



Regional Office, Gurugram (N)
Haryana State Pollution Control Board
Vikas Sadan, Opposite- New Court, Gurugram



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Dated 8-1-2020

No. HSPCB/GRN/2019/ 6604
To

The Registrar,
National Green Tribunal,
Faridkot House, Copernicus Road,
New Delhi.

Sub. - Action taken report in the matter of O.A. No - 661/2018 titled as Parveen Kakkar V/s Ministry of Environment, Forest & Climate Change & Ors in compliance of National Green Tribunal order dated 13.09.2019.

R/Sir,

This is in the reference to above mentioned matter. The Hon'ble Tribunal vide order dated 13.09.2019 in the matter of O.A. No - 661/2018 titled as Parveen Kakkar V/s Ministry of Environment, Forest & Climate Change & Ors has directed as under:-

“Let the compliance reports be filed by the CPCB, State PCB, SEIAA, Haryana, CGWA, Town and Country Planning Department, Haryana, Dakshin Haryana Bijli, Vitran Nigam, Haryana Shahari Vikas Pradhikaran and District Magistrate Gurgaon within one month by e-mail at judicial-ngt@gov.in”

In compliance of said order, action taken report of order dated 13.09.2019 of Hon'ble Tribunal, which is enclosed herewith. It is requested to kindly accept the report and place before the Hon'ble Tribunal.

DA/As above

Yours Faithfully


Regional Officer,
Gurugram Region (N)

 For Haryana State Pollution Control Board

Action Taken Report

As per

Hon'ble National Green Tribunal

(Order dated 13th September 2019)

IN THE MATTER OF

Original Application No.

661/2018 (With Report dated 21.06.2019)

Praveen Kakkar & Ors.

Versus

Ministry of Environment & Forests & Ors.

"Action taken report in the matter of O.A. No - 661/2018 titled as Parveen Kakkar V/s Ministry of Environment, Forest & Climate Change & Ors "

Introduction:

The O.A. No. 661/2018 is regarding remedial action for encroachment of green areas, extraction of ground water and violation of other statutory norms by M/s Ansal Properties and Infrastructure Ltd., Sushant Lok, Phase-I, Gurgaon (herein after refer as Company). The Hon'ble NGT vide order dated 19.09.2018 in the above mentioned OA sought a report from a joint Committee comprising representatives of the Central Pollution Control Board, Town and Country Planning Department, Haryana, Delhi School of Planning and Architecture, Central Ground Water Authority and State Environment Impact Assessment Authority, Haryana.

Findings /Observations of Constituted Committee:-

The constituted committee submitted report dated 16.11.2018 which was considered by the Hon'ble NGT on 08.01.2019 which pointed out various deficiencies as follows:-

1. Encroachment like hutment for security/labours, DG sets, kitchen gardens were observed. In earmarked green areas, green belt has not been developed according to norms and standard practices by project proponent, natural shrubs have grown as against turfing, plantation. However, committee recommend that area under open/green area, road and community site needs to be verified as per standard methods adopted by Town & Country Planning dept. which will lead to the conclusion whether 45% approved area under open/green area, road and community site is available or not.
2. Project proponent is required to obtain Environmental Clearance (EC) under provisions of EIA notification dated 14.09.2006, as last two licenses (License No 62 of 2007 dated 12.02.2007) & 13.04.2011 (License No 32 of 2011 dated 13.04.2011) were granted after 14.09.2006, cut off date of requiring EC and total area crossed the threshold limit.
3. Consent to Establish & Consent to Operate have also not been obtained. It is violation of Water (prevention and Control of Pollution) Act, 1974 & Air (prevention and Control of Pollution) Act, 1981 by project proponent.
4. Project proponent has applied for registration of 39 Tube wells with Central Ground Water Authority (CGWA) but No Objection Certificate (NOC) from CGWA for extraction of ground water is not available. Flow meters fixed with tube wells need to be rectified to get the quantity of extracted water.
5. Rain water harvesting system for houses is not provided & rain water harvesting structures for open spaces & common area are non-functional. The basic purpose of ground water recharge is not being achieved by these structures.
6. Sewage is meeting the storm water drain as it is not getting passed through sewerage system to HUDA STP. Project proponent, Haryana Shahari Vikas Pradhikaran (HSVA) (former HUDA) and Gurugram Metropolitan Development Authority (GMDA) are required to resolve this issue jointly.



7. Maintenance of roads, footpath, parks is not up to the mark and system of collection of solid waste is not effective.
8. Construction and Demolition waste management rules, 2016 and its guidelines are not being followed in the colony.
9. DG sets are operating without adequate stack height.
10. Part completion certificates have been granted to project proponent by Town and Country Planning Department, Haryana.

Directions issued by Hon'ble NGT to CPCB and compliance report submitted by CPCB:-

The Tribunal vide order dated 08.01.2019 directed the CPCB to exercise the statutory powers and take measures for closure of the project, initiating prosecution and recovering compensation for the damage to the environment in accordance with law.

In compliance of Hon'ble NGT order dated 08.01.2019, CPCB has filed compliance vide email dated 05.04.2019 before the Hon'ble Tribunal. The matter was thereafter considered on 21.05.2019 as follows:-

"Compliance report has been filed vide email dated 05.04.2019 indicating the steps taken. There is however nothing to show the exercise of statutory power for prosecution. The CPCB has suggested that the project proponent should furnish an action plan and CGWA should determine compensation for illegal extraction of ground water. We are of the view that such powers can be exercised by the CPCB itself by giving directions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. A Pollution Board is entitled to disconnect the electricity and water supply and take measures for stopping illegal activities as condition for continuing consent to establish or to operate."

Accordingly, in compliance of Hon'ble directions dated 21.05.2019, action taken report has been filed by the CPCB on 21.06.2019 to the effect that CPCB initiated action in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, CPCB, following directions have been issued on 21.06.2019 to the Company and concerned Authorities to ensure compliance of Environmental Regulations and Orders issued by Hon'ble NGT. Directions issued by the CPCB to Haryana State Pollution Control Board is as under:-

- a. NOCs, Consents and Authorization granted to M/s Ansal Properties & Infrastructure Ltd. Gurugram be revoked immediately and shall not be considered in future also till compliance of these directions are made.
- b. Discharge of untreated sewage from the premises of the company into storm water drain be stopped.

Hon'ble NGT vide order dated 13.09.2019 has further directed that steps need to be taken as follow up of above CPCB directions and ordered that:-



"Let the compliance reports be filed by the CPCB, State PCB, SEIAA, Haryana, CGWA, Town and Country Planning Department, Haryana, Dakshin Haryana Bijli, Vitran Nigam, Haryana Shahari Vikas Pradhikaran and District Magistrate Gurgaon within one month by e-mail at judicial-ngt@gov.in"

Compliances of Hon'ble NGT order dated 13.09.2019 pertaining to HSPCB :-

Hon'ble NGT vide order dated 13.09.2019 has issued directions that *"The Chairman Haryana State Pollution Control Board - a. NOCs, Consents and Authorization granted to M/s Ansal Properties & Infrastructure Ltd. Gurugram be revoked immediately and shall not be considered in future also till compliance of these directions are made. b. Discharge of untreated sewage from the premises of the company into storm water drain be stopped"*. CPCB has vide letter dated 18.06.2019 (**Annexure-1**) & 03.10.2019 (**Annexure-2**) has directed to do the needful.

The constituted committee by Hon'ble NGT observed that that last two licenses for the development of area of 1 acre and 1.55 acre were granted on 12.02.2007 (License No 62 of 2007 dated 12.02.2007) & 13.04.2011 (License No 32 of 2011 dated 13.04.2011) respectively which falls after EIA Notification dated 14.09.2006, cut-off date of requiring environmental clearance & execution of aforesaid licenses comes under expansion of project and total area of licensed colony after expansion is 604.19 Acres which crosses the threshold limits (>50ha =123.5 Acres for area development project) and thus Company was required to obtain EC. Out of two license one license (62 of 2007) is in the name of B.C.C. Properties (P) Ltd., 115 Ansal Bhawan, 16 Kausturba Gandhi Marg, New Delhi for setting up of a Group Housing Colony at Village Sukhrali District Gurugram.

The questioned matter is regarding Sushant Lok, Phase - I which is a residential township spread over 604.194 acres in Sector -27, 28, 43, 52 of Gurugram developed by the Company on various (112 Nos.) licenses (**Annexure-3**) (including license No. 151 of 2004 dated 02.12.2004 – IVY Group Housing Complex – 5.88 Acres) issued to the Company by Town and Country Planning Dept., Haryana from 1985 to 2011 under Section 3 of the Haryana Development & Regulations of Urban areas Act, 1975 and Rules framed there under. As per revised approved layout plan dated 24.12.2010 of Sushant Lok – I, total licensed area is 604.194 acres, out of which 18.357 Acres is earmarked for Group Housing. The remaining licensed area i.e. 585.797 acres is under net planned area. Area under plots & under commercial is 295.098 acres & 21.704 acres respectively making total saleable area 316.802 (295.098+21.704) which is 54.08% of net planned area.

The Company had applied for Environmental Clearance to the MoEF&CC on 30.03.2006 for the project IVY Group Housing Complex (License No. 151 of 2004 dated 02.12.2014 Total Plot area 23823.94 Sqm (5.88 Acres) and total Built up are 41433.94 Sqm) as the project was covered under EIA notification 1994 amended on 07.07.2004. The Company had applied No Objection Certificate (NOC) vide their letter



dated 19.01.2006 & 17.07.2006 in connection with the requirement of environmental clearance from MoEF&CC, New Delhi and had deposited public hearing fee to the Board for which public hearing was conducted by the Board on 08.03.2006 which was pre-requisite for deciding environmental clearance by MoEF&CC, New Delhi. The minutes of meeting of public hearing dated 08.03.2006 was sent to the Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi for deciding environmental clearance of the said project. Board had granted NOC vide No. HSPCB/2006/TAC-A/997 dated 07.08.2006 (**Annexure-4**) from pollution angle in connection with the requirement of Environmental Clearance from MoEF&CC and NOC to establish will become operational once the environmental clearance is granted by MoEF&CC under intimation to the Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi. The NOC was issued is wholly and solely for the purpose of meeting the requirement of Govt. of India and this NOC does not entitle the right to establish or right to operate the unit. A complaint under section 15 of the Environment Protection Act was filed against the Company for the Group Housing Residential Complex (IVY), Sushant Lok, Gurugram (License No. 151 of 2004) for starting construction activity without obtaining prior mandatory environmental clearance as per notification dated 27.01.1994/07.07.2004/14.09.2006 in Special Environment Court vide complaint No. 48/08 (**Annexure-5**). The Hon'ble Court has convicted the Company for the said offence and disposed off through Mega Lok Adalat the case on 20.12.2008 by imposing fine of Rs. 1000/- and compensation of Rs. 1.00 lac for the said offence considering plea bargaining application moved u/s 265-B Cr. PC. The representative of the Company has made a statement before the Hon'ble Court on 20.12.2008 that the Company have obtained environmental clearance but Company have never obtained environment clearance for this project till date. The order of the Special Environment Court in this regard is enclosed as **Annexure -6..**

In view of above stated facts & incompliance of CPCB directions 18.06.2019, NGT order dated 08.01.2019, 13.09.2019 and CPCB letter dated 03.10.2019 and report of constituted committed 16.11.2018 & 05.04.2019, it is submitted that:-

1. NOC, Consent to Operate under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Authorization under Hazardous & Other Waste Management Rules, 2016 granted to M/s IVY Group Housing Complex, Sushant Lok-I, Gurugram [One of the project – (5.88 Acres area bearing license No. 151 of 2004 dated 02.12.2004) of the whole project under question - 604.19 acres] has been revoked by HSPCB vide No HSPCB/2019/798 dated 19.11.2019. (**Annexure-7**).
2. DG sets which were operating without adequate stack height have been sealed by the Board, copy of closure order and compliance of closure order is enclosed as (**Annexure -8 & 9**)



3. Sanction for prosecution against M/s Ansal Properties & Infrastructure Ltd. 115, Ansal Bhawan, 16 K.G. Marg, New Delhi – 110001 and it's responsible persons has been accorded by the Chairman, HSPCB, Panchkula under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 vide Endst. No. HSPCB/Consent/2019/618 dated 15.10.2019 (**Annexure-10**) and the prosecution case will be filed in due course of time before Special Environment Court, Faridabad.

4. Gurugram Metropolitan Development Authority (GMDA), Gurugram vide letter No. File No. 225025/01/2019/Infra-II/2006 dated 15.10.2019 (**Annexure-11**) has intimated that they have stopped untreated sewage flowing from the premises of the company and other areas in Storm Water Drain (SWD) and connection under question has been disconnected and now, there is no sewage flowing on said location and the same has already verified by the concerned field officer of HSPCB & GMDA at site on 19.10.2019 (**Annexure -12**).


Regional Officer,
HSPCB, Gurugram Region (N)



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

No. B-31013/71/2019-20/UPCD-I/

E-mail / Speed Post

June 18, 2019

To :

- 1 The Chairman,
Ansal Properties & Infrastructure Ltd,
115 Ansal Bhawan, 16, K.G. Marg, New
Delhi-110001
- 2 The Chairman
Haryana State Pollution Control Board,
C-11, Sector - 6,
Panchkula - 134109, Haryana
- 3 The Member Secretary
Central Ground Water Authority
18/11, Jamnagar House,
Man Singh Road
New Delhi-110011
- 4 The Member Secretary,
State Environment Impact Assessment
Authority- Haryana
Bay's No. 55-58, 1st Floor, Prayatan
Bhawan, Sector-2,
Panchkula, Haryana
- 5 The City Magistrate,
CTM Gurugram,
Mini Secretariat,
1st Floor
Gurugram - 122001
- 6 The Director
Town and Country Planning
Department, Haryana
SCO 71-75, Sector 17C,
Chandigarh - 160017
- 7 The Chairman cum Managing
Director, Dakshin Haryana Bijli Vitran
Nigam,
Vidyut Sadan, Vidyut Nagar, Hisar -
125005
- 8 The Chief Administrator,
Haryana Shahari Vikas Pradhikaran,
Plot No. C-3, HUDA Complex, Sec-6,
Panchkula, Haryana - 134109

Sub.: Direction under Section 5 of the Environment (Protection) Act, 1986 in compliance of Hon'ble NGT order dated 21st May, 2019 in the matter of OA No. 661/2018 titled as Praveen Kakar & Ors. Vs MoEF&CC & Ors.

WHEREAS, Section 16 (2) of The Water (Prevention & Control of Pollution) Act, 1974 mandates the Central Pollution Control Board to execute nation-wide program for prevention, control and abatement of air pollution and organize a comprehensive program and perform such other functions as may be prescribed; and

WHEREAS, Section 16 (2) of The Air (Prevention & Control of Pollution) Act, 1981 mandates the Central Pollution Control Board to execute nation-wide program for prevention, control and abatement of air pollution and organize a comprehensive program and perform such other functions as may be prescribed; and

WHEREAS, various licenses/permissions are granted to Ansal Properties & Infrastructure Ltd by Town and Country Planning Dept., Haryana from year 1985 to 2011 under the Haryana Development & Regulation of Urban Areas Act, 1975 and the Rules, 1976 for setting up a residential colony spread over 604.194 Acres at ShushantLok, Phase-1, Sector 27, 28, 43 & 52, Gurugram; and

WHEREAS, under the provisions of the Haryana Development & Regulation of Urban Areas Act, 1975 and the Rules, 1976 - **Development works to be provided in colony [Section 3(3)]** –

The designs and specifications of the development works to be provided in a colony shall inter alia, include the following –

- (i) metaling of roads and paving of footpaths;
- (ii) turfing and plantation with trees of open spaces;
- (iii) street lighting;
- (iv) adequate and wholesome water supply;
- (v) sewers and drains both for storm and sullage water and necessary provision for their treatment and disposal; and
- (vi) any other work that the Director may think necessary in the interest of proper development of a colony;

[Provided that in case of a low-density eco-friendly colony, installation and development of solar farm, compost plant, sewerage treatment plant and bio-gas plant as per specified norms and specifications at sites approved in the layout plan shall also constitute part of development works]; and

WHEREAS, Ansal Properties & Infrastructure Ltd. is fully responsible to make the arrangement of disposal of sewage and storm water till such time these are made available by HUDA and all link connections with the external system will be done by colonizer at his own cost. The colonizer is responsible to ensure that sewer/storm water drainage laid by them remains connected by gravity with the master services laid / to be laid by HUDA/Haryana Govt. in this area; and

WHEREAS, the correctness of the level of the colony is sole responsibility of the colonizer for integrating the internal sewer/storm water drainage of colony with the master services under the conditions of the memo no. 5 DP-96/10698 dated 12.07.1996 with subject - Approval of service plan issued by Director, Town & Country planning, Haryana; and

WHEREAS, as per condition (15) of license no. 32 of 2011, granted by Town and Country Planning Dept., Haryana, licensee shall provide rain water harvesting system at site as per Central Ground Water Authority/Haryana Govt. notification, as applicable; and

WHEREAS, an application (OA No. 661/2018 in the matter of Praveen Kakar & Ors Vs MOEF&CC, etc) was filed before Hon'ble NGT on 4th September, 2018 with allegations, inter-alia, that

1. There is encroachment of parks in green area in Block C of Sushant Lok, Phase I, Gurgaon.
2. Illegal extraction and supply of ground water which is contaminated is taking place.
3. There is absence of sewerage treatment plant. The sewerage of the area connects the storm water drain.
4. There is requirement to leave 45% of land for roads, open spaces, schools, public common uses as per norms.

