

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

Original Application No. 665 of 2023

Nirmal Singh Chahal

... Applicant

Versus

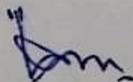
State of Punjab & Ors.

... Respondents

Reply of Er. Daljit Singh, Environmental Engineer, Regional Office,
Faridkot on behalf of Punjab Pollution Control Board.

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. The sewage is discharged into a nearby water body through a pipeline without treatment. 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 Haveli 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.



- 17
- 2) That after consideration of the matter, the Hon'ble National Green Tribunal was pleased to pass an order dated 11.01.2024 thereby impleading the State of Punjab through Chief Secretary; District Magistrate, Faridkot and Punjab Pollution Control Board as respondent in the case with direction to file their response. The Punjab Pollution Control Board (Respondent no.3) is filing the reply in compliance to order dated 11.01.2024 and the reply of the Board may kindly be read in the following paragraphs.

 - 3) That a complaint dated 17.07.2023 has been filed by Farid Enclave Welfare Society, Kotkapura Road, Faridkot against the promoters of Farid Enclave Colony, Kotkapura Road, Faridkot i.e. M/s Farid Colonizers regarding the unscientific disposal of waste water and illegal operation of hotel cum restaurant in the premises of colony. A copy of the complaint is enclosed as **Annexure-A**. To verify the facts, the site of the complaint was visited by Officers of Regional Office, Faridkot of the Punjab Pollution Control Board on 02.08.2023 and it was observed as under:
 - a) The colony consisting of Farid Enclave (Phase-1) in an area of 9.8 acres and Farid Enclave (Phase-2) in an area of 9.5 acres is in operation on Kotkapura Road, Faridkot, without any bifurcation.
 - b) Approx. 50 no. houses have been constructed and occupied alongwith 15 no. SCOs. The colonizer has constructed an establishment in the name & style of 'M/s Haveli Club' consisting of 12 no. rooms for party/ rent purpose, within the premises.
 - c) STP installed was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were rusted and as per site conditions, it can be revealed that the STP has not been operated since long.
 - d) Domestic effluent of the colony is collected in a man hole inside the colony and was disposed off onto the vacant plot of



1.5 kanal area for stagnation. Also, an outlet of untreated domestic effluent of the colony provided into Langeana drain.

- e) Plantation area reserved for disposal of treated effluent has been developed as 03 no. residential plots.
- 4) That in view of the observations of the visiting officer, a notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 was issued to M/s Faridkot Colonizer, Kotkapura Road, Faridkot vide letter no. 2797 dated 12.09.2023 with an opportunity of personal hearing before Chief Environmental Engineer(B) of the Board on 18.09.2023, which was postponed to 30.10.2023. A copy of letter no. 2797-2798 dated 12.09.2023 is enclosed as **Annexure-B**. No one on behalf of the promoter company had attended the personal hearing before Chief Environmental Engineer (B) on 30.10.2023. However, considering the facts of the case, the Chief Environmental Engineer decided as under that:
- a) The project proponent will ensure to operate its STP regularly & scientifically to achieve the effluent standards at all times.
 - b) The project proponent will provide adequate disposal arrangements for the treated domestic effluent and no treated/untreated effluent will be discharged into drain or onto land for stagnation.
 - c) The project proponent will apply for obtaining consents to operate of the Board under the Water Act, 1974 & Air Act, 1981 for phase-I & phase-II of the colony, within one month.
 - d) Environmental Engineer, Regional Office, Faridkot shall visit the colony within one month and process the 'consent to operate' applications to be applied by the project proponent under the Water Act, 1974 & Air Act, 1981, on merits.

The proceedings of the hearing held on 30.10.2023 before Chief Environmental Engineer (B) were conveyed to the Project Proponent vide letter no. 3460 dated 07.11.2023, a copy of which is enclosed herewith as **Annexure-C**.

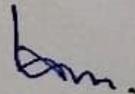


5) That in compliance to the decisions of the hearing held on 30.10.2023, the site of the colony was again visited by the officer of the Board on 29.01.2024 and it was observed as under:

