

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

O.A. No. 373/2022

IN THE MATTER OF: -

Sumit Saini

.....Applicant

Versus

Haryana State Pollution Control Board

.....Respondent

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FILED BY: -

Place: Yamuna Nagar

Dated: 16.01.2023



Regional Officer, HSPCB, Yamuna Nagar

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

O.A. No. 373/2022

IN THE MATTER OF: -

Sumit Saini

.....Applicant

Versus

Haryana State Pollution Control Board

.....Respondent

REPORT ON BEHALF OF HARYANA STATE
POLLUTION CONTROL BOARD IN COMPLIANCE OF
ORDERS DATED 29.09.2022

MOST RESPECTFULLY SHOWETH:-

1. The Hon'ble NGT vide orders dated 29.09.2022 passed the following directions:-
 4. *In view of the averments in the application and observations/recommendations in the report of the Joint Committee regarding grievance number (ii) mentioned above -Status of M/s SPS BioChem Pvt. Ltd., we consider it appropriate to have response of (1) State of Haryana through Chief Secretary, Government of Haryana, (2) State PCB, (3) SEIAA, (4) Deputy Commissioner, Yamuna Nagar, and (5) Project Proponent- M/s SPS Bio Chem Pvt. Ltd., who stand impleaded as respondents No. 1 to 5. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 5 accordingly requiring them to file their reply/response*

Dr.

within twomonths at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR

Supported PDF and not in the form of Image PDF.

5. Notice be served on the Project Proponent- M/s SPS Bio-Chem Pvt.Ltd through District Magistrate, Yamuna Nagar and for this purpose notice issued to the Project Proponent- M/s SPS Bio Chem Pvt. be sent to the Deputy Commissioner, Yamuna Nagar by E-mail for getting service of the same effected on the Project Proponent and sending his report in this regard.

6. The Joint Committee is also directed to make further inspections/visits, look into grievances number (i) and (iii) mentioned above and submit its further Action Taken Report within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

7. List the matter for further consideration on 17.01.2023.

8. A copy of this order, along with a copy of the complaint, be forwarded to SEIAA, State PCB, Yamuna Nagar Municipal Corporation, and Deputy Commissioner, Yamuna Nagar by e-mail for compliance.

2. That pointwise status of grievances are as under:

a) Status of plywood manufacturing units and brick kiln:

In this regard, it is informed that in compliance of the order of Hon'ble NGT, the Regional Office Yamuna Nagar requested to the Head Office to conduct the inspections of the plyboard manufacturing units and Brick kilns, which is the mentioned in this O.A. and accordingly Mr. Shivender Singh, Scientist-B posted in Head office,

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HSPCB, Panchkula has been deputed to conduct inspections of these units. Thereafter, he has conducted inspections of 16 no. units. Out of 16 units inspected/ visited, 12 units were found compliant. 3 units were found non-operational and 1 unit was without adequate facility of sampling. These 4 units shall be inspected again along with other non-inspected units. A tabulated chart about inspection of Plywood Manufacturing units is attached herewith as **Annexure-R/1**. Rest of the inspections will be completed in next one month and complete report w.r.t compliance and non-compliance and Action Taken against non-compliance units shall be submitted in two months time.

The Brick Kilns in question are still not in operation. Those shall be inspected after they are in operation and report shall be submitted accordingly.

b) **M/s SPS Bio Chem Pvt. Ltd., Dudhla Road, Village Damla, District Yamuna Nagar:**

In this regard, it is informed that in compliance of the order of Hon'ble NGT, the Regional Office, Yamuna Nagar has served Notice to the Project Proponent- M/s SPS Bio-Chem Pvt. Ltd to appear in the Hon'ble NGT on the next date of hearing. Further, it is also submitted that above said unit has deposited the Environment Compensation amounting to Rs. 15,31,250/- as per order issued by the Board vide No. HSPCB-080002(0018)/3/2022-COORDINATION CELL-HSPCB I/136580/2022 dated 07.10.2022. Copy of this order issued by HSPCB on 07.10.2022 is attached herewith as

Dr.

