

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI.**

Original Application no. 161 of 2023

In the matter of

Rana Iqbal Singh Jolly &Ors.

.....**Applicants**

Versus

State of Punjab &Ors.

.....**Respondents**

Status report of Punjab Pollution Control Board through Er. Gursharan Dass Garg, Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar in compliance to order dated 31.08.2023.

**Respectfully Showeth:**

1. That Hon'ble National Green Tribunal has taken cognizance of the matter on an Application filed by the applicants and other residents of the area on the grievance that respondent no. 8 (The Hermitage Marriage Palace, Village Karoran, Naya Gaon, SAS Nagar) organizes large gatherings plays loud music on loudspeakers, uses bright laser strobe lights and firecrackers all throughout the night till early morning hours thereby causing grave air/ noise pollution in violation of the Noise Pollution (Regulation and Control) Rules, 2000 promulgated under the Environment Protection Act, 1986, various other rules/ regulations and judgements/ directions passed by the Hon'ble Supreme Court of India, this tribunal and various High Courts.

2. The Hon'ble National Green Tribunal was pleased to pass an order dated 14.03.2023 thereby constituting a Joint Committee comprising of the representatives of the Central Pollution Control Board, Punjab Pollution Control Board, District Magistrate, Mohali with the direction to submit report before the Tribunal and State Pollution Control Board was appointed Nodal Agency for coordination and compliance. At the same time, respondents were directed to file their response / reply to the averments made in the application.
3. That in compliance to the order dated 14.03.2023, the Joint Committee vide e-mail dated 29.05.2023 has submitted its report through Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar (also a member of the Joint Committee) to the Hon'ble National Green Tribunal. After considering the report of the joint committee, the Hon'ble Tribunal was pleased to pass an order dated 30.05.2023 thereby directing the respondents to file their replies.
4. That in compliance to the orders dated 30.05.2023 of the Hon'ble National Green Tribunal, replies were filed by respondents no. 1 & 2 vide email dated 17.08.2023, by respondents no. 3 & 6 vide emails dated 18.08.2023 and by respondents no. 7 and 8 vide email dated 22.08.2023. After considering the matter, the Hon'ble National Green Tribunal was pleased to pass an order dated 31.08.2023, thereby directing respondent no. 2 Punjab Pollution Control Board to look into the allegations of violation of Environmental norms by the applicants and other persons as mentioned in the reply filed by respondent no. 8 and file its status report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.
5. That in compliance to the order dated 31.08.2023, the Punjab Pollution Control Board has examined the reply filed by respondent no. 8 (The Hermitage) before the Hon'ble National Green Tribunal. In its reply, respondent no. 8 has raised objections regarding the bonafides and credentials of the applicants and has also referred to

violation of environmental norms by the applicants. The respondent no. 8 in paragraph 9 of its reply has mentioned the following facts and violations by the making reference to applicants no. 1, 2, 3, 4, 6, 7, 8 and 9. The violations mentioned in the reply of respondent no. 8 in tabular form are reproduced herein below for kind perusal and reference:

| S No. | Name  | Violation   |
|-------|---|---|
| 1.    | Applicants No. 1, 2, 3 & 9,<br>Rana Iqbal Singh Jolly,<br>daughter-in-law Seema<br>Jolly and his Son Karan<br>Jolly | Involved in illegal development/<br>carving out the sale plots on<br>GPAs/sub-GPAs (including<br>GPA of a dead person namely<br>one Mr. Shekon, who had<br>already demised almost 10 years<br>ago) in illegal colony on<br>shamlat land in village Nadda,<br>District S.A.S. Nagar closed<br>under Forest Conservation Act,<br>1980/ Indian Forest Act, 1927<br>adjacent to location of farm of<br>Respondent no. 8. Huge<br>construction of permanent<br>structure being carried out in<br>violation of all norms of law.<br>Have illegally constructed huge<br>farm house in the name of<br>“Baikunth Farm’ raising several<br>permanent structures with<br>concrete roofing in<br>contravention of the Punjab<br>New Capital (Periphery)<br>Control Act, 1952 and the<br>Punjab Regional and Town<br>Planning and Development Act,<br>1995.<br>The Farm is question has been |

