

**Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi**

Original Application No. 665 of 2023

Nirmal Singh Chahal

. . . Applicant

Versus

State of Punjab & Ors.

. . . Respondents

Further Action Taken Report by Er. Daljit Singh, Environmental Engineer, Regional Office, Faridkot on behalf of Punjab Pollution Control Board i.e. respondent no. 3 in compliance to the order dated 13.03.2024.

Respectfully showeth

- 1) That briefly submitted, the applicant has filed an application complaining that Farid Enclave, Kotkapura Road, Faridkot, Punjab, a PUDA approved colony which is having around 60 houses, is operating in violation of environmental norms. STP plant of the same is non-functional resulting in overflow of sewage. It was alleged in the application that the sewage is discharged into a nearby water body through a pipeline without treatment and the area of green belt has been converted into colony. The colonizers have sold the area of green belt and also land for STP. Sewage of Hotel Shahi Haven is also discharged into colony sewage causing damage to environment due to foul smell. The school building is being converted into hotel/club. The letter has been treated as Original Application no.665 of 2023 titled Nirmal Singh Chahal v/s State of Punjab and Others by the Hon'ble National Green Tribunal. In compliance to the directions dated 11.01.2024 of the Hon'ble Tribunal, status report on behalf of Punjab Pollution Control Board was filed before the Hon'ble Tribunal.



- 2) That after consideration of the matter, the Hon'ble National Green Tribunal was pleased to pass an order dated 13.03.2024, the relevant part of which is reproduced as under:

"4. Respondents no. 1 to 3 are also directed to take remedial measures and file further action taken reports within one month at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

- 3) That in compliance to order dated 13.03.2024, it is submitted that the Board has issued directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 to the Project Proponent vide letter no.1062 dated 06.03.2024 and the further compliance of the said directions is given below in tabular form:

Directions issued to various authorities and the project proponent vide letter's no. 1064-1071 dated 06.03.2024 – compliance there are		
Sr. No.	Directions	Compliance report submitted by the concerned department
1.	The Board vide letter no. 1064-1065 dated 06.03.2024 has issued directions to the PSPCL authorities for not to release any new electric connection to any house / commercial shop/ building already constructed or being constructed within the premises of project without no objection certificate and / or valid consent to operate under the provisions of Water Act, 1974 of the Board.	The PSPCL authorities vide letter no. 1508 dated 02.04.2024 have informed that the department is complying with the directions in true letter & spirit. A copy of the letter dated 02.04.2024 is enclosed as Annexure R-3/A .
2.	Board vide letter no. 1068 dated 06.03.2024 issued directions to the Punjab Urban Planning & Development Authority to cancel the license Issued to the project promoter for development of residential colony.	The Bathinda Development Authority, Bathinda vide letter no. BDA/Bathinda/2024/191 dated 12.04.2024 has informed as under:

		<p>As per report of Legal Branch, the colony was granted license in the year 2005. The Completion certificate was granted to the colony vide letter no. 3885-87 dated 27.07.2017 after completion of development work.</p> <p>As per section 21 of PAPRA Rules, 1995, 1/5 the bank guarantee has been released to the project proponent for development works. As per condition no. 5 of the completion certificate, the project proponent is responsible for the development work for a period upto 5 years, which have been expired in the month of July 2022.</p> <p>Further, mentioned that there is no provision to cancel a license after issuance of completion as per PAPRA Act, 1995.</p> <p>A copy of the letter dated 12.04.2024 is enclosed as Annexure R-3/B.</p>
3.	<p>Board vide letter no. 1071 dated 06.03.2024 has issued directions to the Sub Registrar - cum - Tehsildar, Faridkot not to register any sale deed pertaining to the residential colony.</p>	<p>The Sub Registrar-cum-Tehsildar vide letter no. 328/RK dated 18.03.2024 has informed that they have stopped the registrations of deeds in respect of M/s Farid Colonizers, Residential Colony namely "Farid Enclave (Phase-1&2), Kotkapura Road, District Faridkot until further orders. A copy of letter dated 18.03.2024 is enclosed as Annexure R-3/C.</p>



