

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A. No. 418/2022

IN THE MATTER OF: -

Avinash Malik

.....Applicant

Versus

State of Haryana & Ors

.....Respondent

INTERIM REPORT IN COMPLIANCE OF ORDERS DATED
12.07.2022.

MOST RESPECTFULLY SHOWETH:-

1. That at present stage, Interim report is being filed through Sh. Virender Singh Punia who is the Regional Officer of Regional Office, HSPCB at Panchkula. It is humbly submitted that liberty is being craved to file additional/supplementary report as per directions by this Hon'ble Tribunal.
2. The Hon'ble NGT vide orders dated 12.07.2022 passed the following directions:-
"1. Mr. Avinash Malik has sent the present letter petition, which has been treated and registered as original application, complaining that HSVP and CTP are planning to construct 3200 EWS Flats in greenbelt of 9.6 acres in Phase-II under Ashiana Scheme and have invited tenders accordingly. Sector 20, Panchkula is densely populated. It is having two wards- ward no. 14, in which more than 80 % area has already been constructed consisting of 120 Group Housing Societies, and ward no. 15, in which more than 70 % area has been sold/earmarked for construction. About 2000 flats/houses of EWS in Ashiana have already been constructed and 3200 flats

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have been approved for construction in green area of 8.65 acre. Sector 20, Panchkula has crossed the limits of plotted saleable area. On the complaint of residents of Sector-20 Panchkula on CM Window, Range Forest Officer Panchkula uploaded action taken report that action regarding cutting of trees was to be taken by HSVP. HSVP is neither trying to protect the green area/natural forest spread over in 9.6 acres in Sector-20 Panchkula nor realizing to protect green area under Ashiana Scheme Part-II. CTP has flouted all norms/guidelines and is planning to destroy green area /natural forest by construction of the above said flats.

ii) The averments made in the application involve serious questions relating to environment arising out of the implementation of enactments specified in Schedule I to the National Green Tribunal Act, 2010. We consider it appropriate to have a factual and action taken report from a Joint Committee comprising of Principal Secretaries, Departments of Town and Country Planning and Environment & Climate Change, Government of Haryana, State PCB and Deputy Commissioner, Panchkula. State PCB will be the Nodal agency for coordination and compliance”.

3. That in compliance of Hon'ble NGT order on 12.07.2022, the joint committee holds its 1st meeting with the committee members held on 16.09.2022 to verify the factual position regarding destruction of green belt/natural forest for constructing 3200 EWS flats in green belt of 9.6 acre in Phase-II under Ashiana scheme and to take appropriate remedial action. The joint committee taken the following decisions:-

a) Worthy Chairman directed Estate Officer, HSVP Panchkula to submit the latest status report regarding any construction or planning for construction of EWS flats in green belt of 9.6



acre in sector 20, Panchkula i.e. site in question and will submit concrete report after verifying actual facts on ground.

- b) Worthy Chairman directed District town planner to submit the planning report whether construction is allowed in the green area as per the approved plan and submit their report.
- c) HSPCB, Regional Office, Panchkula take necessary action against any kind of environment pollution and impose Environmental Compensation to the concerned agency.

Copy of minutes of the meeting is attached as Annexure-R-1.

- 4. That the Estate officer HSVP has submitted the reply that EWS flats are being constructed to make the city slum free. Further it is also clarified that no area of green belt has been disturbed/taken for construction of these flats. Copy of letter dated 16.09.2022 is attached as Annexure-R-2. The report is awaited from DTP, Panchkula. Final report can be submitted after receiving report from the DTP, Panchkula.

Interim Report is being submitted for kind consideration please with request to grant 4 weeks time to submit final report.



Virender Singh Punia,
RO, HSPCB, Panchkula

Dated: 09.11.2022
Place: Panchkula

Minutes of 1st meeting held on 16.09.2022 at 11:30 AM under the Chairmanship of Mahavir Kaushik, IAS, Deputy Commissioner, Panchkula, with Members of Joint Committee regarding alleged destruction of Green Area/Natural Forest by construction 3200 EWS flats in green belt of 9.6 acre in phase-2 under Ashiana Scheme in the matter of OA No. 418 of 2022 Avinash Malik V/s State of Haryana

At the outset, Sh. Sudhir Mohan, Assistant Environmental Engineer Regional Office, Panchkula welcomed the Chairman and all other participants of meeting.