|    |  |   |
|----|--|---|
|    |  | <p>constructed on riverbed for which demolition notice has been issued by the drainage department. Demolition Notice has also been issued by the GAMADA for carrying out illegal constructions.</p> <p>Admittedly, the actions of the Applicants are fraudulent and clear and categorical violation of all applicable law of land</p> |
| 2. | Applicant No. 3/Ms. Vandana Chauhan is the real sister of Ms. Seema Jolly/Applicant No. 2. | Illegal constructing two huge houses by raising permanent structures on shamlat cum forest land of village Nadda.   |
| 3. | Applicant No. 4/ Mr. Manjit Lakhmana   | Constructed huge farm House in the name of "Gurchetan Farm" and involved in illegally carving out plots and selling the same without any permissions / sanctions.   |
| 4. | Applicant No. 6/Jagjit Singh   | Illegally constructed huge farm house by way of permanent structure on shamlat cum forest land of village Nadda.  |
| 5. | Applicant No. 7/Pawan Kumar  | Manager of illegal butchery being run under the name of "Billy Goat Farm" being run by Rana Iqbal Singh.  |
| 6. | Applicant No. 8/Mr. Gurbhachan Singh   | Illegally constructed huge farm house under the name of "Inderjit Farm" and has raised permanent structures.  |

6. That in order to verify the contentions raised by respondent no. 8 in its reply against the applicants, as mentioned in paragraph 5 above, the sites in question situated at Village Karoran, Sub-Tehsil Majri, Tehsil Kharar, District SAS Nagar were visited and inspected by the officer of the Punjab Pollution Control Board on 17.10.2023 and the observations of the visiting officer are recorded herein below:

a. Briefly stated, the respondent no. 8 is making allegations against the applicants regarding illegal construction of farm houses by individuals. None of the allegations made by respondent no. 8 in its reply against the applicants relates to the cause of Water, Air, Soil or Noise pollution.

**b. Baikunth Farms (Applicant No. 1)**

Sh. Rana Iqbal Singh Jolly, proprietor was contacted who informed that residential house was constructed in the farm in the year 2009 and the same is being used for personal residential purpose only. He further informed that no commercial functions / marriages are being organized in this premises. The facts were verified to be genuine by the visiting officer as no big lawns and parking spaces have been provided in the premises for large gatherings like The Hermitage. Google image of the farm house is enclosed at **Annexure R2/1** for kind perusal of this Hon'ble Tribunal. The applicant Rana Iqbal Singh Jolly further informed that they are doing organic farming. Their residential house is located next to the Hermitage Farms and they could not sleep at night as very loud music is played by "The Hermitage" during functions upto 4 AM in the morning.

**c. Gurchetan Farms (Applicant No. 4)**

Sh. Manjit Singh, proprietor was contacted who informed that the residential house was constructed in the farm in the year 2011-12 and the same is being used for residential purpose only. He further informed that no commercial functions / marriages are being organized in this premises, which seems to be genuine by the visiting officer as no big lawns and parking spaces have been provided for large gatherings like 'The Hermitage'. Google image

of the farm house is enclosed at **Annexure R2/2** for kind perusal of this Hon'ble Tribunal. Sh. Manjit Singh further informed that organic farming is being done in the farm house.

**d. Billy Goat Farm (Applicant No. 7)**

Sh. Karan Singh Jolly, proprietor was contacted who informed that they started goats farming in the year 2019 and no butchering was carried out at the site and the goat farming was closed in the year 2022 as they were not able to manage the same. The contentions of the applicant were found to be genuine by the visiting officer. No goat was found in the Billy Goat Farm during visit. Google image of Billy Goat Farm is enclosed at **Annexure R2/3** for kind perusal of this Hon'ble Tribunal.

**e. Inderjit Farms (Applicant no. 8)**

Sh. Amanpreet Singh, proprietor and Sh. Ram Sharma, manager were contacted who informed that one residential house was constructed in the farm in the year 2007 and one big lawn is there. The representative informed that this premises is being used for residential purpose only. He further informed that no commercial functions / marriages are being organised in this premises. However, in the year 2019, one family function was organized inside the premises for the marriage function of his grandson. The contentions of the representative were found to be genuine by the visiting officer. Google image of Inderjit Farms is enclosed at **Annexure R2/4** for kind perusal of this Hon'ble Tribunal.

