

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

M.A. No. 88/2023
in
O.A. No. 116/2023

In the matter of:

Gopal Sharma

....Applicant

Versus

State of H.P. & Ors

...Respondents

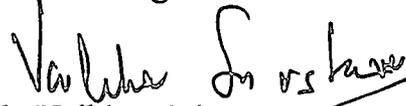
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Place: Delhi

Date: 21.05.2023

Filed Through



Sh. Vaibhav Srivastava
(Advocate)

K-6 LGF, Jangpura Extension

New Delhi 110014

Ph. 9599314169

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AFFIDAVIT

I, Praveen Chander Gupta, aged about 56 years, S/o Sh. B.D. Gupta, presently posted as Chief Environmental Engineer, Himachal Pradesh Pollution Control Board, at Regional Office, Baddi, do hereby solemnly affirm and declare on oath as under:-

1. That I am well conversant with the facts and circumstances of the case and am competent to swear this affidavit.
2. That the accompanying report dated 01.04.2024 has been prepared in compliance to order dated 15.02.2024 of the Hon'ble NGT and the facts stated therein are true and correct to the best of my knowledge and belief.
3. That the accompanying Show Cause Notice to M/s Baddi Infrastructure (CETP) dated 30.03.2024 given by HPSPCB and the report no 7936/W-12147 dated 24.04.2024 by State Board Analyst is also being filed alongwith the report dated 01.04.2024 in compliance to liberty granted to the State

STFC

MISSIONER

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Board vide order dated 25.04.2024 by Hon'ble NGT. It is submitted that as per report no 7936/W-12147 dated 24.04.2024 of State Board Analyst, analysis results of all sampling parameters are within limits.

- 4. That the facts stated therein are as per record, true and correct to best of my knowledge and belief.
- 5. That the Annexures filed herewith are true and correct copies of their respective originals.

LA

DEPONENT

Identified by

VERIFICATION; -

Verified at SHIMLA on this 1st day of May, 2024 that the contents of my above affidavit are true and correct to the best of my knowledge and nothing material has been concealed there from, no part of it is false.

FILE

LA

DEPONENT

OATH COMMISSIONER

I certify that the above deponent was examined before me on solemn affirmation on this 1st day of May, 2024 at Shimla in the District of Shimla by Sh. Chander Kumar who was identified by ALD who is personally known to me. The contents of the above affidavit were read over & explained to the deponent who admitted them to be correct and true at the time of making thereof.

All Corrections and Corrections are duly attested by me.

Oath Commissioner
HP High Court, Shimla

Oath Commissioner

ANNEXURE-R-1 3

**HP STATE POLLUTION CONTROL BOARD**

HIMUDA COMPLEX, Phase I, Baddi

Tehsil Baddi, Distt. Solan (HP) Phone-01795- 245374

No.PCB -PCB RO Baddi/(B-121)2024- 7522

Dated: 30/03/2024

To

M/s Baddi Infrastructure.(CETP),
Village Kenduwal (Baddi)Tehsil Baddi,
Distt Solan H.P.

Subject:- Show Cause Notice under Water (Prevention & Control of Pollution) Act, 1974.

This is in reference to the sample collected from the Final outlet of CETP of M/s Baddi Infrastructure.(CETP). by State Board Official's on dated 19/03/2024. Further, the sampling result of the same has been updated online on dated 28/03/2024.

The lab analysis results of the Final outlet of CETP vide Lab Report No- 86604/W-11705 vide which parameter Bio-assay Test is not meeting the prescribed limits.

The above mentioned facts tantamount to violation of provisions of Section 24 and Section 25 of Water (Prevention & Control of Pollution) Act, 1974 constituting a cognizable offence punishable under Section 41, 43, 44 & 48 of the Water (Prevention & Control of Pollution) Act, 1974 with imprisonment for a term which shall not be less one year and six months but which may extend to seven years and with fine.

However before, proceedings against you are hereby directed to show cause to this office within 15 days that why legal action as per provision of law (s) may not be initiated against you. In the mean time. you are hereby directed to immediately, treat effluent properly and take corrective measures for smooth operation of the said Waste Water Treatment Plant, so that the effluent meets the prescribed standards and does not cause nuisance in any way. Action taken/compliance report to these directions shall be reported back, failing which legal/penal action as stated above shall be initiated entirely at you risk and costs.


Chief Environmental Engineer,
Pollution Control Board, Baddi.

O/C

ANNEXURE - R-2

H.P.STATE POLLUTION CONTROL BOARD 4

FORM X

REPORT BY STATE BOARD ANALYST

(See Rule 26)

Report No: 7936/W-12147

24/04/2024

I hereby certify that I **Amit Pathania**, SO, State Board Analyst duly appointed under sub-section (3) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received on **12/04/2024** from **Abhishek Thakur, JEE, HP State Pollution Control Board RO Baddi** a **Grab** sample of **Final Outlet of ETP-cum-STP discharge to CETP of Acme Formulation Private Limited, - Ghogarwal, Ropar Road, Nalagarh Tehsil Nalagarh, District Solan, H.P.Ghogarwal, Nalagarh Distt. Solan Baddi, H.P. 174101** on dated **10/04/2024** for analysis. The sample was in a condition fit for analysis reported below:

I further certify that I have analyzed the aforementioned sample on **12/04/2024** to **24/04/2024** and declare the result of analysis is to be as follows :-

Method of analysis					
IS- 2488(I-V), IS-3025(Part 44): 1933, 'Standard method for examination of water', 23rd edition prepared and published jointly by:-					
1. American Public Health Association 2. American Water Works Association 3. Water Pollution Control Federation					
SAMPLING PARAMETERS					
Sr. No.	Parameter Name	Results	Units	Permissible Limit	Remark/Result Analysis
1	BOD	6.2	mg/L	350	Within Permissible Limit
2	Oil and Grease	0.0	mg/L	15	Within Permissible Limit
3	pH	7.22		NA	NA
4	TSS	7.0	mg/L	250	Within Permissible Limit
5	COD	48.0	mg/L	1000	Within Permissible Limit
6	Ammonical Nitrogen	5.04	mg/L	50	Within Permissible Limit
7	Phenolic Compounds(as C ₆ H ₅ OH)	0.0	mg/L	5	Within Permissible Limit
8	Sulphide	0.0	mg/L	5	Within Permissible Limit
9	Total Phosphate	0.16	mg/L	5	Within Permissible Limit
10	FDS	826.0	mg/L	2100	Within Permissible Limit
11	Hexavalent Chromium	0.0	mg/L	2	Within Permissible Limit

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12	Lead	0.0	mg/L	1	Within Permissible Limit
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The condition of the seals, fastening and container on receipt was as: sealed as hppcb251

Signed this on 24/04/2024

Remarks of Lab Head:



Amit Pathania , SO
(State Board Analyst)
CL Parwanoo

From:

H.P. STATE POLLUTION CONTROL BOARD,
CL Parwanoo

To:

Acme Formulation Private Limited
- Ghogarwal, Ropar Road, Nalagarh Tehsil Nalagarh, District Solan, H.P. Ghogarwal, Nalagarh,
Distt. Solan Baddi, H.P. 174101