- i. The STP of the colony was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were rusted and as per site conditions, STP has not been operated since long.
 - ii. Untreated domestic effluent of the colony is being collected in a collection tank provided by the colony and same is being lifted by pump for disposing onto vacant plot for stagnation within colony premises. Also, an outlet of untreated domestic effluent of the colony provided into Langeana drain for discharging.
 - iii. Earlier, plantation area has been developed in 03 no. residential plots by PP for discharging of effluent. But presently, no plantation area is existing.
 - iv. No management has been adopted for handling of solid of the colony. Solid waste was found disposed in vacant plot along drain. In view of above, the colony is violating the provisions of Water Act, 1974 and SWM Rules, 2016 willfully & deliberately.
- 6) That it is relevant to mention here that OSD (Litigation) to Chief Secretary, Punjab has issued letter dated 29.01.2024 for making compliance of the order dated 11.01.2024 of the Hon'ble National Green Tribunal passed in O.A No. 665 of 2023.
- 7) That keeping in view the observations of the visiting officer, a notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 has been issued to the project proponent M/s Farid Colonizers, Kotkapura Road, Faridkot vide letter no. 951 dated 26.02.2024 with an opportunity of personal hearing before Chairman of the Board at Patiala on 06.03.2024, but the same was re-scheduled before the Member Secretary of the Board on the same date on 06.03.2024

vide letter no. 1033 dated 05.03.2024. A copy of the notice dated 26.02.2024 is enclosed as **Annexure-D** and copy of letter no. 1033 dated 05.03.2024 vide which the hearing was rescheduled before the Member Secretary is enclosed as **Annexure-E**.

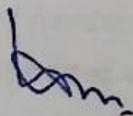
- 8) That Sh. Sanjeev Kumar, Sh. Pardeep Kumar and Sh. Vikramjeet Singh partners alongwith Sh. Darshan Garg, Consultant appeared before the Member Secretary of the Board for hearing on 06.03.2024. The representatives submitted written reply to the notice issued by the Board and the same was taken on record. The representatives stated that the project was developed in the year 2005 and completed in 2017. Sewage Treatment Plant of 200 KLD was installed in 2012 expecting higher occupancy, however, due to insufficient effluent of 10 to 15%, STP could not be operated. The colony was transferred to PUDA in March 2017. They had sold the plot reserved for hotel to Haveli Club and now that is a different entity which is being operated by different management. In September 2021 Farid Enclave Welfare Society was registered under the president of Sh. Nirmal Singh Chahal and from the said date welfare society is responsible for the management of solid waste, wastewater, plantation and other operations of the colonies. Separate Bank account has been set up by the welfare society in which funds are being collected from the residents for regular operations of the society, but they had made a mistake by not signing the handover documents to the welfare society.
- 9) That during the hearing it was deliberated by the Member Secretary of the Board that the project proponent obtained consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 only for phase-I of the colony which was valid up to 30.09.2018 and thereafter failed to obtain consent to operate under the said Act. Moreover, Phase-II of the colony has been established/commissioned without obtaining consent to establish/operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. Further as per the details of the visit carried out by officer(s) of the Board on 02.08.2023 and 29.01.2024, respectively, the STP of the colony was found in abundant condition and wild grass was found grown in the STP area, the component of the STP were found



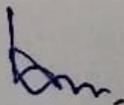
rusted and the site condition revealed that the STP has not been operated since long. Untreated domestic effluent of the colony is disposed of onto vacant plot for stagnation within the premises and an outlet has been provided for discharge of untreated domestic effluent into Langeana drain. Proposed plantation area has been developed into 03 no. residential plots and presently no plantation area has been provided for disposal of the treated wastewater. No management has been provided for handling of the solid waste in compliance to the Solid Waste Management Rules, 2016. Moreover, the partner(s) of the colony failed to submit any written agreement/legal document executed between the partner(s) of the colony and the Resident Welfare Association (RWA) regarding handing over of the colony for its regular operation and maintenance and as such the reply was found fully unsatisfactory.

10) That after hearing the Partners of the colony as well as the officers of the Board and considering the material aspects in view of environmental norms, the Member Secretary of the Board decided to issue various directions by invoking the provisions of section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as under:

- a) To the project proponent not to 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.
- b) To PSPCL authorities not to release any new electric power connection to any house / commercial shop / building already constructed or being constructed within the premises of the project without no objection certificate and/or valid consent to operate under the provisions of Water Act, 1974 of PPCB.



