

No. A-14011/1/2018-MON

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Date: 06.04.2018

To

The Chairman,
Uttar Pradesh Pollution Control Board
Building.No. TC-12V Vibhuti Khand,
Gomti Nagar, Lucknow-226 010

DIRECTIONS UNDER SECTION 18(1)(B) OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 IN THE MATTER OF WATER STAGNATION AT VILLAGE LUTFULLAPUR, DIST, BAGHPAT DUE TO DISPOSAL OF UNTREATED/PARTIALLY TREATED EFFLUENT AND SEWAGE AT KHEKRA AREA MANDOLA AND TRANS DELHI SIGNATURE CITY.

WHEREAS, amongst others, under Section 16 of the Water (Prevention and Control of Pollution) Act, 1974 one of the functions of the Central Pollution Control Board (CPCB) constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to coordinate activities of the SPCBs/ PCCs and to provide technical assistance and guidance to SPCBs/ PCCs; and

WHEREAS, under Section 17 of the Water (Prevention & Control of Pollution) Act, 1974 one of the functions of the Uttar Pradesh Pollution Control Board (UPPCB) is to plan a comprehensive programme for the Prevention, Control and Abatement of Pollution of streams and wells in the state and to secure the execution thereof; and

WHEREAS, the Central Government has notified standards for discharge of environmental pollutants to any public sewer or inland surface water under the Environment (Protection) Act, 1986 and rules framed there under; and

WHEREAS, the Central Government has notified the effluent discharge standards for Sewage Treatment Plants (STPs) under Environment (Protection) Act, 1986; and

WHEREAS, Central Pollution Control Board(CPCB) issued directions vide dated 21/04/2015 under Section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act 1974 including Uttar Pradesh Pollution Control Board to direct local/urban bodies of Uttar Pradesh State to set up STPs of adequate capacity and also to provide sewerage system to cover the entire local/urban areas and to bridge the treatment gap along with enforcement of consent management in line with standards for sewage treatment ; and

WHEREAS, a reference was received from MOEF & CC vide letter dated 04.05.2017 regarding water stagnation at village Lutfullapur-Navada village, tehsil-Loni (P.S. Tronica City), District-Ghaziabad due to disposal of untreated /partially treated effluent and sewage at Khekra area, Mandola and Trans Delhi-Signature City. Subsequently, a team comprising MoEF&CC and Central Pollution Control Board (CPCB) officials jointly inspected the area on 14.09.2017 as well as visited the concerned offices of Nagar Palika, SDM Khekra, Avas

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Vikas Parishad & , U.P. State Industrial Development Corporation (UPSIDC) Ltd. Sewage Treatment Plant (STP), Common Effluent Treatment Plant (CETP) and storm water pumping station at TDS City. **(Copy of report enclosed)**. Main observations in the report are as follows: -

- i) The Basi drain was dry upstream of Khekra town at box culvert / bridge No 46 (Sahampur-Khekra) railway line near Khekra Railway Station and almost 10-12 MLD untreated sewage and industrial effluent from Khekra is contributed by Khekra town to Basi drain;
- ii) There is no plan to collect, treat and for safe disposal of sewage for Khekra town, by the office of Executive Officer, Nagar Palika Parishad, Khekra;
- iii) A big dry pond is available where treated sewage can be stored for polishing, evaporation and recharge of groundwater. However, industrial effluent arising from Khekra town after treatment would be required to be diverted to Jawali drain.
- iv) There is no adequate provision for disposal of sewage generated from Mandola Vihar Project (developed by UP Avas Vikas Parishad Ltd). Sewage and effluent generated from commercial complexes of Mandola Vihar town and such disposal further aggravates the problem in Basi drain;
- v) The prior permission is not obtained from the competent authority to discharge excess treated waste water into public drainage system, so as to protect the ground water quality at Lutfullapur—Navada Village and TDS City;
- vi) The storm water pumping station was not functional and the same is required to be made functional by replacing all the machines, transformers, pumps, pipes, DG Set;
- vii) Few schools, markets, residential units have come up apart from Industries in Tronica/ TDS City developed by UPSIDC in violation of the rules;
- viii) NBCC has developed a township as an extension of Tronica/TDS city without creating appropriate facility for disposal of sewage, and also indulged in disposal of sewage in Basi drain;
- ix) Ansal Housing & Construction Ltd., has developed a colony named as East Ansal Project at Tronica/TDS City without creating an appropriate facility for disposal of generated sewage;
- x) CETP located at TDS City was not functioning and UPSIDC indulged in discharge of untreated effluent in to Loni canal which is degrading the water quality in Loni Canal;
- xi) Feasibility of discharge of storm water in Loni Canal and discharge of treated industrial effluent and sewage through pipeline into Jawali drain yet to be examined by the UP Irrigation and Water Resources Department;
- xii) There is a need to take measures by Uttar Pradesh Irrigation and Water Resource Department to divert the Basi drain, upstream of TDS city and evacuate storm water from the problem area.

