

# HARYANA STATE POLLUTION CONTROL BOARD

## REGIONAL OFFICE, ROHTAK,

SCO-A- 6,7,8, FIRST FLOOR, SUNCITY COMMERCIAL COMPLEX, NEAR  
VISHAL HOTEL, SECTOR-36, ROHTAK- 124001

E-Mail: [hspcbroroh@gmail.com](mailto:hspcbroroh@gmail.com), Web: [hspcb.gov.in](http://hspcb.gov.in)

No. HSPCB/ROH/2023-24/661

Dated: 14.03.2024

To

The Registrar General,  
National Green Tribunal,  
New Delhi.

**Subject: Reply on behalf of Haryana State Pollution Control Board in compliance of order dated 08.01.2024 in the matter of OA No. 03 of 2024 titled as Phoolwati Versus Jai Parkash & Anr.**

In this connection, please find enclosed herewith the reply on behalf of Haryana State Pollution Control Board in compliance of order dated 08.01.2024 in the matter of OA No. 03 of 2024 titled as Phoolwati Versus Jai Parkash & Anr.

Submitted for kind information and necessary action please.

DA/as above

  
Regional Officer  
Rohtak Region

**Endst. No. HSPCB/ ROH/2023-24/662**

**Dated: 14.03.2024**

A copy of the above is forwarded to the District Attorney, Haryana State Pollution Control Board, Panchkula for information and further necessary action please.

  
Regional Officer  
Rohtak Region

**Endst. No. HSPCB/ ROH/2023-24/663**

**Dated: 14.03.2024**

A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchkula for information and further necessary action please.

  
Regional Officer  
Rohtak Region

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

**O.A. No. 03/2024**

**In the matter of :**

**PHOOLWATI**

**.... Applicant**

**VERSUS**

**JAI PRAKASH & ANR.**

**.... Respondent**

**REPLY ON BEHALF OF HARYANA STATE POLLUTION  
CONTROL BOARD THROUGH REGIONAL OFFICER, HSPCB,  
ROHTAK IN COMPLIANCE OF ORDER DATED 08.1.2024**

**INDEX**

<b>Sr. No.</b>	<b>Particular</b>	<b>Remarks</b>
1	Visit Report and photographs dated 23.02.2024.	<b>Annexure R-1.</b>
2	Copy of show cause notice and reply	<b>Annexure R-2.</b>
3	Copy of photographs	<b>Annexure R-3.</b>

**Date: 14.03.2024**

**Place: Rohtak**

**38**  
**BEFORE HON'BLE NATIONAL GREEN TRIBUNAL,**  
**PRINCIPAL BENCH, NEW DELHI**

**O.A. No. 03/2024**

**In the matter of :**

**PHOOLWATI**

**.... Applicant**

**VERSUS**

**JAI PRAKASH & ANR.**

**.... Respondent**

**REPLY ON BEHALF OF HARYANA STATE POLLUTION CONTROL BOARD THROUGH REGIONAL OFFICER, HSPCB, ROHTAK IN COMPLIANCE OF ORDER DATED 08.1.2024**

1. That present OA has been filed alleging that Jai Prakash has installed RO Plant in his field. It has been further alleged in the OA that there is extraction of ground water, stealing of water from nearby minor.
2. That site was visited on 23.02.2024 by the joint committee consisting of following officers:
  - (i) Sh. Sachin Kumar, AEE, HSPCB Rohtak Region (Representative of HSPCB)
  - (ii) Sh. Prakash Mahala, Chief Hydrologist, Representative of Haryana Water Resources (Conservation, Regulation and Management) Authority, Panchkula
  - (iii) Sh. Dalvir Rana, Hydrologist, Ground Water Cell, Rohtak, representative of Deputy Commissioner, Rohtak.
3. That during inspection, following observations were observed:
  - i) During visit it has been found that there are 03 nos. tubewells installed in the farm of Sh. Jai Prakash S/o Chander. Out of 03 nos. tubewells 01 no.

## 39

tubewell found defunct. 01 no tubewell is being used for agriculture purpose. Another 01 no tubewell is being used for supply of water to village Dattour through direct pipeline. During the visit Mr. Gaurav S/o Sh. Jai Prakash has submitted a copy of resolution passed by panchayat of village Dattour alongwith an affidavit

- ii) During visit it has been found that there is an RO plant established in one room of size 10'X10'. At the time of visit the RO plant is found non-operational. As submitted by the Mr. Gaurav S/o Sh. Jai Prakash, the RO plant is non-operational since long time due to illness of his father. He further informed that the water of RO plant was being supplied free of cost only in marriages functions or cremations gathering of village by small tanks.
- iii) The minor (Nehar) passing nearby the farm is found with no water and there is no illegal outlet/ pipe found for suction of minor (Nehar) water.

Site visit Report dated 23.02.2024 along with documents therein is annexed as **Annexure R/1.**

4. That Show Cause Notice was issued to Respondent No.5 which was replied by him. The copy of Show Cause Notice issued by Board and replied received is annexed as **Annexure-R/2.**
5. That site has been again visited by Sachin Kumar, AEE, HSPCB on 11.03.2024 to verify the submission of dismantling of plant as stated in reply of Respondent No.5. it was found that the RO plant has been removed from the site. The photographs are annexed as **Annexure-R/3**

In view of facts and circumstances mentioned herein above, it is prayed that present reply be taken on record. It is undertaken to comply with further directions passed by this Hon'ble Tribunal.

  
**Regional Officer**  
**Rohtak Region, Rohtak**

**Date:** 14/03/2024  
**Place:** Rohtak

VISIT REPORT IN THE MATTER OF O.A. NO. 03/2024 TITLE AS  
PHOOLWATI VS JAIPRAKASH & ANR 40

Annexure R 1

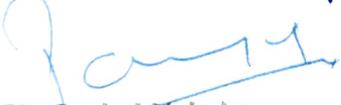
**Date of Visit:** 23/02/24

**Reference of Visit:** In the matter of O.A. NO. 03/2024 titled as  
Phoolwati VS Jai Prakash & Anr.

**Observations:**

1. During visit, it has been found that there are 03 nos. of tube-wells installed in the farm of Sh. Jai Prakash s/o Chander Bhan. Out of 03 nos. of tube-wells, 01 no. of tube-well found defunct and 01 no. of tube-well is being used for agriculture purpose. Remaining 01 no. of tube-well is being used for the supply of water to village Dattour through direct pipeline. During the visit, Mr. Gaurav S/o Sh. Jai Prakash has submitted a copy of resolution passed by the Panchayat of village Dattour of district Rohtak alongwith an affidavit (**copy attached**).
2. During visit, it has been found that there is an RO plant established in one room of size 10'X10'. At the time of visit the RO plant is found non-operational (**Photographs attached**). As submitted by the Mr. Gaurav S/o Sh. Jai Prakash, the RO plant is non-operational since long time due to illness of his father. He has further informed that the water of RO plant was being supplied free of cost only in marriages functions or cremations gathering of village by the small tanks.
3. The nearby minor (Canal) found with no water and there is no illegal outlet/ pipe found for suction of minor water.

