

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

Original Application No. 889 of 2018

In the matter of

Harbans Singh

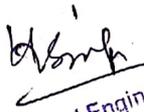
Versus

State of Punjab

Factual / Action Taken Report on behalf of Punjab Pollution Control Board in compliance of order dated 20.12.2018 (received on 3.8.2019 at Patiala Office).

RESPECTFULLY SHOWETH

1. That the Hon'ble National Green Tribunal was pleased to take cognizance of a complaint made by the applicant above named and the same was treated as Original Application no. 889 of 2018, wherein order dated 20.12.2018 was passed and the State Pollution Control Board was directed to look into the matter and furnish a factual and action taken report to the Hon'ble Tribunal within one month from the date of receipt of copy of the order via email at ngt-filing@gmail.com.
2. That it is relevant to mention here that the copy of order dated 20.12.2018 passed by the Hon'ble Tribunal in the above mentioned case is received in the office of Punjab Pollution Control Board at Patiala on 3.8.2019 and in the concerned Regional Office of the Board at Sangrur on 5.8.2019.
3. That in compliance of order dated 20.12.2018 passed by the Hon'ble Tribunal, it is respectfully submitted that earlier a complaint made by Sh. Harbans Singh S/o Sh. Gurcharan Singh and others, regarding

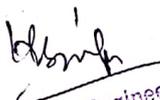

Environmental Engineer,
Pb. Pollution Control Board,
Regional Officer, SANGRUR

discharge of the untreated effluent into borewell, generated from the various activities of Heritage Public School, Vill. Rampura, Bhawanigarh, District Sangrur was received in the month of October 2018, in the office of Punjab Pollution Control Board at Patiala.

4. That in order to investigate the said complaint, the site of the Heritage Public School, Vill. Rampura, Bhawanigarh, District Sangrur was visited by the officer of Punjab Pollution Control Board on 29.3.2019 and it was observed as under:-

- i. The school has 1700 number of students.
- ii. The domestic effluent generated from the school premises is being discharged in agriculture fields located at rear side of the institute for irrigation purpose without any treatment.
- iii. The school has provided two number borewells. However, no effluent was being discharged into the same and were found plugged during the visit.
- iv. The school has one number DG set of 80 KVA capacity, which is not equipped with canopy and adequate stack height.
- v. The municipal solid waste generated is being burnt at the rear side of the institute.

5. That the educational institute has been established without obtaining NOC from the Board and the same is being operated without consent to operate' of the Board u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981. Accordingly, the educational institute was issued


Environmental Engineer,
Pb. Pollution Control Board,
Regional Officer, SANGRUR

show cause notice vide office letter no. 1701 dated 2.4.2019 (**Annexure-A**). But, the institute has neither submitted application for obtaining consent to operate under the Water Act, 1974 and the Air Act, 1981 nor has submitted any reply in response to the show cause notice issued to it. The educational institute was also given an opportunity of personal hearing on 10.5.2019 vide office letter no. 1949 dated 25.4.2019 (**Annexure-B**), to explain its position but, the educational institute failed to attend the hearing.

6. That however, a reply was submitted by the educational institute vide letter no. HPS/GEN/0615/2019-20 dated 23.4.2019 (**Annexure-C**) stating that the school has already plugged the borewell and will permanently plug the borewells in a short period. However, no time limit to permanently plug the borewells was submitted by the educational institute. Educational institute further submitted that the DG set of 80 KVA capacity has now been equipped with canopy and adequate stack height and also the municipal solid waste generated is not being burnt now. However, the educational institute failed to explain about the disposal of the municipal solid waste generated from its premises & did not apply for obtaining consents to operate.

7. That keeping in view the violations made by the educational institute, a show cause notice for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981, alongwith an opportunity of personal hearing before Senior Environmental Engineer, Zonal Office-II, Patiala on 25.07.2019 was issued to the institute vide letter no. 2775 dated 10.7.2019 (**Annexure-D**).


