



File No. A-14011/1/2015-UPC-I

Date: 25/11/2019

To,

**The Chief Executive Officer**  
**New Okhla Industrial Development Authority**  
Administrative Complex  
Sector 6, Noida - 201301  
District Gautam Budh Nagar  
Uttar Pradesh, India

**SHOW CAUSE NOTICE UNDER SECTION 5 CF THE ENVIRONMENT (PROTECTION) ACT, 1986 FOR prosecution OF CEO, New Okhla Industrial Development Authority for non-compliance of Directions dated June 06, 2019 by CPCB**

Whereas, Ministry of Environment & Forests, Govt. of India, vide notification S.O. 157(E) of 27.02.1996 has delegated powers vested under section 5 of Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any Industry, Municipal Corporation, Municipal council, Cantonment Board, any local or other Authority for the violation of emission and effluent standards notified among others, under the Environment (Protection) Rules, 1986 and other standards and norms; and

Whereas, CPCB had issued directions to Uttar Pradesh Pollution Control Board vide letter no. No. A-19014/43/06-MON dated 21/04/2015 under Section 18 (1) b of Water (Prevention and Control of Pollution) Act, 1974 to direct concerned stakeholders to develop infrastructure for sewage management and operate the STPs so as to comply with stipulated norms; and

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in the matter of OA no. 1002 / 2018 titled Abhisht Kusum Gupta Vs State Of Uttar Pradesh & Ors vide its Order dated 19.02.2019 has directed as follows:

*"Accordingly, we direct the Central Pollution Control Board (CPCB), DPCC, DJB, East Delhi Municipal Corporation, NOIDA*

*Authority and UPPCB to have a joint meeting within one month and to prepare an action plan in respect of action in respective States to check the water pollution which may also include action to be taken for prohibiting the discharge of effluents, for prosecuting the polluters and recovering the compensation for the damage being caused to the environment.*

*The Nodal Agency will be CPCB for coordination and compliance. The report of the action taken be furnished to this Tribunal within two months by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com)"*

Whereas, in compliance to Hon'ble NGT directions, Central Pollution Control Board convened meeting with officers of Delhi Pollution Control Committee (DPCC), Delhi Jal Board (DJB), East Delhi Municipal Corporation (EDMC), NOIDA Authority and Uttar Pradesh Pollution Control Board (UPPCB) on 20.03.2019.

Whereas, it was decided in the above Meeting to conduct joint inspection of the area so as to ascertain the sources of pollution of Kondli / Noida drain

Whereas, Joint inspection by the officers from DPCC, DJB, EDMC, PWD, DDA, UPPCB and Noida was conducted on 02.04.2019 and the inspection report submitted to Hon'ble NGT on April 18, 2019.

Whereas, major findings of the above-mentioned inspection report pertaining to Noida included the following:

- i. Estimated sewage generation of Noida is 216 MLD, total installed capacity of sewage generation is 231 MLD and actual capacity utilization of Sewage Generation is 152 MLD; indicating that 64 MLD of sewage is being discharged without treatment.
- ii. 30 drains are discharging untreated wastewater to Kondli / Noida drain

WHEREAS, New Okhla Industrial Development Authority which is responsible for collection, treatment and lawful reuse / disposal of the treated sewage has failed to discharge its duties in this matter; and

WHEREAS, CPCB issued following directions under section 5 of the Environment (Protection) Act, 1986 to NOIDA vide letter dated 06/06/2019:

- i. To submit time bound action plan to stop discharge of untreated wastewater to Noida drain;

- ii. To submit Environment Compensation(EC) of 1,00,00,000 (Rupees One Crore only) within 07 days from date of receipt of directions

**WHEREAS**, representation was made by NOIDA against the CPCB's directions on 01/07/2019. Reply of representation was made by CPCB on 19/07/2019

**WHEREAS**, hearing on the matter was conducted in CPCB on 23/07/2019 and Noida was further directed to ensure compliance of CPCB directions dated June 06, 2019; and

**WHEREAS**, Hon'ble NGT vide order dated 30.07.2019 directed as follows:

*CPCB may consider this aspect and pass appropriate orders. Having regard to the seriousness of the issue, we direct the EDMC, DJB, NOIDA Authority and the Ghaziabad Nagar Nigam to furnish performance guarantees in the sum of Rs. 1 crore each to the satisfaction of CPCB undertaking to take remedial actions in terms of the directions of the CPCB, failing which the said amount will be forfeited.*

**WHEREAS**, a meeting was convened with officers of Delhi Pollution Control Committee (DPCC), Delhi Jal Board (DJB), East Delhi Municipal Corporation (EDMC), NOIDA Authority, UP Irrigation Flood Control Department, Nagar Palika Parishad Khoda Makanpur and Uttar Pradesh Pollution Control Board (UPPCB) on 01/10/2019 for further follow-up on action taken by concerned authorities; and

**WHEREAS**, it was informed during the meeting by NOIDA representative during the Meeting on 01.10.2019 that committees were being constituted for identification of high rise buildings and villages discharging untreated wastewater into the drain and take necessary action against them

**WHEREAS**, Action plan and Environment Compensation in compliance with Directions dated June 06, 2019 issued by CPCB has not been submitted till date

**WHEREAS**, Performance Bank Guarantee as per Hon'ble NGT Order dated 30.07.2019 has not been submitted till date; and

**NOW, THEREFORE**, in view of the above observations and in exercise of powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, (CEO, **New Okhla Industrial Development Authority**) is directed to show cause as to why prosecution should not be initiated for non-compliance of Directions issued by CPCB and Hon'ble NGT.

New Okhla Industrial Development Authority shall file its reply within 15 days of receipt of this Notice failing which prosecution as per provision of EP Act shall be initiated against CEO Noida for non-compliance of Directions.

  
(S.P. Singh Parihar)  
Chairman

**Copy to:**

1. The Chairman,  
Uttar Pradesh Pollution Control Board,  
Building No. TC-12V  
Vibhuti Khand, Gomti Nagar  
Lucknow-226010

**for information and with a request  
to ensure compliance**

2. The Secretary  
Ministry of Housing and Urban Affairs  
Mulana Azad Road, Rajpath Area  
Central Secretariat, New Delhi - 110001

3. The Secretary,  
Ministry of Environment, Forests and Climate Change  
Indira Paryavaran Bhavan, Jorbagh Road  
New Delhi - 110003

4. Yamuna Monitoring Committee  
Office of YPMC, Room No. 58  
India International Centre, Max Muller Marg  
Lodhi Estate, New Delhi - 110003

5. The Regional Director,  
Central Pollution Control Board  
Regional Office (Lucknow)  
Ground Floor, PICUP Bhawan  
Vibhuti Khand, gomti Nagar  
Lucknow - 226010

6. The Divisional Head, WQM-I

7. The Divisional Head, IT Division, CPCB

  
(Prashant Gargava)  
Member Secretary