
MOC	PVC
Make	Welcome
14. DOSING SYSTEM	
Quantity	1 Pump
Pump Capacity	0 - 12 LPH
Make	Milton Roy
15. ELECTRICAL PANEL	
Quantity	1No.
DOL	12 DOL Starter Panel
Level Controller	2 Stage
Accessories	Ammemeter, Voltmeter, Energy Meter, Mimic
Make	Batra
16. SCREW PUMP	
Quantity	2 Nos. (1W + 1S)
Capacity	2 m ³ /hr
Head	40 m
Make	Roto
17. FILTER PRESS	
Quantity	1 Nos.
Size	24" x 24" x 29 Nos Plate
Make	Welcome
18. ELECTRICAL WIRING & CABLE TRAY	
Quantity	As per requirement
Size	As per requirement
Make	Polycab
19. TOTALIZER	
Quantity	2 Nos.
Size	As per requirement
Make	Aster
20. MEDIA FOR FILTER VESSELS	
1 Lot, As per requirement	
21. PIPING & VALVES	
MS / cPVC; As per requirement	
Pipe	As per requirement
Size	As per requirement
MOC	MS / cPVC
Make	Jindal

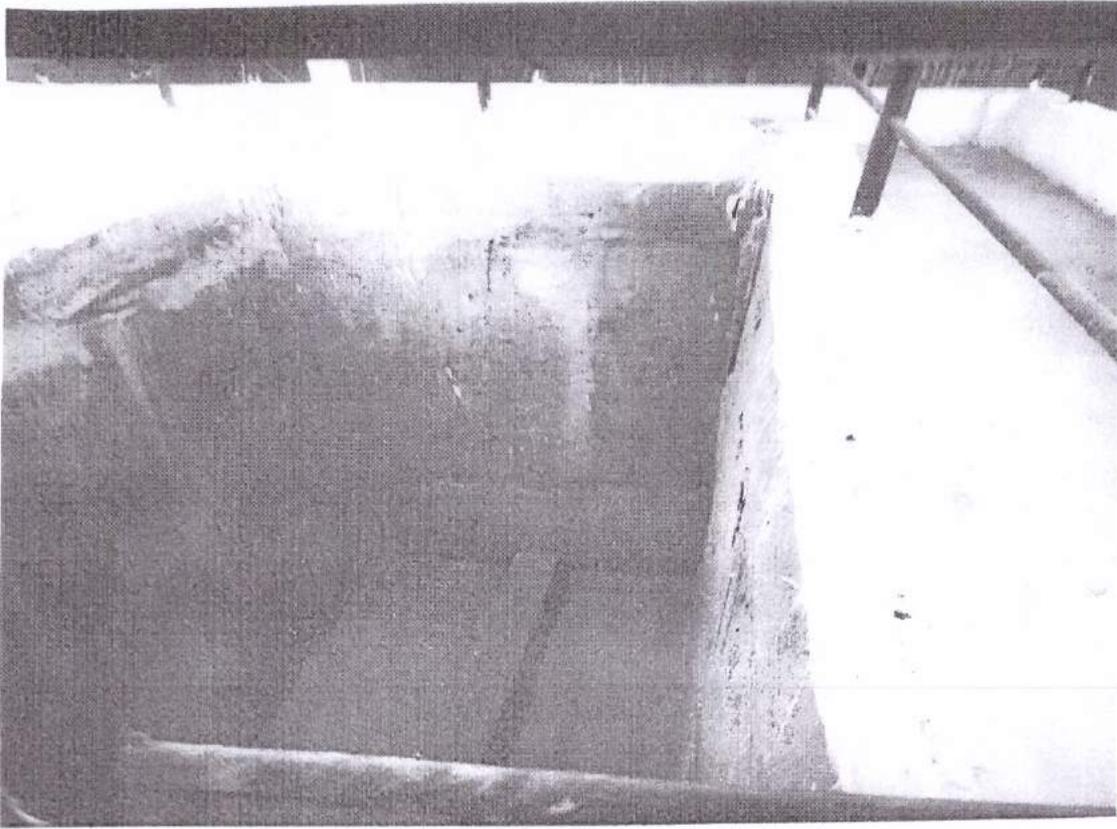
Valves	As per requirement
Size	As per requirement
MOC	MS / uPVC
Make	Sant
22. ULTRAFILTRATION SYSTEM	
Quantity	1 Set
Capacity	10 m ³ /h
Make	Deerfos