  
Sh. Dalvir Rana  
Representative of Deputy Commissioner, Rohtak

  
Sh. Pankaj Mahala  
Representative of HWRA

  
Sh. Sachin Kumar  
AEE, HSPCB, Rohtak Region



# ग्राम पंचायत, दत्तौड़

जिला रोहतक

क्रमांक: ०१/२  
सेवा में,

दिनांक: ०१-१२-२०२७

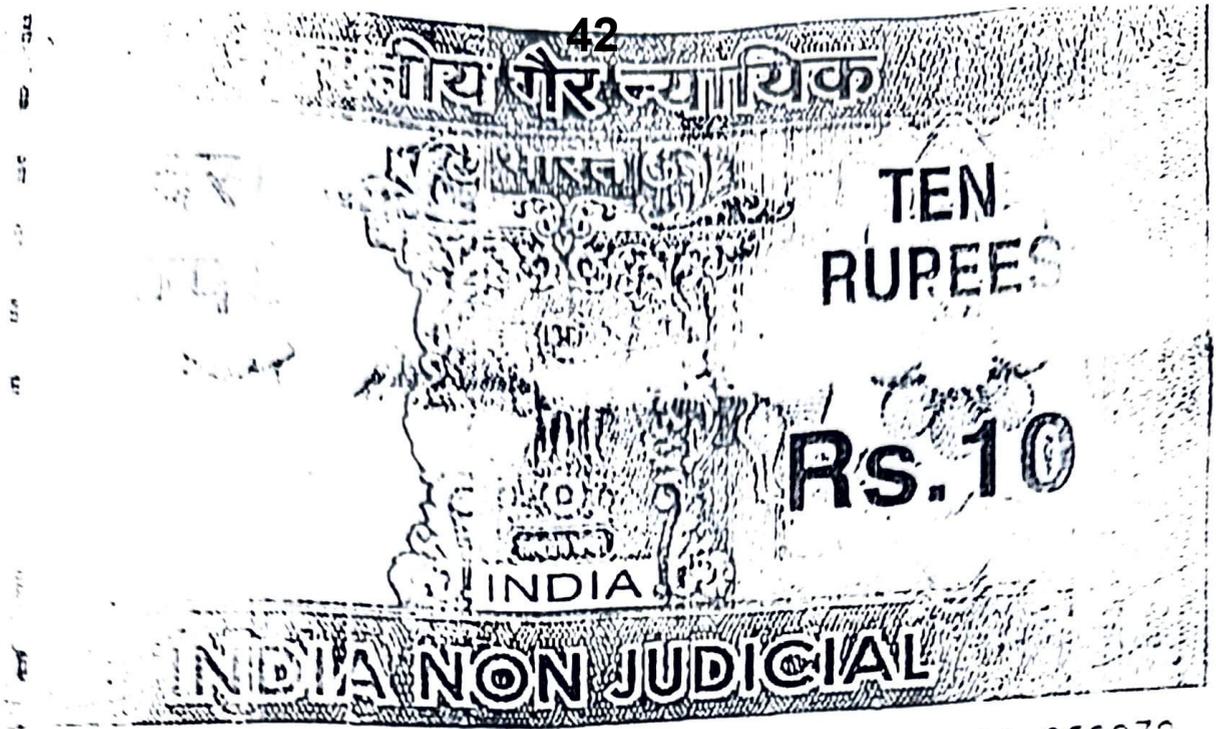
श्रीमान् एल. डी. साहब,  
जन सहाय विभाग, सांपल

श्रीमान् जी,

निवेदन यह है कि श्री सरपंच ग्राम पंचायत दत्तौड़  
 ल. सापलां जिला रोहतक की डू और मेरे गाँव में पीने के पानी  
 की कमी की वजह से इस समस्या के समाधान हेतु ग्राम पंचायत  
 व ग्राम बोलियों की सलाह बुलाई जिलम निर्णय लिया गया कि  
 जयप्रकाश सुपुत्र श्री चन्द्रमान के खेत में जो कि नहर के साथ  
 लगता है उस ट्यूबवेल का पानी पीने लायक है उस पानी की  
 सहायता नगाँव में पीने के लिए दिया जाए जिल पर जयप्रकाश  
 का कोई नियंत्रण नहीं होगा उस ट्यूबवेल के पानी पर पूर्ण रूप से  
 पंचायत के अधिकार होंगे और पंचायत इस पानी को  
 No. Profit, No. Loss पर ग्राम बोलियों को मुहैया करा जाता है।  
 इस पानी का कोई बाधक्य (बान्धक्य) हेतु प्रयोग में नहीं आना  
 चाहे इस पर उपरोक्त श्री जयप्रकाश सुपुत्र श्री चन्द्रमान की  
 सहमति है और इसका जयप्रकाश ने पंचायत को अपनी आपराधिक अधिकार  
 है और दिनांक ०१-१२-२०२७ तक पंचायत का ट्यूबवेल पर पूरा अधिकार  
 रहेगा।

रामेश  
 9306675752  
 Chand Parikh  
 9582055550  
 Sanyam  
 Satyanarayana  
 9812529919

२००४  
 सरपंच  
 ग्राम पंचायत  
 दत्तौड़ जिला रोहतक



53AA 952232

शपथ पत्र

मैं जय प्रकाश आधर न. 5998 7940 2939 पुत्र श्री चन्द्र मान निवासी  
गाँव दतौड तहसील सांपला जिला रोहतक हरियाणा का स्थाई निवासी  
हूँ और अपने हल्फ से ब्यान करता हूँ कि:-

1. यह कि मैं मैरा परिवार उपरोक्त पते का स्थाई निवासी है ।
2. यह कि मेरे नाम से गाँव दतौड जिला रोहतक मे मेरे खेत मे एक  
ट्यूबवेल है जो कि गाँव कि स्पलाई के लिये था जो कि  
दिनांक:-01.12.2023 से 01.12.2028 तक मैं पंचायत के नाम दान  
कर रहा हूँ जिसमे मुझे व मेरे परिवार को कोई आपत्ती एत्तराज  
नही है

3. यह कि मेरे उपरोक्त ब्यान पुर्णतय सत्य है मैंने कोई बात छुपाई नही है ।

तसदीक:-

मैंने जो ऊपर की बातें हैं उपरोक्त ब्यान मेरे ज्ञान व विष्वास के आधार पर सत्य हैं  
और मैंने कोई बात छुपाई नही है ।

