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BEFORE THE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

Original Application No. 750 of 2023

Varun Gulati

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

Interim Report on behalf of Haryana Pollution Control Board for Faridabad District by Regional officer Faridabad in the Matter of Varun Gulati Vs State of Haryana & Ors.

1.0 Background

Vide its Order dated 03.01.2024 in the matter of Varun Gulati Vs State of Haryana & Ors, Honorable NGT ordered that:

In this original application the complaint of the applicant is that highly polluting "Red category" dying units are operating in Dheeraj Nagar & Surya Vihar of Faridabad, Bajghera, Dhankot, Dhanwapur d Sector - 37 of Gurugram, Village Badsa of Jhajjar and Friends colony, Pyau Manihari and Ferozpur Bangar of Sonipat in Haryana.

The allegation is that these dying units are operating in the residential and non-conforming areas and that there are about 500 such illegal and unauthorized dying factories operating in the said residential areas. Further allegation is that these units have not installed the ETP or any other anti-pollution devices and are discharging untreated effluents into the open area or in the drains which go to river Yamuna.

Hence at this stage we deem it proper to constitute a joint committee comprising of representative of the Member Secretary, Central Pollution Control Board (CPCB), Member Secretary, Haryana State Pollution Control Board (HSPCB) and District Magistrates of District Sonapat, Faridabad, Gurgaon and Jhajjar. The District Magistrates of the concerned districts will act as Nodal Agency for the work of the committee in that district. The joint committee will carry out the inspection and will ascertain the correct ground situation and will also collect the sample of the discharge by the units and obtain the sample analysis report and take remedial action in accordance with law. The committee will complete the said exercise within a period of three months and submit the action taken report at least one week before the next date of hearing by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image pdf.

Let notice be also issued to the respondents. Applicant is directed to serve the respondents and file affidavit of service on or before the next date of hearing.

Factual Report

In compliance of order dated 03/01/2024 on O.A No. 750/2023 (Varun Gulati V/s State of Haryana & Ors), the Deputy Commissioner Faridabad has nominated the concerned SDM, Faridabad as representative of District Magistrate, Faridabad in the joint committee constituted by Hon'ble NGT in the above order dated 03/01/2024 to carry out the inspection and to ascertain the correct ground situation to collect the sample of the discharge by the units, obtain the sample analysis report and take remedial action in accordance with law within the period of two months vide memo No. LFA 19-20/G-II/2024 Dated 12.01.2024. **(Annexure-R/1)**.

That, in compliance of order dated 03/01/2024 on O.A No. 750/2023 (Varun

Gulati V/s State of Haryana & Ors). The Central Pollution Control Board, Delhi has nominated to *Shri Rishabh Srivastava, Scientist 'C'* for said joint Committee in compliance of the Hon'ble NGT order, vide letter No. CM-13011/9/2024-LAW-HO-CPCB-HO/9514 Dated 05.02.2024. **(Annexure-R/2)**

Regional Officer of the HSPCB is the representative of the Haryana State Pollution Control Board.

Inspection has been started by Nominated Officer of Central Pollution Control Board with team from Sonipat District and inspection in Faridabad area were not started due to non-availability of the complete team i.e. representative of CPCB. Further it is submitted that in past, inspections of all site/Location of illegal units as provided in petition by the applicant has already been conducted by Haryana State Pollution Control Board and recently again started the inspection of the same locations due to non-availability of the complete team. Recently 8 locations were inspected and complete summery including the past action and present status is attached as **(Annexure-R/3)**.

It is submitted that the complete reply including the present status will be submitted shortly as and when the team constituted by the Honorable NGT will inspect the site/locations given by the applicant.


4/4/24
Regional Officer
Faridabad Region

Office of The Deputy Commissioner, Faridabad

कार्यालय उपायुक्त, फरीदाबाद

Telephone no. 0129-2227936, 2226604 Email: 1cfbd@hry.nic.in

RO (FD)

Sc 'B'/A.E.E.-I/A.E.E.-IV

A.E.E.-III/J.E.E./CLY

D. No. 15/1/24
Diary No. 15/1/24

To

1. Member Secretary,
Central Pollution Control Board,
New Delhi.
2. Member Secretary, Haryana State Pollution Control Board,
Panchkula.