**f. Begumpura Farm**

Sh. Gurdeep Singh Sekhon owner of Begumpura Farm was contacted by the visiting officer on his Mobile Number 9988399071 who informed that he has given Power of Attorney to individual private owners in the form of 2 kanals / 4 kanals of land for building farm houses in the land of Begumpura Farm. No illegal colony as alleged by respondent no. 8 has been constructed at the site. Sh. Gurdeep Singh Sekhon stated that he is not

responsible, if any illegal construction has been carried out by the respective land owners and the concerned authorities are free to demolish any illegal construction carried out by the respective land owners. At present, three number of farm houses have been built in the land of Begumpura Farm, the Google image of which is enclosed at **Annexure R2/5** for kind perusal of this Hon'ble Tribunal. The brief facts about three residential houses are given herein below:

i. House constructed by Applicant No. 6:

Sh. Jagjit Singh, Owner and Smt. Gurinder Kaur were contacted who informed that residential house was constructed in the year 2013-14 and the same is being only used for residential purpose. They further informed that no commercial functions / marriages are being organized in this premises and facts were found to be genuine by the visiting officer as no big lawns and parking spaces have been provided for large gatherings like 'The Hermitage'. Google image of the farm house is enclosed at **Annexure R2/6** for kind perusal of this Hon'ble Tribunal. However, organic farming is being carried out in the farm house.

ii. House of Applicant No. 3

Mrs. Vandana Chauhan, Owner was contacted who informed that residential house was constructed in the year 2015 and the same is being only used for residential purpose. She further informed that no commercial functions / marriages are being organized in this premises and the facts were found to be genuine by the visiting officer as no big lawns and parking spaces have been provided for large gatherings like 'The Hermitage'. Google image of the farm house is enclosed at **Annexure R2/7** for kind perusal of this Hon'ble Tribunal. Mrs. Vandana Chauhan informed that as their house is located adjoining "The Hermitage", therefore, they are unable to sleep whole night as loud music is played by "The Hermitage" during functions upto 4 AM in the morning.

iii. House of Jodha Singh

Sh. Jodha Singh, Owner of third house was contacted who informed that the residential house was constructed in the year 2022 and the same is being only used for residential purpose. He further informed that no commercial functions / marriages are being organized in this premises, which seems to be genuine by the visiting officer as no big lawns and parking spaces have been provided for large gatherings like 'The Hermitage'. Google image of the farm house is enclosed at **Annexure R2/8** for kind perusal of this Hon'ble Tribunal.

**g. Manali Farms**

Mrs. Reetinder Sekhon, Owner of Manali Farms was contacted who informed that residential house was constructed in the year 2010 and the same is being only used for residential purpose. She further informed that no commercial functions / marriages are being organized in this premises, which seems to be genuine by the visiting officer as no big lawns and parking spaces have been provided for large gatherings like 'The Hermitage'. Google image of the farm house is enclosed at **Annexure R2/9** for kind perusal of this Hon'ble Tribunal.

7. That apart from the above allegations, the respondent no. 8 in paragraph 13 of its reply has alleged that he is being targeted selectively however other properties are not being mentioned by the applicants. Respondent no. 8 has given example of Forest Hill Resort in paragraph 14 of the reply. In this regard, it is stated that M/s Forest Hill Golf and Country Club by M/s WWICS Resorts Pvt. Ltd. Village Karoran, Sub-Tehsil Majri, Tehsil Kharar, District SAS Nagar had applied for consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for Individual Huts @ 9, Residential Huts @ 1, Club (Area in sqm) @ 449.17 sqm, Office Building (Area in sqm) @ 207.1, Stitching School Building (Area in sqm) @ 448.35, Buffet Building (Area in sqm) @ 200, Banquet Hall (Area in sqm) @ 1097.74 vide

application no. 23042059 and 23038451 dated 13.09.2023 alongwith incomplete documents. Accordingly, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 alongwith an opportunity of personal hearing on 21.09.2023 before the Competent Authority of the Board was issued vide letter no. 6882-83 dated 05.09.2023 to M/s Forest Hill Golf and Country Club. Copy of notice to issue directions is enclosed as **Annexure R2/10**.

The hearing was held on 21.09.2023 and after hearing the parties, it was decided by the Competent Authority of the Board to obtain legal opinion in the case from the Senior Law Officer of the Board for taking further action in the matter and the Regional Office shall return the application to the project proponent for obtaining the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as the matter is pending in the Hon'ble Punjab and Haryana High Court. The proceedings of the personal hearing held on 21.09.2023 were conveyed to the project proponent vide Board's letter no. 7918 dated 13.10.2023, a copy of which is enclosed herewith as **Annexure R2/11**.