- c) To the Punjab Urban Planning & Development Authority to cancel the license issued to the project promoter for development of residential colony.
 - d) To the Sub Registrar – cum - Tehsildar, Faridkot not to register any sale deed pertaining to the residential colony.
 - e) 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 & Control of Pollution) Act, 1974 for operation without STP and valid consent of the Board.
- 11) That the proceedings of the hearing held before the Member Secretary of the Board on 06.03.2024 have been issued to M/s Farid Colonizers, Residential Colony namely Farid Enclave, Kotkapura Road, District Faridkot vide letter no. 1060 dated 06.03.2024 and a copy of the same is enclosed herewith as **Annexure-F**.
- 12) That in compliance to the decisions taken during the hearing held before the Member Secretary of the Board on 06.03.2024, following directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 have been issued to the project proponent as well as various authorities as under:
- a) To the project proponent not to 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, vide letter no. 1062 dated 06.03.2024. A copy of letter no.1062 dated 06.03.2024 is enclosed as **Annexure-G**.
 - b) To PSPCL authorities not to release any new electric power connection to any house / commercial shop / building already constructed or being constructed within the premises of the



project without no objection certificate and/or valid consent to operate under the provisions of Water Act, 1974 of Punjab Pollution Control Board, vide letter no. 1064-1065 dated 06.03.2024. A copy of letter no. 1064-1065 dated 06.03.2024 is enclosed as **Annexure-H.**

c) To the Punjab Urban Planning & Development Authority to cancel the license issued to the project promoter for development of residential colony, vide letter no. 1068 dated 06.03.2024. A copy of letter no. 1068 dated 06.03.2024 is enclosed as **Annexure-I.**

d) To the Sub Registrar – cum - Tehsildar, Faridkot not to register any sale deed pertaining to the residential colony, vide letter no. 1071 dated 06.03.2024. A copy of letter no. 1071 dated 06.03.2024 is enclosed as **Annexure-J.**

e) 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 & Control of Pollution) Act, 1974 for operation without STP and valid consent of the Board vide letter endorsement no. 1061 dated 06.03.2024 vide which proceedings of hearing held on 06.03.2024 have been conveyed.

13) That the reply / action taken report on behalf of Punjab Pollution Control Board is hereby submitted in compliance to order dated 11.01.2024 for kind perusal and consideration of the Hon'ble Tribunal.

Date: 08/03/24

Place: Faridkot

Submitted by

(Daljit Singh)

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

Farid Enclave Welfare Society

Farid Enclave, Kotkapura Road, Faridkot (PB)-151203

Reg No.: 1040 of 2022-23

Email: faridenclavewelfaresociety@gmail.com

Dated: 17-07-2023

Letter No.: 84/2023

To:

Chairman,
National Green Tribunal,
New Delhi.

Subject: No Sewerage Treatment Plant in PUDA Approved Colony and wastage is discharging in a water body and illegal houses sold by colonisers.
Respected,

According to above said subject, we are the residents of Farid Enclave Colony, Kotkapura Road, Faridkot, Punjab. It is a PUDA approved colony and established around 2004-05.

According to PUDA norms, there must be a Sewerage Treatment Plant in a colony and a green belt in which all the wastage of STP will be disburserd.

In this colony, a STP plant and a green belt was present. But as the time passed, STP never worked. We are around 60 houses here. As the STP not working, the sewerage has gone overflowed many times. (Snaps attached)

We have filed complaints regarding this with local authorities, PUDA, BDA Bathinda and also with colonizers. But no one give attention to our complaints. We have to clean the choked sewerage from a private person and all the expenses bear by us.

Now the area of green belt that left for the wastage of STP wastage and treated water is converted into a colony. Colonizers have sold that place and now no green belt and land for treated water of STP and wastage of STP is present.

Colonizers lay down a pipe for the sewerage water and disburse the whole sewerage material into a nearby water body without treating it. Thus they are polluting a water body also.

There is a Hotel Shahi Haveli in the SCO's of the colony, They organized kitty parties and marriage functions in it. As per norms there should be a different STP for Hotel and Marriage Palace. But they don't have separate STP for their commercial use. For a Hotel a Grease Trap also be present if there is a kitchen in a Hotel. But there is no grease trap present. All the sewerage wastage of Hotel Shahi Haveli and wastage of Kitchen of Hotel Shahi Haveli disburserd in colony sewerage. So there is very bad smell present in the colony environment.

Now the owners of Hotel Shahi Haveli are trying to expand the hotel and they are converted a school building of colony into Hotel/Club. There are 13 to 14 rooms present in the school that are converting into hotel rooms with attached bathroom. (Snaps Attached) The wastage of this also be disburserd in the colony sewerage. They did not obtain any NOC regarding this from Pollution Control Board.

We all the colony members urge you to look up in this matter and put the culprits behind the bars.

Thank You.

