

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 438 of 2018**

IN THE MATTER OF

Arti .. Applicant

Vs

Central Ground Water Authority
& Others
Respondents

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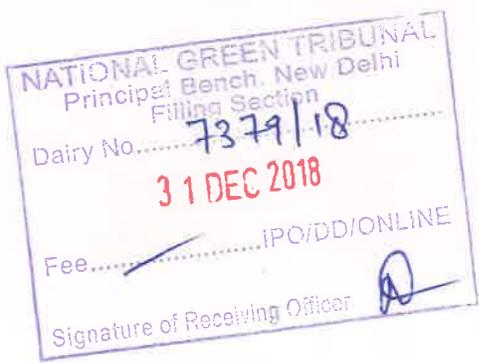
(I.K. Kapila)

Ph-9582063272,

mail; kapilaik@yahoo.co.in

Advocate for Applicant

English ver



**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 438 of 2018**

IN THE MATTER OF

Arti .. Applicant

Vs

Central Ground Water Authority
& Others .Respondents

**STATUS REPORT OF RESPONDENT NO 3, U P JAL
NIGAM REGARDING PIPIED WATER SUPPLY IN
AREA OF GHAZIABAD LISTED IN THE OA.**

MOST RESPECTFULLY SHOWETH:-

I, G.S. Srivastava, Chief Engineer (Gzb-Zone), U P Jal Nigam, Ghaziabad do hereby solemnly affirm on oath and state as under

1. That upon hearing the above matter on 31 July 2018, this Hon'ble Tribunal to dispose off the said OA after passing the following order/ directions :

“.....

We had asked the Central Ground Water Authority and Jal Nigam to furnish a factual report. Ld Counsel for Central Ground Water Authority states that except one no other hotel has permission for drawl of ground water. He however undertakes that Central Ground Water Authority will go in to factual aspects and take such action as may be necessary.

In view of the above undertaking, this petition is disposed off. let the needful be done at the earliest and the report be filed before Tribunal on or before 31 Dec 2018

Put up said report for consideration in Jan 2019.”

2. That in compliance of the above order of Hon'ble Tribunal the Status report of piped water supply in the Ghaziabad area where 122 Nos. hotels are located as per said OA, is as follows :

3. That piped water supply to said area in Ghaziabad including Indrapuram, Vaishali, Vasundhara and Siddhartha Vihar area is made by Ghaziabad Development Authority, Ghaziabad Municipal Corporation and U.P Avas Evam Vikas Parishad who grant water connections to the applicant residential and other units. However, 121 mld out of 365 mld (120 mld & 245 mld) drinking water produced after treatment of raw water at Pratap Vihar & Siddharth Vihar water treatment plant is being supplied to Ghaziabad Development Authority (53.31 mld), Ghaziabad Municipal Corporation (55.44 mld for colonies handed over by GDA and UP Avas Vikas Parishad) and U.P. Avas Vikas Parishad (12.25 mld) by

UP Jal Nigam for distribution through their water supply distribution network at Ghaziabad.

4. That the entire project for carrying 365 mld (120 mld & 245 mld) raw water from Dasna and its treatment respectively at 120 mld water treatment plant at Pratap Vihar and 245 mld water treatment plant at Siddharth Vihar is executed. U.P. Jal Nigam is maintaining 120 mld water treatment plant at Pratap Vihar on behalf of Noida, Ghaziabad Development Authority and Ghaziabad Municipal Corporation who are funding the maintenance of 120 mld water treatment plant Project in ratio of 40:13.8:46.2.

5. U.P. Jal Nigam is also maintaining 245 mld water treatment plant at Siddharth Vihar on behalf of Noida, Ghaziabad Development Authority and UP Awas Evam Vikas Parishad who are funding the maintenance of 245 mld water treatment plant Project in ratio of 80:15:5.

6. That 365 mld (120 mld and 245 mld) drinking water, meeting notified drinking water standards is being supplied by UP Jal Nigam respectively to Noida, Ghaziabad Development Authority, U.P. Awas Evam Vikas Parishad and Ghaziabad Nagar Nigam (for colonies handed over by GDA and Awas & Vikas

Parishad) in ratio of their funding for the project for onward distribution in Ghaziabad and NOIDA. A copy of the test report reflecting that water distributed from the treatment plant meets drinking water standards is enclosed herewith as Annexure -1. UP Jal Nigam is not supplying any water independently or through ground water source in Ghaziabad.

