



Regional Office

# Haryana State Pollution Control Board,

Regional Office: Bays No. B-7, 8, Urban Estate-II, Hisar -125005

Email-hspcbrohr@gmail.com



No. HSPCB/HR/2019/ 3486.

Dated: 3-12-19.

To

The Registrar,  
National Green Tribunal,  
Principal Bench, New Delhi

**Sub: Filing of status report in O.A. No. 587 of 2019 in the matter of Secretary Paryawaran Raksha Manch Vs State of Haryana.**

Please find enclosed herewith the status report in the above said matter.

DA/As above

*Randh.*

  
Regional Officer  
Hisar Region

**STATUS REPORT**

BEFORE THE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

O.A.NO.587/2019

**IN THE MATTER OF:**

Secretary Paryawaran Raksha Manch .....Applicant

Versus

State of Haryana .....Respondent

**REPORT ON BEHALF OF HARYANA STATE POLLUTION  
CONTROL BOARD (HSPCB) IN COMPLIANCE OF  
ORDER DATED 13.08.2019.****MOST RESPECTFULLY SHOWETH:-**

1. That this Hon'ble Tribunal has taken cognizance of a complaint letter against M/s S.D.B. Automobile Agency, Ratia Road, Model Town, Tohana, District Fatehabad, alleging about installing BS-I silencers in Bullet Motorcycle /Bike causing Air and Noise pollution. Further, vide order dated 13.08.2019, this Hon'ble Tribunal directed the District Magistrate-Fatehabad, SP-Fatehabad and HSPCB to look into the matter and take appropriate action in accordance with law and furnish the factual Action Taken Report before this Hon'ble Tribunal.
2. That in compliance of said order dated 13.08.2019, the Deputy Commissioner vide Office Order dated 22.08.2019 constituted a Committee of four Members to ensure the compliance of the order passed by this Hon'ble Tribunal. A

copy of Office Order dated 22.08.2019 passed by Deputy Commissioner, Fatehabad is annexed herewith as

**ANNEXURE R-1.**

3. That on 12.09.2019, the four Members Committee visited the Unit M/s S.D.B. Automobile Agency, Ratia Road, Model Town, Tohana, District Fatehabad. The observations of the committee are as follows:
- a) Unit is engaged in sale and servicing of Royal Enfield Motorcycles/Bikes without having any washing facility. No trade effluent was found discharging from the unit.
  - b) Three Motorcycles came for servicing having Registration No.HR23H-7043, HR23H-5612 & HR32J-7306. One of these Motorcycles found fitted with BS-I silencer. The team asked the Customer from where he got fitted with BS-I silencer, the Customer replied that he got fitted from the outside local market and he is totally unaware about the restriction imposed on the installation of this type of BS-I silencer. However, he assured to the team that he will get it removed within one day.
  - c) After inspection of stock of spare parts, no such type of BS-I silencers were found in the stock of spare parts.

The Committee recommended that Challan of BS-I silencers should be done by the Traffic Police regularly in

large number, so that the issue of BS-I silencers may be resolved. A copy of factual Report dated 12.09.2019 submitted by the team constituted by the Deputy Commissioner, Fatehabad is annexed herewith as **ANNEXURE R-2.**

4. That after consultation with the Counsel for the HSPCB, the answering Board took the matter again with the Deputy Commissioner, Fatehabad for further action as per advice by the Counsel. A copy of Letter dated 11.10.2019 issued by Regional Officer, HSPCB, Hisar Region, to Deputy Commissioner, Fatehabad is annexed herewith as **ANNEXURE R-3.**

5. (i). That in further course of action, the Deputy Superintendent of Police vide letter dated 25.11.2019 has reported to the Superintendent of Police that no lapse has been found on the part of Motorcycle Agency in question. During further investigation, all three Motorcycles found on inspection dated 12.09.2019 in the Agency, now has BS-IV silencers. Action is being taken in accordance with Motor Vehicle Act and 527 Challans have been issued from 01.04.2017 to 21.11.2019 against Bullet Motorcycles in respect of silencer and an amount of Rs.5,45,000/- has been recovered. A copy of Report dated 25.11.2019 submitted by Deputy Superintendent of Police, Fatehabad

to the Superintendent of Police, Fatehabad is annexed herewith as **ANNEXURE R-4**.