M/s Antriksh Kenball: Chimney attached with 500 KVA D.G. Set



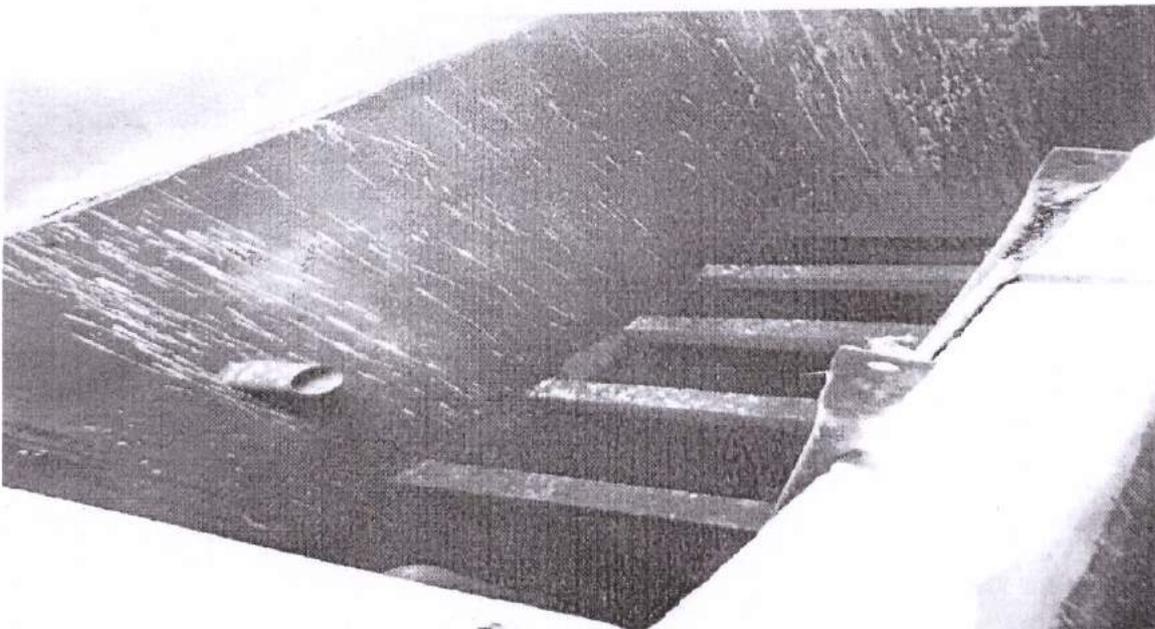
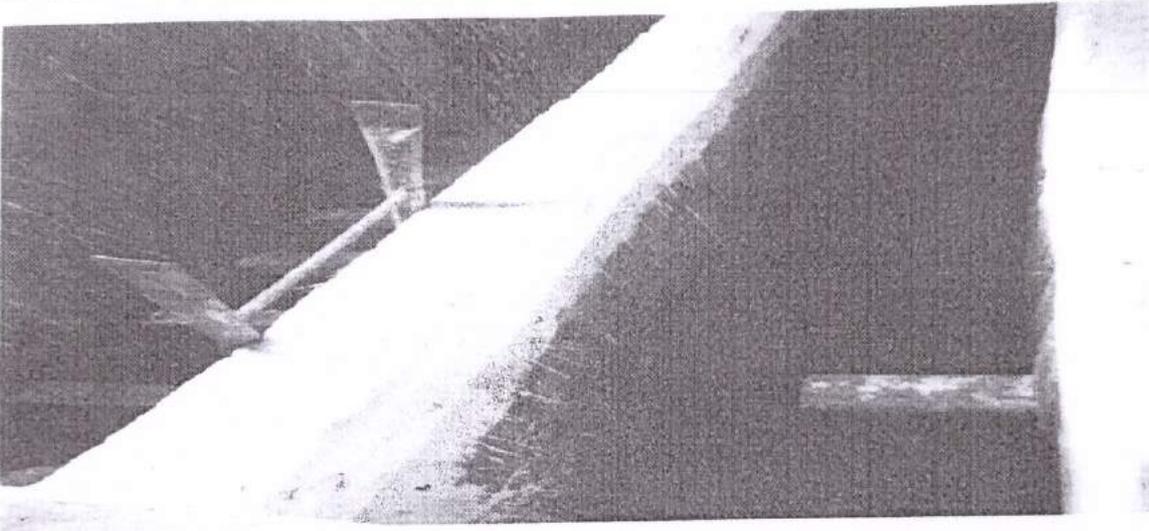
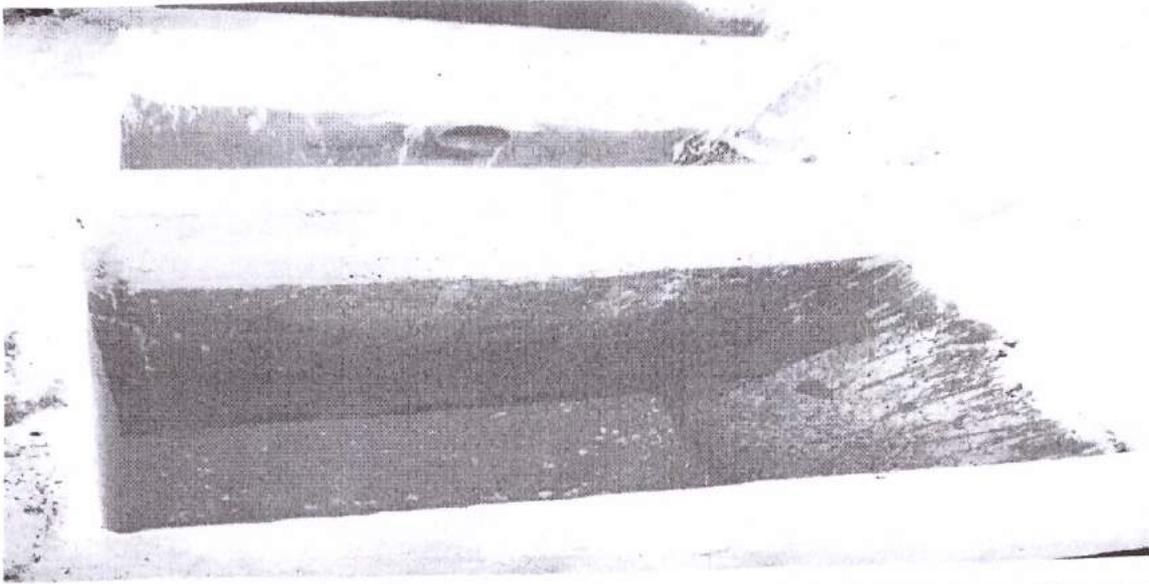
M/s Antriksh Kenball: Chimney attached with 500 KVA D.G. Set



M/s Antriksh Kenball: STP Under Construction



M/s Antriksh Kenball: STP Under Construction



M/s Antriksh Kenball: STP Under Construction



M/s Antriksh Kenball: Sewage Effluent Discharge Pipe Connected to STP of M/s Antriksh Forest



M/s Antriksh Kenball: Sewage Effluent Discharge Pipe Connected to STP of M/s Antriksh Forest

FEASIBILITY REPORT OF SEWAGE TREATMENT PLANT

250 KLD

Group Housing Project
Antariksh Forest
at
Plot No. 03B, Sector 77, Noida, Gautam Budh
Nagar, Uttar Pradesh

Project Owner :
M/s Perfect Probuild Pvt. Ltd.

FEASIBILITY REPORT

INDEX

Table of Contents

1. Details of STP.
2. Design Criteria.
3. Specification of Equipments.
4. P & I Diagram.

PREAMBLE

The oldest method of sewage treatment is irrigation or spraying on agricultural lands. The oxygen presents in the soil oxidizes the organic matter in the sewage and purifies it. The mineral constituents in the sewage are also thus supplied to the soil. As the sewage per person per year contains 3 Kg of Nitrogen, 0.75 Kg of Phosphorous and 2.2 Kg of Potassium, use of sewage in agriculture may reduce the requirement of chemical fertilizers. But the difficulties involved are:-

1. The location of the sewage throughout the year.
2. Hygienic consideration including spread of infectious disease.

Hence use of raw sewage for agriculture is not favored.

Treatment processes for waste water renovation can be classified in a number of ways. The most common method is to characterize them by function i.e. Precipitation, biooxidation or adsorption. In the treatment of domestic waste, primary treatment usually removes about 35% of BOD & 60% of SS.