WHEREAS, in this matter, Hon'ble NGT vide order dated 19th September, 2018 constituted a committee comprising of representative of

- i. Central Pollution Control Board, Coordinator
- ii. Town & Country Planning Dept., Haryana
- iii. Delhi school of planning and Architecture
- iv. Central Ground Water Authority
- v. State Environment Impact Assessment Authority

to meet, visit the site to examine the matter and submit a report within one month thereafter; and

WHEREAS, in pursuant to the Hon'ble NGT's order dated 19th September, 2018, the meeting of the constituted committee was convened and the site under reference was inspected to investigate the matter and accordingly, the report was submitted; and

WHEREAS, following are the concluding remarks of report

1. Encroachment like hutment for security/labors, DG sets, kitchen gardens were observed. In earmarked green areas, green belt has not been developed according to norms and standard practices by project proponent, natural shrubs have grown as against turfing, plantation. However, committee recommend that area under open/green area, road and community site needs to be verified as per standard methods adopted by Town & Country Planning dept. which will lead to the conclusion whether 45% approved area under open/green area, road and community site is available or not.
2. Project proponent is required to obtain Environmental Clearance (EC) under provisions of EIA notification dated 14.09.2006 in light of the following facts :
 - a. Last two licenses were granted after 14.09.2006 which is the cutoff date of requiring EC and
 - b. Total area of the project necessitates obtaining EC.
3. Consent to Establish & Consent to Operate have also not been obtained. It is violation of Water (prevention and Control of Pollution) Act, 1974 & Air (prevention and Control of Pollution) Act, 1981 by project proponent.
4. Project proponent has applied for registration of 39 Tube wells with Central Ground Water Authority (CGWA) but No Objection Certificate (NOC) from CGWA for extraction of ground water is not available. Flow meters fixed with tube wells need to be rectified to get the quantity of extracted water.
5. Rain water harvesting system for houses is not provided & rain water harvesting structures for open spaces & common area are non-functional. The basic purpose of ground water recharge is not being achieved by these structures.
6. Sewage is meeting the storm water drain as it is not getting passed through sewerage system to HUDA STP. Project proponent, Haryana Shehri Vikas Pradhikaran (HSVA) (former HUDA) and Gurugram Metropolitan Development Authority (GMDA) are required to resolve this issue jointly.
7. Maintenance of roads, footpath, parks is not up to the mark and system of collection of solid waste is not as per Solid Waste Management Rules, 2016.
8. Construction and Demolition Waste Management Rules, 2016 and its guidelines are not being followed in the colony.
9. DG sets are operating without adequate stack height
10. Part completion certificates have been granted to project proponent by Town and Country Planning Department, Haryana.

WHEREAS, Hon'ble NGT vide order dated 8th January, 2019 has directed CPCB as follows;

1. To exercise its statutory power to determine and recover the damages and issue further directions for closure of the project and initiating prosecution in accordance with the procedure prescribed under Air Act and Water Act.
2. The CPCB will be at liberty to coordinate with the concerned authorities including the CGWA and the State PCB. Action may include recovery of damages for loss to environment, closure of the project as well as prosecution under the relevant statutory provisions.
3. Action plan may be furnished to the Tribunal within three months; and

WHEREAS, the Ministry of Environment, Forest and Climate Change, Government of India vide notifications No. S. O. 157(E) of 27.02.1996 and S.O. 730(E) dated 10.07.2002 has delegated the powers vested under section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the E(P) Act, 1986" and amendment thereof; and

WHEREAS, in view of the above and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, CPCB, M/s Ansal Properties & Infrastructure Ltd. (through its Chairman) was directed vide letter dated 28.02.2019 to stop all the construction/expansion activities in Shushant Lok, Phase1, Gurugram with immediate effect.

M/s Ansal Properties & Infrastructure Ltd, Shushant lok-1, Gurugram was further directed for the following

1. M/s Ansal Properties & Infrastructure Ltd shall pay Environment Compensation of Rs 12.18 Crore (Rs Twelve crore eighteen lacs only)to CPCB on account of discharge of untreated sewage for 281 days (till 28.02.2019) as per Environmental Compensation Policy framed in compliance of Hon'ble NGT Order dated 31.08.2018 in OA no. 593/2017 within 15days from the receipt of these directions.
2. M/s Ansal Properties & Infrastructure Ltd shall pay another Environmental Compensation as determined by Central Ground Water Authority on account of extraction of ground water without permission and defunct rain water harvesting system in Shushantlok, Phase-1, Gurugram.

3. The Environment Compensation amount mentioned in sl. no. 1 above shall be deposited in CPCB's Union bank of India A/C no. 532702010009078, IFSC code UBIN0553271, Branch-IP Extension, Delhi.
4. In case of delay in deposition of Environment Compensation, penal interest shall be charged as per rules.
5. Ansal Properties & Infrastructure Ltd shall submit action plan to CPCB regarding rectification of the shortcomings as highlighted above in the concluding remarks of report within 7 days from the receipt of these directions.
6. All the shortcomings as highlighted above in the concluding remarks of report shall be rectified within 30 days from the receipt of these directions.
7. Action taken report be submitted along with necessary documentary evidences immediately after completion of action taken.
8. Ansal Properties & Infrastructure Ltd shall apply & obtain all relevant NOCs, Consents and Environmental Clearance from concerned departments; and

WHEREAS, CPCB vide its direction dated 28.02.2019 as referred above, had also directed the Member Secretary, Central Ground Water Authority, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011 for determination and levying Environmental Compensation on account of extraction of ground water through 39 nos. of tube-wells without permission and defunct rain water harvesting system in Shushant lok, Phase-1, Gurugram. Action taken Report from CGWA is still awaited; and

WHEREAS, in compliance with CPCB Directions dated 28.02.2019, M/s Ansal Properties & Infrastructure Ltd, Sushant lok-1, Gurugram till date has not deposited any amount and vide its letter dated 13.03.2019 has communicated complete denial of directions issued by CPCB and NGT. Rather, the builder has questioned the 'Authority and Powers' delegated to CPCB by the Act of Law and NGT. The reply received is very casual, arrogant, open ended and without any action plan. Infact , it is against the interest of public and government both; and

WHEREAS, scrutiny of the documents submitted by M/s Ansal Properties & Infrastructure Ltd, Sushant lok-1, Gurugram revealed that none of the Authority as claimed by the company is in the process of levying Environmental Compensation for the damages caused to the environment by the company. It is also observed that Haryana SPCB is also completely dissatisfied with the acts of operation and reply by the company as evident by Haryana SPCB letter dated 26.02.2019; and

WHEREAS, the reply of M/S Ansal Properties & Infrastructure Ltd, Sushant lok-1, Gurugram does not mention about action plan in respect of the shortcomings pointed out by the joint inspection team. The reply is also silent on **extraction of ground water without permission and defunct rain water harvesting system in Shushant Lok, Phase-1, Gurugram;** and

WHEREAS, it is also noticed that the same Group of Builder Company has also been found guilty of damaging the environment in another case also titled as Rajendra Kumar Goel Vs. MoEFCC & Ors. (OA No. 378/2016 before NGT) and accordingly Hon'ble NGT has imposed an Environmental Compensation of Rs. 10.00 Crores with directions for deposition of an additional performance guarantee of Rs. 5.00 crores vide Order dated 25.03.2019. It is evident that M/s Ansal Properties & Infrastructure Ltd, Sushant lok-1, Gurugram, has defaulted earlier also and having no regard for the Environment as well as Authorities concerned for protection of environment; and

WHEREAS, in view of above, Compliance Report was filed before Hon'ble NGT on 05.04.2019 with following prayer:

1. M/s Ansal Properties & Infrastructure Ltd, Sushant lok-1, Gurugram, may be directed to submit the action plan for prevention & control of pollution from the premises and deposition of Environmental Compensation so that measures for restoration of normal environment.
2. Haryana SEIAA, CGWA and Haryana SPCB may also be included as Respondents in the application under consideration.
3. CGWA may be directed for determination and levying Environmental Compensation on account of extraction of ground water through 39 nos. of tube-wells without permission and defunct rain water harvesting system in Shushant lok, Phase-1, Gurugram and also prosecute the agency for violations under E(P) Act, 1986.

WHEREAS, Hon'ble NGT vide order dated 21.05.2019 directed CPCB as follows :

"Compliance report has been filed vide email dated 05.04.2019 indicating the steps taken. There is however nothing to show the exercise of statutory power for prosecution. The CPCB has suggested that the project proponent should furnish an action plan and CGWA should determine compensation for illegal extraction of ground water. We are of the view that such powers can be exercised by the CPCB itself by giving directions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. A Pollution Board is entitled to disconnect the electricity and water supply and take measures for stopping illegal activities as condition for continuing consent to establish or to operate."

NOW, THEREFORE, in view of above and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, CPCB, following directions are hereby issued to concerned Authorities to ensure compliance of Environmental Regulations and Orders issued by Hon'ble NGT.

1. The Chairman,
Ansal Properties &
Infrastructure Ltd

- a. To stop all the construction/expansion activities in Shushant Lok, Phase1, Gurugram with immediate effect.
- b. To pay Environment Compensation of Rs. 14.6962 Crore (Rs. Fourteen Crore, Sixty Nine lacs, Sixty Two Thousand only) only to CPCB on account of discharge of untreated sewage for 281 days (till 17.06.2019) to CPCB's Union bank of India A/c no. 532702010009078, IFSC code UBIN0553271, Branch-IP Extension, Delhi as per Environmental Compensation Policy framed in compliance of Hon'ble NGT order dated 31.08.2018 in OA no. 593/2017 within 7 days from the receipt of these directions. In case of delay in deposition of Environment Compensation, penal interest shall be charged as per rules.
- c. To pay another Environmental Compensation as determined by Central Ground Water Authority on account of

extraction of ground water without permission and defunct rain water harvesting system in Shushantlok, Phase-1, Gurugram.

d. To submit action plan to CPCB regarding rectification of the shortcomings as highlighted above in the concluding remarks of report within 7 days from the receipt of these directions and to rectify all the shortcomings as highlighted in the concluding remarks of report within 30 days from the receipt of these directions. Action taken report be submitted along with necessary documentary evidences immediately after completion of action taken.

2. The Chairman
Haryana State Pollution
Control Board

- a. NOCs, Consents and Authorisation granted to M/s Ansal Properties & Infrastructure Ltd, Gurugram be revoked immediately and shall not be considered in future also till compliance of these directions are made.
- b. Discharge of untreated sewage from the premises of the company into storm water drain be stopped.

3. The Member Secretary
Central Ground Water
Authority

- Environmental Compensation on account of extraction of ground water through 39 nos. of tube-wells without permission and defunct rain water harvesting system in Shushantlok, Phase-1, Gurugram, be determined and levied immediately.

4. The Chairman,
State Environment Impact
Assessment Authority,
Haryana

- Environmental Clearance(s) granted to the Company, if any, be revoked immediately. No expansion case in future related to this site be considered till compliance of these directions are made.

5. The City Magistrate,
CTM Gurugram
- a. Compliance of these directions issued to the Company and other State Government departments be ensured.
b. Collection of Environmental Compensation imposed by CPCB be ensured.
6. The Director
Town and Country
Planning Department,
Haryana
- a. No further expansion of the project be considered.
b. No completion certificate be granted to the Company and any such certificate already granted be revoked immediately.
7. The Chairman cum
Managing Director,
Dakshin Haryana Bijli,
Vitran Nigam
- No electricity supply be provided for any further expansion of the project by the company in Shushant Lok-1, Gurugram.
8. The Chief Administrator,
Haryana Shahari Vikas
Pradhikaran
- No Water supply to the company be sanctioned for any further expansion of the project in Shushant lok-1, Gurugram.

Action Taken Report be forwarded to CPCB within 7 days from the date of receipt of these directions . Any violations of this direction shall attract appropriate action as per the provisions of Environment (Protection) Act, 1986 and National Green Tribunal Act, 2010.


(S. P. Singh Parihar)
Chairman
21/2/2014





केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

No. B-31033/71/2019-20/UPC-I/

E-mail / Speed Post
October 03, 2019

To

As per list

Subject: Minutes of the Meeting held on 13.09.2019 in the matter of OA No. 661/2018 titled as Praveen Kakar & Ors. Vs MoEF&CC & Ors.

Sir,

In compliance of Hon'ble NGT Order dated 21.05.2019, Directions dated 18.06.2019 were issued under Section 5 of the Environment (Protection) Act, 1986 to take actions as mentioned in the said Directions and to forward Action Taken report to CPCB within 07 days from the date of receipt of the Directions. A meeting to review the progress made by the concerned agencies in compliance of the directions was conducted on 13.09.2019 at 5:00 PM in CPCB, Delhi with all the concerned.

Minutes of the Meeting is enclosed for kind perusal and necessary action be taken at your end and the ATR be communicated to CPCB before 10.10.2019.

However, it is also requested to comply with Hon'ble NGT order dated 13.09.2019 in this matter where following Order was issued:

"Let the compliance reports be filed by the CPCB, State PCB, SIEAA, Haryana, CGWA, Town and Country Planning Department, Haryana, Dakshin Haryana Bijli, Vitran Nigam, Haryana Shahari Vikas Pradhikaran and District Magistrate Gurgaon within one month by e-mail at judicial-ngt@gov.in."

Encl.: as above

Yours faithfully

[Divya Sinha]

Divisional Head, UPC-I Division

Copy to

1. The Secretary,
Ministry of Housing and Urban Affairs
Nirman Bhawan,
Maulana Azad Road,
New Delhi-110011 - For information please.
2. The Secretary, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi - 110003 - To nominate an Official attend the meeting please.
3. The Director
Delhi School of Planning and Architecture
4-Block-B, Indraprastha Estate,
New Delhi-110002 - For information please.
4. The Commissioner
Municipal Corporation Gurugram
C-1, Info City, Sector 34, Near Hero Honda
Chowk, Gurugram, Haryana - 122001 - For necessary information follow-up please.

List

1.	The Chairman Ansal Properties & Infrastructure Ltd, 115 Ansal Bhawan, 16, K.G. Marg, New Delhi-110001	2.	The Chairman Haryana State Pollution Control Board, C-11, Sector - 6, Panchkula - 134109, Haryana
3.	The Member Secretary Central Ground Water Authority, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011	4.	The Member Secretary State Environment Impact Assessment Authority, Bay's No. 55-58, 1 st Floor, PrayatanBhawan, Sector-2, Panchkula, Haryana
5.	The City Magistrate, CTM Gurugram, Mini Secretariat, 1 st Floor, Gurugram - 122001	6.	The Director Town and Country Planning Department, Haryana, SCO 71-75, Sector 17C, Chandigarh - 160017
7.	The Chairman cum Managing Director, Dakshin Haryana Bijli Vitran Nigam, Vidyut Sadan, Vidyut Nagar, Hisar -125005	8.	The Chief Administrator Haryana Shahari Vikas Pradhikaran, Plot No. C-3, HUDA Complex, Sec-6,Panchkula, Haryana - 134109

Central Pollution Control Board
Urban Pollution Control Division-I
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Minutes of Meeting

In the matter of OA No. 661/2018 titled as Praveen Kakar & Ors. Vs MoEF&CC & Ors.

- Meeting date & time** : 13th September, 2019 at 5:00 PM
- Venue** : Committee Room, 5th Floor, CPCB, Delhi
- Agenda** : Follow-up of Directions dated 18.06.2019 issued under Section 5 of the Environment (Protection) Act, 1986 in compliance of Hon'ble NGT order dated 21.05.2019 in the matter of OA No. 661/2018 titled as Praveen Kakar & Ors. Vs MoEF&CC & Ors.
- Participants** : List is enclosed as Annexure-1

Smt. Divya Sinha, Additional Director and DH-UPC-I, CPCB welcomed all the participants. After introduction of all, Sh. R. Debroy, Additional Director and Convener of the meeting briefed about objectives of the meeting and presented the copy of above said directions once again and invited inputs from the Executive Agencies attended the meeting. Following points were discussed.