दिनांक:- 05/12/2023

शपथकर्ता -

जयप्रकाश



ATTESTED  
SAVITA S. VERMA  
ADVOCATE  
NOTARY PUBLIC  
ROHTAK

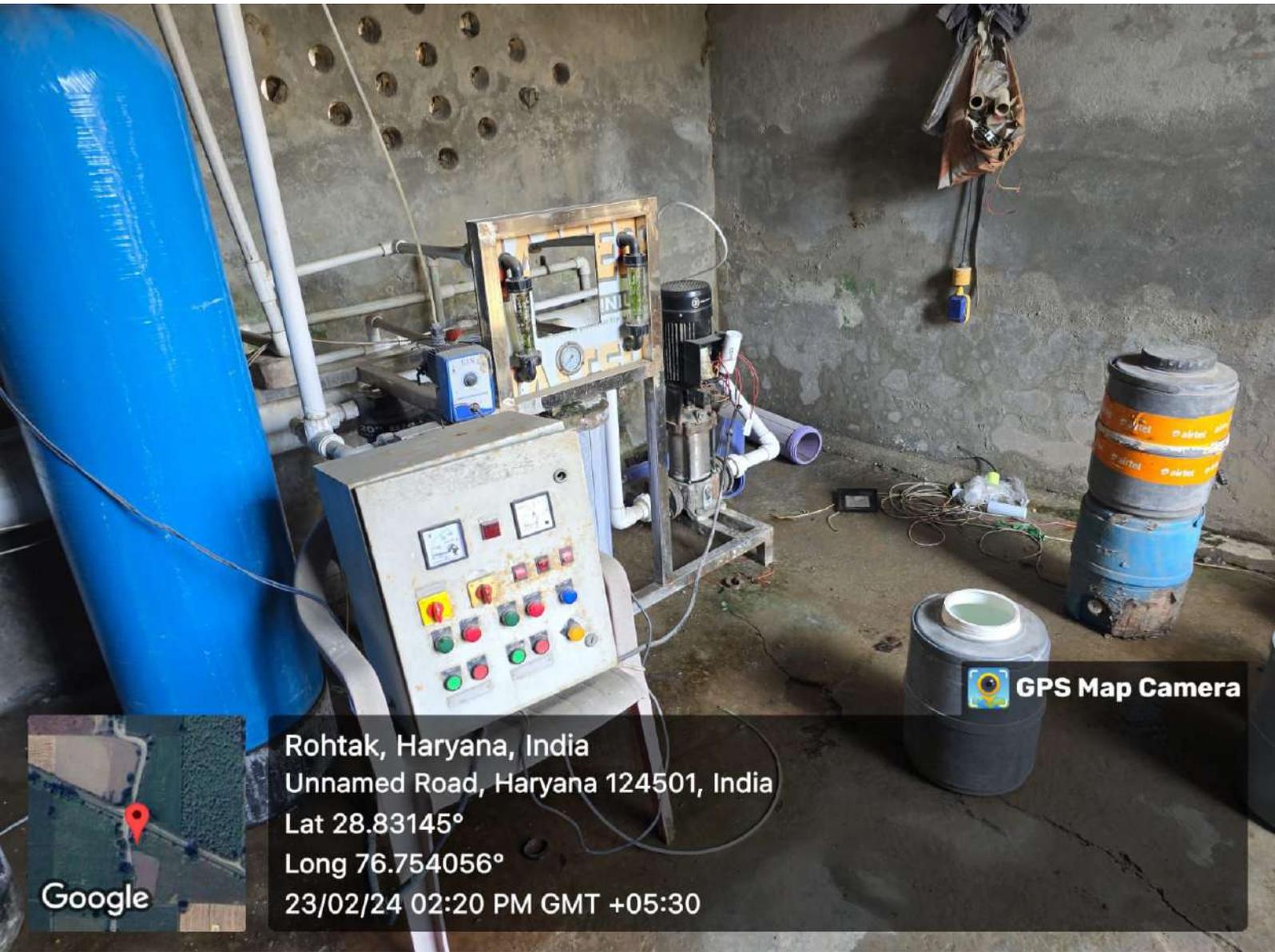




