

**REPORT ON BEHALF OF REGIONAL OFFICER, HARYANA STATE
POLLUTION CONTROL BOARD, HISAR, HARYANA IN THE
COMPLIANCE OF ORDER DATED 09.10.2020.**

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BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH,
NEW DELHI
O.A. No. 887 of 2019

IN THIS MATTER OF:-

Sukhwanti

..... Applicant

Versus

State of Haryana

.....Respondents.

**REPORT ON BEHALF OF REGIONAL OFFICER, HARYANA
STATE POLLUTION CONTROL BOARD, HISAR, HARYANA
IN THE COMPLIANCE OF ORDER DATED 09.10.2020.**

Most Respectfully Showeth:-

1. That the 6 MLD STP, MBBR (Moving Bed Biological Reactor) based, PHED Division-II Dhani Garan, Barwala, Hisar has installed for treatment of domestic effluent of Barwala town. The Said STP has restarted functioning from the month of oct, 2020 onwards, thereafter samples were taken by Regional office, Hisar and results for monthly sampling of Nov 2020, Dec 2020, Jan and Feb 2021 were found within prescribed limits except fecal coliform. The copies of Analysis reports for the months of Nov, Dec 2020 and Jan, Feb 2021 are enclosed as **Annexure-1 Colly**. However, the said STP is not found proper functional during recent sampling conducted on 18.03.2021 by Regional office Hisar and as per latest Analysis Report No. 1477-1478 dated 25.03.2021 the parameters i.e. BOD, COD were found slightly exceeding from the prescribed limit in addition to the fecal Coli form. The copy of Analysis report dated 25.03.2021 enclosed as **Annexure-2**.
2. The Environment Compensation of Rs. 3,24,99,600/- already imposed vide order dated 13.07.2020 by the Competent Authority, the copy of the same is enclosed as **Annexure-3**.

The PHED Div. No. 1, Hisar has filed a CWP No. 19755/2020 before Hon'ble Punjab & Haryana High Court to challenge Environment Compensation order dated 13.07.2020 and the Hon'ble Court has issued stay against the above said Environment Compensation order vide order dated 19.11.2020. The copy of Punjab & Haryana High Court orders dated 19.11.2020 in the matter of CWP No. 19755 of 2020 is enclosed as **Annexure-4**.

3. On dated 15/01/2021, the Hon'ble Punjab & Haryana High Court has directed to petitioner to deposit 50% of total amounts i.e. 1,62,49,800 of Rs. 32499600 for which EC order dated 13.07.2020 passed by Competent Authority. The copy of order dated 15.01.2021 Punjab and Haryana High Court attached as **Annexure-5**.
4. In compliance of above order passed by the Hon'ble Punjab & Haryana High Court, the Public Health Engineering Department, has deposited 50% of the payments as directed by Hon'ble NGT, New Delhi in the mode of Demand Drafts No. 582139 & 582040 Dated 07.04.2021 of Rs. 15499000 and 750800/- respectively to Haryana State Pollution Control Board, Panchkula. The copy of PHED letter 6268 dated 07.04.2021 along with copies of DDs dated 07.04.2021 attached as **Annexure-6**.
5. That the prosecution approval for filing complaint against above mentioned STP, responsible officers/ persons for its day to day operation has already been accorded by the Competent

Authority vides order No. 4940 dated 16.06.2020. The copy of order dated 16.06.2020 attached as **Annexure-7**

6. That the Public Health Engineer Department Div-II Barwala Hisar has submitted time bounded action plan for reduction of fecal coliform level in the treated effluent of the STP by enhancing chlorination before 30.04.2021 and also submitted that by overhauling the said STP upto 30.04.2021, other parameters i.e. BOD, COD will also be within prescribed limit.

The Public Health Engineer Department in the action plan submitted that they will make provision for utilization of treated sewage for non potable purpose up to 28.02.2022 by constructing RCC storage tank of adequate capacity along with HDPE Pipe line of 3.50 KM, so that treated effluent can be utilize for irrigation purpose. The said department has also proposed the construction of rapid sand filtration with advance chlorination system for tertiary treatment , so that the BOD of treated effluent of the STP can be bring below 10 ml/l and same can be utilized by Rajiv Gandhi Thermal Power Plant, Khedar-Barwala, District Hisar. Copy of time bounded action plan submitted by PHED attached as **Annexure-8**.

**REGIONAL OFFICER,
HSPCB, HISAR**

Date: 12.04.2021

Place: Hisar



Form J
(See Rule 36)

Report No- 1026-1027
Dated: - 02.12.2020
Code- HSR-STP-008

I hereby, certify that I Ramniwas Sharma, Board Analyst duly appointed under sub section (3) of section 53 of the Water (Prevention and Control of Pollution) Act 1974 (06 of 1974) received on the 24th Day of November 2020. From Sh. Rakesh Kumar Bhonsle, (R.O) a sample of Liquid Domestic Effluent of M/s 6 MLD STP, PHED, Barwala at Vill-Dhanl Garan-Barwala, Distt. Hisar. Collected on 24.11.2020 from Inlet & Outlet of STP for analysis. The sample was in a condition fit for analysis reported below—

I further certify that I have analyzed the above mentioned sample from 24.11.2020 to 02.12.2020 and declare the result of analysis to be as follows:

Sr. No.	Parameters	Result	Result	Permissible Limit	Test Method
1.	Sample Collected from	Inlet of STP	Outlet of STP	—	
2.	Appearance	Greyish	Almost Colourless	—	
3.	Odour	Bad	Almost Odourless	—	
4.	pH	8.6	8.2	5.5- 9.0	APHA,4500-H+B
5.	Suspended Solids, mg/l	450.0	32.0	100.0	APHA,2540-D
6.	BOD, mg/l	138.0	24.0	30.0	APHA,3500-B
7.	COD, mg/l	424.0	96.0	250.0	APHA,3500-B
8.	Oil & Grease, mg/l	8.0	ND	10.0	APHA,5220-B
9.	Conductivity, mg/l	4480.0	2370.0	—	
10.	Total Coliform, MPN/100 ml	520000.0	210000.0	—	
	Fecal Coliform, MPN/100ml	350000.0	150000.0	<100	
12.	Streptococci, MPN/100ml	48000.0	18000.0	—	

The Conditions of the seals, listening and container on receipt was as follows:
Container had its seal found intact and in order, slip on the container had the signature of the representative of the industry and the Board.