Agencies	Directions issued	Inputs from Representatives of the Agencies
The Chairman, Ansal Properties & Infrastructure	a. To stop all the construction/expansion activities in Shushant Lok, Phase-I, Gurugram with immediate effect. b. To pay Environment Compensation of Rs. 16.729 Crore (Rupees Sixteen Crore, Seventy Two Lakhs Ninety Thousand) only to CPCB on account of discharge of untreated sewage for 375 days (till 17.06.2019) to CPCB's Union Bank of	No representative was present in the meeting.

	<p>India A/c no. 532702010009078, IFSC code U13IN0553271, Branch-IP Extension, Delhi as per Environmental Compensation Policy framed in compliance of Hon'ble NGT order dated 31.08.2018 in OA No. 593/2017 within 7 days from the receipt of these directions. In case of delay in deposition of Environment Compensation, penal interest shall be charged as per rules.</p> <p>c. To pay another Environmental Compensation determined by Central Ground Water Authority on account of extraction of ground water without permission and defunct rain water harvesting system in Shushant Lok, Phase-1, Gurugram.</p> <p>d. To submit action plan to CPCB regarding rectification of the shortcomings as highlighted above in the concluding remarks of report within 7 days from the receipt of these directions and to rectify all the shortcomings as highlighted in the concluding remarks of report within 30 days from the receipt of these directions. Action taken report be submitted along with necessary documentary evidences immediately after completion of action taken.</p>	
<p>The Chairman, Haryana State Pollution Control Board</p>	<p>a. NOCs, Consents and Authorization granted to M/s Ansal Properties & Infrastructure Ltd. Gurugram be revoked immediately</p>	<p>No representative was present in the meeting.</p>

	<p>and shall not be considered in future also till compliance of these directions are made.</p> <p>b. Discharge of untreated sewage from the premises of the company into storm water drain be stopped.</p>	
The Member Secretary, Central Ground Water Authority	<p>Environmental Compensation on account of extraction of ground water through 39 nos. of tube-wells without permission and defunct rain water harvesting system in Shushant Lok, Phase-1, Gurugram, be determined and levied immediately.</p>	<p>Dr. R. Chandra, Sct. 'D', CGWA has attended the meeting and submitted that an affidavit in this matter has been filed before Hon'ble NGT. Copy of the same was produced by him in the meeting and it is informed that compensation had been assessed for failure to recharge the ground water in terms of the conditions for ground water extraction at Rs. 40,44,000.00/- per annum and they had written letter dated 08.02.2019 to the Deputy Commissioner, Gurgaon to seal illegal wells.</p>
The Chairman, State Environment Impact Assessment Authority, Haryana	<p>Environmental Clearance(s) granted to the Company, if any, be revoked immediately. No expansion case in future related to this site be considered till compliance of these directions are made.</p>	<p>Sh. Vijay Kumar Gupta, Chairman, SEAC attended the meeting and submitted that no EC has been issued to the proponent for the site under reference.</p>
The City Magistrate, CTM Gurugram	<p>a. Compliance of these directions issued to the Company and other State Government departments be ensured.</p> <p>b. Collection of Environmental Compensation imposed by CPCB be ensured.</p>	<p>No representative was present in the meeting.</p>

The Director Town and Country Planning Department, Haryana	a. No further expansion of the project be considered. b. No completion certificate be granted to the Company and any such Certificate already granted be revoked immediately.	Sh. Mahipal Sigh, ATP, DTCP(E), GGM had attended the meeting and submitted that DTCP had already conducted a demolition program of some encroachments on 13.02.2018 and handed over various licensed colonies to Municipal Corporation Gurugram vide DTCP order 12.02.2019. (Letter produced by DTCP but not legible)
The Chairman cum Managing Director, Dakshin Haryana Bijli, Vitran Nigam	No electricity supply be provided for any further expansion of the project by the company in Sushant Lok-1, Gurugram.	No representative was present in the meeting.
The Chief Administrator, Haryana Shahari Vikas Pradhikaran	No water supply to the company be sanctioned for any further expansion of the project in Sushant Lok-1, Gurugram.	Sh. Yajesh Mohan Mehra, ACE, HSVP, GGM has attended the meeting and submitted that they are abiding by CPCB's directions and will send the ATR to CPCB.

Copies of CPCB's Directions and email to attend the meeting also were sent to following Ministries and organizations also for information and appropriate action at their level:

- i. The Secretary, Ministry of Environment, Forests and Climate Change, New Delhi.
- ii. The Secretary, Ministry of Housing and Urban Affairs, New Delhi.
- iii. The Director, Delhi School of Planning and Architecture, New Delhi.

No representative from M/s Ansal Properties & Infrastructure had attended the meeting. However, in the meeting Ansal's reply dated 25.06.2019 received in compliance with CPCB's directions was referred. Dr. Meenakshi Dhote, HOD-LA, Delhi School of Planning and Architecture attended the meeting and submitted that M/s Ansal Properties & Infrastructure should submit relevant documents in response of its claim as highlighted in their reply dated 25.06.2019.

Outcome of the meeting:

- (i) M/s Ansal Properties & Infrastructure be asked to provide revised ATR and to deposit the Environmental Compensation of Rs. 16.729 Crore (Rupees Sixteen Crore, Seventy Two Lakhs Ninety Thousand) only (till 13.09.2019) and to deposit the compensation assessed by the Central Ground Water Authority for failure to recharge the ground water in terms of the conditions for ground water extraction at Rs. 40,44,000.00/- per annum.
- (ii) As per submission of DTCP representative, two licenses were issued after notification of EIA notifications, 2006 (after 14.09.2006) which led to expansion of the project and thus the project need Environmental Clearance from SEIAA-Haryana and CTE & CTO from HSPCB.
- (iii) It was informed by DTCP that some colonies built by M/s Ansal Properties & Infrastructure, at Sushant Lok-1, Gurugram has been transferred to MCG vide letter dated 12.02.2019, while the matter is still subjudice. Also license for expansion of the project has been granted by DTCP, although the project did not have necessary EC. DTCP may provide an explanation as to how the property has transferred to MCG when the matter is subjudice and also how completion certificate has been granted.
- (iv) In view of above, DTCP is directed not to grant license for expansion /completion certificate to any other project within its jurisdiction if any court matter is pending against the project /EC is not granted to the project.
- (v) Similarly, explanation be called from HSPCB as to how Consents/Authorization have been issued to the project when it has not been granted EC and be further directed not to grant any Consent/Authorization to projects which did not have EC.
- (vi) In view of above discussion, all the members agreed that the Municipal Corporation Gurugram (MCG) may be directed further to examine the matter and to take necessary action at their level also.
- (vii) It is decided that all the Agencies will send their action taken report to CPCB in compliance of CPCB's directions dated 18.06.2019 at the earliest so that CPCB may file Report before Hon'ble NGT.

Meeting ended with the vote of thanks to the chair.

List of Participants in the Meeting

In the matter of OA No. 661/2018 titled as Praveen Kakar & Ors. Vs MoEF&CC & Ors.

Venue: Committee Room, 5th Floor, CPCB, Delhi

Date: 13th September, 2019

Sl. No.	Name & Designation	Organization
1.	Sh. Vijay Kumar Gupta, Chairman-SEAC	State Environmental Impact Assessment Authority, Haryana
2.	Mr. Yajesh Mohan Mehra, ACE,	Haryana Shahari Vikas Pradhikaran, Gurugram
3.	Sh. Abhinav Verma, XEN	Gurugram Metropolitan Development Authority (GMDA)
4.	Sh. Mahipal Singh, ATP	Town and Country Planning Department, Haryana
5.	Dr. R. Chandra, Sct. 'D'	Central Ground Water Authority
6.	Dr. Meenakshi Dhote, HOD-LA,	Delhi School of Planning and Architecture
7.	Sh. Rajesh Debroy, Sct 'E'	Central Pollution Control Board
8.	Mrs. Divya Sinha, AD	Central Pollution Control Board

Annexure II

2

NH-8LICENSES SUSHANT LOK SEC-27, 28, 43 & 53

S.N	Licence No. & date	No. of Lic.	Area (In Acres)	Type of Dev.	Name of Project	Yearwise Area (In Acs)
1	7-12 of 85 dt 31.5.85	6	101.55	Plotted		
2	20-22 of 85 dt 22.8.85	3	17.96	Plotted		
3	33-34 of 85 dt 27.9.85	2	21.00	Plotted		
4	36-40 of 85 dt 7.11.85	5	64.06	Plotted		
5	51-54 of 85 dt 2.12.85	4	14.23	Plotted		218.80
6	1-3 of 86 dt 15.1.86	3	37.12	Plotted		
7	11-12 of 86 dt 21.2.86	2	25.65	Plotted		
8	15-17 of 86 dt 10.3.86	3	41.82	Plotted		
9	18-20 of 86 dt 1.4.86	3	8.56	Plotted		
10	31-33 of 86 dt 16.4.86	3	9.38	Plotted		
11	40-41 of 86 dt 16.5.86	2	12.16	Plotted		134.690
12	7-9 of 87 dt 9.4.87	3	36.28	Plotted		
13	20-23 of 87 dt 15.6.87	4	22.93	Plotted		59.210
14	39-43 of 89 dt 2.12.89	5	41.003	Plotted		41.003
15	6-11 of 92 dt 17.1.92	6	48.692	Plotted		48.692
16	9-18 of 93 dt 8.7.93	10	10.312	Plotted		10.312
17	88-101 of 95 dt 30.12.95	14	49.736	Plotted		49.736
18	1-9 of 96 dt 10.1.96	9	18.41	Plotted		18.41
19	49-51 of 97 dt 5.11.97	3	2.25	Plotted		2.25
20	14-24 of 98 dt 20.3.98	11	5.889	Plotted		
21	111-117 of 98 dt 21.8.98	7	6.518	Plotted		12.407
22	1 of 2001 dt. 23.2.2001	1	0.5	Plotted		0.5
23	151/2004 dt. 2.12.2004	1	5.887	G.H	IVY	5.887
24	62/2007 dt. 12.2.2007 (G.H)	1	1.0	G.H	IVY	1.0
25	32/2011 dt. 13.4.2011	1	1.546	Plotted		1.546
	TOTAL	112	604.443			604.443

HARYANA STATE POLLUTION CONTROL BOARD,
C-11, SECTOR-6, PANCHKULA

Recd. A.D.

No. HSPCB/2006/TAC-A/

997

Dated:

7-8-06

To

M/S ANSAL PROPERTIES & INFRASTRUCTURE
115 ANSAL BHAWAN, 16,
KASTURBA GANDHI MARG,
NEW DELHI 110001

Sub.: Issue of "No Objection Certificate" from pollution angle in connection with the requirement of Environmental Clearance from MOEF.

Please refer to your NOC application vide letter dated 19.1.2006 and subsequent clarifications from you vide your letter dated 17.7.2006 on the subject cited above.

Under the Authority of the Haryana State Pollution Control Board vide its agenda Item No. 47.8 dated 28.4.83 sanction to the issue of "No Objection Certificate" from pollution angle in connection with the requirement of Environmental Clearance from MOEF of M/s Ansal Properties & Infrastructure, Sushant Lok, Sohna Road Gurgaon for New Construction Project with the following terms and conditions:-

- 1 The NOC is hereby issued from pollution angle in connection with the requirement of Environmental Clearance from MOEF and NOC to establish will become operational once the Environmental Clearance is granted by MOEF
- 2 The Industry has declared that the quantity of effluent shall be 146 KL/DAY i.e. 146 KL/DAY for domestic effluent & Nil KL/day for trade effluent and the same should not exceed
- 3 The unit will obtain consent before commission of the project
- 4 The officer/official of the Board shall have the right to access and inspection of the project in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery.
- 5 That necessary arrangement shall be made by the project proponent for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
- 6 The UHBVN/DHBVN will give only temporary connection and permanent connection to the unit will be given by the UHBVN/DHBVN after verifying the consent granted by the Board both under Water Act and Air Act.
- 7 The project proponent unit will raise the stack height of DG Set/Boiler as per Board's norms/CPCB norms.
- 8 Unit will maintain proper log book of Water meter/sub meter before/after commissioning.
- 9 That in the case of a project is located in an area is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such project in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws or Municipal laws has to be obtained from the competent Authority in law permitting this deviation, and be submitted in original with the request for consent to operate.
- 10 That there is no discharge directly or indirectly from the project or the process into any interstate river or Yamuna River or River Ghaggar or any other river or either through a direct flow or indirectly without any treatment.
- 11 The unit will use only non-ozone depleting substances in Air Conditioning unit of the project.
- 12 That the project or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution Control Board and Haryana State

BF 14/10

27

Pollution Control Board.

- 13 That the project shall use the treated effluent for horticulture/Green belt and undertaking to recycle the treated effluent and remaining with treatment, if any can be discharged into public sewer and obtain permission of the authority concerned.
- 14 That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this No Objection Certificate (NOC)(Consent to Establish)/Consent and the proof of such deposits is enclosed.
- 15 That the unit will comply with all the Hazardous Waste Rules as applicable relating to Handling, Storage, and Disposal as required by Central Pollution Control Board and Haryana State Pollution Control Board GOI.
- 16 Green belt of adequate area, (approx 30%) including tree plantation shall be provided by the project before commissioning.
- 17 Project Proponent should adopt water conservation measures to ensure minimum recycling consumption of water in their Process. Ground water based proposals of new projects should get clearance from Central Ground Water Authority for conservation of precious resource.
- 18 This NOC would be invalid if it is established in the non-conforming area or any area where such activities are prohibited.
- 19 That the unit will take all other clearances from concerned agencies whenever required.
- 20 The above NOC is further subject to the conditions that the unit comply with all the laws/ rules/ decisions and competent directions of Govt. of India/State Government/ HSPCB in all respects before commissioning of the operation and during its actual working strictly.

Other specific conditions:

- 1 The project proponent is required to apply to MOEF on prescribed proforma for Environmental Clearance annexed to the EIA Notification, 1994 and proof be submitted to HSPCB.
- 2 As per EIA Notification, prior Environmental Clearance is required and in case work is already started the same may be stopped and compliance report be submitted to this office. The NOC issued is wholly and solely for the purpose of meeting the requirement of Govt. of India and this NOC does not entitle the right to establish or right to operate the unit. Any contravention of this will be liable for strong penal action.
- 3 The unit will install well designed Sewage Treatment Plant (STP) and also install separate electronic energy meter.
- 4 The Project Proponent shall provide proper system for solid waste management including segregation, composting, manure etc.
- 5 The unit if commencing will provide 3 Ambient Air Quality stations within premises at an angle 120° for monitoring of Ambient Air Quality.
- 6 The Project Proponent will provide fire fighting system including storage of water in reservoirs, water hydrants, Sprinklers, fire alarm, smoke detector etc in accordance with National Building Code which should be fool proof.
- 7 The Project Proponent shall provide the stack height of DG Set stacks which shall be higher than the proposed building as per CPCB norms based on CPCB formula for proper dispersion of gaseous emissions. The unit will install acoustic Chamber / acoustically treated room for controlling noise.
- 8 The fuel used in DG set should of low sulphur, i.e. 0.25% or lower sulphur content.
- 9 The Project Proponent will take adequate measure for controlling NOX emissions such as low NOX burner, NCCR System so as to achieve/ keep Nox within permissible limits. The Standard of less than less 75 PPM Nox in DG Sets stacks as CPCB Norms shall be followed.
- 10 The Project proponent will obtain all applicable Clearance from Forest Deptt and also give proof that their area are not falling in Aravalli area of Gurgaon as per Notification of 1992, if applicable. In case the area of the project falls under Aravalli Notification the NOC so granted shall become automatically invalid.

- 11 The project proponent will obtain permission from Central Ground Water Authority for tubewells installed or Proposed to be installed.
- 12 The Project Proponent will provide well designed rain water harvesting system, but any misuse e.g. disposal of sewage/effluent will invite prosecution.
- 13 The Project Proponent is advised to follow the provision of EIA Notification dated 7th July, 2004.
- 14 The Project Proponent will submit proof of ownership and possession of land (For district Gurgaon revenue record in terms of Jamabandi/ Kharsa, Girdavari to be submitted).
- 15 The Project Proponent will submit approval of building from local authority.
- 16 The project Proponent will submit water balance energy balance and statement there of.
- 17 The Project Proponent will submit approval of competent authorities in case of conversion of agricultural land/change of land use etc.
- 18 The Project Proponent will submit construction schedule for example (CPM/PERT Chart)
- 19 The Project Proponent will submit vehicle parking management plan and ensure that there is no parking disorder/mismanagement due to the project.
- 20 The unit will provide solar panels and meet the total requirement of hot water of the project by using solar energy/system
- 21 That the unit will submit an affidavit to comply with all the General as well as specific conditions as imposed in the NOC within 30 days.
- 22 The Board reserves the right to add any additional condition if required in future under national/Govt. of India/State Laws.
- 23 The unit will deposit balance Public Hearing and NOC fee of Rs. 1.73 Lakh, if not deposited earlier and Ro will ensure the same.