Annexure-R/2. Thereafter, the unit has obtained consent to Establish from the Board vide No. HSPCB/Consent/: 843073522YAMCTE30407408 dated 22.12.2022. The copy of CTE granted to the unit is attached herewith as **Annexure-R/3.**

c) **Illegal and unscientific dumping of solid waste at Village-Aurangabad:**

The directions regarding compliance on the land fill site at Village Aurangabad under section 4 of the Municipal Solid Waste (Management & Handling) Rules, 2016 were issued to the District Municipal Commissioner, Municipal Corporation, Yamuna Nagar-Jagadhri vide letter no. HSPCB/YR/2022/4386 dated 27.09.2022 and letter no. HSPCB/YR/2022/4750 dated 26.12.2022. The copy of letter dated 27.09.2022 & reminder letter dated 26.12.2022 are attached herewith as **Annexure-R/4 & Annexure-R/5** respectively. However, no compliance report has been received from Municipal Corporation, Yamuna Nagar in this matter. Further action in the matter will be taken as per law.

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

Respondent


Nitin Mehta,

RO, HSPCB, Yamuna Nagar

Date: 16.01.2023
Place: Yamuna Nagar

Status of Plywood Industries situated at Village Damla and Near by Village Damla, District Yamuna Nagar

Sr. No.	Name and address of unit	Industry Type	Product	Capacity of Boiler	Tupe of APCM	Type of Fuel	Sampling Facility	CTO Granted Period	CTO Grant No. and Date	Inspection date	Inspection conducted Yes/No	Latest Analysis Report no. & Date	Compying/ Non Complying
1	Wishwanath Plywood Industries, Kishanpura Village & P.O. Damla Yamuna Nagar	Plywood manfuacturing unit	Plyboards	TFH- 20 Lac Kcalores, Boiler 6 TPH	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 04/01/2022 - 31/03/2026 dt. 04.01.2022	HSPCB/Consent/ : 313127022YAMCTO19075170 Dated:04/01/2022	Inspection not conducted	--	--	--
2	Jamuna Wood Tech Industries, Village and PO Damla, Dudhla Road, Yamuan Nagar	Plywood manfuacturing unit	Plyboards	Boiler - 4.5 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01/04/2017 - 31/03/2027 dated 29.03.2017	HSPCB/Consent/ : 2840217YAMCTO4029783 Dated:29/03/2017	Inspection not conducted	--	--	--
3	Heera Products, Village Damla Distt Yamuna Nagar	Plywood manfuacturing unit	Plyboards	Boiler - 4 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 28/11/2018 - 31/03/2028 dt. 07.12.18	HSPCB/Consent/ : 313127018YAMCTO6014063 Dated:07/12/2018	Inspection not conducted	--	--	--
4	Kunjan Wood Industries, Village & PO Damla, District Yamuna Nagar	Plywood manfuacturing unit	Plyboards	Boiler - 3 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2017 to 31.03.2027 dt. 27.03.17	HSPCB/Consent/ : 313127017YAMCTO3970252 Dated:27/03/2017	Inspection not conducted	--	--	--

5	Burma Boards, Village & P.O. Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 4 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2017 to 31.03.2027 dt. 27.03.17	HSPCB/Consent/ : 2840217YAMCTO3 976248 Dated:27/03/2017	Inspection not conducted	--	--	--
6	Duna Panels Pvt. Ltd. (B.K. Industries) , V.P.O. Damla, Delhi Road, Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 6 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2017 to 31.03.2027 dt. 29.01.17	HSPCB/Consent/ : 2840217YAMCTOH WM3682463 Dated:29/01/2017	29.12.2022	Yes	2308 dt. 09.01.2023	Complying
7	Pragati Industries, V.P.O. Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	TFH - 25 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2017 to 31.03.2027 dt.29.01.17	HSPCB/Consent/ : 2840217YAMCTOH WM3681972 Dated:29/01/2017	29.12.2022	Yes	2306 dt. 09.01.2023	Complying
8	Haploos Plyboards Pvt Ltd, Village and PO Damla, Yamuna Nagar,	Plywood manufacturing unit	Plyboards	TFH - 25 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2018- 31/03/2023 dt. 19.01.18	HSPCB/Consent/ : 313127018YAMCTO4864353 Dated:19/01/2018	30.12.2022	Yes	2312 dt. 09.01.2023	Complying
9	Haryana Joinery Mills, Village Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 3 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01/04/2017 - 31/03/2027 dt. 29.03.17	HSPCB/Consent/ : 2840217YAMCTO4 029472 dt. 29.03.17	Inspection not conducted	--	--	--

