

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

I.A. No. \_\_\_\_\_/2024

INO.A. 646/2023

IN THE MATTER OF:-

Manoj Kumar Kaushal

..... Non-Applicant/Petitioner

Versus

State of Himachal Pradesh &Ors.

.... Respondents

**Index**

Sr.No.	Annexure	Details	Page No.
1.	---	Detailed Reply	1-19
2.	---	Affidavit	20-21
3.	R2-I	Abstract of Enumeration	22
4.	R2-II	Letter No. File No. 8-91/2014-FC dated 19 <sup>th</sup> March, 2015 : In-principal approval by Sr. Assistant Inspector General of Forests, Government of India, Ministry of Environment, Forests and Climate Change (Forest Conservation Division Under FCA, 1980)	23-25
5.	R2-III	Letter No. File No. 8-91/2014-FC dated 21 <sup>st</sup> July, 2015 : Final approval by Sr. Assistant Inspector General of Forests, Government of India, Ministry of Environment, Forests and Climate Change (Forest	26-28

*AK*  
Principal Secretary (Industries) to the  
Government of Himachal Pradesh

		Conservation Division Under FCA, 1980)	
6.	R2-IV	Letter No. Ind-A(F)10-5/2013 dated 06.08.2015, Land Transfer in the name of Department of Industries conveyed by the Principal Secretary (Industries) to the Government of Himachal Pradesh	29-30
7.	R2-V	Jamabandi of the land records Transfer in the name of Department of Industries.	31-174
8.	R2-VI	Photographs of Boundary Pillars.	175-184
9.	R2-VII	Notification by MOEF&CC for obtaining approval under FCA, Government of India for setting-up of any category A or B industries in the industrial area.	185-229
10.	R2-VIII	Single Window Approval of M/S Ian Macleods Distillers India Pvt. Ltd. Dated 21.01.2021	230-231
11.	R2-IX	Environment Clearance obtained by M/S Ian Macleods Distillers India Pvt. Ltd. from MoEF&CC, Government of India vide EC identification number EC22A022HP156935 dtd.02/03/2022	232-240
12.	R2-X	Letter related to proposal to set up CETP was excluded by the Government of India in its final	241-243

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

		approval Dated 05.03.2016.	
13.	R2-XI	Letter No. F.No.10-25/2015-IA-III dated 14-01-2019: Environment Clearance (EC) for the proposed 5MLD CETP	244-250
14.	R2-XII	Allotment letter of M/s Hindustan Farmdirect Ingredients Pvt. Ltd.	251-254
15.	R2-XIII	Allotment letter of M/s Ian Macleod Distillers India Pvt. Ltd.	255-258
16.	R2-XIV	Allotment letter of M/s Ambaji Enterprises.	259-266
17.	R2-XV	State level single window clearance and monitoring authority in respect of M/S Hindustan Farmdirect Ingredients Private Ltd.	267-268
18.	R2-XVI	State level single window clearance and monitoring authority in respect of M/S Ian Macleods Distillers India Private Ltd	269-270
19.	R2-XVII	State level single window clearance and monitoring authority in respect of M/S Ambaji Enterprises	271-272
20.	R2-XVIII	Letter No. Ind.Dev.F(16)OA No. 646/2023/NGT/-11422-11423 dated 26-09-2024, regarding Constitution of Committee whether CETP required to setup in I.A.,	273

Principal Secretary (Industries) to the  
Government of Himachal Pradesh.