 Scientist-CI (HQ)
 for Chairman
 Haryana State Pollution
 Control Board, Panchkula

Endst.No.HSPCB/NOC/2006/TAC-A

Dated:

A copy of the above is forwarded to the following for information and necessary action:

The Regional Officer, Haryana State Pollution Control Board Gurgaon and further he will ensure that the balance fee of Rs. 1.73 Lakh (One Lakh Seventy Three Thousand only) has been deposited by the unit and send compliance report.

- 2 Executive Engineer, (OP) Division, UHBVN, Gurgaon
- 3 Director, Environment Department, Haryana, Sec-17, Chandigarh
- 4 Secretary, MOEF, CGO Complex, Lodhi Road, New Delhi

Scientist-CI (HQ)
 For Chairman

**BEFORE THE SPECIAL ENVIRONMENT COURT
FARIDABAD**

Regional Officer Gurgaon Region (HSPCB)

Complainant

Versus

M/s Ansals Properties and Infrastructure Ltd. etc

Accused

Project: - Group Housing Residential Complex (IVY), Sushant Lok Gurgaon

**Complaint under Section 15 of
The Environment Protection Act 1986**

INDEX

S.No.	Particulars	Page No	Annex
1.	INDEX		
2.	Complaint		
3.	Application for exemption		
4.	Copy of Agenda item 135.7		C-1
5.	Copy of Agenda item 135.8		C-2
6.	Copy of Minutes of 135 th Meeting		C-3
7.	Copy of Notification u/s 19(a)		C-4
8.	Copy of Appointment letter		C-5
9.	List of Directors		C-6
10.	Copy of Notification of 27.1.1994		C-7
11.	Copy of Notification of 7.7.2004		C-8
12.	Copy of Notification of 14.9.2006		C-9
13.	Public Advertisement/ Noice		C-10
14.	Letter dated 19.02.2008		C-11
15.	Talbana		
16.	Vakalatnama		
17.			
18.			

Complainant

Regional Officer Gurgaon Region
Haryana State Pollution Control Board
Through :- Dr C. V. Singh Scientist 'C'

Regional Officer

Haryana State Pollution Control Board
Gurgaon

Through Counsel:

Jasbir Singh Bhadana Advocate
&

Sujeet Singh Bhadana Advocate

Certified to be True Copy

Authorised by Sec. 76 of the
Evidence Act

11 OCT 2019

BEFORE THE HONBLE SPECIAL ENVIRONMENT COURT
FARIDABAD

COMPLAINT No. 587/08
2/11/18

Regional officer Gurgaon Region
Haryana State Pollution Control Board.
Through its Regional officer Gurgaon Region
Dr. C.V. Singh 'Scientist C'

Complainant

Versus

1. **M/s Ansals Properties and Infrastructure Ltd.**
115 Ansal Bhawan 16 kausturba Gandhi Marg, New Delhi
Through its president Sh. N.K. Sehgal
2. **N.K. Sehgal President**
M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi
3. **Sushil Ansal Vishranti**
26 Firoze Shah Road New Delhi
Chairman/ Director of M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi
4. **Anil Kumer**
H.No. 101 pocket 1 Jasola New Delhi
Director Cum C.E.O, M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi
5. **Pranav Ansal Vishranti**
26 Firoze Shah Road New Delhi
Director of M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi
6. **D.N. Davar**
85/82 Safdurjung Enclave New Delhi
Director of M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi
7. **Dr R C Vaish**
169 Golf Link New Delhi
Director of M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi
8. **Rahu. C. Kirloskar**
Lakaki Compound Shivaji Nagar Pune
Director of M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi
9. **Air Chief Marshal O.P. Mehra (Rtd)**
A-9/34 Vasant Vihar New Delhi
Director of M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi



Certified to be True Copy

Authorised by Sec. 76 of the
Evidence Act

21 OCT 2019

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10. Lalit Bhasin
10th Floor Dakshineswar Building
10 Hailey Road New Delhi
Director of M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi

11. P. R Khanna
70 Sunder Nagar New Delhi
Director of M/s Ansals Properties and Infrastructure Ltd.
115 Ansal Bhawan 16 kausturba Gandhi Marg New Delhi

Accused

**COMPLAINT UNDER SECTION 15 OF THE
ENVIRONMENT PROTECTION ACT.**

Sir,

It is submitted on behalf of the complainant as under:-

1. That the Haryana State Pollution Control Board is statutory body, having come into existence under special statute to perform the functions under The Water (Prevention and Control of Pollution) Act, 1974 and The Air (Prevention and Control of Pollution) Act, 1981 and The Environment Protection Act and rules and regulations and notification issued there under and is having jurisdiction over whole of Haryana. In order to have proper and smooth functioning of the Board, the Board have established various Regional Offices and has appointed Regional Officers with powers delegated to them vide agenda items No. 135.7 and 135.8 passed in 135th meeting of Haryana State Pollution Control Board held on 10-05-2005. The copy of agenda items No. 135.7 is Annexure C-1 copy of agenda items No. 135.8 is Annexure C-2 and copy of minutes of 135. meeting is Annexure C-3.
2. That Dr. C.V. Singh, Scientist 'C' is the Regional Officer of Gurgaon Region of Haryana State Pollution Control Board and is fully conversant with the fact and circumstances of the case and has been authorized to file the present complaint vide notification of Central Govt. under Clause (a) of Section 19 of The Environment Protection Act, 1986. The Copy of the notification is Annexure C-4 and the copy of letter of appointment of Dr. C.V. Singh, as Regional Officer is Annexure C-5.
3. That the accused No. 1 company is engaged in promoting and marketing and Construction of Group Housing Residential Complex (IVY), Sushant Lok Gurgaon and the accused No. 2 ~~are its directors. 8 is the Joint Managing Director and 9 is the authorized signatory~~ *are* responsible for the day to day functioning of the accused No. 1 and are controlling the day to day affairs of the accused No. 1 company and are liable to prosecuted for the acts and omissions and commissions done in the name of the accused No.1. Annexure C-6 is showing the status of the accused persons and incorporation of the company.
4. That Ministry of Environment and Forest Govt. of India, New Delhi has issued notification on Environment Impact Assessment of Development Projects on dated 27-1-1994 (Annexure C-7) and further amended by notification dated 7-7-2004 (Annexure C-8) and further issued notification 14-09-2006 (Annexure C-9) whereby it was made compulsory to obtain Environmental Clearance by the Central Govt. before starting any operations projects etc. by any interested person or persons and all the procedure has been provided therein the notifications.

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5. That the accused No. 1 has started new and Construction of **Group Housing Residential Complex (IVY), Sushant Lok Gurgaon** without obtaining any prior Environment Clearance from the Ministry of Environment and Forest as per the procedure laid down and as such this construction being raised in violation of Notification thereof, invites action U/s 15 of The Environment Protection Act. The offence of violation of the notification is continuous offence and is committed by the accused every moment/day by raising constructions and acts appended thereto, till the Environmental Clearance is obtained / exempted by the MoEF, Govt. of India, New Delhi
6. That accused were given notices as well as intimated through public advertisement/ notice about the violation which is annexed as **(Annexure C-10)**, but the accused never try to remove/stop the violation by taking Environmental Clearance and has committed an offence punishable under 15 of The Environment Protection Act. and now any environmental clearance after that will not hold good for the prior commission of the offence.
7. The Chairman of the Haryana State Pollution Control Board vide letter dated 19-02-2008 has asked the Regional Officer to file complaint against the accused company and its directors. The copy of letter dated 19-02-2008 is **Annexure C-11**.
8. That all the accused being in charge and responsible persons for day to day functioning of the accused No. 1 have criminally conspired and has a criminal conspiracy to carried out the construction project in violation of the notification and has committed an offence punishable under Section 15 of the Environment Protection Act, as no Environmental Clearance has been obtained by the accused persons.
9. That the accused persons are carrying out illegal construction of their project without obtaining any prior approval from the Ministry of Environment and Forest as per the procedure laid down in the Notification and are violating the directions given under the notifications and thus committing an offence in Gurgaon which falls into the jurisdiction of the Hon'ble Court.

PRAYER:

It is, therefore, prayed that the accused may kindly be summoned and be prosecuted and punished in accordance with the law.

Dated:

[Signature]
COMPLAINANT

Regional Officer, Gurgaon Region

Through :- Dr C. V. Singh Scientist 'C'
Regional Officer

Haryana State Pollution Control Board
Gurgaon

[Signature]
Through Counsel:

JASBIR SINGH BHADANA Advocate & Sunjeet Singh Bhadana Advocate

LIST OF WITNESS

1. Complainant Regional Officer, Gurgaon Region.
2. Official from the Haryana State Pollution Control Board, Panchkula.
3. Official from the Regional Office, Gurgaon.
4. Any other witnesses necessary for the adjudication of the case.

[Signature]
Complainant

Dr. C.V.Singh R.O Gurgaon

Regional Officer

Haryana State Pollution Control Board
Gurgaon

[Signature]
Through Counsel:

JASBIR SINGH BHADANA Advocate & Sunjeet Singh Bhadana Advocate

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HSPCB Vs. Ansel Properties

Present: Sh.J.S.Bhadana, Advocate for complainant board alongwith complainant Sh. CV Singh, Scientist-C, RO, HSPCB, Gurgaon

Complaint is presented today. It be checked and registered. Since complaint has been filed by RO, HSPCB, Gurgaon who is a public servant, hence, condition of recording his statement, at the time of filing of the complaint is dispensed with as required u/s 200(a) of Cr.P.C.

At this an application for exempting his personal appearance has been moved by complainant. Heard. Keeping in view the facts and circumstances mentioned in the application, the presence of complainant is exempted till further order, however,, his counsel who is present in the court is directed to appear in the court on each and every date. Now, to come up on 4.11.08 for consideration on the point of summoning of accused.

[Signature]
(Rajender Singh Dhanda),
PO/SEC/Fbd./21.10.08

Present: Sh. J.S.Bhadana, Advocate for complainant.

Heard on the point of summoning of accused. Vide my separate order of even date, accused are ordered to be summoned for commission of offence, punishable u/s 15 of EP Act. Accused be summoned for 12.12.08 on filing of PF etc.

[Signature]
(Rajender Singh Dhanda),
PO/SEC/Fbd./4.11.08

Present: Counsel for complainant.

Notices issued to accused not received back. Fresh notices to accused be issued for 6.4.09 through Ld. CMM, Delhi.

[Signature]
(Rajender Singh Dhanda),
PO/SEC/Fbd./12.12.08

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IN THE COURT OF SHRI RAJENDER SINGH DHANDA, HCS(JUDICIAL),
PRESIDING OFFICER, SPECIAL ENVIRONMENT COURT, FARIDABAD.

Case No.: 48 of 08
Date of Inst.: 21.10.08
Date of Order: 4.11.08

HSPCB

Vs. M/s Ansal Properties and Infrastructure Ltd.

Present: Sh. Jasbir Bhadana, Advocate for complainant.

ORDER.

I have heard the counsel for complainant.

The matrix of the complainant's case are that Haryana State Pollution Control Board (for short Board) having its common seal and perpetual succession and it can be sued in its name and style; and is a statutory body and functioning under the Water (Prevention & Control of Pollution) Act, 1974, The Air (Prevention & Control of Pollution) Act, 1981 and the Environment Protection Act, 1986 and having jurisdiction over whole of Haryana. It is further alleged that Board has Regional Offices and appointed ROs and delegated powers to them vide Annexure-C1 to Annexure-C3.

It is further alleged that complaint is initiated by the complainant board through its Regional Officer, Gurgaon Region, Dr.C.V.Singh, Scientist-C who is fully conversant with the facts and circumstances of the case and further authorized to file the present complaint vide Annexure-C4 and appointed Dr.C.V.Singh, as RO vide Annexure-C5.

It is also alleged that accused no.1 is a company and engaged in business of promoting and marketing and Construction of group housing residential complex (IVY), Shushant Lok Gurgaon and accused no.2 to 11 are the Directors of the company accused no.1 and thus are responsible for day-to-day activities of accused no.1 and are liable to be prosecuted for the act and omissions and commissions done in the name of accused no.1. Annexure-C6 is showing the status of the accused persons and incorporation of the company.

It is further alleged that Ministry of Environment and Forest Government of India (for short MEF) issued a notification Annexure-C7 (amendment Annexure-C8)

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on Environment Impact Assessment of Development Projects and further issued notification Annexure-C9 whereby it was made compulsory to obtain Environmental Clearance before starting any operations projects.

It is further alleged that accused no.1 has started new Construction of group housing residential complex (IVY), Shushant Lok Gurgaon without obtaining any prior Environment Clearance from the MEF and violated the provisions of Section 15 of Environment Protection Act.

It is further alleged that accused were given notices as well as intimated through public advertisement/notice which is Annexure-C10 but accused never try to remove/stop the violation by taking environmental clearance and has committed an offence, punishable u/s 15 of the Environment Protection Act.

It is also alleged that Chairman of complainant Board vide Annexure-C11 asked the RO to file complaint against the accused company and its directors.

I have perused the complaint and also heard learned counsel for complainant. From the allegations made by the complainant in the complaint, as well as on perusal of documents placed on record, I am satisfied that there is prima-facie a case against the accused for commission of offence, punishable u/s 15 of Environment Protection Act, 1986, hence, accused no.1 to 11 are ordered to be prosecuted and summoned for 12.12.08 on filing of copy of complaint, PF etc.

(Rajender Singh Dhanda),
PO/SEC/Fbd./4.11.08

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IN THE COURT OF SHRI RAJENDER SINGH DHANDA, HCS(JUDICIAL),
PRESIDING OFFICER-CUM-JMIC, SPECIAL ENVIRONMENT COURT,
FARIDABAD.

Case No.: 48 of 2008
Date of Inst.: 21.10.08
Date of Decision: 20.12.08

Regional Officer, HSPCB, Gurgaon Region through complainant Dr. C.V.Singh,
Scientist-C

Vs.

M/s Ansal Properties and Infrastructure Ltd. 115/ Ansal Bhawan, 16 Kasturba Marg,
New Delhi.

Pr sent: Sh. C.V.Singh, Regional Officer (complainant), HSPCB, Gurgaon Region
with counsel Sh. J.S.Bhadana, Advocate.
Accused/applicant in person.

JUDGMENT:

The present complaint has been filed by the Haryana State Pollution Control Board through its complainant Dr. C.V.Singh, Scientist-C, against the accused for their trial for commission of offence, punishable u/s 15 of Environment Protection Act on the allegations that accused had started new and construction. of group housing residential complex (IVY), Sushant Lok, Gurgaon without obtaining any prior environmental clearance from the Ministry of Environment and Forest as per the procedure laid down.

Today, an application u/s 265-B Cr.P.C. has been moved by representative of accused unit for plea bargaining. The application is supported by an affidavit sworn by the representative of accused unit that accused has voluntarily preferred after understanding the nature and extent of punishment provided under the law for the offence, the plea bargaining in this case and that accused unit has not been previously convicted by a court or charged with same offence.

...contd..2...

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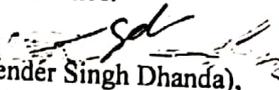
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HSPCB Vs. M/s Ansal Properties 48/08

Complainant Sh. C.V.Singh, Regional Officer, HSPCB, Regional Office, Gurgaon has appeared in response to the notice of application for plea bargaining. I am satisfied that accused unit has filed the application voluntarily, through its representative.

Report of mutual satisfactory disposition has been prepared separately. In view of the said report the request of plea bargaining of the accused unit is accepted and accused convicted for commission of offence, punishable u/s 15 of Environment Protection Act. Let accused unit/convict be heard on quantum of sentence.

Announced in the Mega Lok Adalat

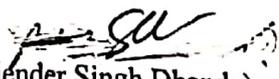

(Rajender Singh Dhanda),
Presiding Officer-cum-JMIC,
Spl.Environment Court,
Faridabad. 20.12.08

QUANTUM OF SENTENCE:

Present: Sh. C.V.Singh, Regional Officer (complainant), HSPCB, Gurgaon Region
with counsel Sh. J.S.Bhadana, Advocate.
Accused/applicant in person.