DETAILS OF S.T.P.**A. COMPONENTS OF CONCERN**

It is estimated that the sewage effluent quantity which shall be generated shall be to the tune as reported by the company representative. Therefore an STP (in MBBR Technology) is being proposed to limit the impurities viz. SS & BOD Keeping in view the future expansion plans.

It is evident from the above activity that the sewage accruing from the Kitchen and the domestic toilets shall show variation in critical pollutants like S.S. (Suspended Solids) & BOD (Biochemical Oxygen Demand).

B. DISCHARGE OBJECTIVES

The discharge requirements are stipulated by the Pollution Control Board. The society shall reuse the treated water for flushing, gardening or may be discharged into the public sewer.

C. TREATMENT REQUIREMENTS

1. Removal of Suspended Solids
2. Oil Separation
3. Reduction of organic content: BOD & COD

D. TREATMENT METHOD

- a. Biological

E. PROCESS ENVISAGED

The objective of the treatment is envisaged to be met with Biological Treatment to attain a high degree of efficacy. We offer a Unique Waste Water Package Unit to tackle the sewage waste.

Package Sewage Waste Water Treatment units are designed keeping in view of the operational problems faced by the conventional waste system. These units are an ideal solution to the treatment of waste water in:-

- Hotels
- Health Resorts
- Hostels
- Restaurants
- Auditorium
- Hospitals
- Industries

And other small communities generating biodegradable waste waters.

MOVING BED BIO REACTOR

BIO REACTOR

The Bio Reactor is based on the Fluidized Random Aerobic Reactor which combines the advantage of an Activated Sludge Plant with the Random distribution systems such as Biofilters. With capacities that could be as low as 1/10th of ASP and fractional power consumption, such a reactor is ideal for the efficient removal of BOD and organics from the wastewater.

The tanks are packed with RIGID PP-UV-sterilized Gas Fluted Media with liquid random distribution wherein air diffusers are placed to uniformly release air across the tanks.

BACTERIAL GROWTH

Bacteria grow rapidly in the Bio-Pac unit under properly engineered conditions. They consume organic chemical for their growth and remove them from the wastewater. The bacteria converts' chemical into biological cells, which under proper growth conditions, form slims. The slims adhere to available surfaces and accumulate into what we call random biological film or fixed film. The high surface area-to-volume ratio of the units allows for accumulation of substantial concentration of bacteria in the relatively small reactor units. Further, the accumulated bacteria which provides high rates of removal or organic chemicals are fixed in the system and do not need to be recycled back to the basin.

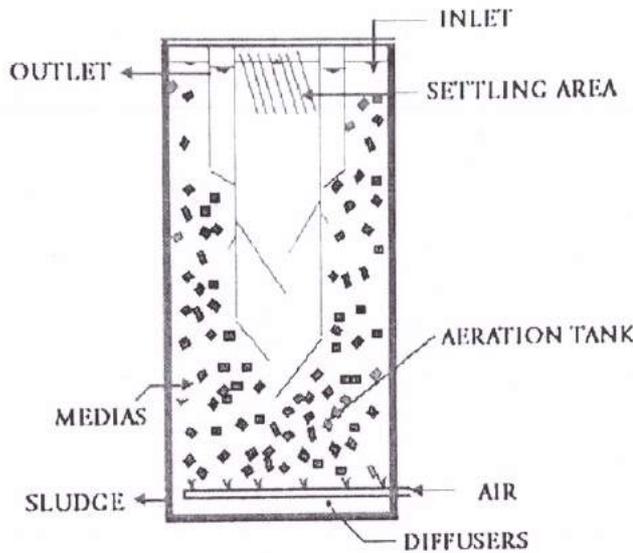
In the Bio Reactor system the water is constantly flowing through rigid PVC matrix to which the biological film attached. As the water flows past the biological film, bacteria in the film absorb organic chemicals as well as oxygen, nitrogen, phosphorus, and other trace nutrients required for their growth.

As the bacteria grow on the matrix and as more chemicals are added to the unit, the stationary biological film will continue to build in thickness. As the film becomes thicker the depth of penetration by diffusion of the absorbed material such as oxygen or other nutrients is not sufficient to reach the entire distance through the slime of the plastic media. At some point, the film will become sufficiently thick and portion of the film closest to the plastic media will not receive any food or nutrient, particularly oxygen. The inner layer of the film becomes anaerobic and the organisms lose their ability to adhere to the media surface. The shear forces of the water and / or air bubbles flowing through the matrix will ultimately become great enough to tear this portion of the biological film loose from the media. This process is called sloughing. The solids which slough from the media will flow out of the system with the effluents and are to be removed from the water through clarification in a settling module. The exposed portion of media surface will repeat the process of slime accumulation and sloughing.

In actual operation of the Bio Reactor units, biological film will be in a state of dynamic, continuous growth and sloughing. At any given time, portion of the media are always at some point between forming a new film sloughing.

WORKING PRINCIPAL

The MBBR works on the same principle as the submerged fixed film process with only one exception - the media is not fixed and floats around in the aeration tank. The main advantage of this system over the submerged fixed film process is that it prevents choking of the media. This also avoids sludge recirculation. Compared to conventional technologies the MBBR is compact, energy efficient and user friendly. It also allows flexibility in design of the reactor tank.



EFFLUENT QUALITY

The effluent discharged from the Bio Reactor system will contain sloughed biological solids, but would be relatively free of soluble organic chemicals. The quantity of biological solids in the effluent will depend substantially on the quantity of suspended solids and the concentration of soluble BOD entering the system. It is therefore necessary to provide means of separating the biological mass from the effluent.

PACKAGE UNIT contains TUBE SETTLERS for sedimentation and 60 Gross fluted Rigid PVC fill media for the FAB units to treat the wastewater for discharge into the receiving waters and/or the sanitary sewers as per the local regulations. The media thickness changes with the design parameters/depth of the unit and can vary from 0.25 to 0.40mm thickness.

F. CLARIFIER (TUBE SETTLER)

The equalized and chemically treated effluent is pumped to this tank. This is a rectangular hopper bottom tank. The purpose of clarifier is to separate the dispersed and colloidal impurities by way of flocculation, coagulation and settling. The clarified supernatant overflows to the treated water storage tank and the sludge being heavier is drawn on towards the lagging end for further de watering and disposal.

