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For ACE INFRA CITY DEVELOPERS PRIVATE LIMITED

Vishal Kumar

RESPONDENT NO. 10 *Authorized Signatory*

THROUGH

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PLACE: NEW DELHI

DATE: /03/2024

be deemed to have been specifically denied and specifically traversed. That no statement, allegation, contention or submission contained in the present original application under reply should be treated as admitted by the Respondent No.10 except in so far as is specifically admitted in this reply.

PRELIMINARY OBJECTIONS/SUBMISSIONS

The following preliminary objections/submissions may kindly be considered without prejudice to one another:

1. That vide the present Original Application (O.A.) the Applicants have not made any specific allegation against the projects of the answering Respondent No.10 and have only highlighted the alleged issue of depletion of the ground water level due to the alleged lapses by the concerned authorities.
2. That the entire petition fails to make even a single specific instance of misuse of ground water by any of the Respondents. It seeks to make a roving enquiry on the basis of general and vague allegations without conducting any due diligence and without bringing even a single iota of evidence in support of the allegations. The Hon'ble Tribunal must dismiss such a petition at the outset as it will only lead to setting an example of using the state machinery and resources to conduct roving inquiries on the basis of a vague plea which does not even make a prima-facie case.
3. That the present petition only seeks to harass the Respondents as now they are being made to prove that they

haven't used ground water in development even though the development work was finished years before filing of the petition.

4. That this Hon'ble Tribunal vide its order dated 05.07.2022 had directed the constitution of a Joint Committee (hereinafter referred to as the 'Committee') comprising of the Central Pollution Control Board (CPCB), State Pollution Control Board (SPCB) and District Magistrate, Noida to verify the facts stated in the present O.A and furnish an action taken report upon the same. Further, in the said order this Hon'ble Tribunal also directed that if any adverse material is found by the Committee, the affected parties may be put to notice of these proceedings and a copy of report be furnished to the said parties for their response, if any, before the next date. The Joint Committee filed its report dated 07.10.2022 after field verification. Field verification was undertaken for 33 group housing projects. 25 out of 33 projects, including those of the present Respondent No. 10, were allegedly found to have water pumps from which the assumption was made that they are being used to extract groundwater. However, it is pertinent that neither any notice of the original application was served nor a copy of report be furnished to the present Respondent No. 10 till that stage.

A copy of the order dated 05.07.2022 passed by this Hon'ble Tribunal in O.A. No. 392 of 2022 is annexed herewith and is marked as **Annexure A-1**.

5. That the Joint Committee could not have complied with the order dated 05.07.2022 passed by this Hon'ble Tribunal as in the first notice for the project ACE Aspire issued by the Committee on 06.06.2023 the name of the promoter for the project ACE Aspire is stated as M/S Ideal Realtech Pvt. Ltd. whereas M/S Ideal Realtech Pvt. Ltd. is not the promoter of the project ACE Aspire. Similarly, in the notice dated 26.09.2023 the promoter of the project ACE Aspire is stated as M/S Ace Infracity Developers Pvt. Ltd. who is not the promoter of the project ACE Aspire. It is pertinent to mention that the promoter of project ACE Aspire is M/S Star Landcraft Pvt. Ltd. to whom no notice has been issued. This itself shows the complete non-application of mind on the part of the Joint Committee as it has issued notices to two different promoters for the same project. The notices which purport to inform the Respondent No.10 of the present proceedings have been issued in the name of the wrong promoter who has nothing to do with the said projects. Similarly, with respect to the project ACE City the promoter that is mentioned in the final compensation letter is M/s Ideal Realtech Pvt. Ltd. whereas the promoter of the project ACE City is M/s Crest Promoters Pvt. Ltd. who has not been made party to the present proceedings and to whom no notice has been issued. The proceedings emanating qua the Respondent No.10 are to be set aside on this ground alone as the entire basis for levying the floor level compensation and the final compensation without complying with the order dated 05.07.2022 and without complying with the requirements of natural justice cannot be allowed to stand. It is even more relevant that no notice has been issued

against the correct promoters but in Para 9 of the order dated 15.11.2022 this Hon'ble Tribunal has drawn adverse inference against the present Respondent No. 10 as they have chosen not to put in appearance. However, it is amply clear from the aforesaid paragraph that notice to the correct promoters were never served. This also casts serious doubt on the calculation of final compensation as reliance is placed on project cost but as the name of promoters is wrong, it is possible that wrong data has been considered for calculation.

A copy of the notice dated 26.09.2023 issued to the project ACE Aspire is annexed herewith and is marked as **Annexure A-2.**

6. Thereafter this Hon'ble Tribunal vide its order dated 15.11.2022 directed imposition of interim/ floor level compensation equal to at least 0.5% of the project cost and also directed the Committee to assess the final compensation to be levied.

A copy of the order dated 15.11.2022 is annexed herewith and is marked as **Annexure A-3.**

7. That the first time the Respondent No.10 has learned of the present petition and the orders passed herein is upon receipt of Notice dated 06.06.2023 which was received on 15.06.2023 for the projects Ace City and Ace Aspire and on 13.06.2023 for the project Ace Divino wherein fine imposed pursuant to Order dated 15.11.2022 of this Hon'ble Tribunal is sought to be recovered.

Copies of the notices dated 06.06.2023 are annexed herewith and are marked as **Annexure A-4 (Colly)**.

8. That the Respondent No. 10's reply was never sought on the report of the committee and a copy of the report of the committee was never supplied. The Respondent No.10 has been gravely prejudiced from the actions of the committee as the recommendations given by the committee are in complete violation of the order dated 05.07.2022 of this Hon'ble Tribunal where it has been recorded: "...if any adverse material is found by the Committee, the affected parties may be put to notice of these proceedings and a copy of report be furnished to the said parties for their response, if any, before the next date" and in complete violation of the principles of Natural Justice. Any notice sent would have been received by the Apartment Owners Association/Resident Welfare Association which is control of the projects and not by the answering Respondent No.10.
9. That after the receipt of Notices dated 06.06.2023, the Respondent No.10 applied for certified copy of the judicial record of the present matter. Upon perusal of the judicial record, the Respondent No.10 has found out that the committee has made recommendations only against projects Ace City and Ace Aspire whereas an identical Notice has been sent for Ace Divino also. This shows blatant absence of application of mind by the authorities. The notice dated 06.06.2023 for Ace Divino is in blatant breach of law.

10. That the report of the committee and the subsequent notice seeking recovery of compensation from the present answering respondent is a gross violation of principal of natural justice and the respondent's right to a fair trial as despite clear directions by this Hon'ble Tribunal vide its order dated 05.07.2022 that if any adverse material is found by the Committee, the affected parties may be put to notice of these proceedings and a copy of report be furnished to the said parties for their response, however, no notice of the present proceeding as well as the report of the committee was ever served upon the present Respondent No.10.
11. That the report of the joint committee fails to bring on record any illegality. The report has been given on the basis of a blatant assumption that the presence of a pump must necessarily mean the extraction of ground water. Admittedly, no efforts were made to check whether the alleged pumps were in working condition, were used for extraction of ground water or pumping out flood/rain water or pumping water for construction etc. No effort has been made to even seek a reply from the answering Respondent No.10 regarding the allegations made.
12. That the Joint Committee was constituted on 18.07.2022 and the committee submitted its compliance report dated 07.10.2022 before this Hon'ble Tribunal. It is submitted that with respect to project ACE Aspire, the finding as stated in the compliance report dated 07.10.2022 is that two motors of 10 HP each were found at the project ACE Aspire. It is most pertinent that as per the said compliance report the inspection at the project site took place on 19.09.2022.

However, the Resident Welfare Association (RWA) with respect to the said project was registered on 13.08.2021 and the utilities and maintenance of the project had been handed over to the said RWA on 13.11.2021. Therefore, as on the date of inspection the Respondent No.10 was not even at the project site and on the date of the inspection the alleged motors found at the site were not in control of the Respondent No. 10. There is nothing to show that the said alleged motors were installed by the Respondent No.10 or the RWA. It is pertinent that in order dated 20.08.2019 passed by this Hon'ble Tribunal in Paryavaran Suraksha Samiti and Anr. v. Union of India, O.A. No. 593 of 2017, it has been stated by this Hon'ble Tribunal at Para 4.8 that the current owner of the premises where the illegal extraction is taking place would be liable. Therefore, it is absolutely unjust for any liability to be affixed to the present Respondent No.10 for the said project as the charge of the project's maintenance and utilities was already handed over to the Resident Welfare Association almost a year prior to the date of inspection.

13. Further, it is also relevant that with respect to the said project ACE Aspire the occupancy certificate was already granted on the 19.07.2016 certifying that the construction of the project was completed by 19.07.2016. Therefore, the calculation of the interim floor level compensation or the final compensation on the basis of the construction of the project is absolutely unjust as there is no evidence that groundwater extraction was done during the construction of the project or anytime thereafter. It is relevant that mere

installation of a water pump is not illegal, it is the abstraction of groundwater which is regulated.

14. It is further submitted that the answering Respondent No.10 has paid a total sum of Rs. 52,63,415/- (Rupees Fifty Two Lakhs Sixty Three Thousand Four Hundred and Fifteen) as residential water charges. This is clear from the residential water charges cum payment intimation issued by the Greater Noida Industrial Development Authority on 27.10.2022.

Copies of the Occupancy Certificate dated 19.07.2016 granted to ACE Aspire project, registration certificate dated 13.08.2021 of the ACE Aspire Apartment Owners Association and proof of payment of residential water charges to the authority are annexed herewith and marked as **Annexure A-5 (Colly)**.

15. That it is also clear from the compliance report that absolutely no efforts were made by the Joint Committee to check whether the pumps were in a working condition or whether they were used for extraction of groundwater or for any other reason. This is absolutely clear from the treatment the Joint Committee has given to the projects of Respondent No.9/Gaursons. In the initial compliance report, the projects of Respondent No.9/Gaursons have been found to have installed more than 40 pumps at its different projects, however, the compliance report that has been filed later on 30.06.2023 does not levy any compensation on the sites as it is stated in the said compliance report that during joint visits it was found that out of eighteen borewells, eleven

borewells were not energized and were found without pump and electricity supply. It also stated that as informed by the Respondent No.9/Gaursons these borewells were used for geo-technical investigation and not groundwater extraction. It is absolutely clear from the said findings of the Joint Committee report that during the initial inspection that it had done at the projects of Respondent No.9/Gaursons, it did not undertake a thorough inspection, it did not check whether the borewells or the motors were energised or not or whether the borewells were dug up for any other ancillary reason such as a geo-technical investigation. By the same logic, such an opportunity should also be granted to the projects of the answering Respondent No.10 to show that the borewells that have been found on the sites were also not energised and were being used for different purposes.

16. It is submitted that with respect to the project ACE City, the inspection was carried out by the Joint Committee on 14.09.2022 and the finding of the Joint Committee was that one motor of 5 HP was found at the site. With respect to this project also, the Apartment Owners Association was registered on 08.12.2022 and the maintenance was handed over formally on 01.01.2023. Further, the occupancy certificates of the said project was issued on 17.08.2016 and on 01.02.2017 which shows that as on the date of the inspection the project was completely built up and there is no evidence to show that any groundwater extraction was done during the construction phase of the project. It is further humbly submitted that with respect to the project ACE City, it is absolutely clear from the builder residential

water charges cum payment intimation issued by the Greater Noida Industrial Development Authority dated 15.06.2023 that with respect to the said project an amount of Rs. 1,37,00,000/- (Rupees One Crore Thirty Seven Lakhs) has been paid in water charges. This also shows that groundwater was not being used in the said project and regular water charges were being paid to the Greater Noida Industrial Development Authority.

The copy of Occupancy Certificates dated 17.08.2016 and 01.02.2017 granted to ACE City project, registration certificate dated 08.12.2022 of the ACE City Apartment Owners Association and proof of payment of residential water charges to the authority are annexed herewith and marked as **Annexure A-6 (Colly)**.

17. That it is also clear from the compliance report that absolutely no efforts were made by the Joint Committee to check whether the pump found at Ace City project was in a working condition or whether it was used for extraction of groundwater or for any other reason. This is absolutely clear from the treatment the Joint Committee has given to the project of Respondent No.9/Gaursons. By the same logic, such an opportunity should also be granted to the projects of the ACE City to show that the borewells that have been found on the sites were also not energised and were being used for different purposes.
18. That with respect to the project ACE Divino as per the report of the committee itself no inspection was ever done at the Ace Divino project but still notice were served upon the said

project and for which reason the notices are ex-facie illegal. It is pertinent that in the report that was filed initially with respect to interim compensation, Rs. 3,30,00,000/- (Rupees Three Crores Thirty Lakhs) was stated with respect to the project ACE Divino, however, in the letter dated 30.06.2023 the final floor level compensation is stated to be Rs. 16,19,69,625/- (Rupees Sixteen Crores Nineteen Lakhs Sixty Nine Six Thousand Six Hundred and Twenty Five Lakhs). However, in the interim compliance report dated 31.01.2023 it is specifically stated on S. No. 13 that groundwater extraction was being done after obtaining statutory permissions and due record is being maintained with respect to the said project. Therefore, the committee's own reports are self-contradictory, unreliable and must be set aside. It is further submitted that only Sewage Treatment Plant treated water and stored rain water was used for construction. The following documents show that Sewage Treatment Plant treated water was used for construction of the project Ace Divino and the same are also annexed herewith as **Annexure A-7 (Colly)**:

- i. Photocopy of Certified statement of Lifted sewage treated water.
- ii. Photocopy of Certified statement of Lifted sewage treated water.
- iii. Photocopy of Payment Deposit Slip bearing no. 1993 dated 09.05.2022 (6000 KL Water)
- iv. Photocopy of Payment Instrument (DD No. 509797, dated 16.04.2022, Amount Rs. 30,000/- in favour of NOIDA) refer Payment Deposit Slip bearing no. 1993 dated 09.05.2022 (6000 KL Water)
- v. Photocopy of Payment Deposit Slip bearing no. 1930 dated 07.06.2021 (10000 KL Water)

- vi. Photocopy of Payment Instrument (DD No. 500281, dated 25.05.2021, Amount Rs. 50,000/- in favour of NOIDA) refer Payment Deposit Slip bearing no. 1930 dated 07.06.2021 (10000 KL Water)
- vii. Photocopy of Payment Deposit Slip bearing no. 1796 dated 17.10.2019 (10000 KL Water)
- viii. Photocopy of Payment Instrument (DD No. 508364, dated 19.09.2019, Amount Rs. 50,000/- in favour of NOIDA) refer Payment Deposit Slip bearing no. 1796 dated 17.10.2019 (10000 KL Water)
- ix. Photocopy of Payment Deposit Slip bearing no. 1700 dated 17.12.2018 (10000 KL Water)
- x. Photocopy of Payment Instrument (DD No. 507330, dated 05.11.2018, Amount Rs. 50,000/- in favour of NOIDA) refer Payment Deposit Slip bearing no. 1700 dated 17.12.2018 (10000 KL Water)

Apart from the above, 200 KL of stored rain water was used between period 01.06.2020 to 30.09.2020, 300 KL stored rain water was used between period 01.06.2021 to 31.10.2021, 350 KL stored rain water was used between period 01.05.2022 to 31.10.2022. However, the aforesaid information regarding use of STP treated water and rain water is not exhaustive and is limited to the record available with the answering Respondent No.10. The same is sufficient to indicate that ground water was not extracted for the purpose of construction.

19. It is pertinent that this Hon'ble Tribunal in its order dated 28.08.2019 passed in the case of Paryavaran Suraksha Samiti and Anr. v. Union of India, O.A. No. 593 of 2017 has formulated a formula for environmental compensation for illegal extraction of groundwater. The said formula has not been followed in the present case for the calculation of the

interim and the final compensation. The formula as devised by this Hon'ble Tribunal in the said order is reiterated herein below:

$$EC_{GW} = \text{Water Consumption per Day} \times \text{No. of Days} \times \text{Environmental Compensation Rate for illegal extraction of ground water (EC}_{GW})$$

In paragraph 4.8 of the said order this Hon'ble Tribunal has stated the recommendations made by the Committee in the Paryavaran Suraksha Samiti case. One of the recommendation stated in the said order by this Hon'ble Tribunal is that in cases where no evidence is found of the date of installation of borewell, the time duration is to be assumed to be one year and the environmental compensation is to be calculated on the basis of the said date by the above stated formula. The said recommendations of the committee were approved by this Hon'ble Tribunal at para 21 of the said order dated 28.08.2019.

A copy of the order dated 28.09.2019 passed by this Hon'ble Tribunal in Paryavaran Suraksha Samiti and Anr. v. Union of India is annexed herewith and is marked as **Annexure A-8**.

PARAWISE REPLY

1. That the contents of Para 1 are a matter of record and warrants no reply from the answering Respondent No.10 to the extent that the Applicants are residents of Ghaziabad and Greater Noida respectively. The rest of the content is denied as being unsubstantiated.

2. That the contents of Para 2 are a matter of record and warrants no reply from the answering Respondent No.10.
3. That the contents of Para 3 warrants no reply to the extent that the Applicants had written to state and the Central authorities for action and despite their responses from time to time, no concrete action to stop the illegal groundwater extraction has been taken by the authorities so far in Noida Extension. In reply thereto it is submitted that the Respondent No. 10 had not extracted ground water at any stage of construction of their projects or afterwards.
4. That without any prejudice to the rights of the answering Respondent No.10, the contents of Para 4 and 5 are a matter of record and warrants no reply from the answering Respondent No.10 to the extent that the Greater Noida West area popularly known as Noida Extension is located in the Over-Exploited Bisrakh block of Greater Noida, starting from along NH 24- now Delhi-Meerut Expressway that cuts through Ghaziabad situated on one side and Noida/Gr Noida on the other. The rest of the content are denied. In reply thereto it is humbly submitted that the entire petition fails to make even a single specific instance of misuse of ground water by any of the Respondents. It seeks to make a roving enquiry on the basis of general and vague allegations without conducting any due diligence and without bringing even a single iota of evidence in support of the allegations. The Hon'ble Tribunal must dismiss such a petition at the outset as it will only lead to setting an example of using the state machinery and resources to conduct roving inquiries

on the basis of a vague plea which does not even make a prima-facie case.

5. That without any prejudice to the rights of the answering Respondent No.10, the contents of 5 are a matter of record warrants no reply from the answering Respondent No.10

6. That without any prejudice to the rights of the answering Respondent No.10, the contents of Para 6 are a matter of record and warrants no reply to the extent that the water table has been falling alarmingly in Noida Extension. The Bisrakh block is an Over-Exploited block as categorized by the Central Ground Water Board (CGWB) in its Assessment of Blocks 2020 and a Notified block as per classification of the UP State. Rest of the contents are denied. It submitted that the Respondent No. 10 had never extracted ground water at any stage of completion of their projects or even afterwards.

7. That without any prejudice to the rights of the answering Respondent No.10, the contents of Para 7 of the O.A. are a matter or record to the extent that the GNIDA is duty-bound to provide water supply to the residents and to housing projects at the time of sanctioning such projects, however, it is denied that the projects of the answering Respondent No. 10 have been granted approval in the past decade by the Authority, in violation of the UP Industrial Area Development Act 1976. It is further denied that Respondent No. 10 is surreptitiously or in connivance of the Authority extracting groundwater.

8. That the contents of Para 8 are denied as being misleading and devoid of any merit.
9. That the contents of Para 9 are denied as being false and fictitious.
10. That the contents of Para 10 and 11 of the present original application are denied as the same are based upon conjectures and surmises.
11. That the contents of Para 12 are denied as being baseless and bereft of any merits.
12. That the contents of Para 13 are denied as being unsubstantiated and misleading.
13. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 14 are a matter of record to the extent of the Composite Water Management Index Report 2018 of NITI Ayog, the rest of the contents are denied.
14. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 15 warrants no reply to the extent that presently the Uttar Pradesh Ground Water (Management & Regulation) Act 2019 has been enacted and is in force in Uttar Pradesh, thereby the responsibility of granting NOCs has come upon the UP Ground Water Department/State Ground Water Authority. The rest of the content is denied as being false and baseless.

15. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 16 warrants no reply.
16. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 17 warrants no reply to the extent that the UP Ground Water Department/State Ground Water Authority functioning under the aegis of UP Ground Water (Management & Regulation) Act 2019 has the responsibility of granting NOCs to various project proponents throughout Uttar Pradesh. The rest of the contents are denied as being misleading and based upon surmises. It is specifically denied that the answering Respondent No. 10 had extracted groundwater.
17. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 18 warrants no reply as the same are a part of judicial record.
18. That the contents of Para 19 are denied as being false, concocted and bereft of any corroborating material filed on record. The applicants are only seeking to make a roving enquiry on the basis of general and vague allegations without conducting any due diligence and without bringing even a single iota of evidence in support of the allegations.
19. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 20 warrants no reply as the same are a matter of record.
20. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 21 does not warrant

any reply from the Respondent No. 10. However, it is pertinent that the Respondent No. 10 has never extracted groundwater either during the construction of the projects or thereafter and no cogent evidence against the Respondent No. 10 has been brought on record. It is submitted that only STP treated water and harvested rain water was used for the construction of the projects. Further, water connections have been allotted to the projects of the Respondent No. 10 by the GNIDA and the Respondents No. 10 has been making regular payments for the usage of residential water.

REPLY TO GROUNDS:

21. That the contents of Para 22 are denied as being false and incorrect. The same are based upon conjectures and surmises and are devoid of any merit.
22. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 23 warrants no reply to the extent that the UP Industrial Area Development Act 1976 that governs the functioning of the sanctioning authority, i.e. Greater Noida Industrial Development Authority or GNIDA mandates that water supply shall be one of the amenities to be provided by the GNIDA, the rest of the content is denied. It is specifically denied that the answering Respondent No. 10 has extracted any ground water.
23. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 24 warrants no reply

as the same are a matter of judicial record. However, it is vehemently denied that in the present case the extraction is totally illegal and is being done without permission from the very beginning. In reply thereto it is humbly submitted that no illegal extraction of groundwater has been carried out by the answering Respondent.

24. That the contents of Para 25 are denied as being misleading and devoid of any merits.
25. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 26 and 27 are a matter of record and warrants no reply.
26. That the contents of Para 28 are denied as being concocted and misleading.
27. That the contents of Para 29 are denied as being devoid of any merit. In reply thereto it is submitted that the applicants are only seeking to make a roving enquiry on the basis of general and vague allegations without conducting any due diligence and without bringing even a single iota of evidence in support of the allegations.
28. That without any prejudice to the rights of the answering Respondent No.10 the contents of Para 30, 31 and 32 are a matter of record and warrants no reply.

REPLY TO PRAYER CLAUSE:

2437

1. The contents of the prayer clause of the O.A. are totally wrong and hence denied with respect to the answering Respondent No.10.

PRAYER

It is therefore most humble and respectfully prayed that in light of the facts and grounds as stated above, this Hon'ble Tribunal may be pleased to:

- a. Set aside the present proceedings qua the Respondent No.10 and quash/set aside the letters dated 12.05.2023 and 30.06.2023 and all consequent proceedings emanating therefrom;
- b. Pass any other order this Hon'ble Tribunal may deem fit in the interest of justice.

For ACE INFRA CITY DEVELOPERS PRIVATE LIMITED

Vishal Kumar Authorized Signatory

RESPONDENT NO. 10

THROUGH

Ankit Parashar

**ZEESHAN HASHMI/ANKIT PARASHAR
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PLACE: NEW DELHI

DATE: /03/2024

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nothing material has been concealed therefrom. I state that the contents of the reply are true and correct to the best of my knowledge and belief, and are not repeated herein for the sake of brevity and the same may be read as part and parcel hereof.