Signed this, 02nd December 2020.
Laboratory of the
Haryana State Pollution Control Board,
Bays No. B-7-8, Urban Estate-II, Hisar
Hisar Laboratory, Hisar

To

The Member Secretary,
Haryana State Pollution Control Board,
Panchkula.

CC Regional Office, Hisar.

Board Analyst



Laboratory Of The
Haryana State Pollution Control Board
Vikas Sadan Ist Floor Gurgaon

Tel-2332596

FORM J (Sec Rule 20)

Report No.: 1532-1533
Dated 07th January, 2021
STP Code-HSR-STP-008

I, hereby, Certify that I **Ramniwas Sharma** as Board Analyst, duly appointed under sub section (2) of section 53 of water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received on the 30th day of **December, 2020** from **Sh. Aparnesh Kumar, Sc 'B'** a sample of liquid Domestic effluent of **M/s 6 MLD STP PHED, Dhani Garan, Barwala, Hisar** collected on **30.12.2020** from Inlet and Outlet of STP for analysis. The Sample was in a condition fit for analysis reported below:-

I further certify that I have analysed the afore-mentioned sample from **30/12/2020** to **07/01/2021** and declare the result of analysis to be as follow:-

Sr. No.	Parameters	Result		Method of Testing
		Inlet of STP	Outlet of STP	
1.	Colour	Blackish	Slight Greyish	As per relevant parts of IS:2488(Part-V) and Standard Methods for the Examination of water and waste water APHA(22 nd edition)
2.	Odour	Bad	Mild	
3.	pH value	6.6	7.2	
4.	Suspended Solids mg/l	358	51	
5.	B.O.D. for 3 days at 27°C mg/l	110	22	
6.	C.O.D mg /l	324	108	
7.	Oil & Grease	12.0	ND	
8.	Conductivity us/cm	2340	2240	
9.	Total Coliform, MPN/100 ml	410000	96000	
10.	Fecal Coliform, MPN/100ml	380000	48000	
11.	Streptococci, MPN/100ml	64000	18000	

Container had its seals found intact in order; slip on the container had the signature of the representative of the industry/unit and the board representative.

Signed this on 07th January, 2021

Laboratory of the
Haryana State Pollution Control Board
Vikas Sadan, Gurgaon

[Signature]
Board Analyst

To
The Member Secretary
Haryana State Pollution Control Board
C-11, Sec. 6, Panchkula (Haryana)



Form J
(See Rule 36)

Report No- 1225-1226
Dated: - 05.02.2021
Code- HSR-STP-008

I hereby, certify that I Dr. Rajesh Garhla, Board Analyst duly appointed under sub section (3) of section 53 of the Water (Prevention and Control of Pollution) Act 1974 (06 of 1974) received on the 30th Day of January 2021. From Dr. Sunil Sheoran, (SC-B) a sample of Liquid Domestic Effluent of M/s 6 MLD STP PHED, Barwala, (Dhani Garan), Barwala PHED No-2, Hisar. Collected on 29.01.21 from Inlet & Outlet of STP for analysis. The sample was in a condition fit for analysis reported below—

I further certify that I have analyzed the above mentioned sample from 30.01.2021 to 05.02.2021 and declare the result of analysis to be as follows:

Sr. No.	Parameters	Result Inlet	Result Outlet	Permissible Limit	Test Method
1.	Sample Collected From	Inlet of STP	Outlet of STP	---	
2.	Appearance	Blackish	Light Greyish	---	
3.	Odour	Foul	Almost Odourless	---	
4.	pH	8.1	7.5	---	
5.	Suspended Solids, mg/l	390.0	42.0	5.0-9.0	APHA,4500-H+B
6.	COD, mg/l	416.0	128.0	100.0	APHA,2540-D
7.	BOD, mg/l	112.0	20.0	250.0	APHA,3500-B
8.	Oil & Grease, mg/l	12.0	4.0	30.0	APHA,3500-B
9.	Ammonical Nitrogen, mg/l	56.0	14.0	10.0	APHA,5220-B
10.	Total Coliform, MPN/100ml	450000.0	82000.0	---	
11.	Fecal Coliform MPN/100ml	170000.0	45000.0	---	
12.	Streptococci, MPN/100ml	22000.0	5000.0	---	
13.	Conductivity, us/cm	4610.0	3240.0	---	

The Conditions of the seals, listening and container on receipt was as follows:
Container had its seal found intact and in order, slip on the container had the signature of the representative of the industry and the Board.

Signed this, 05th February 2021.
Laboratory of the
Haryana State Pollution Control Board,
Bays No. B-7-8, Urban Estate-II, Hisar
Hisar Laboratory, Hisar

Rajesh Garhla
Board Analyst

To
The Member Secretary,
Haryana State Pollution Control Board,
Panchkula.

CC Regional Office, Hisar.

This test report relate only to the particular sample submitted for testing



Form J
(See Rule 36)

Report No- 1357-1358
Date: - 05.03.2021
Code- HSR-STP-008

I hereby, certify that I Dr. Rajesh Garhla, Board Analyst duly appointed under sub section (3) of section 53 of the Water (Prevention and Control of Pollution) Act 1974 (06 of 1974) received on the 25th Day of February 2021, By Dr. Sunil Sheoran, (SC-II) a sample of Liquid Domestic Effluent of M/s 6 MLD STP PHED, (Dhani Garan), Barwala, Hisar. Collected on 24.02.21 from Inlet & Outlet of STP for analysis. The sample was in a condition fit for analysis reported below—

I further certify that I have analyzed the above mentioned sample from 25.02.2021 to 05.03.2021 and declare the result of analysis to be as follows:

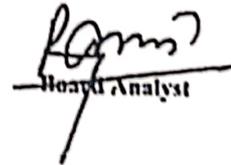
Sr. No.	Parameters	Result Inlet	Result Outlet	Test Method
1.	Sample Collected From	Inlet of STP	Outlet of STP	
2.	Appearance	Blackish	V. Light Brownish	
3.	Odour	Foul	Almost Odourless	
4.	pH	8.4	8.2	
5.	Suspended Solids, mg/l	450.0	48.0	APIA.4500-II-B
6.	COD, mg/l	392.0	144.0	APIA.2540-D
7.	BOD, mg/l	118.0	26.0	APIA.3500-B
8.	Oil & Grease, mg/l	10.0	3.0	APIA.3500-B
9.	Ammonical Nitrogen, mg/l	52.9	12.8	APIA.5220-B
10.	Total Coliform, MPN/100ml	520000.0	80000.0	
11.	Fecal Coliform MPN/100ml	280000.0	32000.0	
12.	Streptococci, MPN/100ml	32000.0	4500.0	
13.	Conductivity, us/cm	5210.0	2860.0	

The Conditions of the seals, listening and container on receipt was as follows:
Container had its seal found intact and in order, slip on the container had the signature of the representative of the industry and the Board.

Signed this, 05th March 2021.
Laboratory of the
Haryana State Pollution Control Board,
Bays No. B-7-8, Urban Estate-II, Hisar
Hisar Laboratory, Hisar

To
The Member Secretary,
Haryana State Pollution Control Board,
Panchkula.

CC Regional Office, Hisar.


Board Analyst

This test report relate only to the particular sample submitted for testing



Form J
(See Rule 36)

Report No- 1477-1478
Dated: - 25.03.2021
Code- HSR-STP-008

I hereby, certify that I Dr. Rajesh Garhia , Board Analyst duly appointed under sub section (3) of section 53 of the Water (Prevention and Control of Pollution) Act 1974 (06 of 1974) received on the 19th Day of March 2021. By Dr. Sunil Sheoran, (SC-B) a sample of Liquid Domestic Effluent of M/s 6 MLD STP PHED, (Dhani Garan), Barwala, Hisar. Collected on 18.03.21 from Inlet & Outlet of STP for analysis. The sample was in a condition fit for analysis reported below—

I further certify that I have analyzed the above mentioned sample from 19.03.2021 to 25.03.2021 and declare the result of analysis to be as follows:

Sr. No.	Parameters	Result	Result	Test Method
1.	Sample Collected From	Inlet of STP	Outlet of STP	
2.	Appearance	Blackish	Greyish	
3.	Odour	Foul	Mild	
4.	pH	8.6	8.9	APHA,4500-H+B
5.	Suspended Solids, mg/l	418.0	128.0	APHA,2540-D
6.	COD, mg/l	368.0	264.0	APHA,3500-B
7.	BOD, mg/l	114.0	36.0	APHA,3500-B
8.	Oil & Grease, mg/l	9.0	4.0	APHA,5220-B
9.	Ammonical Nitrogen, mg/l	48.6	18.3	
10.	Total Coliform, MPN/100ml	560000.0	150000.0	
11.	Fecal Coliform MPN/100ml	320000.0	64000.0	
12.	Streptococci, MPN/100ml	48000.0	18000.0	
13.	Conductivity, us/cm	5160.0	3480.0	
14.	Flow, MLD	1.6	1.2	

The Conditions of the seals, listening and container on receipt was as follows:
Container had its seal found intact and in order, slip on the container had the signature of the representative of the industry and the Board.

Signed this, 25th March 2021.
Laboratory of the
Haryana State Pollution Control Board,
Bays No. B-7-8, Urban Estate-II, Hisar
Hisar Laboratory, Hisar

To
The Member Secretary,
Haryana State Pollution Control Board,
Panchkula.

CC Regional Office, Hisar.

Rajesh Garhia
Board Analyst

This test report relate only to the particular sample submitted for testing


HARYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR-6, PANCHKULA

Ph-2577870-73 E-mail:hspcbhq2@gmail.com

AGE, C.S. B, C.S. B, I, B.S.

Agst. Chak, DEO

Po (HR)

Order

Whereas, Hon'ble National Green Tribunal (NGT) has issued directions to impose the penalty on the non-complying polluting units and to levy compensation on the Principles "Polluter Pays" to recover the Environment compensation for the restoration of the Environment damages caused.

Whereas, the Hon'ble NGT in the matter of Paryavaran Surksha Samiti & Ors. Vs Union of India & Parveen Kakkar & Ors. Vs MOEF & Ors. it was held that: "11. Needless to say that it will be open to the SPCBs/Committees and CPCB to take coercive measure including recovery of compensation for the damage to the environment on "Polluter Pays" as well as also to direct taking of such precautionary measure as may be..."

Whereas in 63rd conference of Chairman and Member Secretary of PCBs/Committees held on 18.03.2019 it was decided that SPCBs/PCCs may frame their guidelines on environmental compensation based on CPCB's report circulated in the agenda of the said meeting and to provide their inputs environmental compensation report.

Whereas the matter regarding levy of compensation on the polluting units was examined by the technical committee of the Board which recommended that the report of in-house committee of CPCB on methodology and guideline for assessing the environment compensation and utilizing of the same as provided in the agenda note of the 63rd conference of Chairman and Member Secretary of PCBs/Committees held on 18.03.2019.

Whereas, the Board has decided to adopt the methodology suggested by CPCB for assessment, imposing, collection and utilization environment compensation from the polluting units in the state of Haryana vide orders dated 29.04.2019.

Whereas, the Board constituted environment assessment compensation committee on 18.06.2020 to assess the environment compensation of the units found operating in violation of the provisions of the environmental acts.

Whereas, the Regional Officer, Hissar vide his letter No. HSPCB/HR/2020/6569 dated 19.03.2020 informed that the unit M/s 06 MLD PHED STP, Dhani Garan Road, Barwala was inspected on 14.10.2019, w.r.t. team constituted by Hon'ble NGT in the matter of OA No. 887 of 2019 titled as Sukhwanti Vs State of Haryana. The sample of outlet of STP was collected and parameter found exceeding the permissible limit. So, the unit is liable to pay Environmental Compensation as per policy of the Board dated 29.04.2019 and 20.12.2020.