10	Gokul Enterprises, Khurdi Road, Village Damla, Yamuna Nagar.	Plywood manufacturing unit	Plyboards	TFH -15 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height-30 Meter, Port Hole-Provided, Platform & Ladders-Provided	Granted for 01/04/2022 - 31/03/2027 dt. 05.07.2022	HSPCB/Consent/ : 313127022YAMCT O24423489 Dated:05/07/2022	Inspection not conducted	--	--	--
11	Nagpal Wood Industries, V.P.O. Damla, Hafizpur Road, Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 4.25 TPH	MultiCyclone provided	Wood	Stack Height-30 Meter, Port Hole-Provided, Platform & Ladders-Provided	Granted for 01.04.2017 to 31.03.2027 dated 03.02.2017	HSPCB/Consent/ : 313127017YAMCT OHWM3782909 Dated:03/02/2017	Inspection not conducted	--	--	--
12	Bhagwati Udyog, Village Damla, Radaur Road, Yamuna Nagar	Plywood manufacturing unit	Plyboards	TFH - 20 Lac Kcalores (Boiler - 6 TPH Standby)	MultiCyclone + Air Pre Heater provided	Wood	Stack Height-30 Meter, Port Hole-Provided, Platform & Ladders-Provided	Granted for 03/09/2021 - 31/03/2031 dt. 03.09.2021,	HSPCB/Consent/ : 313127021YAMCT O12807969 Dated:03/09/2021	06.01.2023	Yes	23 dt. 12.01.2023	Complying
13	Global India Wood Industries, S.K Road, Village Damla, Yamuna Nagar.	Plywood manufacturing unit	Plyboards	TFH - 25 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height-30 Meter, Port Hole-Provided, Platform & Ladders-Provided	Granted for 01/04/2021 - 31/03/2026 dt. 03.07.2021,	HSPCB/Consent/ : 2840221YAMCTO1 3080926 Dated:03/07/2021	30.12.2022	Yes	Unit was found Non-operational	---
14	Baba Plywood Pvt. Ltd., VPO Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	TFH - 25 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height-30 Meter, Port Hole-Provided, Platform & Ladders-Provided	Granted for 01.04.2017 to 31.03.2027 dt. 03.02.17	HSPCB/Consent/ : 313127017YAMCT OHWM3780784 Dated:03/02/2017	30.12.2022	Yes	2313 dt. 09.01.2023	Complying

15	A R Wood Crafts Private Limited, Village Damla District Yamuna Nagar	Plywood manufacturing unit	Plyboards	TFH - 20 Lac Kcalores Boiler- 3 TPH	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 16/09/2020 - 31/03/2025 dt. 16.09.20	HSPCB/Consent/ : 313127020YAMCT O6279553 Dated:16/09/2020	30.12.2022	Yes	2311 dt. 09.01.2023	Complying
16	Luxmi Timbers, V.P.O. Damla, Radaur Road, Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 8 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2017 to 31.03.2027 dt. 26.03.17	HSPCB/Consent/ : 313127022YAMCT O27449008 Dated:26/08/2022	29.12.2022	Yes	2310 dt. 09.01.2023	Complying
17	Classic Plywood Industries, Village Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	TFH - 15 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2017 to 31.03.2027 dt. 27.03.17	HSPCB/Consent/ : 313127017YAMCT O3970322 Dated:27/03/2017	29.12.2022	Yes	2309 dt. 09.01.2023	Complying
18	Burma Wood Products, Village & P.O. Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 3 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2017 to 31.03.2027 dt. 26.03.17	HSPCB/Consent/ : 313127017YAMCT O3930369 Dated:26/03/2017	29.12.2022	Yes	2307 dt. 09.01.2023	Complying
19	Metro Plywood Pvt. Ltd., VPO Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	TFH - 15 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01.04.2017 to 31.03.2027 dt. 03.02.17	HSPCB/Consent/ : 2840217YAMCTOH WM3682230 Dated:03/02/2017	24.12.2022	Yes	2278 dt. 27.12.2022	Complying