21.	R2-XIX	Proceedings of the Joint Inspection conducted by the committee on 8-10- 2024	274-278
22.	R2-XX	Photographs of the site inspection	279-281
23.	R2-XXI	Latest sampling reports by The Regional Officer, H.P. Pollution Control Board	282-286
24.	R2-XXII	Detail of clearance from HP State Pollution Control Board to allotte of Industrial Plot	287-290
25.	R2-XXIII	Copies of Consent to operate from HPSPCB obtained by 29 units of IA.	291-342
26.	R2-XXIV	Intimation to Ministry of Environment, Forest and Climate Change that the proposal to set up a Common Effluent Treatment Plant is being dropped	343-346
27.	R2-XXV	Govt. of HP imposed a blanket ban on setting up of any polluting unit under red category or any liquid effluent discharging unit in IA	347
28.	R2-XXVI	Latest self-compliance report in respect of FCA clearance	348



Principal Secretary (Industries) to the  
Government of Himachal Pradesh

Principal Secretary (Industries) to the  
Government of Himachal Pradesh

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

I.A. No. \_\_\_\_\_/2024

IN

O.A. 646/2023

IN THE MATTER OF:-

Manoj Kumar Kaushal ..... Non-Applicant/Petitioner

Versus

State of Himachal Pradesh & Ors. .... Respondents

L. D. o. H. :19.09.2024 & Next Date of Hearing : 24.10.2024

**ADDITIONAL REPLY IN CONTINUATION OF  
PREVIOUS REPLY IN COMPLIANCE TO THE ORDER  
DATED:19.09.2024, PASSED BY THIS HON'BLE  
TRIBUNAL / COURT IN ABOVE TITLED CASE OF OA  
NO. 646/2023, SUO MOTO BY THIS HON'BLE TRIBUNAL  
/ COURT, ON BEHALF OF THE RESPONDENT NO.2,  
THE PRINCIPAL SECRETARY (INDUSTRIES) TO THE  
GOVERNMENT OF HIMACHAL PRADESH.**

**RESPECTFULLY SHOWETH:-**

1. That the above noted case / OA is pending before this Hon'ble court /Tribunal and the same is fixed for the additional reply of the respondent No.2, the Department of

*Principal Secretary (Industries) to the  
Government of Himachal Pradesh*

ATTESTED

2  
OATH COMMISSIONER

Industries along with the other respondents and listed for 24.10.2024.

2. That this detailed additional reply is being submitted on behalf of The Principal Secretary (Industries) to the Government of Himachal Pradesh.
3. That the H.P. Govt. in order to generate employment and revenue in the State Govt. has made industrial policy. The proposal relating to the establishment of Industrial area was prepared and the same had been submitted to the Central Govt. and Ministry of Environment. The proposal was approved subject to the condition to make compensatory afforestation on equal land. The respondent No.4 has handed over physical as well as documentary possession to the answering respondent No.2, the Department of Industries of H.P. Thereafter the answering respondent No.2, the Department of Industries, Himachal Pradesh has developed the area in the Village Pandoga Distt. Una HP and thereafter opened the single window system to the intended industries to install their production units.
4. That it is submitted that the answering Respondent No.2 - the Department of Industries, Himachal Pradesh has sent a request to the respondent No.4, the forest department of HP, on Dated:26.09.2013, for the joint inspection of the proposed land for the development as industrial area in the Village

*nan*  
Principal Secretary (Industries) to the  
Government of Himachal Pradesh

Pandoga, Tehsil Haroli, District Una, HP. Thereafter a joint inspection was conducted on Dated:28.09.2013 and an area of 60.29.20 ha. of forest land was of the above noted Village was found suitable to establish and develop of Industry due to which the land was identified for the establishment of State of Art Industrial Area in Village Pandoga, Distt Una of Himachal Pradesh. The status of the proposed land was 'Banjar Kadim' and 'Gair Mumkin Choi' in the revenue records. But as per judgment of Hon'ble Supreme Court of India dated: 12.12.1996, the proposed land (to establish industry) was falling under the definition of 'Forest Land'. Enumeration was carried out in the proposed area and thereafter the total 9930; trees (including 264 saplings) of different species having volume 1051.352 cum were enumerated. Abstract of enumeration is enclosed as **(Annexure R2 /I at Pg. No. 22)**