3. That the annexures annexe along with the accompanying reply are true copies of their respective originals.

For ACE INFRA CITY DEVELOPERS PRIVATE LIMITED

Vinod Kumar Authorised Signatory

DEPONENT

16 APR 2024

Ankit Parashar
I identified the Deponent who has signed/thumb impression before me

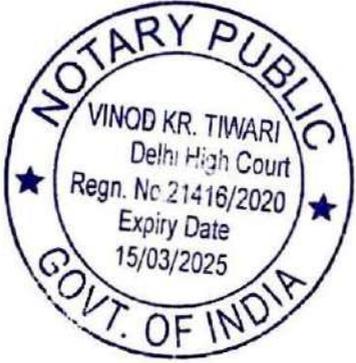
VERIFICATION

Verified at New Delhi, this ____ day of _____, 2024 that the contents of his affidavit as above are true and correct to the best of my knowledge, and that nothing material has been concealed or suppressed therefrom.

For ACE INFRA CITY DEVELOPERS PRIVATE LIMITED

Vinod Kumar Authorised Signatory

DEPONENT



CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT EXECUTANT WHO IS SEEMED PERFECTLY TO UNDERSTAND AFFIRMED & DEPOSED BEFORE ME AT NEW DELHI
Ankit Parashar
IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE
VINOD KUMAR TIWARI, Advocate, Reg No 21416/2020
NOTARY PUBLIC (NEW DELHI)

16 APR 2024

Item No. 02

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 392/2022

Prasoon Pant & Anr.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 05.07.2022

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

Applicant: Mr. Ruchin Mehra, Advocate

ORDER

1. Grievance in this application is against illegal extraction of ground water by the builders operating in Noida, impleaded as respondent Nos. 09 to 48 - Gaursons Or Gaur Builder, ACE GROUP, Trident Embassy, Eros Sampooram, Coco County, ATS Rhapsody, Aastha Greens, Mahagun Builders, ATS Infrastructure Ltd., Nirala Estate, Gulshan Bellina, Paramount Emotions, Capital Athena, Apex Golf Avenue, La Residentia, Arihant Arden, Stellar Jeevan, Divyansh Flora, Galaxy Group, Lucky Palm Valley, Sikka Kaamya Greens, Bulland Elevates, Supertech, Ajnara Group, Cherry County, Mangalya Ophira, Aims Green Avenue, VVIP Meridian, Vihaan Villas, Sindhuja Greens, Patel Neotown, Novel Valley, JNC The Park, Emenox La Solara, JM Florence, Amaatra Homes, Panchsheel Hynish, Samridhi Grand Avenue, Ratan Pearls and Rajhans Residency at NOIDA.

2. According to the applicants, the statutory authorities have failed to prevent illegal extraction of ground water for commercial purposes resulting in depletion of ground water level in the area identified as 'over-exploited' as per assessment of the CGWA.

3. In view of above, we consider it appropriate to require a joint Committee of CPCB, State PCB and District Magistrate, NOIDA to verify facts and furnish an action taken report in the matter within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. If any adverse material is found by the Committee, the affected parties may be put to notice of these proceedings and a copy of report be furnished to the said parties for their response, if any, before the next date

List for further consideration on 11.10.2022

A copy of this order be forwarded to the CPCB, State PCB and District Magistrate, NOIDA by email for compliance.

The Applicant may serve a set of papers on the CPCB, State PCB and District Magistrate, NOIDA and file affidavit of service within one week.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

July 05, 2022
Original Application No. 392/2022
AB



क्षेत्रीय कार्यालय

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, ग्रेटर नोएडा

ए-1, प्रथम तल, कॉमर्शियल कॉम्प्लेक्स, बीटा-2, ग्रेटर नोएडा, गौतमबुद्धनगर

ई-मेल : rogreaternoida@uppcb.in. फोन/फैक्स: 0120-232102

संदर्भ संख्या :

773 / 1467-54/2

दिनांक

26/8/22

पंजीकृत नोटिस

32

मेसर्स एस इन्फ्रास्ट्रक्चर (प्रमोटर-मेसर्स एस इन्फ्रास्ट्रक्चर डेवलपर्स प्रा0लि0)
प्लॉट नं0-जीएच-05बी, सेक्टर-1,
ग्रेटर नोएडा वेस्ट, गौतमबुद्धनगर।

विषय: मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित Prasoan Pant & Anr vs. Union of India & Ors (OA No. 392/2022) में पारित आदेश दिनांक 05.07.2022 के अनुपालन के सम्बन्ध में।

संदर्भ: जल (प्रदूषण नियंत्रण तथा नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण नियंत्रण तथा नियंत्रण) अधिनियम, 1981 के आज्ञापक प्राविधानों के अनुपालन के सम्बन्ध में।

उपरोक्त विषयक अवगत हों कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में जनपद गौतमबुद्धनगर के ग्रेटर नोएडा वेस्ट क्षेत्र में हो रहे भूजल दोहन के सम्बन्ध में OA No. 392/2022 दायर की गयी है, जो वर्तमान में विचाराधीन है, का संदर्भ ग्रहण करने का कष्ट करें। उक्त योजित OA No. 392/2022 में पारित आदेश दिनांक 05.07.2022 के अनुपालन हेतु जिलाधिकारी महोदय द्वारा संयुक्त समिति गठित की गयी है। संयुक्त समिति द्वारा परियोजना का निरीक्षण दिनांक 19.09.2022 को किया गया; निरीक्षण के समस्त परियोजना में जल आपूर्ति हेतु 02 बोरवेल (क्षमता 10 एचपी प्रत्येक) स्थापित पाये गये। निरीक्षण के समस्त उपस्थित प्रतिनिधि द्वारा भूजल निष्कर्षण हेतु उ0प्र0 भू-गर्भ जल विभाग की अनुमति उपलब्ध नहीं करायी गयी।

कार्यालय अभिलेखों के अनुसार परियोजना को राज्य बोर्ड से संचालनार्थ सहमति जल एवं वायु प्राप्त नहीं है। आप अवगत हैं कि परियोजना को भूजल निष्कर्षण हेतु उ0प्र0 भूगर्भ जल विभाग से अनुमति प्राप्त करने के उपरान्त ही जल निष्कर्षण हेतु मान्य है।

अतः आपको निर्देशित किया जाता है कि परियोजना संचालन हेतु आवश्यक जल निष्कर्षण के संबंध में उ0प्र0 भूगर्भ जल विभाग की अनुमति/अनापत्ति प्रमाण पत्र, परियोजना के संचालनार्थ सहमति जल एवं वायु प्राप्त कर एक सप्ताह के भीतर इस कार्यालय में प्रेषित किया जाना सुनिश्चित करें।

भवदीय

P. K. S. D.

(शुभन प्रकार गणक)

क्षेत्रीय अधिकारी

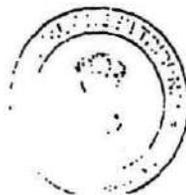
प्रतिलिपि

1. मुख्य पर्यावरण अधिकारी (वृत्त-1), उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित।
2. सीनियर हाइड्रोलॉजिस्ट, उ0प्र0 भूगर्भ जल विभाग, गौतमबुद्धनगर को इस आशय से प्रेषित कि उक्त परियोजना के विरुद्ध मा0 अधिकरण के आदेश के अनुपालन में निश्चिन्ता आवश्यक कार्यवाही करने का कष्ट करें।

P. K. S. D.

क्षेत्रीय अधिकारी

True copy
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Item No. 03

Court No. 1

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

(By Video Conferencing)

Original Application No. 392/2022

Prasoon Pant & Anr.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 15.11.2022

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

Applicant: Mr. Ruchin Mehra, Advocate

Respondent(s): Mr. Pradeep Misra & Mr. Daleep Dhyani, Advocates for UPPCB
Mr. Atif Suhrawardy, Advocate for CPCB
Mr. Deepak Dahiya & Mr. Mohit Yadav, Advocates for Gaursons Hi-Tech
Infrastructure Pvt. Ltd.

ORDER

1. Issue for consideration is the compliance of judgement of the Hon'ble Supreme Court in MC Mehta v. UOI, (1997) 11 SCC 312 for regulation of indiscriminate boring and withdrawal of ground water for sustainable water resource management. Regulatory measures expected in terms of the said judgement are water conservation, rainwater harvesting, recycling and reuse of water, afforestation, protection of water bodies, awareness and education. This includes mapping/survey, regulated extraction ensuring replenishment. While a specialised regulatory agency – CGWA has been created with powers of Central Government under section 5 of Environment Protection Act, 1986, other statutory regulators, including

the District Magistrates and the Pollution Control Boards have to play their respective roles.

2. Grievance raised by the applicants is that there is illegal extraction of ground water by the builders operating in Noida, particularly forty named in the array of parties as respondent Nos. 09 to 48 - Gaursons Or Gaur Builder, ACE GROUP, Trident Embassy, Eros Sampoonam, Coco County, ATS Rhapsody, Aastha Greens, Mahagun Builders, ATS Infrastructure Ltd., Nirala Estate, Gulshan Bellina, Paramount Emotions, Capital Athena, Apex Golf Avenue, La Residentia, Arihant Arden, Stellar Jeevan, Divyansh Flora, Galaxy Group, Lucky Palm Valley, Sikka Kaamya Greens, Bulland Elevates, Supertech, Ajnara Group, Cherry County, Mangalya Ophira, Aims Green Avenue, VVIP Meridian, Vihaan Villas, Sindhuja Greens, Patel Neotown, Novel Valley, JNC The Park, Emenox La Solara, JM Florence, Amaatra Homes, Panchsheel Hynish, Samridhi Grand Avenue, Ratan Pearls and Rajhans Residency at NOIDA, (to be called the project proponents – PPs)

3. According to the applicants, the statutory authorities have failed to prevent illegal extraction of ground water for commercial purposes resulting in depletion of ground water level in the area identified as 'over-exploited' as per assessment of the CGWA.

4. Vide order dated 05.07.2022, the Tribunal constituted a joint Committee of CPCB, State PCB and District Magistrate, NOIDA to verify facts and furnish an action taken report in the matter. It was directed that if any adverse material is found by the Committee, the affected parties may be put to notice of these proceedings and a copy of report be furnished to the said parties for their response, if any, before the next date.

5. Accordingly, the joint Committee has filed its report dated 07.10.2022 after field verification. Field verification was undertaken for 33 group housing projects. 25 out of 33 were found drawing water illegally. It has recommended dismantling of borewells set up without permission, levy of compensation for illegal withdrawal of ground water in accordance with Notification dated 24.09.2020 of Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Central Ground Water Authority, Government of India. The PP should maintain proper log book regarding the source and quantity of water consumption. Further recommendation is that the under construction projects should use only STP treated water. The report also refers to earlier order of the Tribunal dated 09.09.2022 in O.A. No. 438/2018, *Arti v. CGWA & Ors.*, dealing with illegal extraction of groundwater by the Hotels. Finding large scale violations, the Tribunal directed following action :-

"1. Tubewell/borewell may be sealed if project proponent does not hold a valid NOC.

2. Environmental Clearance may be calculated for illegal withdrawal (after considering the necessary rebate due to the pandemic), with necessary coordination for its recovery, as per CGWA guidelines notified on dated 24.09.2022 at Sl. No. 15.

3. Operation of Tubewell/Borewell only be allowed to operate after obtaining proper NOC."

6. The Committee served notice on the PPs but they have not chosen to respond except M/s Gaursons (through Gaursons Hi-Tech Infrastructure Private Limited).

7. We have heard learned counsel appearing for the parties and considered the report of the joint Committee as well as stand of the appearing PP and documents filed by it.

8. At the outset, we may notice that unregulated withdrawal of ground water is detrimental to the environment and violates directions of the Hon'ble Supreme Court in M.C. Mehta v. UOI, supra. The regulation is necessary for water conservation which implies assessment of ground water level and impact of withdrawal ensuring adequate replenishment so that water level is not depleted and water balance is maintained. The report shows that 25 out of the 33 PPs have installed borewells and have not shown any permission for the purpose. Further, it is not shown whether extent of extraction of ground water is within the permitted limit as per piezometers and record and whether condition of replenishment followed.

9. The appearing PP has filed copies of 3 permissions granted by the Ground Water Department of UP dated 04.1.2022 for the period from February/March, 2020 to February/March, 2025 only for one borewell each, as against 52 tubewells found to be have been dug by the three units. Adverse inference is to be drawn against those who have chosen not to put in appearance. However, by way precaution, they will be given opportunity to show permissions, extent of drawal of water and extent of replenishment. In case of appearing PP, permissions are granted in January, 2022 only though the same mention period prior to the grant of permission and even prior to the UP Act under which permission has been granted. The permissions do not ensure the compliance of judgment of the Hon'ble Supreme Court in M.C. Mehta v. UOI & Ors., supra in terms of study of availability and ensuring replenishment. Applications for permissions have been filed in September, 2021 only.

10. In our recent order dated 17.10.2022 in O.A. No. 438/2018, supra, in the context of illegal extraction of ground water by hotels in the State of UP, 70% of the establishments were found to be extracting ground water

illegally. Same appears to be the position in the context of the builders covered by the present proceedings. The Tribunal observed:-

"1to12.....xxx.....xxx.....xxx

13. From the above table compiled by the CGWA with the assistance of District Magistrates, it is patent that more than 70% of establishments have been found to be extracting ground water illegally. Verified compliance status is said to be only for 55 units out of 1903, which is less than 3%. Thus, situation is alarming as shown by rampant violations, defeating the directions of the Hon'ble Supreme Court in *M.C. Mehta v. Union of India & Ors. (1997) 11 SCC 312* requiring control and regulation of groundwater extractions. While a specialized body has been constituted in the form of CGWA, it is difficult to say that it is effective as expected. **Observations of the Hon'ble Supreme Court that management of water resources is to achieve overall aspirational goal of sustainable development on principles of inter and intra generational equity, the precautionary principle, conservation of natural resources and environmental protection appear to have been completely ignored.**

14. The Authority directed to be constituted by the Hon'ble Supreme Court was for the following mandate:-

"7. ... The mandate of the authority needs to include the following:

- * To deploy river basins as the basis for regional planning for sustainable water resource management (along with commensurate land use).
- * To prepare medium and long-term national land use plans inter alia including agricultural practices, human settlement patterns and industrial typology in consultation with Ministries/Departments concerned **based on the regional water supportive capacity.**
- * To assess the present irrigation practices and cropping patterns, with respect to high water consuming crops and lay down National Agricultural Water Use Policy to **encourage judicious use of water resources.**
- * To keep under review groundwater levels and quality, and surface water quantity and quality to devise and implement pragmatic strategies at plan and programme levels.
- * To ensure maintenance of minimum flows in the rivers so as to fulfil the riparian rights, to protect the flood plains, to as also to protect the vital ecological functions of the rivers.
- * To ensure techno-economic feasibility and to implement programmes on **reuse of appropriately treated sewage for agriculture, reuse of industrial wastewaters as**

industrial process water, use of treated sewage in social forestry and public parks in municipal areas and **reuse of treated wastewater in new housing complexes for non-consumptive usages.**

- * **To protect, conserve and augment traditional water retaining structures.**
- * **To protect, conserve and augment natural and manmade wetlands in the country.**
- * **To promote rain water harvesting in human settlement practices, particularly in cities with more than 10 lakh population in arid/semi-arid regions.**
- * **To promote and implement modern and traditional water harvesting technologies to ensure minimal expenditure in groundwater harnessing.**
- * **To design and implement programmes to arrest alarming rates of decline in snowline in the country.**
- * **To ensure catchment area treatment, including construction of check dams, contour bunding, control of river bank erosion and plantation of endemic fast-growing tree species to arrest soil and water loss in all river basins.**
- * **To ensure implementation of afforestation programmes for achieving a minimum of 33% forest cover as per the National Forest Policy, 1988.**
- * **To prepare and implement guidelines on water rate structure for various water usages commensurate with the production and scarcity value of the resource.**
- * **To ensure community participation with a view to harnessing traditional knowledge at all stages in the holistic approach to water resource management."**

15. **With evidence of large-scale illegal extraction of ground water and data of depleting ground water levels, stringent measures are required for sustainable water management. We have no other option but to hold that there is all round failure of the statutory authorities in complying with the mandate of judgement of the Hon'ble Supreme Court.**

16. **This Tribunal has been dealing with the issue since 2012. In spite of monitoring for ten years, the rampant non-compliance is continuing. There is unwillingness or neglect by the Authorities in performing their statutory functions which has also been recorded in earlier orders referred to above. There is consequential adverse effect on flow of river and streams which is obviously leading to disruption of aquatic ecosystems and food security. Salinization of soil is another well-known adverse consequences.**

17. **It remains patent that CGWA is ill-equipped to handle the problem. Statutory framework is required to be revamped to give effect to the directions of the Hon'ble Supreme Court. The appraisal process, essential component of regulatory powers,**

stands delegated to the District Magistrates or other authorities, without such authorities being equipped or mandated to conduct necessary appraisal. The result is that either groundwater extraction is taking place without any permission and with no adverse consequences or such approvals are being granted mechanically as a matter of course unconditionally or with conditions which are not monitored. Alternatives to ground water extraction in the form of re-use of treated water for secondary purposes are not being adequately considered. This is resulting in shortage of potable water for drinking purposes.

18. *Vide order dated 20.07.2020 in Original Application No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors., the situation was reviewed exhaustively. The Tribunal expressed disappointment with the approach of the Authorities contrary to the mandate as per judgement of the Hon'ble Supreme Court. Some of the observations in the said order are:-*

"27. In terms of the Tribunal's previous orders (dated 03.01.2019, Paras 29 and 31¹, and dated 11.09.2019, Para 24²), the core issues that are required to be considered are:

- a. Has a robust institutional monitoring mechanism been evolved*
 - i. To define 'assessment unit' - wise carrying capacity and accordingly set (a) target replenishment levels and (b) plan for permissible levels of extraction, of ground water levels in OCS areas;*
 - ii. to assign individual target replenishment levels as a condition for granting extraction permits, and to audit such replenishment by those who are extracting groundwater; as well as to audit and measure actual carrying capacity periodically;*
 - iii. to monitor real-time implementation of conditions for permitting extraction of ground water;*
 - iv. to withdraw permits for extraction of ground water failing target replenishment levels; as well as*
 - v. to sustain the flow of rivers in terms of e-flows and sustain other water bodies?*
- b. Is there a provision for an impact study in light of projected data for the next 50 years (in phased manner with action plan decade-wise)?*
- c. Has an effective and measurable plan been prepared for preventing depletion and unauthorized extraction of ground water backed by requisite mechanism in the form of manning and effective functioning of CGWA so as to ensure sustainable ground water management in terms of the Hon'ble Supreme Court mandate by which CGWA was created?*

¹ Quoted supra, Para 20

² Quoted supra Para 23

d. Is the compensation regime against violators adequately deterrent?

28. *The answer is 'no'. If implemented, the current report would nullify the mandate of the Hon'ble Supreme Court by seeking to deregulate ground water extraction, ignoring its impact on the e-flow of rivers, water bodies and overall sustainable management of scarce natural resources with emphasis on industrial development, without balancing development and environment. Irreversible damage cannot be allowed by extracting water beyond safe levels, without impact assessment.*

29. *We, thus, hold that as per mandate of sustainable development under Section 20 of NGT Act, 2010, which has been held to be part of right to life under Article 21 of the Constitution, the regulatory authority must direct its policy towards preventing further depletion of and upgrading the groundwater levels based on impact assessment. Extraction can neither be unregulated or allowed across the board without individual consideration. For this purpose, there is need to compile data by **mapping all the assessment units individually in terms of current and estimated water level, drawal and replenishment and preparing a management plan for all such units.** The CGWA being a statutory regulator for the country has to exercise overriding power in the form of statutory regulatory orders. It may have its own network and, to the extent found viable, utilize the network of existing Authorities like District Magistrates, Environment Departments, Departments of Irrigation and Public Health etc. The ground water assessment has to be done annually and placed on the respective websites of the Districts or States. Any extraction of groundwater has to be permitted keeping in mind availability of groundwater ensuring that there is no further depletion and ground water level remains at safe level.*

30. *At this stage, we may notice that the regulatory mechanism of the CGWA has not been adequate, as the report also notes. CGWA does not appear to have requisite strength nor enforcement mechanism nor strategies. This may be one of the reasons for failure in effective monitoring, defeating the object of law. This has led to large number of petitions before this Tribunal pointing out that illegal groundwater extraction was rampant. The plans for **rain water harvesting and many other steps to a great extent remain largely only on paper.** Remedial measures need to be taken in view serious challenges in protection of groundwater level, to save rivers and water bodies and the entire chain of environment."*

Paras 31 to 35...xxx.....xxx.....xxx

Review of pertinent case law re. Sustainable Development

36. *The principle of sustainable development is well established. We may refer to certain well-known decisions. In (1996) 3 SCC 212, Indian Council for Enviro-Legal Action and Ors. v. Union of India & Ors., the Hon'ble Supreme Court considered and explained the principle and laid down that compensation has to cover cost of*

remediation.³ The report in the present case is not compliant with this principle as observed above. The principle of sustainable development, as a balancing concept, has been further discussed and explained in (1996) 5 SCC 647, *Vellore Citizen's Welfare Forum v. Union of India & Ors.*⁴ The Public Trust Doctrine has been discussed and explained in (1997) 1 SCC 388, *M.C. Mehta v. Kamal Nath & Ors.*⁵ **There can be no exemption to industries against sustainable development principle as held in (2001) 2 SCC 62, A.P. Pollution Control Board II v. Prof. M.V. Nayudu (Retd.) & Ors.**⁶ In (2004) 10 SCC 201, *State of W.B. v. Kesoram Industries Ltd. & Ors.*, there are observations to the effect that **deep underground water belongs to the State and is governed by the Public Trust Doctrine** (Para 387). Use of water for irrigation purpose may be permissible but it cannot affect reuse of water by others. Reference was made to the judgement of the Kerala High Court in (2004) 1 KLT 731 restraining Hindustan Coca Cola Beverage from using groundwater for its plant. It was observed that the State was under duty to protect ground water against excessive exploitation (para 389). The issue involved therein was justifiability of levy of cess on minor minerals by the Central Govt which was upheld by majority. These observations are in the minority judgement but on this issue, there is no contra view in majority judgement. In (2006) 3 SCC 549, *Intellectual Forum, Trupathi v. State of A.P. & Ors.*, the said principles have been reiterated.⁷ We may refer to the need for impact assessment to give effect to sustainable development and precautionary principle. In recent judgement in (2019) 15 SCC 401, *Hanuman Laxman Aroskar v. Union of India*⁸, the environmental rule of law has been discussed as follows:

"35. The Constitution (Forty-second Amendment) Act, 1976, which came into force with effect from 3-1-1977, inserted Article 48-A to the Constitution which mandates that the State shall endeavour to protect and improve the environment and safeguard the forests and wildlife of the country. Article 51-A(g) of the Constitution places a corresponding duty on every citizen to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures. Following the decisions taken at the United Nations Conference on the Human Environment held at Stockholm (the Stockholm Conference) in June 1972 in which India participated, Parliament enacted the Environment (Protection) Act, 1986 to protect and improve the environment and prevent hazards to human beings, other living creatures, plants and property.

