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

OA No.587 of 2023

IN THE MATTER OF:

Suman

Applicant

Versus

Asha Devi & ors...

Respondent

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Regional Officer, HSPCB
Panipat Region

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Reply by Regional Office, HSPCB, Panipat in Original Application No.587/2023 titled as Suman Versus Asha Devi & Ors.:

1. The Hon'ble NGT in its order dated 29.09.2023 in OA No.587/2023 titled as Suman Versus Asha Devi & Ors. passed the following directions:

- I. "The applicant-Suman w/o Krishan Kumar resident of House Number 599, Village Karhans, Tehsil Samalkha, District Panipat, Haryana - 132101 has filed the present application under sections 14, 15 and 16 of the National Green Tribunal Act, 2010 complaining that respondent no.1-Asha Devi has leased out her agricultural land specifically Khasra No. 82//8/2/1,9/2,9/1,10/1 situated on Beholi Road, Karhans, Tehsil Samalkha, District Panipat, Haryana to a third party, who is operating a chemical factory and dye house by the name of "UNIQUE ENTERPRISES" without obtaining requisite permissions. The factory, "Unique Enterprises", has been releasing hazardous chemicals into the Environment, posing a great threat to the local agricultural ecosystem and the health of the residents of the locality. The toxic substances are causing extensive harm to the crops. Chemically laden water is being illegally discharged into the ground by digging pits. The factory was inspected by the Haryana pollution Control Board on 26.07.2023 and was found to have been established and engaged in the process of bleaching of cotton covered under red category and manufacturing of bleach covered in the orange category without obtaining CTE/CTO and without installing ETP.

- II. Prima facie, the averments made in the application raise questions relating to environment arising out of the

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implementation of the provisions specified in Schedule I to the National Green Tribunal Act, 2010.

- III. Let notices alongwith copies of the application and documents attached therewith be issued to respondents requiring them to file their reply/response to the allegations made in the application on or before 12.10.2023 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.
- IV. The applicant is directed to take requisite steps for service of notices on the respondents by 04.10.2023 and file an affidavit in this regard on or before 05.10.2023.
- V. List for further consideration on 13.10.2023."
2. That the copy of the said Original Application No.587 of 2023 has been received through registered post on 10/10/2023 in Regional Office, Panipat. The grievances mentioned by the applicant in the said O.A was received in this office through CM window from the complainant Sh. Krishan vide registration No.CMOFF/N/2023/089278 dated 17/07/2023. The site of the unit was inspected by the field officer on 26/07/2023. During inspection it was found that the unit operating in the name of M/s Unique enterprises, Village-Karhans, Bapoli Road, Tehsil-Samalkha, District-Panipat and engaged in bleaching of waste cotton and has installed facility for manufacturing hypochlorite solution used as bleaching agent for the bleaching units. It was found that the unit has neither obtained CTE/CTO from the HSPCB nor provided any pollution control devices for the treatment of trade effluent and air emissions by the unit.
3. That a show cause notice was issued by Regional Office, Panipat vide letter No.HSPCB/PR/2023/1314 dated 01/08/2023 mentioning the detail of violation made by the unit. The unit did not reply to the show cause notice within specified period of 15 days therefore closure action was recommended to Head Office, Panchkula vide Regional Office letter No.HSPCB/PR/2023/1427 dated 22/08/2023. The closure order of the said unit has been received from head office vide Endst. No.HSPCB/PAN/2023/INS/48232438CONCO001-005 dated 11.10.2023

(Copy enclosed as **Annexure R-1** and same has been complied by Regional Office on 12.10.2023 by sealing plant and machinery of the unit (Copy enclosed as **Annexure R-2**). Photographs of sealed plant and machinery are enclosed as **Annexure R-3**.

4. That the report is submitted accordingly for kind consideration. It is undertaken to comply with the directions passed by the Hon'ble Tribunal.


Ajay Ahlawat
Assistant Environmental Engineer
HSPCB, Panipat


Bhupinder Singh
Regional Officer
HSPCB, Panipat

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Inspection no. : 48232438
HROCMMS ID : 23PIT5906623



Haryana State Pollution Control Board
C-11, SECTOR-6, PANCHKULA
PHONE:-0172-2577870-73,FAX-NO-2581201
E-mail:-hspcbho@gmail.com
Website:-HSPCB.ORG.IN, HROCMMS.NIC.IN

CLOSURE ORDER

Whereas, M/s Unique Enterprises, VPO- Karhans, Samalkha , Panipat has established a dyeing and washing unit and discharging untreated effluent at VPO- Karhans, Samalkha , Panipat which is polluting in nature;

