

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

O.A.No. 627 of 2018

In the matter of:

Awasiya Jan Kalyan Samiti (Regd.)

...Applicant(s)

Versus

State of Haryana

...Respondent(s)

**Status Report by way of Affidavit of
Smt. Sonal Goel, IAS, Commissioner,
Municipal Corporation, Faridabad in
compliance of order dated 16.05.2019**

Respectfully Showeth:-



That the deponent herein, in the aforesaid official capacity humbly state as under:

1. That this Hon'ble Tribunal during course of hearing on 16.05.2019, has considered steps taken and proposed to be taken by the Municipal Corporation of Faridabad and passed the order dated 16.05.2019 directing the Corporation to file the affidavit about the steps taken for recovering of cost of restoration of damage to the environment from identified polluters and erring officers. The relevant portion of the order is reproduced below:

"We find that the report of the Committee appointed by the CPCB has not assessed the damages to be recovered even after holding the MCF responsible and accountable. The MCF or the State of Haryana has also not identified the polluters or the erring officers from whom compensation for the damage to the environment and cost of restoration is to be recovered. Let the report in this regard be furnished by e-mail at ngt.filing@gmail.com. An affidavit be also filed by the MCF and the HSPCB about the steps taken for recovering of cost of restoration of damage to the environment from identified polluters and erring officers by e-mail at ngt.filing@gmail.com".



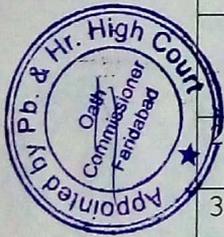
2. That in reference to action against the erring officers/ officials of this Corporation for causing damage to the environment of the area, it is humbly submitted that disciplinary proceedings have already been initiated against the erring officers/officials of this Corporation which are still pending. The disciplinary action in the instant case has been divided in 3 parts i.e. Firstly, officers / officials posted while laying of sewer line in 2012-13 i.e. 30.08.2012 to 21.11.2013, Secondly, the officers / officials

posted in ward no. 16 from June, 2016 when the area in question was handed over to MCF till May, 2019 and Thirdly, the officer / officials of sanitation wing posted from June, 2016 till May, 2019. A committee has also been constituted to assess the proportion of financial responsibility of the erring officials / officers and a report has been submitted recommending the proportion of financial liability. However, proportion cost of Rs. 50 lakhs shall be recovered from the guilty officers/officials after finalization of disciplinary action. The details of officers/officials identified against whom disciplinary actions are pending given below:



| S.No | Name of Officers/officials & the then Designation, S/Sh. |
|------|----------------------------------------------------------|
| 1. | N. K. Katara, Chief Engineer (Retd.) |
| 2. | B.S. Singroha, HSE-I, Chief Engineer |
| 3. | Anil Mehta, Executive Engineer/Superintending Engineer |
| 4. | Late S.K. Arora, Assistant Engineer |
| 5. | Vinod Kumar, Junior Engineer |
| 6. | O.P. Goyal, HSE-I (Retd.), Chief Engineer |
| 7. | D.R. Bhaskar, Superintending Engineer/Chief Engineer |
| 8. | Ramesh Bansal, Superintending Engineer |
| 9. | Raman Kumar Sharma, Superintending Engineer |
| 10. | Ram Prakash, Superintending Engineer (Retd.) |
| 11. | S.K. Aggarwal, Executive Engineer (Retd.) |
| 12. | Vijay Dhaka, Executive Engineer |

| | |
|-----|-----------------------------------------------------------|
| 13. | Pritam Chand, Executive Engineer |
| 14. | B. K. Kardam, Executive Engineer |
| 15. | Shyam Singh, Executive Engineer |
| 16. | Arbind Shekhawat, Executive Engineer |
| 17. | Nawal Singh, Assistant Engineer |
| 18. | Ravi Sharma, Assistant Engineer |
| 19. | Sher Singh, Assistant Engineer (Retd.) |
| 20. | Khem Chand, Junior Engineer/ Assistant Engineer |
| 21. | Surender Khattar, Assistant Engineer |
| 22. | Umed Singh, Assistant Engineer |
| 23. | Rajesh Sharma, Junior Engineer/Assistant Engineer |
| 24. | Sandeep, Junior Engineer (OS) |
| 25. | Sumer Singh, Junior Engineer |
| 26. | Rahul Tewatia, Junior Engineer (OS) |
| 27. | Deepak Kumar, Tubewell Helper (Assist to Junior Engineer) |
| 28. | Punit Tyagi, Junior Engineer (OS) |



Detail of Officer/Official of Sanitation Wing

| | |
|-----|----------------------------------------------------------|
| 29. | B.K. Kardam, Acted as Medical Officer of Health |
| 30. | Deepak Kinger, Acted as Medical Officer of Health |
| 31. | Tek Singh Dagar, Assistant Engineer (Sanitation) |
| 32. | Surender Khattar, Assistant Engineer (Sanitation) |
| 33. | O.P. Mor, Assistant Engineer (Assist to MOH) (Retd.) |
| 34. | Chander Dutt Sharma, Senior Sanitation Inspector (Retd.) |
| 35. | Gajraj, Sanitation Inspector (Retd.) |
| 36. | Pramod Sharma, Sanitation Inspector |
| 37. | Narender Lohia, Assistant Sanitation Inspector |
| 38. | Vishal, Assistant Sanitation Inspector (OS) |

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Recovery of compensation shall be made from the erring officers/officials who will be found guilty in disciplinary action with due process of law.