G. CLEAR WATER TANK

In this tank, clear water is subjected to tertiary treatment for further polishing of effluent.

H. FILTRATION AND ADSORPTION COLUMN

The clear effluent from the above tank is passed through Multigrade Filter Column & Activated Carbon Filter which serves the purpose of filtration as for undesirable suspended impurities as well as adsorb maximum dissolved impurities and color by activated carbon particles..

I. FILTER PRESS

The sludge generated in the process shall be discharged onto the Filter Press. The wet sludge shall be left in the shape of cakes and allowed to sun dry. The water shall return to the inlet collection tank for retreatment.

SEWAGE TREATMENT PLANT – 250 KLD		
DESIGN CRITERIA & SPECIFICATIONS OF EQUIPMENTS		
Parameters	Inlet	Outlet
BOD	250-350 mg/L	<20 mg/L
COD	400-450 mg/L	< 50 mg/L
TSS	250-350 mg/L	< 10 mg/L
Oil & Grease	50 mg/L	< 1 mg/L
PH	6.5 - 8.5	6.5- 8.5
OPTION - I		
DETAILS OF Civil COMPONENTS		
SEWAGE TREATMENT PLANT - 250 KLD		
DETAILS OF COMPONENTS		
1. BAR SCREEN		
Quantity	1 No.	
Size	1.2m x 1.0m x1.0m	
MOC	Civil/RCC	
2. OIL & GREASE TRAP		
Quantity	1 No.	
Size	1.2m x 2.0m x1.5	
MOC	Civil/RCC	
3. COLLECTION TANK-1		
Quantity	1 No.	
Capacity	62m ³	
Size	6.5m x 3.82m x 2.5m+0.5FB	
MOC	Civil/RCC	
4. COLLECTION TANK-2		
Quantity	1 No.	
Capacity	17m ³	
Size	2.5m x 2.7m x 2.5m+0.5FB	
MOC	Civil/RCC	
5. AERATION TANK		
Quantity	2 Nos.	
Capacity	24m ³ Each	
Size	2.8m x 2.04m x 4.2m+0.5FB	
MOC	Civil/RCC	
6. CLARIFIER/ TUBE SETTLER TANK-1		
Quantity	1 Nos.	
Capacity	18.78m ³	
Size	3.07m x 2.04m x 3.0m+ 0.5FB(Inc hopper)	
MOC	Civil/RCC	
7. CLARIFIER/ TUBE SETTLER TANK-2		
Quantity	1 Nos.	

FEASIBILITY REPORT

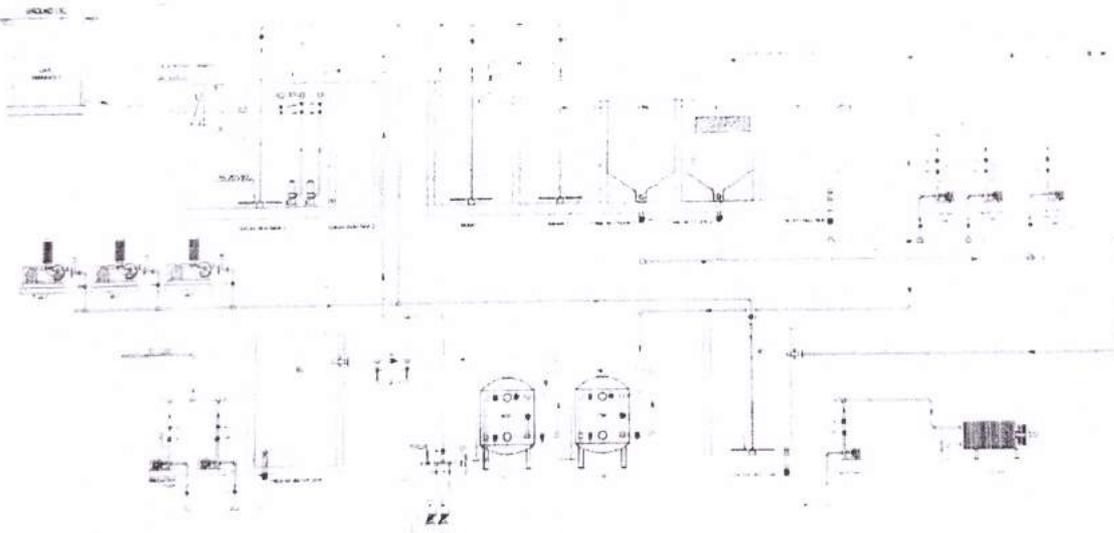
Capacity	15m ³
Size	2.54m x 2.04m x 2.9m+ 0.5FB(Inc hopper)
MOC	Civil/RCC
8. FILTER FEED TANK	
Quantity	1 Nos.
Capacity	43.54m ³
Size	4.56m x 3.82m x 2.5m+ 0.3FB
MOC	Civil/RCC
9. SLUDGE HOLDING TANK	
Quantity	1No.
Capacity	9.18m ³
Size	2.04m x1.5m x3.0m+0.5mFB
MOC	Civil/RCC
10. TREATED WATER TANK	
Quantity	1 No.
Capacity	29.64m ³
Size	4.56m x 2.6m x 2.5m+0.5FB
MOC	Civil/RCC
11. UF TREATED WATER TANK	
Quantity	1 No.
Capacity	14m ³
Size	1.46m x 3.82m x 2.5m+0.5FB
MOC	Civil/RCC
DETAILS OF ELECTRO-MECHANICAL EQUIPMENTS	
1. RAW SEWAGE PUMP	
Quantity	2 Nos. (1W + 1S)
Capacity	12.5m ³ /hr
Head	8 m
Make	Kirloskar / Equivalent
2. FILTER FEED PUMP	
Quantity	2 Nos. (1W + 1S)
Capacity	15 m ³ /hr
Head	25 m
Make	Kirloskar
3. SLUDGE RECIRCULATION PUMP	
Quantity	1 Nos. (1W + 1S)
Capacity	10 m ³ /hr
Head	10 m
4	Kirloskar
5. PLANT ROOM SUMP PUMP	
Quantity	2 Nos. (1W + 1S)
Capacity	20 m ³ /hr