Whereas, the environment compensation assessment committee examined the case of the unit M/s 06 MLD PHED STP, Dhani Garan Road, Barwala in its meeting held on 18.06.2020 and after deliberations submitted its report that environment compensation of Rs. 3,24,99,600/- (Rupees Three Crore Twenty Four Lakhs Ninty Nine Thousand Six Hundred Only) be levied on the unit for the damage caused to the environment by discharging the environmental pollutants in excess of the standards prescribed under EP Rules, 1980.

Whereas, after consideration of the minutes of the meeting of the environment assessment committee, Environment compensation of Rs. 3,24,99,600/- (Rupees Three Crore Twenty Four Lakhs Ninty Nine Thousand Six Hundred Only) is levied on the unit M/s 06 MLD PHED STP, Dhani Garan Road, Barwala on account of the damage caused by the unit for discharging the environmental pollutants in excess of the standards prescribed under EP Rules, 1980.

M/s 06 MLD PHED STP, Dhani Garan Road, Barwala is hereby directed to deposit Rs. 3,24,99,600/- (Rupees Three Crore Twenty Four Lakhs Ninty Nine Thousand Six Hundred Only) with the Haryana State Pollution Control Board as Environment compensation within 15 days in INDUSIND Bank, Sector-9, Panchkula, Saving Bank account No. 100053543757, IFSC Code INDB0000164, to avoid further legal action.

Dated Panchkula the,
13th July, 2020

Ashok Kheterpal
Chairman, HSPCB

Endst. No. HSPCB/PC/2020/ 779-83

Dated: 13/07/2020

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

1. M/s 06 MLD PHED STP, Dhani Garan Road, Barwala.
2. PS to Chairman HSPCB.
3. PA to Member Secretary, HSPCB.
4. Sr. Accounts Officer, HSPCB.
5. Regional Officer, Hisar, HSPCB.

FTMS
31661


Sr. Environmental Engineer-II (119)
For Chairman.

118 CWP-19755-2020

PUBLIC HEALTH ENGINEERING
VS
CENTRAL POLLUTION CONTROL BOARD AND ORS

Present : Mr. Aman Bahri, Addl.A.G., Haryana
for the petitioner.

Mr. Ankur Mittal, Advocate
for respondent Nos. 2 and 3

The matter has been taken up through video conferencing in the light of the pandemic Covid-19 situation and as per instructions.

Notice of motion for 08.12.2020.

At this stage, Mr. Ankur Mittal, Advocate, accepts notice on behalf of respondent Nos. 2 and 3. A complete copy of paper book has already been supplied to him.

The operation and effect of the impugned order dated 13.07.2020 (Annexure P-14) shall remain stayed till the next date of hearing.

(JITENDRA CHAUHAN)
JUDGE

(VIVEK PURI)
JUDGE

19.11.2020

jyoti-II

Amman Bahri
07/11/2020



From

The Additional Chief Secretary to Government Haryana,
Public Health Engineering Department.

To

The Engineer-in-Chief, Haryana.
Public Health Engineering Department,
Panchkula.

Memo No. 14/156/2020-4PH
Dated Chandigarh. the 25.02.2021

Subject:- OA No. 887/2019 (Sukhwanti versus State of Haryana and others) listed before Hon'ble National Green Tribunal.

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Reference your memo No. 13071-PHE/Urban dated 15.02.2021 on the subject noted above.

2. Please find enclosed herewith the relevant noting portion with the direction to comply the direction of W/ACSPHE in letter & spirit / toto and send the action taken report before 28.02.2021.
3. This may be treated as Most Urgent.

K. Lall
BY Superintendent, Public Health,
for Additional Chief Secretary to Govt. Haryana,
Public Health Engineering Department.

2) — File No. 14/156/2020-4PH

Subject: - OA No. 887/2019 (Sukhwanti versus State of Haryana & others) listed before Hon'ble National Green Tribunal.

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PUC (934)

The facts of the case may be seen at NP/13-14. This case relates to accord necessary sanction of Rs.3.25 Crore for making the payment of penalty imposed by Haryana State Pollution Control Board under Head - Urban Sew. (4215-02-101-94-51-16). Accordingly, case was put up to higher authorities. W/ACSPHE has ordered that (NP/14): -

"Hon'ble High Court has stayed the order please verify and re-submit".

In this regard, it was submitted that the Hon'ble Punjab and Haryana High Court has given stay order in the matter till dated 16.12.2020 (F/B).

Accordingly, case was put up to W/ACSPHE for orders in reference the previous order at NP/14. This case was marked to Advocate General, Haryana for its advice by W/ACSPHE in reference the proposal at NP/14.

Advocate General, Haryana has tendered its advice at NP/18-19. The copy of the same was sent to EIC with the request to send the proposal accordingly to it.

Now vide PUC EIC has intimated that Regional Officer has intimated that the competent authority has decided that the Environment Compensation of Rs. 3,24,99,600/- to be levied on the above mentioned STP for the damage caused to the Environment by discharging the environmental pollutants in excess of the standards prescribed in the EP Rule, 1986 and orders in this regard has been issued vide Endst. No. HSPCB/PC/2020/779-83 dated 13.07.2020.

Sh. Lokesh Singal, Sr. Additional Advocate General, Haryana vide dated 02.10.2020 has given the opinion as under:-

- (i) Appellate Authority, under Section 28 of the Water Act has been constituted by the State Government under rule 23 of

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हरियाणा सरकार



- (ii) Since, Section 16(c) of the NGT specifically provides appeal before the NGT against the direction issued by the Board under section 33-A of the Water Act, order dated 13.07.2020 can be challenged before the NGT by filing appeal under Section 16 of the NGT Act, 2010.

The Hon'ble National Green Tribunal has ordered on 09.10.2020 which is reproduced below:-

"Let the compensation be deposited with the State PCB for restoration of the environment. The responsibility to deposit the amount will be of the ACS, PHED within one month. It will be open to the State PCB to proceed with the prosecution for which sanction has already been obtained. It will be open to the department to recover the amount of damages from the concerned erring officers and also to take departmental action for serious violations of environmental norms. Further, remedial action may now be taken which may be monitored by ACS/PHE. The STP must meet standards, including those of fecal coliform. There should be plan for utilization of treated sewage for non-potable purpose. If such use is to be by Rajiv Gandhi Thermal Power Plant, the timeline should not exceed six months. List for further consideration on 03.02.2021."