20	Alloy Steel and Castings, Vill and PO Damla	Plywood manufacturing unit	Plyboards	Boiler - 4 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01/04/2018 - 31/03/2023 dt. 19.03.2018	HSPCB/Consent/ : 2840218YAMCTO5 167988 Dated:19/03/2018	06.01.2023	Yes	24 dt. 12.01.2023	Complying
21	Vidhata Plywood Industries, VPO Damla (Kamboj Majra), Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 3 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 16/07/2018 - 31/03/2028 dt. 19.07.2018	HSPCB/Consent/ : 313127018YAMCT O5412107 Dated:19/07/2018	Inspection not conducted	--	--	--
22	Suryodaya Wood Products, Village and Post Office Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 5 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01/04/2018 - 31/03/2023 dt. 19.01.2018	HSPCB/Consent/ : 313127018YAMCT O4894566 Dated:19/01/2018	Inspection not conducted	--	--	--
23	Aggarwal Plywood Industries, Village Kunjal Damla Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 8 TPH (Boiler - 6 TPH Standby)	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 03/06/2021 - 31/03/2026 dt. 04.06.2021	HSPCB/Consent/ : 313127021YAMCT O11992169 Dated:04/06/2021	06.01.2023	Yes	25 dt. 12.01.2023	Complying
24	Jagdamba Dwellings Pvt. Ltd. Village Hafizpur, Delhi Road, Damla, Yamuna Nagar	Plywood manufacturing unit	Plyboards	TFH - 30 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 23/10/2020 - 31/03/2025 dt. 23.10.2020	HSPCB/Consent/ : 313127020YAMCT O8177593 Dated:23/10/2020	Inspection not conducted	--	--	--

25	Best Panel Industries Village Hafizpur Tehsil Mustafabad Distt Yamuna Nagar	Plywood manufacturing unit	Plyboards	TFH - 30 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 19/09/2018 - 31/03/2023 dt. 08.10.2018	HSPCB/Consent/ : 313127018YAMCT O5688355 Dated:08/10/2018	29.12.2022	Yes	Unit was found Non-operational	---
26	Krishna Panels, Village Kunjal Janttan, Tehsil Radaur, Yamuna Nagar	Plywood manufacturing unit	Plyboards	Boiler - 14 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 28/10/2020 - 31/03/2030 dt. 29.10.2020	HSPCB/Consent/ : 313127020YAMCT O8198744 Dated:29/10/2020	06.01.2023	Yes	Sampling facility not adequate	---
27	Krishna Enterprises, Dudhla Road Village Damla District Yamuna Nagar.	Plywood manufacturing unit	Plyboards	TFH - 10 Lac Kcalores	MultiCyclone + Air Pre Heater provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 21/09/2016 - 31/03/2021 dt. 21.09.2016	HSPCB/Consent/ : 313127016YAMCT O3346095 Dated:21/09/2016	Inspection not conducted	--	--	Closed by Board
28	Shree Ram Steel Industries, Village & P.O. Damla	Plywood manufacturing unit	Plyboards	Boiler - 17.5 TPH	MultiCyclone provided	Wood	Stack Height- 30 Meter, Port Hole- Provided, Platform & Ladders- Provided	Granted for 01/04/2017 - 31/03/2027 dt. 26.03.17	HSPCB/Consent/ : 313127017YAMCT O3930455 Dated:26/03/2017	29.12.2022	Yes	Unit was found Non-operational	---

HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Ph-0172-577870-73, Fax No. 2581201
E-Mail: hspcbcoordination@gmail.com
Website: hspcb.gov.in

Order

Whereas, M/s SPS Bio Chem Private Limited, Village Damla, Yamuna Nagar is engaged in the manufacturing process of CBG (Compressed Bio Gas) and covered under the orange category as per categorization of the Haryana State Pollution Control Board.

Whereas, on the directions of Hon'ble NGT in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Ors. Vs Union of India & Ors., CPCB has prepared Methodology for Assessing Environmental Compensation, and the methodology prepared by CPCB has been accepted by Hon'ble NGT vide orders dated 28.08.2019 in the same case;

Whereas, Hon'ble Supreme Court of India in the matter of Indian Council for Enviro Legal Action & Ors. Vs. Union of India & Ors. (1996) 3 SSC 212 Para 16 and in matter of Vellore Citizens Welfare Forum Vs. Union of India & Ors. (1996) 5 SSC 647 Para 12-18 holding that "Polluter Pays" principle is an accepted principle and part of the environment law of the country, even without specific statute;

Whereas, it has been ordered vide Head Office order Endst. No. HSPCB/PLG/2019/6043-50 dated 29.04.2019 to adopt the modalities/ methodology suggested by CPCB for assessment, imposing, collection and utilization of the environmental compensation from the polluting units in the State of Haryana and the same been approved by the Board in its 184th meeting. The modalities/mythology of the environmental compensation of HSPCB is placed on website of the Board for transparency and for accessibility of concerned stakeholders;

Whereas, the Haryana State Pollution Control Board has revised the procedure for examining, assessing and imposing environmental compensation on the industrial unit issued order vide Endst. No. HSPCB/PLG/2021/2343-81 dated 22.12.2021 in supercession of the orders issued earlier vide no. HSPCB/PLG/2019/6043-50 dated 29.04.2019 and HSPCB/PLG/2019/734-765 dated 20.12.2019;

