



Regional Office, Ballabgarh Region
Haryana State Pollution Control Board
Near Hewo Apartment, Sector -16A, Faridabad
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Contact No. 0129-2225314



No. HSPCB/BR/2019/ 6358

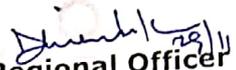
Dated: 29/11/19

To

The Registrar General,
National Green Tribunal,
New Delhi.

Sub: Interim report in compliance of order dated 13-08-2019 by Regional officer, Ballabgarh and Deputy Commissioner, Faridabad.

In this connection, please find enclosed herewith the interim action taken report in compliance of Hon'ble NGT judgement dated 13-08-2019.
DA/as above


Regional Officer
Ballabgarh Region

Date:

Endst No.

A copy of the above is forwarded to the legal cell, Haryana State Pollution Control Board, Panchkula for information and necessary action please.

Regional Officer
Ballabgarh Region

Date:

Endst No.

A copy of the above is forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for information and necessary action please.

Regional Officer
Ballabgarh Region

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(OA No. 580/2019)

In the matter of:

Bhudev Sharma

.....Applicant(s)

Versus

State of Haryana

.....Respondent(s)

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BEFORE THE NATIONAL GREEN TRIBUNAL
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In the matter of:

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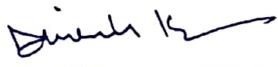
Action taken report in compliance of order dated 13.08.2019

MOST RESPECTFULLY SHOWETH:

1. That the grievance in this letter, which has been treated as an application, is against the alleged pollution caused by M/s Oriental Structural Engineers Pvt. Ltd. at village Hirapur, Tehsil Ballabhgarh, District Faridabad.
2. That this Hon'ble Tribunal in above referred matter vide its order dated 13-08-2019 ordered as follows:-

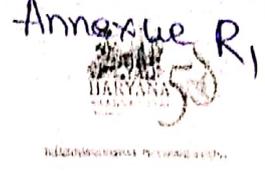
"let the District Magistrate, Faridabad and Haryana State Pollution Control Board (HSPCB) look into the matter and take appropriate action in accordance with law and furnish a factual and action taken report to this Tribunal within one month from the date of receipt of copy of this order by e-mail at judicial-ngt@gov.in. The HSPCB will be the nodal agency for coordination and compliance."
3. That the complaint site was visited by the HSPCB officials on dated 30-09-2019 for verification of the complaint and it was found that the construction of KGP Highway was completed and there was no Ready Mix Concrete Plant of M/s Oriental Structural Engineers Pvt. Ltd. at village Hirapur, Tehsil Ballabhgarh, District Faridabad.

4. That as per the report DCP, Faridabad dated 22-10-2018, M/s Oriental Structural Engineers Pvt. Ltd. was operating a RMC plant at village Hirapur, Tehsil Ballabgarh, District Faridabad. That RMC plants are covered under green category in the consent management policy of HSPCB and the said RMC plant was operating without obtaining consent from HSPCB.
5. That Regional Officer, HSPCB, Ballabgarh has recommended to impose Environmental Compensation against M/s Oriental Structural Engineers Pvt. Ltd for illegal operation of RMC as per HSPCB policy order no. HSPCB/PLG/2019/6043 dated 29-04-2019. The matter is under consideration in the committee constituted by HSPCB for Environmental Compensation. Copy of letter dated 29-11-2019 sent to Head Office is annexed herewith as **Annexure-R/1**.
6. That in view of above, it is pleaded that 4 weeks time may be granted to HSPCB so that complete action taken report in this matter can be submitted in Hon'ble NGT.


**Regional Officer, HSPCB
Ballabgarh Region**


**Deputy Commissioner
Faridabad**

Place: Faridabad
Date: 29-11-2019



No. HSPCB/BR/2019/ 6345

Dated: 29-11-2019

To

The Chairman,
Haryana State Pollution Control Board,
Panchkula.

Sub:- Imposition of environmental compensation against the damages cost to the environment by M/s Oriental structure Engineers (P) Ltd., for their RMC Plant, Village-Heerapur, Ballabgarh, Faridabad (corporate office address - OSE Commercial Block, Asset 5B, Aerocity, Hospitality District, IGI Airport, New Delhi, Delhi 110037).

Ref: Earlier this office letter no. 6008 dated 07-11-2019 and 6142 dated 18-11-2019 (Copy enclosed).

In continuation to this office letter no. 6008 dated 07-11-2019 and 6142 dated 18-11-2019, it is submitted that as per Hon'ble NGT order in the matter of Bhudev Sharma Vs. State of Haryana dated 13.08.2019, District Magistrate, Faridabad and HSPCB would submit a factual and action taken report within 1 month by email to NGT. The applicant in the said application has alleged that M/s Oriental Structure Engineers Pvt. Ltd was operating illegally at Village-Heerapur, Tehsil-Ballabgarh, District-Faridabad.

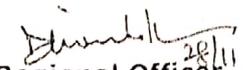
As per documents and photographs received on email from Sh. Anil Grover Additional Advocate General, State of Haryana it is evident that a complaint was made by Mr. Bhudev Sharma on dated 23.03.2018 at 1:52 pm regarding pollution caused by plant of M/s Oriental Structure Engineers Pvt. Ltd., Village-Heerapur, Tehsil-Ballabgarh, District-Faridabad. It is also evident that the site inspection of the said unit was conducted by Head Constable Sh. Jawahar Singh and it was reported by him that M/s Oriental Structure Engineers Pvt. Ltd., Village-Heerapur, Tehsil-Ballabgarh, District-Faridabad was running a plant for construction of highway causing damage to the crops in the nearby field and health of people. It is further evident from the pictures taken during the inspection that the said plant was an Ready Mix Concrete plant which is covered under green category of the consent management policy of the board. The complete report alongwith photograph was sent by DCP Faridabad to Commissioner of Police, Faridabad. Thereafter, the complaint was sent to Hon'ble NGT by post which was registered as an application. The site inspection report of the police official proves that the alleged RMC was running illegally without obtaining CTE and CTO from HSPCB. The complaint site was also visited by concerned HSPCB officer to verify the content of the complaint on 30-09-2019 and it was reported that no RMC plant was found to be existing at the site. Local residents were enquired about the alleged RMC plant and they informed that the RMC plant has already been dismantled as construction work of highway has been completed.

In view of above, the above said unit is liable to pay the environmental compensation as per directions of the board issued vide office order no. 6043-6075 dated 29.04.2019, as per methodology defined therein. Such types of cases are considered as 'case-e' for levying environmental compensation. As per above mentioned order dated 29.04.2019 at point no. 1.3.2, the environmental compensation may contain two parts - "one requires providing immediate relief and other long terms measures such as remediation. In all these cases, detailed investigations are required from expert institution/organization based on which environmental compensation will be decided. CPCB shall list the expert institution for this purpose. In such cases comprehensive plan for remediation of environmental pollution may be prepared and executed under the supervision of a committee with representative of SPCB, CPCB and expert institution/organization".

In view of above, it is requested that the necessary directions may be issued to the committee of the officers for calculating the environmental compensation so that the further directions could be issued to the defaulting unit accordingly.

Submitted for your kind information and necessary action in the matter please.

DA/ as above


Regional Officer
Ballabgarh Region