8. That further it is stated that in paragraph 16 of the reply, the respondent no. 8 has submitted that the land where its farm is located is not a forest area nor there any restrictions applicable and rather to the contrary it falls within 1092 acres of land in village Karaoran, SAS Nagar Mohali, Punjab and the development thereof has to be undertaken as per the mater development plan applicable to Nayagaon Municipal Committee Area. The Gram Panchayat, facing various and multiple difficulties in absence of permissions/ sanctions being withheld by the competent authorities under the State of Punjab despite order passed in the Writ Petition being CWP No. 22756 of 2013 and Contempt Petitions filed by the affected persons, have again approached the Hon'ble High Court of Punjab & Haryana at Chandigarh by filing the COCP No. 1502 of 2023 where various orders/ directions have been issued to the authorities concerned to comply with the order passed in the writ petition pertaining to

- granting permissions / sanctions to the various development activities / amenities / facilities and the Contempt Petition as on date is pending before the Hon'ble High Court on this issue. The facts of this para are correct hence admitted and the COCP No. 1502 of 2023 is listed for hearing before the Hon'ble Punjab and Haryana High Court on 20.11.2023. However, the subject matter of the case before the Hon'ble Punjab and Haryana High Court do not relate to the cause of environmental pollution.
9. Further, it is submitted that respondent no. 8 (The Hermitage) in paragraph 20 of the reply has stated that The Hermitage Farm is duly approved by the Punjab Government, Punjab Heritage and Tourism Promotion Board, under the 'Farm Stay Scheme' to promote Farm Tourism in the area. To support the facts, respondent no. 8 has enclosed a copy of the certificate of registration dated 04.10.2021 issued Punjab Heritage and Tourism Promotion Board. May be, the Punjab Heritage and Tourism Promotion Board has registered that The Hermitage Farm under the 'Farm Stay Scheme' but the same cannot be relied upon to cause environmental pollution.
10. That the respondent no. 8 in paragraph of 21 of its reply has stated that it had always taken prior permission from the competent authority being the Ld. Naib Tehsildar, Majri District SAS Nagar, Punjab exercising the power of DC, SAS Nagar, Mohali, Punjab for all the functions held at its farm. To support its contention, respondent no. 8 has enclosed the applications and permissions in this regard at **Annexure R8/8**. The examination of annexure R8/8 has revealed that Sh. Saurabh Gupta, Partner Orchid Space Designs LLP having Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh had made applications to the Naib Tehsildar, Majri, District SAS Nagar to the effect that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of M/s Orchid Space Designs LLP and wants to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on different dates for the month January 2023 that is 15.01.2023 (500 persons), 21.01.2023 (200 persons), 22.01.2023 (400 persons), 28.01.2023 (250

persons), 30.01.2023 (500 persons) and for the month of February 2023 that is 01.02.2023 (400 persons), 05.02.2023 (500 persons), 06.02.2023 (200 persons), 07.02.2023 (150 persons), 08.02.2023 (400 persons), 10.02.2023 (400 persons), 11.02.2023 (800 persons), 12.02.2023 (300 persons), 13.02.2023 (300 persons), 15.02.2023 (800 persons), 16.02.2023 (300 persons), 17.02.2023 (200 persons), 18.02.2023 (500 persons), 19.02.2023 (400 persons), 20.02.2023 (200 persons), 22.02.2023 (250 persons), 23.02.2023 (400 persons), 24.02.2023 (350 persons), 25.02.2023 (200 persons), 26.02.2023 (500 persons) and 27.02.2023 (400 persons). The minimum gathering disclosed in the letters is of 150 persons and maximum of 800 persons for different dates. Further examination of applications has revealed that there is a stamp of Joint Sub-Registrar, Majri (in Punjab Language) and above the stamp it is written "Allowed as per Govt. rules". However, there is no date on either of the application and there is no date even beneath the stamp of Joint Sub-Registrar, Majri. These facts confirm that functions are being organized at The Hermitage i.e. respondent no. 8. The violation of environmental norms by The Hermitage i.e. respondent no. 8 cannot be ruled out as such. The applicants in their statements have clearly stated that commercial functions / marriages are being held at The Hermitage and the applicants could not sleep at night as very loud music is being played during the functions by The Hermitage (Respondent No. 8) upto 4 AM in the morning.