4.	Environmental Engineer, Regional Office, Faridkot is directed to initiate legal action against the project proponent(s) responsible for day to day operation of the colony for violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 for operation without STP and valid consent of the Board.	The complaint case COMA/39/2024 against the project proponent u/s 43, 44 read with Section 47 of the Water (Prevention & Control of Pollution) Act, 1974 has been filed before the Court of Chief Judicial Magistrate, Faridkot. The next date of hearing in the matter is fixed on 03.06.2024.
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4) That in order to check the compliance of directions, the site of colony was again visited by officer of the Board on 23.04.2024 and the observations of the visiting officer with photographs are mentioned below:

- (i) The colony has installed STP for treatment of domestic effluent same was found in-line. But due to non-availability of power load, STP has not been put in operation. Photographs clicked during visit is attached on **Plate-I.**

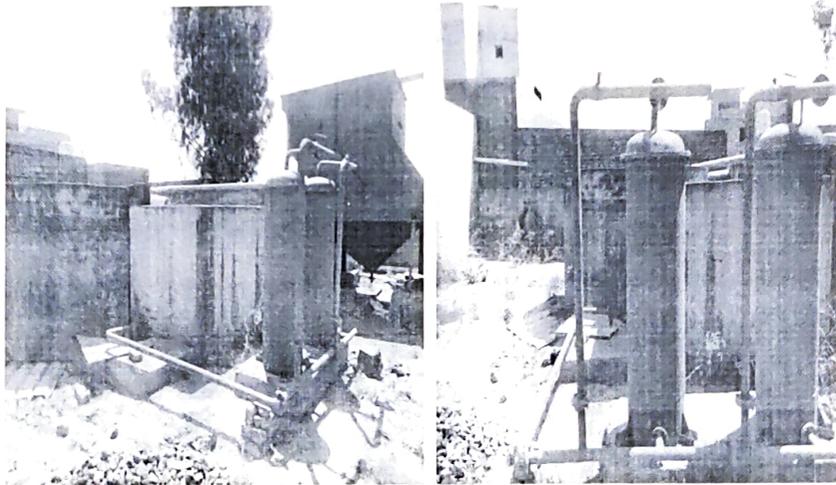


Plate-I

- (ii) The colony in process for laying of pipeline for distribution of treated domestic effluent onto land for plantation along roads and for grassy lawn.

- (iii) The colony is under process to develop plantation area for scientific disposal of treated domestic effluent.
- 5) That in further compliance to the orders dated 13.03.2024 for taking remedial measures, it is submitted that the Punjab Pollution Control Board in continuation of the directions earlier issued on 06.03.2024, has issued further directions vide letter no. 2009 dated 25.04.2024 as under:
- a) That the project proponent shall ensure to operate the STP regularly & efficiently to treat the entire domestic effluent generated from the premises of the colony, so as to achieve the prescribed effluent standards.
 - b) That the project proponent shall ensure to develop adequate plantation area / provide alternate mechanism for utilization of entire treated domestic effluent.
 - c) That the project proponent shall ensure to comply with the Solid Waste Management Rules, 2016 and also to adopt adequate in-house measures for management of wet solid waste being a bulk solid waste generator.

A copy of letter no. 2009 dated 25.04.2024 is enclosed as **Annexure R-3/D.**

- 6) That the further Action Taken Report of the Punjab Pollution Control Board is hereby submitted in compliance to order dated 13.03.2024 for kind consideration and appropriate orders of the Hon'ble Tribunal.

