

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
NEW DELHI**

In

M.A. No. 74/2022

In

Original Application No. 976 of 2019

IN THE MATTER OF:

Gurinder Singh &Ors.

..... Applicant

Versus

Union of India &Ors.

.....Respondents

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Place: Chandigarh
Dated: 12.05.2023


 District Attorney
 for Chief Secretary, Government of Haryana

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
NEW DELHI

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In

M.A. No. 74/2022

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Original Application No. 976 of 2019

IN THE MATTER OF:

Gurinder Singh &Ors.

..... Applicant

Versus

Union of India &Ors.

..... Respondents

Action taken report on behalf of State of Haryana by Mr. Sanjeev Kaushal, Chief Secretary, Haryana in compliance of order dated 21 October 2022 passed by this Hon'ble Tribunal.

Most respectfully Showeth:

1. That this Original Application was disposed of by this Hon'ble Tribunal vide order dated 21 October 2022. The Hon'ble Tribunal directed the Chief Secretary, Haryana to furnish Action Taken Report, as on 30 April 2023, by 15 May 2023. The relevant portion of the order is reproduced below for ready reference:-

"7. Consistent with the above directions, we direct that updated action plans be got prepared and executed by the Chief Secretaries of all States/UTs. The recovered compensation may be credited to a separate account under the Chief Secretary and used as per said plans only. This will apply to compensation deposited with the State PCBs/PCCs and also other regulators such as SEIAAs, Water Resource Authorities etc. The utilization plans may

be in sync with State/District Environment Plans, in pursuance of order of this Tribunal dated 26.09.2019 in OA No. 360/2018, Shree Nath Sharma vs. Union of India & Ors. The process of planning and execution for utilization of such funds may be preferably entrusted to a high powered Committee of three Additional Chief Secretaries, identified by the Chief Secretary within one month. Such plans and progress in execution may be placed on websites of the States/UTs after every six months. A part of funds be provided for environment awareness through eco clubs in all Schools and Colleges up to grass root levels in the State through the education Departments. States/UTs may also coordinate with Legal Services Authorities, if viable.

8. *The Chief Secretary, Haryana may furnish an action taken as on 30.04.2023 before the Registrar General of this Tribunal on or before 15.05.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If the Registrar General of this Tribunal considers it necessary, the matter may be placed before the Bench for further directions."*

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2. That in compliance of the order of this Hon'ble Tribunal, a meeting was held under the chairmanship of Chief Secretary, Government of Haryana on 03 March 2023 to comply with the orders. As per the directions of this Hon'ble Tribunal, the High Powered Committee (HPC) consisting of Additional Chief Secretary to Government Haryana, Industries & Commerce Department, Additional Chief Secretary to Government Haryana, Environment, Forest and Wild Life Department, Additional Chief Secretary

to Govt. Haryana, Public Health Engineering Department, Commissioner & Secretary to Government Haryana, Urban Local Bodies Department and Director General, Environment and Climate Change was constituted. It was also decided in the meeting that the existing exclusive account for receiving the environmental compensation in HSPCB will continue to be used and no separate account is required to be opened and funds will be released for utilization from this account by the Member Secretary, HSPCB based on the directions of the High Powered Committee. Copy of the proceedings of the meeting dated 03 March 2023 and copy of orders dated 19 April 2023 of constitution of HPC are attached as **Annexure-R/1 and R/2**.

3. That thereafter, meeting of the High Powered Committee was held on 02 May 2023 and the following decisions were taken:-

“a) 50% amount of environment compensation shall be utilised in the districts from where the amounts were collected and the balance could be allotted to any district as per requirement of District Environment Plans.

b) School and Higher Education Departments may submit comprehensive proposals regarding funding eco-clubs and organizing awareness programmes in schools and colleges. The proposals may cover gaps under existing schemes and budget allotted in this regard. The proposals may include online courses for school/college students regarding environment awareness/issues.

c) Regional Officers of HSPCB may co-ordinate with Deputy Commissioners concerned and other stake holders departments to send proposals to meet gaps identified under the District Environment Plan and seek funds, with full justification.

d) *The concerned departments may also submit detailed proposals for allocation of funds to undertake activities identified under the District Environment Plans, as per discussion held, if required.*

4. That it is clear from the above that proposals have been sought from the Education Department as well as from other concerned departments regarding funding for Eco-Clubs and organizing awareness programs etc. Besides, Regional Officers of the Haryana State Pollution Control Board have also been directed to coordinate with the respective Deputy Commissioners and other stakeholders for seeking proposals, so that the gaps identified under the District Environment Plan may be bridged. Copy of the proceedings of the meeting dated 02 May 2023 is attached as **Annexure R/3.**

5. That it is worthwhile to mention here that in view of the submissions made in the preceding paras, it is apparently clear that directions of the Hon'ble Tribunal have been complied with keeping in view the spirit of the order dated 21 October 2022.