Whereas, the above said unit was visited by the field officer of the Board on 26-Jul-2023 and reported the following violations made by the unit under Water (Prevention & Control of Pollution) Act, 1974 / Air (Prevention & Control of Pollution) Act, 1981:-

1. UNIT HAS NOT OBTAINED CTE/CTO FROM THE BOARD FOR BLEACHING OF CLOTH AND OPERTING ILLEGALLY.
2. UNIT HAS NOT INSTALLED ETP FOR THE TREATMENT OF TRADE EFFLUENT.
3. UNIT HAS ESTABLISHED HYPOCHLORITE MANUFACTURING UNIT IN THE PREMISES WITHOUT CTE/CTO.

Whereas, show Cause Notice for closure was issued to the above said unit by Regional Officer Panipat vide his letter 1313 dated 01/08/2023 but the unit has not submitted the reply;

Whereas, Regional Officer, Panipat vide his recommendation letter number HSPCB/PAN/2023/RO/INS/48232438CONCR001 dated 10-Oct-2023 has recommended for taking closure action against the unit under section 31A of Air (Prevention & Control of Pollution) Act, 1981 and 33-A of Water (Prevention & Control of Pollution) Act, 1974 , which has been examined and it has been found that the unit has violated the provisions of Air (Prevention & Control of Pollution) Act, 1981, and Water (Prevention & Control of Pollution) Act, 1974, as mentioned above;

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 33-A of Water (Prevention & Control of Pollution) Act, 1974, and 31-A of Air (Prevention & Control of Pollution) Act, 1981, it is hereby ordered to close down the operation of the above said unit, M/s M/s Unique Enterprises VPO- Karhans, Samalkha , Panipat by sealing its plant / machinery and DG sets(if any) alongwith disconnection of the electric supply and/or water supply of the above said unit, with immediate effect.

In addition to above it is also intimated that non compliance to directions issued under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 and 33-A of Water (Prevention & Control of Pollution) Act, 1974, is an offence.

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Compliance Report of Closure Order Passed By Haryana State Pollution Control Board, Panchkula

In compliance of HO order Endst.No. HSPCB/PAN/2023/INL/49232438 CON/001-MS
Dt. 11/10/2023 issued by the Chairman, Haryana State Pollution Control Board, Panchkula under Section 31-A of the Air Act, 1981 and 33-A of Water Act, 1974 of the unit M/s. Unique Enterprises, VPO-Kakans, Samalkha, Panipat has been visited on 11/10/2023 to close down the above said unit by the following officers:-

1. Ajay Ahlawat, AEE
2. Shubham, FA
- 3.

The representative of the unit Sh. Kapil Jaglan, Owner.....

was present & copy of closure order has been delivered to him. After giving the time for completion of running process, the plant & machinery as per detail below has been re-sealed to close down the above said unit.

1. 2 No. seal on borewell supply pipe line to Bleaching Pits
2. 1 No. seal on borewell supply line to Bleach manufacturing Plant
3. 1 No. seal on motor attach to Bleach manufacturing Plant
- 4.
- 5.
- 6.

Sh. Kapil Jaglan, Owner..... the representative of the unit who is present at the time of sealing & closing down the polluting process of the unit, has not shown any stay order of the court in this regard. However the industry remains in the possession of its owner. They will be themselves responsible watch & ward of the industry.