5. That the land measuring 60-29-20 Hectares was identified in Village Pandoga (Upper) Uperla, Sub Tehsil Ispur, Tehsil Haroli, District Una H.P. for setting up of a new Industrial Area. The revenue details of land are as under:

Sr. No.	Name of Village	Khata / Khatauni No.	Khasra No.	Area (in hectare)	Kisam (type of land)
1.	Pandoga	654	1244	3-23-92	Banjar Kadeem
2.	Pandoga	-do-	1257	7-22-69	Banjar Kadeem

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

3.	Pandoga	-do-	1263	0-81-93	Banjar Kadeem
4.	Pandoga	-do-	3214/1265	00-35-59	Banjar Kadeem
5.	Pandoga	-do-	3215/1265	4-31-03	Banjar Kadeem
6.	Pandoga	-do-	1432	1-60-89	Banjar Kadeem
7.	Pandoga	-do-	1433	8-86-35	Banjar Kadeem
8.	Pandoga	-do-	1434	00-56-96	Banjar Kadeem
9.	Pandoga	-do-	1435	0-11-11	Banjar Kadeem
10.	Pandoga	-do-	2753	0-49-53	Banjar Kadeem
11.	Pandoga	-do-	2832	02-63-15	Banjar Kadeem
12.	Pandoga	-do-	2833	02-15-66	Banjar Kadeem
13.	Pandoga	-do-	2834	05-06-94	Banjar Kadeem
14.	Pandoga	-do-	2835	02-28-14	Banjar Kadeem
15.	Pandoga	-do-	2837	06-28-65	Banjar Kadeem
16.	Pandoga	-do-	2931	0-27-02	Banjar Kadeem
17.	Pandoga	-do-	2932	02-03-07	Banjar Kadeem
18.	Pandoga	-do-	3190	02-15-35	Banjar Kadeem
19.	Pandoga	-do-	3192	01-33-80	Banjar Kadeem
20.	Pandoga	-do-	3194	03-10-05	Banjar Kadeem
21.	Pandoga	-do-	3195	05-37-07	Banjar Kadeem

*Principal Secretary (Industries) to the  
Government of Himachal Pradesh*

			<b>Total</b>	<b>60-29-20</b>	
--	--	--	--------------	-----------------	--

6. That in compliance to conditions imposed in the in-principle approval by Ministry of Environment and Forest and Climate Change (MoEF&CC) vide letter no. F.No. 8-91/2014-FC dtd. 19/03/2015, (Copy enclosed Annexure-R2/II, at Pg. No. 23 to Pg. No. 25) User agency i.e. Department of Industries, Government of Himachal Pradesh had deposited required amount as per detail given below:-

1. For compensatory afforestation =	Rs.77,40,900/-
2. Net Present Value =	Rs. 5,09,46,740/-
3. Contingencies @ 5% on C.A. =	Rs. 3,87,045/-
4. Departmental charges @ 17.5% =	Rs. 13,54,658/-
5. Cost of 9930 trees/saplings =	Rs. 1,93,83,399/-
6. VAT =	Rs. 26,65,217/-
<b>Total:</b>	<b>= Rs.8,24,77,959/-</b>

7. That thereafter, Hon'ble Sr. Assistant Inspector General of Forests, Government of India, Ministry of Environment, Forests and Climate Change (Forest Conservation Division) Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi vide letter no. File No. 8-91/2014-FC dated: 21 July, 2015, had conveyed final approval accorded by the Central Government for diversion of 60.29.20 hectares forest land in favour of General Manager, District Industry Centre, Una

*Principal Secretary (Industries) to the  
Government of Himachal Pradesh*

H.P. for the establishment of State of Art Industrial Area in Village Pandoga Uperla (Upper), District Una. (Copy enclosed at Annexure-R2/III, at Pg. No. 26 to Pg. No. 28)