Environmental Engineer,
Pb. Pollution Control Board,
Regional Officer, SANGRUR

8. That Sh. Anil Mittal, Chairman of the Heritage Public School, Vill. Rampura, Bhawanigarh, District Sangrur, appeared before the Senior Environmental Engineer, Zonal Office-II, Patiala on 25.07.2019 and submitted written reply and same was taken on record. It was submitted in the reply that the school has already provided canopy and stack of adequate height with the DG set of capacity 80 KVA and burning of municipal solid waste generated from the school premises has been stopped. It is further mentioned that the borewells earlier provided by the school has been permanently plugged and the compliant made by Sh. Harbans Singh S/o Sh. Gurcharan Singh and others has already been withdrawn.

9. That after hearing, the officer of the Board and representative of the School, the Senior Environmental Engineer decided as under:

A. The institute will apply for obtaining consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 alongwith requisite document and fees to the Board within 15 days.

B. Environmental Engineer, Regional Office, Sangrur shall visit the institute after 15 days to verify the contentions of the institute given by it during hearing and thereafter process the Consent applications of the institute on merits.

10. That the proceeding of personal hearing held on 25.7.2019 at Patiala were conveyed to the Heritage Public School, Vill. Rampura, Bhawanigarh, District Sangrur vide letter no. 3171 dated 30.7.2019 (Annexure-E). The case will be reviewed after 15 days, which have


Environmental Engineer,
Pb. Pollution Control Board,
Regional Officer, SANGRUR

been afforded to the school by the Senior Environmental Engineer vide letter dated 30.7.2019 and further action will be taken in the case, in accordance with the provisions of the Law.

11. That the reply is hereby submitted in compliance of order dated 18.12.2018 (received on 3.8.2019 at Patiala) of the Hon'ble National Green Tribunal, for kind consideration and appropriate orders please.

Submitted by

Harjeet Singh
6.8.19

**(Harjeet Singh),
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Sangrur (Punjab)**

VERIFICATION:

Verified that the contents of paragraphs 1 to 10 of the above Factual / Action Taken Report are true and correct to my knowledge as derived from the official record. The contents of paragraph 11 are prayer. No part of the above Factual / Action Taken Report is false and nothing material has been kept concealed or suppressed therein.

Harjeet Singh
6.8.19

**(Harjeet Singh),
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Sangrur (Punjab)**



**PUNJAB POLLUTION CONTROL
REGIONAL OFFICE
INDUSTRIAL FOCAL POINT, SANGRUR**

E-mail: eerosangrur@gmail.com; Web: www.ppcb.gov.in

PH./Fax No.01672-233475

No...1.7.21.....

Registered

Dated.02.04.2019.

To

M/s Heritage Public School,
Vill.Rampura, Bhawanigarh,
Distt.Sangrur.

Sub:-

Violation of the provisions of u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.

Whereas, it is mandatory on the part of an educational institute to obtain the 'consent to establish (NOC)/ 'consent to operate' of the Board u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 for its establishment & operation of an outlet.

And whereas, it is also mandatory on the part of the educational institute to provide adequate and appropriate pollution control system to bring down the concentration of various pollutants in its waste water/ emissions within the limits prescribed by the Board.

And whereas, a complaint made by Sh. Harbans Singh S/o Sh. Gurcharan Singh and others regarding discharge of its untreated effluent into borewell generated from the various activities of school has been received in this office.

And whereas, the site under complaint was visited by AEE of this office on 29/03/2019 and it was observed as under:-

1. The school has 1700 number of students.
2. The domestic effluent generated from the school premises is being discharged in agriculture fields located at rear side of the institute for irrigation purpose without any treatment.
3. The school has provided two number borewells. However, no effluent was being discharged into the same and were found plugged during the visit.
4. The school has one number DG set of 80 KVA capacity, which is not equipped with canopy and adequate stack height.
5. The municipal solid waste generated is being burnt at the rear side of the institute.

And whereas, the educational institute has been established without obtaining NOC from the Board and the same is being operated without consent to operate' of the Board u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, the educational institute has failed to apply and obtain the consent of the Board under the Water Act, 1974 & the Air Act, 1981, willfully causing water and air pollution in the vicinity, thus violating the provisions of said Acts.

And whereas, it has now been proposed to initiate action against the educational institute under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 after affording an opportunity of show cause.