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WHEREAS the main findings of the inspection are (a) non-functioning of STP & CETP located at Tronica /TDS city (b) submergence of area of Lutfullapur & TDS City due to untreated waste water stagnation; (c) Non-diversion of Basi drain, upstream of Lutfullapur-Navada village; and (d) Lack of evacuation plan/pumping arrangement for regular disposal of mix of sewage, effluent and storm water in Jawali drain/Loni canal; and

WHEREAS, a meeting was convened at MOEF&CC on dated 02.02.2018 in presence of officials of UPPCB, UP Irrigation and Water Resources Department, UP Jal Nigam to discuss the observations of investigation team and implementation of the suggested measures.

NOW THEREFORE, in view of the above stated facts and observations of the investigation carried out by the joint team of MoEF & CC and CPCB and as a follow-up to the minutes of the meeting held at MoEF & CC on 02.02.2018 and in exercise of the powers conferred under Section 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974, following directions are issued for ensuring compliance in a time bound manner: -

1. *Uttar Pradesh Pollution Control Board (UPPCB) shall issue directions under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 to all the concerned departments viz. Uttar Pradesh Irrigation and Water Resource Department, U.P.Jal Nigam, UPSIDC, UPAVPL, NBCC and Ansal Housing & Construction Limited for ensuring compliance with respect to management of sewage, industrial effluent and its disposal as per the standards notified under the Environment (Protection) Act, 1986 which include:-*
 - a. *Management of sewage and industrial effluent arising from Khekra town, Mandola Vihar, NBCC township, Ansal Housing, Trans Delhi Signature City, etc. by proper treatment and disposal.*
 - b. *Proper operation of STP and CETP at Tronica/TDS city.*
 - c. *Proper arrangement for collection & disposal of storm water in Loni Canal and for disposal of treated industrial effluent and treated sewage through pipeline to Jawali drain.*
 - d. *Commissioning of adequate capacity of Sewage Treatment Plants(STPs) at the projects developed by UPAVPL, NBCC and Ansal Housing & Construction Limited in compliance to the MoEF&CC notification dated 13th October, 2017 with respect to effluent discharge standards for STPs.*
2. *That the UPPCB shall acknowledge receipt of these directions and communicate the status of action taken to CPCB within 15 days from the date of issue of these directions.*

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(S.P.S.Parihar)
Chairman


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Copy for information to: -

- 1) Chief Secretary
Uttar Pradesh Secretariat,
Lucknow, U.P.
- 2) Joint Secretary, CP Division,
Ministry of Environment Forests & Climate Change
Indira Paryavaran Bhavan, Jorbagh Road,
New Delhi - 110 003
- 3) Sh R.N.Jindal
Director (S) , CP Division
Ministry of Environment Forests & Climate Change
2nd Floor, Vayu Wing, Indira Paryavaran Bhavan
Jorbagh, New Delhi-110003
- 4) Regional Director
Central Pollution Control Board
Regional Directorate (North),
Ground & First Floors, PIC-UP Bhawan,
B-Block, Vibhuti Khand, Gomti Nagar,
Lucknow-221 000, U.P.
- 5) Division Head, IT Div, CPCB
- 6) Division Head, IPC-VII Div.
- 7) Division Head, UPC-I Div
- 8) Division Head, ESS Div.


(A. Sudhakar)
Member Secretary





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**Investigation of a Public Complaint of Shri Pankaj Tyagi: Visit Report dated
14.09.2017**

A public complaint, dated 23.03.2017 of Shri Pankaj Tyagi S/o (Late) Shri Daya Ram Tyagi, a resident of Lutfullapur-Navada village, tehsil-Loni (P.S. Tronica City), district-Ghaziabad was received on 29.03.2017 in the Ministry.