7. That at per the information made available by Ghaziabad Nagar Nigam, 43 out of 122 Hotels listed in the OA are being supplied drinking water through piped water supply by the Nagar Nigam. A copy of information received from the Nagar Nigam is enclosed herewith as Annexure-2. As per information collected from Ghaziabad Development Authority through personal visit by the official of UP Jal Nigam only 6 Nos. of hotels mentioned in the list of hotels in the OA are being supplied piped water supply by GDA. A Copy of letter to GDA and list of these hotels being supplied water by GDA is enclosed herewith as Annexure-3 colly. It is pertinent to mention here that GDA and Ghaziabad Nagar Nigam augment water supply through their own source also.

PRAYER

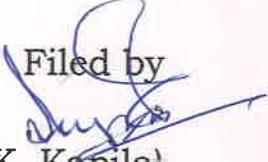
In view of the above mentioned, this Hon'ble Tribunal may kindly be pleased to:

- (i) Kindly take the status report on record
- (ii) Pass any other order as deemed fit in the facts & circumstances of the case.


Respondent No 3

(Chief Engineer (Gzb -Zone)
UP Jal Nigam
Ghazibad)

Filed by


(I.K. Kapila)

Ph:9582063272,

Mail: kapilaik@yahoo.co.in

Advocate for

Applicant

**BEFORE THE NATIONAL GREEN TRIBUNAL
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IN THE MATTER OF

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AFFIDAVIT

I, G.S. Srivastava Chief Engineer (Gzb-Zone), UP Jal Nigam, Ghaziabad at present at New Delhi, do hereby solemnly affirm and declare as under: -

1. That I am presently working as Chief Engineer (Gzb-Zone), UP Jal Nigam, Ghaziabad.
2. That I am fully conversant with case and hence competent to swear to this affidavit.
3. That I have read the accompanying report and have understood the contents thereof. The facts stated there in are true and correct to the best of my knowledge and nothing has been concealed there from.
4. That the Annexure is true copy of the originals.


DEPONENT

VERIFICATION:

Verified at New Delhi on this 31st day of Dec 2018, I the above named deponent, do hereby verify that the contents of the above affidavit are true and no part of it is false nothing is concealed.

*verified
Signature
Date*

I identify the Executant/Deponent who has signed in my presence.

Identified that the executant
Shri G.S. Srivastava
R/o. Chief E.G.Z. Zone U.P.
identified by Shri J.K. Kapil
solemnly affirmed before me at New Delhi
that the contents of the affidavit which has been
read over & explained to him are true & correct


DEPONENT

Orth Commissioner New Delhi
31.12.18



FINAL OUTLET - Drinking Water (245 MLD WTP Siddharth Vihar Ghaziabad, U.P.)

Date	pH	Turbidity (NTU)	Total Hardness (mg/ltr.)	Calcium (mg/ltr)	Magnesium (mg/ltr)	Chloride (mg/ltr)	TDS (mg/ltr)	Residual Free Chlorine (mg/ltr)	Distribution Point Chhijarasi		Distribution Point Indirapuram		Tested By	Seen By
									RFC	Turbidity	RFC	Turbidity		
15.12.18	7.66	0.54	76	19	7	10	115	0.10	0.10	0.48	0.10	0.49	Ahmm	
16.12.18	7.61	0.39	78	19	7.5	12	116	0.20	0.20	0.38	0.20	0.41	Ahmm	
17.12.18	7.63	0.43	78	21	6	15	119	0.20	0.20	0.39	0.20	0.36	Ahmm	
18.12.18	7.67	0.63	76	18.5	7.3	10	114	0.20	0.2	0.61	0.2	0.59	Ahmm	AS
19.12.18	7.51	0.46	74	18	7	12	113	0.25	0.20	0.38	0.20	0.36	Ahmm	
20.12.18	7.57	0.53	78	20	6.7	12	116	0.2	0.2	0.46	0.20	0.49	Ahmm	
21.12.18	7.51	0.59	78	19	7.5	12	116	0.15	0.15	0.45	-	-	Ahmm	

AS

Annexure-1

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FINAL OUTLET - Drinking Water (120 MLD WTP Paratap Vihar Ghaziabad, U.P.)