144. **The environmental rule of law** provides an essential platform underpinning the four pillars of sustainable development — economic, social, environmental and peace [United Nations Environment Programme, First Environmental Rule of Law Report.... The environmental rule of law becomes a priority particularly when **we acknowledge that the benefits of environmental rule of law extend far beyond the**

³ ¶ 67, 68 & 70

⁴ ¶ 11 to 15

⁵ ¶ 25 & 34

⁶ ¶ 44

⁷ ¶ 58 to 82

⁸ ¶ 35, 42, 144, 149 & 150

environmental sector. While the most direct effects are on protection of the environment, it also strengthens rule of law more broadly, **supports sustainable economic and social development, protects public health**, contributes to peace and security by avoiding and defusing conflict, and protects human and constitutional rights.... Similarly, the rule of law in environmental matters is **indispensable “for equity in terms of the advancement of the Sustainable Development Goals (SDGs), the provision of fair access by assuring a rights-based approach, and the promotion and protection of environmental and other socioeconomic rights**

149. In 2015, the International Community adopted the 2030 Agenda for Sustainable Development and its 17 SDGs. These 17 goals are:

- (i) Eradication of poverty;
- (ii) Eradication of hunger;
- (iii) Good health and well-being;
- (iv) Quality education;
- (v) Gender equality;
- (vi) **Clean water and sanitation;**
- (vii) Affordable and clean energy;
- (viii) Decent work and economic growth;
- (ix) Industry, innovation and infrastructure;
- (x) Reduced inequalities;
- (xi) Sustainable cities and communities;
- (xii) Sustainable consumption and production;
- (xiii) Climate action;
- (xiv) Protecting life below water;
- (xv) Life on land;
- (xvi) Peace, justice and strong institutions; and
- (xvii) Partnerships to achieve the goals.

150. Each of these goals has a vital connection to the others. Together, they provide an agenda for human development: development in a manner which accords adequate protection to the environment. UNEP recognises that the natural environment—forests, soils and wetlands—contributes to the management and **regulation of water availability and water quality**, strengthening the resilience of watersheds and complements investments in physical infrastructure and institutional and regulatory arrangements for water access and disaster preparedness.”

37. In a recent judgement, Madras High Court⁹ considered the issue of regulation of the groundwater¹⁰. It was also observed that drawal of groundwater without authority will be criminal offence of theft and mischief under Section 379 and 425 IPC. Such extraction must be scientifically monitored District wise with punitive consequences against violations. Following order was passed:

⁹ Dated 03.10.2018, M/S. Sarooja Agro Foods v. The Chief Engineer

¹⁰ ¶ 69 to 82

- (1) *The impugned order of regulation issued by the 1st respondent in G.O.Ms.No.142, dated 23.07.2014 is confirmed.*
- (2) *The respondents are directed not to grant licence, No Objection Certificate (NOC) or permission for the commercial establishments / person to extract ground water for commercial usage in the absence of fixation of water Flow Meter on the Board outlet, which is to be inspected.*
- (3) *The respondents are directed to inspect the functional quality and other established standards of the Flow Meters fixed by the persons, who all are applying for permissions / No Objection Certificate (NOC) and at the time of granting permission / No objection Certificate (NOC), the Flow Meter should be sealed properly by the respondents / Public Works Department (PWD) officials.*
- (4) *The Flow Meter must be sealed in such a way to prevent any tampering by any person. Quantum of Water to be extracted by individuals, are to be fixed periodically as per the assessment to be made by the P.W.D. Authorities as per the Regulations.*
- (5) *The respondents are directed to measure the quantum of water extracted by the establishments / persons by taking meter reading every Month and accordingly, the same is to be regulated.*
- (6) *The respondents are directed to follow all other terms and conditions fixed for grant of licence / permission for Extraction of Ground Water for commercial usage as per the guidelines issued in G.O.Ms.No.142, Public Works Department dated 23.07.2014.*
- (7) ***The respondents are directed to register the Police complaint in the event of identifying any excess Extraction of Ground Water by tampering the Flow Meters sealed or by any other means by any person. The case must be registered Under Section 379 of Indian Penal Code (IPC). In addition, if the water is wasted for causing wrongful loss, then Section 425 of the Indian Penal Code (IPC) will also attract.***
- (8) ***The respondents are directed to suspend the licenses by issuing show cause notices and by providing an opportunity to the persons, who have involved in the offence of theft or violation of all other conditions stipulated in the Government Regulations, or if a criminal case is registered. If any person is convicted, then he shall be permanently debarred from getting licence for Extraction of Ground Water.***
- (9) ***The District Collectors of all the Districts in the State of Tamil Nadu are directed to issue suitable directions / orders to the Revenue Divisional Officer, Tahsildars and all other officials concerned to inspect and monitor the Extraction of Ground Water by the persons for commercial usage.***
- (10) *The District Collectors of all the Districts are directed to constitute monitoring committees to monitor the*

Extraction of Ground Water by the individuals for commercial purposes.

- (11) Each Monitoring Committee appointed by the District Collector concerned, shall consists minimum of five persons and the Committee is empowered to monitor the Extraction of Ground Water for commercial purposes by the individual persons and commercial establishments.
- (12) **The Monitoring Committee shall consist of the following persons:**
- (i) **The District Environmental Engineer from Pollution Control Board of the State of Tamil Nadu.**
 - (ii) **One qualified Public Works Department (PWD) Engineer from Water Resources Department.**
 - (iii) **The Assistant Director of Zoology and Mining of the State Government.**
 - (iv) **The Revenue Divisional Officer of the concerned locality.**
 - (v) **One nominee from the office of the Chief Engineer, Central Ground Water Board of the Government of India.**
- (13) The Monitoring Committee is entitled to collect proofs and documents in respect of the Extraction of Ground Water illegally and excessively by any person and submit a complaint / report to the District Collector concerned, who in turn, after verifying the same, shall register a complaint with the Jurisdictional Police for registering a criminal case under the provisions of Indian Penal Code (IPC).
- (14) It is needless to State that, only in the event of compliance of the regulations and conditions imposed in this order, the persons / establishments shall be allowed to extract the Ground water for commercial usage or for commercial purposes.
- (15) The 1st respondent / Secretary, Public Works Department is directed to issue consolidated instructions in this regard based on the order passed in the present writ petitions to all the District Collectors, enabling them to implement the Court orders promptly.”

19. Directions issued by the Tribunal in the said order are:-

“

39. In the light of the above discussion, we direct as follows:

a. MoJS may ensure requisite manning and effective functioning of CGWA so as to ensure **sustainable ground water management** in terms of the Hon'ble Supreme Court mandate by which CGWA was created.

b. Let CGWA and MoJS comply with the directions of this Tribunal in orders dated 3.1.2019, 7.5.2019 and 11.9.2019, to

have a meaningful regulatory regime and institutional mechanisms for ensuring prevention of depletion and unauthorized extraction of ground water and sustainable management of groundwater in OCS areas. **Regard must be had to water availability and safe levels to which its drawal can be allowed, especially for commercial purposes, based on available and assessed data in each "Assessment unit"**. Procedures for assessment of individual applications and institutional mechanism may be clearly laid down.

c. As per orders dated 3.1.2019, undertaking an impact study in light of projected data for the next 50 years (in phased manner with action plan decade-wise).

d. There must be **no general permission for withdrawal of ground water, particularly to any commercial entity, without environment impact assessment of such activity on individual Assessment units in cumulative terms covering carrying capacity aspects by an expert committee**. Such permission should as per Water Management Plans to be prepared in terms of this order based on mapping of individual assessment units. Any permission should be for specified times and for specified quantity of water and not in perpetuity, and be necessarily subject to digital flow meters which cannot be accessed by proponents, with mandatory annual calibration by authorized agency at proponents' cost. **An annual review by independent and expert evaluation must audit and record ground water levels as well as compliance with the conditions of the permission**. Such audits must be published online for transparency and to track compliance and year-on-year change in ground water levels, and swift action taken against those who fail audit, including withdrawal of permission, blacklisting, initiation of prosecution and recovery of deterrent compensation as per CPCB regime. Records must be maintained online and for a sufficient and reasonable time.

e. As observed in para 0(a) and 29(a) above, **all OCS assessment units must undergo water mapping. Water Management Plans need to be prepared for all OCS assessment units in the country based on the mapping data, starting with Over-exploited blocks. The Water Management Plans, data on water availability or scarcity and policy of CGWA must be uploaded on its website for transparency and public involvement. Such exercise may be done expeditiously, preferably within next three months.**"

20. The Tribunal further considered the matter vide order dated 25.02.2022 as noted earlier. Earlier directions were reiterated and compensation levied in some matters but in the present matter, notice to the affected establishments was issued so that principles of natural justice are followed.

21. In the light of rampant violations as found above, further question is what further course of action is to be adopted. As already observed, extent of compliance is only to the extent of 3 % and established non-compliance is more than 70%. There is a grey area of about 25% for want of information being furnished or collected.

22. Under the circumstances, **case appears to be made out for directing sealing of all establishments operating without mandatory consents to operate as per Water Act, till compliance and registering criminal cases for theft of groundwater against owners of the establishments. We have already referred to, in para 18 above, the law on the point that ground water vests in the State and extraction is not permissible without consent of the State. Further, such extraction can only be on payment of laid down charges. There is also need to recover compensation for illegal drawal of groundwater equal to the cost of such water with deterrent element with reference to the turnover of such establishment and also equal to the cost of restoring the environment. We leave this course to be adopted as per law by concerned statutory authorities.**

23. However, we find it necessary to direct deposit of interim compensation atleast at the floor level. We called upon learned Counsel to assist as about the quantum of interim compensation.

24. Learned Counsel for UP Jal Nigam suggests that interim compensation may be as per guidelines dated 24.09.2020 (though found to be inadequate by the Tribunal in earlier judgement dated 25.2.2022 in OA2015). According to him, such interim compensation should be for atleast five years prior to filing of this application as per section 15 of the NGT Act but in any case from 1.10.2017 to 30.9.2022. It works out to Rs. 50 lakhs per establishment having more than 100 rooms, Rs. 25 lakhs per establishment having 50-100 rooms and Rs. 10 lakhs per establishment having upto 50 rooms. This is calculated at the rate of Rs. 80 per KL/cubic metre, taking consumption to be 350 KL per room per day, which comes to be Rs. 10,000 per room per year. For 100 rooms, it will be Rs. 10 lakhs per year and for five years Rs. 50 lakhs. Same basis applies to other calculations. No other basis is suggested by any learned Counsel. We find the suggestion to be acceptable.

25. After hearing learned Counsel for the appearing establishments, we direct interim compensation at above rate be deposited by all the establishments identified as extracting groundwater without permission as well those not having consents to operate under the Water Act. Any earlier deposit will be adjusted in the interim compensation, subject to verification by the District Magistrate. This will be without prejudice to further action by statutory regulators as per law. Deposit may be made within one month with the respective District Magistrates, failing which theft cases be registered against the concerned establishments and borewells sealed. The compensation deposited will be kept in separate accounts by the District Magistrates for utilisation in accordance with the respective District Environment Plans within six months for

improving water quantity and quality, restoring water bodies and taking other relevant measures in their respective Districts. This task may be given specifically to an officer of level of ADM, who may report to the District Environment Committee already constituted as per directions of this Tribunal dated 26.09.2019 in OA No. 360/2018, Shree Nath Singh vs. Union of India & Ors.

26. We also direct the joint Committee constituted by CGWA, mentioned in para 11 above, to assess final compensation as per above guidelines, after giving opportunity to the concerned establishments, within three months. Any party aggrieved by such orders can take their statutory or other remedies as per law. This order may be served by the Committee by email on all the identified violators individually within one week.

27. We further direct the Committee constituted by CGWA as mentioned above in para 11 may verify the compliance status in respect of establishments for whom such status has not been so far verified either on account of such establishments being closed or having not furnished the information. This may be done within one month. On such verification, above course of action may be followed for them.

28. Action may also be taken for the establishments having not taken requisite consents under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

29. We further direct that while granting consents, requirement of installing digital water metres connected to central servers may be laid down. Concerned establishment may be required to furnish an 'Appraisal report' with regard to the quantity of ground water available for extraction in the area and replenishment measures proposed by the concerned establishment such as rain water harvesting, sewage treatment, use of treated sewage. Such Appraisal report may be duly verified by the State PCB by an appropriate mechanism. Such project proponents may also undertake measures to compensate environment, particularly augmenting water quantity and improve water quality by afforestation, education and other measures which may be mentioned in the consent conditions and NOCs for extraction of ground water. Further, in respect of establishments having water supply from the local bodies and also extracting ground water, there should be separate digital metres in respect of both sources.

30. We also direct the concerned statutory regulators to look into and regulate use of potable water for non-contact purposes for which non potable water can be used to augment availability of potable water for drinking. If consents/NOCs are not applied for within one month, the establishments may be closed by the State PCB. If filed, such applications may be examined within next one month. Consent mechanism may also cover conditions in terms of order of this Tribunal dated 23.07.2020 in O.A. No. 400/2017, Westend Green Farms Society vs. Union of India & Ors. applicable to such establishments.

31. The States other than Uttar Pradesh may also study above directions and take further action by issuing necessary SOP through their Water Resources Departments and State PCBs within one month from today.

32. Though opportunity of hearing was available to all the affected parties as they have been issued notices by PCB/DMs about present proceedings and will also have opportunity to present their respective cases before the joint Committee, any party aggrieved by the above order, who claims that opportunity of being heard was not given by the Tribunal, is free to avail such opportunity by moving an application in the present matter, apart from statutory remedies against assessment/recovery of compensation.

33. Report of status of compliance as on 30.04.2023 may be filed by the UP State PCB, after compiling the relevant data from the concerned District Magistrates by 15.05.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

11. Following the above order, we issue directions for sealing of all illegally operating borewells and recovery of compensation for illegal extraction of ground water in the past considering the cost of such water with deterrent element and the cost of replenishing ground water level. In absence of clear data on these aspects, interim/floor level compensation can be equal to atleast 0.5% of the project cost of the PPs, apart from remedial action for future. The PPs may deposit compensation with the respective District Magistrates and the State PCB within one month from today, failing which the District Magistrate will be free to take coercive measures including filing of theft cases against the projects extracting ground water without permission and stopping the ongoing projects. Final compensation may be assessed by the joint Committee comprising of Regional Director, CGWB, Northern Region/or his Representative, representative of Uttar Pradesh Pollution Control Board and the District Magistrate.

12. The joint Committee may also consider the data and view point of the PPs, if any, filed. We also direct that while granting consents,

requirement of installing digital water metres connected to central servers may be laid down. Concerned establishment may be required to furnish an 'Appraisal report' with regard to the quantity of ground water available for extraction in the area and replenishment measures proposed by the concerned establishment such as rain water harvesting, sewage treatment, use of treated sewage. Such Appraisal report may be duly verified by the State PCB by an appropriate mechanism. Such project proponents may also undertake measures to compensate environment, particularly augmenting water quantity and improve water quality by afforestation, education and other measures which may be mentioned in the consent conditions and NOCs for extraction of ground water. Further, in respect of establishments having water supply from the local bodies and also extracting ground water, there should be separate digital metres in respect of both sources.

13. We also direct the concerned statutory regulators to look into and regulate use of potable water for non-contact purposes for which non potable water can be used to augment availability of potable water for drinking. If consents/NOCs are not applied for within one month, the establishments may be closed by the State PCB. If filed, such applications may be examined within next one month.

14. The States other than Uttar Pradesh may also take necessary action on the subject by issuing necessary SOP through their Water Resources Departments and State PCBs within one month from today. The activities which need to replace use of potable water may be listed and mentioned in consents.

15. Report of status of compliance as on 30.04.2023 may be filed by the UP State PCB, after compiling the relevant data from the concerned District

Magistrates by 15.05.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

16. Other directions in the order dated 17.10.2022 in O.A. No.438/2018 to the extent applicable to present context may also be filed. The joint Committee may continue the work of inspection of the remaining projects and adopt the same course of action as in the present matter and cover the action taken in the next report.

Any person aggrieved by this order will be free to move this Tribunal, if not satisfied with the approach of the Committee in the matter.

List for further consideration on 03.07.2023.

A copy of this order be forwarded to Chief Secretaries of all the States/UTs by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

November 15, 2022
O.A. No 392/2022
A

ANNEXURE A-4 (COLLY)

2461



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड UTTAR PRADESH POLLUTION CONTROL BOARD

Ref.No. H95147 / सी-1 / एन0जी0टी0-158 / पर्या0क्षति0 / 2023

पंजीकृत
Date 06/06/23

सेवा में,

Ace Divino (Starcity Real Estates Pvt. Ltd.)
Plot No. GH-14A, Sector-01,
Greater Noida, Uttar Pradesh

विषय- जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-25/26 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा-21/22 के अन्तर्गत प्राविधानों के सम्बन्ध में।

महोदय,

उपरोक्त विषयक बोर्ड के पत्र सं0-एच 93473/सी-1/एन0जी0टी0-158/पर्या0क्षति0/2023, दिनांक 12.05.2023 का सन्दर्भ ग्रहण करने का कष्ट करें। उक्त पत्र द्वारा मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0 392/2022 प्रसून पन्त व अन्य बनाम यूनियन ऑफ इण्डिया व अन्य में दिनांक 15.11.2022 को पारित आदेश एवं मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0 438/2018 आरती बनाम सेन्ट्रल ग्राउण्ड वाटर अथारिटी व अन्य में दिनांक 17.10.2022 को पारित आदेश के अनुपालन में परियोजना की कुल लागत का 0.5 प्रतिशत Interim/floor level Compensation जमा किये जाने हेतु निर्देशित किया गया था कि Interim/floor level Compensation को बोर्ड के खाते में 15 दिन के अन्दर जमा कराया जाये। परन्तु आप द्वारा उक्त धनराशि(परियोजना की कुल लागत का 0.5 प्रतिशत) बोर्ड के खाते में जमा नहीं कराई गई है।

अतः मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0 392/2022 प्रसून पन्त व अन्य बनाम यूनियन ऑफ इण्डिया व अन्य में दिनांक 15.11.2022 को पारित आदेश एवं मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0 438/2018 आरती बनाम सेन्ट्रल ग्राउण्ड वाटर अथारिटी व अन्य में दिनांक 17.10.2022 को पारित आदेशों के अनुक्रम में बोर्ड द्वारा उपरोक्त प्रेषित पत्र दिनांक 12.05.2023 की अनुपालन आख्या प्रेषित नहीं की गई है। उक्त पर अपना पक्ष/स्पष्टीकरण 15 दिन के अन्दर राज्य बोर्ड को प्रेषित किया जाना सुनिश्चित करें अन्यथा की स्थिति में परियोजना के विरुद्ध नियमानुसार पर्यावरणीय क्षतिपूर्ति अधिरोपित किया जाना एवु अभियोजनात्मक कार्यवाही की जा सकती है, जिसका सम्पूर्ण उत्तरदायित्व स्वयं आपका होगा।

भवदीय,

(विवेक राय)

मुख्य पर्यावरण अधिकारी(वृत्त-1)

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

1. जिलाधिकारी, गौतमबुद्धनगर।
2. वरिष्ठ कोषाधिकारी, कोषागार, गौतमबुद्धनगर।
3. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, ग्रेटर नोएडा को इस निर्देश के साथ प्रेषित कि उपरोक्त के संबंध में निर्धारित समयावधि में अपनी आख्या व संस्तुति प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी(वृत्त-1)

टी.सी.- 12 वी, विभूति खण्ड, गोमती नगर,
लखनऊ - 226 010
दूरभाष : 0522-2720828, 2720831,
ई-मेल : info@uppcb.com

T.C.-12V, Vibhuti Khand, Gomti Nagar,
Lucknow : 226010
Phone : 0522-2720828, 2720831
email : info@uppcb.com



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

Ref.No. 1125147 / सी-1 / एन0जी0टी0-158 / पर्या0क्षति0 / 2023

पंजीकृत
Date 26/05/23

सेवा में,

M/S ACE Aspire (Promoter- M/S Ideal Realtech Pvt Ltd.),
GH-02A, TechZone-4,
Greater Noida West, Uttar Pradesh

विषय- जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-25/26 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा-21/22 के अन्तर्गत प्राविधानों के सम्बन्ध में।

महोदय,

उपरोक्त विषयक बोर्ड के पत्र सं0-एच 93473/सी-1/एन0जी0टी0-158/पर्या0क्षति0/2023, दिनांक 12.05.2023 का सन्दर्भ ग्रहण करने का कष्ट करें। उक्त पत्र द्वारा मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0 392/2022 प्रसून पन्त व अन्य बनाम यूनियन ऑफ इण्डिया व अन्य में दिनांक 15.11.2022 को पारित आदेश एवं मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0 438/2018 आरती बनाम सेन्ट्रल ग्राउण्ड वाटर अथारिटी व अन्य में दिनांक 17.10.2022 को पारित आदेश के अनुपालन में परियोजना की कुल लागत का 0.5 प्रतिशत Interim/floor level Compensation जमा किये जाने हेतु निर्देशित किया गया था कि Interim/floor level Compensation को बोर्ड के खाते में 15 दिन के अन्दर जमा कराया जाये। परन्तु आप द्वारा उक्त धनराशि(परियोजना की कुल लागत का 0.5 प्रतिशत) बोर्ड के खाते में जमा नहीं कराई गई है।

अतः मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0 392/2022 प्रसून पन्त व अन्य बनाम यूनियन ऑफ इण्डिया व अन्य में दिनांक 15.11.2022 को पारित आदेश एवं मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0 438/2018 आरती बनाम सेन्ट्रल ग्राउण्ड वाटर अथारिटी व अन्य में दिनांक 17.10.2022 को पारित आदेशों के अनुक्रम में बोर्ड द्वारा उपरोक्त प्रेषित पत्र दिनांक 12.05.2023 की अनुपालन आख्या प्रेषित नहीं की गई है। उक्त पर अपना पक्ष/स्पष्टीकरण 15 दिन के अन्दर राज्य बोर्ड को प्रेषित किया जाना सुनिश्चित करें अन्यथा की स्थिति में परियोजना के विरुद्ध नियमानुसार पर्यावरणीय क्षतिपूर्ति अधिरोपित किया जाना एवु अभियोजनात्मक कार्यवाही की जा सकती है, जिसका सम्पूर्ण उत्तरदायित्व स्वयं आपका होगा।

भवदीय,

(विवेक राय)

मुख्य पर्यावरण अधिकारी(वृत्त-1)

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

1. जिलाधिकारी, गौतमबुद्धनगर।
2. वरिष्ठ कोषाधिकारी, कोषागार, गौतमबुद्धनगर।
3. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, ग्रेटर नोएडा को इस निर्देश के साथ प्रेषित कि उपरोक्त के संबंध में निर्धारित समयवधि में अपनी आख्या व संस्तुति प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी(वृत्त-1)

टी.सी.- 12 वी, विभूति खण्ड, गोमती नगर
लखनऊ - 226 010
दूरभाष : 0522-2720828, 2720831,
ई-मेल : info@uppcb.com

T.C.-12V, Vibhuti Khand, Gomti Nagar,
Lucknow : 226010
Phone : 0522-2720828, 2720831
email : info@uppcb.co

True copy
R

Greater Noida Industrial Development Authority

169, Chitvan Estate Sector-Gamma, Greater Noida.

Ref No- (Plg.)BP2-999/2016

Dated 19.1.7.2016

To,

M/s Star Landcraft (P) Ltd.
Plot no.-1B, Sector-126,
Noida

Sir/ Madam,

I hereby certify that the erection/re erection/alteration/demolition of building on Plot No-GH-02A in Sector-Techzone-IV, completed under the supervision of Technical Person or Name Mr. Sanjay Kumar, COA No.-CA/2015/66832 and building has been inspected by the officers of the Authority and declare that the building conform in all respects to the requirements of the regulations in respect of occupancy. Structural safety based upon the structural stability certificate and the completion certificate submitted by the concerned Technical Personnel, hygienic and sanitary conditions inside and the surrounding and is fit for occupation. I have to inform you that Occupancy certificate Tower-09 nos. Occupancy certificate {Builtup Area of FAR=81876.587 Sqm. & Additional 15% Area=12276.564 sqm., Basement Area=19107.309 sqm. } {988 Flats in (Tower-A, Unit=80), (Tower-B, Unit=80), (Tower-C, Unit=88), (Tower-D, Unit=192), (Tower-E, Unit=108), (Tower-F, Unit=192), (Tower-G, Unit=88), (Tower-H, Unit=80) & (Tower-I, Unit=80)+Community Centre, Covn. Shopping} is being granted by the Authority with the following conditions.