11. That it is relevant to mention here that the Punjab Pollution Control Board has already filed its reply before the Hon'ble National Green Tribunal vide email dated 17.08.2023 and the same may kindly be read as part of the present status report.
12. That further it is submitted that "The Hermitage" i.e. respondent no. 8 has not applied for obtaining the consent to operate of the Punjab Pollution Control Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 alongwith requisite documents till date. The applications earlier filed by the project proponent were returned being

incomplete and without requisite documents. Google image of The Hermitage Farm is enclosed at **Annexure R2/12** for kind perusal of this Hon'ble Tribunal

13. That the status report is hereby submitted by the Punjab Pollution Control Board for kind perusal and appropriate order in compliance to the directions of this Hon'ble Tribunal as contained in order dated 31.08.2023

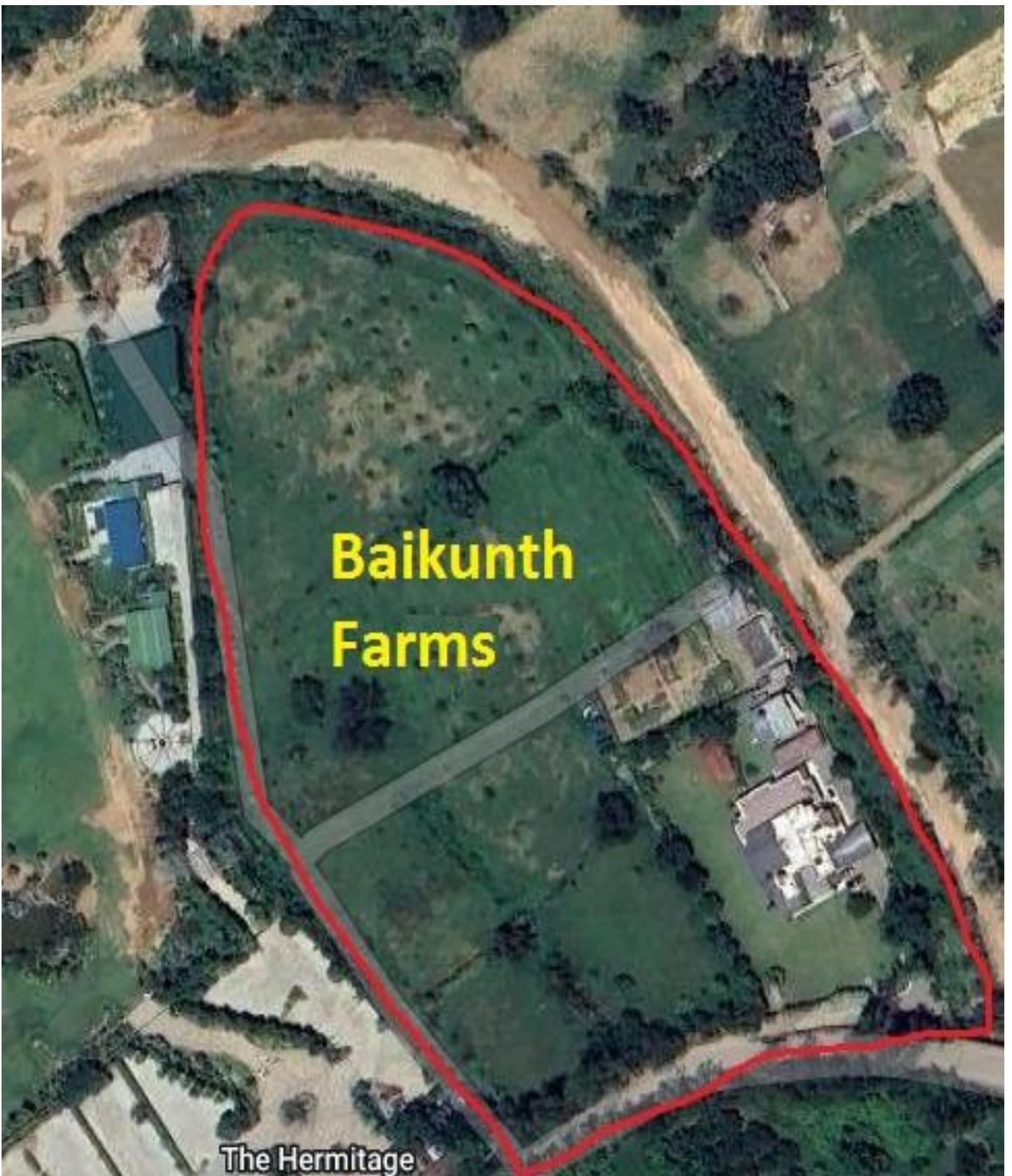
Submitted by



(Gursharan Dass Garg)  
Environmental Engineer,  
Punjab Pollution Control Board,  
Regional Office, SAS Nagar.