Heard. Keeping in view the nature of the crime and the fact that the complainant and the accused have arrived at a mutually satisfactory disposition of the case voluntarily and the accused unit has obtained environmental clearance from the Ministry of Environment & Forests, Govt. of India, I am satisfied that the entire process has been completed voluntarily by the parties participating in the meeting, the accused unit is sentenced to pay a fine of Rs.1000/- (rupees one thousand only), and a compensation amount of Rs.1,00,000/- (rupees one lakh) for commission of offence, punishable u/s 15 of EP Act. The compensation amount shall be paid to complainant. Fine deposited in the court. Compensation amount also paid to the complainant by accused. Bail bonds and surety bonds of accused, if any also discharged. File be consigned to record room after due compliance.

Announced in the Mega Lok Adalat


(Rajender Singh Dhanda),
Presiding Officer-cum-JMIC,
Spl.Environment Court,
Faridabad. 20.12.08

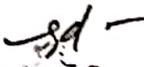
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HSPCB Vs. M/s Ansal Properties 48/08

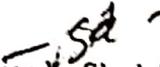
Present: Sh. C.V.Singh, Regional Officer (complainant), HSPCB, Gurgaon Region
with counsel Sh. J.S.Bhadana, Advocate.
Accused/applicant in person.

An application u/s 265-B Cr.P.C. has been moved by representative of accused unit for plea bargaining. The application is supported by an affidavit sworn by the representative of accused unit that accused unit has voluntarily preferred after understanding the nature and extent of punishment provided under the law for the offence, the plea bargaining in this case and that accused unit has not been previously convicted by a court or charged with the same offence. Let notice of this application be given to complainant who is present in the court, forthwith.


(Rajender Singh Dhanda),
Presiding Officer-cum-JMIC,
Spl.Environment Court,
Faridabad. 20/12/08

Present: Sh. C.V.Singh, Regional Officer (complainant), HSPCB, Gurgaon Region
with counsel Sh. J.S.Bhadana, Advocate.
Accused/applicant in person.

Complainant Shri C.V.Singh, Regional Officer, HSPCB, Gurgaon Region has appeared in response to the notice of application for plea bargaining moved by accused. I am satisfied that accused has filed the application voluntarily. Representative of accused unit and the complainant who is authorized representative of the HSPCB are directed to work out a mutually satisfactory disposition of the case. Let the case be put up after some time.


(Rajender Singh Dhanda),
Presiding Officer-cum-JMIC,
Spl.Environment Court,
Faridabad. 20.12.08

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HSPCB Vs. M/s Ansal Properties 48/08

Present: Sh. C.V.Singh, Regional Officer (complainant), HSPCB, Gurgaon Region
with counsel Sh. J.S.Bhadana, Advocate.
Accused/applicant in person.

File taken up again after some time. Complainant and accused have worked out a mutually satisfactory disposition. I am satisfied that the entire process has been completed voluntarily by the parties participating in the meeting. Report of mutual satisfactory disposition has been prepared specifically. Parties are heard and vide separate judgment of even date, accused unit is convicted, fine has been deposited in the court and compensation amount has also been paid by accused to complainant. Other accused released. Bail bonds and surety bonds of accused, if any also discharged. File be consigned to record room after due compliance.

Announced in the Mega Lok Adalat


(Rajender Singh Dhanda),
Presiding Officer-cum-JMIC,
Spl.Environment Court,
Faridabad. 20.12.08

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HSPCB

Vs. M/s Ansal Properties

Statement of accused on quantum of sentence

Stated that the accused unit has obtained environmental clearance/~~is not covered under the Environmental Clearance~~ Notification dated 14.9.06 of the Ministry of Environment and Forests, Government of India. The unit is first offender, therefore, a lenient view be taken.

RO&AC

[Signature]
Special Investigator
20/12/08

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11 OCT 2019

HSPCB Vs. M/s Ansal Properties

Present: Sh. C.V.Singh, Regional Officer, HSPCB, Gurgaon Region with counsel Sh. J.S.Bhadana, Advocate. Accused/applicant in person.

REPORT:

The accused and Shri C.V.Singh, Regional Officer, HSPCB, Gurgaon Region authorized representative on behalf of the HSPCB have arrived at a mutual satisfactory disposition of the case voluntarily and after understanding the nature and extent of punishment provided under the law for the offence, the accused has not been previously convicted by this court in a case in which he had been charged with the same offence.

Signatures of parties:

Complainant [Signature] 20/12/08

[Signature] Special Investigation Officer, Prosecution 20/12/08

Authorized Signatory on behalf of accused company [Signature]

Received DD No./Cheque No. 033005 Dated 20-12-08 amounting to Rs. one lakh on account of plea bargaining (as compensation amount) as per policy of the Board

[Signature] 20/12/08

Certified to be true copy [Signature]

Authorised by Sec. 76 of the Evidence Act 11 OCT 2019

In the court of Shri Rajender Singh Dhanda. HCS(Judicial), Presiding Officer-cum-JMTC,
Special Environment Court, Faridabad.

HSPCB

Vs. *Ansal Properties & Infrastructure Ltd.
& Ors.*

Case No.:

U/s:

6.4.09

Application for plea-bargaining under Section 265-B Cr.P.C.

Sir,

The applicant/accused most respectfully submits as under:

1. That the above noted case is pending before this Hon'ble Court and is fixed for today in Mega Lok Adalat..
2. That in the above said case. the complaint has been filed by the complainant and the Hon'ble court has taken cognizance of the offence.
3. That the applicant/accused is law abiding citizen who has due regard for the law of the land and he has never indulged in any criminal act and never committed an offence and has never been convicted for an offence.
4. That now the applicant/accused is moving the present application on his own free will and voluntary for the disposal of the case under doctrine of plea bargaining as provided in Chapter XXI-A under Section 265 of Cr.P.C.

It is therefore, prayed that the present application in view of the above facts and submission may kindly be allowed.

Dated:

Through Counsel.

Applicant/accused

M/S ANSAL PROP & INFRA LTD

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Authorised by Sec. 76 of the Evidence Act

(PRESIDENT)

NK SETHI

17 OCT 2009

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In the court of Shri Rajender Singh Dhanda, HCS(Judicial). Presiding Officer-cum-JMIC,
Special Environment Court, Faridabad.

HSPCB

Vs. *Angul Properties Infrastructure Ltd - 2018*

Case No.:

U/s :

Application for plea-bargaining under Section 265-B Cr.P.C.

AFFIDAVIT

I, *N.K. Sehgal, Auth. Representative, Angul Properties (Infra) Ltd.* do hereby solemnly

affirm and declare as under:

1. That the deponent has filed an application u/s 265-B Cr.P.C. before this Hon'ble Court today, the contents of which may be read as part and parcel of this affidavit.

That deponent as appointed representative of the company and filing the accompanied application on behalf of company.

That the present application has been filed on his free will and voluntary.



DEPONENT

Verification:

Verified that the above contents of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

Certified that the above was declared on Oath/Affirmation before me or by Sh. *N.K. Sehgal* who has been identified *Self* who is personally known to me. The contents of the above were explained to the deponent.

Rajendra
Rajeev Bradana
Oath Commissioner, Faridabad

20/12/18

Certified to be True Copy.

Authorised by Sec. 76 of the Evidence Act

31 OCT 2018



BEFORE THE SPECIAL ENVIRONMENT COURT
FARIDABAD

Regional Officer Gurgaon Region (HSPCB)

Complainant

Versus

M/s Ansals Properties and Infrastructure Ltd. etc

Accused

COMPLAINT UNDER SECTION 15 OF
THE ENVIRONMENT PROTECTION ACT.

Application for exemption of personal appearance of Dr. C.V. Singh, Regional Officer, Gurgaon Region Haryana State Pollution Control Board.

Sir,

It is submitted on behalf of the applicant as under:-

1. That the present complaint has been filed by the applicant in his official capacity as Regional Officer of Gurgaon Region of Haryana State Pollution Control Board.
2. That the applicant is Public Servant as defined under the law and has to discharge his other official and has to remain busy in the official work from time to time. The nature of duties of the applicant includes field work and inspections and order emergency duties.
3. That it is not possible for the applicant to attend each and every date of hearing of the case before this Hon'ble Court. The official work will suffer and inconvenience will be caused to public at large if applicant is present on each and every date of hearing of the case.
4. That the applicant undertake to present himself before this Hon'ble Court as and when required by the court for the necessary adjudication of the case and on the other/rest day of hearing the counsel of the applicant will continue to appear in place of applicant.
5. That in equity good conscious and natural justice it is a fit case where the relief of the exemption from appearing personally in the court till further orders.

It is, therefore, prayed that the exemption from appearing personally on each and every date of the case may be granted to the applicant till further orders.

Applicant

Dr C. V. Singh Scientist 'C' (Regional Officer)
Haryana State Pollution Control Board

Through Counsel:

Jasbir Singh Bhadana Advocate

Sunjeet Singh Bhadana Advocate

Regional Officer
Haryana State Pollution Control Board
Gurgaon

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Evidence Act

11 OCT 2019

I undertake to appear on behalf of Dr. C.V. Singh

ENVIRONMENTAL CLEARANCE

HARYANA STATE POLLUTION CONTROL BOARD,
C-11, SECTOR 6, PANCHKULA

17

Annexure C-10

Notice to New Construction Project Proponents/ New Industrial Estates

Project proponents of New Construction Projects/Industrial Estate, which include Builders, Colonizers, Developers, Commercial/Industrial/Urban Development agencies etc and General Public have reportedly been informed by way of Public Notices in Newspapers covered by media, organization of public hearings and in many cases issue of individual notice of the provisions of Govt of India's Environmental Impact Assessment (EIA) Notification of 1994 as amended on 7.7.2004 and the consequences of violations thereof.

The amended Notification Govt. of India, Ministry of Environment & Forests has made it mandatory to include following projects which are required to obtain prior environmental clearance from the Govt. of India, Ministry of Environment & Forest as per procedure laid down.

Schedule - I of the EIA Notification of GOI as amended on 7.7.04. ---- Entry No. 31 New Construction Projects

Construction projects including Shopping Malls, new townships, industrial townships, settlement colonies, commercial complexes, hotel complexes, hospitals and office complexes for 1,000 (One thousand persons or more) or discharging sewage of 50,000 (Fifty thousand) litres or more per day or with a investment of Rs. 50 Crores (Fifty Crores) or more. This will also include the New Construction. It was also made clear that New Construction Projects which were undertaken without obtaining clearance required under this notification and where construction work has not come upto the plinth level as on 7-7-04 of Schedule -I of the EIA Notification as amended on 7.7.04. shall also require clearance under this notification w.e.f. 7th day of July, 2004.

Entry No. 32 New Industrial Estates

Industrial Estates including Industrial Estates accommodating industrial units in an area of 50 hectares or industrial estates irrespective of their area if their pollution potential is high. This will also include the New Industrial Estates which were undertaken without obtaining clearance required under this notification and where the construction work has not commenced or the expenditure does not exceed 25% of the total sanctioned cost, shall also require clearance under this notification w.e.f. 7th day of July, 2004.

In spite of publication of Public Notices in the News Papers and issuance of individual show cause notices including the show cause notices which can invite prosecution under the Environmental Laws and for closure to the

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defaulting new construction projects/ New Industrial Estates. It is learnt that several units covered under the notification have still not applied for environmental clearance to the Secretary, Ministry of Environment & Forests, Govt. of India. It is further stated that some units are continuing with the construction process without applying for and obtaining Environmental Clearance from Govt. of India. Such Project proponents/units are thereby violating the provisions of section 5 of Environment (Protection) Act. It is therefore pointed out that prosecution/stoppage/closure action should be taken against such defaulting units.

S. No.	Particulars
1.	INDIA has failed to apply for Environmental Clearance under EIA amended Notification of 7/7/2004 have rendered themselves liable for stringent action under Environment (Protection) Act, 1986
2.	Companies concerned for the convenience of all concerned since long. Defaulting units who have failed to apply for and obtain Environmental Clearance under EIA amended Notification of 7/7/2004 have rendered themselves liable for stringent action under Environment (Protection) Act, 1986
3.	Applicants for Environmental Clearance have been posted by MOEF, Govt. of India
4.	Tabular Environmental Clearance have been posted by MOEF, Govt. of India
5.	Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
6.	Copy of the said notification has been sent to all concerned authorities and State authorities for their publicity repeatedly. Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
7.	Copy of the said notification has been sent to all concerned authorities and State authorities for their publicity repeatedly. Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
8.	Copy of Minutes of the Public Hearing conducted at the site of the project has been sent to all concerned authorities and State authorities for their publicity repeatedly. Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
9.	Copy of the said notification has been sent to all concerned authorities and State authorities for their publicity repeatedly. Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
10.	Copy of the said notification has been sent to all concerned authorities and State authorities for their publicity repeatedly. Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
11.	List of the Project Proponents of New Construction Projects are not adhering to the provisions of the EIA Notification.
12.	Copy of the said notification has been sent to all concerned authorities and State authorities for their publicity repeatedly. Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
13.	Copy of the said notification has been sent to all concerned authorities and State authorities for their publicity repeatedly. Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
14.	Copy of the said notification has been sent to all concerned authorities and State authorities for their publicity repeatedly. Details and all relevant information regarding the EIA Notification/Environmental Clearance have been posted by MOEF, Govt. of India
15.	Public Hearing has been conducted at the site of the project in accordance with the provisions of the amended Notification dated 7th July 2004 and applied for Environmental Clearance to Ministry of Environment & Forest, Govt. of India
16.	SEIA/EA Notification has been issued to the project proponents from Govt. of India Ministry of Environment & Forests
17.	Minutes of the Public Hearing conducted at the site of the project have been submitted to the project proponents and they are required to obtain Environmental Clearance from Govt. of India Ministry of Environment & Forests
18.	Reply submitted by the unit while conducting Public Hearings under the Notification
19.	Spot inspection report dated 12/12/2018
20.	Show cause notice dated 15/02/2018
21.	ACS letter dated 10/10/2018

including the prosecution and closure of the project. Final notice and warning is hereby issued to all defaulters for applying for Environmental Clearance to the Ministry of Environment & Forest, GOI falling which such defaulting units will invite stringent action under the provisions of the Environment (Protection) Act, 1986.

Accused: M/s Raheja Developers Ltd. & Ors.

Versus Chairman

Keep Hazhara Clean and Pollution Free.
REGIONAL OFFICER Gurugram Region (North)

Complaint No. Certified to be True



HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Ph-2577870-73 E-mail: hspcbhq2@gmail.com

No. HSPCB/2019/

Dated:

To

M/s IVY Group Housing Complex,
(License No. 151 of 2004 for 5.88 Acres)
Green Max Estate Pvt. Ltd., Sushant Lok-I, Gurugram.

Sub: Revocation /withdrawal /cancellation of NOC/consent to operate granted under Water (Prevention & Control of Pollution) Act, 1974 and under Air (Prevention & Control of Pollution) Act, 1981 and authorization under Hazardous and Other Wastes (Management & Transboundry Movement) Rules, 2016.

Kindly refer to the subject noted above.

In this connection, it is intimated that the Regional Officer, Gurugram Region (North) of the Board has submitted vide his letter No. 4088 dated 12.11.2019 and letter no. 4213 dated 19.11.2019 that consent to operate (CTO) under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 was granted by this Board vide letter No. HSPCB/Consent/ 313116319GUNOCTO6146866 Dated. 11/01/2019 and consent to establish (CTE) and authorization was granted vide letter no. HSPCB/2006/TAC-A/997A dated 07.08.2006 and letter no. HWM/GUNO/2019/6147083 dated 23.01.2019 to your unit for the period of 2019-22 of the above said project.

The Hon'ble NGT constituted a committee comprising of representative of Central Pollution Control Board, Town & Country Planning Department, Haryana, Delhi School of Planning & Architecture, Central Ground Water Authority and State Environment Impact Assessment Authority to consider the aspects of applicants and to call its meeting within one month and examine the matter & to submit report within one month thereafter. The Hon'ble NGT directed that the representative of Central Pollution Control Board will be the coordinator. As per NGT order dated 19.09.2018 in the matter of Praveen Kakkar & Ors. Vs MoEF&CC & Ors. (OA No. 661/2018), committee was constituted and the committee has inspected the site on 23.10.2018 to verify required documents and ground truthing. The committee had submitted its report dated 16.11.2018 and accordingly Hon'ble NGT issued order on 08.01.2019.

The committee observed that last two licenses for the development of area of 1 acre and 1.55 acre were granted on 12.02.2007 (License No. 62 of 2007 dated 12.02.2007) & 13.04.2011 (License No. 32 of 2011 dated 13.04.2011) respectively which are after EIA Notification dated 14.09.2006, cut-off date of requiring environmental clearance & execution of aforesaid licenses comes under expansion of project and total area of licensed colony after expansion is 604.19 Acres which crosses the threshold limits (>50ha =123.5 Acres for area development project) and thus project proponent was required to obtain EC. Out of two license one license (62 of 2007) is in the name of B.C.C. Properties (P) Ltd., 115 Ansal Bhawan, 16 Kausturba Gandhi Marg, New Delhi for setting up of a Group Housing Colony at Village Sukhrali, District Gurugram.