Endorsement No. 65-EG/2023

Copy To:-

1. Punjab Pollution Control Board, Patiala
2. Pollution Control Board, Faridkot

(Signature)
(Signature)
(Signature)

Dated: 17-07-2023

(Signature)
 श्रीसिंह सिंह
 प्रीति टिक्कर सिंह
 प्रीति सिंह

भुगतः
म. कपूर सिंह
98159-21940

सुपु भुगतः
म. कपूर सिंह
94631-13922

भुगतः
म. कपूर सिंह
99889-95454

सुपु भुगतः
म. कपूर सिंह
97793-00424

भुगतः
म. कपूर सिंह
89683-60301

सुपु भुगतः
म. कपूर सिंह
98141-31916

भुगतः का भुगतः
म. कपूर सिंह
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म. कपूर सिंह
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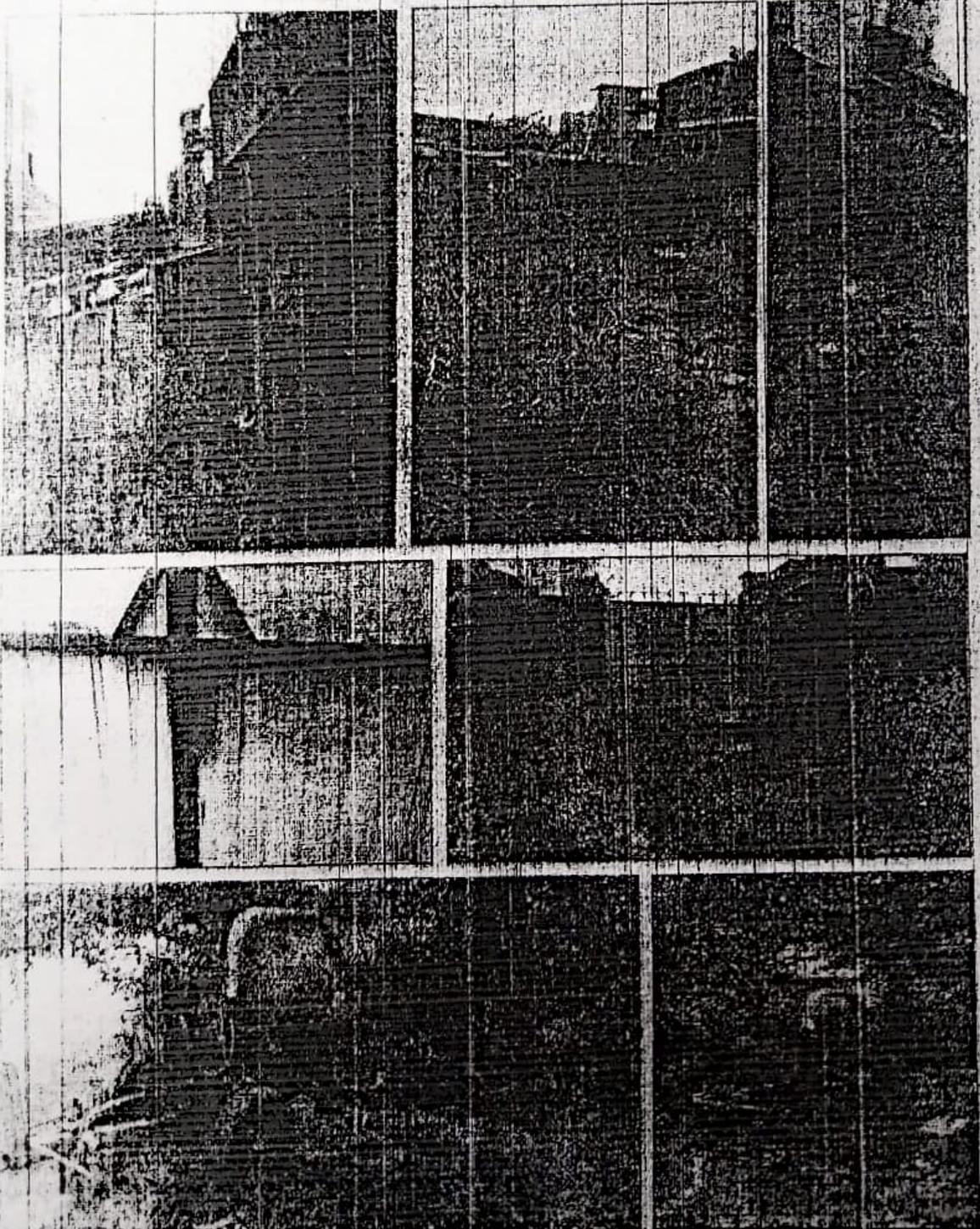
भुगतः का भुगतः
म. कपूर सिंह
99141-28653

(a)