1. Before making any changes in the existing building prior permission from the Authority is required.
2. If demanded by the Authority you will be liable to pay charges for the provision of any further facilities/development/improvement.
3. A copy of the drawings shall always be kept at site and shall be made available to any officer of the Authority on demand.
4. You are required to follow the terms and conditions as indicated in lease deed and various NOC issued by different organisations.
5. Gate/s shall open on to the service road only , direct access to main carriage-way shall not be provided.
6. No parking will be done on road and parking shall be used only for purpose of users as designated in the plan.
7. You are required to maintain green outside the plot.

Yours faithfully

Leenu
19/7/16
(LEENU SAHGAL)
G.M.(Planning&Arch)

Encl: One set of drawings()
Copy to G. M.(Engg) for information and n.a.

G.M.(Planning&Arch)

प्रारूप-8
नियम 7(2) देखिये

2464



सोसाइटी-रजिस्ट्रीकरण
का
प्रमाण-पत्र

(अधिनियम संख्या 21, 1860 के अधीन)

पंजीकरण संख्या GBN/05702/2021-2022

एतद्वारा प्रमाणित किया जाता है कि ACE ASPIRE APARTMENT OWNERS ASSOCIATION, Plot No. GH-02A, Sector-Techzone-IV, Greater Noida, District Gautam Budh Nagar UP, गौतम बुध नगर, 201306 को आज उत्तर प्रदेश में अपनी प्रवृत्ति के संबंध में यथासंशोधित सोसाइटी रजिस्ट्रेशन अधिनियम 1860 के अधीन सम्यक रूप से रजिस्ट्रीकृत किया गया है। यह प्रमाण पत्र दिनांक 12/08/2026 तक विधिमाम्य होगा। आज दिनांक 13/08/2021 को मेरे हस्ताक्षर से दिया गया।



Digitally Signed By
(ARVIND KUMAR SINGH)

5BAB8725D0F998628ED3E67B9679BBD11EE91463

Date: 13/08/2021 2:17:36 PM, Location: Meerut.

सोसाइटी के रजिस्ट्रार,

उत्तर प्रदेश।



GREATER NOIDA INDUSTRIAL DEVELOPMENT AUTHORITY

PLOT NO.1 SECTOR-KNOWLEDGE PARK-IV, GREATER NOIDA CITY,
GREATER NOIDA DISTRICT GAUTAM BUDH NAGAR, (U.P.)
Fax:0120-2326334/2326145 Ph.:0120-2326335/6/7/2326150/1/2/3/4/5
Website: www.greaternoidaauthority.in e-Mail: authority@gnida.in

2465

RESIDENTIAL WATER CHARGES CUM PAYMENT INTIMATION

To
M/S STAR LANDCRAFT PVT LTD
7TH FLOOR, PLOT NO.-01B
SECTOR-126,
NOIDA
GAUTAM BUDH NAGAR-201301,UTTAR PRADESH

Ref : GNIDA/
As on date : 27/10/2022
Allotment No : BRS 0211000029
Plot Size (in SQM) : 23395
Plot No : GH-02A

Block
Block Name
Sector Name
Location

N/A

Interest

12%

Dues Inst.	Due Amount	Due Date	Outstanding at Due Date	Deposit Inst.	Amount Paid	Deposit Date	Outstanding at Deposit Date
1	383,328.00	31 Mar 2017	-210,838.40				
2	632,496.00	31 Mar 2018	421,657.60	1	575,000.00	11 Jul 2016	-575,000.00
3	695,748.00	31 Mar 2019	1,165,099.55	2	2,042,793.00	29 Feb 2020	-757,113.93
4	765,324.00	31 Mar 2020	8,210.07	3	1,760,000.00	2 Sep 2021	-869,252.92
5	841,856.40	31 Mar 2021	850,995.12				
6	926,042.04	31 Mar 2022	56,789.12				
7	1,018,656.00	31 Mar 2023	0.00				
Total	5,263,450.44			Total Paid:	4,377,793.00		

Outstanding Balance : 56789.12 as on Last Due/Deposit Date

Interest On Outstanding Balance : 3,953.93 as on 27/Oct/2022

Min. Charges for Bill Period (01/04/2022 To 1018656
31/03/2023) :

Kindly Deposit : 1079399.05

Note: GNIDA office 'ONLINE WATER BILL PAYMENT SERVERS'. You can use this facility after applying KYA. KYA form is available on GNIDA website: <https://www.greaternoidaauthority.in>

NOTE:

1. Please ensure to deposit these charges otherwise Authority will take appropriate action to recover the dues. Expenditure on recovery of above will be borne by you.
2. In case of any discrepancy please contact Water Bill Department.

***This is a computer generated report, hence require no signature.**

General Condition:

1. Discount of 5% will be given against payment of water charges if the annual charges is paid before 1st Six month (1st April to 30th Sep.) of the financial year.
2. Rate of 12% annual interest till 28-MAR-2018 and 11% annual interest will be applied from 29-MAR-2018 on Half-Yearly compounding basis on the amount payable for water charges after 31st March will be chargeable in case of non-payment of the annual water charges after the end of the financial year.
3. Kindly make payment by using Online Portal.



GREATER NOIDA INDUSTRIAL DEVELOPMENT AUTHORITY

PLOT NO.1 SECTOR-KNOWLEDGE PARK-IV, GREATER NOIDA CITY,
GREATER NOIDA DISTRICT GAUTAM BUDH NAGAR, (U.P.)
Fax:0120-2326334/2326145 Ph.:0120-2326335/6/7/2326150/1/2/3/4/5
Website: www.greaternoidaauthority.in e-Mail: authority@gnida.in

2466

Allotment No.BRS 0211000029 AsOn:27-Oct-2022 06:56:24 PM

OTS Detail :-		REBATE CALCULATION			
A	B	C	D	E	F
TOTAL DUES (In Rs.)	TOTAL INTEREST (In Rs.)	B*40%(20-APR-22 To 30-JUN-22) (In Rs.)	B*30%(01-JUL-22 To 31- JUL-22) (In Rs.)	B*20%(01-AUG-22 To 31-AUG-22) (In Rs.)	B*10%(01-SEP-22 To 30- SEP-22) (In Rs.)
56789.12	0	0	0	0	0
TOTAL PAYBLE AMOUNT ON '31-MAR-22' (G)		(A+B-C) 56789.12	(A+B-D) 56789.12	(A+B-E) 56789.12	(A+B-F) 56789.12
Intrest After 31-MAR-22 (H)		Interest Upto '30-JUN- 22' On (GC) 1557.42	Interest Upto '31-JUL- 22' On (GD) 2087.97	Interest Upto '31-AUG- 22' On (GE) 2618.52	Interest Upto '30-SEP- 22' On (GF) 3135
Total Payble Amount		58346.54	58877.09	59407.64	59923.86

*Note : In this calculation due and deposit included only till 31-MAR-2022

Greater Noida Industrial Development Authority

169, Chitvan Estate Sector-Gamma, Greater Noida.

Ref No- (Plg.)BP...../2016
Dated. 17.1.2016

30340/5841

To,

M/s Crest Promoters (P) Ltd.
Plot no.-1B, Sector-126,
Noida

Sir/ Madam,

I hereby certify that the erection/re erection/alteration/demolition of building on Plot No-GH-01 in Sector-01, completed under the supervision of Technical Person or Name Mr. Raj kumar, COA No.-CA/95/18572 and building has been inspected by the officers of the Authority and declare that the building conform in all respects to the requirements of the regulations in respect of occupancy. Structural safety based upon the structural stability certificate and the completion certificate submitted by the concerned Technical Personnel, hygienic and sanitary conditions inside and the surrounding and is fit for occupation. I have to inform you that the Occupancy certificate of 08 Towers. Occupancy certificate {Builtup Area of FAR=162884.64 Sqm. & Additional 15% Area=23291.17 sqm., Basement Area=97113.32 sqm.} {2036 Flats in (Tower-A, Unit=310), (Tower-B, Unit=310), (Tower-C, Unit=310), (Tower-D, Unit=310), (Tower-E, Unit=262), (Tower-F, Unit=174), (Tower-G, Unit=264) & (Tower-H, Unit=96)+Community Centre} is being granted by the Authority with the following conditions.

1. Before making any changes in the existing building prior permission from the Authority is required.
2. If demanded by the Authority you will be liable to pay charges for the provision of any further facilities/development/improvement.
3. A copy of the drawings shall always be kept at site and shall be made available to any officer of the Authority on demand.
4. You are required to follow the terms and conditions as indicated in lease deed and various NOC issued by different organisations.
5. Gate/s shall open on to the service road only , direct access to main carriage-way shall not be provided.
6. No parking will be done on road and parking shall be used only for purpose of users as designated in the plan.
7. You are required to maintain green outside the plot.

Yours faithfully

Leenu
16/1/16

(LEENU SAHGAL)
G.M.(Planning&Arch)

Encl: One set of drawings()
Copy to G. M.(Engg) for information and n.a.

G.M.(Planning&Arch)

2468

Greater Noida Industrial Development Authority

169, Chitvan Estate Sector-Gamma, Greater Noida.

Ref No- (Plg.)BP...../2017
Dated.../2/2017

To,
M/s Crest Promoters (P) Ltd.
Plot no.-1B, Sector-126,
Noida

Sir/ Madam,

I hereby certify that the erection/re erection/alteration/demolition of building on Plot No-GH-01 in Sector-01, completed under the supervision of Technical Person or Name Mr. Raj kumar, COA No.-CA/95/18572 and building has been inspected by the officers of the Authority and declare that the building conform in all respects to the requirements of the regulations in respect of occupancy. Structural safety based upon the structural stability certificate and the completion certificate submitted by the concerned Technical Personnel, hygienic and sanitary conditions inside and the surrounding and is fit for occupation. I have to inform you that the Part Occupancy certificate of 03 Towers. Part Occupancy certificate {Builtup Area of FAR=39751.72 Sqm. & Additional 15% Area=6015.18 sqm., Basement Area=2516.70 sqm.} {496 Flats in (Tower-I, Unit=200), (Tower-J, Unit=200) & (Tower-K, Unit=96)+Shopping} is being granted by the Authority with the following conditions.

1. Before making any changes in the existing building prior permission from the Authority is required.
2. If demanded by the Authority you will be liable to pay charges for the provision of any further facilities/development/improvement.
3. A copy of the drawings shall always be kept at site and shall be made available to any officer of the Authority on demand.
4. You are required to follow the terms and conditions as indicated in lease deed and various NOC issued by different organisations.
5. Gate/s shall open on to the service road only, direct access to main carriage-way shall not be provided.
6. No parking will be done on road and parking shall be used only for purpose of users as designated in the plan.
7. You are required to maintain green outside the plot.

Yours faithfully

leenu
11/2/17
(LEENU SAHGAL)
G.M.(Planning&Arch)

Encl: One set of drawings()
Copy to G. M.(Engg. dept.) for information and n.a.
Copy to Mgr. (Builder dept.) for information and n.a.
Copy to Mgr. (Computer dept.) for information and n.a.

G.M.(Planning&Arch)



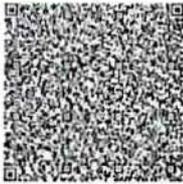
INDIA NON JUDICIAL

Government of Uttar Pradesh

Signature: [Signature] 2469
ACC Name - Vikas Chandra ACC Code - UP14003304
ACC Add - Noida - Mobile - 9540079101
License No. - 170/2018, Tehsil & District - G.B. Nagar

e-Stamp

Certificate No. : IN-UP68927207098018U
 Certificate Issued Date : 05-Dec-2022 12:55 PM
 Account Reference : NEWIMPACC (SV)/ up14003304/ NOIDA/ UP-GBN
 Unique Doc. Reference : SUBIN-UPUP1400330431034205892162U
 Purchased by : ACE INFRACITY DEVELOPERS PVT LTD
 Description of Document : Article 5 Agreement or Memorandum of an agreement
 Property Description : PLOT NO. 01B, SECTOR-126, NOIDA
 Consideration Price (Rs.) :
 First Party : ACE INFRACITY DEVELOPERS PVT LTD
 Second Party : Not Applicable
 Stamp Duty Paid By : ACE INFRACITY DEVELOPERS PVT LTD
 Stamp Duty Amount(Rs.) : 100
 (One Hundred only)



Please write or type below this line

This is an integral part of the Agreement of handing over & taking over of charge of Project Ace City.

Ace Infracity Developers Pvt. Ltd.

[Signature]
Authorised Signatory

[Signature]

[Signature] - Mygopi
[Signature] - Akhansha



[Signature]

Statutory Alert:

- The authenticity of this Stamp certificate should be verified at 'www.christians.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
- The onus of checking the legitimacy is on the users of the certificate.
- In case of any discrepancy please inform the Competent Authority.

**AGREEMENT OF HANDING OVER & TAKING OVER OF CHARGE OF
PROJECT ACE CITY SITUATED AT GH-01, SECTOR NO 1, GREATER NOIDA
WEST, UTTAR PRADESH**

THIS Agreement of Handing Over & Taking Over of Charge of Common Area & Services of Ace City Project, the Responsibility of its Maintenance & the Interest Free Maintenance Security Fund transfer of same (hereinafter referred to as "the/this Agreement"), is made & executed on this 8th day of December, 2022, Thursday at Greater Noida, Gautam Budh Nagar, Uttar Pradesh;

BETWEEN

M/s Ace Infracity Developers Pvt. Ltd., a company within the meaning and provisions of the Companies Act, 1956 (as amended), having its Registered & Corporate Office at, Ace Studio, Plot No. 01B, Sector-126, Noida, Gautam Budh Nagar-201303, Uttar Pradesh (hereinafter referred to as "the Promoter" which expression shall, unless it be repugnant to the context or meaning thereof or specifically exempted, be deemed to mean and include its successors in business, administrators & assignees) acting through Mr. Pratap Singh Rathi or Mr. Mahinder Kumar Tewatia, who is duly authorized in this regard vide the Company's Board Resolution dated 30.11.2022 of the One Part;

AND

ACE City Apartment Owners Association, an Association registered under the Uttar Pradesh Apartment (Promotion of Construction, Ownership and Maintenance) Act, 2010 and/or the Societies Registration Act, 1860 having its Registered Office at GH-01, Sector No 1, Greater Noida West, Uttar Pradesh (hereinafter referred to as "the Association" which expression shall, unless it be repugnant to the context or meaning thereof be deemed to mean and include its executors, successors, administrators, nominees and assignees) acting through Mr. Rajiv Kumar Singh, Mrs. Neelu Tyagi, Mr. Uday Shankar Pathak and Mr. Atmaram Singh who are duly authorized in this regard vide GBM of the Association's Management Board dated 13th November 2022 of the Other Part;

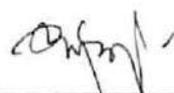
WHEREAS:

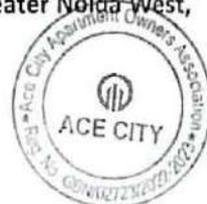
- A. The erstwhile Crest Promoters Private Limited has been merged into Ace Infracity Developers Private Limited as per provisions of Section 230 and 232 of the Companies Act, 2013 vide Allahabad NCLT order dated March 21, 2018.
- B. The Promoter, as a part of its business activity have developed and delivered a Group Housing by the name "ACE City" at GH-01, Sector No 1, Greater Noida West, Uttar Pradesh (hereinafter "the Group Housing Complex");

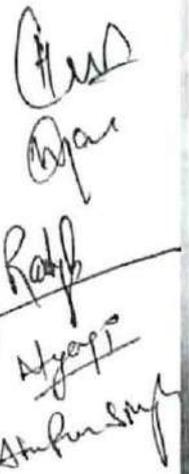
Ace Infracity Developers Pvt. Ltd.


Authorized Signatory

 1/9



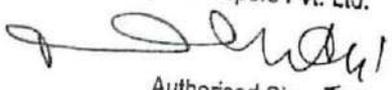


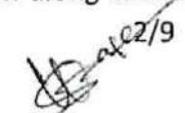


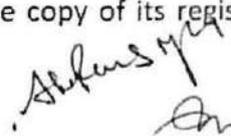
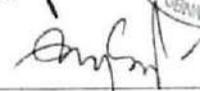
- C. The Development and construction of the entire group housing complex comprising of residential units across 11 towers as well as a in house Commercial complex and completed as per the agreed specifications, development terms, building plans duly approved by the competent development authority and in accordance with the applicable building by-laws/rules and completion certificate with respectthereto was obtained vide ref no -(Plg) BP3034(c)/5841/2016 dated 17-08-2016 and (Plg) BP 3034(c)/616/2017 dated 01-02-2017 from the competent authority;
- D. The group housing complex comprises of 2532 independent dwelling & 52 commercial spaces/shops, common area, open area, gardens and other areas for common use etc. including the common area of school and milk booth.
- E. The Promoter had been carrying & managing the maintenance of the common area & services of the Ace City Project housing complex through its company Ideal Realtech Pvt. Ltd post-handover of possession to allottees since the project was ready for occupation after receipt of occupation certificates.
- F. The Apartment Owners Association of the Group Housing Complex for administration of the affairs in relation to the apartments and the property appertaining thereto and for the management of common area and facilities was duly formed which was registered as per provisions of the Uttar Pradesh Apartment (Promotion of Construction, Ownership and Maintenance) Act, 2010 and/or the Societies Registration Act, 1860 in the office of the concerned sub-registrar as "ACE City Apartment Owners Association" having its registered office at GH-01, Sector No 1, Greater Noida West, Uttar Pradesh (hereinafter "the Association") wherefrom its registration certificate was issued on 16th June 2022vide registration no. GBN/02723/2022-2023;
- G. Consequent to formation of above said AOA, the Promoter has agreed to AOA to take over the entire operation and management of common area of above said project as well as maintenance and all other related services and facilities of the project.

NOW THE PARTIES AGREE TO REMAIN BOUND WITH THE TERMS CONTAINED IN THIS AGREEMENT OF HANDING AND TAKING OVER OF CHARGE OF COMMON AREA, SERVICES & FACILITIES & THE RESPONSIBILITY OF ITS MAINTENANCE WITNESSETH AS UNDER:

1. The foregoing recitals are incorporated herein by this reference and constitute an integral part of this Agreement.
2. The Association has provided a list of office bearers of the Management Board of the Association along with a certified true copy of its registration

Ace Infracity Developers Pvt. Ltd.

 Authorized Signatory

 02/9






certificate and bye-laws of the Association to the Promoter and same is valid and subsisting as on date.

- 3. The Association shall be responsible for administration of the affairs in relation to the apartments and the property appertaining thereto and for the management of common area, services and facilities, upkeep & security of all the common area, services in the group housing complex in all respects and shall make all the desired arrangements to carry the same on its own from the effective date.
- 4. The Promoter assures that all statutory permissions, certificates required for construction, completion certificate of the said housing complex and the other necessary certificates/NOCs, if any, have been lawfully obtained and true copies of the same including the building plans, drawings relating to various services, form of declaration have been handed over to the Association. A list of the documents handed over to the Association as referred to hereinbefore is attached herewith as **Annexure-A**. If any other document is required apart from above mentioned document, the Promoter shall facilitate the same within 15 days of such written request by the AOA.
- 5. The Promoter have provided the list of outstanding dues yet to be collected a list of outstanding dues of residents as at 30.11.2022. The AOA shall facilitate the promoter to collect the outstanding dues from its residents' consequent to handover and takeover of charge by the AOA. A list of outstanding dues from the residents as on 30.11.2022 is attached as per **Annexure-B**. Further, it has been mutually agreed by the Promoter and Association that the balance amount of IFMS shall be transferred bi-monthly to the Association by the Promoter as and when the Promoter will receive from the defaulters. The remaining IFMS amount shall be transferred to the AOA by 180 days by the promoters. If however any allottee ignores his duty to pay the dues action under UP Apartment Act-2010 or any law in the time being in force can be initiated.
- 6. The Promoter shall make a payment of Rs. 4 Crores Interest Free Maintenance Security (IFMS) to association as against IFMS of Rs. 7.62 crores collected by Promoter. A complete list of Customer from whom the IFMS was collected by Promoters is placed at **Annexure -C**. The association shall facilitate the promoter to recover the outstanding dues as per clause no. 5 here above and shall help in recovery of the shortfall in IFMS. The Association hereby acknowledge the receipts of Rs. 4 crores as per below details.

Handwritten signatures:
 1. A large signature, possibly "Amit".
 2. A signature, possibly "Ravi".
 3. A signature, possibly "Rajesh".
 4. A signature, possibly "Ajay".

Ace Infracity Developers Pvt. Ltd.

Handwritten signature of authorized signatory
 Authorized Signatory

Handwritten signature
 3/9

Handwritten signature
Handwritten signature



DD No./Cheque No.	Name of bank	Amount	Date
DD No.220228	ICICI Bank	2 Crore	08.12.2022
Cheque No.- 003201	ICICI Bank	1 Crore	18.12.2022
Cheque No.- 003202	ICICI Bank	1 Crore	19.12.2022

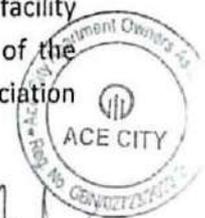
However the PDC cheque No. 003201 & 003202 shall be replaced with a Demand Draft in favour of the AoA of the same amount on 19.12.2022 and thereafter the present agreement shall become effective from the date of replacement of the PDC cheques with DD.

7. The Association acknowledges receipt of the above said amount of IFMS received at the time of signing of the Agreement. The Association hereby absolves the Promoter and its nominated maintenance agency from all responsibilities and liabilities of Rs 4 crore in this regard. The Association alone shall be fully responsible to the apartment owners in respect of the said amount of IFMS and the Association shall indemnify and shall always keep the Promoter, directors, employees and representatives, indemnified and harmless against any and/or all losses, claims, cases etc. that occurs, if any, in this respect at any time in future after the compliance as per clause 5 and 6 above.
8. There is a single bulk electricity connection for supply of electrical energy to the entire group housing complex including all of its components whether residential and/or the commercial. The Promoter has also provided DG Sets for power backup and these too are for common use and service of the entire group housing complex including all of its components whether residential and/or the commercial. The Promoter has handed over the electricity connection, DG Sets along with fully established pre-paid distribution system including the software to the Association.
9. The NPCL raise the month on month electricity Bill and the Promoter has already paid the electricity bill raised till 19.11.2022. The Promoter shall have the liability to make the payment to the NPCL for period from 20.11.2022 till 19.12.2022. and accordingly, the present recharge facility Smart Meter software shall remain linked to the Promoter account till the close of 19.12.2022 and from 20.12.2022, the Association shall be responsible for managing the electricity recharge facility under Smart Meter software w.e.f. 20.12.2022. Any unutilized advance of the residents as at close of 19.12.2022 shall be paid by Promoter to Association

Ace Infracity Developer Working days.