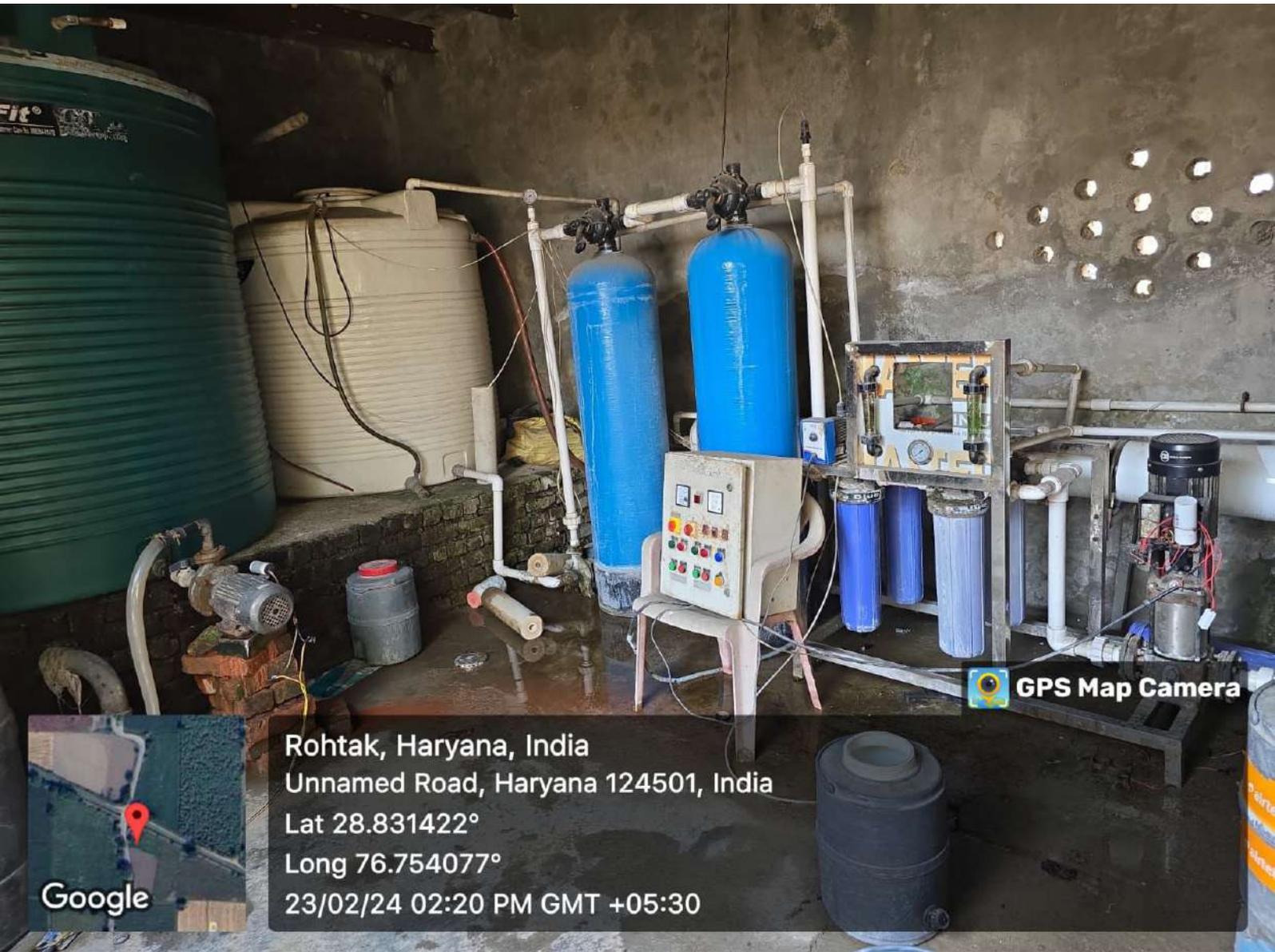
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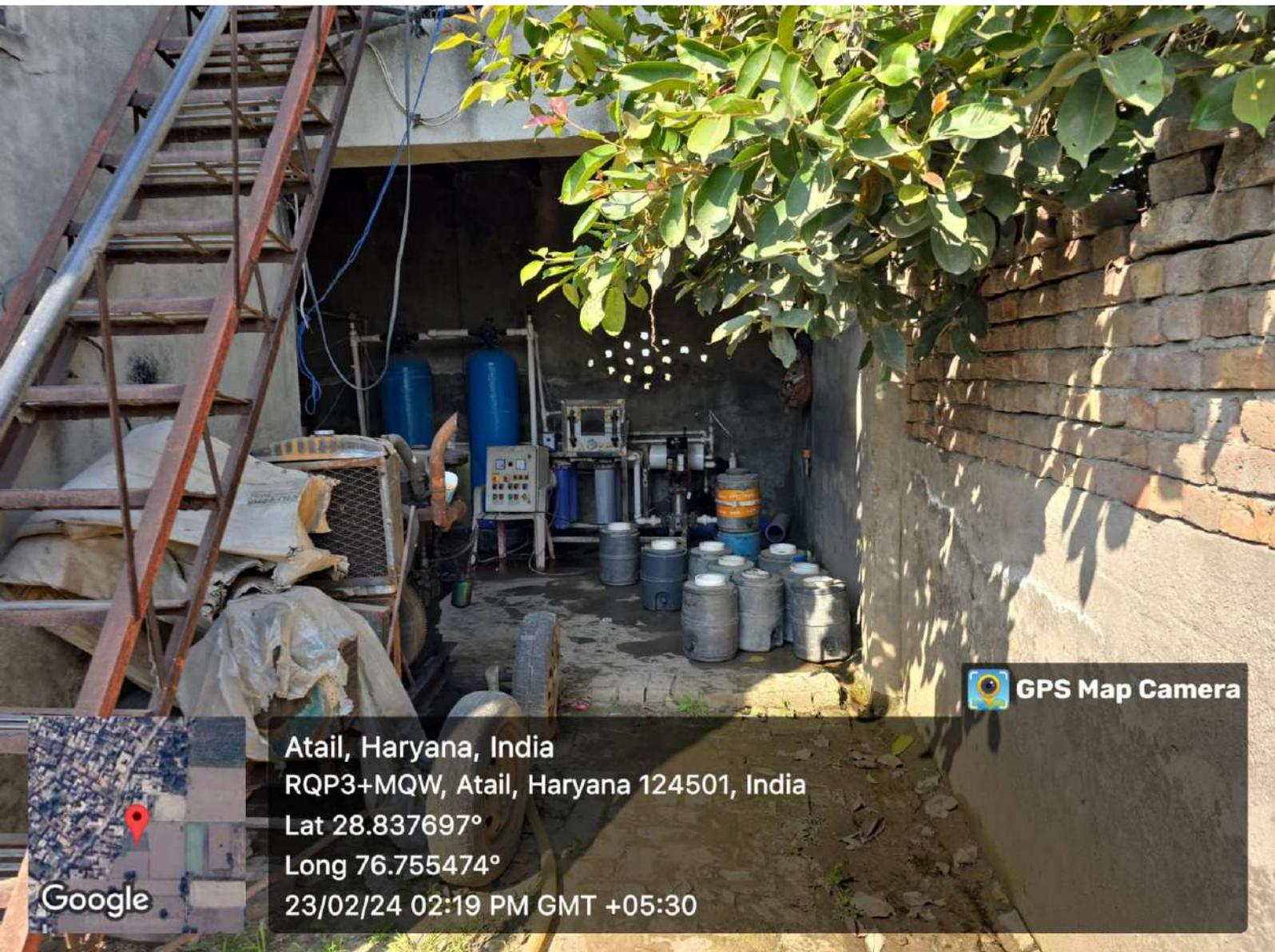