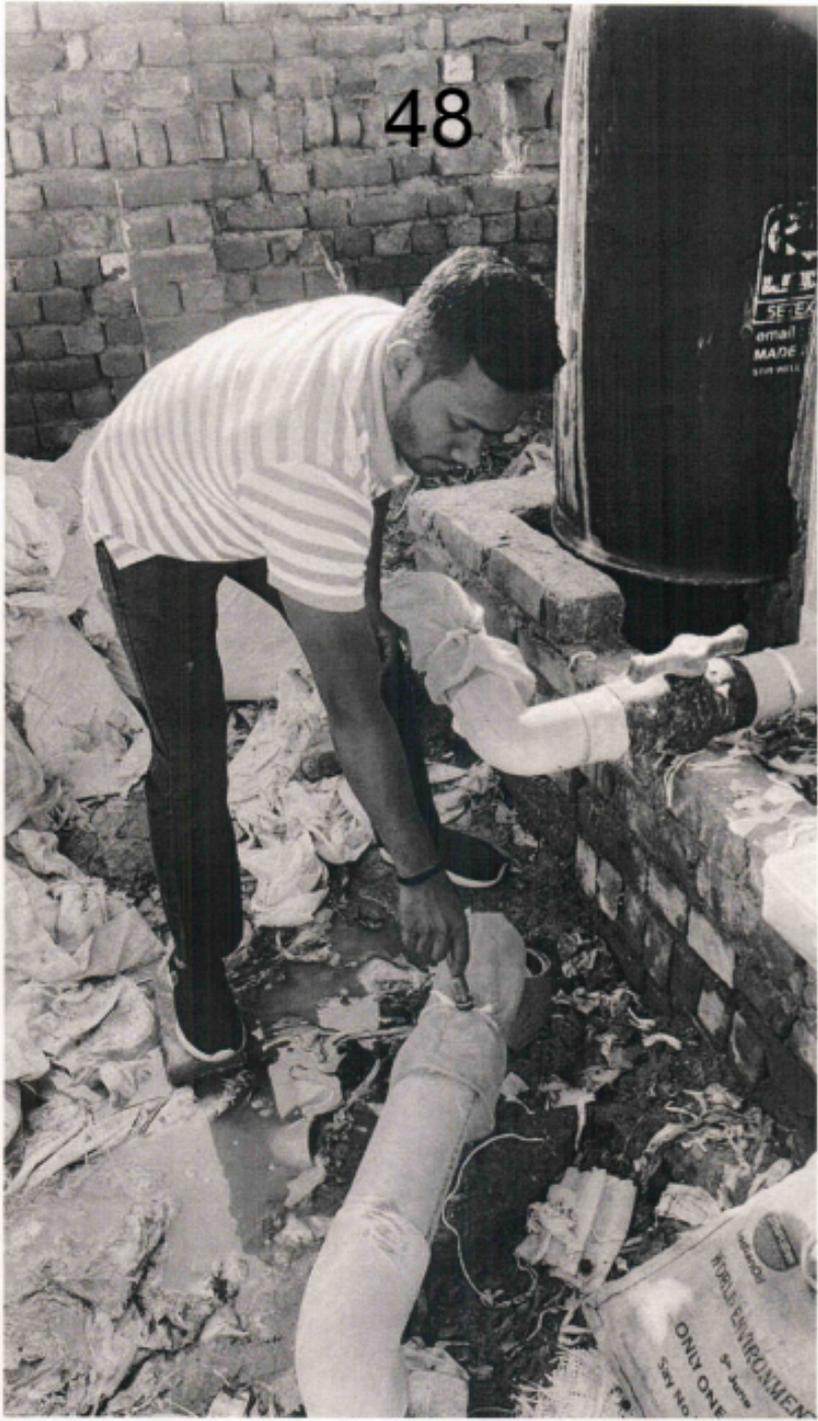
Kapil
Signature of the rep.
of the unit

Kapil Jaglan
819920063

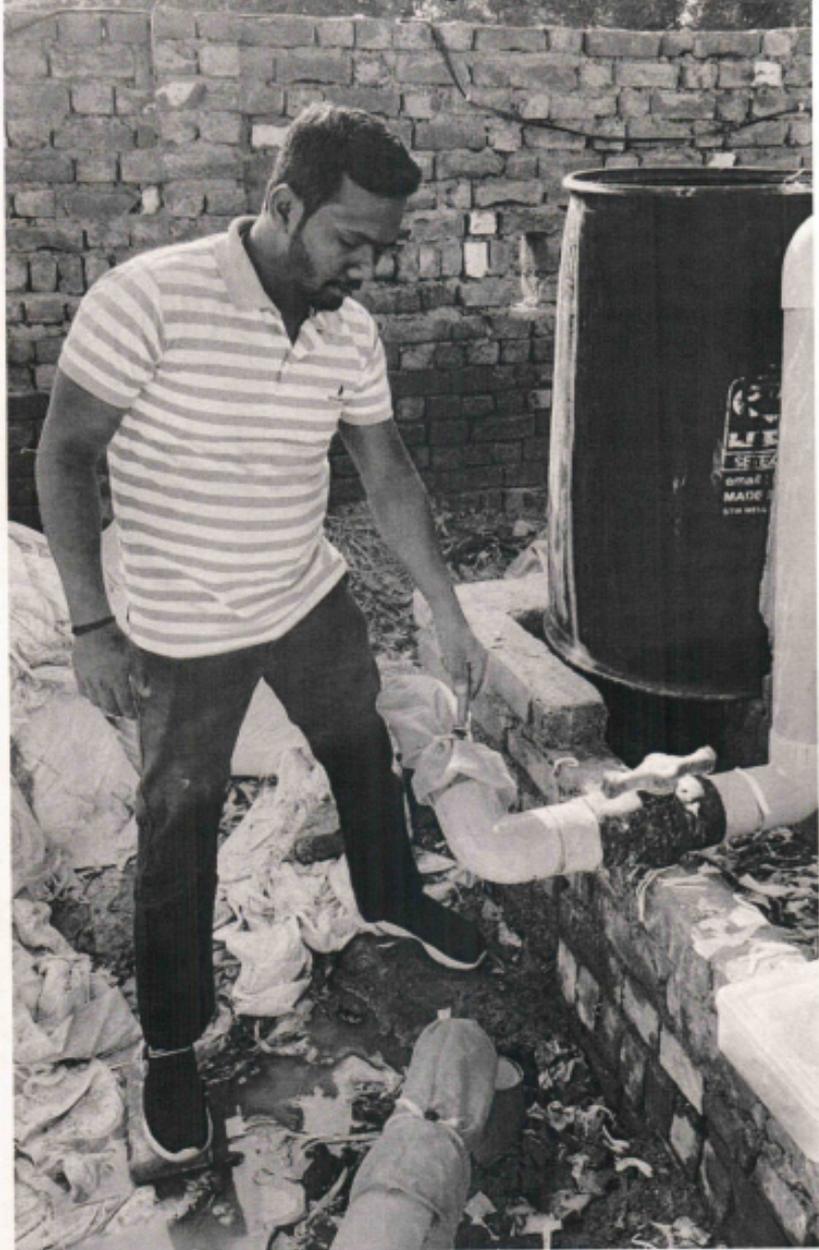