Authorised Signatory

4/9



- 10. The Promoter have deposited the security deposit to NPCL for providing 6770 KVA to Ace City. Now, consequent to signing of present Agreement, the connection shall be transferred in favour of AOA so that the requirements of NPCL or Tariff order can be fulfilled and the Promoter shall provide the requisite NOC in this regard so that the requirements can be fulfilled.
- 11. The Association covenants and undertakes to always comply with the UPERC, Environmental and Pollution, norms/rules and/or any other rules/regulation as applicable from time to time.
- 12. The service connections for water and sewerage obtained for the group housing complex are in the name of the Promoter. The Association shall get its name substituted in place of the Promoter within 90 days from the date of this Agreement and the Promoter shall provide its NOC to that effect.
- 13. The Greater Noida Authority has already raised a bill of water and sewerage charges till 31st March, 2022 and accordingly, the Promoter shall have liability to clear the dues for payment till 31st March, 2022. The Association shall be liable for payment of the water and sewerage charges for period 01.04.2022 onwards. The water bill: Payment account shall be reconciled within 30 days and transfer the same to AOA.
- 14. The present handover of common area maintenance and services is effective from the date of this Agreement coming into effect and Association shall be exclusively responsible for the maintenance of Ace City from the date of this Agreement to come into effect and all the related risk and liabilities towards the safety and security of Ace City Residents shall be to Association account on and from 01.01.2023. The period of 20.12.2022 till 31.12.2022 shall be transition period for smooth handover. There after if required a team of existing staff will continue for one month.
- 15. The Promoter/Current facility management company has entered into annual maintenance contract with various agencies maintaining elevators, STP, DG, Club maintenance and equipment in order to render hassle free services to the residents of Ace City. It will be responsibility of AOA to maintain such AMCs now onwards i.e. 01/01/2023 onwards and the Promoter/ Current facility management company employees, representatives and directors of Ace Group shall not be responsible for any default in such AMCs from the effective date of present Agreement. A complete list of presently ongoing AMCs is enclosed as per Annexure-D. The association shall not be responsible for any dues till 31.01.2022.
- 16. The Promoter has created a Club facility for the Ace City residents which is having swimming pool, meeting rooms, restaurant, TT room, GYM and same is fitted with equipment and amenities and the same is presently operated by

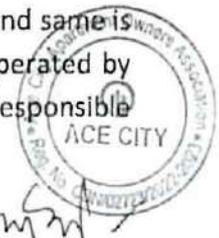
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 Hussi
 Anur
 Ravi
 Myyaji

Ace Infracity Developers Pvt. Ltd.

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 Authorised Signatory

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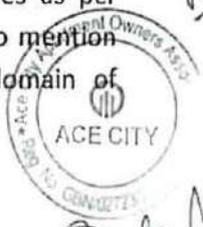
to maintain the Club and the various amenities like swimming pool, gym equipment, furniture etc. forming part of the Club, consequent to signing of present Agreement. The services of the existing agency namely UFT Ultra Facility Management Private Limited shall not be revoked until the completion of ongoing month and thereafter the AOA shall be free to appoint any other agencies and continue with the present agencies as per their mutually accepted terms and conditions. The Promoter shall collect the Club monthly charges for the month of December 2022 to enable him to pay off the bills of various service providers. The list of furniture and fixture fitted in the Club is enclosed as per Annexure-E.

- 17. For the purposes of the safety and security of residents, Promoter have provided CCTV cameras across the Ace City fitted at strategic location as well as have also installed public announcement system in each tower of Ace City. Further, the control panel comprising of NVR, LED TV etc. is also kept in minus 1 basement of Tower-F and are duly functional and operative as on date. A complete list of CCTV installed is placed at Annexure No. F.
- 18. The Promoter has provided to the Association the Car Parking Allocation Record of the Housing Complex which is contained in Annexure-G hereto. There are certain unsold units in towers as well as shops in the commercial complex of Ace City Project and Promoter shall allocate the parking for such unsold units and shops as and when they are sold as per GNIDA byelaws. And the balance remaining parking shall be used as a guest parking. The guest parking will be notified by the builder. The Association shall not have any rights to sell, allocate, create any charge on such balance parking and they will continue to be used as a guest parking only common for residential as well as commercial complex.
- 19. There are ongoing agencies which are presently maintaining the Group Housing and to whom prior intimation for termination of service needs to be given by the Promoter. In view of the same, the presently ongoing agencies shall continue to render the services till the close of ongoing month of December, 2022 and from 01.01.2023, the Association is free to appoint its own agencies or to extend the services of current agencies. The Promoter will do the collection of CAM Charges for the ongoing month of December in their Own account and shall make the payment of all service providers for the month of December out of such collection. The Promoter shall also provide to Association the statement of collection made during month of December vis-à-vis the payment to various service provider. From 01.01.2023, the Association shall be responsible either to appoint their own agencies or to continue with the existing agencies as per contract enter into by the Association with such agencies. Needless to mention that the monitoring, operation and control shall be under the domain of Association from the 01.01.2023 for above said agencies.

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Authorised Signatory

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- 20. The Association shall always abide by the terms of allotment letter, sub-lease deed and/or any other document(s) executed by the Promoter with the respective apartment/commercial unit(s) owners of the housing complex and shall accordingly provide the water, electricity - grid as well as DG supply and all other services as described and committed in the Letter of Allotment/Sub-Lease Deed to all the sold/occupied residential/commercial units.
- 21. The Promoter has handed over the infrastructural facilities used in the housing complex like DG, lifts, electrical and cable network along with all fixtures etc. The Association shall maintain and keep all of such infrastructure in good condition always from its own resources.
- 22. All the terms and conditions contained in the Allotment Letter and/or Sale/Lease Deed of the individual apartment/commercial unit is and shall always remain binding on the apartment unit owners/occupants. Any individual apartment owner or the Association shall not make any change in the apartment or in any area without permissions/approvals from the Competent Authority. However, It is agreed that there shall never be any change in elevation of the buildings.
- 23. The Association agrees that it shall not change the name of the Housing Complex and shall not remove the signboards fitted by the Promoter and also shall always maintain all the said boards in good condition.
- 24. The Promoter have provided the various equipment like STP, WTP, 5 no. of DG sets comprising of 3 no. of DGs of 750 KVA, 1 no of 500 KVA and 1 DG of 625 KVA, 4 no. of transformer comprising of 2000 KVA each, LT Panels (Sub Station 1 & 2 kept in Basement 1), Fire Pump Room.

In addition to above, the Promoter shall also provide 1 no. of DG of 500 KVA each and 2 no. of DG of 625 KVA by 31.01.2023. Details of the P.O. are placed as per Annexure-H. If however the DG is not installed by 31.01.2023, then GNIDA may direct the promoter for suitable action.

- 25. All dues such as electricity, Goods and Service tax, other statutory dues and taxes accruing up to the effective date i.e. 20.12.2022/31.12.2022 with respect to the group housing complex will be settled by the Promoter and any dues accruing thereafter shall be the sole responsibility of the Association and/or the Apartment Owners. In case any new tax or duty is levied by any authority, enactment of law or by Government effective for future periods after the taking over of the common area and facilities of the housing complex as contemplated herein shall be sole liability of Association and/or the owner(s)/occupant(s) of the apartments units as the case may be and the Promoter, director, employees and representatives shall not be

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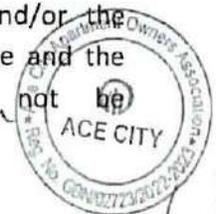
Ace Infracity Developers Pvt. Ltd.

(Signature)
Authorised Signatory

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responsible/liable for the same in any manner whatsoever.

- 26. The promoter has agreed to handover the SAFETY CERTIFICATE of all the lifts for the current year.
- 27. The promoter shall complete the waste management plant (W.M.P) by 180 days in the project by engaging with the residents of the concerned Tower. The AoA undertakes to organize meetings within 15 days to allow the domain expert and the promoter to explain the way the W.M.P. will solve their concern and help in complying with the law, any penalty due to non-completion will be on promoters.
- 28. The promoter shall jointly inspect the common areas and then identify the specific places where some touchup of painting etc. shall be completed preferably before 31.01.2023.
- 29. The promoter shall complete/repair the sports facilities like kids and sports area within 6months of signing this agreement.
- 30. This Agreement will be governed by the act's rules and regulations in vogue, having effect on various issues and matter of referred subject.
- 31. The list of Allottee is placed as per Annexure-I.

Ace Infracity Developers Pvt. Ltd.

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Authorised Signatory

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[Signature]

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[Signature]
[Signature]



IN WITNESS WHEREOF BOTH THE PARTIES HAVE SIGN ED THIS AGREEMENT ON THIS 8TH DAY OF DECEMBER, 2022, THURSDAY, IN COUNTERPARTS IN THE SAME FORM AS OF THE DAY AND YEAR FIRST ABOVE WRITTEN EACH OF WHICH SHALL BE ORIGINAL AND SHALL FORM ONE AND THE SAME DOCUMENT WHEN TAKEN TOGETHER.

First Part (Promoter)

Second Part (Association)

For and on Behalf of:
M/s Ace Infracity Developers Pvt. Ltd.

For and on Behalf of:
ACE City Apartment Owners Association



Authorized Signatory

Rajiv Kumar Singh
(President, Association)

(Authorized Signatory)

Neelu Tyagi
(Vice President, Association)

Uday Shankar Pathak
(Secretary, Association)

Atmaram Singh
(Treasurer, Association)

Witness:

1. MAYANK BIARGAVA

2. S.K. Paul
A-402, Prateek Edifice,
Sector - 107, Noida

Handwritten signatures of witnesses for the Association.

2486

ICICI Bank
ANAND VIHAR Branch
A - 31, Anand Vihar, Karkardooma, Delhi - 110 092.
RTGS / NEFT / IFS Code : ICIC000330



VALID FOR THREE MONTHS ONLY
1 8 1 2 2 0 2 2
D D M M Y Y Y Y

SESHAASAI (D) / CTS - 2010

Pay ACE CITY Apartment Owners Association OR ORDER

Rupees One Crore only

₹ 1,00,00,000/-

A/c No. 033005006731

10/5/22 CABUS CBS
BUSINESS BANKING : CURRENT ACCOUNT
Payable at par at all branches of ICICI Bank Limited in India

FOR ACE INFRACITY DEVELOPERS PVT LTD



A/c PAYEE ONLY

Pratap

AUTHORISED SIGNATORIES
Please sign above

⑈00320⑈ ⑆10229045⑆ 00673⑆⑈ 29

ICICI Bank
ANAND VIHAR Branch
A - 31, Anand Vihar, Karkardooma, Delhi - 110 092.
RTGS / NEFT / IFS Code : ICIC000330



VALID FOR THREE MONTHS ONLY
1 4 1 2 2 0 2 2
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SESHAASAI (D) / CTS - 2010

Pay ACE CITY Apartment Owners Association OR ORDER

Rupees One Crore Only

₹ 1,00,00,000/-

A/c No. 033005006731

10/5/22 CABUS CBS
BUSINESS BANKING : CURRENT ACCOUNT
Payable at par at all branches of ICICI Bank Limited in India

FOR ACE INFRACITY DEVELOPERS PVT LTD



A/c PA

Pratap

AUTHORISED SIGNATORIES
Please sign above

⑈00320⑈ ⑆10229045⑆ 00673⑆⑈ 29

Ace Infracity Developers Pvt. Ltd.

Authorized Signatory



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2481



GREATER NOIDA INDUSTRIAL DEVELOPMENT AUTHORITY

PLOT NO 1, SECTOR KNOWLEDGE PARK-IV, GREATER NOIDA CITY,
GREATER NOIDA DISTRICT GAUTAM BUDDH NAGAR, (U.P.)
Website: www.greaternoidaauthority.in e-Mail: authority@gnida.in

BUILDER RESIDENTIAL WATER CHARGES CUM PAYMENT INTIMATION

To,
ACF INFRACTY DEVELOPERS PRIVATE LIMITED
7TH FLOOR, PLOT NO-01B
SECTOR-176,
NOIDA
GAUTAM BUDDH NAGAR

Ref: GNIDA/BRS05
As On Date: 15-Jun-2023 04:01:21 PM
Allotment No.: BRS0500006
Plot Size (in SQM): 58159
Plot No.: GH-01
Block: N/A
Block Name: NIL
Sector Name: SECTOR-01
Location: N/A
Interest: 12%
Bill Start Date: 01-Feb-2017

Plot Size For WaterBill Generation(in SQM):

58159

Dues Inst.	Due Amount	Due Date	Outstanding at Due Date	Deposit Inst.	Amount Paid	Deposit Date	Outstanding at Deposit Date
1	2,15,628.00	31/03/2017	-22,45,153.40	1	13,70,000.00	16/08/2016	-13,70,000.00
2	14,23,128.00	31/03/2018	-8,93,181.80	2	10,80,000.00	24/01/2017	-24,50,000.00
3	15,05,460.00	31/03/2019	6,72,278.20	3	16,00,000.00	17/02/2023	63,76,206.85
4	17,22,024.00	31/03/2020	24,70,569.18	4	18,00,000.00	03/04/2023	69,56,835.90
5	18,94,226.40	31/03/2021	46,44,243.17	5	48,00,000.00	15/06/2023	23,09,886.29
6	20,83,649.04	31/03/2022	72,53,205.38				
7	22,92,012.00	31/03/2023	87,48,925.91				
8	25,21,212.00	31/03/2024					
Total	13717339.44				10650000.00		

Outstanding Balance	₹	23,09,886.29	As On Last Due/Deposit Date
Interest on Outstanding Balance	₹	0.00	as on 15/6/2023
Min Charges for Bill Period 01/04/2023 To 31/3/2024	₹	2521212.00	
Kindly Deposit:	₹	48,31,098.29	

NOTE: GNIDA offers 'ONLINE WATER BILL PAYMENT SERVICES'. You can use this facility after applying KYA. KYA form is available on GNIDA website <http://www.greaternoidaauthority.in>

NOTE

1. Please ensure to deposit these charges otherwise Authority will take appropriate action to recover the dues. Expenditure on recovery of above will be borne by you.
2. In case of any discrepancy please contact Water Bill Department.

***This is a computer generated report, hence require no signature.**

General Condition:

1. Discount of 5% will be given against payment of water charges if the annual charges is paid before 1st Six month (1st April to 30th Sep) of the financial year.
2. Rate of 12% annual interest till 28-MAR-2018 and 11% annual interest will be applied from 29-MAR-2018 on Half-Yearly compounding basis on the amount payable for water charges after 31st March will be chargeable in case of non-payment of the annual water charges after the end of the financial year.
3. Kindly make payment by using Online Portal.

Your's Sincerely

Manager (Jal)

ANNEXURE A-7 [COLLY]

2482



GREATER NOIDA INDUSTRIAL DEVELOPMENT AUTHORITY

PLOT NO. 1, SECTOR KNOWLEDGE PARK-IV, GREATER NOIDA CITY,
GREATER NOIDA DISTRICT GAUTAM BUDDH NAGAR, (U.P.)
Website: www.greaternoidaauthority.in e-Mail: authority@gnida.in

BUILDER RESIDENTIAL WATER CHARGES CUM PAYMENT INTIMATION

To,
ACE INFRAFACTY DEVELOPERS PRIVATE LIMITED
7TH FLOOR, PLOT NO -01B
SECTOR-126,
NOIDA
GAUTAM BUDDH NAGAR

Ref: GNIDA/BRS05
As On Date: 15-Jun-2023 04:01:21 PM
Allotment No.: BRS0500006
Plot Size (in SQM): 58159
Plot No.: GH-01
Block: N/A
Block Name: NIL
Sector Name: SECTOR-01
Location: N/A
Interest: 12%
Bill Start Date: 01-Feb-2017

Plot Size For WaterBill Generation(in SQM):

58159

Dues Inst.	Due Amount	Due Date	Outstanding at Due Date	Deposit Inst.	Amount Paid	Deposit Date	Outstanding at Deposit Date
1	2,15,628.00	31/03/2017	-22,45,153.40	1	13,70,000.00	16/08/2016	-13,70,000.00
2	14,23,128.00	31/03/2018	-8,93,181.80	2	10,80,000.00	24/01/2017	-24,50,000.00
3	15,65,460.00	31/03/2019	6,72,278.20	3	16,00,000.00	17/02/2023	63,76,206.85
4	17,22,024.00	31/03/2020	24,70,569.18	4	18,00,000.00	03/04/2023	69,56,835.90
5	18,94,226.40	31/03/2021	46,44,243.17	5	48,00,000.00	15/06/2023	23,09,886.29
6	20,83,649.04	31/03/2022	72,53,205.38				
7	22,92,012.00	31/03/2023	87,48,925.91				
8	25,21,212.00	31/03/2024					

Total		13717339.44	10650000.00
Outstanding Balance	₹	23,09,886.29	As On Last Due/Deposit Date
Interest on Outstanding Balance	₹	0.00	as on 15/6/2023
Min Charges for Bill Period 01/04/2023 To 31/3/2024 :	₹	2521212.00	
Kindly Deposit:	₹	48,31,098.29	

NOTE: GNIDA offers 'ONLINE WATER BILL PAYMENT SERVICES'. You can use this facility after applying KYA. KYA form is available on GNIDA website <http://www.greaternoidaauthority.in>

NOTE

- Please ensure to deposit these charges otherwise Authority will take appropriate action to recover the dues. Expenditure on recovery of above will be borne by you.
- In case of any discrepancy please contact Water Bill Department.

***This is a computer generated report, hence require no signature.**

General Condition:

- Discount of 5% will be given against payment of water charges if the annual charges is paid before 1st Six month (1st April to 30th Sep.) of the financial year.
- Rate of 12% annual interest till 28-MAR-2018 and 11% annual interest will be applied from 29-MAR-2018 on Half-Yearly compounding basis on the amount payable for water charges after 31st March will be chargeable in case of non-payment of the annual water charges after the end of the financial year.
- Kindly make payment by using Online Portal.

Your's Sincerely

Manager (Jal)

2483

STAR LANDCRAFT PVT. LTD.
 Corp. Office: Pklot No.01b, Sec-126, Noida-201303
 Site Office -Gh 02a Sector Techzone 4 Greter Noida
West (201306) Up

RAJPAL SINGH
 Ledger Account

1-Jul-11 to 30-Jun-23

Page 1

Date	Particulars	Vch Type	Vch No.	Debit	Credit
1-Jul-11	By Opening Balance				39,200.00
5-Apr-14	By WATER CHARGES EXP.	Journal			43,400.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.03 DT.05.04.2014</i>				
12-Apr-14	To HDFC BANK - 27228640000016	Payment		39,200.00	
	<i>cheque no.000699 issue agst.bill</i>				
2-May-14	By WATER CHARGES EXP.	Journal			35,400.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.09 DT.02.05.2014</i>				
10-May-14	To HDFC BANK - 27228640000016	Payment		43,400.00	
	<i>CHEQUE NO.000879 ISSUE AGST.BILL</i>				
1-Jun-14	By WATER CHARGES EXP.	Journal			43,400.00
	<i>BEING AMOUNT OF WATER TANKER AGST. BILL NO.15 DT.01.06.2014</i>				
11-Jun-14	To HDFC BANK - 27228640000016	Payment		35,400.00	
	<i>CHEQUE NO.001013 ISSUE AGST.BILL</i>				
1-Jul-14	By WATER CHARGES EXP.	Journal			36,000.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.18 DT.01.07.2014</i>				
10-Jul-14	To HDFC BANK - 27228640000016	Payment		43,400.00	
	<i>being amt paid agst bill ch no:001173</i>				
2-Aug-14	By WATER CHARGES EXP.	Journal			36,600.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.22 DT.02.08.2014</i>				
29-Aug-14	To HDFC BANK - 27228640000016	Payment		36,000.00	
	<i>CHEQUE NO.001365 ISSUE AGST.BILL</i>				
1-Sep-14	By WATER CHARGES EXP.	Journal			36,600.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.30 DT.01.09.2014</i>				
1-Oct-14	By WATER CHARGES EXP.	Journal			36,600.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.35 DT.01.10.2014</i>				
20-Oct-14	To HDFC BANK - 27228640000016	Payment		73,200.00	
	<i>CHEQUE NO.001679 ISSUE AGST.BILL</i>				
1-Nov-14	By WATER CHARGES EXP.	Journal			35,400.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.41 DT.01.11.2014</i>				
	Carried Over			2,70,600.00	3,42,600.00

continued ...

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STAR LANDCRAFT PVT. LTD.

RAJPAL SINGH Ledger Account : 1-Jul-11 to 30-Jun-23

Page 2

Date	Particulars	Vch Type	Vch No.	Debit	Credit
	Brought Forward			2,70,600.00	3,42,600.00
1-Dec-14	By WATER CHARGES EXP.	Journal			38,700.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.48 DT.01.12.2014</i>				
15-Dec-14	To HDFC BANK - 27228640000016	Payment		72,000.00	
	<i>CHEQUE NO.001595 ISSUE AGST.BILL</i>				
1-Jan-15	By WATER CHARGES EXP.	Journal			38,400.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.108 DT.01.01.2015</i>				
24-Jan-15	To HDFC BANK - 27228640000016	Payment		77,100.00	
	<i>CHEQUE NO.001962 ISSUE AGST.BILL</i>				
1-Feb-15	By WATER CHARGES EXP.	Journal			36,600.00
	<i>BEING AMOUNT OF WATER TANKER BILL FOR THE M/O JAN.2015 BILL NO.113 DT.01.02.2015</i>				
1-Mar-15	By WATER CHARGES EXP.	Journal			28,200.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.119 DT.01.03.2015</i>				
16-Mar-15	To ICICI BANK A/C-082905000730-Rca	Payment		36,600.00	
	<i>CHEQUE NO.183577 ISSUE AGST.BILL</i>				
30-Mar-15	To ICICI BANK A/C-082905000730-Rca	Payment		28,200.00	
	<i>CHEQUE NO.183685 ISSUE AGST.BILL</i>				
				4,84,500.00	4,84,500.00
1-Apr-15	By WATER CHARGES EXP.	Journal			36,000.00
	<i>BEING AMOUNT OF WATER TANKER BILL NO.124 DT.01.04.2015</i>				
	By WATER CHARGES EXP.	Journal			60,400.00
	<i>being amount of s.t. water tanker 106 rounds @400 and water tanker normal 60 rounds @300 agst bill no:132</i>				
1-Jun-15	By WATER CHARGES EXP.	Journal			58,800.00
	<i>BEING AMOUNT OF WATER TANKER FOR STP WORKS BILL NO.140 DT.01.06.2015</i>				
24-Jun-15	To ICICI BANK A/C-082905000730-Rca	Payment		96,400.00	
	<i>CHEQUE NO.187781 ISSUE AGST.BILL</i>				
5-Jul-15	To ICICI BANK A/C-082905000730-Rca	Payment		58,800.00	
	<i>CHEQUE NO.1866709 ISSUE AGST.BILL</i>				
1-Aug-15	By WATER CHARGES EXP.	Journal			80,400.00
	<i>BEING AMOUNT OF WATER TANKER FOR STP WORKS BILL NO.149 DT.01.08.2015</i>				
	By WATER CHARGES EXP.	Journal			84,200.00
	<i>BEING AMOUNT OF STP WATER TANKER BILL NO.56 DT.01.08.2015</i>				
	Carried Over			1,55,200.00	3,19,800.00

continued ...

STAR LANDCRAFT PVT. LTD.

RAJPAL SINGH Ledger Account : 1-Jul-11 to 30-Jun-23

Page 3

Date	Particulars	Vch Type	Vch No.	Debit	Credit
	Brought Forward			1,55,200.00	3,19,800.00
1-Sep-15	By WATER CHARGES EXP.	Journal			77,700.00
	<i>being amt stp water tanker & water tanker agst invoice no:63 dated:01.09.2015</i>				
2-Sep-15	To ICICI BANK A/C-082905000730-Rca	Payment		1,64,600.00	
	<i>CHEQUE NO.185646 ISSUE AGST.BILL</i>				
1-Oct-15	By WATER CHARGES EXP.	Journal			78,000.00
	<i>BEING AMOUNT OF STP WATER TANKER CHARGES BILL NO.66 DT.11.10.2015</i>				
15-Nov-15	By WATER CHARGES EXP.	Journal			81,000.00
	<i>BEING AMOUNT OF STP WATER TANKER BILL NO.70 DT.15.11.2015</i>				
17-Nov-15	To ICICI BANK A/C-082905000730-Rca	Payment		78,000.00	
	<i>CHEQUE NO.194935 ISSUE AGST.BILL</i>				
1-Dec-15	By WATER CHARGES EXP.	Journal			70,800.00
	<i>BEING AMOUNT OF STP WATER CHARGES BILL NO.81 DT.01.12.2015</i>				
1-Jan-16	By WATER CHARGES EXP.	Journal			79,200.00
	<i>BEING AMOUNT OF STP WATER CHARGES BILL NO.85 DT.01.01.2016</i>				
5-Jan-16	To ICICI BANK A/C-082905000730-Rca	Payment		81,000.00	
	<i>CHEQUE NO.194078 ISSUE AGST.BILL</i>				
1-Feb-16	By WATER CHARGES EXP.	Journal			78,600.00
	<i>BEING AMOUNT OF STP WATER CHARGES BILL NO.89 DT.01.02.2016</i>				
5-Feb-16	To ICICI BANK A/C-082905000730-Rca	Payment		70,800.00	
	<i>CHEQUE NO.197654 ISSUE AGST.BILL</i>				
8-Feb-16	To ICICI BANK A/C-082905000730-Rca	Payment		79,200.00	
	<i>CHEQUE NO.197653 ISSUE AGST.BILL</i>				
18-Feb-16	To ICICI BANK A/C-082905000730-Rca	Payment		78,600.00	
	<i>CHEQUE NO.200341 ISSUE AGST.BILL</i>				
1-Mar-16	By WATER CHARGES EXP.	Journal			77,400.00
	<i>BEING AMOUNT OF STP WATER TANKER BILL NO.108 DT.01.03.2016</i>				
	To	Closing Balance		7,07,400.00	8,62,500.00
				1,55,100.00	
				8,62,500.00	8,62,500.00
1-Apr-16	By	Opening Balance			1,55,100.00
1-Apr-16	By WATER CHARGES EXP.	Journal			76,200.00
	<i>BEING AMOUNT OF STP WATER BILL NO. 200 DT.01.04.2016</i>				
4-Apr-16	To Short and Excess Payments	Journal		77,700.00	
	<i>being amount of debited agst. damage of water tank</i>				
	Carried Over			77,700.00	2,31,300.00

continued ...