Date	pH	Turbidity (NTU)	Total Hardness (mg/ltr.)	Calcium (mg/ltr)	Magnesium (mg/ltr)	Chloride (mg/ltr)	TDS (mg/ltr)	Residual Free Chlorine (mg/ltr)	Distribution Point Manoj Vihar		Distribution Point Noida		Tested By	Seen By
									RFC	Turbidity	RFC	Turbidity		
20.12.18	7.72	0.8	76	22	5.1	9	114	0.3	0.2	0.8	0.2	0.8	HISZ	
21.12.18	7.70	0.9	78	20.8	6.3	10	118	0.2	0.2	0.7	0.15	0.8	HISZ	
22.12.18	7.72	0.6	78	21.6	5.8	11	117	0.3	0.2	0.5	0.2	0.6	HISZ	
23.12.18	7.71	0.9	76	21.6	5.3	11	115	0.3	0.2	0.8	0.2	0.7	HISZ	
24.12.18	7.70	0.5	76	21.2	5.5	10	114	0.3	0.2	0.5	0.2	0.6	HISZ	
25.12.18	7.73	0.9	78	20.8	6.3	9	113	0.3	0.2	0.6	0.2	0.7	HISZ	
26.12.18	7.72	0.9	76	20.8	5.8	8	110	0.3	0.2	0.8	0.2	0.9	HISZ	

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कार्यालय अधिशासी अभियन्ता(जल), गाजियाबाद नगर निगम

पत्रांक- 454 /जलकल/2018-19

दिनांक 29.12.018

सेवा में,

क्षेत्रीय अधिकारी
उ०प्र० पोल्यूशन कंट्रोल बोर्ड,
वसुन्धरा, गाजियाबाद।

महोदय,

मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ०ए० संख्या-438/2018 आरती बनाम सी०जी०डब्ल्यू०ए० एवं अन्य में उपलब्ध करायी गयी होटलों की सूची के क्रम संख्या-05 से लेकर 126 में निम्नलिखित होटलों में नगर निगम, गाजियाबाद द्वारा जलापूर्ति की जा रही है:-

S.No.	सूची के अनुसार क्रम संख्या	Hotel Name	Address	टिप्पणी
1	5	Radisson Blu Kaushambi	H-3 Sector 14 Kaushambi Near Dabur india office, Ghaziabad	
2	7	Mahagun Sarovar Portico Suites-A Sarovar hotel	VC3 Sector 3 Mahagun metro Mall, Vaishali, Ghaziabad	
3	8	Gloden Tullip Vasundhra Hotel and suites	C-5 Sector 13 Vasundhra Near Vaishali metro station ghaziabad	
4	9	Clarks INN	37/1 Pacific bussiness park site IV, Sahibabad ind. Area, Ghaziabad	
5	10	Fortune INN Grazia Ghaziabad	Plot no 1 Sanjay Nagar Distt Centre Sector 23 Ghaziabad	फाव्वून द्वारा पेयजल हेतु नगर निगम में 06 माह पूर्व शुल्क जमा किया जा चुका है। पेयजलापूर्ति हेतु साईन बिजने का कार्य नगर निगम द्वारा किया जाना प्रस्तावित है।
6	13	Anand Retreat	KA 74 Near Kaushambi metro station Ghaziabad	
7	14	Rousha IN	D-81 Kaushambi Near metro station Kaushambi Ghaziabad	
8	15	Crystal Palace Hotel	Plot no. 2163 Sector 16 Vasundhra Ghaziabad	
9	18	Hotel Samrat Kaushambi	D-24 Kaushambi Ghaziabad	
10	20	OYO 12764 Grand INN	4/353 Behind Rawal Pindi Jewellers, Main market sector 4 Vaishali Ghaziabad	
11	21	Hotel 12807 Amaira Hotel and Banquets	1, Plot no. 1 villlage Praladhgarhi, Vasundhra, Ghaziabad	
12	25	AT Residency	D-75 Kaushambi opp. Pacific Mall Near Anand Vihar metro station Ghaziabad	
13	27	OYO Townhouse 012 Kaushambi Metro Ghaziabad	Plot no. D-75 Kaushambi Ghaziabad	
14	28	OYO Flagship 046 Vaishali Max Hospital	Plot No. 1-3, 4 Vaishali sector 1 Ghaziabad	
15	29	Hotel Abhay Palace	Plot no. 4 sector 1 Vaishali Near Pushpanjali Crosslay Hosp. Ghaziabad	
16	31	OYO 13576 Hotel Residency	7171 Gupta Colony GT road Near Ramte Ram road Ghaziabad	
17	36	OYO 1299 Hoel Mukut Regency	CC 1, Sector 13 Vasundhra Ghaziabad	
18	41	OYO 12833 Century Grand	6 Wazirabad road Near Bhopura Chowk Petrol Pump Sahibabad, Ghaziabad	