Whereas, a committee was constituted at head office level vide order No. I/94885/2022 dated 08.02.2022 to examine and finalize case of the environment compensation submitted by the Regional Officers so as to maintain the uniformity among all the cases;

Whereas, in compliance of above quoted orders of Hon'ble NGT order, this case falls under the cases to be considered for levying the environment compensation. The site was inspected by the field officer of the Board on 13.05.2022 in the presence of the Duty Magistrate Sh. Deepak, Municipal Engineer, Municipal Corporation, Yamuna Nagar, who was deputed for the inspection by the District Magistrate, Yamuna Nagar, in compliance of CM Window Complaint No.

I/136580/2022

CMOFF/N/2022/037666 dated 08.04.2022 received from Sh. Sumit Kumar Saini, Village Damla, Yamuna Nagar. Also, a similar complaint was received through the District Level Grievance Monitoring Committee, District Yamuna Nagar regarding establishment/work/industrial work/pollution/public nuisance and during visit found that unit was under installation of machinery for proposed project/product i.e. compressed bio gas. However, at site unit found procured huge quantity of press mud of sugar mill i.e. raw material for your product and stored un-scientifically at site in shape of big heaps and without any pollution control arrangement and without any permission from Haryana State Pollution Control Board . As the press mud of sugar mill is bio - degradable product and if not used timely cause huge effluent seepage and huge air pollution in sense of foul smell due to bio- degradation. The such effluent generated due to bio-degradation or otherwise have high water pollution load and if not handled properly cause land and water pollution. Similarly such bio - degradation also cause huge air pollution in sense of foul smell. At site it was observed that effluent generated and coming from such storage of press mud of sugar mill was being spread on open land and causing land pollution and underground water pollution as such effluent percolating to the underground water. On site as per provisions of Water Act 1974, the legal sample of such effluent was collected from the site and the sample was sent to the HSPCB laboratory at Panchkula for analysis. As per analysis report no. 5450 dated 27.05.2022, the parameters were found exceeding the prescribed limits and unit was operating without having obtained prior CTE and CTO from the Board. A show cause notice for imposing the environmental compensation was issued to the unit vide letter dated 15.05.2022 and unit had submitted the reply vide letter dated 02.06.2022 which was not satisfactory. The unit was sealed by the Board on 15.06.2022 in compliance of closure order issued by the Board on 13.06.2022.

Whereas, the Regional Officer, Yamuna Nagar vide letter dated 17.06.2022 & 26.09.2022 had sent the calculation of the environmental compensation against the above said unit for above said violations and accordingly, the Environmental Compensation Assessment Committee examined the recommendations submitted by the Regional Officer, Yamuna Nagar in its meeting held on 27.09.2022 as per provisions of above said modalities/mythology. After deliberations, the committee finalized Environmental Compensation as under;

$$EC = PI \times N \times R \times S \times LF = 50 \times 245 \times 250 \times 0.5 \times 1.0 = \text{Rs } 15,31,250/-$$

Where, PI = Pollution index, N = No of days of the violation considered for 245 days i.e. from 16.11.2021 to 18.07.2022 from the date of unit procured 1° lot of press mud from the sugar mill to the date of unit letter whereas unit has lifted /disposed off the press mud stored outside the plant/facility, R = Factor of Rupees, S = Factor of operation, LF = Location Factor.

Therefore, in view of above, it is hereby ordered with the directions to the unit M/s SPS Bio Chem Private Limited, Village Damla, Yamuna Nagar to deposit the environmental compensation of Rs 15,31,250/- (Rs. Fifteen Lakh, Thirty One Thousand Two Hundred and Fifty Rupees Only) with the Haryana State Pollution Control Board within 15 days on account of the damage caused by the unit.

In case of failure, the Board will be constrained to initiate action as deemed

I/136580/2022

necessary, following the due course of law. The amount of Environmental Compensation is to be deposited in Saving Account of INDUSIND BANK, Sector 9, Panchkula in Account No. 100053543757, having IFSC code no. INDB0000164.

Dated, Panchkula the
06/10/2022

Chairman, HSPCB

Endst. No.

Dated:

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

1. Regional Officer, Yamuna Nagar. He is directed to persue the matter for payment of the environmental compensation as stated above and to submit the compliance report in this regard within the prescribed period.
2. Sr. Account Officer, HSPCB, Panchkula.
3. M/s SPS Bio Chem Private Limited, Village Damla, Yamuna Nagar.