Memo. No. LFA 19-20 /G-II/2024 Dated 12/01/2024

Subject:- Order dated 03/01/2024 in the Original Application No. 750/2023
Varun Gulati, Applicant Vs State of Haryana & Ors.

In compliance of order dated 03/01/2024 on O.A No. 750/2023 (Varun Gulati V/s State of Haryana & Ors) SDM, Faridabad is hereby appointed as representative of District Magistrate, Faridabad in the joint committee constituted by Hon'ble NGT in the above order dated 03/01/2024 to carry out the inspection and to ascertain the correct ground situation to collect the sample of the discharge by the units, obtain the sample analysis report and take remedial action in accordance with law within the period of two months.

A copy of order dated 03/01/2024 of Hon'ble NGT is enclosed herewith for necessary compliance.

o/c for Deputy Commissioner,
Faridabad.

Endst. No. LFA 21-22 /G-II/2024 Dated 13/01/2024

A copy of above is forwarded to the following for information and necessary action please.

1. SDM, Faridabad.
2. RO, HSPCB, Faridabad.

o/c for Deputy Commissioner,
Faridabad.

Annex - R/2 (5)

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

Speed post/E-mail

CM-13011/9/2024-LAW-HO-CPCB-HO 9514

Feb 05, 2024

To,

The Deputy Commissioner,
(Office of Deputy Commissioner Faridabad)
Block B, 1st Floor, Mini Secretariat, Sector-12,
Faridabad-121007 Email- dcfb@hry.nic.in

RO (FR)
Sc 'B'/A.E.E.-I/A.E.E.-II/
A.E.E.-III/CLK
07/2/2024

Sub: Nomination in Hon'ble NGT matter OA No. 750/2023 in the matter of Varun Gulati Vs. state of Haryana & Ors. in compliance of Hon'ble NGT order dated 03.01.2024 - Reg.

Sir,

This has reference to the Hon'ble NGT order dated **03.01.2024** in O.A. No. 750 of 2023 in the matter of Varun Gulati Vs. Govt. of NCT of Delhi & Ors wherein Hon'ble Tribunal has directed the following:

"Hence at this stage we deem it proper to constitute a joint committee comprising of representative of the Member Secretary, Central Pollution Control Board (CPCB), Member Secretary, Haryana State Pollution Control Board (HSPCB) and District Magistrates of District Sonapat, Faridabad, Gurgaon and Jhajjar. The District Magistrates of the concerned districts will act as Nodal Agency for the work of the committee in that district. The joint committee will carry out the inspection and will ascertain the correct ground situation and will also collect the sample of the discharge by the units and obtain the sample analysis report and take remedial action in accordance with law. The committee will complete the said exercise within a period of three months and submit the action taken report atleast one week before the next date of hearing"

In this context, Shri Rishabh Srivastava, Scientist 'C' (E-mail- rishabh.cpcb@gov.in, Mob:7982250879) is nominated from CPCB for the said joint Committee in compliance of the Hon'ble NGT order please.

This is issued with the approval of Member Secretary, CPCB.

Yours faithfully

(Kamlesh Singh)
Additional Director &
Divisional Head-IPC-III

Copy to:

Regional Officer Faridabad,
Haryana State Pollution Control Board
Sec-16A, Opp. Hewo Apartment, Faridabad

: For information and necessary action, please

(Kamlesh Singh)