(ii). During investigation by Traffic Police, Sh. Ashish Kumar, S/o Sh. Sita Ram R/o Tohana, Haryana was made to join the investigation. He stated that he runs a shop in the name of 'Mahalaxmi Accessories' and previously he was having BS-I silencer which used to be bought by transporters from Ludhiana (Punjab), but now procuring BS-I silencers has been stopped by him as Bullet Motorcyclist were removing the net (Jali) from the silencer to obtain thundering voice. A copy of statement of Sh. Ashish Kumar dated 22.11.2019 is annexed herewith as **ANNEXURE R-5**. The copies of statement of Sh. Amarjeet Singh (owner of M/s S.D.B. Automobile Agency) and Sh. Ashok Kumar are annexed herewith as **ANNEXURE R-6 & R-7**.

The report is submitted for kind consideration of this Hon'ble Court. The direction passed by this Hon'ble Tribunal shall be complied with in true letter and spirit.

  
REGIONAL OFFICER, HSPCB,  
HISAR REGION.

PLACE: HISAR  
DATED: 03.12.2019

Reg-

अति तत्काल  
तिथिबद्ध

प्रेषक

सेवा में,

उपायुक्त, फतेहाबाद।

1. पुलिस अधीक्षक, फतेहाबाद।
2. उपमण्डल अधिकारी (ना0), टोहाना।
3. कार्यकारी अधिकारी, नगरपरिषद्, टोहाना।
4. उपमण्डल अधिकारी (साईटिस्ट-बी.), राज्य प्रदुषण नियंत्रण बोर्ड, हिसार।

क्रमांक: एल.एफ./सी.टी./14/2019/ 2841-44 दिनांक: 22/08/19

विषय:-

**NGT Court Case:- Secretary Paryavaran Raksha Munch V/s State of Haryana.**

उपरोक्त विषय पर माननीय एन.जी.टी. द्वारा Original Application No. 587/2019 पर दिनांक 13.08.2019 को पारित आदेशों की प्रति अनुलग्नकों सहित भेजकर लिखा जाता है कि मामले में निर्धारित समय से पूर्व आवश्यक कार्यवाही करके रिपोर्ट इस कार्यालय को भिजवाना सुनिश्चित करें। ताकि तदोपरान्त माननीय The National Tribunal Principal Bench, New Delhi को अवगत करवाया जा सके।

संलग्न:-उक्त।

उपायुक्त, फतेहाबाद।

Annexure R-191/  
Urgent NGT Case Munch (5)  
AEE, Sci. B', Sci 'B, I, JEE  
Asstt. Clark, DEO  
Ro (HR) B 16/8/19

**Status Report****In the matter of OA No 587/2019****Secretary Paryawarn Raksha Manch****Versus****State of Haryana**

**Subject:- Factual report of the team constituted by Deputy Commissioner, Fatehabad vide his letter no. LF/CT/14/2019/2841-44 dated 22.08.2019 in compliance of NGT order dated 13.08.2019.**

The unit M/s S.D.B. Automobile agency, Ratia Road, Model Town, Tohana, District Fatehabad was visited by the Team constituted by Deputy Commissioner, Fatehabad on dated 12.09.2019 and found that the said unit is engaged in sale and servicing of Royal Enfield Motorcycles/Bikes without having any washing facility.

The team found that there were three Royal Enfield motorcycle came for servicing there registration no. are HR23H-7043, HR23H-5612, HR32J-7306

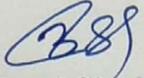
Out of these three motorcycle, one motorcycle found fitted with BS-1 silencer which is the main cause of producing more sound/noise pollution. Team asked the customer from where he has got fitted with this BS-1 silencer, The customer replied that he has got fitted from the outside local market and is totally unaware about the restriction imposed on installation of this type of BS-1 silencers. However, he has assured to the team that he will get it removed with in one day.

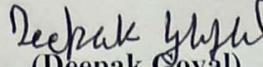
It was also observed by the team that there was no facility of washing of motorcycles and no trade effluent was found discharging from the unit. Team also inspected the stock of spare parts, but no such type of BS-1 silencers were found in the stock of spare parts.