The Hon'ble NGT vide order dated 13.09.2019 has issued directions that "The Chairman Haryana State Pollution Control Board - a NOCs, Consents and Authorization granted to M/s Ansal Properties & Infrastructure Ltd. Gurugram be revoked immediately and shall not be considered in future also till compliance of these directions are made. b Discharge of untreated sewage from the premises of the company into storm water drain be stopped" CPCB has vide letter dated 18.06.2019 & 03.10.2019 has directed to do the needful.

Show cause notice for revocation of NOC/consent to operate/authorization under HWM rules already granted, was issued to the unit by Regional Officer, Gurugram Region (North) vide letter No. HSPCB/GRN/2019/3741-42 dated 11.09.2019 & HSPCB/GRN/2019/3871-72 dated 23.10.2019 for the said violation but you have neither submitted satisfactory reply nor compliance of show cause notice. The Regional Officer has recommended the case accordingly vide his letter No. 4088 dated 12.11.2019 for revocation of CTO granted under Air Act 1981 and

Water Act, 1974 & NOC/Authorization under HWM rules vide his letter No. 4213 dated 19.11.2019 for the above said violation.

The case has been examined and it has been found that you are operating your unit in gross violation of provision of Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981

Therefore, considering the recommendation of Regional Officer, Gurugram Region (N) and keeping in view of the above said facts, the consent to operate granted by the Board to your unit for the above said project vide letter No HSPCB/Consent/ 313116319GUNOCTO6146866 Dated: 11/01/2019 under section 21 of Air (Prevention & Control of Pollution) Act, 1981/27 of Water (Prevention & Control of Pollution) Act, 1974 and Consent to establish (CTE) and authorization vide letter no. HSPCB/2006/TAC-A/997A dated 07 08 2006 and letter no. HWM/GUNO/2019/6147083 dated 23 01.2019, is hereby revoked /withdrawal /cancelled with immediate effect.

Environmental Engineer (IT)
For Chairman

Dated: 19/11/19

Endst. No. HSPCB/2019/799

A copy of the above is forwarded to the Regional Officer, Gurugram(N) for information and further necessary action.


Environmental Engineer (IT)
For Chairman


HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-8, PANCHKULA

 Website - www.hspcb.gov.in

 E-Mail- hspcbceit@gmail.com

Tolo No. - 0172-2577870-73

AFF-1/AFF-11/EE III/Sc.B/

DEO I, II

Regional Officer (GR) North

Closure Order

Whereas the Regional Officer Gurugram Region(N) vide letter no. 1093 dated 29.05.2019 has Intimated that Burger Club, Santosh Plaza Opp. Sushant Shopping Arcade, Sushant Lok-I, Gurugram has installed the DG Set(62 KVA) in his premises without Installation of adequate stack height.

Whereas order passed by Hon'ble National Green Tribunal in the matter of OA no. 661/2018 of Parveen Kakar & Ors. V/s MoEF & CC & Ors. i.e. Hon'ble NGT vide order dated 08.01.2019 has mentioned that DG sets are operating without stack height besides other directions.

Whereas the Regional Officer Gurugram Region(N) has recommended the closure order under section 31-A of Air (Prevention and control of Pollution) Act, 1981 may be issued against the DG Set (62 KVA) installed in the premises of Burger Club, Santosh Plaza Opp. Sushant Shopping Arcade, Sushant Lok-I, Gurugram as unit has operating DG set without installation of adequate stack height.

Therefore, keeping in view of the above said facts and in excersice of the powers conferred under section 31-A of Air (Prevention & Control of Pollution) Act, 1981, it is hereby ordered to close down the DG Set (62 KVA) installed in the premises of Burger Club, Santosh Plaza Opp. Sushant Shopping Arcade, Sushant Lok-I, Gurugram.

Dated Panchkula
24th June, 2019

Ashok Kheterpal
Chairman

Endst. No. HSPCB/2019/ 147

Dated: 25.6.19

A copy of the above is forwarded to the following for information and necessary action please:-

1. The Deputy Commissioner, Gurugram.
- ✓ 2. The Regional Officer, Gurugram (N). He is asked to submit compliance report of closure order within 03 days positively.
3. The XEN (OP) concerned, DHBVN, Gurugram.
4. The Municipal Corporation, Gurugram.
5. Burger Club, Santosh Plaza Opp. Sushant Shopping Arcade, Sushant Lok-I, Gurugram.

Amr
25/06/19
Environmental Engineer (IT)
& For Chairman

Rms
43098



HARYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR-6, PANCHKULA

Website - www.hspcb.org.in E-Mail - hspcb@rediffmail.com

Tele No - 0172-2577870-73

Closure Order

Whereas the Regional Officer Gurugram Region(N) vide letter no. 735 dated 09/05/2019 has intimated that Mr. Joginder Singh, Mob. No. 9312282335, R/o B-100, Sushant Lok-I, Gurugram has installed the DG Set (Model No. Escorts ADI/ELG) in his premises without installation of adequate stack height.

Whereas order passed by Hon'ble National Green Tribunal in the matter of OA no. 661/2018 of Parveen Kakar & Ors. Vs MoEF & CC & Ors. i.e. Hon'ble NGT vide order dated 08.01.2019 has mentioned that DG sets are operating without stack height besides other directions.

Whereas the Regional Officer Gurugram Region(N) has recommended the closure order under section 31-A of Air (Prevention and control of Pollution) Act, 1981 may be issued against the DG Set (Model No. Escorts ADI/ELG) installed in the premises of Mr. Joginder Singh, Mob. No. 9312282335, R/o B-100, Sushant Lok-I, Gurugram as unit has operating DG set without installation of adequate stack height.

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 31-A of Air (Prevention & Control of Pollution) Act, 1981, it is hereby ordered to close down the DG Set (Model No. Escorts ADI/ELG) installed in the premises of Mr. Joginder Singh, Mob. No. 9312282335, R/o B-100, Sushant Lok-I, Gurugram.

Dated Panchkula
19th June, 2019

Ashok Kheterpal
Chairman

Dated: 26-6-19

Endst. No. HSPCB/2019/158

A copy of the above is forwarded to the following for information and necessary action please:-

1. The Deputy Commissioner, Gurugram.
2. The Regional Officer, Gurugram (N). He is asked to submit compliance report of closure order within 03 days positively.
3. The XEN (OP) concerned, DHBVN, Gurugram.
4. The Municipal Corporation Gurugram.
5. Mr. Joginder Singh, Mob. No. 9312282335, R/o B-100, Sushant Lok-I, Gurugram.

Oris
Environmental Engineer (IT)
For Chairman



HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA

Website - www.hspcb.gov.in E-Mail- hspcbecit@gmail.com
Tele No. - 0172-2577870-73

JEE Clerk-I, AEE-III/Sc.B/
DEO-I, II

Closure Order

Regional Office (GR) North

Whereas the Regional Officer Gurugram Region(N) vide letter no. 732 dated 09.05.2019 has intimated that Mr. Raj Singh Verma, R/o B-70, Sushant Lok-I, Gurugram has installed the DG Set(40 KVA) in his premises without installation of adequate stack height.

Whereas order passed by Hon'ble National Green Tribunal in the matter of OA no. 661/2018 of Parveen Kakar & Ors. V/s MoEF & CC & Ors. i.e. Hon'ble NGT vide order dated 08.01.2019 has mentioned that DG sets are operating without stack height besides other directions.

Whereas the Regional Officer Gurugram Region(N) has recommended the closure order under section 31-A of Air (Prevention and control of Pollution) Act, 1981 may be issued against the DG Set (40 KVA) installed in the premises of Mr. Raj Singh Verma, R/o B-70, Sushant Lok-I, Gurugram as unit has operating DG set without installation of adequate stack height.

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 31-A of Air (Prevention & Control of Pollution) Act, 1981, it is hereby ordered to close down the DG Set (40 KVA) installed in the premises of Mr. Raj Singh Verma, R/o B-70, Sushant Lok-I, Gurugram.

Dated Panchkula
19th June, 2019

Ashok Kheterpal
Chairman

Dated: 21.6.19

Endst. No. HSPCB/2019/ ///

A copy of the above is forwarded to the following for information and necessary action please:-

1. The Deputy Commissioner, Gurugram.
2. The Regional Officer, Gurugram (N). He is asked to submit compliance report of closure order within 03 days positively.
3. The XEN (OP) concerned, DHBVN, Gurugram.
4. The Municipal Corporation, Gurugram.
5. Mr. Raj Singh Verma, R/o B-70, Sushant Lok-I, Gurugram.

Environmental Engineer (IT)
For Chairman

20/06/19

8

FTW 1
42396



HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA

Website - www.hspcb.gov.in E-Mail: hspcbesil@panchkula.org
Tele No - 0172-2677870/73

Closure Order

Whereas the Regional Officer Gurugram Region(N) vide letter no. 734 dated 09.05.2019 has intimated that Mr. Vikram Sehdev & Sunil Kumar, Mob. No. 9818263120, 9810716014, R/o B-324, Sushant Lok-I, Gurugram has installed the DG Set (30 KVA) in his premises without installation of adequate stack height.

Whereas order passed by Hon'ble National Green Tribunal in the matter of OA no. 681/2018 of Parveen Kakar & Ors. Vs MoEF & CC & Ors. In Hon'ble NGT vide order dated 08.01.2019 has mentioned that DG sets are operating without stack height besides other directions.

Whereas the Regional Officer Gurugram Region(N) has recommended the closure order under section 31-A of Air (Prevention and control of Pollution) Act, 1981 may be issued against the DG Set (30 KVA) installed in the premises of Mr. Vikram Sehdev & Sunil Kumar, Mob. No. 9818263120, 9810716014, R/o B-324, Sushant Lok-I, Gurugram as unit has operating DG set without installation of adequate stack height.

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 31-A of Air (Prevention & Control of Pollution) Act, 1981, it is hereby ordered to close down the DG Set (30 KVA) installed in the premises of Mr. Vikram Sehdev & Sunil Kumar, Mob. No. 9818263120, 9810716014, R/o B-324, Sushant Lok-I, Gurugram.

Dated Panchkula
19th June, 2019

Ashok Khotarpal
Chairman

Dated: 25/06/19

Endst. No. HSPCB/2019/ 118

A copy of the above is forwarded to the following for information and necessary action please:-

1. The Deputy Commissioner, Gurugram.
2. The Regional Officer, Gurugram (N). He is asked to submit compliance report of closure order within 03 days positively.
3. The XEN (OP) concerned, DHBVN, Gurugram.
4. The Municipal Corporation, Gurugram.
5. Mr. Vikram Sehdev & Sunil Kumar, Mob. No. 9818263120, 9810716014, R/o B-324, Sushant Lok-I, Gurugram.

Environmental Engineer (IT)
For Chairman



HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Website - www.hspcb.gov.in E-Mail- hspcbecit@gmail.com
Tele No. - 0172-2577870-73

AEE-I/AEE-II/AEE-III/Sc.B/

Closure Order

Regional Officer (OR) North

Whereas the Regional Officer Gurugram Region(N) vide letter no. 735 dated 09.05.2019 has intimated that M/s V.K. Malhotra, Mob. No. 9811637151, R/o B-357-A, Block- B, Sushant Lok-I, Gurugram has installed the DG Set(Model-Escorts) in his premises without installation of adequate stack height.

Whereas order pas by Hon'ble National Green Tribunal in the matter of OA no. 661/2018 of Parveen Kakar & Ors. Vs MoEF & CC & Ors. i.e. Hon'ble NGT vide order dated 08.01.2019 has mentioned that DG sets are operating without stack height besides other directions.

Whereas the Regional Officer Gurugram Region(N) has recommended the closure order under section 31-A of Air (Prevention and control of Pollution) Act, 1981 may be issued against the DG Set (Model-Escorts) installed in the premises of M/s V.K. Malhotra, Mob. No. 9811637151, R/o B-357-A, Block- B, Sushant Lok-I, Gurugram as unit has operating DG set without installation of adequate stack height.

Therefore, keeping in view of the above said facts and in excersice of the powers conferred under section 31-A of Air (Prevention & Control of Pollution) Act, 1981, it is hereby ordered to close down the DG Set (Model-Escorts) installed in the premises of M/s V.K. Malhotra, Mob. No. 9811637151, R/o B-357-A, Block- B, Sushant Lok-I, Gurugram.

Dated Panchkula
19th June, 2019

Ashok Kheterpal
Chairman

Dated: 25/06/19

Endst. No. HSPCB/2019/123

A copy of the above is forwarded to the following for information and necessary action please:-

1. The Deputy Commissioner, Gurugram.
2. The Regional Officer, Gurugram (N). He is asked to submit compliance report of closure order within 03 days positively.
3. The XEN (OP) concerned, DHBVN, Gurugram.
4. The Municipal Corporation, Gurugram.
5. M/s V.K. Malhotra, Mob. No. 9811637151, R/o B-357-A, Block- B, Sushant Lok-I, Gurugram.

FTMS
43010

[Signature]
Environmental Engineer (IT)
For Chairman



HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA

Website - www.hspcb.gov.in E-Mail- hspcbecr@gmail.com
Tele No. - 0172-2577870-73

Closure Order

Whereas M/s Sushant Arcade Welfare Association(SAWA), Sushant Shopping Arcade, Sushant Lok-I, Gurugram, has installed D.G. sets of capacity 500 KVA(2 nos.) & 750 KVA(1 nos.) in Commercial Building unit has not provided adequate stack height of DG sets. Unit is violating the provision of Air (Prevention and control of Pollution) Act, 1981 as submitted by the Regional Officer Gurugram(N) vide letter no 3135 dated 07.08.2019.

Whereas the Regional Officer Gurugram(N) has recommended the closure order under section 31-A of Air (Prevention and control of Pollution) Act, 1981 against the said D.G. sets vide letter no 3135 dated 07.08.2019.

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 31-A of Air (Prevention and control of Pollution) Act, 1981, it is hereby ordered to close down the operating of the D.G. sets immediately.

Dated Panchkula
02 September, 2019

Ashok Kheterpal
Chairman

Dated: 10/9/19

Endst. No. HSPCB/2019/432-41

A copy of the above is forwarded to the following for information and necessary action please:-

- 1 The Deputy Commissioner, Gurugram.
- 2 The Regional Officer, Gurugram(N). He is asked to send the compliance of closure order within 03 days and to submit the case for prosecution as per policy of the Board within 07 days
- 3 The Env. Engineer, Publicity Cell(HQ), HSPCB, C-11, Sec.-6, Panchkula
- 4 M/s Sushant Arcade Welfare Association(SAWA), Sushant Shopping Arcade, Sushant Lok-I Gurugram.

PPMS
61805
61806
61807

On
Environmental Engineer (IT)
For Chairman

Yogesh Kumar

Sushant Arcade Welfare Association
Basement Office, Sushant Arcade,
Sushant Lok-I, Phase-I
Gurgaon-122002, Haryana
Tel: 0124-4014040, 7503033034

Annexure - 9
FTMS No 61806



Regional Office, Gurugram (N)
Haryana State Pollution Control Board
Vikas Sadan, Opposite- New Court, Gurugram



Tel: 0124-2332775, 2220523

Website: www.hspcb.gov.in

Email: hspcbrogrn@gmail.com

Dated 12/9/19

No. HSPCB/GRN/2019/ 3488

To

The Chairman,
Haryana State Pollution Control Board,
Panchkula

Kind Attention:- Sr. Env. Engineer-I (HQ)

Sub: Compliance of closure order of DG set of M/s Sushant Arcade Welfare Association (SAWA), Sushant Shopping Arcade, Sushant Lok-I, Gurugram.

Ref:- Head office letter endst. no. HSPCB/2019/438-41 dated 10.09.2019.

In this connection, it is submitted that in compliance of closure orders issued by the head office vide endst. no. HSPCB/2019/438-41 dated 10.09.2019 u/s 31-A of Air (Prevention & Control of Pollution) Act, 1981. The operation of the above said DG set has been closed by sealing the machinery on 12.09.2019 in the presence of representative of the unit Sh. Yogender Kumar, Manager. Copy of compliance report alongwith photographs are enclosed herewith for kind information and further necessary action, please.

DA/Compliance report alongwith photographs

I gnd
Regional Officer,
Gurugram Region (N)

12/9

COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of Head Office order Endst. No. HSPCB/2019/438-41 dated 10.09.2019 issued by the Haryana State Pollution Control Board, Panchkula under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31A of Air (Prevention & Control of Pollution) Act, 1981 the unit M/s Sushant Arcade Welfare Association (SAWA), Sushant Shopping Arcade, Sushant Lok-I, Gurugram is hereby sealed on 12/9/2019 in the presence of Sh. Yogesh Kumar, Manager the representative of the unit by sealing the plant & machinery as mentioned below.