2486

STAR LANDCRAFT PVT. LTD.

RAJPAL SINGH Ledger Account : 1-Jul-11 to 30-Jun-23

Page 4

Date	Particulars	Vch Type	Vch No.	Debit	Credit
	Brought Forward			77,700.00	2,31,300.00
29-Apr-16	To ICICI BANK A/C-082905000730-Rca	Payment		77,400.00	
	CHEQUE NO.200268 ISSUE AGST.BILL				
1-May-16	By WATER CHARGES EXP.	Journal			80,400.00
	BEING AMOUNT OF STP WATER CHARGES BILL NO.110 DT.01.05.2016				
1-Jun-16	By WATER CHARGES EXP.	Journal			81,000.00
	BEING AMOUNT OF STP WATER BILL NO. 114 DT.01.06.2016				
14-Jun-16	To ICICI BANK A/C-082905000730-Rca	Payment		76,200.00	
	CHEQUE NO.204471 ISSUE AGST.BILL				
3-Jul-16	By WATER CHARGES EXP.	Journal			80,400.00
	BEING AMOUNT OF STP WATER BILL NO. 115 DT.30.06.2016				
14-Jul-16	To ICICI BANK A/C-082905000730-Rca	Payment		80,400.00	
	CHEQUE NO.204472 ISSUE AGST.BILL				
1-Aug-16	By WATER CHARGES EXP.	Journal			78,600.00
	BEING AMOUNT OF STP WATER BILL NO. 123 DT.01.08.2016				
2-Sep-16	By WATER CHARGES EXP.	Journal			76,200.00
	BEING AMOUNT OF STP WATER BILL NO. 129 DT.02.09.2016				
20-Sep-16	To ICICI BANK A/C-082905000730-Rca	Payment		1,61,400.00	
	CHEQUE NO.183853 ISSUE AGST.BILL				
30-Sep-16	By WATER CHARGES EXP.	Journal			75,900.00
	BEING AMOUNT OF STP WATER BILL NO. 137 DT.30.09.2016				
26-Oct-16	To ICICI BANK A/C-082905000730-Rca	Payment		78,600.00	
	CHEQUE NO.184029 ISSUE AGST.BILL				
1-Nov-16	By WATER CHARGES EXP.	Journal			78,600.00
	BEING AMOUNT OF STP WATER BILL NO. 139 DT.01.11.2016				
26-Nov-16	To ICICI BANK A/C-082905000730-Rca	Payment		75,900.00	
	CHEQUE NO.184028 ISSUE AGST.BILL				
	To ICICI BANK A/C-082905000730-Rca	Payment		76,200.00	
	CHEQUE NO.184027 ISSUE AGST.BILL				
1-Dec-16	By WATER CHARGES EXP.	Journal			78,000.00
	BEING AMOUNT OF STP WATER BILL NO. 142 DT.01.12.2016				
1-Jan-17	By WATER CHARGES EXP.	Journal			81,000.00
	BEING AMOUNT OF STP WATER BILL NO. 150 DT.01.01.2017				
7-Jan-17	To ICICI BANK A/C-082905000730-Rca	Payment		78,600.00	
	CHEQUE NO.184391 ISSUE AGST.BILL				
	Carried Over			7,82,400.00	9,41,400.00

continued ...

2487

STAR LANDCRAFT PVT. LTD.

RAJPAL SINGH Ledger Account : 1-Jul-11 to 30-Jun-23

Page 5

Date	Particulars	Vch Type	Vch No.	Debit	Credit
	Brought Forward			7,82,400.00	9,41,400.00
1-Feb-17	By WATER CHARGES EXP.	Journal			78,600.00
	<i>BEING AMOUNT OF STP WATER BILL NO. 202 DT.01.02.2017</i>				
20-Feb-17	To ICICI BANK A/C-082905000730-Rca	Payment		1,59,000.00	
	<i>CH.NO.184695 BEING AMT PAID TO RAJPAL SINGH TOWARDS PAYMENT OF BILL NO.142 & 150.</i>				
28-Feb-17	By WATER CHARGES EXP.	Journal			69,600.00
	<i>BEING AMOUNT OF STP WATER BILL NO. 208 DT.28.02.2017</i>				
				9,41,400.00	10,89,600.00
To	Closing Balance			1,48,200.00	
				10,89,600.00	10,89,600.00
1-Apr-17	By Opening Balance				1,48,200.00
1-Apr-17	By WATER CHARGES EXP.	Journal			78,900.00
	<i>BEING AMOUNT OF STP WATER & DRINKING WATER (HUT) BILL NO-212 DT -1.4.2017</i>				
24-Apr-17	To ICICI BANK A/C-082905000730-Rca	Payment		69,600.00	
	<i>CHEQUE NO-185326 ISSUE AGST. BILL</i>				
1-May-17	By WATER CHARGES EXP.	Journal			78,000.00
	<i>BEING AMOUNT OF STP WATER & DRINKING WATER (HUT) BILL NO-128 DT -1.5.2017</i>				
1-Jun-17	By WATER CHARGES EXP.	Journal			83,400.00
	<i>BEING AMOUNT OF WATER CHARGES BILL NO-221 DT-1.6.2017</i>				
26-Jul-17	To ICICI BANK A/C-082905000730-Rca	Payment		1,56,900.00	
	<i>ch no:186009</i>				
15-Sep-17	By ISB TRANSPORT CO.	Journal			4,800.00
28-Sep-17	To ICICI BANK A/C-082905000730-Rca	Payment		83,400.00	
	<i>ch no:186108</i>				
31-Mar-18	To WATER CHARGES EXP.	Journal	62	83,400.00	
	<i>Being Water charges expenses reverse entry in Raj pal Singh.</i>				
				3,93,300.00	3,93,300.00

2488

BILL/CASH MEMO

Mob: 9971000945
9971388845
9654870045
9911000945

RAJPAL SINGH

WATER SUPPLIER

Vill-Amnabad Sec-1 Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No

118

feb-2015

Dated 11/3/15

Ms

Crest Parameters (P) Ltd.

G/Hol Sec 1 GZR Noida.

S No	Particulars	Qty	Rate	Rs.	Amount p
01	STP Water Tanker. (feb-2015)	38	300	11400	₹
02	Tanker Rent	01	6000	6000	₹
Rupees in Words			Total	17400	₹

ENTERED

E. & O.E.

four thousand only

For RAJPAL SINGH

210741/15

BILL/CASH MEMO

RAJPAL SINGH

WATER SUPPLIER

Mob 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad, Sec-1, Near Blak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No

1st

March 2015

Dated

1/4/15

M/s

Crest Promoters (P) Ltd.

G/Hol, Sec-1, Gr. Noida.

S No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water Tanker (March-15)	58	300	17400	00
02	Tanker Rent	01	6000	6000	00

ENTERED

Rupees in Words: Twenty three thousand Total 23400 00

E.&.O.E.

four hundred only.

For RAJPAL SINGH

210410/15

BILL/CASH MEMO

Mob 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

WATER SUPPLIER

Vill-Amnabad Sec-1. Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL NO

133

AP-2015

M/s

Crest Promoters (P) Ltd. (ACE City)
G/Hol, Sec 1 Gz-Noida Noida ext

Dated

11.5/15

S No	Particulars	Qty.	Rate	Rs.	Amount P.	
01	STP Water Tanker	44,	400	17600	00	
02	STP water Tanker Company.	15	900	13500	00	
03	Tanker Rent	01	6000	6000	00	
Rupees in Words: thirty seven thousand				Total	37100	00

E.&O.E.

One hundred only

For RAJPAL SINGH

210413/15

2491

BILL/CASH MEMO

RAJPAL SINGH

WATER SUPPLIER

Mod 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL NO

M/s

142
Crest Promoters (P) Ltd.

Dated 11/6/15

G/Hol, Sec-1, Gr. Noida.

S No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water Tanker	02	400	800	00
02	STP water Tanker Componay-	109	700 ✓	76300	00
03	STP water Tanker HR. 55 f 3519 — 10000 Ltrs/ Tanker	08	1100	8800	00
04	Tanker Rent	01	6000	6000	00
Rupees in Words <u>Ninety One thousand</u>			Total	91900	00

E.&O.E.

Nine Hundred only -

For RAJPAL SINGH

21041518E

BILL/CASH MEMO

RAJPAL SINGH

WATER SUPPLIER

Mob 9971000945
9971366845
9664870045
9911000945Vill-Amnabad Sec-1 Near Balak Gautambudh Inter Collage Greater Noida (G.B. Nagar)
June 2015BILL No. **150**

Ms Crest Promoters (P) Ltd. (ACE City)

Dated 11/7/15

GH-01, Sec-1 Greater Noida.

S No	Particulars	Qty.	Rate	Amount	
				Rs	P
01	STP water Tanker. (5000 Ltrs each) Company.	32	700	22400	00
02	STP water Tanker. (10000 Ltrs each) Company.	37	1100	40700	00
03	Tanker Rent	01	6000	6000	00
Rupees in Words: Sixty Nine Thousand...			Total	69100	00
E.&O.E. One hundred only.		For RAJPAL SINGH		राजपाल सिंह	

Floor Plot No. 2493

BILL/CASH MEMO

RAJPAL SINGH

WATER SUPPLIER

Mob 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No 54

July 2015

Dated 1/8/15

M/s Crest Promoters (P) Ltd.

G/Hol, Sec-1, G.B. Noida.

S No	Particulars	Qty.	Rate	Rs	Amount p
01	STP water Tanker (10000 ltr each)	54	600	32400	00
02	STP water Tanker (10000 ltrs each) (Company)	26	1100	28600	00
03	Tanker Rent	01	6000	6000	00

Rupees in Words Sixty Seven thousand

Total

67000

00

E.&O.E.

July

For RAJPAL SINGH

21/8/15

2494

BILL/CASH MEMO

RAJPAL SINGH

WATER SUPPLIER

Mob : 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G.B.Nagar)

Bill No 62

Aug-2015

Dated 1/9/15

vs Crest Promoters (P) Ltd.

G.H.O. 1, Sec-1, Gr. Noida. (Noida ext)

S No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water Tanker (10000 ltrs/each)	64	600	38400	₹
02	STP water Tanker (10000 ltrs/- each) company	08	1100	8800	₹
03	Tanker Rent	01	6000	6000	₹
Rupees in Words: Fifty Three thousand				Total	53200 ₹

E.&O.E.

Two hundred only.

For RAJPAL SINGH
2107413147

2495

BILL/CASH MEMO

Mob : 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

WATER SUPPLIER

Vij-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G.B.Nagar)

BILL No 63

Sep-2015

Dated 11/10/15

M/s Crest Promoters (P) Ltd.

G/101 Sec-1, G.B. Noida.

S No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP Water Tanker (10000 Ltrs) Company.	57	1100	62700	00
02	STP Water Tanker (10000 Ltrs)	18	600	10800	00
03	Tanker Rent.	01	6000	6000	00
Rupees in Words: Seventy Nine Thousand				Total	79500 00

E.&O.E.

Five hundred only.

For RAJPAL SINGH
Rajpal Singh

2496

BILL/CASH MEMO

Mob : 9971000945

9971366845

9854870045

9911000945

RAJPAL SINGH**WATER SUPPLIER**

Vill-Amnabad Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No

71

October-2015

Dated 11/11/15

Ms

Coast Promoters (P) Ltd.

GH 01, Sec-1, Gr. Noida, G.B. Nagar (U.P.)

S No	Particulars	Qty.	Rate	Rs.	Amount P.	
01	STP water Tanker. (10000 ltrs each) Company	62	1100	68200	00	
02	STP water Tanker. (10000 ltrs each)	18	600	10800	00	
03	Tanker Rent	01	6000	6000	00	
Rupees in Words: Eighty five thousand				Total	85000	00

E.&O.E.

only

For RAJPAL SINGH

राजपाल सिंह

Particulars

STP & Tanker

1.00 Ltr

2497

MEMO

RAJPAL SINGH**WATER SUPPLIER**Job 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G3 Nagar)

BILL No

78

Nov - 15

M/s

Crest Promoters (P) Ltd.

Dated 11/12/15

GH-01 Sec-1, Gr. Noida.

S No	Particulars	Qty.	Rate	Amount	
				Rs.	P.
01	STP water Tanker. (10000 ltrs/each) Company	45	1100	49500	00
02	STP water Tanker (10000 ltrs/each) entry.	21	600	12600	00
03	Tanker Rent	01	6000	6000	00
Rupees in Words: Sixty eight thousand			Total	68100	00

E.&O.E.

One hundred only.

For RAJPAL SINGH

21/12/15

2498

BILL/CASH MEMO

Mob: 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

WATER SUPPLIER

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G.B.Nagar)

BILL No

86

Dec-15

Dated 11/11/16

M/s Crest Pumps (P) Ltd.

G.H-01, Sec-1, Gr Noida

S No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water Tanker Company (10000 ltrs/-)	74	1100	81400	00
02	STP water Tanker (10000 ltrs/-) entry	04	600	2400	00
03	Tanker Rent	01	6000	6000	00

[Signature]
4/11/16

Rupees in Words: Eighty Nine Thousand

Total

89800

00

E.&O.E.

eight hundred only.

For RAJPAL SINGH

[Signature]

BILL/CASH MEMO

RAJPAL SINGH

WATER SUPPLIER

9971000945
9971366845
9654870045
9911000945

VIII-Amnabad Sec-1 Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No **100**

Dated **11/2/16**

Ms **CREST Promoters (P) Ltd**

GH-01, Sec-1, Gr Noida

S No	Particulars	Qty.	Rate	Rs.	Amount P
01	STP water Tanker Company (10KL/each)	78	950	74100	00
02	STP water Tanker entry (10KL/each)	05	600	3000	00
03	Tanker Rent	01	6000	6000	00

ENTERED

me

11/2/16

Rupees in Words: Eighty three thousand	Total	83100	00
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E.&O.E.

One hundred Only.

For **RAJPAL SINGH**
21/9/16 TNS

2500

BILL/CASH MEMO

Mob: 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Water Tanker

Vill-Amnabad Sec-1, Near Balak Gautambudh Inter Collage, Greater Noida (G B Nagar)

BILL No

109

Dated

11/5/16

M/s

Best Automotors (P) Ltd
GHO/ Sec-1, Gr. Noida.

S No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP Water Tanker. 10000/- Ltrs. (Company). *Note :- 10000 Share	112	9.50	106400	00

ENTERED

Rupees in Words: One Lakh Six thousand

Total

106400

00

E.&O.E.

four thousand only

For RAJPAL SINGH

Signature

BILL/CASH MEMO

Mo. 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad Sec-1 Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

Since 2016

BILL No
M/s

116

Coast Promoters (P) Ltd.

Dated 30/6/16

Plot No. 01, Sec-1, Greater Noida, G.B. Nagar

S No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water Tanker. (10KL/Each) Side	08	950	93100	00
02	STP water Tanker. (10KL/each) entry	08	600	48000	00
Rupees in Words: <u>Eighty Seven Thousand</u>			Total	97900	00

E.&O.E.

(Signature)

For RAJPAL SINGH

216413778

BILL/CASH MEMO

RAJPAL SINGH

Transport Company

Mob 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

Sept 2016.

BILL No

138

Dated 30/9/16

M/s

Guest Promoters (P) LTD

City: Sec-1 G B Noida UP

S.No.	Particulars	Qty.	Rate	Rs.	Amount	P.
1	STP WATER Tanker Company.	49 Trip	950	46550	-	00
			ENTERED			

7/10/16

Rupees in Words: Forty six thousand...

Total 46550/- 00

E.&O.E.

For RAJPAL SINGH

राजपाल सिंह

BILL/CASH MEMO

Mob 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G.B.Nagar)

May-2016

BILL No

113

Dated 31/5/16

M/s

Best Promoters (P) Ltd.

GH-01, Sec-1, G.B. Noida. (U.P)

S No.	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water Tanker. (10kl/each) Company. (1 to 31 may) 5/06/16	104	950	98200	20
Rupees in Words: Ninety eight Thousand			Total	98200	20

ENTERED

E.&O.E.

eight hundred only.

For RAJPAL SINGH

11/04/2016

2504

BILL/CASH MEMO

Mob 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

July-2016

Dated 31/7/16

BILL No

125

M/s

Crest Permaters (P) Ltd.

G/H-01, Sec-1, Gr. Noida.

S No	Particulars	Qty.	Rate	Rs.	Amount P.	
01	STP water Tanker Company. (10K/each)	68	950	64600	00	
02	STP water Tanker. entry	32	600	19200	00	
Rupees in Words: <u>Eighty three thousand and</u>				Total	83800	00

~~ENTERED~~

E.&O.E.

For RAJPAL SINGH

राजपाल सिंह

BILL/CASH MEMO

Mob: 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

August 2016

BILL No **131**

Dated 31/8/16.

M/s Crest Remotors (P) LTD.

G.H-01 Sec 1 Gr. Noida. U.P.

S.No.	Particulars	Qty.	Rate	Rs.	Amount P.
1	STP Water Tanker Company	33	950	31350	00
2	STP Water Tanker Company	61	600	36600	00

ENTERED

Rupees in Words: Sixty Seven thousand... Total 67950.00

B.O.E.

Nine hundred Fifty only. For **RAJPAL SINGH**
2161419111E

BILL/CASH MEMO

Mob 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad Sec-1. Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

October 2016

Dated 31/10/2016

BILL No
M/s

141 Cist. Parnotans (P) (T.I.)

GH-01 Sec. 1 (or) Noida

S No	Particulars	Qty.	Rate	Rs.	Amount P
	ST P water Tanker	57	950	54150/-	00

ENTERED

[Handwritten signature]
12/11/16

[Handwritten signature]

Rupees in Words: Fifty four thousand

Total

54,150/- 00

E.&O.E.

one hundred fifty only

For RAJPAL SINGH

[Handwritten signature]

BILL/CASH MEMO

Mob : 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company STP water

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G.B.Nagar)

Nov-2016

BILL No
M/s

145

Crest Promoters (P) Ltd

Dated 30/11/16

GH-01, Sec-1, Gr Noida

S.No.	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water Tanker	54 45	950	51300	00
Rupees in Words: <u>Fifty one thousand...</u>			Total	51300	00

me

[Signature]

PAID

E.&O.E.

Three hundred only

For **RAJPAL SINGH**

21/11/16

BILL/CASH MEMO

Mob : 9971000945
9971366845
9654870045
9911000945**RAJPAL SINGH**

Transport Company

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G.B.Nagar)

BILL No 146

DEC - 2016

Dated 31/12/2016

M/s Crist Parameter (P) LTD

GH-01 Sec: 1 GR: Noida:

S.No.	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP WATER Tanker	54	900	48600/-	00.
Rupees in Words: Forty eight thousand Six Hundred only			Total	48600 /	00.

E.&O.E.

For RAJPAL SINGH

राजपाल सिंह

2509

BILL/CASH MEMO

Mob 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad Sec-1.Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No
M/s

205

~~Gift Promoters (P.) LTD~~

Dated 23/1/2014

ACE City Plot No 1, G.B. Noida

S No	Particulars	Qty.	Rate	Rs.	Amount P.
0	WATER Tanker	50	950	47500/-	

ENTERED



[Handwritten signature]

Rupees in Words: Fifty Seven thousand...

Total

47500/- 00

E.&O.E.

Fifty Hundred only

For RAJPAL SINGH

[Handwritten signature]

BILL/CASH MEMO

RAJPAL SINGH

Transport Company

Mob 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad Sec-1.Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

FAB 2017

BILL No

207

Dated 28/2/17

M/s

Gist Promoter P. Ltd

Plot No 1 Sec 1 GR Noida U.P

S.No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water tankar (10000) Litar	44	950	41800/-	00

ENTERED

Rupees in Words: Forty one thousand

Total

41800/-

00

E & O.E.

Eight hundred only

For RAJPAL SINGH

राजपाल सिंह

BILL/CASH MEMO

RAJPAL SINGH

Transport Company

Mob 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad Sec-1 Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

Plot No 1

BILL No

Ms **213** Gist Parmotav P Ltd

Dated 31/3/17

Sec-1 Plot No 1 G B Noida UP

S No	Particulars	Qty.	Rate	Rs	Amount P
01	G.P. WATER. Tenkar	26	950	24700/00	

EN

Rupees in Words: Twenty Four thousand Total 24700/-

E & O.E.

Seven hundred only For RAJPAL SINGH
[Signature]

BILL/CASH MEMO

Mob: 9971000945
 9971366845
 9654870045
 9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad Sec-1 Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No

104

Feb 2016

Dated 11/3/16

M/S

Crest Promoters Pvt. Ltd.

GH-01 Sec-1, Gr. Noida

S No	Particulars	Qty.	Rate	Rs.	Amount P.	
01	STP water Tanker. Comp - HRSSF 3519 10KL/-each.	76	950	72200	00	
02	STP water Tanker entry. HRSSF 3519 10KL/each	05	600	3000	00	
Rupees in Words: Sixty five thousand				Total	75200	00

E.&O.E.

Two hundred only

For RAJPAL SINGH

2107411712

9971000945

2513

BILL/CASH MEMO

RAJPAL SINGH

Transport Company

Mob: 9971000945
9971366845
9654870045
9911000945

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G.B.Nagar)

BILL No

M/s

106
Erest Promoters (P) Ltd

Dated

1/4/16

G/Hol Sec-1, Gr. Noida UP. Tinn- 09266109960

S No.	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP water Tanker - Company - HPSF3519 10KL/each.	79	950	75050	00
02	STP water Tanker entry HPSF3519 10KL/each.	03	600	1800	00

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Rupees in Words: Seventy Six Thousand Total

76850

00

E.&O.E.

eight hundred fifty only.

For RAJPAL SINGH

21/07/16

2514

BILL/CASH MEMO

Mob 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad, Sec-1, Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No

217
M/s Guest Parmotar (P) Ltd.

Dated 30/4/17

Sec-1 Gnr Noida. UP

S No	Particulars	Qty.	Rate	Rs.	Amount P.
01	STP WATER Tanker	25	950	23750/00	
Rupees in Words: <u>Twenty three thousand Seven hundred fifty</u>			Total	23750/00	

E.&O.E.

For RAJPAL SINGH

Rajpal Singh

2515

BILL/CASH MEMO

Mob: 9971000945
9971366845
9654870045
9911000945

RAJPAL SINGH

Transport Company

Vill-Amnabad Sec-1 Near Balak Gautambudh Inter Collage Greater Noida (G B Nagar)

BILL No

220

Dated 21/05/19

Ms

Gist Formations Pvt. Ltd.