8. That the physical as well as documentary possession of land measuring 60-29-20 Hactares was transferred in the name of Department of Industries by the Department of Revenue as conveyed by the Principal Secretary (Industries) to the Government of Himachal Pradesh Shimla vide letter No. Ind-A(F)10-5/2013 dated 06.08.2015. (Copy enclosed at Annexure-R2/IV at Pg. No. 29 to Pg. No. 30). It is pertinent to mention here that thereafter, the land was mutated in favour of Department of Industries on 28/05/2019 with the necessary remarks in the revenue records i.e. Jamabandi of the land records. (Copies of jamabandi are enclosed at Annexure-R2/V, at Pg. No. 31 to Pg. No. 174).

  
Principal Secretary (Industries) to the  
Government of Himachal Pradesh

9. That the land was properly demarcated on site after mutation by erecting reinforced cement concrete boundary pillars on site, 4 feet high and each inscribed with its serial number, forward and back bearing and distance from pillar to pillar. However over a period of time, these pillars were worn out and have been replaced with new boundary pillars with the proper inscribed details as above. (The photographs of the boundary pillars are enclosed at Annexure-R2/VI, Pg. No. 175 to Pg. No.184).

ATTESTED

  
OATH COMMISSIONER

10. That since the area of the land under development of industry in the Village Pandoga, Distt. Una HP, is less than 500 hectare, hence the Environment Clearance for the project was not required and the same was not obtained in the light of notification of the Ministry of Environment dated 14<sup>th</sup> September, 2006. It is worthwhile to mention here that being a responsible, sensible and environment friendly department and officers, has continuously ensured that no discharge of any kind of pollutants, whether it is liquid, solid or gaseous are discharged in the open area, adjoining Nallahs or Georges. It is also ensured that all the industrial units, prior to the establishment of their units directed to obtain statutory consent from H.P. State Pollution Control Board, to operate the industrial unit. Regular inspections are being carried out by the H. P. State Pollution Control Board authorities as well as by this department to oversee in regards to strict compliance is being ensured w.r.t. managing the discharge of effluents is concerned. It is further pertinent to mention here that there is notification in which the environment clearance is neither mandatory nor required to develop industrial area less than 500 Hectare Vide this notification, MoEF had issued detailed guidelines regarding obtaining the Environment Clearance for new projects or activities whereby it was clarified that the expansion or modernization of existing projects or activities listed in the schedule to this notification

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

ATTESTED

*l*

OATH COMMISSIONER

entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the central government or as the case may be by the state level Environment Impact Assessment Authority, duly constituted by the central government under sub-section (3) of section 3 of the said act, in accordance with the procedure specified herein after in this notification.

As specified in the schedule of this notification at serial number 7 titled Physical Infrastructure including Environmental Services and at serial number 7(c) which reads as under:

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

Project or activity		Category with the threshold limit		Conditions if any
		A	B	
1	2	3	4	5

ATTESTED

OATH COMMISSIONER

7 (c)	Industrial estates/parks/complexes/Areas, export processing zones, special economic zones, biotech parks, leather complexes.	If at least one industry in the proposed industrial estate falls under the category A, entire industrial area shall be treated as category A, irrespective of the area. Industrial estate with area greater than 500 ha. And housing atleast one category B industry.	Industrial estates housing atleast one category B industry and are <500 ha. Industrial estate of area >500 ha. And not housing any industry belonging to category A or B.	General as well special conditions shall apply. Note: 1. Industrial estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.
-------	--	---	---	--

In case of Industrial area, Pandoga Uperla (Upper), District Una, it is submitted that:

- a. The area of the industrial area was less than 500 hectares.
- b. There was no specific proposal was included or approved by the state government at the time of submitting the proposal to the MOEF&CC for obtaining approval under FCA, Government of India for setting-up of any category A or B industries in the industrial area.