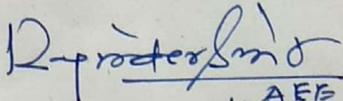
In view of the above findings, the team recommends that the challans of BS-1 silencers should be done by the traffic police regularly in large number, So that the issue of BS-1 silencers may be resolved. The team also suggest that the Hon'ble Tribunal may issue orders to all the two wheeler agencies that they should not entertain the servicing of these type of Bikes which are fitted with BS-1 silencer.

The report is submitted for further necessary action please.

  
(Anubhav Mehta)  
SDM (C) Tohana

  
(Umed Singh)  
DSP Tohana

12/9/19  
  
(Deepak Goyal)  
E O MC Tohana

  
(Rajinder Singh) 12/9/19  
AEE, HSPCB, Hisar



3. To obtain the list of Bullet Motorcycles from the office of RTA Tohana from 01.04.2017 to till date and to randomly check and verify which silencer they have installed in their motorcycles and from which place, in case if any.
4. What action has to be taken till date against the violators who were found running with the BS-I silencer by the Traffic Department?
5. Directions for not servicing the Bullet motorcycles/ two wheeler agencies which are having installed BS-I silencer to be issued at the level of District Administration as in the report it was proposed in the factual report that the directions may be issued by the Hon'ble NGT.

In view of above, it is requested that the necessary directions may please be issued to the concerned departments specifically to RTA concerned and DSP Traffic Police to comply with the above said observations and to submit report to your good self within 07 days under intimation to this office, so that the proper report can be filed before the Hon'ble NGT well in advance.

Submitted for kind information and further necessary action please.

DA/- Inspection report dt. 05.09.19

Factual report dt. 12.09.19

  
10/09/19  
**Regional Officer  
Hisar Region**

*Demir*  
*ac*

पुलिस उप अधीक्षक,  
फतेहाबाद।

सेवा में,

पुलिस अधीक्षक महोदय,  
फतेहाबाद।

क्रमांक 34-DSR(TF)दिनांक 25.11.2019

विषय Reg. filling of reply in OA No. 587 of 2019 titled as Paryavaran Raksha Manch Vs State of Haryana.

श्रीमान् जी,

कृप्या आपके कार्यालय के डायरी क्रमांक 14046/W दिनांक 23.10.2019 व माननीय उपपुलिस महोदय फतेहाबाद के डायरी क्रमांक 3214-41 दिनांक 18.10.2019 तथा हरियाणा प्रदूषण नियंत्रण बोर्ड अर्बन एस्टेट हिसार के पत्र क्रमांक HSPCB/HR/2019/2533 दिनांक 11.10.2019 के Reg. filling of reply in OA No. 587 of 2019 titled as Paryavaran Raksha Manch Vs State of Haryana के सम्बन्ध में निवेदन है कि इसकी जांच उ.नि. बसाऊ राम 584/H के द्वारा करवाई गई। उनकी जांच के अनुसार पाया गया कि बुलेट मोटरसाईकिल न. HR 23H-7043, HR 23H-5612 व HR32J-7306 को चेक किया गया जिनमें उपरोक्त मोटरसाईकिलों में BS-4 साईलेंसर लगे हुए पाये गये। इस सम्बन्ध में बुलेट मोटरसाईकिल एजेन्सीज के मालिक से भी पुछताछ की गई। उपरोक्त के सम्बन्ध में एजेन्सी की तरफ से कोई लापरवाही नहीं पाई गई। दिनांक 01.04.2017 से 28.10.2019 तक 584 बुलेट मोटरसाईकिल एजेन्सी से विक्री हुए पाये गये। जिनकी सूची साथ लफ है व इस सम्बन्ध में पुलिस विभाग द्वारा बुलेट मोटरसाईकिलों के साईलेंसरों को ध्यान में रखते हुए यातायात पुलिस द्वारा मोटरवाहन अधिनियम द्वारा नियमानुसार कार्यवाही अमल में ला जा रही हैं। दिनांक 01.04.2017 से 21.11.2019 तक 527 चालान बुलेट मोटरसाईकिल के साईलेंसर के मोटरवाहन अधिनियम के तहत किये गये तथा 5,45,000 रुपये की जुर्माना राशी बशुल की गई है।