ਫਰੀਦ ਇਨਕਲੇਵ ਵੈਲਫੇਅਰ ਸੁਸਾਇਟੀ

ਰਜਿ.ਨੰ.: 1040 ਆਫ 2022-23

Condition of STP of Colony

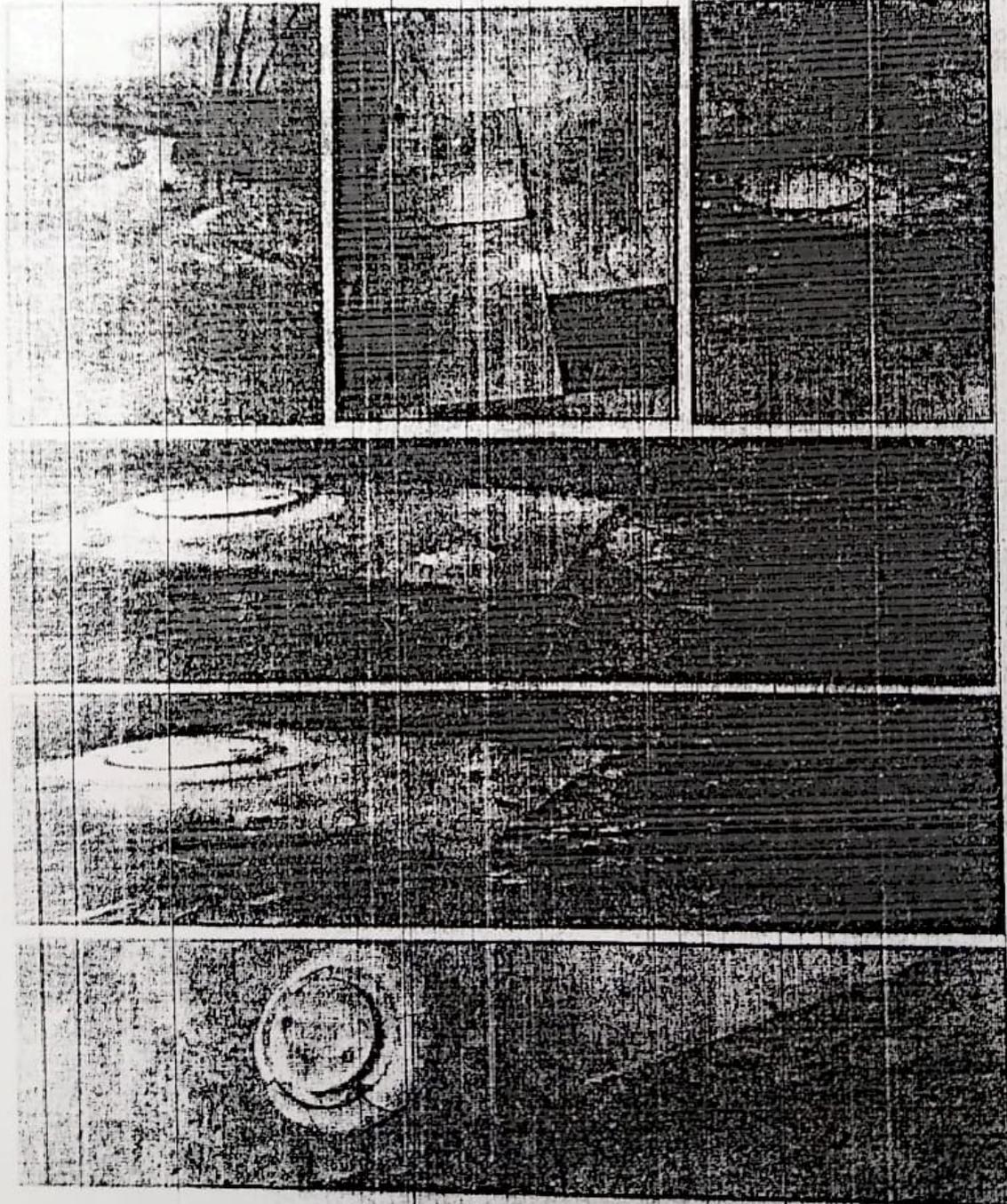


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ਗੁਰਦਿਤ ਇਨਕਲੇਵ ਵੈਲਫੇਅਰ ਸੁਸਾਇਟੀ