In view of the submissions made above, this action taken report may kindly be taken on record in the interest of justice.

Place: Chandigarh
Dated: 12.05.2023


(Sanjeev Kaushal)
Chief Secretary, Government of Haryana

Proceedings of the meeting held under the Chairmanship of Sh. Sanjeev Kaushal, IAS, Chief Secretary, Government of Haryana at 3:30 PM on 03 March 2023 regarding constitution of a High Powered Committee as per the directions of Hon'ble NGT passed on 21 October 2022 in M.A. No. 74/2022 in O.A No. 976 of 2019- Gurinder Singh &Ors. vs. Union of India & Ors.

The list of participants attached as **Annexure-A**.

The Senior Environmental Engineer, HSPCB made a brief presentation and explained the directions issued by the Hon'ble NGT in M.A. No. 74/2022 in OA No. 976 of 2019- Gurinder Singh & Ors. vs. Union of India & Ors. wherein the Chief Secretaries of all the States were directed to prepare updated action plans. The recovered environment compensation may be credited to a separate account under the Chief secretary and used for such plans only. This will apply to compensation deposited with State PCBs and also other regulators such as SEIAAs, Water Resource Authorities etc. The utilisation may be in sync with State/ District Environment Plans. It was further directed that the process of planning and execution for utilisation of such funds may preferably be entrusted to a high powered committee of three Additional Chief Secretaries, identified by the Chief Secretary. Such plans and progress in execution may be placed on website of the State after every six months.

After detailed discussion, the Chief Secretary directed to constitute the High Powered Committee consisting of the following members:-

1. Additional Chief Secretary to Govt. of Haryana, Environment, Forest & Wildlife Department.
2. Additional Chief Secretary to Government, Haryana, Industries & Commerce Department
3. Additional Chief Secretary to Govt. Haryana, Public Health Engineering Department.
4. Additional Chief Secretary to Govt. Haryana, Urban Local Bodies Department.
5. Director General-cum-Member Secretary, HSPCB (Convener).

The Chairman, HSPCB will be a special invitee.

It was also decided that the existing exclusive account for receiving the environmental compensation in the HSPCB will continue to be used for receiving the environment compensation amounts from HSPCB, SEIAA and HWRA and funds will be released for utilization from this account by the Member Secretary, HSPCB based on the directions of the HPC. HSPCB, SEIAA and HWRA shall deposit all funds received by way of compensation with a separate account maintained in HSPCB for this purpose.

Annexure-A

The following participants attended the meeting:-

1. Sh. Vineet Garg, IAS, Additional Chief Secretary to Govt. of Haryana, Environment, Forest & Wildlife Department, Chandigarh.
2. Sh. Arun Kumar Gupta, IAS, Additional Chief Secretary to Govt., Haryana, Urban Local Bodies Department.
3. Sh. P. Raghavendra Rao, Chairman, HSPCB.
4. Sh. Sameer Pal Srow, Chairman, State Environment Impact Assessment Authority.
5. Sh. Pardeep Kumar, IAS, Member Secretary, HSPCB
6. Sh. Birender Singh, Engineer-In-Chief, Haryana, Irrigation & Water Resources Department.
7. Sh. Aseem Khanna, Engineer-In-Chief, Haryana, Public Health Engineering Department.
8. Sh. Bhupender Singh Rinwa, Senior Environmental Engineer, HSPCB.

**GOVERNMENT OF HARYANA
ENVIRONMENT, FOREST & WILD LIFE DEPARTMENT
ORDER**

Governor of Haryana is pleased to constitute a High Powered Committee for implementation of orders passed by NGT in M.A. No. 74/2022 in OA No. 976 of 2019- Gurinder Singh & Ors. vs. Union of India & Ors. as under:-

- | | |
|---|----------|
| 1. Additional Chief Secretary to Government Haryana, Industries & Commerce Department | Member |
| 2. Additional Chief Secretary to Govt. Haryana, Environment, Forest & Wildlife Department | Member |
| 3. Additional Chief Secretary to Govt. Haryana, Public Health Engineering Department. | Member |
| 4. Commissioner & Secretary to Government Haryana, Urban Local Bodies Department. | Member |
| 5. Director General-cum-Member Secretary, HSPCB | Convener |

* The Chairman, HSPCB will be a special invitee.