It was 1st meeting of Joint Committee comprising of Deputy Commissioner Panchkula, and officers of Haryana state Pollution Control Board, Town and Country Planning Department and E.O HSVP, Panchkula to verify the factual position regarding destruction of green area/ natural forest by constructing 3200 EWS flats in Green Belt of 9.6 acre in phase-2 under Ashiana Scheme and take appropriate remedial action by the concerned departments for the compliance of directions of Hon'ble NGT in the above said O.A.

Following officers attended the meeting.

- i. Sh. Gagandeep Singh, E.O HSVP Panchkula.
- ii. Smt. Gunjan Verma, DTP Panchkula.
- iii. Sh. Sudhir Mohan, AEE Regional Office Panchkula.

Sh. Sudhir Mohan, AEE, Regional Office, Panchkula briefed the above-mentioned case to, Chairperson and to all committee members that an O.A has been filled by Sh. Avinash Malik regarding destruction of green area/ natural forest by constructing 3200 EWS flats in Green Belt of 9.6 acre in phase-2 under Ashiana Scheme. After discussion, following directions were issued by Chairman:-

1. Chairman, directed Estate Officer HSVP Panchkula to submit the latest status report regarding any construction or planning for construction of EWS flats in green belt of 9.6 acre in sector 20, Panchkula i.e. site in question and will submit concrete report after verifying actual facts on ground.
2. Chairman, directed District Town Planner, Panchkula to submit the planning report whether construction is allowed in the green area as per the approved plan and submit their report.
3. HSPCB Regional Office Panchkula to take necessary actions against any kind of environmental pollution and impose Environmental Compensation to the concerned agency.

All concerned agencies are directed to submit their compliance report so that a compiled status report may be submitted in the Hon'ble NGT as next date of hearing is fixed on 11.11.2022.

The meeting ended with a vote of thanks to Chair.

Endst. 1879-81 / CO/LEA / dated 8.10.2022

Deputy Commissioner,
Panchkula.

A copy is forwarded to following for information and necessary action:-

1. Estate Officer, HSVP Panchkula
2. District Town Planner, Panchkula
3. Regional Office, HSPCB, Panchkula.

Deputy Commissioner,
Panchkula.



Office of Deputy Commissioner, Panchkula

Mini secretariat Sector-1 Panchkula
Telephone No 0172-2568313

प्रेषक

उपायुक्त, पंचकूला।

सेवा में

क्षेत्रीय अधिकारी,
हरियाणा राज्य प्रदुषण नियन्त्रण बोर्ड,
पंचकूला।

क्रमांक 3154 /एल.एफ.ए. दिनांक: 20/9/22

विषय:- Regarding Original application No. 418/2022 titled as Avinash Malik Vs State of Haryana.

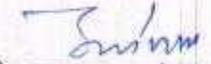
इस सम्बन्ध में आपको सम्पदा अधिकारी, हरियाणा शहरी विकास प्राधिकरण, पंचकूला से प्राप्त पत्र क्रमांक 4886 दिनांक 16-09-2022 द्वारा प्राप्त रिपोर्ट सूचनार्थ एवं आगामी आवश्यक कार्यवाही हेतु प्रेषित है।

सलंग्र: उपरोक्तानुसार.


कृते: उपायुक्त, पंचकूला।

पृ० क्रमांक 3155 /एल.एफ.ए. दिनांक: 20/9/22

इसकी एक प्रति सम्पदा अधिकारी, हरियाणा शहरी विकास प्राधिकरण, पंचकूला से प्राप्त पत्र क्रमांक 4886 दिनांक 16-09-2022 के सन्दर्भ में सूचनार्थ प्रेषित है।


कृते: उपायुक्त, पंचकूला।

From

Estate Officer,
HSVP, Panchkula

To

Deputy Commissioner,
Panchkula.

Memo No. 4886

dated 16-09-22

Subject:- Regarding original application No.418/2022 titled as
Avinash Malik Vs. State of Haryana.

On the above cited subject it is intimated that EWS flats are
being constructed to make the city slum free. Further it is also clarified
that no area of green belt has been disturbed/taken for construction of
these flats.

This is for your information and necessary action please.

Estate Officer,
HSVP, Panchkula

Endst No. 4887

dated 16-09-22

A copy of above is forwarded to Worthy Administrator,
HSVP, Panchkula for information please.

Estate Officer,
HSVP, Panchkula