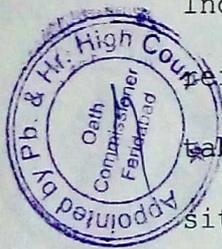
4. That in reference to recovery of damages from the polluters is concerned, it is submitted that the polluters are the residents of surrounding areas / colonies which cannot be identified individually at this stage. However, proper fencing of the disputed site should be done by HUDA (now HSVP) so that no one can use the site for disposal of waste.

5. That it is bring into kind notice of this Hon'ble Tribunal that the Municipal Corporation, Faridabad in the year 2016 while taking up a project under AMRUT for laying sewer network for Faridabad Urban area amounting to Rs. 250.00 crore, has included the said village also, which work has since been started and all out efforts are being made to complete the said project at the earliest possible. As soon as the said project becomes functional, the said problem shall stand mitigated permanently. Meantime, work for repair, maintenance and cleaning of the existing sewerage line of Sec-48, SGM Nagar, Sainik Colony etc. costing Rs. 70 lacs has been completed and the sewer line is functional properly. In addition to this, for



dewatering of stagnated water, the capacity of existing disposal provided by HUDA at this site had already increased by the MCF from 7.5 HP to 30 HP, besides installing additional diesel engine of 12.5 HP. Resultantly, the stagnated water stands disposed off and at present there is no such stagnation at the site.

6. That it is worthwhile to mention here that that in order to ascertain the extent of damage, if any, to the underground water of the said site, the same was also got tested from Sri Ram Institute for Industrial Research, New Delhi and M/s Star Wire India Limited, Faridabad. These reports do not reflect about any damage to the underground water table by the so called stagnated waste water at the site in question. It is pertinent to mention that the work of cleaning process by super sucker machine from sector 21-D disposal to Sainik Colony has been completed and the stretch at Badkhal Chowk to Sector 21-D has been cleared. The sewerage line is now working properly and as on today there is no water logging in sector 48 and Sainik Colony Green Belt Area. (Photographs are enclosed for kind perusal of the Hon'ble Tribunal)



7. The issue relating to depositing of cow dung at the site in question by the nearby dairy owners was

also raised before the Hon'ble Tribunal. It is submitted that the dumping of cow dung has been removed from the site and deterrent action is being taken against the offenders by constant prosecution of wrongdoers who are found dumping the cow dung. It is pertinent to mention here that MCF officials have forwarded 322 challans to the court of C.J.M Faridabad against the wrong doers under section 273 of Haryana Municipal Corporation Act, 1994 in the area of SGM Nagar Near Sec. 48, NIT Faridabad (Dated 28.07.2016 to 27.11.2019). It is further submitted that fencing by the Haryana Shahari Vikas Pradhikaran (HSVP) around the vacant site will permanently stop the dumping of any waste by miscreants.

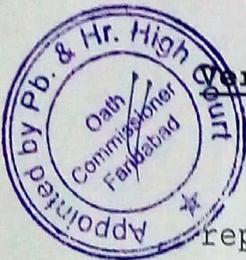


8. That Cleaning/desilting of all sewerage network of Faridabad is done mechanically by the MCF on regular basis, as and when required. Further, in order to stop the untreated sewerage into the drainage system, the MCF has prepared an Action Plan worth Rs. 490 crore under which revamping of all sewer system including construction of new Sewage Treatment Plants and increasing of capacity of the existing STPs has been made. This plan has been submitted under Yamuna Action Plan.

In view of the submissions made herein above, the Corporation has taken sincere steps to redress the grievance and is committed to the needful in the interest of environment. It is being undertaken that directions, if any, passed by this Hon'ble Tribunal, shall be complied with sincerely.

Place: Faridabad
Dated:

Rajpal
Deponent



Verification:

Verified that the contents of above status report by way of affidavit are true and correct to my knowledge which are derived from the official record. No part of it is false and nothing has been concealed therein.

Place: Faridabad
Dated:

Rajpal
Deponent

certified that the above was
on oath / affirmation before me on
..... day of .., 20 ..
by .. who has been duly
by .. who is personally
known to me the contents of the above
were explained to the Deponent

R. S. RAUTELA
Oath Commissioner, Faridabad