It is pertinent to mention here that therefore, in the light of the guidelines contained in this notification, the environment clearance was not required in this case and was not obtained. **Copy of the notification attached at Annexure-R2/VII, at Pg. No. 185 to Pg. No.229.**

  
Principal Secretary (Industries) to the  
Government of Himachal Pradesh

ATTESTED

e

11. That at a later stage in the year 2021, when the industrial area was developed, a proposal was received to set-up one non-molasses based distillery by Ian Macleods Distillers India Pvt. Ltd. which falls under category A of units as specified supra at annexure-6. This unit was approved by State Level Single Window Clearance and Monitoring Authority in its 15<sup>th</sup> meeting held on 21/01/2021 with the stipulation that unit shall install ZLD effluent treatment plant and shall obtain prior Environment clearance from Government of India. (Copy of the letter enclosed at **Annexure- R2/VIII, Pg. No. 230 to Pg. No.231**). Therefore, the unit was stipulated to obtain prior environment clearance as per the guidelines as stated supra. In compliance to this, this industrial unit had obtained prior environment clearance from MoEF&CC, Government of India vide EC identification number EC22A022HP156935 dtd 02/03/2022(copy of the environment clearance as **Annexure-R2/IX, at Pg. No. 232 to Pg. No.240**)

  
Principal Secretary (Industries) to the  
Government of Himachal Pradesh

12. That in order to develop an Industrial Area, a proposal along with the Detailed Project Report (DPR) was submitted to Ministry of MSME, Government of India under MIIUS scheme amounting to Rs. 121.95 Cr. The component wise detail of the works proposed to be undertaken in the DPR were as under :

ATTESTED

OATH COMMISSIONER

S.No.	DESCRIPTION OF ITEMS	AMOUNT
<b>A)</b>	<b>PHYSICAL INFRASTRUCTURE</b>	
1.	Construction of roads, storm water drainage, paths & green cover development	17.37
2.	Construction of bridges	2.33
3.	Water Distribution System	1.07
4.	Construction of 1 Nos RCC Over Head Water Storage Tank 2.00 lac. Ltrs Net Capacity	0.77
5.	Drilling, Development and Installation of 2 Nos Small Tube Wells	0.46
6.	Construction of Pump House and laying pumping machinery in tube wells	0.39
7.	Providing and laying Sewerage Line	2.98
8.	Providing Electrical & Solar street lighting system	1.94
<b>B)</b>	<b>TECHNICAL INFRASTRUCTURE</b>	<b>27.31</b>
1.	Installation of 132 KV Sub-Station	33.92
2.	Construction of Common Facility Centre	11.06
3.	Construction of Common Effluent Treatment Plant- 5MLD	33.89
	<b>SUB-TOTAL (B)</b>	<b>78.88</b>
<b>C)</b>	<b>SOCIAL INFRASTRUCTURE</b>	
1.	Construction of Working Women Hostel	6.56
2.	Construction of Rain Shelters/ bus stops	1.73
	<b>SUB-TOTAL (C)</b>	<b>8.29</b>
<b>D)</b>	<b>PRE OPERATIVE EXPENSES</b>	
1.	Establishment expenses during construction period	1.00
2.	Interest during construction (IDC)	6.47
	<b>SUB-TOTAL (D)</b>	<b>7.47</b>
	<b>GRAND TOTAL (A+B+C+D)</b>	<b>121.95</b>

13. That the Hon'ble Ministry of MSME, Govt. of India, accorded the approval for the project amounting to Rs.88.05 Cr. Only and the CETP was not mentioned in the approval vide letter no. 19/1/2014-DBA-I/vol.I dated 05-

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

ATTESTED

COMMISSIONER

03-2015. The component wise approval as conveyed by Government of India is as under:

S.No.	Category	Components	Total Cost (in cr.)	Central grant (in cr.)
1	Physical Infrastructure	Road & Storm water Drainage, Street lights, Augmentation of 132 KVG power sub-station	61.23	12.5
2	Technical infrastructure	Common Facility Centre	11.06	5.53
3	Social Infrastructure	Working women hostel, Bus stop & rain shelters, community Health Centre	8.29	4.15
4	Other costs		7.47	-
5	Total		88.05	22.18
6	Administrative grant@ 2%			0.44
	<b>Grand Total</b>		<b>88.05</b>	<b>22.62</b>

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

But the proposal to set up CETP was excluded by the Government of India in its final approval. The final approval. (Copy of approval enclosed as Annexure - R2/X, at Pg. No. 241 to Pg. No. 243)

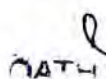
**ATTESTED**

**OATH COMMISSIONER**

14. That since the Answering respondent No. 2 industry department of Himachal Pradesh and the HP Govt. are making efforts to maintain the environment and ecological harmony within the state due to which the answering respondent in anticipation that sufficient number of industrial units discharging liquid effluent may come up in the industrial area, a Common Effluent Treatment Plant (CETP) was proposed to be set up by the State Government with the capacity of 5 MLD and with total cost of Rs. 33.89 Cr.
15. That the proposal with regard to the CETP was submitted and the Environment Clearance was issued by letter No. F.No.10-25/2015-IA-III dated 14-01-2019.(Copy enclosed as Annexure- R2/XI at Pg. No. 244 to Pg. No.250 )
16. That over a period of time, only three industrial units having liquid effluent discharge have been set up in the Industrial Area. Only one of these units is in red category. The total liquid effluent generation from these units is 93 Kilo Liters Per Day (KLPD). All these three units have installed their captive Zero Liquid Discharge, Effluent Treatment Plants and no liquid is being discharged outside the factory premises.

It is pertinent to mentioned here that all the treated water is being reused by these industrial units. The detail of these units is as under:

ATTESTED

 COMMISSIONER

  
Principal Secretary (Industries) to the  
Government of Himachal Pradesh

S.No	Name of the unit	Item of manufacture	Effluent Generation	ZLD ETP Capacity	Liquid Discharge
1	M/s Hindustan Farmdirect Ingredients Pvt. Ltd. Plot no:A-5 Total area: 8569 sq. mts.	Pectin Powder, Citric Acid, lime oil etc.	25 KLPD	35 KLPD	Zero
2	M/s Ian Macleod Distillers India Pvt. Ltd. Plot no: A2,A3,A4 Area: 43699 sq mts	Malt spirit	65 KLPD	75 KLPD	Zero
3	M/s Ambaji Enterprises. Plot No:D10, D9II Area: 1570 sq mts	Milk Chilling & Processing	3 KL PD	5 KLPD	Zero

17. That the allotment letters of these three units are enclosed as Annexure - R2/XII at Pg. No. 251 to 254, Annexure-R2/XIII at Pg. No. 255 to Pg. No.258 and Annexure - R2/XIV Pg. No. 259 to Pg. No. 266 respectively.

a.The copy of state level single window clearance and monitoring authority in respect of M/S Hindustan Farmdirect Ingredients Private Ltd attached as Annexure - R2/XV at Pg. No. 267 to Pg. No. 268).

b.The copy of state level single window clearance and monitoring authority in respect of M/S Ian Mcleods Distillers India Private Ltd attached as Annexure - R2/XVI, at Pg. No. 269 to Pg. No. 270.

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

ATTESTED

OATH COMMISSION

c. The copy of state level single window clearance and monitoring authority in respect of M/S Ambaji Enterprises is attached as Annexure - R2/XVII at Pg. No. 271 to Pg. No.272.

18. That In order to assess the fact whether the CETP is required to be set up in the Industrial Area vis-a-vis Liquid Effluent Generation, a High level committee was constituted by Director Industries / answering Respondent No.2 vide office order no. Ind.Dev.F(16)OA No. 646/2023/NGT/-11422-11423 dated:26-09-2024. The committee comprised of following members:

a. Additional Director, Industries (Dev), H.P. Shimla-Chairman.

b. Joint Director, Industries, D.I.C. Una-Member

c. Executive Engineer, HPSIDC Ltd. Mehatpur-Member

d. Regional Officer, H.P. State Pollution Control Board, Una-Member.

e. Sr. Scientist, H.P. state Pollution Control Board, Una-Member.