Dated :-18.04.2023

Vineet Garg
Additional Chief Secretary to Govt. Haryana,
Environment, Forest and Wildlife Department

Endst. No. 16/03/2023 - 3Env

Dated:- 19.04.2023

A copy is forwarded to following for information and further necessary action.

1. Additional Chief Secretary to Government Haryana, Industries & Commerce Department.
2. Additional Chief Secretary to Govt. Haryana, Public Health Engineering Department.
3. Commissioner & Secretary to Government Haryana, Urban Local Bodies Department.
4. Director General-cum-Member Secretary, HSPCB
- ✓ 5. The Chairman, HSPCB, C-11, Sector-6, Panchkula.


Superintendent, Environment
for Additional Chief Secretary to Govt. Haryana,
Environment, Forest and Wild Life Department

Endst. No. 16/03/2023- 3Env

Dated:- 19.04.2023

A copy is forwarded to the following for information and further necessary action.

1. PS to Chief Secretary to Govt. Haryana.
2. PS to Addl. Chief Secretary to Govt. Haryana, Environment, Forest and Wild Life Department.


Superintendent, Environment
for Additional Chief Secretary to Govt. Haryana,
Environment, Forest and Wild Life Department

Proceedings of the meeting held on 02.05.2023 at 11:30 Hrs. of High Powered Committee constituted vide Govt. of Haryana, EF&W Department Order Endst. No.16/03/2023 - 3Env dated 19.04.2023 for implementation of orders passed by Hon'ble NGT in M.A. No. 74/2022 in O.A No. 976 of 2019- Gurinder Singh &Ors. vs Union of India &Ors.

The list of participants attached as Annexure-A.

The Member Convener of the Committee explained the directions issued by the Hon'ble NGT in M.A. No. 74/2022 in OA No.976 of 2019- Gurinder Singh & Ors. vs. Union of India & Ors., to the participants. In compliance of these orders, Govt. of Haryana, EF&W Department vide Order Endst. No.16/03/2023 – 3 Env dated 19.04.2023 constituted a High Powered Committee for planning and execution for utilisation of environment compensation funds. It was decided during the meeting held under the chairmanship of Chief Secretary on 03.03.2023 that the existing exclusive account for receiving the environmental compensation in the HSPCB will continue to be used and no separate account is required to be opened and funds will be released for utilization from this account by the Member Secretary, HSPCB based on the directions of the High Powered Committee. It was also informed that approx. Rs. 74.5 crore has so far been deposited on account of environment compensation in the exclusive account, out of which Rs. 52 crore has been deposited by different units as environmental compensation imposed by the HSPCB and Rs. 22.5 crore has been deposited through SEIAA as environmental compensation.

The order of Hon'ble NGT was discussed and suggestions for utilization of environmental compensation, keeping in view of NGT directions, were given by representatives of the departments.

After detailed discussion, it was decided that;

1. 50% amount of environment compensation shall be utilised in the districts from where the amounts were collected and the balance could be allotted to any district as per requirement of District Environment Plans.
2. School and Higher Education Departments may submit comprehensive proposals regarding funding eco-clubs and organizing awareness programmes in schools and colleges. The proposals may cover gaps under existing schemes and budget allotted in this regard. The proposals may include online courses for school/college students regarding environment awareness/issues.
3. Regional Officers of HSPCB may co-ordinate with Deputy Commissioners concerned and other stake holders departments to send proposals to meet gaps identified under the District Environment Plan and seek funds, with full justification.

4. The concerned departments may also submit detailed proposals for allocation of funds to undertake activities identified under the District Environment Plans, as per discussion held, if required.

Next meeting of the HPC will be held under the Chairmanship of ACS to Govt. of Haryana, Industries & Commerce Department and members of the Committee may be requested to attend the meeting personally.

The meeting ended with a vote of thanks to the Chair and all participants.

Annexure-A

List of participants (S/Sh)

1. Vineet Garg, IAS, ACS to Govt. Of Haryana, EF&W Department
2. P. Raghavendra Rao, Chairman, HSPCB
3. Vikas Gupta, Secretary, Urban Local Bodies Department
4. Pardeep Kumar, Member Secretary, HSPCB
5. Ajit Singh, Dy. Director, Higher Education, Education Department
6. Sat Pal Sharma, HCS, Secretary, Secondary Education, Education Department
7. Mahabir Prasad, Addl. Director, Elementary Education, Education Department
8. Rakesh Kumar, Chief Engineer, Public Health Engineering Department
9. Arun Kumar Pandey, HoD, HSIIDC