Sr. No.

1. 500 KVA (1 No)
2. 500 KVA (1 No)
3. 750 KVA (1 No)
- 4.



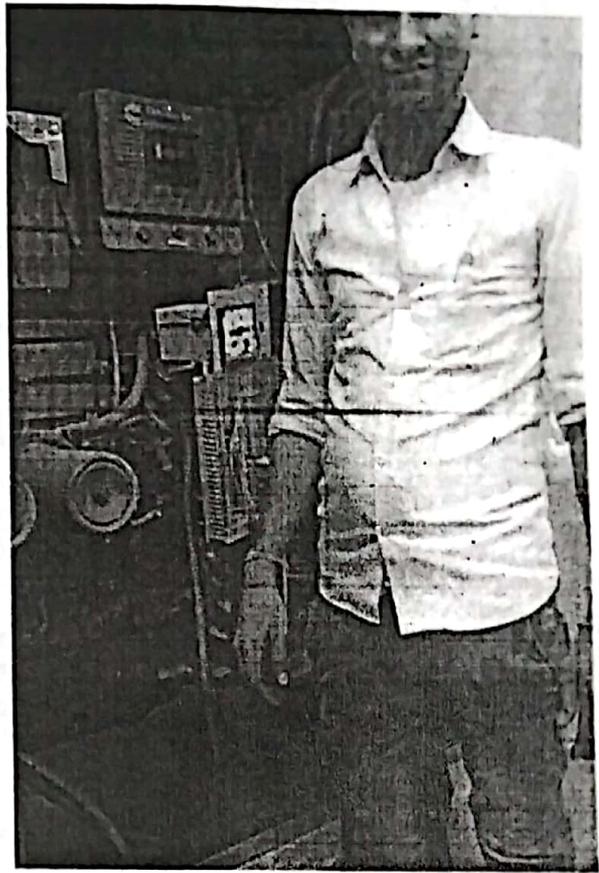
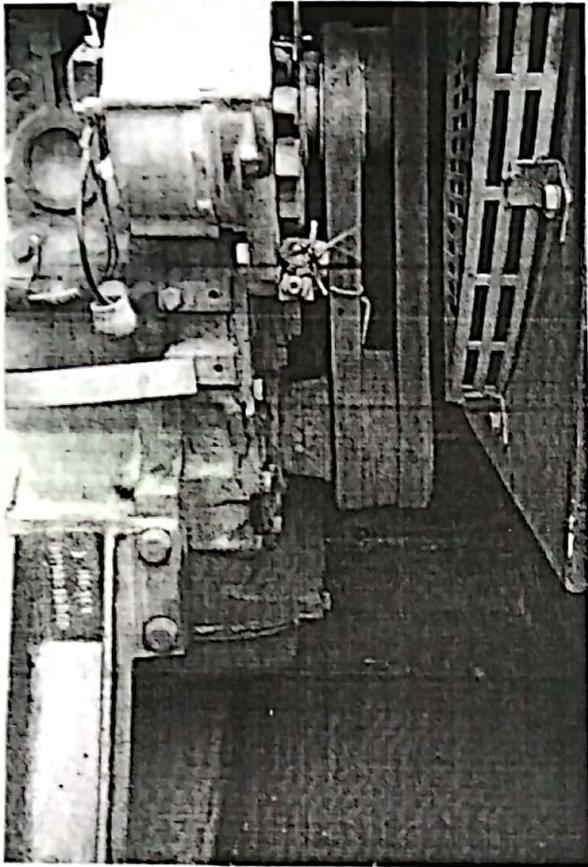
Seal Impression

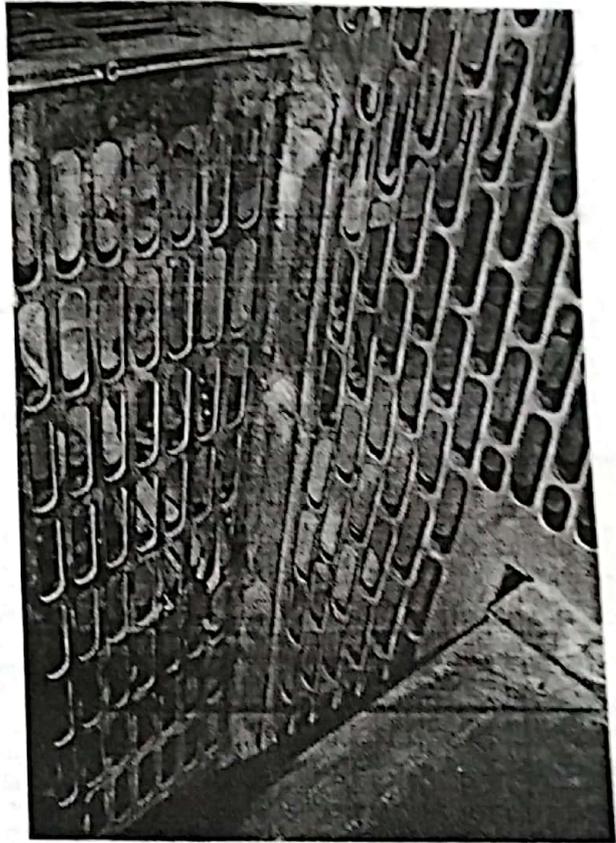
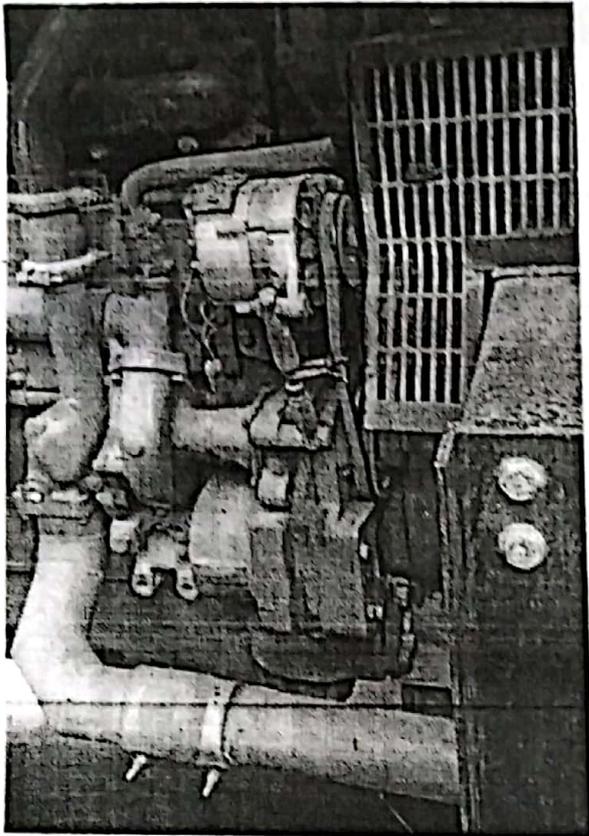
Sh. Yogesh Kumar, Manager Representative of the unit present at the time of sealing of Plant & Machinery of the unit, has not shown any stay orders of any courts against the above mention Closure Orders. The unit will be itself responsible for watch & Ward of the unit.

Yogesh Kumar
Signature of Rep. of the unit

W 12/9
Signature of Officers of the Board

Sushant Arcade Welfare Association
Basement Office, Sushant Arcade,
Sushant Lok-I, Phase-I
Gurgaon-122002, Haryana
Tel: 0124-4014040, 7503033034





PTMS No - 52151
2/08/19



Regional Office, Gurugram (N)
Haryana State Pollution Control Board
Vikas Sadan, Opposite- New Court, Gurugram



Tel: 0124-2332775, 2220523
No. HSPCB/GRN/2019/ 3007

Website: www.hspcb.gov.in
Email: hspcbgrn@gmail.com
Dated 02-08-2019

To

The Chairman,
Haryana State Pollution Control Board,
Panchkula

Kind Attention:- Sr. Env. Engineer-I (HQ)

Sub: Compliance of closure orders.

In this connection, it is submitted that in compliance of following closure order issued by the head office vide endst. no. as mentioned below u/s 31-A of Air (Prevention & Control of Pollution) Act, 1981. The operation of the above said DG sets have been closed by sealing the machinery on 01.08.2019 in the presence of representatives of the owner of villa/house. Copy of compliance reports are enclosed herewith for reference.

Sr. No.	Name and address of violating site	Name of violator	No. of closure and date	Remarks
1	Burger Club, Santosh Plaza, Opp-Sushant shopping Arcade, Sushant Lok-I, Gurugram	Burger Club	HSPCB/2019/147 dated 25.06.2019.	Compliance of closure orders on 01.08.2019
2	Municipal Corporation, Gurugram, Pump House Water works, Block-B, Sushant Lok-I, Gurugram.	Municipal Corporation	HSPCB/2019/128 dated 25.06.2019.	Compliance of closure orders on 01.08.2019
3	Mr. Joginder Singh, R/o B-100, Sushant Lok-I, Gurugram, Mob no. -9312282335	Mr. Joginder Singh	HSPCB/2019/158 dated 26.06.2019	Compliance of closure orders on 01.08.2019
4	Mr. Raj Singh Verma, R/o B-70, Sushant Lok-I, Gurugram	Mr. Raj Singh Verma	HSPCB/2019/111 dated 21.06.2019.	Compliance of closure orders on 01.08.2019
5	Mr. Vikram Sehdev & Sunil Kumar, R/o B-324, Sushant Lok-I, Gurugram, Mob no-9818263126, 9810716014	Mr. Vikram Sehdev & Sunil Kumar	HSPCB/2019/118 dated 25.06.2019.	Compliance of closure orders on 01.08.2019
6	V.K Malhotra, R/o B-357-A, Block-B, Sushant Lok-I, Gurugram, Mob no. -9811637151	Mr. V.K Malhotra	HSPCB/2019/123 dated 25.06.2019.	Compliance of closure orders on 01.08.2019

Submitted for information and necessary action. please.

DA/Compliance report & Photographs

o/c

16/11/2019

1/11/2019
Regional Officer,
Gurugram Region (N)

COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of Head Office order No. Endst.No HSPCB/2019/147 on dated 25.06.2019 issued by the Haryana State Pollution Control Board, Panchkula under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31A of Air (Prevention & Control of Pollution) Act, 1981 the unit M/s Burger Club Santosh Plaza, Opp. - Susant Shopping Arcade, Sushant lok - 1, Gurugram is hereby sealed on 1st Aug 2019 (01/08/2019) in the presence of Sh. Amit Sharma the representative of the unit by sealing the plant & machinery as mentioned below.

Sr. No.

1. D. C. Seth

2.

3.

4.



Sh. Amit Sharma....., Representative

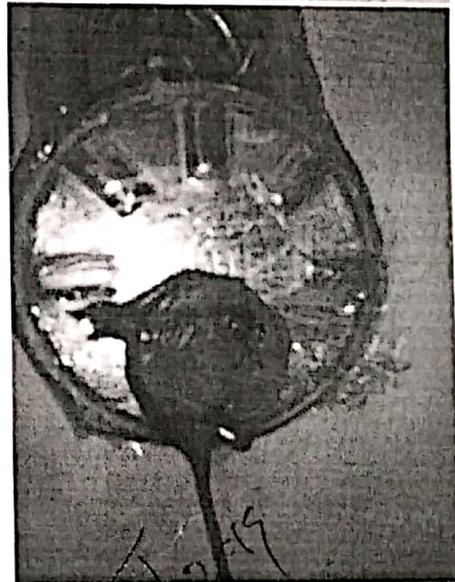
of the unit present at the time of sealing of Plant & Machinery of the unit, has not shown any stay orders of any courts against the above mention Closure Orders. The unit will be itself responsible for watch & Ward of the unit.


Signature of Rep. of the unit

1st 11/8/2019
Signature of Officers of the Board

11/8/2019
Signature of Officers of the Board

M/s Burger Club Santosh Plaza, Opp. Susant Shopping Arcade, Sushant Lok-1,
Gurugram.



1/18/2019

COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of Head Office order Endst.No HSPCB/2019/128 on dated 25.06.2019 issued by the Haryana State Pollution Control Board, Panchkula under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31A of Air (Prevention & Control of Pollution) Act, 1981 the unit M/s Municipal Corporation, Gurugram, pump House Water Workers, Block - B, Sushant lok, Gurugram.is hereby sealed on 01/08/2019 in the presence of Sh. Mohan Lal the representative of the unit by sealing the plant & machinery as mentioned below.

Sr. No.

1. D. G. Set No 1.
2. D. G. Set No 2.
- 3.
- 4.



Seal Impression

Sh. Mohan Lal, Representative

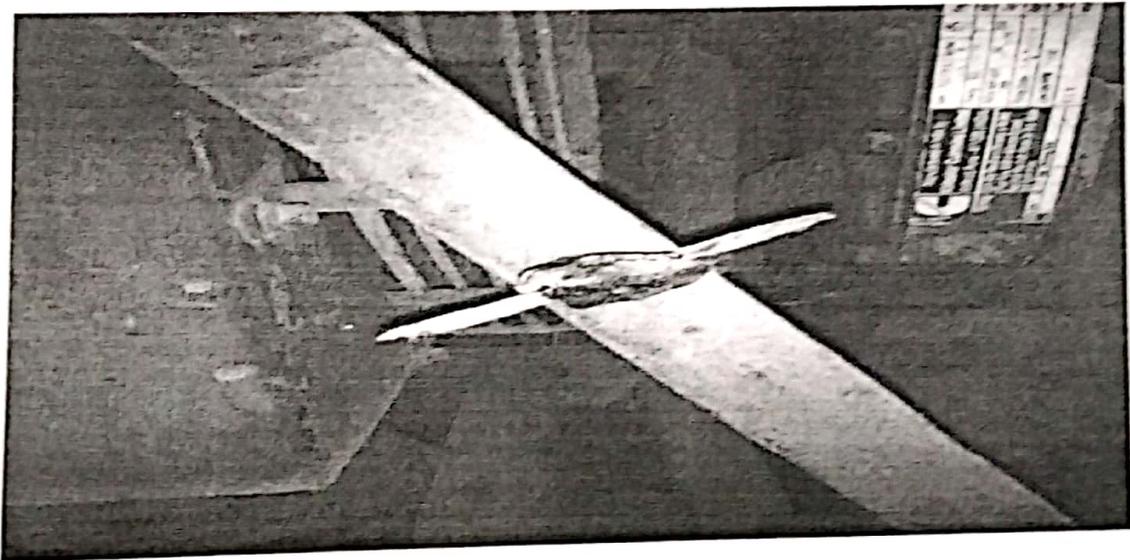
of the unit present at the time of sealing of Plant & Machinery of the unit, has not shown any stay orders of any courts against the above mention Closure Orders. The unit will be itself responsible for watch & Ward of the unit.

Signature of Rep. of the unit

Signature of Officers of the Board

1/8/2019
Aakshay
01-07-19

M/s Municipal Corporation , Gurugram, Pump House Water Workers, Block-B, Sushant Lok-I, Gurugram.



14/1/8/2019

COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of Head Office order Endst.No HSPCB/2019/158 on dated 26.06.2019 issued by the Haryana State Pollution Control Board, Panchkula under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31A of Air (Prevention & Control of Pollution) Act, 1981 the unit M/s Juginder Singh, MOB No. - 9312282335, R/o B-100, Sushant Lok - 1, Gurugram. is hereby sealed on 11 Aug 2019 (18/2019) in the presence of Sh. Arun Kumar Singh the representative of the unit by sealing the plant & machinery as mentioned below.

Sr. No.

1. D. G. Sef
- 2.
- 3.
- 4.



Seal impression

Sh. Arun Kumar Singh Representative

of the unit present at the time of sealing of Plant & Machinery of the unit, has not shown any stay orders of any courts against the above mention Closure Orders. The unit will be itself responsible for watch & Ward of the unit.