The said complaint was referred to the Central Pollution Control Board (CPCB), Uttar Pradesh Pollution Control Board (UPPCB), National Mission for Clean Ganga Authority (NMCGA) and Delhi Pollution Control Committee (DPCC) on 10.04.2017 for investigation with a request for Action Taken Report / Status Report in the matter. In turn, NMCGA also forwarded the said complaint vide their letter no. PC-1/2017-18/088/NMCG/Public Complaint/33, dated 04.05.2017 to CPCB for necessary action.

The Assistant Environmental Engineer, Regional Office, UPPCB, Ghaziabad inspected the site on 12.05.2017 and drawn a sample of water from a hand pump meant for providing drinking water. The inspection report of UPPCB supports the allegation made in the complaint of Shri Pankaj Tyagi since, conductivity (2032 μ mhos/cm), Chloride (265 mg/l) and Total Dissolved Solids (TDS-1396 mg/l) have been reported in the groundwater making it unfit for potable purpose and domestic use without removal of TDS. *The portability of water is generally rated in relation to its TDS level as follow: Excellent - less than 300 mg/l; Good- between 300 & 600 mg/l, Fair - between 600 & 900 mg/l; Poor - between 900 & 1200 mg/l, and unacceptable - more than 1200 mg/l.*

Earlier, Basi drain (originating from village Basi) and passing through Khekra town, Mandola, Lutfullapur- Navada village, etc used to drain the area in river Yamuna u/s of Wazirabad barrage. Consequent upon closure of industries in NCT Delhi since 1996 in compliance of various orders in M.C.Mehta Vs UOI & Ors W.P. (C) No: 4677/1984 (Supreme Court Matter), UPSIDC developed Tronica City now known as Trans Delhi Signature (TDS) city, as a relocation hub for such industries in the vicinity of Delhi. However, looking into larger perspective, UPSIDC did not get the permission to let out/disposal of the mix of stormwater, untreated sewage and industrial effluent in the river Yamuna, u/s of Wazirabad barrage. As a result water logging started in 1996 or, so in Tronica / TDS city area effecting groundwater quality, water table and agriculture at Lutfullapur-Navada village.

A three member team comprising Shri R.N.Jindal, Director(s), Ms. Meenakshi Singh, Scientific Assistant-CPCB and Shri Satbir Singh, Senior Technician-CPCB inspected the area and interacted with offices, i.e., Khekra town, Delhi-Saharanpur Road area, Office of Executive Officer, (Khekra Nagar Palika), Office of SDM-Khekra, U.P. Avas Vikas Parishad Ltd (UPAVPL, Mandola Vihar), Basi Drain, U.P. State Industrial Development Corporation (UPSIDC) Ltd., (Tronica/TDS City), Lutfullapur- Navada Village, Voda City (Navada village), Sanik Vihar (Navada village), etc. on 14.09.2017.

Sewage Treatment Plant (STP), Common Effluent Treatment Plant (CETP) and stormwater pumping station at TDS City were also inspected on 14.09.2017. STP was not functional. CETP was flooded and approach roads were undulated under water. It can be safely assumed that CETP was non-functional.

Observations:

During the inspection on 14.09.2017, it was observed that

- (i) Basi drain was dry upstream of Khekra town at box culvert / bridge No 46 (Saharnpur-Khekra) railway line –near Khekra Railway Station;
- (ii) Almost 10-12 MLD untreated sewage and industrial effluent from Khekra is contributed by Khekra town to Basi drain ;
- (iii) There is no plan to collect, treat and safe disposal of sewage for Khekra town, as on date as learnt from juniors in the office of Executive Officer, Nagar Palika Parishad, Khekra ;
- (iv) There is a big dry pond available where treated sewage can be stored for polishing, evaporation and recharge of groundwater. However, industrial effluent arising from Khekra town after treatment would be required to be diverted to Jawali drain.
- (v) UPAVPL has been accorded Environment Clearance by UP SEIAA (379/Parya/SEAC/1474/2016, dated 22.03.2017) for its Mandola Vihar Project without a reference on disposal point for sewage. The sewage and effluent from commercial complexes of Mandola Vihar town flowing through Basi drain would further aggravate the problem.
- (vi) The said Environmental Clearance, dated 22.03.2017 is for future expansion and too general in nature. It does not cover 3000 flats already constructed in Mandola Vihar. Compliance status of general condition No. 6, 9, 11, 19 and 22 of the said EC is not available.
- (vii) Compliance of specific condition of said Environmental Clearance, i.e., *Total cost of the project is Rs. 311 crore. Corporate Social Responsibility (CSR) plan along with budgetary provision amounting to 2% of the total project cost (Rs. 6.22 Cr. Shall be prepared and approved by Board of Directors of the company. A copy of resolution as above shall be submitted to the authority. A list of beneficiaries with their mobile nos. /address should be submitted alongwith six monthly compliance reports; and To discharge excess treated waste water into public drainage system, permission from the competent authority to be taken prior to any discharge;* is the bone of contention and would further spoil the ground water quality at Lutfullapur-Navada village and TDS City.

- (viii) Stormwater pumping station was not functional and cannot be made functional without replacing all the machines, transformers, pumps, pipes, diesel genset, etc. ;
- (ix) A few schools, markets, residential units have come up apart from industries in Tronica TDS City developed by UPSIDC ;
- (x) NBCC has developed a township as an extension of Tronica/TDS city without disposal point of sewage, i.e. NBCC township would dispose sewage in Basi drain ;
- (xi) Similarly, Ansal Housing & Construction Limited has developed a colony as East Ansal Project at Tronica/TDS City with no disposal point for sewage ;
- (xii) O.A. 317/2015: Rashid Ali Warsi Vs. UPSIDC Ltd & Ors and several IAs are before NGT in the matter with a limited issued that effluent being discharged by UPSIDC has degraded water in Loni Canal. UPSIDC has been fined @ Rs. 2,00,000 per day in the matter in June, 2017 since, CETP at TDS City was not functioning ;
- (xiii) Once, the mix of stormwater, effluent and sewage is pumped and disposed in Jawali drain, there would be a respite for the people of Lutfullapur – Navada and Tronica /TDS city, however, if mix of stormwater, sewage and effluent is pumped in Loni Canal; O.A. No. 317/2015 : Rashid Ali Warsi Vs. UPSIDC Ltd. & Ors is pending before Hon'ble NGT wherein deteriorating quality of canal water is the subject matter ; and
- (xiv) Uttar Pradesh Irrigation and Water Resource Department is required to divert the Basi drain, upstream of TDS city and evacuate stormwater from the area.

Findings:

Apparently, cause of all evils in the matter appears to be (a) non-functioning of STP & CETP; (b) submergence of area of Lutfullapur & TDS City; (c) Non-diversion of Basi drain, upstream of Lutfullapur-Navada village; and (d) evacuation plan/pumping arrangement for regular disposal of mix of sewage, effluent and stormwater in Jawali drain /Loni canal, respectively.

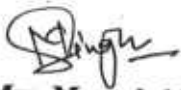
Recommendations:

1. The sewage and industrial effluent arising(or, would arise) from Khekra town, Mandola Vihar, NBCC township, Ansal Housing, Trans Delhi Signature City, etc. is to be properly treated and disposed off through pipeline in Jawali drain.

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2. Stormwater can be discharged in Loni canal provided sewage and industrial effluent are not getting mixed and U.P. Irrigation and Water Resource Department, Government of U.P. accord permission for the same.
 3. Separate arrangements are required to be made by Uttar Pradesh Irrigation and Water Resource Department for the disposal of stormwater in Loni Canal and concerned Project Authorities for treated effluent and treated sewage through pipeline in Jawali drain.
 4. A time bound and holistic approach is required in the matter by UPSIDC, UPAVPL, UP Irrigation and Water Resource Department and UPPCB for redressal of public grievance.
 5. There may be a moratorium on handing over possession of flats built by UPAVPL, NBCC and Ansal Housing & Construction Limited till sewage treatment plan are constructed and commissioned to the satisfaction of Central Pollution Control Board by the concerned Project Authorities.



(Mrs. Meenakshi Singh)
Scientific Assistant



(R.N. Jindal)
Director(s)

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