'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

Annexure- R/3

Sr. No.	Location	Village/Address	Action taken By Board	Present status of the Location.
1	28 27 04.7 N 77 19 24.5 E	Dheeraj Nager	Unit inspected by SESTF team on 14.03.2023 & unit found dismantled.	
2	28 27 04.8 N 77 19 25.7 E	Dheeraj Nager	Location same as Sr. No. 1.	
3	28 27 04.3 N 77 19 28.71E	Dheeraj Nager	Unit inspected by SESTF team on 14.03.2023 & unit found dismantled.	
4	28 27 05.7 N 77 19 25.7 E	Dheeraj Nager	Unit inspected by the SESTF on dated 16.12.2023 & unit found dismantled.	
5	28 27 04.7 N 77 19 28.1 E	Dheeraj Nager	Unit inspected by the SESTF on dated 16.12.2023 & unit found dismantled.	
6	28 27 04.8 N 77 19 29.3 E	Dheeraj Nager	Location same as Sr. no. 5.	
7	28 27 02.5 N 77 19 28.2 E	Dheeraj Nager	Unit inspected by the SESTF on dated 15.02.2023 & unit found dismantled.	
8	28 26 47.4 N 77 19 34.1 E	Atmadpur	Unit inspected by SESTF on dated 11.10.2023. Now unit is sealed by the Board.	
9	28 26 45.8 N 77 19 33.6 E	Atmadpur	Unit Inspected by SESTF on dated 11.10.2023 and during compliance of closure unit found dismantled.	
10	28 30 21.1 N 77 20 18.9 E	Basantpur	Unit Inspected by SESTF on dated 15.03.2023 and during compliance of closure unit found dismantled.	
11	28 27 24.2 N 77 19 38.0 E	Titu Colony, Harkesh Colony	Unit inspected by SESTF team on 07.04.2023 & found dismantled.	
12	28 27 23.6 N 77 19 38.3 E	Titu Colony, Harkesh Colony	Unit Inspected on dated 16.12.2023 and found dismantled.	
13	28.4743512 77.3358368	Surya Vihar Part- II	Unit inspected by SESTF on dated 15.02.2023. Unit is sealed by the Board.	
14	28 28 25.0 N 77 20 10.5 E	Surya Vihar Part- II	Unit Inspected by SESTF on dated 31.10.2022 and during compliance of closure orders unit found dismantled.	
15	28 28 24.8 N 77 20 11.0 E	Surya vihar	Unit inspected by the SESTF on dated 15.02.2023 & unit found dismantled.	
16	28 28 20.2 N 77 20 17.5 E	Surya vihar	Same as Sr. No. 15	
17	28 28 20.6 N 77 20 16.9 E	Surya vihar	Same as Sr. No. 15	
18	28 27 04.8 N 77 19 25.7 E	Surya vihar	Unit inspected by SESTF on dated 16.12.2023 & unit found dismantled.	
19	28 28 17.9 N 77 20 19.4 E	Surya vihar	Same as Sr. No. 18	
20	28 28 29.9 N 77 20 09.7 E	Surya vihar	Unit was inspected by SESTF on dated 16.12.2023 & unit found dismantled.	Site was again inspected on dated 03.04.2024 and during visit new unit found operating illegally without obtaining CTE/CTO from Board. Effluent sample collected and further action will be taken as per policy of the Board.
21	28.4774955 77.3339254	Surya Vihar Part- II	Unit was inspected by SESTF on dated 17.11.2023 & during compliance of closure order unit found dismantled	
22	28 28 51.2 N 77 19 45.5 E	Seharpur	Unit was inspected by SESTF on dated 11.12.2023 and unit found dismantled from site.	
23	28.5007031 77.3376342	Basantpur	Unit was inspected by SESTF on dated 15.03.2023 & during compliance of closure order unit found dismantled.	Unit was inspected on dated 03.04.2024 and unit found dismantled
24	28.5008177 77.3376709	Basantpur	Location same as point no. 23.	Unit was inspected on dated 03.04.2024 and unit found dismantled
25	28 30 12.5 N 77 20 27.2 E	Basantpur	Unit was inspected by SESTF on dated 15.03.2023 & during compliance of closure order unit found dismantled.	Unit was inspected on dated 03.04.2024 and unit found dismantled
26	28 30 12.3 N 77 20 28.1 E	Basantpur	Unit Inspected by SESTF on dated 11.12.2023 and unit found dismantled .	Unit was inspected on dated 03.04.2024 and unit found dismantled

27	28 30 10.8N 77 20 33.7 E	Basantpur	Unit inspected by the SESTF on dated 15.03.2023 & during compliance of closure order unit found dismantled.	Unit was inspected on dated 03.04.2024 and unit found dismantled
28	28 30 10.3 N 77 20 33.7 E	Basantpur	Unit inspected by the SESTF on dated 15.03.2023 & during compliance of closure order unit found dismantled.	Unit was inspected on dated 03.04.2024 and unit found dismantled
29	28 30 25.9 N 77 20 33.7 E	Basantpur	Unit inspected by the field officer of Board and closed by the Board on dated 15.02.2022.	Unit was inspected on dated 03.04.2024 and unit found locked and no person was found at site.
30	28.471449, 77.327807	Shiv colony	Unit inspected by SESTF on dated 17.11.2023 and unit found dismantled.	

SESTF- Special Environment Surveillance Task Force.