Signature of Rep. of the unit

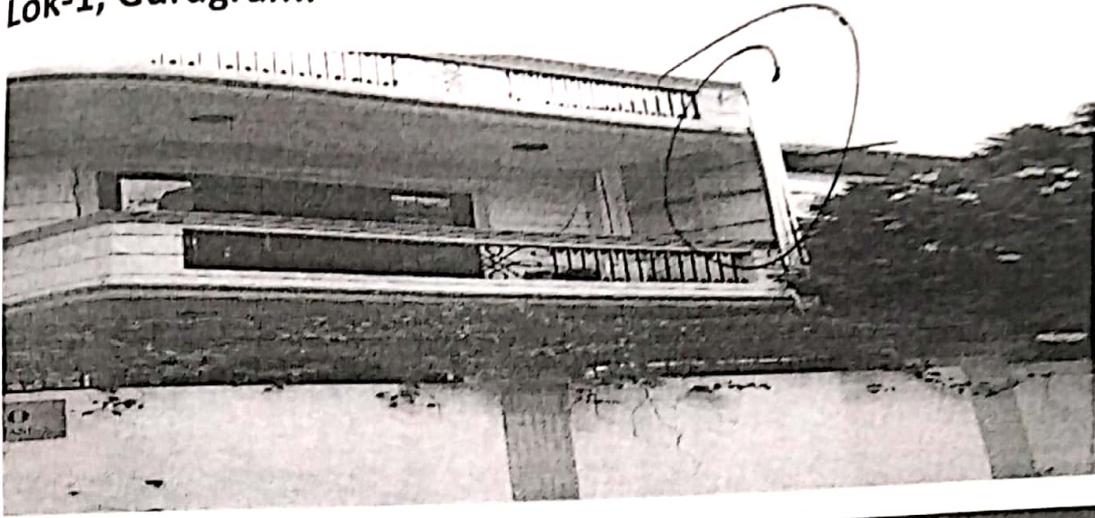
Signature of Officers of the Board

11/8/2019

11/08/19

We have already raised the stacks height above roof level. Compliance Done AS 01/08/19

M/s Juginder Singh, Mob No. 9312282335, R/o B-100, Sushant Lok-1, Gurugram.





Approval for Prosecution

Whereas, M/s Ansal Properties & Infrastructure Ltd, 115, Ansal Bhawan, 16 K.G. Marg, New Delhi-110001 is engaged in the process of construction work and covered under consent management of the Board;

Whereas, the above said unit was found running without obtaining prior CTE/CTO from the Board;

Whereas, Regional Officer, Gurugram(N) of the Board has recommended vide his letter no. 3590 dated 24.09.2019 to accord the approval for filing the prosecution case in the Special Environment Court under section 41, 43 & 44 for violations of section 25 & 26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 37, 38 & 39 for violations of section 21 & 22 of Air (Prevention & Control of Pollution) Act, 1981 against the above said unit and its Partners i.e. (i) Sh. Lalit Bhasin, 38, Dakhineswar Apartment 10, Haioley Road, NDMC New Delh-110001; (ii) Sh. Sushil Ansal, Vishranti, 26 Feroze Shah Road, New Delhi-110001; (iii) Pranav Ansal, Vishranti, 26 Feroze Shah Road, New Delhi-110001; (iv) Sh. Malay Chatterjee, Kudremukh House Kudremukh Colony 2nd Block Koramangala, Banglore South, Karnataka Banglore-560034; (v) Sh. Abdul Sami, 136 SFS Flats, Phase-IV Ashok Vihar, Near water tank, New Delhi-110052; (vi) Sh. Yogesh Gauba, BB-41C, Janak Puri, Janakpuri B-1, West Delhi-110058; (vii) Sh. Arvind Kumar Gupta, A-33, Ground Floor, Defence Colony, Delhi-110024; (viii) Sh. Sunil Kumar Gupta, 224, Patrakar Vihar Naya Khand-I, Indirapuram, Ghaziabad-201010; (ix) Sh. Jagath Chandra, 32, Palace Orchard Apartment, 6A Cross 9th Main RMV Extension, Sadhashiv nagara, North Bangalore-560080; (x) Sh. Anil Kumar, G-156, Sarita Vihar, New Delhi-10044; (xi) Sh. Gopal Ansal, Ansal House, 6, Aurangzeb Road, New Delhi-110011; (xii) Sh. Anil Kumar, 104, Pocket-I Jasola, New Friends Colony, South Delhi-110025; (xiii) Sh. Vijay Gopal Jindal, W-2, Greater Kailash, Part-I, New Delhi-110048; (xiv) Sh. Om Prakash Mehra, A-9/34, Vasant Viiihar, New Delhi-110057; (xv) Sh. Prem Singh Rana, B-501, Karam Hi Dharam Apartments, Sector-55, Gurgaon, Haryana-122001; (xvi) Sh. Rahul Chandrakant Kirloskar, Lakaki Compound, Shivajinagar, Model Colony, Pune, Maharashtra-411016; (xvii) Sh. Prabhu Nath Mishra, Sadhika Farms, Behind Sec D-III, Vasant Kunj, Kishan garh, Delhi-110070; (xviii) Ms. Archana Capoor, C-221, SFS, Sheikh Sarai, Phase-I, New Delhi-110017; (xix) Sh. Ramesh Chandra Vaish, 169, Golf Links, New Delhi-110003; (xx) Sh. Prithvi Raj Khanna, 70, Sunder Nagar, Lodi Road, New Delhi-110003; (xxi) Sh. Dharmendra Nath Davar, B5/82, Safdarjung Enclave, New Delhi-110029.

Whereas, the Board vide resolution No. 150.11(S) has authorized concerned Regional Officers/Area Incharge of the Regional Offices of the Board to file prosecution case against such unit and their responsible persons which violate the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 subject to the approval of the Chairman of the Board;

Whereas, fact of the case and recommendation of Regional Officer, Gurugram(N) has been examined and it has been found that the unit has committed the offence under section 25 & 26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21 & 22 of Air (Prevention & Control of Pollution) Act, 1981 as mentioned above.

Therefore, in view of above and in exercise of the powers delegated by the Board vide Board's resolution No. 150.11 (S), I, Ashok Kheterpal, Chairman, Haryana State Pollution Control Board being Competent Authority, hereby accord the approval to Smt. Neha Saharan, AEE the concerned area incharge of Gurugram(N) Region of this Board, to file prosecution case on behalf of the Board in Special Environment Court, Faridabad under section 41, 43 & 44 for violations of section 25 & 26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 37, 38 & 39 for violations of section 21 & 22 of Air (Prevention & Control of Pollution) Act, 1981 as mentioned above, against the above said unit M/s Ansal Properties & Infrastructure Ltd, 115, Ansal Bhawan, 16 K.G. Marg, New Delhi-110001 and it's responsible persons namely (i) Sh. Lalit Bhasin, 38, Dakhineswar Apartment 10, Haioley Road, NDMC New Delh-110001; (ii) Sh. Sushil Ansal, Vishranti, 26 Feroze Shah Road, New Delhi-110001; (iii) Pranav Ansal, Vishranti, 26 Feroze Shah Road, New Delhi-110001; (iv) Sh. Malay Chatterjee, Kudremukh House Kudremukh Colony 2nd Block Koramangala, Banglore South, Karnataka Banglore-560034; (v) Sh. Abdul Sami, 136 SFS Flats, Phase-IV Ashok Vihar, Near water tank, New Delhi-110052; (vi) Sh. Yogesh Gauba, BB-41C, Janak Puri, Janakpuri B-1, West Delhi-110058; (vii) Sh. Arvind Kumar Gupta, A-33, Ground Floor, Defence Colony, Delhi-110024; (viii) Sh. Sunil

Kumar Gupta, 224, Patrakar Vihar Nav Khand-I, Indrapuram, Ghazlabad-201010; (ix) Sh. Jagath Chandra, 32, Palace Orchard Apartment, 6A Cross 9th Main RMV Extension, Sadhashiv nagara, North Bangalore-560080; (x) Sh. Anil Kumar, G-156, Sarita Vihar, New Delhi-10044; (xi) Sh. Gopal Ansal, Ansal House, 6, Aurangzeb Road, New Delhi-110011; (xii) Sh. Anil Kumar, 104, Pocket-I Jasola, New Friends Colony, South Delhi-110025; (xiii) Sh. Vijay Gopal Jindal, W-2, Greater Kailash, Part-I, New Delhi-110048; (xiv) Sh. Om Prakash Mehra, A-9/34, Vasant Vihar, New Delhi-110057; (xv) Sh. Prem Singh Rana, B-501, Karam Hi Dharam Apartments, Sector-55, Gurgaon, Haryana-122001; (xvi) Sh. Rahul Chandrakant Kirloskar, Lakaki Compound, Shivajinagar, Model Colony, Pune, Maharashtra-411016; (xvii) Sh. Prabhu Nath Mishra, Sadhika Farms, Behind Sec D-III, Vasant Kunj, Kishan garh, Delhi-110070; (xviii) Ms. Archana Capoor, C-221, SFS, Sheikh Sarai, Phase-I, New Delhi-110017; (xix) Sh. Ramesh Chandra Vaish, 169, Golf Links, New Delhi-110003; (xx) Sh. Prithvi Raj Khanna, 70, Sunder Nagar, Lodi Road, New Delhi-110003; (xxi) Sh. Dharmendra Nath Davar, B5/82, Safdarjung Enclave, New Delhi-110029

Dated: Panchkula, the
07th October, 2019

Endst. No. HSPCB/Consent/2019/ 618



Ashok Kheterpal
Chairman

Dated: 15/10/19

A copy of the above is forwarded to the following for information and further necessary action:-

F-TMS
70123
16.10.19

1. The Regional Officer, Haryana State Pollution Control Board, Gurugram(N) for information and further necessary action w.r.t. his letter no. 3590 dated 24.09.2019. He is directed to ensure the compliance of comprehensive policy/procedure issued vide Head Office letter dated 03.01.2019 for filing prosecution cases and will further ensure that the concerned officer shall file prosecution case against the above said unit & its responsible persons in the Special Environment Court, Faridabad after getting the same vetted and approved from Head Office.
2. Smt. Neha Saharan, AEE, Regional Office, Haryana State Pollution Control Board, Gurugram(N) for immediate compliance and report.


Environmental Engineer (IT)
For Chairman



GMDA.

GURUGRAM METROPOLITAN DEVELOPMENT AUTHORITY

File No. 225025/01/2019/Infra-II/2006

To

Dated : 15.10.2019

Regional Officer (North),
HSPCB, 1st Floor, Vikas Sadan,
Gurugram.

Sub: - Show cause notice for prosecution under the provisions of water (Prevention & control of pollution) Act, 1974 for not stopping untreated effluent to storm water drain and for non-submission of action taken report in respect of order dated 13.09.2019 of NGT New Delhi in O.A. No. 661/2018 titled as Parveen Kakkar V/s Ministry of Environment, Forest & Climate Change & Ors.

Ref:- Your office letter no. HSPCB/6RH/2019/3729 dated 09.10.2019.

This office is in receipt of your notice under reference, in reply to para 3, it is clarified that the report sent vide Superintending Engineer-III, (Infra-II), GMDA, Gurugram memo no. 1985 dated 02.10.2019 was duly verified at site by field staff that no sewage was found flowing in Storm Water Drain emerging from Sushant Lok-I into master storm water drain.

In reply of Para 4, it is reported that earlier the NGT case was being dealt by Haryana Shri Vikas Pradhikaran (HSVP) and GMDA was not aware of the facts of the case. Now, the locations provided in the notice with latitude and longitude (28.450093, 77.079275) & (28.451185, 77.078742) has been got checked by drainage division and the untreated sewage flowing from the premises of the company and other areas in Storm Water Drain (SWD) has been disconnected and now, there is no sewage flowing on these locations. The matter was also briefed in the review meeting held under chairmanship of Deputy Commissioner, Gurugram regarding dis-connection of sewer connection from storm water drain by Executive Engineer-III, (Drainage Division), GMDA, Gurugram.

So, it is requested that the officers of your department may be deputed to verify the site along with the officers of GMDA.

Keeping in view, the above facts it is requested that the show-cause notice served may be withdrawn

& oblige.

Signature Not Verified
Digitally signed by ALP KUMAR ARORA
Date: 2019.10.17 09:28 IST
Reason: Approved

Chief Engineer, Infra-II
Gurugram Metropolitan Development Authority
Gurugram
✉ ceinfra2.gmda@gov.in
☎ +91-124-2746639

Copy to: -

1. Chief Executive Officer, GMDA, Gurugram
2. Chairman, Haryana Pollution Control Board, Sector-6, Panchkula
3. Deputy Commissioner, Gurugram in view of the meeting held in your office on 11.10.2019 for information and further necessary action please.
4. Superintending Engineer-III (Infra-II), GMDA, Gurugram.
5. Executive Engineer-III & IV, GMDA, Gurugram.

This communication is computer generated and does not contain any signature in pen. This is signed with the digital signature obtained from a certifying authority under the Information Technology Act, 2000. For any queries, please quote the letter Number and e-mail mentioned as above.

PLOT NO. 44, SECTOR - 32, GURUGRAM ✉ ceinfra2.gmda@gov.in

HARYANA STATE POLLUTION CONTROL BOARD
SPOT INSPECTION REPORT OF THE INDUSTRIES

A General Information of unit

1	Name & Address of the Unit	:	Connection site of untreated sewage connection into storm water drain
2	Email ID of the Unit/Occupier	:	—
3	Telephone Nos.	:	—
4	Fax Nos.	:	—
5	Date & Time of Inspection	:	19/10/19
6	Category Unit	:	Red/Orange/Green
7	Type of Unit	:	17 Cat./Seriously Polluting/Others
8	Size of unit based upon investment cost of Plant & Machinery	:	Large/Medium/Small
9	Name of the representative of the unit with designation present at the time of the inspection.	:	
10	Name of the Directors /Partners/ Proprietor/ Manager/ Occupier etc.	:	
11	Detail of products/by product manufactured (with capacity of installation & quantity per annum)	:	
12	Detail of Raw Material used (with quantity per annum)	:	
13	Manufacturing Process (in brief)	:	
14	Detail of Machinery	:	
15	Date of Commissioning of the unit.	:	
16	Status of Consent to Establish	:	
17	Status of Consent to Operate	:	
18	Status of Authorization under HWM Rules.	:	

B Air Pollution

1	Sources of air emissions from process of unit including fugitive emissions with type of Boilers/Furness, capacity & stack height.	:	
2	Status of online monitoring System (Stack/AAQ) If applicable	:	
3	Details about deviation in the details/stack of Air emission/ type of fuel if any already provided to Board.	:	
4	Detail of Stacks/ Chimneys/Vents	:	
5	Whether Height of all stacks/ Chimneys as per norms.	:	
6	Capacity of D.G. Sets	:	
7	Stack height of D.G. Sets above programme and whether as per norms.	:	
8	Status of Acoustic Enclosure on D.G. Sets	:	
9	Noise results of D.G. Sets Monitored during inspection	:	
10	Type & Quantity of Fuel used (Separate for each source)	:	
11	Status of Air Pollution Control Devices (APCD) (a) Required or Not (b) Provided or Not (c) Detail of APCD provided with detail of all Components. (d) Whether operating APCD Satisfactorily (e) Whether operating APCD Satisfactorily	:	
12	Whether provided separate flow meters in case of wet scrubber	:	
13	Whether maintained Log Book for consumption of Electricity/ Chemicals/ Water for APCD	:	
14	Detail of treatment of effluent in case of wet scrubber & its mode of disposal.	:	
15	Whether provided Sampling arrangements on all stacks/ Chemneys including DG Sets.	:	
16	General Remarks	:	

C Water Consumption

1	Sources of Water Supply	:	
2	Detail of measuring devices provided if any such as flow meters, V-notch etc.	:	
3	Whether measuring devices has been sealed	:	

11	Whether maintained Log Book for consumption of Electricity/Chemicals/Quantity of effluent.	:	
12	Status of online monitoring system, if applicable.	:	
13	General Remarks.		

E Hazardous Waste Management

1	Category of Hazardous Waste generated as per rules.	:	
2	Type & Qty. of Hazardous Waste generated	:	(i) Incinerable (ii) Recyclable (iii) Disposable For landfill (iv) Total
3	Stock-Pile Quantity of Hazardous Waste	:	
4	Mode of Disposal & treatment of Hazardous Waste	:	
5	Size of Hazardous Waste storage site	:	
6	Display Board for Hazardous Waste at Factory Gate Provided or not	:	
7	Whether agreement made with the service provider for disposal of hazardous waste (if yes, give detail with validity)	:	
8	Details of Hazardous Waste transported to service provider	:	

F Hazardous Chemicals Handling & Management and PLI Act, 1991

1	List & Qty. of Hazardous Chemical handled & used (if any) with threshold quantity	:	
2	Whether prepared on site emergency plan and taken Insurance policy under PLI Act, 1991.	:	
3	Name of insurer agency with date & validity of policy.	:	
4	Whether Hazardous chemicals handling & storage facility is adequate	:	
5	Remarks	:	GmDA has disconnected supply of untreated sewage from storm water drain. Photographs enclosed herewith.
Signature of the representative of the unit Name Designation & Address inspection			Signature of the Officer/Officers of the Board who conducted Name & Designation

J. Prithvi
SDB (Engineer II)
GmDA

Raharav
Name & Designation