The matter was taken up with National Green Tribunal New Delhi on 22.10.2020 by Sh. Sanjeev Kumar Tyagi, EE, PHED No.1, Hisar as per advice of AAG, Haryana but no fruitful purpose achieved in filing an appeal before the National Green Tribunal.

The matter was taken up with Sh. Anil Grover, Additional Advocate General, Haryana, Supreme Court of India, New Delhi and vide letter dated 22.10.2020, he has given the opinion that order dated 13.07.2020 be challenged invoking writ jurisdiction by filing Civil Writ Petition before Punjab and Haryana High Court at Chandigarh as in one matter bearing CWP No. 8929/2020 (M/S R.R. Industries) the Hon'ble High Court has granted interim protection vide order dated 01.07.2020.

The department file an appeal (CWP No. 19755 of 2020) in the said case in the Hon'ble Punjab and Haryana High Court, Chandigarh against the order dated 13.07.2020 of HSPCB and court has granted the stay and the same was also informed vide your office No. 14/156/2020-4PH dated

14/156/2020-1

25-

f.p.f

in the same case that "Earlier stay order stands modified and further recovery proceedings shall remain stayed subject to the deposit of 50% of the environment compensation. Accordingly, undersigned is of the opinion that the appropriate decision be taken in this regard so as to avoid any further proceedings against the department".

This case has been fixed for hearing on 26.02.2021.

LIC has requested to accord sanction of Rs. 1.62.49,800/- (i.e. 50% of the compensation announced by HSPCB vide order dated 13.07.2020) under Head - Urban Sew.[4215-02-101-94-51-16].

In this regard, it is submitted that the necessary sanction of Rs. 1.62,49,800/- (i.e. 50% of the compensation announced by HSPCB vide order dated 13.07.2020) under Head - Urban Sew.[4215-02-101-94-51-16] is to be accorded in the matter. If agreed, case may be sent to WACSPHE for approval to accord above necessary sanction in the matter.

SPH-1079
2-02-2021

SPH-1079
2-02-2021

A

WACSPHE

Mounty
19/2/2021

SPHE

USPHE

SCHE

Suresh Chandel
29-2-2021
A. above for approval pt.
24/2/2021

Shalik
22/2/21

ACSPHE

SPHE (con leave)

1. Dr. Sarita Malik, HCS
SPHE

2. For A in ref-20, DL-11000
Subject: Subject by 20/2/21

1079
24/2/2021

OFFICE OF THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DIVISION NO.2 HISAR

To

Haryana State Pollution Control Board,
C-11, Sector-6, Panchkula.

Memo No.

Dated

Sub:

O/A No.887/2019 (Sukhwanti Vs State of Haryana & Ors.) listed before
National Green Tribunal.

Ref:

Your Office Order Endst. No. HSPCB/PC/2020/779-83 dated 13.07.2020.

Under the Authority of Additional Chief Secretary to Govt. of Haryana, Public Health Engineering Department, Chandigarh Memo No. 14/156/2020-4PH dated Chandigarh, The 25.02.2021 & in compliance of your office letter under reference kindly find enclosed herewith the following Demand Draft of 50% of total compensation of Rs. 3,24,99,600/- as per Hon'ble High Court of Punjab & Haryana, Chandigarh Order dated 15.01.2021 for favour of information & further necessary action please.

1. Demand Draft No. 582139 dated 31.03.2021

Rs. 1,54,99,000/-

2. Demand Draft No. 582040 dated 30.03.2021

Rs. 7,50,800/-

Total

Rs. 1,62,49,800/-

DA/2 No. Demand Draft in Original

Endst.No. 6268 - 70

dt: 07/04/21

EXECUTIVE ENGINEER

A copy of above is forwarded to the following for information & further necessary action please:

1. Engineer-In-Chief, Haryana, Public Health Engineering Department, Panchkula Memo No. 16325-PHED/Urban dated 25.02.2021 addressed to The Superintending Engineer, PHE Circle Hisar.
2. The Superintending Engineer, PHE Circle Hisar w.r.t his letter Endst. No. 2916 dated 02.03.2021.
3. Regional Officer, Haryana State Pollution Control Board, Base No. B-7,8 Urban Estate-II, Hisar w.r.t his letter No. HSPCB/HIR/2020/978 dated 14.07.2020.

DA/Photocopy of 2 No. Demand Draft

EXECUTIVE ENGINEER



HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula

Ph - 0172-577870-73, Fax No. 2581201

E-mail- see2hspcb@gmail.com

Website: hspcb.gov.in

FTMS

Annexure 7

Sh. Aparnesh Scientist 'B' for immediate compliance

AEE, Sci. B', Sci. B, I, JEE
Asstt. Clark, DEO
Ro (HR)

Approval for Prosecution

Whereas, M/s Public Health Engineering Department, PHED STP, Dhani Garan, Barwala (06 MLD) is a Sewage Treatment Plant.

Whereas, the Regional Officer, Hisar has reported that the unit was inspected by the team of SDM Barwala, HSPCB & CPCB on dated 14.10.2019. During inspection, it was found that STP was not functioning properly and as per Analysis Report parameters are exceeding the prescribed limits, which is gross violation under Water (Prevention and Control of Pollution) Act, 1974.

Whereas, Regional Officer, Hisar Region of the Board has recommended vide his letter no. HSPCB BDR/2020/6532 dated 16.03.2020 to accord the approval for filing the prosecution case in the Special Environment Court under section 43/44 & 48 for violation of section 24/25 of Water Act, 1974 through the concerned area incharge, against the above said unit and its Directors/Partners/Proprietor and other persons responsible for its day to day activities, for the above said violations committed by the unit;

Whereas, the Board vide resolution No. 150.11(S) has authorized Concerned Area Incharge to file prosecution case against such units and their responsible persons which violates the provisions of Water (Prevention & Control of Pollution) Act, 1974 subject to the approval of the Chairman of the Board;

Whereas, fact of the case and recommendation of Regional Officer, Hisar has been examined and it has been found that the unit has committed the offence under section 43/44 & 48 for violation of section 24/25 of Water (Prevention and Control of Pollution) Act, 1974 as mentioned above. Further, the present concerned area incharge is Sh. Aparnesh, Scientist. B.