Date: 29.04.2024

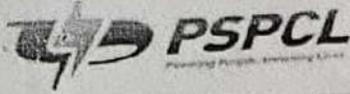
Place: Faridkot

Submitted by



Er. Daljit Singh

Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Faridkot
On behalf of Punjab Pollution Control
Board



Punjab State Power Corporation Limited

ਦਫਤਰ: ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਵੰਡ ਮੰਡਲ, ਫਰੀਦਕੋਟ
 ਰਜਿ: ਦਫਤਰ: ਪੀ.ਐਸ.ਈ.ਬੀ. ਹੋਡ ਆਫਿਸ, ਦੀ ਮਾਲ, ਪਟਿਆਲਾ 147001
 ਫੋਨ ਨੰ: 01639-292290 ਈ-ਮੇਲ xendspspclfdk@gmail.com

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ਵੱਲ

ਮਾਨਯੋਗ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ,
 ਫਰੀਦਕੋਟ

ਪੱਤਰ ਨੰ. 1508

ਮਿਤੀ. 02/04/23

ਵਿਸ਼ਾ: Directions U/s 33-A of water (preventions & Control of Pollution) Act 1974 to M/s Farid Coolonizers, Residential Colony Namly 'Farid Enclave' (Phase 1& 2) Kotkapura Road, District Faridkot.

ਹਵਾਲਾ: ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦਾ ਪੱਤਰ ਨੰ 302-304/CEA ਮਿਤੀ 27.03.2024,

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਹਵਾਲਾ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ, ਕਿ ਵਿਸ਼ਾ ਸਬੰਧੀ ਪ੍ਰਾਪਤ ਪੱਤਰ ਦੀ ਇੰਨ-ਬਿਨ ਪਾਲਣਾ ਕਰ ਦਿੱਤੀ ਗਈ ਹੈ ਜੀ। ਇਹ ਆਪ ਜੀ ਦੀ ਜਾਣਕਾਰੀ ਹਿੱਤ ਹੈ ਜੀ।

↑

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ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ
 ਵੰਡ ਮੰਡਲ ਫਰੀਦਕੋਟ

2

2/4/24

ਬਠਿੰਡਾ ਡਿਵੈਲਪਮੈਂਟ ਅਥਾਰਟੀ, ਬਠਿੰਡਾ।

ਮੇਰਾ ਵਿਖੇ,

ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ,
ਫਰੀਦਕੋਟ,

ਪੱਤਰ ਨੰ: ਵ.ਪ.ਪ./ਬੀ.ਜੀ.ਏ/ਬਠਿੰਡਾ/2024..(9)..
ਮਿਤੀ...12/04/2024...

ਵਿਸ਼ਾ:- Directions U/s 33-A of Water(Prevention & Control of Pollution) Act, 1974 to M/s Farid Colonizers, Residential Colony namely 'Farid Enclave' (Phase-1&2), Kotkapura Raod, District Faridkot.

ਹਵਾਲਾ:- ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦਾ ਪੱਤਰ ਨੰ: 339/CEA dated 02.04.2024

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਵੱਲੋਂ ਪੀ.ਪੀ.ਸੀ.ਬੀ ਵਿਭਾਗ ਦਾ ਪੱਤਰ ਨੰ: 1062 ਮਿਤੀ 06.03.2024 ਦੀ ਕਾਪੀ ਭੇਜਕੇ ਕਲੋਨਾਈਜ਼ਰ ਨੂੰ ਜਾਰੀ ਹਦਾਇਤਾਂ ਵਿੱਚ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਕਰਦੇ ਹੋਏ ਰਿਪੋਰਟ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਹੈ, ਜਿਸ ਵਿੱਚ ਬੀ.ਜੀ.ਏ ਦਫਤਰ ਨਾਲ ਸਬੰਧਤ ਹਦਾਇਤ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ:-

" Punjab Urban Planning & Development Authority shall Cancel the license issued to the project promoter for development of residential colony"