(Copy enclosed as Annexure-R2/XVIII, at Pg. No. 273.)

19. That the committee carried out a joint inspection of the industrial area on 08-10-2024. After perusal of the projects approved to be established in the industrial area and physical inspection of industrial units which have installed their own Zero Liquid Discharge Effluent Treatment Plants, the committee found out the following facts:

A. Total number of plots developed in Industrial Area: 74

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

ATTESTED

B. Total number of plots allotted: 67 plots to 60 units

C. Total number of industrial units functional at present:  
29 units.

It is pertinent to mention here that out of these functional units, there are 3 industrial units that generate liquid effluent. The details of these units are as under:

S.No	Name of the unit	Item of manufacture	Effluent Generation	ZLD ETP Capacity (Killo Letters Per Day)	Liquid Discharge
1	M/s Hindustan Farmdirect Ingredients Pvt. Ltd. Plot no:A-51 Total area: 8569 sq. mts.	Pectin Powder, Citric Acid, lime oil etc.	25 KLPD	35 KLPD	Zero
2	M/s Ian Macleod Distillers India Ltd. M/s Ian Macleod Distillers India Pvt. Ltd. Plot no: A2,A3,A4 Area: 43699 sq mts	Malt spirit	65 KLPD	75 KLPD	Zero
3	M/s Ambaji Enterprises. Plot No:D10, D9II Area: 1570 sq mts	Milk Chilling & Processing	3 KLPD	5 KLPD	Zero

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

20. That the Committee has also conducted physical verification of these industrial units and their Effluent Treatment Plants. During physical inspection, it was found that no liquid (Zero

ATTESTED

OATH COMMISSIONER

Liquid) is being discharged from these three units and all the treated water is being reused within the factory premises as verified during the physical inspection. Copies of the allotment letters and State Level Single Window Clearance is enclosed supra.

21. That in view of the above facts and circumstances the High Level committee was of the opinion that no polluting & environment hazardous liquid is being discharged by any of these industrial units and all the effluent is being treated as per norms in the captive Zero Liquid Discharge Effluent Treatment Plant. Therefore, under present circumstances, there is no need to set up a new Common Effluent Treatment Plant in the Industrial Area. The Copy of Proceedings of the Joint Inspection conducted by the committee on 8-10- 2024 enclosed as **Annexure-R2/XIX at Pg. No. 274 to Pg. No.278.**

**Photographs of the site inspection are enclosed as Annexure-R2/XX, at Pg. No. 279 to Pg. No.281.**

22. That the Regional Officer, H.P. Pollution Control Board carries out regular physical inspection of these three units and regular sampling is being done to ensure that the ZLD effluent treatment plants are functioning as per norms. (Copies of the latest sampling reports are enclosed as **Annexure-R2/XXI, Pg. No. 282 to Pg. No.286).**

23. That the detail of all the industrial units which have been allotted industrial plots along with the detail of clearance from

*Principal Secretary (Industries) to the Government of Himachal Pradesh*

ATTESTED

HP State Pollution Control Board is enclosed as **Annexure-R2/XXII at Pg. No. 287 to Pg. No.290).**