As such, you are hereby given an opportunity of show cause in writing within 15 days from the date of issue of this notice to explain your position as to why action under the provisions of Water (Prevention & Control of Pollution) Act 1974 and Air (Prevention & Control of Pollution) Act, 1981 may not be taken against the educational institute, failing which, it will be presumed that the educational institute has nothing to say and action under the provisions of aforesaid Acts will be taken against the educational institute without giving further notice/opportunity.

Atr.

 Environmental Engineer,
 Pb. Pollution Control Board,
 Regional Officer, SANGRUR

Environmental Engineer



**PUNJAB POLLUTION CONTROL BOARD
REGIONAL OFFICE
INDUSTRIAL FOCAL POINT, SANGRUR**

E-mail: eerosangrur@gmail.com; Web: www.ppcb.gov.in

Ph./Fax No.01672-233475

No. 1949

Dated 25/4/19

To

**M/s Heritage Public School,
Vill.Rampura, Bhawanigarh,
Distt.Sangrur**

Sub:- Violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 & the Air (Prevention and Control of Pollution) Act, 1981.

Ref:- This office letter no. 1701 dated 02/04/2019.

Whereas, the educational institute was served with show cause notice for violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 & the Air (Prevention and Control of Pollution) Act, 1981 vide this office letter no. 1701 dated 02/04/2019, but the educational institute has neither submit any reply in this office nor has submitted an application for obtaining consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 & the Air (Prevention and Control of Pollution) Act, 1981 through OCMMS.

And whereas, the matter has been viewed seriously and it has been decided to give an opportunity of personal hearing before initiating further action against the company.

As such, you are hereby requested to appear in person before the Environmental Engineer, Regional Office, Sangrur of the Board in his office at Industrial Focal Point, Sangrur on **10/05/2019 at 11:00 am** to explain your position, failing which, it will be presumed that you have nothing to say in the matter and further action as per provisions of the said Acts will be taken without any further notice / opportunity.

At

 Environmental Engineer,
 Pb. Pollution Control Board,
 Regional Officer, SANGRUR

25.4.19
 Environmental Engineer



Heritage Public School

Affiliated to CBSE New Delhi (10+2)
vide Affiliation No. 1630302
(School Code 25058)
Rampura, Bhawanigarh
Distt. Sangrur (Pb.),
Pin- 148026

Ref. No...HPS/Cen/0615/2019. 20

1524
30/4/19

Date...28.04.2019.

To

The Environmental Engineer
Punjab Pollution Control Board
Sangrur.

Handwritten notes:
AEE of your good office
29/3/19
22/4

Handwritten signature:
Punjab
20/4/19

Sub:- Reply to the letter no 1701 dated 02-04-2019.

With ref. to letter no.1701 dated 02-04-2019 this is to inform you that the site under complaint was visited by AEE of your good office on 29-03-2019 & observe the system. The system has improved to some extend.

The school has already two number bore wells and we have already plugged these bore wells. Permanent plugging will be done very soon.

The school has one number DG set of 80KVA capacity which is now equipped with canopy and adequate stack height.

So far as burning of municipal solid waste generated is concerned the educational institute has stopped this practice.

Rest, I assure you that the standards will be achieved laid down by the board as early as possible. The order will come into force with immediate effect.

Thanks and Regards.

Handwritten signature:
Principal
Heritage Public School
V. Rampura, Bhawanigarh



Handwritten signature:
Environmental Engineer,
Pb. Pollution Control Board,
Regional Officer, SANGRUR

Help Desk : 01672-272542, 97815-01137, 95922-51137

E-mail : principal_hps@yahoo.com, Web Site : www.heritagepublicschool.com

Environmental Engineer

Handwritten signature and date:
20/4/19

	ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ ਜੈਨਲ ਦਫਤਰ-2, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ
	ਫੋਨ (ਦਫਤਰ) 0175 - 2306222. ਫੈਕਸ 0175 - 2306222
ਨੰਬਰ 2175	ਮਿਤੀ 10/7/2019

REGISTERED

To

M/s Heritage Public School,
Vill. Rampura, Bhawanigarh,
Distt. Sangrur.

Sub: Show cause notice for violation of the provisions of Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

Whereas, it is mandatory on the part of the institute to obtain consent of the Board u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 to operate its outlet & u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, to operate its industrial plant for discharge of effluents/emissions arising from its premises.

