

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

Original Application No. 573/2023

In the matter of:

Prakash Yadav

Applicant

Versus

State of Haryana

Respondents

**ACTION TAKEN REPORT ON BEHALF OF RESPONDNET
NO.5 I.E. HARYANA POND AND WASTE WATER
MANAGEMENT AUTHORITY IN COMPLAINE OF
ORDER DATED 22.02.2024**

Most Respectfully Showeth

1. That present original application registered on the basis of the letter petition has been filed alleging that sewage discharge from the residence of Gram Panchayat is flown through the drains from the village Kharkhada and collected in a Johad. This Hon'ble Tribunal while taking cognizance of the present OA, vide order dated 06.10.2023 sought report from the joint committee as constituted vide said order.
2. That in compliance of order dated 06.10.2023, report of Joint committee was filed with observations, fact finding and Remedial measures to be taken.

3. That on 22.02.2024, this Hon'ble Tribunal passed the following order:

"4. Learned Counsel appearing for respondent nos. 1 to 5 submits that now a joint meeting between Development and Panchayat Department and Haryana Pond and Waste Water Management Authority is scheduled on 23.02.2024 in which a plan will be prepared for remediating the problem and the said action plan will be filed before the Tribunal. He submits that action will be initiated in terms of the said plan to remediate the problem.

5. Let the plan and action taken report be filed by respondent no.5 at least one week before the next date of hearing by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

4. That a Joint meeting between Development & Panchayat Department and Haryana Pond and Waste Water Management Authority was held on 23.02.2024 under the Chairmanship of Director General, Development and Panchayat Department, Chandigarh for preparation the joint action plan. In the meeting, Executive Engineer, Panchayati Raj and District Development Panchayat Officer informed that no black water is flowing into the pond. Grey water generated from Kitchen and Bathroom is only flowing into pond through drains and nala. After detailed deliberation in the matter, it was decided as under:

1. Haryana Pond and Waste Water Management Authority (HPWWMA) to take up this pond on priority basis as

case is in Hon'ble NGT, instead of taking it in Action Plan of 2024-25. The HPWWMA to issue the Architectural drawings of this pond within 15 days.

2. Executive Engineer, Panchayati Raj, Rewari to submit the estimate of Restoration of Pond within 7 days after receipt of Architectural drawings from Haryana Pond and Waste Water Management Authority.
3. Haryana Pond and Waste Water Management Authority will accord administrative approval within 10 days after receipt of estimate as a special case.
4. As no sewage is flowing into Pond no action is required by Public Health Engineering department at this stage.
5. As next date of hearing in the case is 03.05.2024 all concerned to follow up the matter at each and every stage and work of Restoration of the said polluted pond be started at the earliest after getting approval of Competent Authority.

Copy of minutes of meeting dated 23.02.2024 is annexed herewith as **ANNEXURE-R/1**.

5. That for the purpose of rejuvenation of the pond there are two stages namely 'planning stage' and 'physical stage' and total time for completion of different activities under these stages is approximately 299 days. The flow diagram showing stages of work & days required is annexed as **Annexure-R/2**. As such, the site work commences after bench mark duration 177 days of planning stage. The

treatment of grey water shall be ensured through Wetland technic.

6. That the scope of work done by the HPWWMA includes Digital Survey, preparation of Architectural Drawings, Water testing, checking of the preliminary estimates prepared by executing Department and submission for issue Administrative Approval by Competent Authority. Preparation of preliminary estimates, DE/NIT, TS, Floating & Receipt of Tender, Award and Start of work under planning stage and De-watering, De-silting and Embankment, other related works, plantation and wetland under physical stage are done by the Executing Agency i.e. PR-PW, IWRD & ULBD under intimation to the HPWWMA.
7. That as of now, steps of Digital Survey & water testing report (20 days), Working/Architectural Drawings (20 days) have been completed by the HPWWMA. The next step of Preparation of preliminary estimate (25 days) have completed by the Panchayati Raj and the same has been checked by HPWWMA. The file for administrative approval has been submitted to the Commissioner & Secretary, Irrigation & Water Resources Department (IRWRD). The Commissioner & Secretary, IRWRD was deputed on Election Duty at Nagina, Utter Pradesh from 27.03.2024 to 22.04.2024. The sanction for administrative approval is pending with Government due to Code of Conduct enforced on account of Lok Sabha elections.

8. That after administrative approval following steps will be taken by the Development & Panchayat Department:

- (i) DE/NIT & TS
- (ii) Floating & Receipt of Tender
- (iii) Award & Start of Work

PHYSICAL STAGE:

- (iv) Dewatering
- (iv) De-silting & Embankment
- (v) Other related works (Cow Ghat, Foot path with saucer drain, wire fencing 1.8 m high, bench, Solar lights)
- (vi) Plantation & Wetland

In view of the facts and circumstances mentioned herein above, it is humbly prayed that present report may kindly be taken on record and further four months time be granted to place on record the progress achieved after awarding the work order.