Sec : Plot No 1, Greater Noida, U.P.

S No	Particulars	Qty.	Rate	Rs.	Amount P
01	S.T.P. water tanker -	23	950	21850-	00.

ENTERED

[Handwritten signature]

Rupees in Words: Twenty one thousand eight hundred and fifty only

Total

21850-00.

E.&O.E.

For RAJPAL SINGH

[Handwritten signature]

2516

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY
STATEMENT OF SEWAGE TREATED WATER LIFTED BY BUILDER FROM STP SECTOR-123

S.No.	RECEIPT NO.	RECEIPT DATE	BOOK NO.	COMPANY / PROJECT NAME	COMPANY / PROJECT ADDRESS	D.D. AMOUNT (₹)	SEWAGE TREATED WATER PURCHASED QTY.	PERIOD OF STATEMENT	SEWAGE TREATED WATER LIFTED QTY.	SEWAGE TREATED WATER BALANCE QTY.	STP LOCATION
1	1993	09.05.2022	40	M/S Starcity Real Estates Pvt Ltd	नोट:- पूर्व में दिनांक 31.08.2022 तक कुल लिया गया पानी का विवरण				3340 KL	2660 KL	123
					Plot No. GH-14A, Sec. 01, Gr. Noida	30000.00	6000 KL	01.09.22 18.11.22	2660 KL	0 KL	

खण्ड में उपलब्ध अभिलेखों के आधार पर सत्यापन

Amit
J.E. (Jal-OA)
AMIT BHARDWAJ
 Asstt. Manager (Contract)
 Jal-OA, NOIDA

A
Manager (Jal-OA)
ANIL KUMAR
 Manager
 Jal Outer Agency, NOIDA

Sr. Manager
Sr. Manager (Jal-OA)
DEVENDRA NIGAM
 Senior Manager
 (Jal Outer Agency), NOIDA

2516

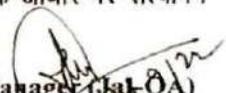
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2517

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY
STATEMENT OF SEWAGE TREATED WATER LIFTED BY BUILDER FROM STP SECTOR-123 & 50

S.No.	RECEIPT NO.	RECEIPT DATE	BOOK NO.	COMPANY / PROJECT NAME	COMPANY / PROJECT ADDRESS	D.D. AMOUNT (₹)	SEWAGE TREATED WATER PURCHASED QTY.	PERIOD OF STATEMENT		SEWAGE TREATED WATER LIFTED QTY.	SEWAGE TREATED WATER BALANCE QTY.	STP LOCATION
1	1930	07.06.2021	39	M/S Star City Real State Pvt. Ltd.	Plot No. GH-14A, Sec. 01, Gr. Noida	50000.00	10000 KL	08.06.21	25.04.22	10000 KL	0 KL	123
2	1993	09.05.2022	40	M/S Star City Real State Pvt. Ltd.	Plot No. GH-14A, Sec. 01, Gr. Noida	30000.00	6000 KL	01.06.22	31.08.22	3340 KL	2660 KL	123
3	1700	17.12.2018	34	M/S Star City Real State Pvt. Ltd.	Plot No. GH-14A, Sec. 01, Gr. Noida	50000.00	10000 KL	18.12.18	12.11.19	10000 KL	0 KL	50
4	1796	17.10.2019	36	M/S Star City Real State Pvt. Ltd.	Plot No. GH-14A, Sec. 01, Gr. Noida	50000.00	10000 KL	13.11.19	26.04.21	10000 KL	0 KL	50

खण्ड में उपलब्ध अभिलेखों के आधार पर सत्यापन


Manager (Jal-OA)
RAJ KUMAR
 Manager Jal (O.A)
 NOIDA


Sr. Manager (Jal-OA)

(राकेश कुमार)
 प्रमारी वरिष्ठ प्रबन्धक
 जल-वातसं०, नौराज

2

2517

Noida

White - Customer C
 Pink - J.E. C
 Green - S.T.P. C
 Yellow - Office C

New Okhla Industrial Development Authority Noida

Sewage Treatment Plant / Sector 123

Book No. 40

Receipt No. 1993

Dated 9/5/22

Received from M/s. *Starcity Real Estate Pvt. Ltd.*

Project / Plot No. *CH-14A* Sector *01, G.N. Noida*

the sum of Rs. (In words) *Thirty Three thousand* on account of treated sewerage water for construction purpose. as per terms & conditions overleaf.

[Quantity of Sewage treated water = *6000* KL @ Rs. *5/-* /KL = Rs. *30,000/-*]

Detail of Deposit

1. D.D. No. - *509797* Date :- *16/4/22*

2. Name of Bank - *ICICI Bank*

3. D.D. Amount *30,000/-*

Above mention D.D. received by me

[Signature]
 Divisional Accountant

[Signature]
 Customer

(W)

[Signature]
 Authority Signatory
 Noida Authority



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Green - S.T.P. Copy
Yellow - Office Copy

New Okhla Industrial Development Authority Noida

Sewage Treatment Plant Sector 123

Book No. 33

Receipt No. 1930

Dated 7/6/21

Received from M/s. Storcity Real Estate Pvt. Ltd.

Project Plot No. UH-14A Sector Older. No/cls

the sum of Rs. (In words) Five Thousand only on account of treated sewerage water for construction purpose. as per terms & conditions overleaf.

[Quantity of Sewage treated water = 10000 KL@Rs. 5/- /KL = Rs. 50,000/-]

Detail of Deposit

- 1. D.D. No. - 500281
- 2. Name of Bank - ICICI BANK
- 3. D.D. Amount 50,000/-

Date :- 25/5/21

Above mention D.D. received by me

[Signature]
Divisional Accountant

[Signature]
Customer
9599061688

(5)
[Signature]
7/6/21
Authority Signatory
Noida Authority

2521

ICICI Bank (6284) NOIDA Drawee Branch 500281 - 2 5 / 0 5 2 VALID FOR THREE MONTHS ONLY

*** NOIDA ***** DD No. DATE

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D D M M Y Y Y Y

ON DEMAND PAY FIFTY THOUSAND Only OR ORDER

RUPEES *****50,000.00

Purchaser Name: STARCITY REAL ESTATES PRIVATE LIMI FOR VALUE RECEIVED
OL/5/5 Not Above 50,000.00

7217DDCENPAY
GHAZIABAD - CHANDER NAGAR Issuing Branch

Ravi Singh
445826 Authorised Signatory

deli
445826 Authorised Signatory
Please sign above

UTILITY FORMS PAY LTD / CTS - 2018

UTILITY FORMS PAY LTD / CTS - 2018

⑈ 500 28 1 ⑈ 000 2 2 9 0 0 0 ⑈ 0 0 7 2 1 7 ⑈ 1 6

Alexander
31/06/2021

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Yellow - Office Copy

New Okhla Industrial Development Authority Noida

Sewage Treatment Plant Sector 50

Book No. 36

Receipt No. 1796

Dated 17/10/19

Received from M/s. Starcity Real Estate Pvt. Ltd.

Project Plot No. 6A-14A Sector 01, Noida

the sum of Rs. (In words) Fifty Thousand only on account of treated sewerage water for construction purpose. as per terms & conditions overleaf.

[Quantity of Sewage treated water = 10000 KL @ Rs. 5/-/KL = Rs. 50,000/-]

Detail of Deposit

- 1. D.D. No. - 508364
- 2. Name of Bank - ICICI Bank
- 3. D.D. Amount - 50,000/-

Date :- 19/9/19

Above mention D.D. received by me

Divisional Accountant *[Signature]*

Customer *[Signature]* 9971000975

Authority Signatory
Noida Authority *[Signature]*

2523

2523

8

UTILITY FORMS PVT. LTD. Ph. 46767676, Mumbai-400077, Chennai-4064707, Kolkata-3019006



97 #10E000 #00062000 #19E805 #1

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STK
Noida

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Pink - J.E. Copy
Green - S.T.P. Copy
Yellow - Office Copy

New Okhla Industrial Development Authority Noida

Sewage Treatment Plant / Sector 50

Book No. 34

Receipt No. 1700

Dated 17/12/18

Received from M/s. Star City Real Estate Pvt. Ltd.

Project / Plot No. GH-14A Sector 01, Gr. Noida

the sum of Rs. (In words) Fifty Thousand only on account of treated sewerage water for construction purpose. as per terms & conditions overleaf.

[Quantity of Sewage treated water = 10,000 KL @ Rs. 5/- / KL = Rs. 50,000/-

Detail of Deposit

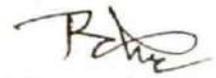
1. D.D. No. - 507330

Date :- 05/11/18

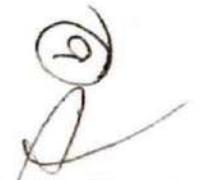
2. Name of Bank - ICICI Bank

3. D.D. Amount - 50,000/-

Above mention D.D. received by me


Divisional Accountant


Customer
9268657963


Authority Signatory
Noida Authority

2524

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(10)

UTILITY *** IAS PVT. L. P. *** 44-4673797. *** 06-0820072. *** 43542737. *** 20119605 *** 08

ICICI Bank
ALL BANKS ONLY

Branch: (31) NOIDA-UTTAR PRADESH
 DD No. 507330

*****NOIDA*****
 ON DEMAND PAY
 FIFTY THOUSAND Only
 ROPEES

VALID FOR THREE MONTHS ONLY
 DATE 05/11/2018
 P M W T F S S

OR ORDER

*****50,000.00

FOR VALUE RECEIVED

Purchaser Name: STARGIFY REAL ESTATES PVT LTD RER
 OL/5/5 Not Above 50,000.00

0330DDCENPAY
 ANAND VTHAR
 Issuing Branch

Authorized Signatory
 Authorized Signatory

⑆ 507330 ⑆ 000229000 ⑆ 000330 ⑆ 15 ⑆

Item No. 02

Court No. 1

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

Original Application No. 593/2017
(arising from W.P. (Civil) No. 375/2012 on the file of the Hon'ble
Supreme Court)

Paryavaran Suraksha Samiti & Anr.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 28.08.2019

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

For Respondent (s): Mr. Shlok Chandra, Advocate for CPCB

ORDER

Issue for consideration- Remedial action against water pollution in absence of ETPs/CETPs/STPs

1. The issue for consideration is establishment and functioning of ETPs/CETPs/STPs to prevent untreated sewage/effluents being discharged in water bodies, including rivers and canals meeting such rivers or otherwise. The magnitude of the problem is well acknowledged. In the year 1962 GoI set up a Committee for prevention of water pollution. The recommendations led to enactment of the Water (Prevention and Control of Pollution) Act, 1974 ("Water Act") in pursuance of Article 252 of the Constitution. The Water Act provides for the constitution of a Central Board and

State Boards/Committees. No polluted matter can be discharged into a stream or well or on land, and no industry, operation or process can be established and no out-let for discharge of sewage used without consent of the State Board. The Water Act provides powers to give directions for closing any such activity as well as for prosecution. Power to give directions implicitly includes recovery of compensation on 'Polluter Pays' principle.

2. In spite of above statutory regime we are faced with serious problem of water pollution. The Hon'ble Supreme Court noted¹ that the water pollution caused serious diseases, including Cholera and Typhoid. Water pollution could not be ignored and adequate measures for prevention and control are necessary. Polluting industries were directed to be shifted on 'Precautionary' principle. It is not necessary to refer to all the judgments of the Hon'ble Supreme Court dealing with the significance of water and need to prevent pollution of water. We may only refer to the observations that everyone has right to have access to drinking water in quantum and equality equal to the basic needs. This is fundamental to life and part of Article 21.²

3. As per CPCB's report 2016³, it has been estimated that 61,948 million liters per day (mld) sewage is generated from the urban areas of which treatment capacity of 23,277 mld is currently

¹ (1988) 1 SCC 471

² APPCB vs. Prof. M.V Nayudu (2001) 2 SCC 62 at para 3, 4, State of Orissa Vs. Government of India (2009) 5 SCC 492, at para 58 "Rivers in India are drying up, groundwater is being rapidly depleted, and canals are polluted. Yamuna in Delhi looks like a black drain. Several perennial rivers like Ganga and Brahmaputra are rapidly becoming seasonal. Rivers are dying or declining, and aquifers are getting overpumped. Industries, hotels, etc. are pumping out groundwater at an alarming rate, causing sharp decline in the groundwater levels."

³ http://www.sulabhenviis.nic.in/Database/STST_wastewater_2090.aspx July 16, updated on December 6, 2016

existent in India. Thereby the deficit in capacity of waste treatment is of 62%. There is no data available with regard to generation of sewage in the rural areas.

4. We may note that discharge of untreated effluents and sewage is the principal cause of water pollution in the country as noted in cases relating to pollution of rivers.⁴ Similarly, in the case of 100 polluted industrial clusters being dealt with by this Tribunal⁵, water pollution is one of the factors polluting the said industrial clusters. As already noted, official data of CPCB is to the effect that 351 river stretches in the Country are polluted. The Tribunal held that remedial action for restoration of the said river stretches is necessary.⁶ In the said order, it was observed:

“As already noted, well known causes of pollution of rivers are dumping of untreated sewage and industrial waste, garbage, plastic waste, e-waste, bio-medical waste, municipal solid waste, diversion of river waters, encroachments of catchment areas and floodplains, over drawl of groundwater, river bank erosion on account of illegal sand mining. In spite of directions to install Effluent Treatment Plants (ETPs), Common Effluent Treatment Plants (CETPs), Sewage Treatment Plants (STPs), and adopting other anti-pollution measures, satisfactory situation has not been achieved. Tough governance is the need of the hour. If pollution does not stop, the industry has to be stopped. If sewage dumping does not stop, local bodies have to be made accountable and their heads are to be prosecuted. Steps have to be taken for awareness and public involvement.”

⁴ O.A No. 673 of 2018 this Tribunal is considering remedial action to rejuvenate 351 polluted river stretches. Therein, other cases of river pollution are mentioned thus “This Tribunal also considered the issue of pollution of river Yamuna, in Manoj Mishra Vs. Union of India, river Ganga in M.C. Mehta Vs. Union of India, river Ramganga which is a tributary of river Ganga in Mahendra Pandey Vs. Union of India & Ors., rivers Sutlej and Beas in the case of Sobha Singh & Ors. Vs. State of Punjab & Ors., river Son in Nityanand Mishra Vs. State of M.P. & Ors., river Ghaggar in Stench Grips Mansa's Sacred Ghaggar River (Suo-Moto Case)”, river Hindon in Doaba Paryavaran Samiti Vs. State of U.P. & Ors., river Kasardi in Arvind Pundalik Mhatre Vs. Ministry of Environment, Forest and Climate Change & Ors., River Ami, Tapti, Rohani and Ramgarh lake in Meera Shukla Vs. Municipal Corporation, Gorakhpur & Ors., rivers Chenab and Tawi in the case of Amresh Singh Vs. Union of India & Ors. and Subarnarekha in Sudarsan Das Vs. State of West Bengal & Ors. and issued directions from time to time”

⁵ O.A No. 1038/2018

⁶ O. A No.673/2018, order dated 08.04.2019

5. All the States and UTs where polluted river stretches exist are required to constitute River Rejuvenation Committees to prepare actions plans for restoration (which are to be reviewed by the highest authority in the States, i.e Chief Secretary) to be monitored by CPCB and thereafter to be further monitored by this Tribunal. Accordingly, the action plans have been prepared which broadly envisage action to prevent discharge of untreated effluent/sewage. The same are being monitored by the CPCB and by this Tribunal and the matter is now listed for hearing on 29.11.2019. In O.A 606/2018 while dealing with the compliance of Solid Waste Management Rules, 2016, this Tribunal vide order dated 16.01.2019 directed personal appearance of all the Chief Secretaries with their monitoring reports on major environment issues including the rejuvenation of polluted river stretches. The Chief Secretaries of all States/UTs have accordingly appeared and furnished their reports which envisages steps for setting up of ETPs/CETPs/STPs to prevent water pollution. The Chief Secretaries have to appear before this Tribunal with further progress reports on the subjects.

6. Further, control of pollution of river Ganga is being monitored by this Tribunal in O. A No. 200/2014 after transfer from the Hon'ble Supreme Court. Therein timelines have been prescribed to the effect that STPs be set up in time bound manner and no a drop of pollution be discharged in the river. The Tribunal observed

"Bioremediation and/or phytoremediation or any other remediation measures may start as an interim measure positively from 01.11.2019, failing which the State may be liable to pay compensation of Rs. 5 Lakhs per month per drain to be deposited with the CPCB. This however, is not to be taken as an excuse to

delay the installation of STPs. For delay of the work, the Chief Secretary must identify the officers responsible and assign specific responsibilities. Wherever there are violations, adverse entries in the ACRs must be made in respect of such identified officers. For delay in setting up of STPs and sewerage network beyond prescribed timelines, State may be liable to pay Rs. 10 Lakhs per month per STP and its network. It will be open to the State to recover the said amount from the erring officers/contractors.

With regard to works under construction, after 01.07.2020, direction for payment of environmental compensation of Rs. 10 lakhs per month to CPCB for discharging untreated sewage in any drain connected to river Ganga or its tributaries and Rs. 10 lakhs per month to CPCB per incomplete STP and its sewerage network will apply. Further with regard to the sectors where STP and sewerage network works have not yet started, the State has to pay an Environmental Compensation of Rs. 10 lakhs per month after 31.12.2020. The NMCG will also be equally liable for its failure to the extent of 50% of the amount to be paid. Till such compliance, bioremediation or any other appropriate interim measure may start from 01.11.2019.”

Background of the present case before this Tribunal

7. The Hon'ble Supreme Court vide order dated 22.02.2017 in Paryavaran Suraksha Samiti Vs. Union of India⁷ transferred the matter for monitoring by this Tribunal in the light of the directions of the Hon'ble Supreme Court requiring establishment and functioning of requisite ETPs/CETPs/STPs and in default to close industrial activities discharging effluents without treatment and to take action against local bodies for failing to install STPs and discharging sewage without treatment. Some of the observations in the judgment of the Hon'ble Supreme Court are:

“ 7. Having effectuated the directions recorded in the foregoing paragraphs, the next step would be, to set up common effluent treatment plants. We are informed, that for the aforesaid purpose, the financial contribution of the Central Government is to the extent of 50%, that of the State Government concerned (including the Union Territory concerned) is 25%. The balance 25%, is to be arranged by way of loans from banks. The above loans, are to be repaid, by the industrial areas, and/or

⁷(2017) 5 SCC 326

industrial clusters. We are also informed that the setting up of a common effluent treatment plant, would ordinarily take approximately two years (in cases where the process has yet to be commenced). The reason for the above prolonged period, for setting up "common effluent treatment plants", according to the learned counsel, is not only financial, but also, the requirement of land acquisition, for the same.

- 
10. Given the responsibility vested in municipalities under Article 243-W of the Constitution, as also, in Item 6 of Schedule XII, wherein the aforesaid obligation, pointedly extends to "public health, sanitation conservancy and solid waste management", we are of the view that the onus to operate the existing common effluent treatment plants, rests on municipalities (and/or local bodies). Given the aforesaid responsibility, the municipalities (and/or local bodies) concerned, cannot be permitted to shy away from discharging this onerous duty. In case there are further financial constraints, the remedy lies in Articles 243-X and 243-Y of the Constitution. It will be open to the municipalities (and/or local bodies) concerned, to evolve norms to recover funds, for the purpose of generating finances to install and run all the "common effluent treatment plants", within the purview of the provisions referred to hereinabove. Needless to mention that such norms as may be evolved for generating financial resources, may include all or any of the commercial, industrial and domestic beneficiaries, of the facility. The process of evolving the above norms, shall be supervised by the State Government (Union Territory) concerned, through the Secretaries, Urban Development and Local Bodies, respectively (depending on the location of the respective common effluent treatment plant). **The norms for generating funds for setting up and/or operating the "common effluent treatment plant" shall be finalised, on or before 31-3-2017, so as to be implemented with effect from the next financial year. In case, such norms are not in place, before the commencement of the next financial year, the State Governments (or the Union Territories) concerned, shall cater to the financial requirements, of running the "common effluent treatment plants", which are presently dysfunctional, from their own financial resources.**
11. Just in the manner suggested hereinabove, for the purpose of setting up of "common effluent treatment plants", the State Governments concerned (including, the Union Territories concerned) will prioritise such cities, towns and villages, which discharge **industrial pollutants and sewer, directly into rivers and water bodies.**

12. We are of the view that in the manner suggested above, **the malady of sewer treatment, should also be dealt with simultaneously.** We, therefore, hereby direct that "sewage treatment plants" shall also be set up and made functional, within the timelines and the format, expressed hereinabove.

13. **We are of the view that mere directions are inconsequential, unless a rigid implementation mechanism is laid down.** We, therefore, hereby provide that the directions pertaining to continuation of industrial activity only when there is in place a functional "primary effluent treatment plants", and the setting up of functional "common effluent treatment plants" within the timelines, expressed above, shall be of the Member Secretaries of the Pollution Control Boards concerned. **The Secretary of the Department of Environment, of the State Government concerned (and the Union Territory concerned), shall be answerable in case of default.** The Secretaries to the Government concerned shall be responsible for monitoring the progress and issuing necessary directions to the Pollution Control Board concerned, as may be required, for the implementation of the above directions. They shall be also responsible for collecting and maintaining records of data, in respect of the directions contained in this order. The said data shall be furnished to the Central Ground Water Authority, which shall evaluate the data and shall furnish the same to the Bench of the jurisdictional National Green Tribunal.

14. To supervise complaints of non-implementation of the instant directions, the Benches concerned of the National Green Tribunal, will maintain running and numbered case files, by dividing the jurisdictional area into units. The abovementioned case files will be listed periodically. **The Pollution Control Board concerned is also hereby directed to initiate such civil or criminal action, as may be permissible in law, against all or any of the defaulters."**

8. Accordingly, on 25.05.2017, notice was issued to the Central Pollution Control Board (CPCB), the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) and the Ministry of Environment, Forest and Climate Change (MoEF&CC). They filed their status reports showing gaps in waste generated and treatment capacity. It was further stated that action had been initiated to remedy the situation. After considering the status

report, the Tribunal, vide orders dated 04.07.2017, 18.09.2017 and 11.10.2017, sought information about the steps taken by the SPCBs/PCCs.

9. Vide order dated 03.08.2018, the matter was reviewed and after noting that in absence of functional ETPs/CETPs/STPs, untreated effluents were being discharged in water bodies leading to contamination of surface and ground water which causes various diseases and also has adverse consequence on aquatic organism due to decreased level of oxygen. The Tribunal directed the CPCB to prepare an action plan. Direction was also given for monitoring by a Committee of two officers – one each representing MoEF&CC and CPCB at least once in every month. CPCB was required to place the progress report every three months on the website and take penal action for failure by way of recovery of compensation for damage to the environment, apart from other steps.
10. Vide order dated 19.02.2019, after considering the status report furnished by the CPCB, based on the reports furnished by the States/UTs, this Tribunal after referring to orders passed in O.A NO. 673/2018 for remedial action in respect of 351 polluted river stretches, which had direct nexus with the steps for ETPs/CETPs/STPs and order passed in O.A No. 606/2018 requiring Chief Secretaries to monitor progress *inter alia* on the subject of control of pollution on the river stretches, directed that the Chief Secretaries may look into the subject of setting up and proper functioning of ETPs/CETPs/STPs in their respective States/UTs. Further direction issued was to prepare a report on

assessment of compensation on account of discharge of untreated sewage and dumping of solid waste, loss to ecological services due to illegal mining, deforestation, after taking inputs from expert bodies. The Tribunal also directed the CPCB to compile its monitoring report with regard to 97 CETPs (assuming the total number of CETPs in the country to be 97) installed in different States. CPCB was also directed to furnish its report in *O.A. No. 95/2018, Aryavart Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors.* which concerned the issue of inadequate functioning CETP leading to water pollution.