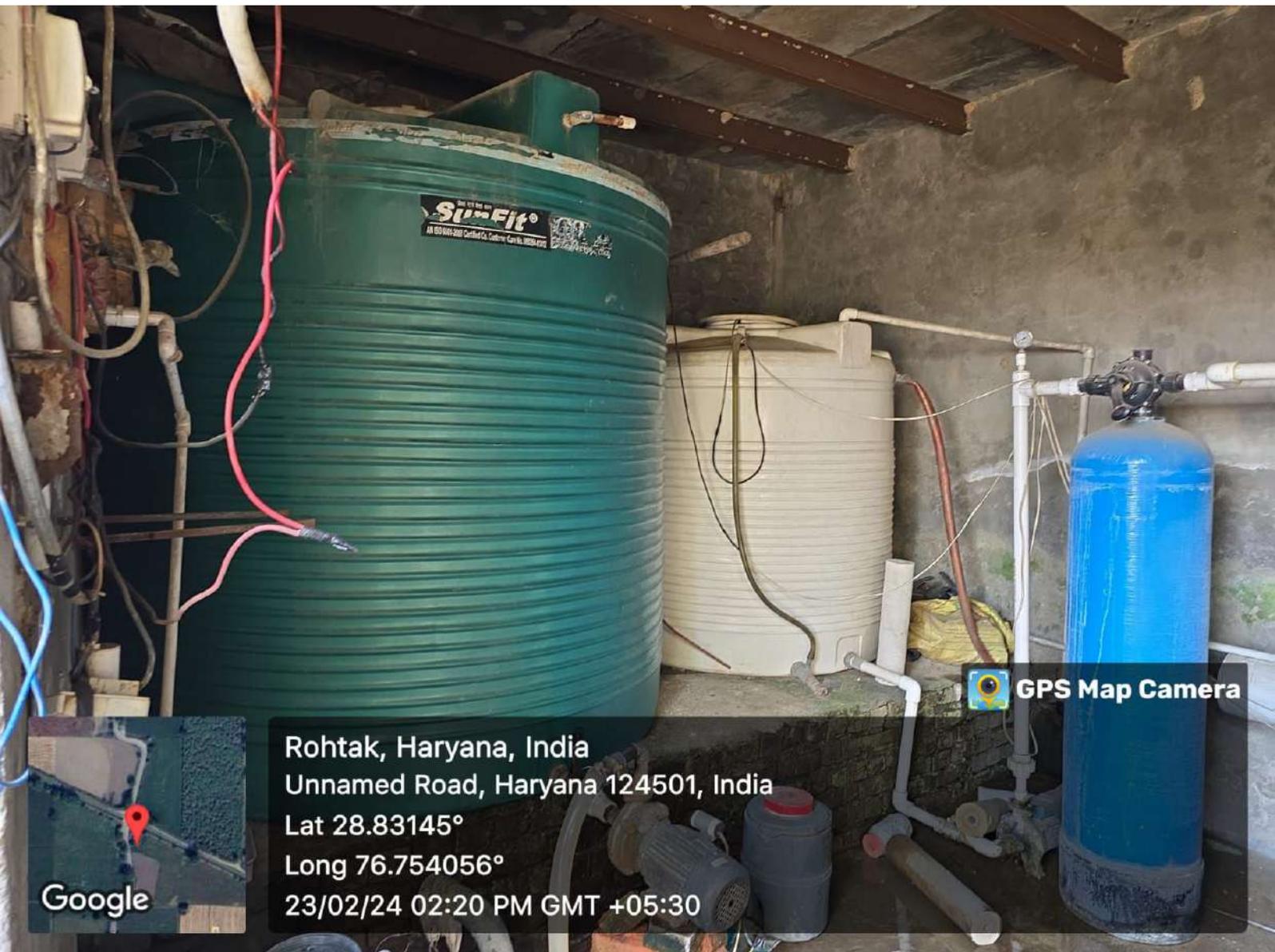
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Long 76.754049°  
23/02/24 02:22 PM GMT +05:30



Rohtak, Haryana, India  
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Lat 28.83145°  
Long 76.754056°  
23/02/24 02:20 PM GMT +05:30





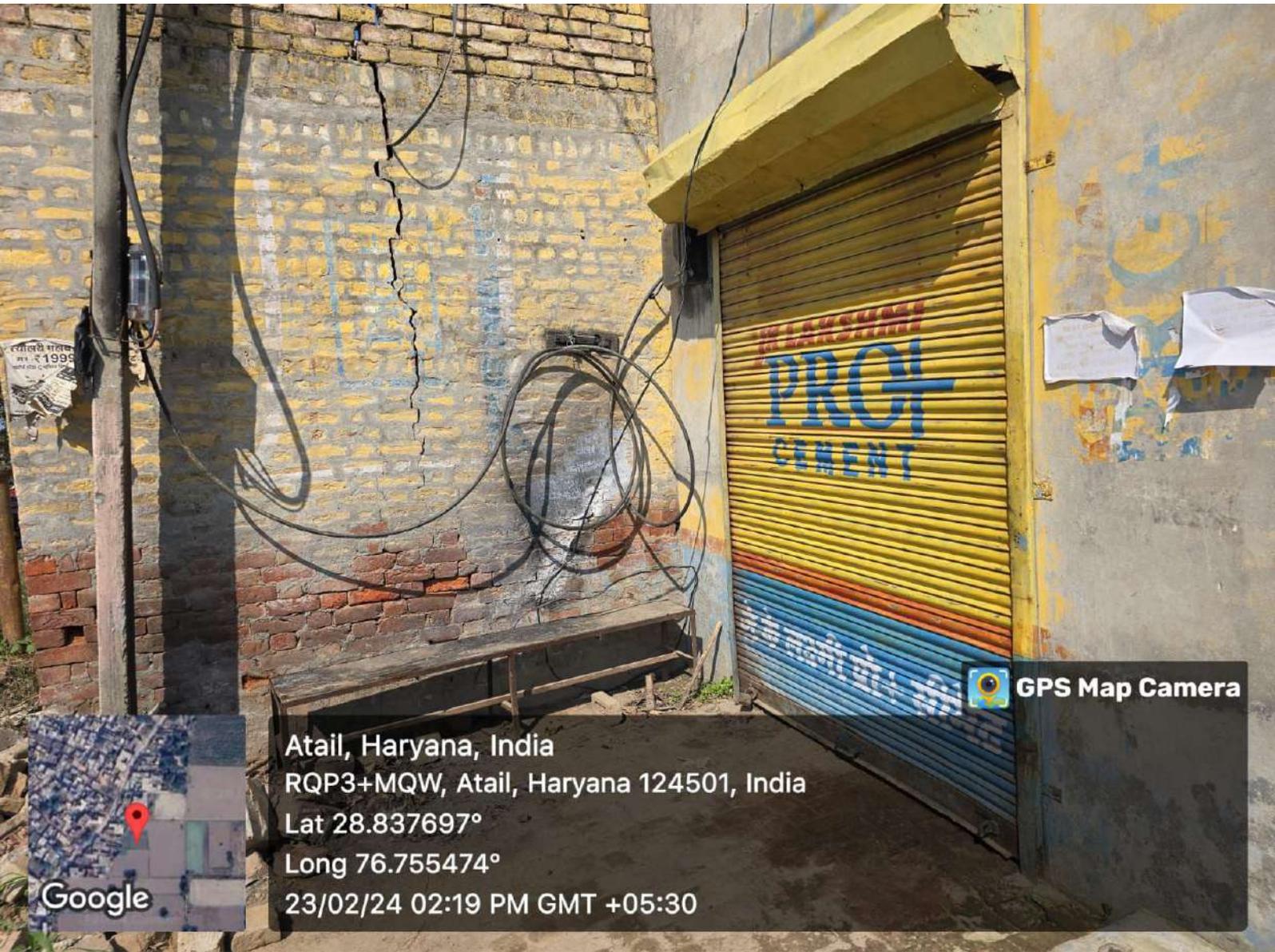




 **GPS Map Camera**

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RQP3+MQW, Atil, Haryana 124501, India  
Lat 28.837697°  
Long 76.755474°  
23/02/24 02:19 PM GMT +05:30





Atil, Haryana, India  
RQP3+MQW, Atil, Haryana 124501, India  
Lat 28.837697°  
Long 76.755474°  
23/02/24 02:19 PM GMT +05:30

GPS Map Camera



Google

# 51 HARYANA STATE POLLUTION CONTROL BOARD

## REGIONAL OFFICE, ROHTAK,

SCO-A- 6,7,8, FIRST FLOOR, SUNCITY COMMERCIAL COMPLEX, NEAR  
VISHAL HOTEL, SEC. 36, ROHTAK- 124001

E-Mail: [hspcbroroh@gmail.com](mailto:hspcbroroh@gmail.com), Web: [hspcb.gov.in](http://hspcb.gov.in)

No. HSPCB/ROH/2023-24/621

Dated: 29/02/2024

To

Sh. Jai Parkash ( for RO Plant operation)  
Village-Dattor,  
Distt. Rohtak.