Date: 02.11.2023

Place: Mohali



(Longitude: 30.802493, Latitude: 76.815554)



(Longitude: 30.801189, Latitude: 76.817341)



(Longitude: 30.798957, Latitude: 76.812609)



(Longitude: 30.801025, Latitude: 76.817975)



(Longitude: 30.801626, Latitude: 76.811854)



(Longitude: 30.800644, Latitude: 76.811721)



(Longitude: 30.802950, Latitude: 76.812250)



(Longitude: 30.801008, Latitude: 76.812291)



(Longitude: 30.800444, Latitude: 76.812934)



## ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



Phone no. 0175-2301182

ਨੰਬਰ 6882

e-mail : ppbsee\_zp1@yahoo.com

ਸਿਤੀ SAJAN

REGISTERED

To

M/s Forest Hill Resort,  
Vill. Karoran, Adjoining Naya Gaon,  
Tehsil Kharar, Distt. SAS Nagar

**Subject: Notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988**

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the industrial plant.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet/ plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 for discharge of effluents arising from its industrial premises.

And whereas, it is also mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities, so as to contain the various pollutants within the standards laid down by the Board, in the effluent discharged by the industry.

And whereas, the industry failed to apply for obtaining consent to establish/ consent to operate of the Board as required under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, the site of the project was visited by officer of the Board on 29/11/2021 and it was observed that:

1. The project proponent has constructed restaurant, two banquet Halls and Golf Course and some plots in an area of approximately more than 100 acres land.
2. The project proponent has also installed STP near the main gate of the project and same was not in operation. The STP was found lying defunct and physical appearance shows that it was not in operation since long time.
3. The project proponent has not installed any composter or solid waste management system within the premises. Some quantity of solid waste was found thrown in the Nallah passing within the premises.
4. The project proponent has failed to show any document w.r.t NOC/ Consent to operate of the Board.

And whereas, the project proponent was served show cause notice for violation of the provisions the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 vide Board's letter no. 431-32 dated 10/1/2022 alongwith an opportunity of personal hearing by the Senior Environmental Engineer, Zonal Office-I, Patiala of the Board on 8/2/2022. But the project proponent has neither attended the hearing nor submitted any reply w.r.t. show cause notice issued to it.

And whereas, the effluent treatment plant was found defunct condition and untreated effluent was being discharged onto land plantation.

And whereas, the project proponent was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 vide Board's letter no. 2001-02 dated 24/3/2022 alongwith an opportunity of personal hearing before the Chairman of the Board on 11/4/2022. After hearing, it was decided as under:

1. The project proponent shall apply for consent to establish (NOC) for the complete project area.
2. The project proponent shall operate the STP regularly and efficiently so as to achieve the prescribed standards.
3. The project proponent shall use the entire treated wastewater onto land for plantation/irrigation and shall not discharge it into any drain/water body at any time.

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4. The Environmental Engineer, Regional Office, SAS Nagar shall process the 'consent to establish' / (NOC) application of the project on merits.
5. The project proponent may also develop the vermi-composting to manage the biodegradable solid waste, Project proponent shall not throw, burn or burry any solid wastes in open, outside premises or In drain / water bodies.
6. The project proponent shall promote use of alternatives of single use plastics (SUP) and awareness to discourage use of plastic, through their Corporate Environment Responsibility (CER) activities, (See attached banner).
7. The project proponent shall ensure that there are no usages of single use plastic-thermocool disposable items such as water bottles/ water pouches/ water cups, plates, forks, spoons, straw etc. and single use decorating material made of plastic-thermocool or any other non-biodegradable material in the premises.

And whereas, the project proponent has applied for obtaining consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 through OCMMS.

And whereas, the consent to operate applied under Water (Prevention & Control of Pollution) Act, 1974 was refused vide Board's letter no. CTOW/Fresh/SAS/2022/18754315 dated 14.10.2022 and consent to operate under Air (Prevention & Control of Pollution) Act, 1981 was refused vide Board's letter no. CTOA/Fresh/SAS/2022/18754290 dated 14/10/2022 due to various observations mentioned therein.

And whereas, the project proponent failed to obtain consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 till date.

And whereas, the site of the project was surprisingly visited by officer of the Board on 6/7/2023 and it was observed as under:

1. The restaurant was in operation during visit.
2. The project proponent is having one restaurant with lawn seating capacity 150 seats, the two cottages, 7 cottages (2 rooms each) are under renovation, two banquets, 12 holes golf course.
3. The project proponent has installed a STP of cap. 100 KLD and aeration was in operation. No flow was at outlet of STP was observed due to low domestic effluent generation.
4. The representative of the project informed that property has developed about 46 acres of land out of 365 acres and about 35-40 marriage functions are being held in a year.
5. The representative of project proponent was advised to obtain permission from PWRDA.