And whereas, it is mandatory on the part of the institute to provide adequate and appropriate effluent treatment facilities/air pollution control devices so as to contain the various pollutants in the effluents / emissions discharged by the industry, within the standards laid down by the Board.

And whereas, a complaint made by Sh. Harbans Singh S/o Sh. Gurcharan Singh and others, regarding discharge of the untreated effluent into borewell generated from the various activities of the subject cited institute was received in this office.

And whereas, the site under complaint was visited by Officer of the Board on 29/03/2019 and it was observed as under:-

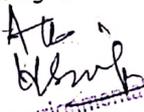
1. The school has 1700 number of students.
2. The domestic effluent generated from the school premises is being discharged in agriculture fields located at rear side of the institute for irrigation purpose without any treatment.
3. The school has provided two number borewells. However, no effluent was being discharged into the same and were found plugged during the visit.
4. The school has one number DG set of 80 KVA capacity, which is not equipped with canopy and adequate stack height.
5. The municipal solid waste generated is being burnt at the rear side of the institute.

And whereas, the educational institute has been established without obtaining NOC from the Board and the same is being operated without consent to operate' of the Board u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, the education institute was issued show cause notice vide this office letter no. 1701 dated 02/04/2019. But, the institute has neither submitted application for obtaining consent to operate under the Water Act, 1974 and the Air Act, 1981 nor has submitted any reply in response to the show cause notice issued to it. The education institute was also given an opportunity of personal hearing on 10/05/2019 vide this office letter no. 1949 dated 25/04/2019, to explain its position but, the education institute has failed to attend the hearing.

And whereas, a reply was submitted by the education institute vide its letter no. HPS/GEN/0615/2019.20 dated 23/04/2019 stating that the school has already plugged the borewell and will permanently plug the borewells in a short period. However, no time limit to permanently plug the borewells has been submitted by the education institute. Education institute has further submitted that the DG set of 80 KVA capacity has now been equipped with canopy and adequate stack height and also the MSW generated is not being burn now. However, the education institute has failed to explain about the disposal of the MSW generated from its premises & has not applied for obtaining consents to operate as yet.

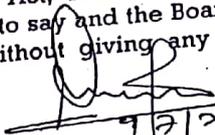
And whereas, the institute has failed to obtain NOC/Consent to operate of the Board under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and is willfully causing water and air pollution in the vicinity, thus violating the provisions of said Acts.

At

 Engineer,
 Pollution Control Board,
 SANGRUR

And whereas, the institute has failed to attend the observations as raised by the Board and is in operation without valid consents of the Board as well as in violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, it has now been proposed to initiate action against the institute for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 due to aforesaid reasons after affording an opportunity of show cause -cum- personal hearing.

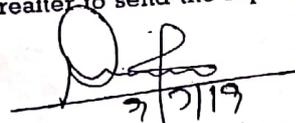
As such, you are, hereby, afforded an opportunity to show cause in person before the Senior Environmental Engineer, Zonal Office-II, Patiala of the Board in his office at Vatavaran Bhawan, Nabha Road, Patiala on 25.07.2019 at 3:00 pm, to explain as to why the proposed action under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 should not be taken, failing which it will be presumed that institute has nothing to say and the Board shall go ahead to take the proposed action under the said Acts without giving any further notice/opportunity.


for Sr. Environmental Engineer
Zonal Office-II, Patiala

Dated 10/7/2019

Endst. No. 2776

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur for information. He is requested to intimate the date of hearing to the ~~industry~~ ^{institute} & also visit the school and thereafter to send the report alongwith fresh recommendation.


for Sr. Environmental Engineer
Zonal Office-II, Patiala


Environmental Engineer,
Pb. Pollution Control Board,
Regional Office, SANGRUR

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
ਜ਼ੋਨਲ ਦਫਤਰ-2, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ
ਫੋਨ (ਦਫਤਰ) 0175 - 2306222 ਫੈਕਸ 0175 - 2306222

REGISTERED

ਨੰਬਰ ---
TO

ਮਿਤੀ ---

M/s Heritage Public School,
Vill. Rampura, Bhawanigarh,
Distt. Sangrur.