**Sub.- Show Cause Notice for Closure under section 31-A of Air (Prevention and Control of Pollution) Act 1981 for violation of section 21/22 of Air (Prevention and Control of Pollution) Act, 1981 and for violation of 33-A of Water (Prevention and Control of Pollution) Act, 1971 for violation of section 24/25 of Water (Prevention and Control of Pollution) and for initiating legal action under section 37/38/39 of Air (Prevention and Control of Pollution) Act, 1981 and under section 43/44/47 of Water (Prevention and Control of Pollution) Act, 1974 and imposing environmental compensation as per Board's policy dated 22.12.2021.**

Whereas, your unit was inspected by the representative of District Magistrate, Rohtak and representative of Haryana Water Resources (Conservation, Regulation and Management) Authority alongwith field officer on 23.02.2024 in the matter of OA No. 03/2024 titled as Phoolwati Versus Jai Parkash & Another.

Whereas, you have installed an RO plant in your farm.

Whereas, as per consent policy order dated 04.12.2020 your unit is covered under **Green category** of consent management of Board.

Whereas, you have established R.O. plant without obtaining prior Consent to Establish and Consent to operate from the Board.

Whereas, you have not provided Effluent Treatment Plant (ETP) to treat the RO reject water.

Whereas, U/s 31-A of Air Act, 1981 and U/s 33-A of Water Act, 1974" notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Explanations for the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct:-

The closure, prohibition or regulation of any industry, operation or process or  
The stoppage or regulation of supply of electricity, water or any other service

In view of the above, you are directed to show cause within 15 days as to why closure under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 and under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 for violation of section 21/22 of Air (Prevention and Control of Pollution) Act and violation of Section 24/25 of Water (Prevention and Control of Pollution) Act, 1971 and legal action & penal proceedings may not be initiated against your unit and its owners/members under section 37/38/39 of Air (Prevention and Control of Pollution) Act, 1981 and under section 43/44/47 of Water (Prevention & Control of Pollution) Act, 1974.

In case you fail to comply with the deficiency mentioned above within the above mentioned stipulated time period it will be presumed that you have nothing to say in this regard and accept the status above, action under the above mentioned Acts/Rules/Sections will be initiated against you and environmental compensation will be imposed as per policy of the Board.

Endst. No. HSPCB/ROH/2023-24/ 622

o/c

  
Regional Officer  
Rohtak Region

Dated 29/2/24

A copy of the above is forwarded to the Chairman, HSPCB, Panchkula for information and further necessary action, please.

  
Regional Officer  
Rohtak Region

o/c

सेवा में,  
क्षेत्रीय अधिकारी  
प्रदूषण नियंत्रण बोर्ड,  
रोहतक।

विषय- R.O का प्लांट उखाड़ने के बारे में।

सन्दर्भ- आपका पत्र क्रमांक 621 दिनांक 29/02/24

Amis 01/03/2024

ARE. Verify the  
submit the report.

01/03/2024

ARE

श्री मान जी,

आपके उपयुक्त नोटिस के विषय में मैं यह बताना चाहता हूँ, की मैंने अपने खेत में 3 ट्यूबवेल लगा रखे हैं। एक ट्यूबवेल ज़मीन में धस चुका है, एक ट्यूबवेल का प्रयोग मैं खेती के लिए करता हूँ। और तीसरा ट्यूबवेल है, मैंने पंचायत को दान दे रखा है। इस तीसरे ट्यूबवेल का पानी पाइपलाइन के ज़रिए सीधा गाँव में जाता है। जो कि पीने के लिए जाता है। क्योंकि गाँव में पीने का मीठा पानी नहीं है। मैं यह भी बताना चाहता हूँ कि यह ट्यूबवेल मैंने अपनी मज़ी से गाँव को दान दिया है ताकि गाँव के लोग मीठा पानी पी सकें। और मैं इस पानी के लिए किसी से कोई लाभ कमाने हेतु पैसे नहीं लेता, ना ही मेरा ऐसा कोई व्यवसाय है। मैं गाँव की बनी समिति (बाबा सीताराम जल समिति) के अन्तर्गत इसका संचालन करता हूँ और सिर्फ़ जो पैसे इस कार्य में खर्च होता है लिया जाता है। गाँव द्वारा पारित परस्ताव जिसमें मैंने ट्यूबवेल दान दिया है जिसकी कॉपी इसके साथ लगी। इसके अलावा मैंने अपने खेत में एक छोटा सा "10\*10" के कमरे में R.O प्लांट लगा रखा था जो 02.02.2024 से बिल्कुल बंद पड़ा हुआ था। क्योंकि 02.02.2024 को मुझे "स्टंट" डले थे। मैं यह भी बताना चाहता हूँ की, मैं एस R.O प्लांट के पानी को बेचता नहीं हूँ। यह साफ़ पानी मैं सिर्फ़ गाँव के शादी, ब्याह, धर्म कार्य, पंचायती कार्यक्रम, तथा मिर्ग मोत में होने वाले लोगो के लिये निःशुल्क देता था। जो की मुझे टंकियों में भरकर देना पड़ता था, क्योंकि यह पाइप लाइन से नहीं जाता। आपके ऑफिस के अधिकारियों की विजिट के बाद तुरंत अगले ही दिन मैंने वह प्लांट उखाड़वा दिया। और क्योंकि मैं बीमार रहता हूँ और उसे चला नहीं सकता।

मैं प्लांट के उखाड़ने का परमान साथ लगा रहा हूँ। मेरा आपसे निवेदन है कि मेरा पानी बेचने का कोई काम ना था और ना ही मैं करूंगा। इसीलिए कृपया करके इस नोटिस को बंद किया जाए व मेरे खिलाफ़ कोई कार्यवाही ना की जाए।