Therefore, in view of above and in exercise of the powers delegated by the Board vide Board's resolution No. 150.11 (S), I, Ashok Kheterpal, Chairman, Haryana State Pollution Control Board being Competent Authority, hereby accord the approval to Sh. Aparnesh, Scientist B, Regional Office, HSPCB, Hisar Region, the concerned area incharge to file prosecution case on behalf of the Board in Special Environment Court, Kurukshetra under section 43/44 read with 48 for violation of section 24/25 of Water Act, 1974 as mentioned above, against the above said unit M/s Public Health Engineering Department, PHED STP, Dhani Garan, Barwala (06 MLD) and its following Directors/Partners/Proprietor and other persons responsible for its day to day activities:-

1. Sh. Sanjeev Tyagi, Executive Engineer, PHED, Division No. 02, Barwala, Hisar.
2. Sh. Balwant Poonia, Sub Divisional Engineer, PHED Sub Division, Barwala, Hisar.
3. Sh. Hiteshwar, JEE, PHED Division, Barwala, Hisar.
4. M/s Bansal Construction Co., FF-19, Omexe Gurgaon Mall, C-Block, Fazilpur Chowk, Sohna Road, Gurugram through its partners.
5. Sh. Jitender Bansal, FF-19, Omexe Gurgaon Mall, C-Block, Fazilpur Chowk, Sohna Road, Gurugram.
6. Sh. Lalit Bansal, FF-19, Omexe Gurgaon Mall, C-Block, Fazilpur Chowk, Sohna Road, Gurugram.

Dated Panchkula, the
11th June, 2020

Ashok Kheterpal
Chairman

Endst. No. HSPCB/PC/2020/4940

Dated: 16-06-2020

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

1. The Regional Officer, Haryana State Pollution Control Board, Hisar for information and further necessary action w.r.t. his letter no. 6532 dated 16.03.2020. He is directed to ensure the compliance necessary policy/procedure issued by Head Office for filing prosecution cases and will further ensure that the concerned officer shall file prosecution case against the above said unit & its responsible persons in the Special Environment Court, Kurukshetra.
2. Sh. Aparnesh, Scientist B, Regional Office, HSPCB, Hisar Region for immediate compliance and report.
3. The District Attorney, Haryana State Pollution Control Board, Panchkula.

Sr. Environmental Engineer-II (HO)
For Chairman

Action Plan Submitted by PHED-02, Hisar concerned to upgradation/improvement of 6.00 MLD STP, Dhani Garan, Barwala (Hisar).

Sr. No.	Name of Works	Action taken by PHED No. 2	Work Completion Date
1.	Reduction of colifoam up to desired level	Additional Chlorination system will be installed	30.04.2021
2.	BOD ₅ , COD and other parameters up to desired level	<ol style="list-style-type: none"> 1. Additional Bio-media Pouring 2. De-siltation of reactors 3. Re-installation of Blocked diffusers 4. Other repairing works as per requirements. 	30.04.2021
3.	Utilization of treated sewage for non potable purpose.	Construction of R.C.C. storage tank with 3.50 KM long HDPE Pipe Line. (ponding system). Work has been allotted to M/S SFA & Associates, Surya Crown Plaza Hotel, New Delhi vide allotment No. 2114-19 dated 10/02/2021.	28.02.2022
4.	Adoption of Tertiary Treatment System regarding upgradation of 6.00 MLD STP, Barwala	Construction of Rapid Sand filtration with advance chlorination system for reduction of parameters up to desired level as requirement of thermal power plants. DNIT of Rs. 630.00 Lacs has been approved by the Government vide letter No. 75675-76-PHED-Urban dated 23/07/2019.	DNIT has been approved and tender will be floating soon. Thereafter, work will be started.

Date:- 09/04/2021

Place:- Hisar.


 Executive Engineer,
 PHED No. 2, Hisar.

OFFICE OF THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DIVISION NO.II HISAR

M/s SFA & Associates,
Room No. 251, Karan Palace behind
Surya Crown Plaza Hotel,
New Delhi. Phone No. 91-11-26936600
Mob No. 91-99713-73339

Memo No.

Dated

Sub:

Tender ID No.2020 HRY-152605-1 for the work: Barwala Town: Estimate for Providing & laying HDPE rising main for treated effluent from existing STP to proposed pond District Hisar. "Construction of RCC collecting tank, brick masonry, pump chamber, C.C. Road, excavation of pond, construction of brick masonry, boundary wall, laying of HDPE rising main from STP to pond providing and installation of pumping machinery with all accessories and all other works contingent thereto".

App. Cost Rs.539.13 lacs
Agreement Amount Rs.5,18,23,828/-

Ref:

Your Bid dated 28.12.2020 & Negotiation held on 08.01.2021.

Under the authority of Engineer-in-Chief, Haryana, Public Health Engineering Department, Panchkula Memo No:8860-61-PHED/Urban dated 29.01.2021 received vide Superintending Engineer, Public Health Engg. Circle, Hisar Endst. No.1596-97 dated 02.02.2021, approval for and on behalf of Governor of Haryana to the acceptance of your above mentioned tender, on following rates, terms and conditions are hereby conveyed as under:-

Rates:

All HSR Items	@ 3.89 % below ceiling rates (premium of 22.11.2011) (Three Point Eighty Nine Percent below Ceiling Rates) HSR items Cost as per DNIT Premium 3.89% below amount (-) Net amount of HSR items	Rs.5,01,52,682/- Rs. 19,50,939/- Rs.4,82,01,743/-
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Non-Schedule Items:

Sr. No.	Description	Qty	Rate (In Rs.)	Unit	Amount
	N.S Item				
1	Supply, Erection of installation & commissioning of non clog sewage submersible pumping set along with all accessories as per site requirement in all respect complete description as per NS item No. 1 of approved NIT				
	1 No. 10450 Lpm, 35 mtr head 135.00 BHP	1	7,09,785/-	No.	7,09,785.00
	2 No. 4200 Lpm, 35 mtr head 55.00 BHP	2	4,15,850/-	No.	8,31,700.00
	2 No. 2100 Lpm 35 mtr head 27.50 BHP	2	3,00,000/-	No.	6,00,000.00
2	Supply erection, testing and commissioning of electrical LT panel board fabricated from 16 SWG	1	2,35,000/-	No.	2,35,000.00

<p>CRCA sheet duly stouted with suitable angle iron frame work and completely angle apprioximate size 1200x 900 mm having complete description as per N.S. item No. 2 of approved NIT. for 1 No. 10450 LPM, 35mtr head, 2 No. 4200 Lpm, 35 mtr head & 2 No. 2100 LPM, 35 mtr head Main switch 125 Am-p 2 No. (L&T Siemens ABB b) Volt metter 100x100mm range 0 to 500 volt 1 No. (AE LAPPA/L&T) c) Amp meter 100x100 mm rang 0 to 100 Amp 2 No. (AE LAPPA/L&T) d) CT 100 5 2 Nos. (AE LAPPA/L&T) E) VVS & ASS 2 No. of approved make F) SPP 2 Nos. approved make (control MCBSP 6 am PSP) g) Motor starter star delta (L&T) Simens ABB) H) Capacity suitable capacity - 2 Nos. I) indicating Lamp- Snc Set J) Change over switch 125 Amp -1 No. K) Motor protection relay-MBR 2.5 -5 A and all related componets as per suitable capacity & as per site requirement</p>				
<p>3 Supply erection, testing and commissioning of 3 Ton capacity Gantry type chain pully for lifting pumping machinery including all enquired material as per site complete in all respect complete description as per N.S. item No.3 of approved NIT.</p>	1	1,95,000/-	No.	1,95,000.00
<p>4 Provision for CI pipe for fitting / Valve / NRVI for Pumping Machinery for suitable size and capacity complete description as per N.S. item No.3 of approved NIT. Rising Main</p>	1	3,50,000/-	Job	3,50,000.00
<p>5 Provision for Sluice valves PN 1.6 IVC / VAG make complete in all respect. Supplying, fixing, jointing, testing & commissioning of DI sluice valves resilient sheet PN 1/6 as per DNIT specification on the pumping machinery & head wors including cost of jointing material (IVC/VAC make) complete in all respect (600mm i/d) complete description as per N.S. item No.3 of approved NIT.</p>	1	1,85,000/-	No.	1,85,000.00
<p>6 Providing , lowering, laying alignlg & fixing in position DI Air valve soft seated as cofirming to IS 14845 including jointing aterial surface chamber box compele in all respect (80mm) Make - Kirloskar , Brother IVC, VAG etc.</p>	2	42800/-	Nos. Each	85,600.00
<p>7 Proiding and fixing by Hydraunt including valve etc. complete in all repect complete description as per N.S. item No.7 of approved NIT.</p>	4	32,500/-	Nos. Each	1,30,000.00
<p>8 Provision for Providing and fixing flow metter with electricin dis play on delivery piipe in 5 No. pumps inside chamber as per site requirement and suitable size/dia complete in all respect complete description as per N.S. item No.8 of approved NIT.</p>	5	60,000/-	Nos. Each	3,00,000.00
<p>N.S Items Total Amount</p>				3622085/-
<p>Grand Total :</p>				51823828/-

Time limit	12 Months
Date of commencement	15.02.2021
Approximate DNIT Amount	Rs.539.13 lacs
Agreement Amount	Rs.5,18,23,828/-

Material will be issued at Public Health Store, Hisar.

You are requested to contact Sub Divisional Engineer Public Health Engineering Sub-Division, Barwala to take the work in hand so as to complete it within stipulated period. Your contractual obligations conclude with the issuance of this communication and detailed Contract Agreement is under preparation in this office. You are also requested to attend this office to sign the Contract Agreement on any working day, as no payment shall be made without signing the Contract Agreement.

You are also required to deposit balance security amounting to Rs.15,12,932/- within ten days of issue of this letter.

Condition:-

1. All the cuttings and corrections be got attested by the Engineer-in-Charge.
2. The expenditure against the above work shall not exceed over the administratively approved estimate and funds sanctioned for the work. In case revised approval of estimate is required, the same will be obtained well in time.
3. No change in specifications and scope of work shall be made without specific approval of Head Office.
4. The constructional, structural design and drawings shall be approved by the concerned Superintending Engineer before taking the work in hand.
5. The time limit is restricted of 12 (Twelve) months and it should be ensured to get the work be completed within the time limit.
6. The work shall be carried out strictly as per detailed specifications mentioned in the DNIT and no change in specifications and scope of work shall be made without specific approval of this office.
7. The Quantities provided and calculated in the DNIT shall be the responsibility of the Engineer-in-Charge.
8. The detailed estimate of the work shall be submitted to this office within two months for Technical Sanction.
9. The physical scope of the work taken in DNIT should not be covered in any other administratively approved estimate under any programme.
10. The sanction under Rule 9.5.1 of PWD code be taken from the competent authority before taking the work in hand.
11. The total cost of this work is restricted to Rs.5,18,23,828/- (Rs. Five Crore Eighteen Lacs Twenty Three Thousand Eight Hundred Twenty Eight only) for this complete scope of work as per DNIT.
12. All the material shall be personally inspected by Executive Engineer, Public Health Engineering Division No. 2 Hisar and inspection note issued thereof to ensure that they meet the required specifications/standards before their installation at site by the contractual agency.
13. The Engineer-in-Charge will adopt the 3rd party inspection. The 3rd party would inspect the work during its execution to ensure the construction of work as per specification/ agreement. The inspection and sample, testing charges will be borne by the Department.
14. The above rates include the cost of design, lowering of sub soil water, pile foundation, price escalation, any royalties etc. for the above said work.
15. The correctness of Ground Levels & Bed Levels of proposed/existing pipe line/structure is the responsibility of Engineer-in-Charge.
16. Labour cess @ 1% shall be deducted from the bills of contractor/agency by Executive Engineer as covered under contract labour act and will be deposited with Secretary, Haryana Building and Other Constructions Workers Welfare Board through demand draft payable at Chandigarh.
17. In compliance of Engineer-in-Chief, Haryana, Public Health Engineering Department Panchkula Memo No. 73253-73325-PHE/B&A dated 09.08.2017 the deduction @ of 2% (i.e 1% CGST+1%SGST) on all the individual contract valuing more than Rs. 2.50 Lacs will be mandatory by the DDO's.
18. As per latest amendment of Clause-7 (a) vido Engineer-in-Chief, Haryana, Public Health Engineering Department, Panchukula Memo No. 12227-12297-PHE/PIg dated 13.02.2015 the following deductions will also be made from the contractor:-
 - i) Performance security (@ 3% deposited /deducted from the agency will be refunded after expiry of defect liability period of one year.
 - ii) Retention money/ security deposit:- one half of the security deposit will be released/refunded on the payment of final bill of the work and the other half will be released/refunded ONE YEAR after expiry of defect liability period of one year.