02/05/24

Technical Advisor
Link officer to Member Secretary,
HPWWMA, Panchkula

Date:02.05.2024

Place: Panchkula

From

The Director General,
Development & Panchayats Department, Haryana,
Chandigarh.

To

1. The Chief Engineer,
Public Health Engineering Department, Haryana,
Panchkula.
2. The Technical Advisor,
Haryana Pond & Waster Water Management, Authority,
Panchkula.
3. Executive Engineer,
Panchayati Raj, Rewari.
4. District Development & Panchayats Officer,
District Rewari.

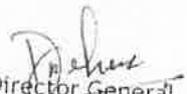
Memo No. PRC/2024/1712-15 Dated- 28/2/24

Subject:

Minutes of the Meeting held under the Chairmanship of Director General, Development and Panchayats department on 23.02.2024 at 03:00 PM regarding matter of OA No. 573/2023 in Hon'ble NGT Titled Prakash Yadav V/s State of Haryana regarding pollution of Pond in village Kharkhada, District Rewari.

On the subject cited above, please find enclosed herewith Minutes of the Meeting held on 23.02.2024 at 03:00 PM regarding matter of OA No. 573/2023 in Hon'ble NGT Titled Prakash Yadav V/s State of Haryana regarding pollution of Pond in village Kharkhada, District Rewari for necessary action.

Encl: As above


Director General,
Development & Panchayats Department, Haryana,
Chandigarh

Endst. No. PRC/2024/1716

Date- 28/2/24

A copy of the above is forwarded to the Chief Engineer, Panchayati Raj, Haryana, Chandigarh for information and necessary action.


Director General,
Development & Panchayats Department, Haryana,
Chandigarh

Minutes of the Meeting held under the Chairmanship of Director General, Development and Panchayats department on 23.02.2024 at 03:00 PM regarding matter of OA No. 573/2023 in Hon'ble NGT Titled Prakash Yadav V/s State of Haryana regarding pollution of Pond in village Kharkhada, District Rewari.

The list of participants is as per Annexure-1.

Background-

A complaint dated 08.06.2023 about pollution of village pond was sent by Prakash Yadav resident of village Kharkhara, District Rewari in Hon'ble NGT. The applicant has raised the issue that the sewage discharge from the residence of Gram Panchayat is flown through the drains from the village and collected in a Johad within main residential area resulting into the pollution and also affecting quality of ground water. It is alleged that dirty water is coming from the submersible pumps and handpumps used by residents and on account of collection of the dirty water there is problem of mosquito and health of the children is being affected by drinking the uncleaned water. Tribunal considered the matter on 06.12.2023 and constituted a joint committee comprising Member Secretary, State Pollution Control Board, Sarpanch of Gram Panchayat Kharkhara and District Magistrate, District Rewari with direction to submit factual report. On the basis of factual report, Hon'ble NGT passed order dated 20.12.2023 (Copy Annexed at Annexure-2). The case was further listed on 22.02.2024. A letter was issued vide this office letter no.1492-97 dated 21.02.2024 and submitted in the Hon'ble NGT that a joint meeting between Development and Panchayats Department and Haryana Pond & Waste Water Management Authority is scheduled on 23.02.2024 in which a plan will be prepared for remediating the problem and action plan will be filed before the Tribunal.

On the basis of this Hon'ble NGT issued direction (order dated 22.02.2024 attached as Annexure-3). "Let the plan and action taken report be filed by respondent no.5 at least one week before the next date of hearing by e-mail.

The case is further listed on 03.05.2024.

To prepare the joint action plan the meeting was held on 23.02.2024 in which at the outset Director General, Development and Panchayats department briefed about the agenda of meeting i.e. problem of pollution in the pond of village Kharkhada, District-Rewari.

In the meeting, Executive Engineer, Panchayati Raj and District Development Panchayat Officer informed that no black water is flowing into the Pond. Grey water generated from Kitchen and Bathroom is only flowing into the pond through drains and nala.

Scientist from Pond Authority informed that the Pond has been included in Annual Action Plan 2024-25.

After detailed deliberation in the matter it was decided as under:-

1. Haryana Pond and Waste Water Management Authority (HPWWMA) to take up this pond on priority basis as case is in Hon'ble NGT, instead of taking it in Annual Action Plan of 2024-25. The HPWWMA to issue the Architectural drawings of this pond within 15 days.

(Action to be taken by HPWWMA)

2. Executive Engineer, Panchayati Raj, Rewari to submit the estimate of Restoration of Pond within 7 days after receipt of Architectural drawings from Haryana Pond and Waste Water Management Authority.

(Action by EE (PR), Rewari)

3. Haryana Pond and Waste Water Management Authority will accord administrative approval within 10 days after receipt of estimate as a special case.

(Action to be taken by HPWWMA)

4. As no sewage is flowing into Pond no action is required by Public Health Engineering department at this stage.

5. As next date of hearing in the case is 03.05.2024 all concerned to follow up the matter at each and every stage and work of Restoration of the said polluted pond to be started at the earliest after getting approval of Competent Authority.

Annexure R/2

Flow Diagram for Completion of Works – Total days 299

