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

## Original Application No. 01/2012 (M.A. No. 146/2014)

## Sanjay Agnihotri V/s Union of India & Ors.

## CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present:	Applicant / Appellant Respondent No. 2	: Mr. Raj Panjwani, Sr. Adv., Ms. Maneka Advs. : Mr. Daleep Kr. Dhayani, Adv. and Mr. Pradeep Misra, Mr. Suraj Singh Advs.
	Respondent No. 5	: Mr. Ravindra Kumar, Adv.
	Respondent No. 7	: Ms. Savitri Pandey, Ms. Azma Parveen, Advs.
	DJB	: Ms <mark>.</mark> Sakshi Popli, Ms. Kanika, Advs.

Date and Remarks	Orders of the Tribunal
Item No. 07 October 27, 2015 B	In the present application, the concern has been expressed about the critically polluted area of NOIDA
	and directions have been sought against the
	Respondents namely, MoEF, UPPCB, CPCB, UP State
	Industrial Development Corporation, Govt. of UP and
	DJB to take necessary action for implementation of the
E I	enactments specified in Schedule 1 of the NGT Act,
2	2010 in order to check the pollution and the remedy ill.
N V F	In pursuance to the directions passed, the Action Plan
	for NOIDA, UP was submitted by the UP Govt. We, therefore, directed the CPCB to make thorough study of
	the Action Plan and the respond to it, and if need be,
	upon consultation with concerned experts. UPPCB in
	meanwhile, placed Progress Report on the Action Plan
	on 09.09.2014. Learned Counsel appearing on behalf of
	the UPPCB then elaborated that there has been
	improvement in overall CEPI index and UPPCB was
	interested in installation of automatic monitoring
	stations as suggested by the CPCB. It was submitted
	on behalf of the UPPCB further that the measures have
	been taken as per the short-term Action Plan and the

Report is submitted to the CPCB and yet a response was to be received from CPCB vide order dated 29.05.2015. As regards Shahadra drain, UPPCB submitted that the STP was being constructed by the DJB, but the particulars concerning the flow and capacity of the STP to handle such flow of drain were not known. We have before us the Learned Counsel appearing on behalf of the DJB. She submits that the she needs time to go through the details and respond.

Learned Counsel appearing on behalf of the CPCB submits that the CPCB had taken a review of the Action Plan submitted by the UPPCB- vide Review Report dated 25.08.2015. She further submits that a copy of this Report shall be furnished to the Respondents and the applicant within three days.

Perusal of this Review Report reveals that the information on Action Plan submitted by the UPPCB lacks clarity and is inadequate in relation to certain informations referred to in the Review Report. At the Review Report end, the makes general recommendations and passes a comment that there is good scope to take concrete steps towards the implementation of long-term Action Plan. General comments regarding the up-gradation of the pollution control measures referred to the are in recommendations. It appears that the CPCB expects the Govt. of UP and UPPCB to convene the meeting of all the stakeholders at local level and at State level and submit a Compliance Report in respect of the recommendations in the Review Report.

For recommendations to be worthwhile, it is

necessary that the same are made on the basis of clear view of complete facts. We, therefore, direct the UPPCB to go through the Review Report and furnish all such information necessary to remove inadequacy and provide clarification as sought by the CPCB expeditiously. According to the Learned Counsel appearing on behalf of the UPPCB submits that all such necessary information has been supplied to the CPCB on 16.10.2015.

We need not detain ourselves with this issue any further. We, therefore, direct the CPCB, UPPCB & DJB to sit together and formulate strategy to act upon the Action Plan already submitted before the next date. CPCB shall convene the meeting of all concerned.

List this matter on 24<sup>th</sup> November, 2015.

(U.D. Salvi)

.....,EM (Ranjan Chatterjee)

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