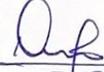
And whereas, the project proponent has failed to comply with the decisions of the personal hearing given by the Chairman of the Board on 11.04.2022 and operating its unit without obtaining consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. Thus, violating the provisions of the Water Act, 1974 intentionally & deliberately.

And whereas, it has now been decided to afford an opportunity of show cause/ personal hearing before taking further action under the Water Act, 1974.

Now, therefore, the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 proposes to direct you as under:

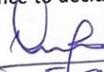
- 1) That the industry shall take all necessary steps to close down its operations and stop forthwith discharging any effluents/ wastewater into sewer/ into storm water drain/ inland surface water/ onto land for stagnation/ irrigation or through any mode.
- 2) That the industry will immediately stop its activities and will not restart the same unless all necessary water pollution control measures are taken and it obtains valid consent to operate of the Board as required under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
- 3) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- 4) That the DG set installed by industry shall be sealed, if any.

You are, hereby, given an opportunity to file objections, if any, on the proposed directions before the **Chairman of the Board** in his office at **Vatavaran Bhawan, Nabha Road, Patiala** on **14/9/2023** at **11:00 am**, failing which, it will be presumed that the project proponent has nothing to say and the Board shall go ahead to take further action in the matter under the Water (Prevention and Control of Pollution) Act, 1974 without giving further notice / opportunity.

  
5/9/2023  
Environmental Engineer  
for & on behalf of the  
Punjab Pollution Control Board

Endst. no. 6883

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar for information and necessary action. It is requested to get the copy of the notice delivered to the authorities through special messenger and send the receipt of the same to this office. It is also requested to give his comments on the reply to be submitted by the authorities w.r.t notice and send the fresh recommendation to enable this office to decide the application.

h  
Dated 5/9/23  
  
5/9/2023  
Environmental Engineer  
for & on behalf of the  
Punjab Pollution Control Board



# ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



**LIFE**  
Lifestyle for  
Environment

Phone no. 0175-2301182

ਨੰਬਰ 7918

e-mail : ppcbsee\_zp1@yahoo.com

ਮਿਤੀ 13/10/22

REGISTERED

To

M/s Forest Hill Resort,  
Vill. Karoran, Adjoining Naya Gaon,  
Tehsil Kharar, Distt. SAS Nagar

Subject:

Proceedings of the personal hearing given to M/s Forest Hill Resort, Vill. Karoran, Adjoining Naya Gaon, Tehsil Kharar, Distt. SAS Nagar u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 by the Chairman of the Board on 21/9/2023

The following were present:

**From Board's side:**

Er. G.S. Majithia, Member Secretary  
Er. Harbir Singh Multani, Chief Environmental Engineer (P)  
Er. Lavneet Kumar Dubey, Senior Environmental Engineer (ZP-1)  
Er. Rajeev Kumar Gupta, Environmental Engineer (ZP-1)  
Er. G.D. Garg, Environmental Engineer (RO)

**From industry side:**

Sh. Naginder Rao, GM (Projects)

The officers of the Board brought out that the project proponent failed to apply for obtaining consent to establish/ consent to operate of the Board as required under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

The site of the project was visited by officer of the Board on 29/11/2021 and it was observed that:

1. The project proponent has constructed restaurant, two banquet Halls and Golf Course and some plots in an area of approximately more than 100 acres land.
2. The project proponent has also installed STP near the main gate of the project and same was not in operation. The STP was found lying defunct and physical appearance shows that it was not in operation since long time.
3. The project proponent has not installed any composter or solid waste management system within the premises. Some quantity of solid waste was found thrown in the Nallah passing within the premises.
4. The project proponent has failed to show any document w.r.t NOC/ Consent to operate of the Board.

The project proponent was served show cause notice for violation of the provisions the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 vide Board's letter no. 431-32 dated 10/1/2022 alongwith an opportunity of personal hearing by the Senior Environmental Engineer, Zonal Office-I, Patiala of the Board on 8/2/2022. But the project proponent has neither attended the hearing nor submitted any reply w.r.t. show cause notice issued to it.

The effluent treatment plant was found defunct condition and untreated effluent was being discharged onto land plantation.

