

Item No. 03

(Court No.1)

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

(By Video Conferencing)

Original Application No. 204/2021

Chanchal Devi

Applicant

Versus

Central Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 19.08.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Ms. Mansi Chahal, Advocate

ORDER

1. Grievance in this application is against violation of environmental norms in operation of sugar factory at Village Malaysia, Tehsil Dhanaura, District Amroha, U.P. by Wave Industries Pvt. Ltd., District Amroha, U.P.
2. It is alleged that the said industrial unit is bypassing the untreated waste and contaminated water in open area and into the fields of the farmers, resulting in damage to the environment. The waste water has toxic chemicals. 4-5 kilometer of area has been affected by the said pollution. Water coming from handpumps is brownish in colour in the area and is full of chemicals. It is resulting in hazard to the public health, affecting 5000 students of more than 20 schools and around 1.5 lakh residents of around 15 villages who are in close proximity of this unit. The unit is also illegally extracting groundwater without requisite permission even though the block in question is in the category of 'over-exploited'. The

applicant made representations dated 14.07.2021 and 30.07.2021 to the State PCB, Central Ground Water Authority (CGWA), Chief Secretary, UP and District Magistrate, Amroha but no action has been taken.

3. In view of above, we are of the view that facts need to be verified by the statutory regulators and, based on such verification, remedial action needs to be taken. For this purpose, we constitute a joint Committee comprising CPCB, State PCB, CGWA and District Magistrate, Amroha. The nominees of the Departments should be of adequate senior rank in order to take credible action. The CPCB and State PCB will be the nodal agency for coordination and compliance. The Committee may meet within 15 days from today, undertake visit to the site, interact with the stakeholders and take remedial action in exercise of its statutory powers, following due process of law. The Committee may inter alia furnish status of compliance of Consent conditions and standards prescribed including performance of ZLD conditions and discharge of effluents on land or in drain. The ground water quality in the area be monitored with reference to color and feedback taken from the public in the area.

4. The action taken report may be filed 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 the report is adverse to the industrial unit, a copy thereof may be furnished to the said unit for its response, if any, before the next date.

A copy of this order be forwarded to CPCB, State PCB, CGWA and District Magistrate, Amroha by e-mail for compliance.

The applicant may serve a set of papers on CPCB, State PCB, CGWA and District Magistrate, Amroha and file affidavit of service within one week.

List for further consideration on 26.11.2021.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

August 19, 2021
Original Application No. 204/2021
DV