24. That all the functional 29 industrial units have obtained consent to operate from H.P. State Pollution Control Board. **The copies of final approval obtained by these units is enclosed as Annexure-R/XXIII, at Pg. No. 291 to Pg. No. 342) .**
25. That keeping in view the recommendations made by the committee as supra, the Managing Director, H.P. State Industries Development Corporation Limited vide his office letter no. HPSIDC/Engg/543-5063 dtd. 22/10/2024 has conveyed to Ministry of Environment, Forest and Climate Change that the proposal to set up a Common Effluent Treatment Plant is being dropped as it is no more required in view of the changed circumstances as detailed above and the proposal may be withdrawn Copy enclosed as **Annexure/R2-XXIV at Pg. No. 343 to Pg. No.346.**
26. That the answering respondent No.2, The Department of Industries, Government of Himachal Pradesh vide notification No. IND-A-E005/2/2021 dated 21.10.2024 has further imposed a blanket ban on setting up of any polluting unit under red category or any liquid effluent discharging unit in the Industrial Area, Pandoga, district Una. H.P. **Copy enclosed as Annexure-R2/XXV at Pg. No. 347.**

  
Principal Secretary (Industries) to the  
Government of Himachal Pradesh

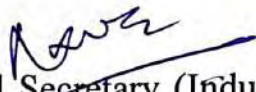
4776  
DATA COMMISSIONER

27. That the latest self-compliance report in respect of FCA clearance is enclosed as Annexure-R2/XXVI at Pg. No. 348 , along with all above mentioned documents are placed on record for the kind perusal of your lordships.

Date: 22.10.2024

Answering Respondent No.2

Place : Shimla

  
Principal Secretary (Industries) to the  
Government of Himachal Pradesh.

Principal Secretary (Industries) to the  
Government of Himachal Pradesh

Through Counsel

**RAJ KUMAR**

**ADVOCATE SUPREME COURT**

**OFFICE:** 3146, FF, Ram Bazar, Mori Gate,  
Delhi – 110006.

E – mail. [rajrashi@rediffmail.com](mailto:rajrashi@rediffmail.com)

Mobile No.7827377139.

AT ESTEL

CAPITULASSO-ONE

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

I.A. No. \_\_\_\_\_/2024

IN

O.A. 646/2023

IN THE MATTER OF:-

Manoj Kumar Kaushal

..... Non-Applicant/Petitioner

Versus

State of Himachal Pradesh & Ors. .... Respondents

**AFFIDAVIT IN SUPPORT OF DETAILED ADDITIONAL  
REPLY.**

I, Rawther Dawood Nazeem, IAS S/o Shri Seena Khadar Thawoodrawther, aged 55 years, presently, posted as Principal Secretary (Industries) to the Government of Himachal Pradesh, HP Secretariat, Shimla, do hereby solemnly affirm and declare as under:-

1. That I am an officer of the respondent No.1 and one of the respondents of the above noted case and I am fully conversant with the facts and circumstances of the case and I am competent to swear and state in evidence by way of the affidavit.
2. That the accompanying detailed additional reply is drafted by the counsel under my instructions and instance based on my personal knowledge under official capacity and official record, being an officer

Principal Secretary (Industries) to the  
Government of Himachal Pradesh

ATTESTED

SECRETARY

of the state govt. The averments made in the additional reply are to be treated the part and parcel of this affidavit and the same are not being repeated here for the sake of brevity.

*[Signature]*  
Deponent  
Secretary (Industries) to the  
Government of Himachal Pradesh

Verification

I, the deponent above-named herein verify on this 22<sup>nd</sup> day of Oct., 2024, that the contents of the all the paras of the above-mentioned affidavit are true and correct to the best of my knowledge derived from the official records and nothing material has been concealed therein.

Identified by  
*[Signature]*

*[Signature]*  
Deponent  
Secretary (Industries) to the  
Government of Himachal Pradesh

ATTESTED

OATH COMMISSIONER

Certified that the above-mentioned was declared before me on solemn affirmation on this 22<sup>nd</sup> day of Oct. 2024 at Shimla in the District of Shimla who was identified by *[Signature]* who is personally known to me and the contents of the affidavit have been read over & explained in the vernacular who admitted the contents and true at the time of making the affidavit.

Oath Commissioner  
HP High Court Shimla