Signed by Sanjiv Kumar

Date: 07-10-2022 16:13:31

Reason: Approved
Sr. Env. Engineer (HQ)

For Chairman


HARYANA STATE POLLUTION CONTROL BOARD

null
Website: www.hrocmmns.nic.in E-Mail - hspcbho@gmail.com
Telephone No.: 0172-2577870-73
No. HSPCB/Consent/ : 843073522YAMCTE30407408
Dated:22/12/2022
To.

M/s : SPS BIO CHEM PRIVATE LIMITED
Village Damla, Tehsil Radaur, Yamuna Nagar
YAMUNANAGAR
135001

Sub. : Grant of consent to Establish to M/s SPS BIO CHEM PRIVATE LIMITED

Please refer to your application no. 30407408 received on dated 2022-11-11 in regional office Yamuna Nagar SWM.

With reference to your above application for consent to establish, M/s SPS BIO CHEM PRIVATE LIMITED is here by granted consent as per following specification/Terms and conditions.

Consent Under	AIR/WATER
Period of consent	22/12/2022 - 21/12/2027
Industry Type	Compressed Biogas (CBG)/Bio-CNG plants: a. CBG plants based on Municipal Solid waste (MSW) (having wastewater discharge less than or equal 100 KLD) b. CBG plants based on process waste (industrial /process liquid effluent & solid waste like press mud, organic sludge, molasses, etc. (having wastewater discharge less than or equal 100 KLD) c. CBG plants based on crop residue (paddy straw /wheat straw/corn sweet sorghum/napier grass etc.) having waste water discharge more than 100 KLD) d. CBG plants based on animal waste (dairy farms, poultry farms, and other animal waste) (having waste water discharge more than 100 KLD)
Category	ORANGE
Investment(In Lakh)	5141.29
Total Land Area (Sq. meter)	36138.0
Total Builtup Area (Sq. meter)	36138.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	5.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	septic tank
2. Trade	0
Permissible Domestic Effluent Parameters	
1. NA	

Permissible Trade Effluent Parameters	
1. NA	mg/l
Number of stacks	1
Height of stack	
1. NA	
Permissible Emission parameters	
1. NA	
Capacity of boiler	
1. NA	Ton/hr
Type of Furnace	
1. NA	
Type of Fuel	
1. NA	

*Regional Officer, Yamuna Nagar SWM
Haryana State Pollution Control Board.*

Terms and conditions

1. The industry has declared that the quantity of effluent shall be 5 KL/Day i.e 0KL/Day for Trade Effluent, 0 KL/Day for Cooling, 5.0 KL/Day for Domestic and the same should not exceed .
2. The above 'Consent to Establish' is valid for 60 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.

11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.
13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali Area or non conforming area.
22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.
26. That unit will obtain consent to operate from the board before the start of product activity.

Specific Conditions

Other Conditions :

1. The CTE is granted for the remaining construction/installation of plant and machinery.
2. The unit shall store the Press mud at the site scientifically after the commencement of production.
3. The unit shall adopt conservative measures for storing the press mud in the premises of the unit and to control odour from this press mud.
4. The suspension of closure and Consent to Establish are issued to the unit without prejudice of prosecution filed against the unit before the Special Environment Court at Kurukshetra for past violations.
5. That unit will comply all the conditions of suspension of closure order issued vide no. HSPCB-080002(0018)/3/2022-COORDINATION CELL-HSPCB I/143781/2022 dated 02.12.2022.
6. That the unit will apply for consent to operate before starting the production activity.
7. That the unit will maintain the parameters within permissible Standards as per EP Act, 1986.
8. That the unit will abide by the directions of CPCB/HSPCB/MOEF&CC and any other competent authority time to time.
9. That the unit will abide the directions/ orders of Hon'ble Supreme court /High Court/NGT/SEC any other court.
10. That concealing factual data or submission of false/ fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this CTE and attract action under the provisions of Water Act, 1974 and Air Act, 1981 and violation of any law of land.
11. Unit is liable for prosecution for past violations if found at any stage; grant of this CTE doesn't provide any immunity to unit w.r.t to any action taken by board for past Violations.
12. Unit will take adequate measures for controlling of the odour and management of leachate.