(Handwritten signature)

19	42	OYO 1391 Hotel Pushpa Vilas	Plot no. 584 Near Pushpanjali Crosslay Hospital sector 1 Vaishali Ghaziabad
20	47	Sri Sri Residency	D-9, Kaushambi Ghaziabad
21	54	Hotel Minar	12/13 Chhoti Bazaria Railway road Ghaziabad
22	58	Hotel Sunshine Park	D-1 Chander Nagar Opp. Vivek vihar Sahibabad, Ghaziabad
23	61	Hotel Imperial	171 Railway road opp. Police Chowk, Bazaria, Ghaziabad
24	62	Rajpath Residency	D-31 Kaushambi EDM Mall Road opp. Anand vihar railway station, Ghaziabad
25	63	Hotel Parth Paradise	B-18 Surya Nagar Opp. Vivek Vihar Delhi NCR, Ghaziabad
26	67	Hotel Blue Stone	Plot No. 5 sector 14, Near Seemant Vihar Kaushambi Ghaziabad
27	69	Hotel Royal Palace	110 East Model town Gandhi Nagar, Main sher singh palace, Ghaziabad
28	70	Hotel Tushar Elegant	KM 35, Kavinagar Ghaziabad
29	74	Hotel Shubham	City 20, Railway Road, Bazaria, Ghaziabad
30	76	Hotel R.K. Residency	Plot No. 2159 Vasundhra sector 16 Opp. Awas vikas complex, Ghaziabad
31	77	Hotel Heaven	Near Truck Union GT Road Ghaziabad
32	84	Lemon Tree Hotel, East Delhi Mall Kaushambi	Plot no. 1 Kaushambi, Ghaziabad
33	87	OYO 8349 Hotel Crown Palace	Plot No. 1358-5 Vasundhra sector 5 Ghaziabad
34	92	OYO 12779 5seas Hotel and Banquet	1363, sector 5 Vasundhra Ghaziabad
35	96	Clarks INN Suites	37/1 Pacific Business Park Site IV, Sahinabad Ind. Area, Ghaziabad
36	97	Golden Tullip Vasundhra Delhi NCR, Hotel & Suites	C-5 Sector 18 Vasundhra Ghaziabad
37	99	Ace Manor Hotel	28/1/5-6 Sahibabad Ind. Area site IV, Ghaziabad
38	100	Country INN and Suites by Radisson Sahibabad	64/6, Site IV, Sahibabad Ind. Area, Ghaziabad
39	106	Haritage INN Ghaziabad	B-52 Rampuri Near Surya Nagar Near B Block Rampuri Park Ghaziabad
40	110	OYO 13551 Kohinoor Hawalli	22 Vasundhra Sector 3 Ghaziabad
41	112	Black Stone Hotel	Plot no. 378 Main Link Road Vasundhra Sector 16 Opp. Reliance Euro Park, Ghaziabad
42	116	Buddha Residency	5/67 Sector 2 Rajendra Nagar, Near Buddha Park, Ghaziabad
43	123	Hotel Metro I	A 40 Block A, Lohia Nagar, Ghaziabad

अतः आख्या सेवा में सादर सूचनार्थ प्रेषित।

अधिसासी अभियन्ता(जल)
नगर निगम गाजियाबाद

पत्रांक व दिनांक तदैव

प्रतिलिपि:-

- 1- नगर आयुक्त महोदय की सेवा में सादर सूचनार्थ प्रेषित।
- 2- अपर नगर आयुक्त महोदय की सेवा में सादर सूचनार्थ प्रेषित।
- 3- महाप्रबन्धक(जल) महोदय की सेवा में सादर सूचनार्थ प्रेषित।
- 4- पत्रावली।