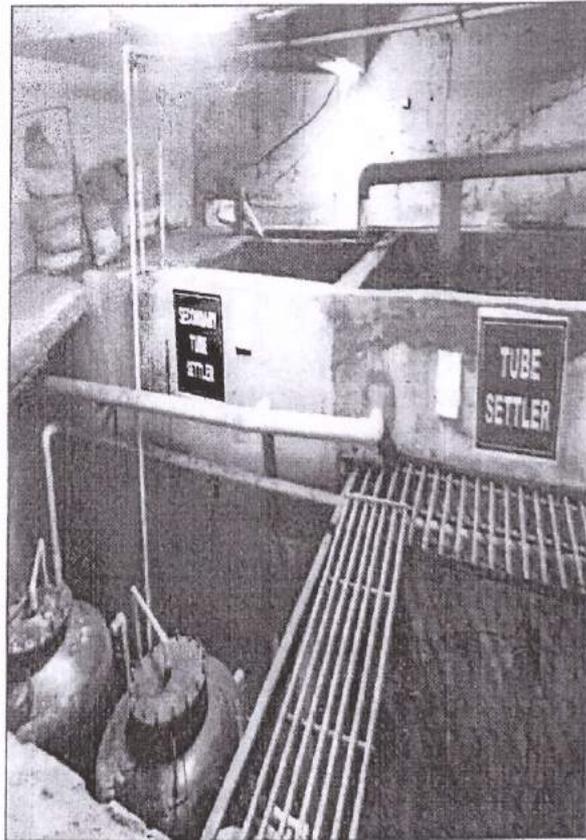
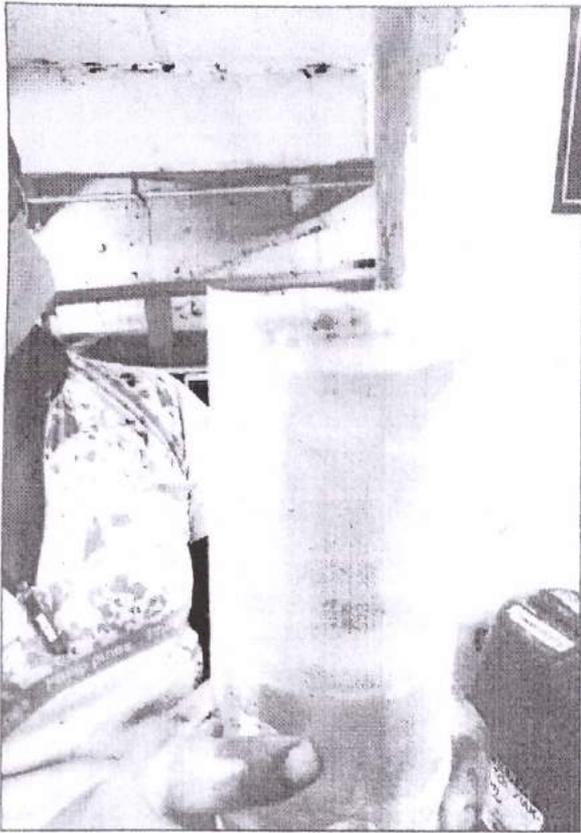
Head	20m
Make	Kirloskar
5. AIR BLOWER	
Quantity	3Nos.
Type	Twin Lobe
Capacity	250 m ₁ /hr
Head	3500 MMWC
Make	Beta
6. ULTRAVIOLET STERILIZER	
Quantity	1 Nos.
Capacity	12.5 m ₃ /hr
Make	Alfa UV
7. COARSE BUBBLE DIFFUSERS	
Quantity	1 lot
Type	Disc
Size	150 mm Dia
MOC	EPDM
Make	Welcome
8. FINE BUBBLE DIFFUSERS	
Quantity	1 lot
Type	Tube
Size	63 mm Dia, 600 mm Long
MOC	EPDM
Make	Welcome
9. PRESSURE SAND FILTER	
Quantity	1 No.
Dia	1100mm
HOS	1800mm
Media	Multigrade Sand
Make	MSFRP
10. ACTIVATED CARBON FILTER	
Quantity	1 No.
Dia	1100mm
HOS	1800mm
Media	Activated Carbon
Make	MSFRP
11. TUBE SETTLER MEDIA	
Quantity	1 Lot
Shape	Hexagonal
Length	750 mm
Surface Area	16 M ₂ /M ₃
Hopper Angle	60°
MOC	PVC
Make	Welcome
13. SCREW PUMP	
Quantity	1 Nos.
Capacity	2 m ³ /hr