The project proponent was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 vide Board's letter no. 2001-02 dated 24/3/2022 along with an opportunity of personal hearing before the Chairman of the Board on 11/4/2022. After hearing, it was decided as under:

1. The project proponent shall apply for consent to establish (NOC) for the complete project area.
2. The project proponent shall operate the STP regularly and efficiently so as to achieve the prescribed standards.
3. The project proponent shall use the entire treated wastewater onto land for plantation/irrigation and shall not discharge it into any drain/water body at any time.
4. The Environmental Engineer, Regional Office, SAS Nagar shall process the 'consent to establish' (NOC) application of the project on merits.
5. The project proponent may also develop the vermi-composting to manage the biodegradable solid waste, Project proponent shall not throw, burn or bury any solid wastes in open, outside premises or in drain / water bodies.
6. The project proponent shall promote use of alternatives of single use plastics (SUP) and awareness to discourage use of plastic, through their Corporate Environment Responsibility (CER) activities, (See attached banner).
7. The project proponent shall ensure that there are no usages of single use plastic-thermocool disposable items such as water bottles/ water pouches/ water cups, plates, forks, spoons, straw etc. and single use decorating material made of plastic-thermocool or any other non-biodegradable material in the premises.

The project proponent has applied for obtaining consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 through OCMMS.

The consent to operate applied under Water (Prevention & Control of Pollution) Act, 1974 was refused vide Board's letter no. CTOW/Fresh/SAS/2022/18754315 dated 14.10.2022 and consent to operate under Air (Prevention & Control of Pollution) Act, 1981 was refused vide Board's letter no. CTOA/Fresh/SAS/2022/18754290 dated 14/10/2022 due to various observations mentioned therein.

The project proponent failed to obtain consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 till date.

The site of the project was visited by officer of the Board on 6/7/2023 and it was observed as under:

1. The restaurant was in operation during visit.
2. The project proponent is having one restaurant with lawn seating capacity 150 seats, the two cottages, 7 cottages (2 rooms each) are under renovation, two banquets, 12 holes golf course.
3. The project proponent has installed a STP of cap. 100 KLD and aeration was in operation. No flow was at outlet of STP was observed due to low domestic effluent generation.
4. The representative of the project informed that property has developed about 46 acres of land out of 365 acres and about 35-40 marriage functions are being held in a year.
5. The representative of project proponent was advised to obtain permission from PWRDA.

The project proponent has failed to comply with the decisions of the personal hearing given by the Chairman of the Board on 11.04.2022 and operating its unit without obtaining consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. Thus, violating the provisions of the Water Act, 1974 intentionally & deliberately. It was decided to afford an opportunity of show cause/ personal hearing before taking further action under the Water Act, 1974.

Therefore, the project proponent was served notice to issue directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 vide Board's letter no. 6882-83 dated 5/9/2023 before the Chief Environmental Engineer (P) of the Board on 14/9/2023 with the following proposed directions:

- 1) That the industry shall take all necessary steps to close down its operations and stop forthwith discharging any effluents/ wastewater into sewer/ into storm water drain/ inland surface water/ onto land for stagnation/ irrigation or through any mode.
- 2) That the industry will immediately stop its activities and will not restart the same unless all necessary water pollution control measures are taken and it obtains valid consent to operate of the Board as required under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
- 3) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- 4) That the DG set installed by industry shall be sealed, if any.

Due to administrative reasons, the above mentioned hearing has been postponed to 21/9/2023.

Sh. Naginder Rao, GM (Projects) of the industry attended the hearing and submitted written reply, which was taken on record. He informed during hearing that the project proponent has already applied for consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 for 46 acres of land. He also informed that the matter with regard to approval building plans of the project is pending in the Hon'ble Punjab and Haryana High Court.

Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar informed that building plans of the project has not been yet approved by the concerned department and the matter in this regard is pending in the Hon'ble Punjab & Haryana High Court. He also informed that the project for which it has applied for obtaining consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 does not cover under the ambit of EIA notification dated 14/9/2006.

After hearing the officers of the Board and the representative of the project proponent, the Chairman of the Board decided as under:

- 1) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar shall obtain legal opinion from the SLO of the Board and thereafter take further action in the matter with regard to grant of consent to operate to the project proponent under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
- 2) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar shall return the application of the project proponent for obtaining consent to operate under the Water

(Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as the matter is pending in the Hon'ble Punjab and Haryana High Court.

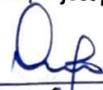
You are, therefore, requested to comply with the aforesaid decisions of the personal hearing.

  
13/X/2023  
Environmental Engineer  
for & on behalf of the  
Punjab Pollution Control Board

Endst. no. 7919.....

Dated 13/X/2023

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar. He is requested to verify the compliance made by the project proponent and shall submit further report and recommendations.

  
13/X/2023  
Environmental Engineer  
for & on behalf of the  
Punjab Pollution Control Board



(Longitude: 30.801904, Latitude: 76.813929)