अधिसासी अभियन्ता(जल)

Annexure -3**LIST OF HOTELS IN THE OA ARE BEING SUPPLIED PIPED WATER
SUPPLY BY GHAZIABAD DEVELOPMENT AUTHORITY.**

Sl. No.	Sl. No. as per list of Hotels in the OA	Hotel Name & Address
1.	24	OYO 9385 Indirapuram Bulding No. 662, Shakti Khand 3, Ghaziabad-201010
2.	30	OYO 421 One Hotel 653/1, Shakti Khand, 3rd, Nehar Road, Ghaziabad-201010
3.	53	Le Crescent Plot no.-14a, Mall Road, Near DPS School, Old Building, Ahinsa Khand-2, Indirapuram, OPOSIT CLOUD 9, Ghaziabad.
4.	104	Royal Park Hotels & Resorts Shakti Khand-II/209, Indirapuram, Ghaziabad-201010
5.	109	Comfortable Homestay House no.-81, Gyan Khand-1, Indrapuram, Ghaziabad-201014
6.	117	Arcade Inn 52, Judge Enclave, Indirapuram Near Shanti Gopal Hospital, Ghaziabad-201014



कार्यालय मुख्य अभियन्ता (गांधी), उपप्रो जल निगम, गाजियाबाद।

पत्रांक 4480

/ NCT

दिनांक 29-12-18

सेवा में,

सचिव

गाजियाबाद विकास प्राधिकरण

गाजियाबाद।

विषय:- मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित वाद संख्या- 438/2018, आरती बनाम सी०जी०डब्लू०ए० व अन्य में पारित आदेश के अनुपालन में आवश्यक कार्यवाही करने के सम्बन्ध में।

महोदय,

उक्त विषयक जनपद गाजियाबाद में स्थित होटलों की सूची (प्रतिवादी संख्या- 5 से 126) संलग्न कर इस आशय से प्रेषित की जा रही है कि इनमें आप द्वारा जिन होटलों में जलापूर्ति की जा रही है की सूचना तत्काल इस कार्यालय को उपलब्ध कराने का कष्ट करें।

चूंकि प्रकरण मा० एन०जी०टी० से सम्बन्धित है। अतः प्रकरण पर कार्यवाही शीर्ष-प्राथमिकता पर अपेक्षित है।

संलग्नक:- उपरोक्तानुसार।

भवदीय

(जी०एस० श्रीवास्तव)
मुख्य अभियन्ता (गांधी)

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Annexure-4

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 438/2018

IN THE MATTER OF :-

Arti Vs. Central Ground Water Authority & Ors.

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

Present: Applicant : Ms. Arti, applicant in person
Respondent no. 3: Mr. B.V. Niren, Adv.

Date and Remarks	Orders of the Tribunal
<p>Item No. 05 July 31, 2018</p>	<p>Grievances in this application is that in spite of representation dated 02nd July, 2018, addressed to the Central Ground Water Authority (CGWA), the allegation of illegal drawl of groundwater by various entities mentioned as Respondent No. 5 to 126 has not been looked into.</p> <p>We had asked the Central Ground Water Authority and Jal Nigam to furnish a factual report. Learned Counsel for Central Ground Water Authority states that except one, no other hotel has permission for drawl of groundwater. He however, undertakes that Central Ground Water Authority will go into the factual aspects and take such action as may be necessary.</p> <p>In view of the above undertaking, this petition is disposed of. Let the needful be done at the earliest and the report be filed before this Tribunal on or before 31st December, 2018. The application is disposed of.</p> <p><u>Put up the said report for consideration in January, 2019.</u></p> <p>....., CP (Adarsh Kumar Goel)</p>

OA 438/2018 79

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

IN THE MATTER OF:..... *Anr*

CASE NO:..... *CLWA*

PROOF OF SERVICE

APPLICANT	
RESPONDENT NO.1	
RESPONDENT NO.2	
RESPONDENT NO.3	
RESPONDENT NO.4	
RESPONDENT NO.5	
RESPONDENT NO.6	
RESPONDENT NO.7	
RESPONDENT NO.8	
RESPONDENT NO.9	
RESPONDENT NO.10	

*Disposed off matter -
proof of service not
required*

[Signature]
(11/11/2018)
ADJ