FEASIBILITY REPORT

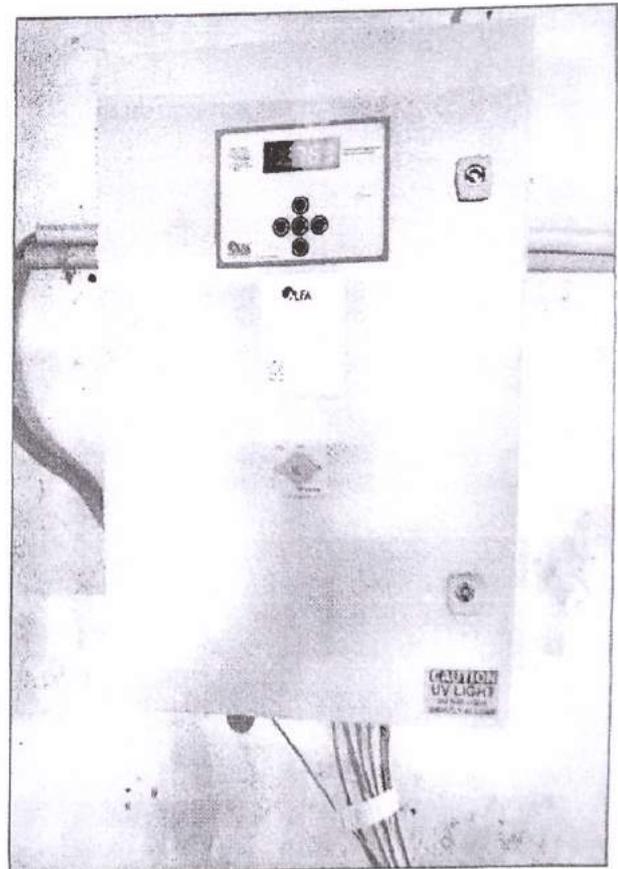
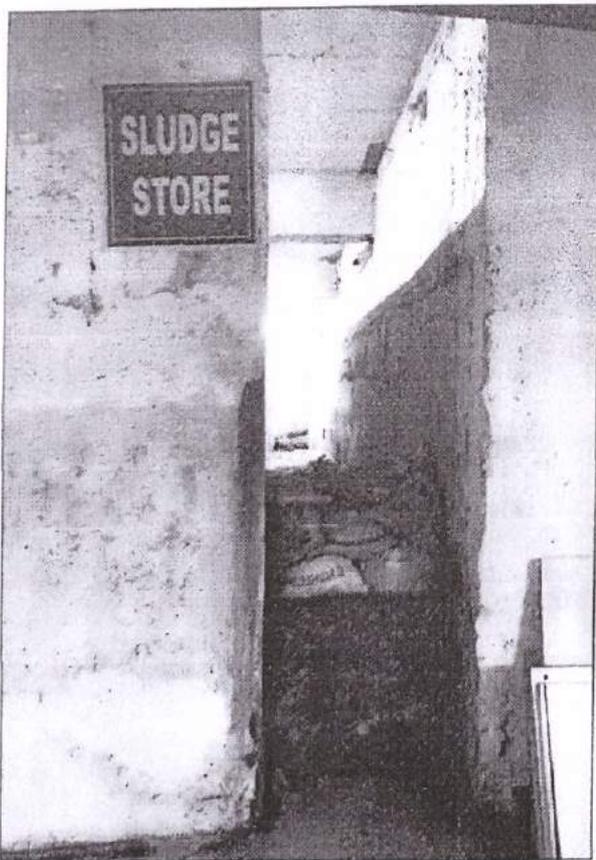
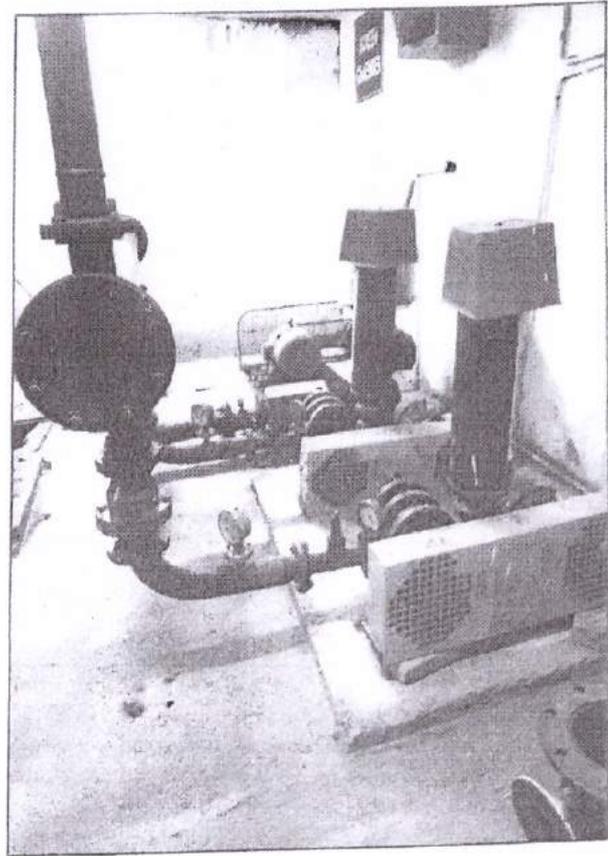
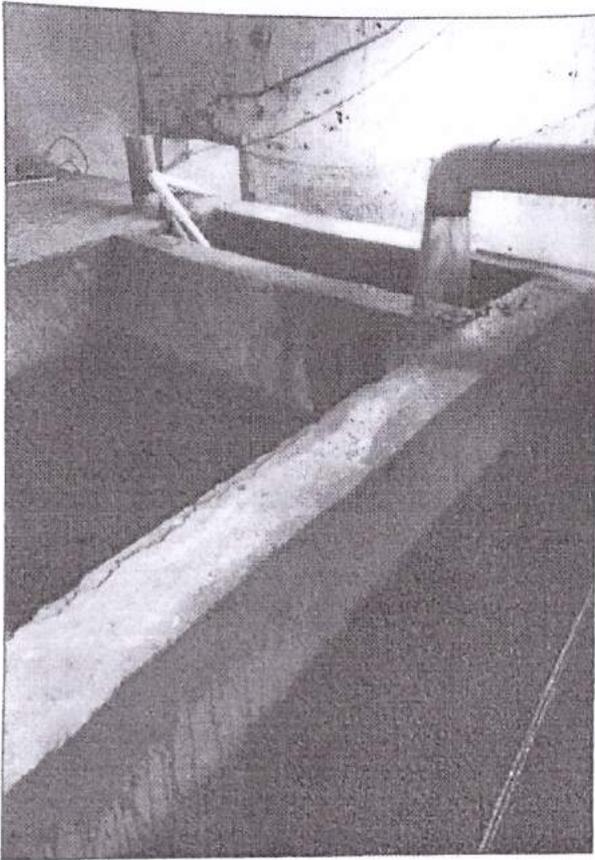
Head	40 m
Make	Roto
14. FILTER PRESS	
Quantity	1 Nos.
Size	24" x 24"x29 Nos Plate
Make	Welcome
Make	Kirloskar
15. TOTALIZER	
Quantity	2 Nos.
Size	As per requirement
Make	Aster
16. MEDIA FOR FILTER VESSELS	
	1 Lot, As per requirement
17. PIPING & VALVES	
Pipe	As per requirement
Size	As per requirement
MOC	MS / cPVC
Make	Jindal
Valves	As per requirement
Size	As per requirement
MOC	MS / uPVC
Make	Sant

P&I Diagram





मै० अन्तरिक्ष फारेस्ट एस०टी०पी०



मै० अन्तरिक्ष फारेस्ट एस०टी०पी०



M/s Antriksh Forest: Chimney attached with 500 KVA D.G. Set



M/s Antriksh Forest: Chimney attached with 500 KVA D.G. Set

आरटी नवीन जोखन जीवोपिक विकास प्राधिकरण

जल संवर्धन कर्मालय, तेरवार ३२, नोएडा

परिगणना अभियन्ता जल पूर्णता
नो-३०, नोएडा

संख्या : नोएडा/जल संवर्धन/ 11)
दिनांक : 17/06/19

विषय : कमीशन आदेशा मूल्यांकन/पत्रा नो-०३८ नो/पत्रा 77
ने पुढील दितीय रमाई/अपेक्षा कमीशन जारी करणे हेतु। रजिस्ट्रेशन संख्या 3)