Ahlawat
11/10/2023
Officers of the Board

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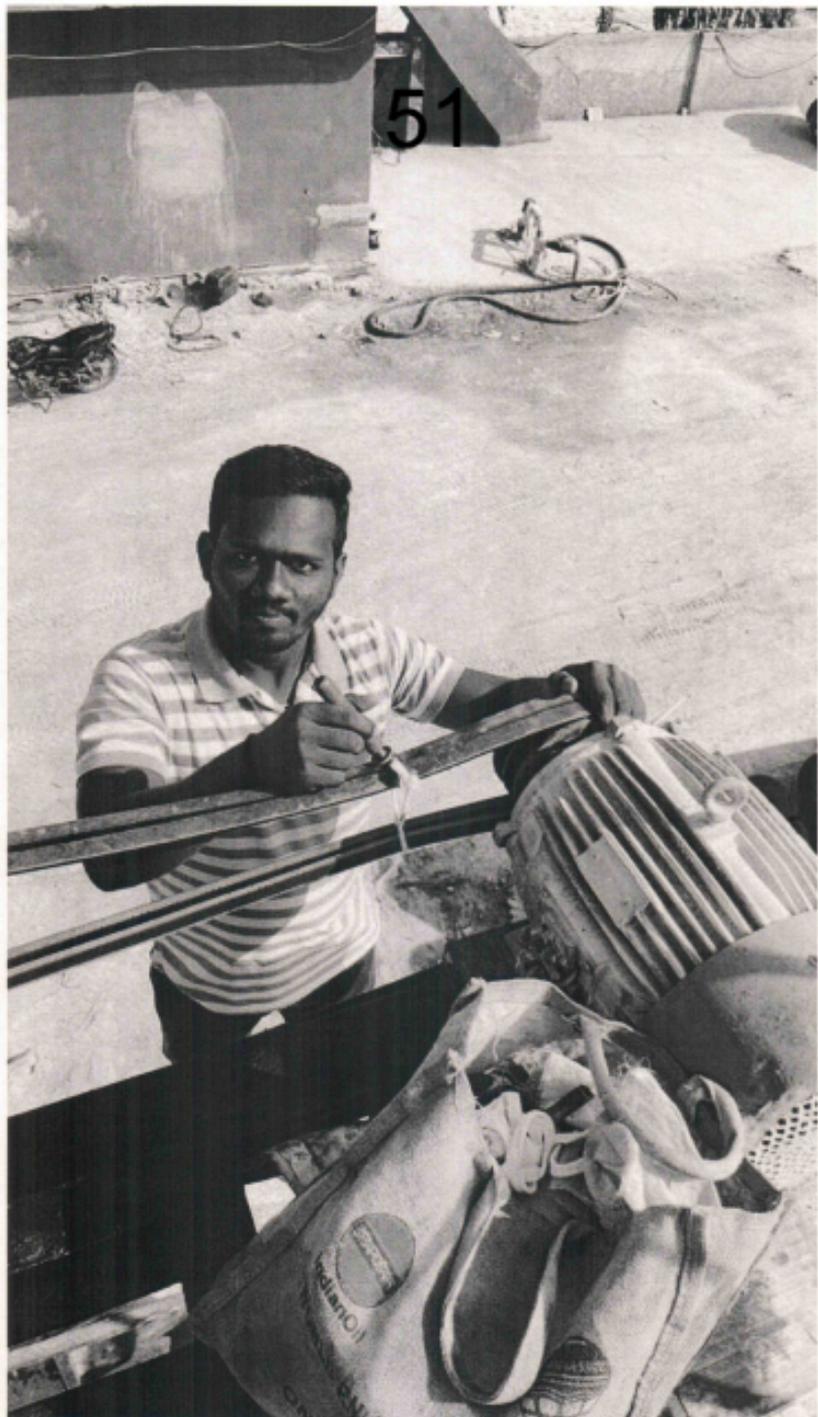