ਉਕਤ ਦੇ ਸਬੰਧ ਵਿੱਚ ਦਫਤਰੀ ਰਿਕਾਰਡ ਅਤੇ ਇਸ ਦਫਤਰ ਦੀ ਲੀਗਲ ਸ਼ਾਖਾ ਤੋਂ ਪ੍ਰਾਪਤ ਰਿਪੋਰਟ ਅਨੁਸਾਰ ਉਕਤ ਕਲੋਨੀ ਨੂੰ ਸਾਲ 2005 ਵਿੱਚ ਲਾਈਸੈਂਸ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸੀ। ਕਲੋਨੀ ਦੇ ਵਿਕਾਸ ਕਾਰਜ ਮੁਕੰਮਲ ਹੋਣ ਉਪਰੰਤ ਪੱਤਰ ਨੰ: 3885-87 ਮਿਤੀ 27.07.2017 ਰਾਹੀਂ ਕੰਪਲੀਸ਼ਨ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕੀਤਾ ਜਾ ਚੁੱਕਾ ਹੈ। ਪਾਪਰਾ ਰੂਲਜ਼ 1995 ਦੇ ਸੈਕਸ਼ਨ 21 ਅਨੁਸਾਰ ਕਲੋਨੀ ਦੇ ਕੰਪਲੀਸ਼ਨ ਸਰਟੀਫਿਕੇਟ ਉਪਰੰਤ 1/5 ਬੈਂਕ ਗਾਰੰਟੀ ਦੀ ਰਕਮ ਕਲੋਨੀ ਦੇ ਵਿਕਾਸ ਕਾਰਜਾਂ ਦੀ ਮੈਨਟੀਨੈਂਸ ਵਾਸਤੇ ਰੱਖਦੇ ਹੋਏ ਬਾਕੀ ਗਾਰੰਟੀ ਵੀ ਰਲੀਜ਼ ਕੀਤੀ ਜਾ ਚੁੱਕੀ ਹੈ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਕੰਪਲੀਸ਼ਨ ਸਰਟੀਫਿਕੇਟ ਦੀ ਸ਼ਰਤ ਨੰ: 5 ਅਨੁਸਾਰ ਕਲੋਨੀ ਦਾ ਕੰਪਲੀਸ਼ਨ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਹੋਣ ਦੀ ਮਿਤੀ ਤੋਂ 5 ਸਾਲ ਤੱਕ ਕਲੋਨੀ ਦੇ ਵਿਕਾਸ ਕਾਰਜਾਂ ਦੀ ਜ਼ਿੰਮੇਵਾਰੀ ਪ੍ਰਮੋਟਰ ਦੀ ਹੁੰਦੀ ਹੈ, ਜੋ ਕਿ ਮਹੀਨਾ ਜੁਲਾਈ, 2022 ਵਿੱਚ ਸਮਾਪਤ ਹੋ ਚੁੱਕੀ ਹੈ।

ਪਾਪਰਾ ਐਕਟ, 1995 ਅਨੁਸਾਰ ਕੰਪਲੀਸ਼ਨ ਜਾਰੀ ਹੋਣ ਉਪਰੰਤ ਲਾਈਸੈਂਸ ਕੈਂਸਲ ਕਰਨ ਦਾ ਕੋਈ ਵੀ ਉਪਬੰਧ ਨਹੀਂ ਹੈ ਜੀ। ਇਹ ਆਪ ਜੀ ਦੀ ਸੂਚਨਾ ਅਤੇ ਅਗੇਲੀ ਕਾਰਵਾਈ ਹਿੱਤ ਪੇਸ਼ ਹੈ ਜੀ।


ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ,
ਬੀ.ਜੀ.ਏ, ਬਠਿੰਡਾ

ਦਫ਼ਤਰ ਸਬ ਰਜਿਸਟਰਾਰ-ਕਮ-ਤਹਿਸੀਲਦਾਰ, ਫਰੀਦਕੋਟ।

ਸੇਵਾ ਵਿਖੇ

ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ,
ਫਰੀਦਕੋਟ।

ਨੰਬਰ 328 /ਰਕ

ਮਿਤੀ 18-3-24

ਵਿਸ਼ਾ:-

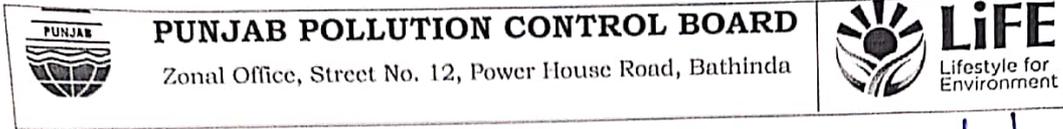
Directions U/s 33-A of Water (Preventions & Control of Pollution) Act, 1947 to M/s Farid Colonizers, Residential Colony namely 'Farid Enclave (Phase-1 & 2), Kotkapura Road, District Faridkot.

ਹਵਾਲਾ:-

ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ ਨੰ:242/ਸੀ.ਈ.ਏ. ਮਿਤੀ 12-03-2024 ਸਬੰਧੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਹਵਾਲਾ ਅਧੀਨ ਪੱਤਰ ਵਿੱਚ ਦਰਜ ਅਨੁਸਾਰ **M/s Farid Colonizers, Residential Colony namely 'Farid Enclave (Phase-1 & 2), Kotkapura Road, District Faridkot** ਦੇ ਇਸ ਦਫ਼ਤਰ ਵਿਖੇ ਰਜਿਸਟਰਡ ਹੋਣ ਵਾਲੇ ਵਸੀਕਿਆਂ ਸਬੰਧੀ ਅਗਲੇ ਹੁਕਮਾਂ ਤੱਕ ਰੋਕ ਲਗਾ ਦਿੱਤੀ ਗਈ ਹੈ ਜੀ। ਰਿਪੋਰਟ ਆਪ ਜੀ ਪਾਸ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਹਿੱਤ ਪੇਸ਼ ਹੈ ਜੀ।


ਸਬ-ਰਜਿਸਟਰਾਰ,
ਫਰੀਦਕੋਟ।

No. 2009RegisteredDated 25/4/2024

To

M/s Farid Colonizers,
Residential Colony namely 'Farid Enclave' (Phase -1 & 2),
Kotkapura Road, Distt. Faridkot.

Sub: - Directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 to M/s Farid Colonizers, Residential Colony namely 'Farid Enclave' (Phase -1 & 2), Kotkapura Road, Distt. Faridkot.

Whereas, the project proponent of the colony was issued directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 vide Board's letter no. 1062 dated 06.03.2024, in which it was directed that the project proponent not sell any vacant residential / commercial plot or construct any house under group housing project or construct any house on the plot allocated for construction of house or make any expansion within the premises of colonies or shall not get released any electric power connection from PSPCL for newly constructed house, where no occupancy has been given.

And whereas, it is intimated that O.A. No. 665 of 2023 has been filed before the Hon'ble National Green Tribunal by Sh. Nirmal Singh Chahal alleging that 'Farid Enclave', Kotkapura Road, Faridkot, Punjab is operating in violation to the environmental norms. The Hon'ble NGT vide its order dated 13.03.2023 has directed the Board to take remedial measures in the matter.

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 and in continuation to the directions issued vide Board's letter no. 1062 dated 06.03.2024, hereby, directs as under:-

- That the project proponent shall ensure to operate the STP regularly & efficiently to treat the entire domestic effluent generated from the premises of the colony, so as to achieve the prescribed effluent standards.
- That the project proponent shall ensure to develop adequate plantation area/ provide alternate mechanism for utilization of entire treated domestic effluent.
- That the project proponent shall ensure to comply with the Solid Waste Management Rules, 2016 and also to adopt adequate in-house measures for management of wet solid waste being a bulk solid waste generator.

In case of failure to comply with the above said directions, you are liable for action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988.

25/4/2024
Senior Environmental Engineer (ZB)
For Chairman, PPCB
Dated 25/4/2024

Endst. No. 2010

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional office, Faridkot for information & necessary action. He is directed to ensure the compliance of above directions.

25/4/2024
Senior Environmental Engineer (ZB)
For Chairman, PPCB