The defect liability period for this work will be ONE YEAR from the date of the payment of the final bill.
All other conditions as per approved DNIT.

Sd/-
EXECUTIVE ENGINEER

Endst. No. 2115-19 Dated 10-02-21

A copy of the above is forwarded to the followings for information:-

1. Superintending Engineer, Public Health Engineering Circle, Hisar with reference to his Endst. No 1596-97 dated 02.02.2021.
2. Sub Divisional Engineer, Public Health Engineering Sub Division, Barwala for information and copy of approved DNIT is also enclosed herewith.
3. Divisional Accounts Officer, Public Health Engineering Division No.2 Hisar.
4. WAPCOS, Ltd. SCO No. 826, IInd Floor NAC, Mani Majra, Chandigarh.
5. Copy for contract agreement Public Health Engineering Division No.2 Hisar.

DA/For Sr. No.2

[Signature]
EXECUTIVE ENGINEER
[Signature]

PUBLIC HEALTH ENGINEERING DEPARTMENT, HARYANA

Days No 13-18, Sector - 1, Panchkula - 134112
Ph. 0-172-2561672 | Fax 0172-2560237 | Website www.hry.nic.in
SNK Tel. Free No 1800-180-5578

From

The Engineer-in-Chief, Haryana,
Public Health Engineering Department,
Panchkula.

Subject BAIG/BAICHD
SO/STING

To

The Superintending Engineer,
Public Health Engineering Circle,
Hisar.

6387
25/7/19

EE(D)

24/7/19

Memo No 75675-76 - PHED/Urban dated: - 23.07.2019

Subject: - DNIT for the work:- Estimate for upgradation & commissioning 6 MLD STP for Barwala Town. "Upgradation of Sewage Treatment Plant (STP) of 6 MLD capacity based on Moving Bed Bio Reactor (MBBR) Technology located at Dhani Garan Road at Barwala Town to 9.00 MLD capacity with Tertiary Treatment."

Rs. 630.00 Lacs

Reference your memo No. 6490 dated 01.05.2019 on the subject noted above

The approval of Engineer-in-Chief, Haryana to the NIT amounting to Rs 630 00 Lacs (Rs. Six Crore and Thirty lacs only) for the above cited work is hereby conveyed subject to the financial regularities and following conditions:-

CONDITIONS:-

- 1 All the cuttings and corrections be got attested by the Engineer-in-Charge before upload on website for e-tendering.
- 2 The expenditure against the work shall not exceed over the administratively approved estimate and funds sanctioned for the work.
- 3 The concerned Superintending Engineer shall approve the Constructional and Structural design & drawings, X-Section before taking the work in hand.
4. The time limit is 18 (Eighteen) months for construction and 120 month for O&M after completion of successful trial run.
- 5 No change in specifications and scope of work shall be made without specific approval of this office.
- 6 The quantities provided and calculated in the NIT shall be the responsibility of the Engineer-in-Charge.
7. The physical scope of work taken in NIT should not be covered in any other administratively approved estimate under any programme
8. The detailed estimate of the work shall be submitted within two months to this office for obtaining its technical sanction
- 9 The sanction under rule 9.5.1 of PWD code be taken from the competent authority before taking the work in hand.
- 10 The Engineer-in-Charge will adopt the 3rd party inspection. The inspection and sample testing charges will be borne by the Department
- 11 The correctness of the Ground Level and Bed Level of the proposed/ existing sewer structure mentioned in the NIT is the responsibility of Engineer-in-Charge

SM
A



जनस्वास्थ्य अभियानिका विभाग, हरियाणा
PUBLIC HEALTH ENGINEERING DEPARTMENT, HARYANA

Bays No 13-13, Sector - 4, Panchkula - 134112
Ph. 0172-2561672 | Fax: 0172-2560237 | Website: wes.hry.nic.in
SNK Toll Free No. 1800-180-5678

12. The contractor is required to verify the Water Table, bearing capacity and other Geo Physical conditions before tender and no subsequent payments of design, dewatering/lowering of soil water, pile foundation, price escalation, any royalties etc. will be made on this account.
13. The contractor/ agency will be responsible for compliance of all the provision contained in Gazette notification of Government of India (Legislative department) dated 19.09.2013 titled as "the prohibition of employment as manual scavengers and their rehabilitation Act 2013.
14. All safety gears required for all works related to every components of a sewerage system will be provided by agency within the allotted rates. No extra will be paid on this Act.

WRG 17/11
Executive Engineer (U).
For Engineer-in-Charge, Panchkula,
PHED, Panchkula
20/11/2019

CC. - To CHD (U) for information and necessary action.

O/O Superintending Engineer, P.H.Engg.Circle, Hisar.

Endst.No. 10862-1] -PH/dt: 25-7-19

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

1. The Executive Engineer, P.H.Engg.Div.No 2, Hisar.
2. Circle Head Draftsman, O/O P.H.E.Circle, Hisar.

DA-DMIT (For Sr.N.E)

25/11/19
Superintendent
O/O Superintending Engineer
P.H.Engg.Circle,Hisar.