ਰਜਿ.ਨੰ.: 1040 ਆਫ 2022-23

Condition of Swerage of Colony

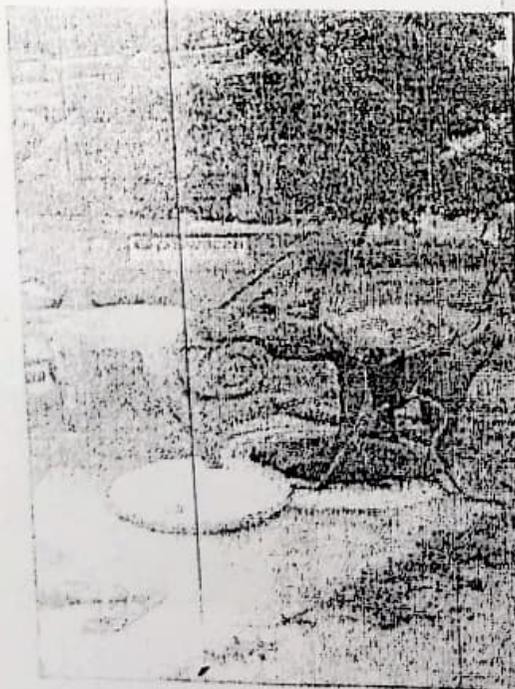
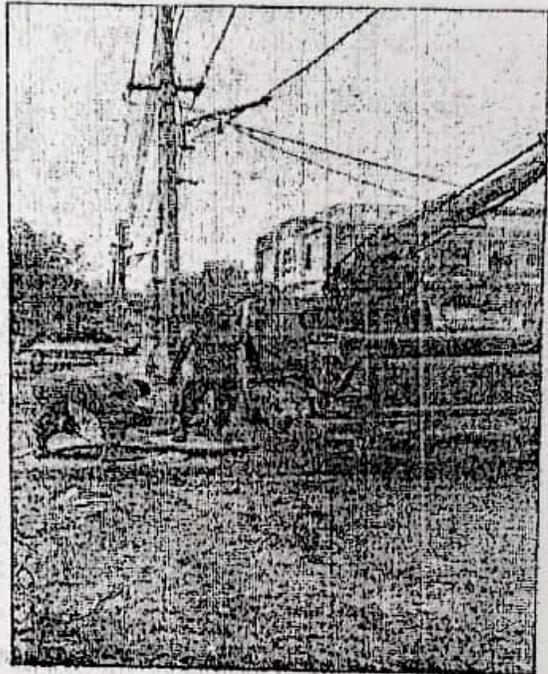
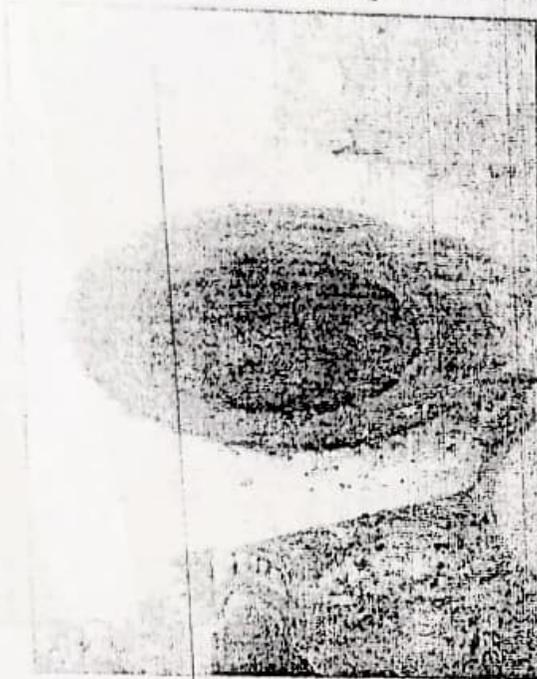


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ਫਰੀਦ ਇਨਕਲੇਵ ਵੈੱਲਫੇਅਰ ਸੁਸਾਇਟੀ