दिनांक

आवटी द्वारा जमावत करवाया गया है कि नया नूतन/पत्रा नं. ११-०३८

नो/पत्रा 77 पर पूर्व में कोई कमीशन नहीं है। एक न कमीशन है। कृपया जमावत पर जमा कर यदि कमीशन न हो तो कृपया पानी 110MM एमएम और तेरवार 250MM एमएम का निम्न शुल्का/ रशि के आधार पर जारी करने की कृपा करें।

1. यदि आवटी द्वारा दी गई शुल्का गलत पाई जाती है तो कमीशन को अत्याधिकृत माफो हुए दण्डात्मक रशि वसूल की जाएगी और नियमानुसार कार्रवाई भी की जाएगी।
2. आवटी द्वारा कमीशन हेतु रशि बिना आगमन के आधार पर/अप द्वारा प्रेषित आगमन विवरण के अनुसार (अन्य मशी की रशि सहित) रु. 5453952/- दिनांक 10/6/19 को बैंक में जमा करवा दी है जो कि नोएडा के खाते में दिनांक 10/6/19 को क्रेडिट हुए।
ICIC शाखा Noida
3. उपरोक्त रशि रु. 5453952/- में समझी हेतु रु. तेरवार कार्य हेतु रु. तिखोरीटी हेतु रु. 1053938 / जमा करवाए गए है। सामग्री एवं तेरवार हेतु शून्य रशि जमा होने की दशा में फौरत को छोड़कर समस्त सामग्री/ तेरवार खर्च आवटी द्वारा अपने खर्च पर उभलवा करवाए जाएगी।
4. आवटी द्वारा जल प्रचार की रशि समग्र समय पर निर्धारित दरो एवं समय के अनुसार स्वतः प्रदान प्राप्त कर सीधे निर्धारित बैंक में जमा करवाया होगा। वर्तमान में जल प्रचार की दर रु. 1053938/मि. है जो कि पूरे वर्ष की एक मुश्त जमा करवाये लेनी अनुरोध दण्डात्मक/जल रशि के साथ वसूल किए जाएंगे।
5. पानी/तेरवार प्रचार द्वारा आदेश के जारी करने के माह में लागू होगा। यदि कमीशन निर्गत/पत्रा न हो तो कृपया

अधिकारिता का एक दिन का अनुभव किया गया।
नो. 3. आगमन/पत्रा नं. 11-038/नोएडा/जल संवर्धन/ 11) के विवरण 200 पानी/दवा जारी रशि पर
अन्य मशी की रशि सहित रशि तो नहीं है जोसे मात्र प्रचार का कमीशन लेने का
कारण दर्शाया जा रहा है।

प्रतिनिधि
M/s. P. S. Prop Build.
P. S.
GH-038 No. 77
Noida

महेश तेलंगार, अभियन्ता (जल संवर्धन)
एन. पी. टी.पी.
श्रीराम प्रचर
जल संवर्धन प्रयोग शोध

Noida

New Okhla Industrial Development Authority
Sector-5/37/39, Noida, (U.P.)

ICICI Bank

जल प्रभार राशि जमा करवाने हेतु चालान/Challan for Deposit Water Charges

3113163

चालान नं./Challan No.

उपभोक्ता संख्या/Consumer No.

Account No. 003101220769

उपभोक्ता नं./Consumer No.

07700006

मोबाइल/Mobile

10/11/20

Consumer Copy

आवंटी का नाम/Name of the Consumer

M/S Perfect Prop Build P Ltd

सेक्टर/Sector

77

ब्लॉक/Block

GH

घर/घर का प्लॉट/House/Plot No.

03B

Type of Payment

ग्रुप हाउसिंग/Group Housing

आवासीय/Residential

प्लॉट/Plot

औद्योगिक/Industrial

वाणिज्य/Commercial

संस्थानिक/Institutional

300 flats
110mm (w)

Hand conn.

जमा राशि का मद Detail of Payment	दर Rate	राशि Amount	जमा राशि का विवरण Details of the Amount Deposited
जल प्रभार अवधि Period of water Deposit			Cash Denomination
से/From.....तक/To			1000 X = /-
अनुसूचित/Arreir.....से/From			500 X = /-
सुरचार्ज/Surcharge		4800000	100 X = /-
कनेक्शन साइज/Connection Size		432000	50 X = /-
कनेक्शन राशि/Connection Amount		432000	20 X = /-
जमानत राशि/Security Deposit		903375	10 X = /-
अनुसूचित शुल्क		210000	
अदेक्ती प्रमाणपत्र शुल्क			
योग/Total		6777375/-	
रु/ Rs.		Sixty Seven Lac Seventy Seven thousand	
		Three hundred Seventy five only	

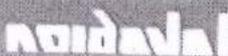
Cheque Deposit Subject to Realisation

नोट: जल प्रभार जमा करवाने का दायित्व स्वयं आवंटी का है इसके लिए विभाग के चालान प्रेषित नहीं किये जायेंगे आवंटी स्वयं बैंक से उपलब्ध चालान फार्म भरकर जमा करवायें।

- मेरे/हमारे द्वारा जल प्रभार की समस्त देय राशि जमा करवा दी गई है।
- भविष्य में मेरे/हमारे द्वारा समय-समय पर संशोधित जल प्रभार बिना किराी मांग पत्र के स्वतः जमा करा दी जायेगी।
- भूल-चूक लेनी देनी।

उपभोक्ता का (नाम एवं हस्ताक्षर)
वर्तमान पता
फोन नं.

Bank Acknowledgment



Consumer Details

Consumer No: 4770004
Consumer Name: M/S KHESTER ENGINEERING LTD.
Address: 17, Sector 10
Consumer Category: Group Housing

Installation Date: 19/04/2018
Meter No: 12345678
Meter Type: 10 Amp

Consumer Details

Group Housing No: 20177
Group Housing Name: 15, Sector 10
Group Housing No: 20632

Installation Date: 19/04/2018
Meter No: 12345678

Address & Bill (Current Financial Year i.e. 2020 - 2021)

Bill No: 11111111 Bill Period: 31 Apr 2020 To 31 Mar 2021 Bill Amount: 12345678 Bill Due Date: 31 Mar 2021

Pay Now / Pay Later / Pay Bill

Please Note: This bill is generated based on the meter reading and the tariff applicable to the consumer. The bill is subject to change if there is any change in the meter reading or the tariff. The bill is valid for 30 days from the date of generation. The bill is not valid for payment after 30 days from the date of generation. The bill is not valid for payment after 30 days from the date of generation.