VIRENDER SINGH

PUNIA

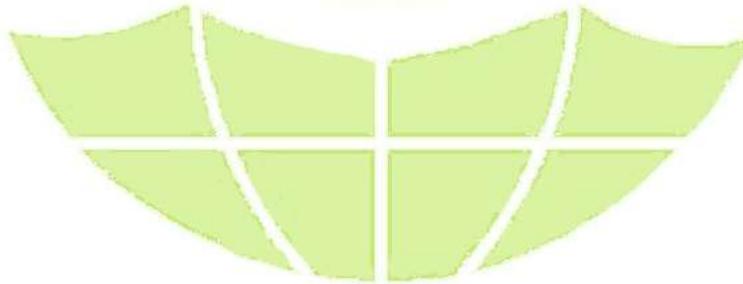
Regional Officer, Yamuna Nagar SWM

Haryana State Pollution Control Board.

Digitally signed by VIRENDER
SINGH PUNIA

Date: 2022.12.22 12:24:08 +05'30'

HARYANA STATE





Regional Office, Yamuna Nagar Region

Haryana State Pollution Control Board

S.C.O. No- 131, Sector -17, HUDA, Jagadhari, Yamuna Nagar

Website - www.hspcb.gov.in E-Mail - hspcbroyr@gmail.com

Contact No. 01732-26813, 237840

No. HSPCB/YR/2022/ 4386

Dated: 27/09/2022

To

The Municipal Commissioner,
Municipal Corporation,
Yamuna Nagar-Jagadhri.

Sub: Direction regarding compliance on the land fill site at Village Aurangabad under section 4 of the Municipal Solid Waste (Management & Handling) Rules, 2016.

Whereas the Original Application No.373/2022 titled as Sumit Saini Applicant Versus Haryana State Pollution Control Board has been pending before the Hon'ble NGT against the illegal and unscientific dumping of solid waste is still continuing at Village-Aurangabad. The applicant informed to the Hon'ble NGT that Yamuna Nagar Municipal Corporation has started dumping municipal solid waste in the vicinity of the village causing serious environmental problems in the area. The said OA is listed on 29.09.2022.

Whereas, Hon'ble NGT has passed an order dated 24.05.2022 in Original Application No.373/2022 titled as Sumit Saini Applicant Versus Haryana State Pollution Control Board. As per order para no. 6 is re-produced as under:-

"In view of the grievances made in the letter petition, we consider it appropriate that a Committee of the concerned authorities be asked to verify the factual position and take remedial action on the basis thereof. Accordingly, we constitute a Joint Committee of representatives of SEIAA, State PCB, Yamuna Nagar Municipal Corporation, and Deputy Commissioner, Yamuna Nagar and direct the same to verify the factual position, look into the grievances of the villagers and take remedial action in accordance with law by following due process. State PCB will be the nodal agency for coordination and compliance."

Accordingly the joint team was visited the illegal and unscientific dumping of solid waste at Village-Aurangabad on dated 27.07.2022.

Whereas you are bound to be complying with the provisions of Solid Waste Management Rules, 2016 but same is not being complied.

Whereas the temporary land fill dumping site at village Aurangabad was to be developed as per Municipal Solid Waste (Management & Handling) Rules, 2016, but the same is not being developed yet & MC, Yamuna Nagar started unscientific and illegal dumping of solid waste.

- Whereas boundary wall of 8 ft height should be constructed all along the site to avoid entry of wild animals but same is not being done yet.
- Whereas entire organic material shall be converted into manure, recyclable material likewise glass, steel etc. shall be sold to recycler only inert material which cannot be either composted or recycled shall be sent to land filling but same is not complied.
- Whereas site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles, to prevent entry of unauthorized persons and stray animals, but same was not being done.
- Whereas approach and internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery but same was not being constructed.
- Whereas waste for land filling shall be compacted in thin layers using heavy compactors to achieve high density of the waste. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted, but same was not being doing.
- Whereas the landfill site shall have waste inspection facility to monitor waste brought in for land filling, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipment. The operator of the facility shall maintain record of waste received, processed and disposed, but same was not being implemented.
- Whereas non-permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) shall have liner of composite barrier of 1.5 mm thick high density polyethylene (HDPE) geo-membrane or geo-synthetic liners, or equivalent, overlying 90 cm of soil

(clay or amended soil) having permeability coefficient not greater than 1×10^{-7} cm/sec. The highest level of water table shall be at least two meter below the base of clay or amended soil barrier layer provided at the bottom of landfills, but same was not being implemented.