ਰਜਿ.ਨੰ.: 1040 ਆਫ 2022-23

Cleaning of Swerage Done Privately by Colony Residents

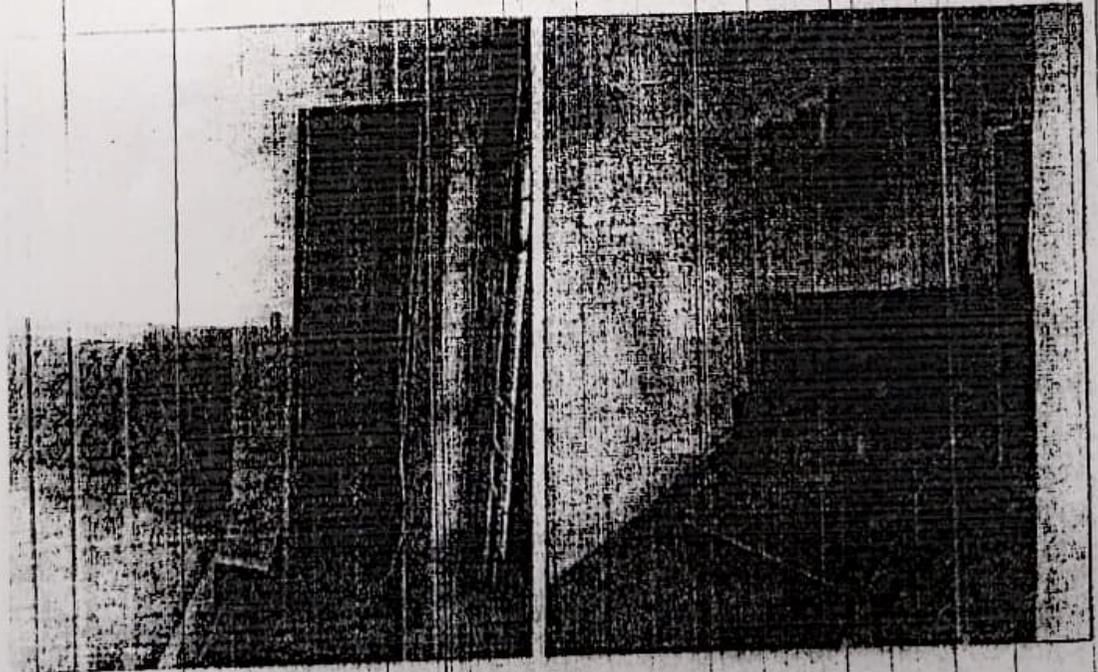
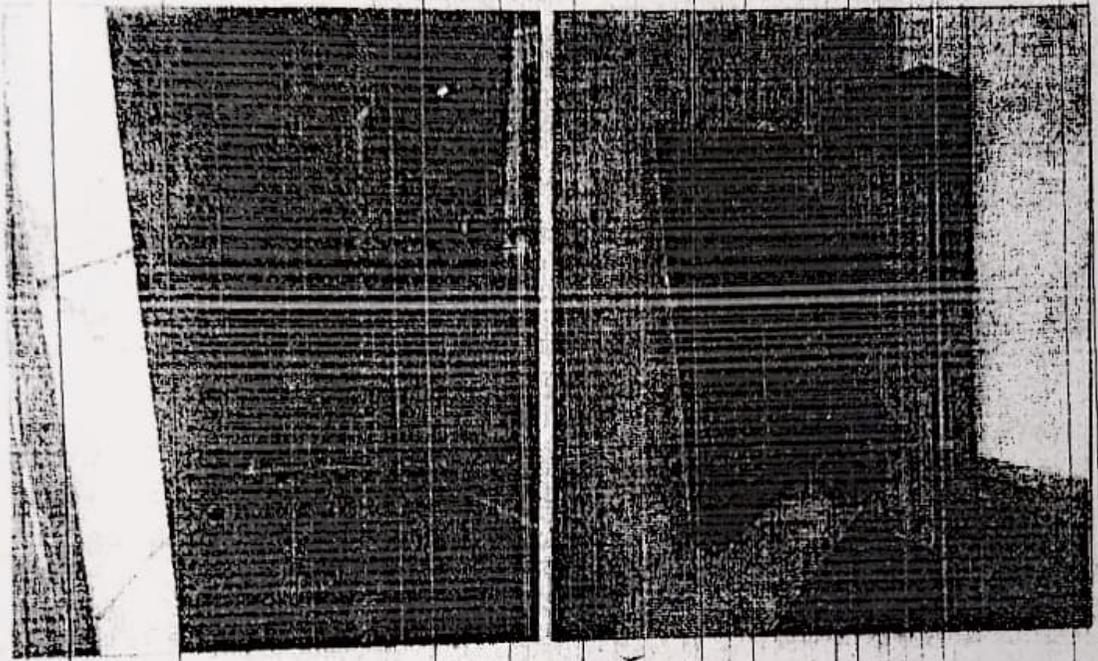


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ਫਰੀਦ ਇਨਕਲੇਵ ਵੈਲਫੇਅਰ ਸੁਸਾਇਟੀ

ਰਜਿ.ਨੰ.: 1040 ਆਫ 2022-23

Converting School in Hotel/Club of Colony



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PUNJAB POLLUTION CONTROL BOARD

Zonal Office, Street No. 12, Power House Road, Bathinda


LIFE
 Lifestyle for
 Environment

Annexure - B

No.

Registered

Dated

To

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

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 mandatory on the part of the project proponent to obtain the 'consent to establish' (NOC) of the Board as required under the provisions of Water Act, 1974 and Air Act, 1981 before starting the development / construction of the project.