Other Payments

Payment Details

नवीन ओखला औद्योगिक विकास प्राधिकरण

भवन प्रकोष्ठ एवं वास्तुकला व नियोजन विभाग
मुख्य प्रशासनिक भवन, सैक्टर-6, नौएडा, जि. गीतमयुद्ध नगर

मुंबई दिनांक 12/10/20

दिनांक 12.10.20

विशेष कार्याधिकारी (टी०)

नौएडा

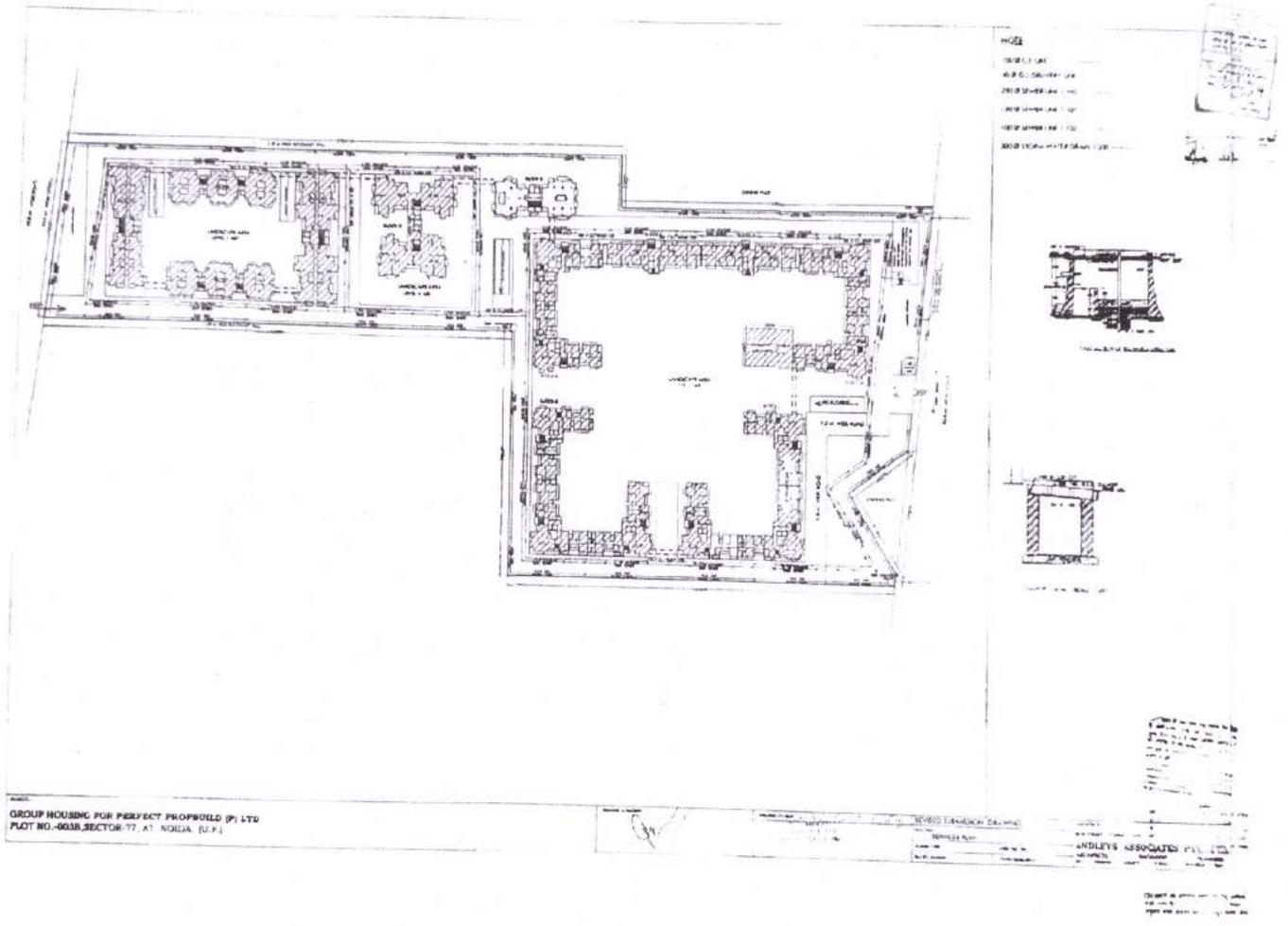
विषय:- ग्रुप हाऊसिंग भूखण्ड सं० जीएच-03वी, सैक्टर - 77, नौएडा के सम्बन्ध में ।

महोदय,

कृपया दूरभाष पर हुई वार्ता के क्रम में उपरोक्त परियोजना के संदर्भ में आपके द्वारा की गयी पृच्छा के सम्बन्ध में अवगत कराना है कि ग्रुप हाऊसिंग भूखण्ड सं० जीएच-03वी, सैक्टर - 77, नौएडा के आवंटी संस्था मैसर्स परफेक्ट प्रोप बिल्ड प्रा० लि० द्वारा परियोजना के 11 टॉवर्स के अधिभोग प्रमाण पत्र हेतु दिनांक 10.09.2014 को आवेदन किया गया । स्थल पर निर्माण कार्य अपूर्ण होने के कारण दिनांक 14.08.2015 को आवेदन निरस्त कर दिया गया । आवंटी संस्था द्वारा पुनः दिनांक 20.07.2017 को अधिभोग हेतु आवेदन किया गया । स्थल पर निर्माण कार्य अपूर्ण होने एवं अधिभोग प्रमाण पत्र सम्बन्धी समस्त वांछित प्रपत्र जमा नहीं कराये जाने के कारण अधिभोग हेतु आवेदन पुनः दिनांक 14.08.2017 के निरस्त कर दिया गया ।

संदर्भित परियोजना के किसी भी टॉवर का अधिभोग प्रमाण पत्र निर्गत नहीं किया गया है तथा आवंटी संस्था द्वारा पुनः वर्तमान में संदर्भित योजना के अधिभोग हेतु आवेदन नहीं किया गया है । अतः परियोजना में एस०टी०पी० का निर्माण किया गया है अथवा नहीं के सम्बन्ध में आख्या दिया जाना सम्भव नहीं है ।

वरि० प्रबन्धक(नियोजन)
नौएडा



Approved Plan