रिपोर्ट सेवा में प्रस्तुत है।

पुलिस उप अधीक्षक,  
फतेहाबाद।

एकमात्र आजीवन कुशाग्र 5% सीमा शून्य 5% मरुदलाल

नियामी इतिहास नैव टोहना 110 972 968 2046,

कमाना किराा कि जे जतन के का  
 रहने वरुण हुं। मेरी इतिहास नैव टोहना पर बुलैट मोटर  
 सारिहल के पाटिस मी डी महालक्ष्मी प्रसारीज के  
 जोर से कुशाग्र हुं। मेरे पास पहले BS-I कार के  
 कुलट मोटर सारिहल के सारिहलसर जे जो मेरे  
 पास बुलैट मोटर (पंजाब) से इम्पोर्ट वाले डेकर जोर  
 से लीगिन कुलट मोटर सारिहल रखने वाले उम्मी BS-I  
 सारिहलसर की जाली विफलवाला करवा बजाने  
 लगे है मेरे BS-I कार के सारिहलसर लगे कर  
 कर मेरे है अब मेरे पास कार के BS-I कार के  
 सारिहलसर मही है। मेरी कुशाग्र है जे जे शायद  
 है मरुदली का है और नही किसी प्रकार के BS-I  
 कार के सारिहलसर बदला है जेकेवल है जे  
 है जो और मरुदली करुण। जेकेवल दिया कुल  
 लिखा शायद लिखा हीन है

ASKish  
08/11/2019

Attested  
Basou Ram Singh  
Yc Toffler Singh  
Jorand  
dt 22/11/19

मान आगत आरक्षित सि. 5/0 जयपुर सि. 5/0 मजदूर  
सि. निवारी कम्प्लाइड जिला मारवा पत्रांक 11  
श्रीमा बी. लक्ष्मी 118 5699931318.

क्याण श्रीमा कि मैं उबर जाके उठने  
वाला हुं मेरी श्रीमा बी. लक्ष्मी के कुल जोवर  
सोर्सिबल की SD B माला सोर्सिबल के नाम से एंजेली  
हैं मैं पास कम्पनी के जितने भी जोवर सोर्सिबल  
जाते हैं मैं कुल जोवर सोर्सिबल को उसी दरमान  
के अनुसार को देकर हूँ मैं जोवर सोर्सिबल के  
सोर्सिबल को लेता नहीं क्या जो भी प्रदाया  
उजाने वाले जोवर सोर्सिबल है उनके सोर्सिबल मेरी  
एजन्सी है वहाए कलकार है जोवर सोर्सिबल के  
क्याण BS-4 माला का सोर्सिबल काल है सोर्सिबल  
जो सोर्सिबल प्रदाया गया है वह BS-1 माला से  
लेता है मेरी एजन्सी के BS-1 माला से जोवर  
कुल जोवर सोर्सिबल का सोर्सिबल नहीं है। क्या सोर्सिबल  
दिनांक है

*[Signature]*  
8699931318  
22/11/2019

Attested  
Rajou Ram Si  
The Public Staff, Dehans  
dt 22/11/19

विशेष अज्ञात कर्मचारी का नाम है, जिसका पता है, जो कि 12  
विशेष अज्ञात का mb 94166-48944,

जिसके नाम में ही अज्ञात के मा  
रहने वाला है जो कि फोन नंबर मोर सरिवाल नं  
MR-32J-7306 है जिसका पता मोर सरिवाल नाम  
BS-2 लोग लिखा था जो मोर सरिवाल के अज्ञात  
के मोर सरिवाल की आज्ञा अज्ञात लगती है जो  
दिनांक 12-9-14 से जो मोर सरिवाल की ही  
प्रकृति लिखतव्य है जो मोर सरिवाल की ही  
ने मोर सरिवाल के ही लिखा था जो मोर सरिवाल  
अज्ञात मोर सरिवाल का कार्डिनल नाम BS-4 लोग  
लिखा है जो अज्ञात से ही मोर सरिवाल के अज्ञात  
का नाम का अज्ञात है जो मोर सरिवाल के अज्ञात  
सरिवाल का सरिवाल अज्ञात लिखा था। जो मोर सरिवाल  
का मोर अज्ञात अज्ञात। अज्ञात लिखा कि अज्ञात

Attested  
Prakash Singh  
No Traffic Sign  
Date 12-11-19