Subject: Proceedings of the personal hearing given by the Sr.Environmental Engineer, Zonal Office-II, Patiala of the Board M/s Heritage Public School, Vill. Rampura, Bhawanigarh, Distt. Sangrur to Show cause notice for violation of the provisions of Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 on 25.07.2019.

The following were present:

From the Board

Er. Rajeev Gupta, EE, ZO-II, Patiala

From the industry:

Sh. Anil Mittal, Chairman of the School

Environmental Engineer, Zonal Office-II, Patiala brought out that a complaint made by Sh. Harbans Singh S/o Sh. Gurcharan Singh and others, regarding discharge of the untreated effluent into borewell generated from the various activities of the subject cited institute was received in this office.

The site under complaint was visited by Officer of the Board on 29/03/2019 and it was observed as under:-

1. The school has 1700 number of students.
2. The domestic effluent generated from the school premises is being discharged in agriculture fields located at rear side of the institute for irrigation purpose without any treatment.
3. The school has provided two number borewells. However, no effluent was being discharged into the same and were found plugged during the visit.
4. The school has one number DG set of 80 KVA capacity, which is not equipped with canopy and adequate stack height.
5. The municipal solid waste generated is being burnt at the rear side of the institute.

The educational institute has been established without obtaining NOC from the Board and the same is being operated without consent to operate' of the Board u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

Accordingly, the education institute was issued show cause notice vide this office letter no. 1701 dated 02/04/2019. But, the Institute has neither submitted application for obtaining consent to operate under the Water Act, 1974 and the Air Act, 1981 nor has submitted any reply in response to the show cause notice issued to it. The education institute was also given an opportunity of personal hearing on 10/05/2019 vide this office letter no. 1949 dated 25/04/2019, to explain its position but, the education institute has failed to attend the hearing.

A reply was submitted by the education institute vide its letter no. HPS/GEN/0615/2019.20 dated 23/04/2019 stating that the school has already plugged the borewell and will permanently plug the borewells in a short period. However, no line limit to permanently plug the borewells has been submitted by the education institute. Education institute has further submitted that the DG set of 80 KVA capacity has now been equipped with canopy and adequate stack height and also the MSW

Attn.
blmsh
Regional Engineer,
Pollution Control Board,
Regional Officer, SANGRUR

generated is not being burn now. However, the education institute has failed to explain about the disposal of the MSW generated from its premises & has not applied for obtaining consents to operate as yet.

Thus, the institute has failed to obtain NOC/Consent to operate of the Board under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and is willfully causing water and air pollution in the vicinity, thus violating the provisions of said Acts.

Also, the institute has failed to attend the observations as raised by the Board and is in operation without valid consents of the Board as well as in violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

Therefore, the industry was served with Show cause notice for violation of the provisions of Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 alongwith an opportunity of personal hearing before Senior Environmental Engineer, ZP-II, Patiala on 25.07.2019.

Sh. Anil Mittal, Chairman of the School of the appeared before the Sr. Environmental Engineer, Zonal Office-II, Patiala on 25.07.2019 and submitted written reply and same has been taken on record. In the reply, he submitted that the school has already provided canopy and stack of adequate height with the DG set of capacity 80 KVA and burining of Municipal Solid Waste generated from the school permises has been stopped. He further mentioned that the borewells earlier provided by the school has been permanently plugged and the compliant made by Sh. Harbans Singh S/o Sh. Gurcharan Singh and others has already been withdrawn.

After hearing, the officer of the Board and representative of the School, Sr. Environmental Engineer, Zonal Office-II, Patiala decided as under:

1. The institute will apply for obtaining consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 alongwith requisite document and fees to the Board within 15 days.
2. Environmental Engineer, Regional Office, Sangrur shall visit the institute after 15 days to verify the contentions of the institute given by it during hearing and thereafter process the Consent applciations of the institute on merits.

You are requested to comply with the aforesaid hearing decisions in stipulated period

Endst. No. 3172

Dated 30/7/19

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur for information and necessary action.

for Sr. Environmental Engineer,
Zonal Office-II, Patiala

At
for
Environmental Engineer,
Pb. Pollution Control Board,
Regional Officer, SANGRUR