धन्यवाद

जय प्रकाश पुत्र चन्द्रभान।

गाँव- दत्तौर

मॉब. नंबर- 8295128182

जय प्रकाश  
01/03/2024



**Rohtak, HR, India**

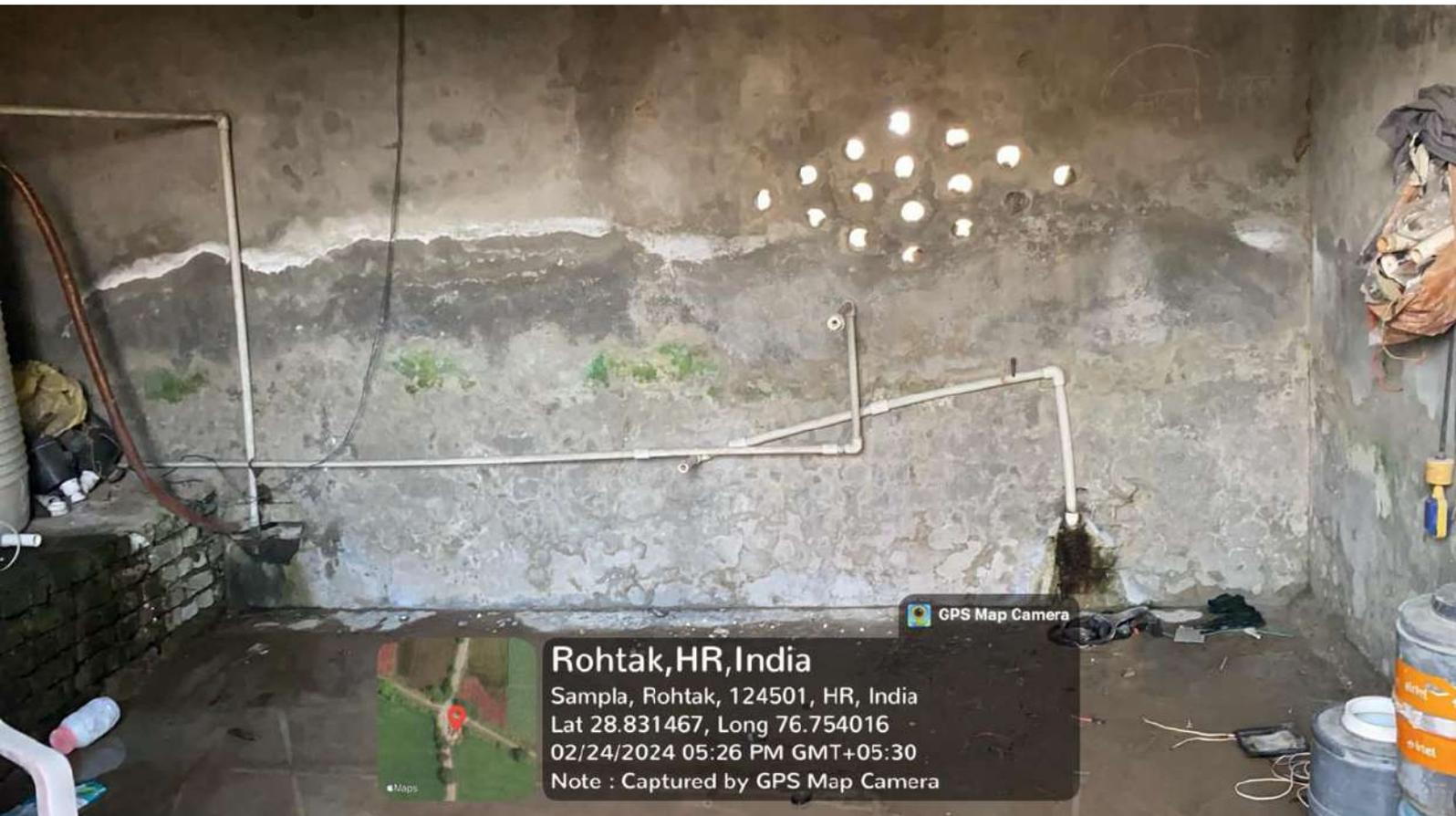
Sampla, Rohtak, 124501, HR, India

Lat 28.831424, Long 76.753917

02/24/2024 05:06 PM GMT+05:30

Note : Captured by GPS Map Camera





GPS Map Camera

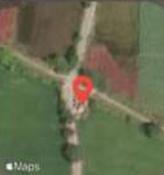
**Rohtak, HR, India**

Sampla, Rohtak, 124501, HR, India

Lat 28.831467, Long 76.754016

02/24/2024 05:26 PM GMT+05:30

Note : Captured by GPS Map Camera





 GPS Map Camera



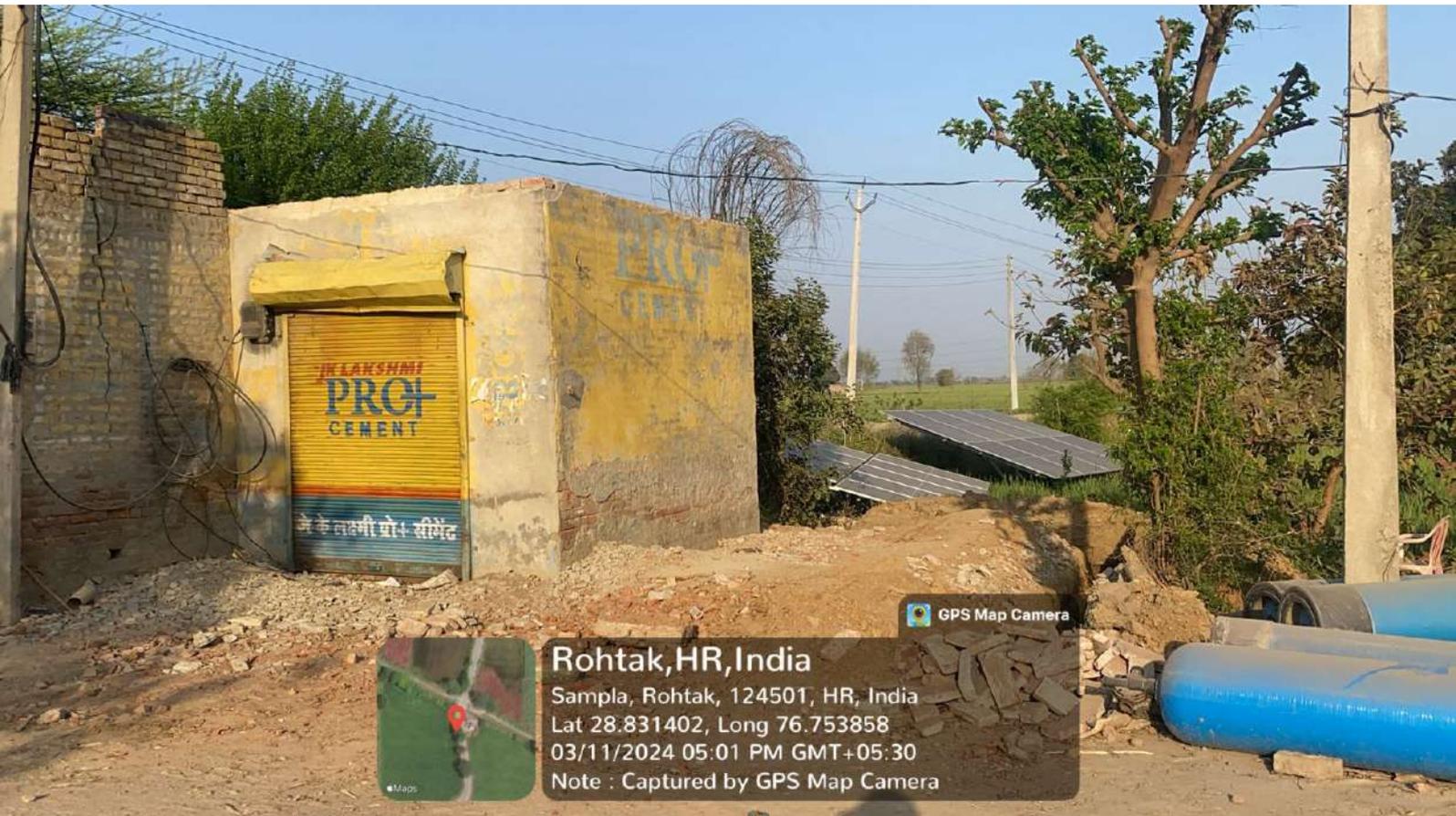
**Rohtak, HR, India**

Sampla, Rohtak, 124501, HR, India

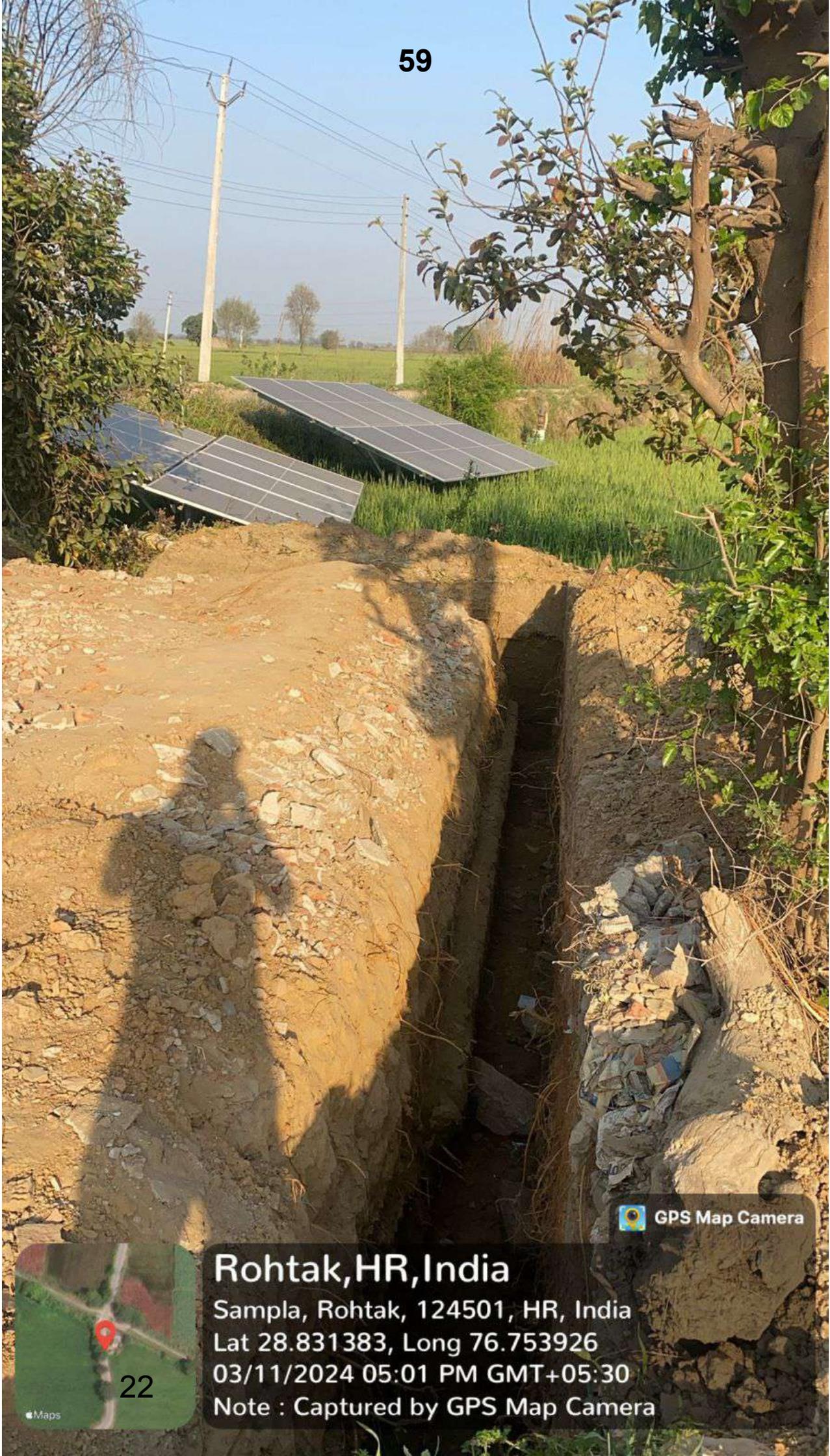
Lat 28.831426, Long 76.753849

03/11/2024 05:00 PM GMT+05:30

Note : Captured by GPS Map Camera



59



GPS Map Camera



**Rohtak, HR, India**

Sampla, Rohtak, 124501, HR, India

Lat 28.831383, Long 76.753926

03/11/2024 05:01 PM GMT+05:30

Note : Captured by GPS Map Camera

60



GPS Map Camera



**Rohtak, HR, India**

Sampla, Rohtak, 124501, HR, India

Lat 28.831382, Long 76.753921

03/11/2024 05:01 PM GMT+05:30

Note : Captured by GPS Map Camera

Maps



**Rohtak, HR, India**  
Sampla, Rohtak, 124501, HR, India  
Lat 28.831490, Long 76.754077  
03/11/2024 05:01 PM GMT+05:30  
Note : Captured by GPS Map Camera

GPS Map Camera





**Rohtak, HR, India**  
Sampla, Rohtak, 124501, HR, India  
Lat 28.831538, Long 76.753981  
03/11/2024 05:02 PM GMT+05:30  
Note : Captured by GPS Map Camera