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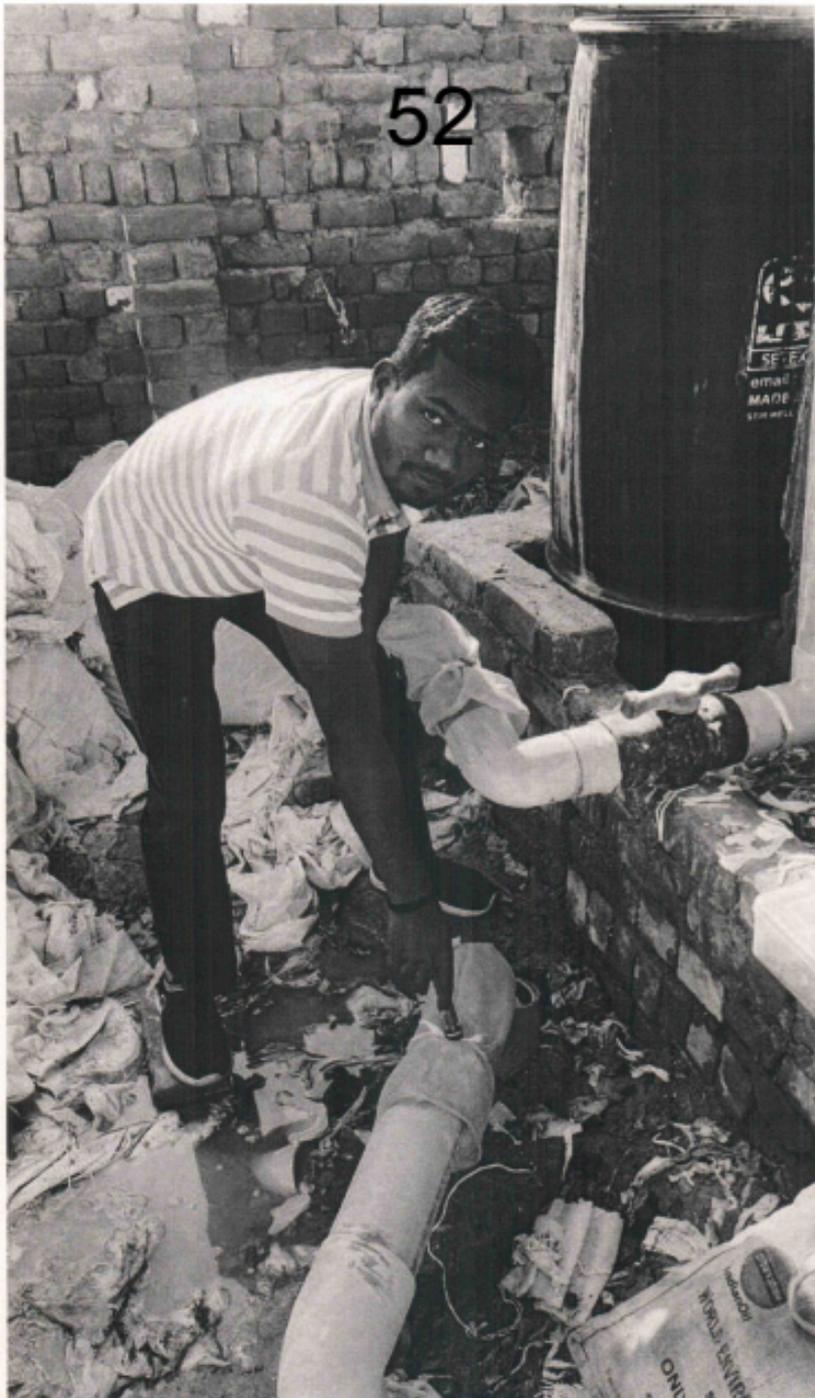


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