- Whereas safety provisions including health inspections of workers at temporary landfill sites shall be carried out made, but same is not being implemented.
- Whereas leachate from the solid waste should be avoided but same is being discharged outside the dumping site, which ultimately reached into River Yamuna through Ditch Drain.
- Whereas ambient air quality at the landfill site and at the vicinity shall be regularly monitored. Ambient air quality shall meet the standards prescribed by the Central Pollution Control Board, but the same is not being doing till date.
- Whereas necessary precaution shall be taken to minimize nuisance of odour, flies, rodents, bird menace and fire hazard, but nil facility has been provided at temporary site.
- Whereas selected plants shall have ability to thrive on low-nutrient soil with minimum nutrient addition, Plantation to be made in sufficient density to minimize soil erosion, Green belts shall be developed all around the boundary, but nil plantation done at temporary site till date.
- Whereas utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided, but same was not being provided at the temporary site.

Whereas, for the above said violations the your unit is liable to pay the Environmental Compensation for the days the violations persist, in terms of the directions of Board issued letter no. HSPCB/PLG/2019/6043-75 dated 29-04-2019, amended policy order issued vide No. 734-741 dated 20/12/2019 and further amended policy order issued vide No. 2343-2381 dated 22/12/2021 as assessed by the Board as per methodology defined therein and invite legal action as per the provisions of E.P. Act, 1986, due to above mentioned non-compliances.

In view of above MC, Yamuna Nagar are hereby directed to comply with the following directions with immediate effect, so that nuisance to the inhabitants of

nearby vicinity can be avoided and compliance of Municipal Solid Waste (Management & Handling) Rules, 2016 can be done:-

1. You are hereby directed to comply with the Municipal Solid Waste Rules 2016 with immediate effect.
2. To submit action plan for treatment of legacy waste as well as the fresh solid waste.
3. You are hereby called upon to SCN why Environmental Compensation may not be imposed for violation of Municipal Solid Waste Rules 2016.

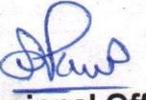
Treat it as most urgent being NGT Matter.

No. HSPCB/YR/2022/ 4387


Regional Officer
Yamuna Nagar Region.

Dt. 27/09/2022

A copy of above forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for information please.


Regional Officer
Yamuna Nagar Region.



Regional Office, Yamuna Nagar Region

Haryana State Pollution Control Board

S.C.O. No- 131, Sector -17, HUDA, Jagadhari, Yamuna Nagar

Website - www.hspcb.gov.in E-Mail - hspcbroyr@gmail.com

Contact No. 01732-268137, 237840

HSPCB/YR/2022/4750

Dated: 26/12/2022

REMINDER

To

The Municipal Commissioner,
Municipal Corporation,
Yamuna Nagar.

Subject: Direction regarding compliance on the land fill site at Aurangabad under section 4 of the Municipal Solid Waste (Management & Handling) Rules, 2016.

Ref:- This office letter no. HSPCB/YR/2022/4386 dated 27.09.2022

Where as the Original Application No. 373/2022 titled as Sumit Saini Applicant Verses Haryana State Pollution Control Board has been pending before the Hon'ble NGT against the illegal and unscientific dumping of solid waste is still continuing at Village Aurangabad. The applicant informed to the Hon'ble NGT that Yamuna Nagar Municipal Corporation has started dumping municipal waste in the vicinity of the village causing serious environmental problems in the area. The said OA is listed on 29.09.2022.

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[Handwritten signature]

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In view of above MC, Yamuna Nagar are hereby directed to comply with the following directions with immediate effect at Village Aurangabad site, so that nuisance to the inhabitants of nearby vicinity can be avoided and compliance of Municipal Solid Waste (Management & Handling) Rules, 2016 can be done:-

1. To immediately stop dumping fresh solid waste.
2. To remove already dumped legacy waste.
3. To obtain Environment Clearance from the Competent Authority.
4. You are hereby directed to comply with the Municipal Solid Waste Rules, 2016 with immediate effect.
5. To submit action plan for treatment of legacy waste as well as the fresh solid waste.
6. You are hereby called upon to SCN why Environmental Compensation may not be imposed for violation of Municipal Solid Waste Rules, 2016

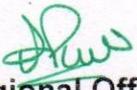
Treat it as most urgent being NGT Matter

No.HSPCB/YR/2022/ 4751


Regional Officer
Yamuna Nagar

Dated: 26 /12/2022

A copy of above forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for information please


Regional Officer
Yamuna Nagar