Reports filed by the CPCB

11. Accordingly, two reports filed by CPCB, have been put up for consideration today :-

(i) Report dated 30.05.2019, updated on 19.07.2019, giving status of setting up of ETPs/CETPs/STPs and methodology for assessing environment compensation for discharge of pollutants in water bodies.

(ii) Report dated 14.08.2019 with regard to monitoring of CETPs.

12. We proceed to consider the above reports.

I. Report dated 30.05.2019 updated on 19.07.2019

13. According to updated report dated 19.07.2019, out of 62,897 number of industries requiring ETPs, 60,944 industries are operating with functional ETPs and 1949 industries are operating without ETPs. 59,258 industries are complying with environmental standards and 1,524 industries are noncomplying. There are total 192 CETPs, out of which 133 CETPs are complying with

environmental standards and 59 CETPs are non-complying. There are total 13,709 STPs (Municipal and other than municipal), out of which, 13,113 STPs are complying with environmental standards and 637 STPs are non-complying 73 CETPs in construction/proposal stage, whereas, for STPs, 1164 projects (municipal and non-municipal) are under construction/proposal stage.

14. A report has also been prepared on the scale of environmental compensation to be recovered from individual/authorities for causing pollution or failure for preventing causing pollution, apart from illegal extraction of ground water, failure to implement Solid waste Management Rules, damage to environment by mining and steps taken to explore preparation of an annual environmental plan for the country. Extracts from the report which are considered significant for this order are:

"I. Environment Compensation to be levied on Industrial Units

Recommendations

The Committee made following recommendations:

1.5.1 To begin with, Environmental Compensation may be levied by CPCB only when CPCB has issued the directions under the Environment (Protection) Act, 1986. In case of a, band c, Environmental Compensation may be calculated based on the formula "EC= Pl x N x Rx S x LF", wherein, Pl may be taken as 80, 50 and 30 for red, orange and green category of industries, respectively, and R may be taken as 250. Sand LF may be taken as prescribed in the preceding paragraphs

1.5.2 In case of d, e and f, the Environmental Compensation may be levied based on the detailed investigations by Expert Institutions/Organizations.

1.5.3 The Hon'ble Supreme Court in its order dated 22.02.2017 in the matter of Paryavaran Suraksha Samiti and another v/s Union of India and others (Writ Petition (Civil) No. 375 of 2012), directed that all running industrial units which require "consent to operate" from concerned State Pollution Control Board, have a primary effluent

treatment plant in place. Therefore, no industry requiring ETP, shall be allowed to operate without ETP.

1.5.4 EC is not a substitute for taking actions under EP Act, Water Act or Air Act. In fact, units found polluting should be closed/prosecuted as per the Acts and Rules.

II. Environmental Compensation to be levied on all violations of Graded Response Action Plan (GRAP) in NCR.

Table No. 2.1: Environmental Compensation to be levied on all violations of Graded Response Action Plan (GRAP) in Delhi-NCR.

Activity	State Of Air Quality	Environmental Compensation (₹)
Industrial Emissions	Severe +/Emergency	Rs 1.0 Crore
	Severe	Rs 50 Lakh
	Very Poor	Rs 25 Lakh
	Moderate to Poor	Rs 10 Lakh
Vapour Recovery System (VRS) at Outlets of Oil Companies		
i. Not installed	Target Date	Rs 1.0 Crore
ii. Non functional	Very poor to Severe +	Rs 50.0 Lakh
	Moderate to Poor	Rs 25.0 Lakh
Construction sites (Offending plot more than 20,000 Sq.m.)	Severe +/Emergency	Rs 1.0 Crore
	Severe	Rs 50 Lakh
	Very Poor	Rs 25 Lakh
	Moderate to Poor	Rs 10 Lakh
Solid waste/ garbage dumping in Industrial Estates	Very poor to Severe +	Rs 25.0 Lakh
	Moderate to Poor	Rs 10.0 Lakh
Failure to water sprinkling on unpaved roads		
a) Hot-spots	Very poor to Severe +	Rs 25.0 Lakh
b) Other than Hot-spots	Very poor to Severe +	Rs 10.0 Lakh

III. Environmental Compensation to be levied in case of failure of preventing the pollutants being discharged in water bodies and failure to implement waste management rules:

Table No. 3.3: Minimum and Maximum EC to be levied for untreated/partially treated sewage discharge

Class of the City/Town	Mega-City	Million-plus City	Class-I City/Town and others
Minimum and Maximum values of EC (Total Capital Cost Component)	Min. 2000	Min. 1000	Min. 100

recommended by the Committee (Lacs Rs.)	Max. 20000	Max. 10000	Max. 1000
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 2 Max. 20	Min. 1 Max. 10	Min. 0.5 Max. 5

Table No. 3.4: Minimum and Maximum EC to be levied for improper municipal solid waste management

Class of the City/Town	Mega-City	Million-plus City	Class-I City/Town and others
Minimum and Maximum values of EC (Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 1000 Max. 10000	Min. 500 Max. 5000	Min. 100 Max. 1000
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 1.0 Max. 10.0	Min. 0.5 Max. 5.0	Min. 0.1 Max. 1.0

3.3 Environment Compensation for Discharge of Untreated/Partially Treated Sewage by Concerned Individual/ Authority:

BIS 15-1172:1993 suggests that for communities with population above 100,000, minimum of 150 to 200 lpcd of water demand is to be supplied. Further, 85% of return rate (CPHEEO Manual on Sewerage and Sewage Treatment Systems, 2013), may be considered for calculation of total sewage generation in a city. CPCB Report on "Performance evaluation of sewage treatment plants under NRCD, 2013", describes that the capital cost for 1 MLD STP ranges from 0.63 Cr. to 3 Cr. and O&M cost is around Rs. 30,000 per month. After detail deliberations, the Committee suggested to assume capital cost for STPs as Rs. 1.75 Cr./MLD (marginal average cost). Further, expected cost for conveyance system is assumed as Rs. 5.55 Cr./MLD (marginal average cost) and annual O&M cost as 10% of the combined capital cost. Population of the city may be taken as per the latest Census of India. Based on these assumptions, Environmental Compensation to be levied on concerned ULB may be calculated with the following formula:

$$\text{EC} = \text{Capital Cost Factor} \times [\text{Marginal Average Capital Cost for Treatment Facility} \times (\text{Total$$

Generation-Installed Capacity) + Marginal Average Capital Cost for Conveyance Facility x (Total Generation -Operational Capacity)]+ O&M Cost Factor x Marginal Average O&M Cost x (Total Generation- Operational Capacity) x No. of Days for which facility was not available + Environmental Externality x No. of Days for which facility was not available

Alternatively;

EC (Lacs Rs.)= [17.S/(Total Sewage Generation - Installed Treatment Capacity)+ 55.S/(Total Sewage Generation-Operational Capacity)] + 0.2(Sewage Generation-Operational Capacity) x N + Marginal Cost of Environmental Externality x (Total Sewage Generation-Operational Capacity) X N

Where; N= Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority

Quantity of Sewage is in MLD

Table No. 3.5: Sample calculation for EC to be levied for discharge of untreated/partial treated Sewage

City	Delhi	Agra	Gurugram	Ambala
Population (2011)	1,63,49,831	17,60,285	8,76,969	5,00,774
Class	Mega-City	Million-plus City	Class-I Town	Class-I Town
Sewage Generation (MLD) (as per the latest data available with CPCB)	4195	381	486	37
Installed Treatment Capacity (MLD) (as per the latest data available with CPCB)	2500	220	404	45.5
Operational Capacity (MLD) (as per the latest data available with CPCB)	1900	140	300	24.5
Treatment Capacity Gap (MID)	2295	241	186	12.5
Calculated EC (capital cost component for STPs) in Lacs Rs.	29662.50	2817.50	1435.00	0.00

Calculated EC (capital cost component for Conveyance System) in Lacs. Rs.	127372.50	13375.50	10323.00	693.75
Calculated EC (Total capital cost component) in Lacs Rs.	157035.00	16193.00	11758.00	693.75
Minimum and Maximum values of EC (Total Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 2000 Max. 20000	Min. 1000 Max. 10000	Min. 100 Max. 1000	Min. 100 Max. 1000
Final EC (Total Capital Cost Component) in Lacs Rs.	20000.00	10000.00	1000.00	693.75
Calculated EC (O&M Component in Lacs Rs./day	459.00	48.20	37.20	2.50
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 2 Max. 20	Min. 1 Max. 10	Min. 0.5 Max. 5	Min. 0.5 Max. 5
Final EC (O&M Component) in Lacs. Rs./Day	20.00	10.00	5.00	2.50
Calculated Environmental Externality (Lacs Rs .Per Day)	2.0655	0.2049	0.1395	0.0094
Minimum and Maximum value of Environmental Externality recommended by the Committee (Lacs Rs. Per Day)	Min. 0.60 Max. 0.80	Min. 0.25 Max. 0.35	Min. 0.05 Max. 0.10	Min. 0.05 Max. 0.10
Final Environmental Externality (Lacs Rs. Per day)	0.80	0.25	0.10	0.05

3.4 Environment Compensation to be Levied on Concerned Individual/Authority for Improper Solid Waste Management:

Environmental Compensation to be levied on concerned ULB may be calculated with the following formula:

$$\text{EC} = \text{Capital Cost Factor} \times \text{Marginal Average Cost for Waste Management} \times (\text{Per day waste generation-Per}$$

day waste disposed as per the Rules) + O&M Cost Factor x Marginal Average O&M Cost x (Per day waste generation-Per day waste disposed as per the Rules) x Number of days violation took place + Environmental Externality x N

Where;

Waste Quantity in tons per day (TPD)

N= Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority

Simplifying;

EC (Lacs Rs.) = 2.4(Waste Generation - Waste Disposed as per the Rules) +0.02 (Waste Generation Waste Disposed as per the Rules) x N + Marginal Cost of Environmental Externality x (Waste Generation - Waste Disposed as per the Rules) x N

Table No. 3.6: Sample calculation for EC to be levied for improper management of Municipal Solid Waste

City	Delhi	Agra	Gurugram	Ambala
Population (2011)	1,63,49,831	17,60,285	8,76,969	5,00,774
Class	Mega-City	Million-plus City	Class-I Town	Class-I Town
Waste Generation (kg. per person per day)	0.6	0.5	0.4	0.4
Waste Generation (TPD)	9809.90	880.14	350.79	200.31
Waste Disposal as per Rules (TPD) (assumed as 25% of waste generation for sample calculation)	2452.47	220.04	87.70	50.08
Waste Management Capacity Gap (TPD)	7357.42	660.11	263.09	150.23
Calculated EC (capital cost component) in Lacs. Rs.	17657.82	1584.26	631.42	360.56
Minimum and Maximum values of EC (Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 1000 Max. 10000	Min. 500 Max. 5000	Min. 100 Max. 1000	Min. 100 Max. 1000

Final EC (capital cost component) in Lacs. Rs.	10000.00	1584.26	631.42	360.56
Calculated EC (O&M Component) in Lacs. Rs./Day	147.15	13.20	5.26	3.00
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./Day)	Min. 1.0 Max. 10.0	Min. 0.5 Max. 5.0	Min. 0.1 Max. 1.0	Min. 0.1 Max. 1.0
Final EC (O&M Component) in Lacs. Rs./Day	10.00	5.00	1.00	1.00
Calculated Environmental Externality (Lacs Rs. Per Day)	2.58	0.18	0.03	0.02
Minimum and Maximum value of Environmental Externality recommended by the Committee (Lacs Rs. per day)	Max. 0.80	Min. 0.25 Max. 0.35	Min. 0.01 Max. 0.05	Min. 0.01 Max. 0.05
Final Environmental Externality (Lacs Rs. per day)	0.80	0.25	0.03	0.02

Compensation in Case of Illegal Extraction of Ground Water

4.5 Formula for Environmental Compensation for illegal extraction of ground water

The committee decided that the formula should be based on water consumption (Pump Yield & Time duration) and rates for imposing Environmental Compensation for violation of illegal abstraction of ground water. The committee has proposed following formula for calculation of Environmental Compensation (EC_{Gw}):

$$EC_{Gw} = \text{Water Consumption per Day} \times \text{No. of Days} \times \text{Environmental Compensation Rate for illegal extraction of ground water (ECR}_{Gw})$$

Where water Consumption is in m^3/day and ECR_{Gw} in $Rs./m^3$

Yield of the pump varies based on the capacity/power of pump, water head etc. For reference purpose, yield of the pump may be assumed as given in **Annexure-VI**.

Time duration will be the period from which pump is operated illegally.

In case of illegal extraction of ground water, quantity of discharge as per the meter reading or as calculated with assumptions of yield and time may be used for calculation of EC_{Gw} .

4.6 Environmental Compensation Rate (ECR_{Gw}) for illegal use of Ground Water:

The committee decided that the Environmental Compensation Rate (ECR_{Gw}) for illegal extraction of ground water should increase with increase in water consumption as well as water scarcity in the area. Further, ECR_{Gw} are kept relaxed for drinking and domestic use as compared to other uses, considering the basic need of human being.

As per CGWB, safe, semi-critical, critical and over-exploited areas are categorized from the ground water resources point of view (CGWB, 2017). List of safe, semi-critical, critical and over-exploited areas are available on the website of CGWB and can be accessed from- <http://cgwa-noc.gov.in/LandingPage/NotifiedAreas/CategorizationOfAssessmentUnits.pdf#ZOOM=150>.

Environmental Compensation Rates (ECR_{Gw}) for illegal use of ground water (ECR_{Gw}) for various purposes such as drinking/domestic use, packaging units, mining and industrial sectors as finalized by the committee are given in tables below:

4.6.1 ECR_{Gw} for Drinking and Domestic use:

Drinking and Domestic use means uses of ground water in households, institutional activity, hospitals, commercial complexes, townships etc.

Sl. No.	Area Category	Water Consumption (m^3/day)			
		<2	2 to <5	5 to <25	25 & above
		Environmental Compensation Rate (ECR_{Gw}) in Rs./ m^3			
1	Safe	4	6	8	10
2	Semi Critical	12	14	16	20
3	Critical	22	24	26	30
4	Over-Exploited	32	34	36	40
Minimum EC_{Gw} =Rs 10,000/- (for households) and Rs. 50,000 (for institutional activity, commercial complexes, townships etc.)					

4.6.2 ECR_{Gw} for Packaged drinking water units:

Sl. No.	Area Category	Water Consumption (m^3/day)			
		<200	200 to <1000	1000 to <5000	5000 &
		Environmental Compensation Rate (ECR_{Gw}) in Rs./ m^3			
1	Safe	12	18	24	30
2	Semi critical	24	36	48	60
3	Critical	36	48	66	90
4	Over-exploited	48	72	96	120

Minimum EC_{Gw} =Rs 1,00,000/-

4.6.3 ECR_{Gw} for Mining, Infrastructure and Dewatering Projects

SI. No	Area Category	Water Consumption (m^3/day)			
		<200	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR_{Gw}) in Rs./ m^3			
1	Safe	15	21	30	40
2	Semi critical	30	45	60	75
3	Critical	45	60	85	115
4	Over-exploited	60	90	120	150

Minimum EC_{Gw} =Rs 1,00,000/-

4.6.4 ECR_{Gw} for Industrial Units:

SI. No.	Area Category	Water Consumption (m^3/day)			
		<200	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR_{Gw}) in			
1	Safe	20	30	40	50
2	Semi critical	40	60	80	100
3	Critical	60	80	110	150
4	Over-exploited	80	120	160	200

Minimum EC_{Gw} = Rs 1,00,000/-

4.8 Recommendations

The committee has given following recommendations:

- The minimum Environmental Compensation for illegal extraction of ground water for domestic purpose will be Rs. 10,000, for institutional/commercial use will be 50,000 and for other uses will be 1,00,000.
- In case of fixation of liability, it always lies with current owner of the premises where illegal extraction is taking place.
- Time duration may be assumed to be one year in case where no evidence for period of installation of bore well could be established.
- For Drinking and Domestic use, where metering is not present but storage tank facility is available, minimum water consumption per day may be assumed as similar to the storage capacity of the tank.
- For industrial ground water use, where metering is not available, water consumption may be assumed as per the consent conditions. Further, where in case industry is operating without consent, water consumption may be calculated based on the plant capacity (on the

recommendation of SPCB/PCC, if required). SPCB/PCC may bring the issue of illegal extraction of ground water in industries in to the notice of CGWA for appropriate action by CGWA.

- Authorities assigned for levy EC and taking penal action are listed below:

S. No.	Actions	Authority
1.	To seal the illegal bore-well/tube-well to stop extraction of water and further closure of project	District Collector
2.	To levy EC _{GW} as per prescribed method	District Collector,
3.	To levy EC on water pollution, as per the method prescribed in report of CPCB- "EC on industrial pollution"	CPCB/SPCB/PCC
4.	Prosecution of violator	CGWA under EP Act SPCB/PCC under Air and Water Act

- CGWA may maintain a separate account for collection and utilization of fund, collected through the prescribed methodology in this report."

Discussion on the report dated 30.05.2019 updated on 19.07.2019

15. It is clear from the order of the Hon'ble Supreme Court⁸ that the responsibility of operating STPs under Article 243W and item 6 of Schedule XII to the Constitution is of local bodies who have to evolve norms to recover funds for the purpose which is to be supervised by the States/UTs. The norms were to be finalized upto 31.03.2017 to be implemented from the next year, i.e 01.04.2018. In absence thereof, the States/UTs have to cater to the financial requirement from its own resources. The States/UTs are to prioritize the cities, towns, villages discharging effluents/sewage directly into the water bodies. Industrial activity without proper treatment plants (ETPs and CETPs) is not to be allowed by the State PCBs and the Secretaries, Environment of the States/UTs are

⁸ Para 10-13 in *Paryavaran Suraksha Samiti Vs. Union of India, Supra*

to be answerable. Thus, the source for financial resources for the STPs, stands finalized under the binding judgment of the Hon'ble Supreme Court. Authorities and persons accountable are identified. Rigid implementation has been laid down. This Tribunal has been required to monitor compliance of the directions and timelines.

16. It is in this background that the present report needs to be appraised and further directions given. As regards the Environmental compensation regime fixed for industrial units, GRAP, solid waste, sewage and ground water is accepted as an interim measure. With regard to setting up of STPs, while we appreciate the extensive work of the CPCB based on information furnished by States/UTs, the challenge remains about verification of the said data on the one hand and analysis of the steps taken and required on the other. There is already a database available with the CPCB with regard to ETPs, CETPs, STPs, MSW facilities, Legacy Waste sites. This needs to be collated and river basinwise macro picture needs to be prepared by the CPCB in terms of need for interventions, existing infrastructure and gaps therein. The States have given timelines which need to be effectively monitored both by the CPCB and the Chief Secretaries in terms of its execution.
17. As already noted, prevention of pollution of water is directly linked to access to potable water as well as food safety. Restoration of pristine glory of rivers is also of cultural and ecological significance. This necessitates effective steps to ensure that no pollution is

discharged in water bodies. Doing so is a criminal offence under the Water Act and is harmful to the environment and public health. 'Precautionary' principle of environmental law is to be enforced. Thus, the mandate of law is that there must be 100% treatment of sewage as well as trade effluents. This Tribunal has already directed in the case of river Ganga that timelines laid down therein be adhered to for setting up of STPs and till then, interim measures be taken for treatment of sewage. There is no reason why this direction be not followed, so as to control pollution of all the river stretches in the country. The issue of ETPs/CETPs is being dealt with by an appropriate action against polluting industries. Setting up of STPs and MSW facilities is the responsibility of Local Bodies and in case of their default, of the States. Their failure on the subject has to be adequately monitored. Recovery of compensation on 'Polluter Pays' principle is a part of enforcement strategy but not a substitute for compliance. It is thus necessary to issue directions to all the States/UTs to enforce the compensation regime, latest with effect from 01.04.2020. We may not be taken to be condoning any past violations. The States/UTs have to enforce recovery of compensation from 01.04.2020 from the defaulting local bodies. On failure of the States/UTs, the States/UTs themselves have to pay the requisite amount of compensation to be deposited with the CPCB for restoration of environment. The Chief Secretaries of all the States may furnish their respective compliance reports as per directions already issued in O.A. No. 606/2018.

II. Report dated 14.08.2019 with regard to monitoring of CETPs

18. The Committee inspected 127 CETPs in 14 States. Figure of CETP assumed to be 97 was not correct. 66 CETPs were found to be non-compliant. CPCB directed SPCBs to take following steps:

- “1. SPCBs shall direct non-complying CETPs to take immediate corrective actions to comply with the environmental standards.
2. CETP should be directed to take action as per the recommendations provided at Annexure A-N within a time frame.
3. In case of non-complying CETPs, action as deemed fit including levying of environmental compensation may be taken.
4. In case, OCEMS are not connected with CPCB & SPCB servers, ensure a robust system of physical inspections to verify compliance by drawing samples.”

Discussion on the report dated 14.08.2019

19. We accept the recommendation of the CPCB and direct the Chief Secretaries, State Governments, Union Territories and the SPCBs/PCCs to take further action accordingly and furnish an action taken report accordingly. The CPCB to meanwhile compile and collate information with regard to ETPs, CETPs, STPs, MSW Facilities, Legacy Waste dump sites and complete the pending task on the subject before the next date and furnish a report.
20. The environmental compensation regime for CETP not meeting the prescribed norms need to be evolved by the CPCB.

Directions

21. We may now sum up our directions:
- (i) The Environmental compensation regime fixed for industrial units, GRAP, solid waste, sewage and ground water in the report dated 30.05.2019 is accepted and the same may be acted upon as an interim measure.

- (ii) SPCBs/PCCs may ensure remedial action against non-compliant CETPs or individual industries in terms of not having ETPs/fully compliant ETPs or operating without consent or in violation of consent conditions. This may be overseen by the CPCB. CPCB may continue to compile information on this subject and furnish quarterly reports to this Tribunal which may also be uploaded on its website.
- (iii) All the Local Bodies and or the concerned departments of the State Government have to ensure 100% treatment of the generated sewage and in default to pay compensation which is to be recovered by the States/UTs, with effect from 01.04.2020. In default of such collection, the States/UTs are liable to pay such compensation. The CPCB is to collect the same and utilize for restoration of the environment.
- (iv) The CPCB needs to collate the available data base with regard to ETPs, CETPs, STPs, MSW facilities, Legacy Waste sites and prepare a river basinwise macro picture in terms of gaps and needed interventions.
- (v) The Chief Secretaries of all the States/UTs may furnish their respective compliance reports on this subject also in O.A. No. 606/2018.

List for further consideration on 21.05.2020, unless required earlier. A copy of this order be placed on the file of O.A. No. 606/2018 relating to all States/UTs and be sent to Chief Secretaries of all States/UTs, Secretary MoEF&CC, Secretary Jal Shakti and Secretary, MoHUA.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

August 28, 2019
Original Application No. 593/2017
(W.P.(Civil) No. 375/2012)
DV



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SERVICE OF REPLY IN ORIGINAL APPLICATION NO. 392 OF 2022 ON BEHALF OF RESPONDENT NO. 10

1 message

Ankit Parashar <a.parashar@albalawoffices.com>

Tue, 16 Apr 2024 at 12:18

To: ruchinmehra@gmail.com

Cc: Zeeshan Hashmi <hashmialba@gmail.com>, Kashif Zafar <k.zafar@albalawoffices.com>

 reply prason pant.pdf

Dear Sir,

We are the counsel for the Respondent No. 10 i.e. Ace Group in the cationed Original Application No. 392/2022.

Please find attached the reply by way of advance service upon your goodself.

The delivery of the present email will be considered as the Reply is duly served upon the Applicants.

—
Thanks and regards,

Ankit Parashar

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