And whereas, it is also mandatory on the part of the project proponent to take / install adequate & appropriate water pollution / air pollution/ solid waste management / treatment facilities so as to contain the conc. of various pollutants in effluent/emissions discharged from the project premises within the standards prescribed by the Board.

And whereas, the project proponent has obtained 'consent to operate' of the Board under the provisions of Water Act, 1974 on 30.08.2012 for development of residential colony in an area of 9.837 acres, which was valid upto 30.09.2018.

And whereas, the project proponent failed to obtain extension in the validity of 'consent to operate' under the Water Act, 1974.

And whereas, a complaint was received regarding the unscientific disposal of wastewater and regarding operation of hotel-cum-restaurant in the premises of colony.

And whereas, the colony was visited by the officer of the Board on 02.08.2023 and it was observed that: -

1. The colony consisting of Farid Enclave (Phase-1) in an area of 9.8 acres and Farid Enclave (Phase-2) in an area of 9.5 acres is in operation on Kotakpura Road, Faridkot, without any bifurcation.
2. Approx. 50 no. houses have been constructed and occupied alongwith 15 no. SCOs. The colonizer has constructed an establishment in the name & style of 'M/s Havell Club' consisting of 12 no. rooms for party/ rent purpose, within the premises.
3. STP installed was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were rusted and as per site conditions, it can be revealed that the STP has not been operated since long.
4. Domestic effluent of the colony is collected in a man hole inside the colony and was disposed off onto the vacant plot of 1.5 kanal area for stagnation. Also, an outlet of untreated domestic effluent of the colony provided into Langeana drain.
5. Plantation area reserved for disposal of treated effluent has been developed as 03 no. residential plots.

And whereas, the project promoter is violating the provisions of the Water Act,

And whereas, therefore the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water Act, 1974 proposes to issue the following directions:-

- i) That the project proponent will immediately dismantle and remove all outlets and stop forthwith discharging any effluent/ wastewater onto land for stagnation/ inland surface water or through any other mode.
- ii) That the project proponent will immediately stop discharging wastewater from the colony till all necessary water pollution control measures are taken and consent to operate its outlet is obtained u/s 25/26 of the Water Act, 1974.
- iii) That the Punjab State Power Corporation Ltd. authorities shall not release any new electric power connection to any house/commercial shop/building already constructed or being constructed within the residential colony developed by the project proponent without no objection certificate and/or consent to operate of the Board.
- iv) That the Punjab Urban Planning & Development Authority be directed to cancel the license issued to the project proponent for development of residential colony.
- v) That the Sub Registrar - cum - Tehsildar, Bathinda be directed not to register the sale deed pertaining to the residential colony.

As such, you are, hereby, given an opportunity to file objections, if any, on the proposed directions before the **Chief Environmental Engineer (B) of the Board on 18/09/2023 at 10:30 a.m.** failing which, it will be presumed that the project proponent has nothing to say and further action which include confirmation of above directions will be taken by the Board without giving any further notice / opportunity.

Noted
AK

SA/AEE:...../JEE.....
ਕਈ ਡਾਕ
ਦਿੱਤੀ ਗਈ
75/23

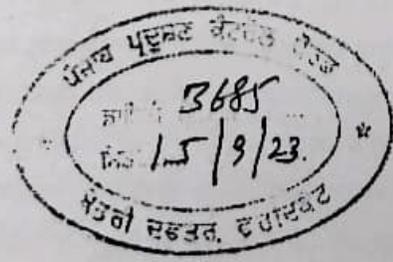
— cd —
Environmental Engineer (ZB)
For Chief Environmental Engineer

Endst. No. 2798

Dated 12/9/2023

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Faridkot for information and necessary action. He is requested to intimate the project proponent of the colony regarding date, time & venue of the hearing well before the date of hearing.

[Signature]
12/09/2023
Environmental Engineer (ZB)
For Chief Environmental Engineer





No. 3460

Registered

Dated 7.11.2023

To

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

Subject: Proceedings of the personal hearing given to M/s Farid Colonizers, Residential Colony namely 'Farid Enclave' (Phase -1), Kotakpura Road, Distt. Faridkotu/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 by the Chief Environmental Engineer (B) on 30.10.2023.

The following were present:

From Board's side:

Er. Rakesh Kumar, SEE, ZO, Bathinda

From project side:

No one attended the hearing

It was brought out that the project proponent has obtained 'consent to operate' of the Board under the provisions of Water Act, 1974 on 30.08.2012 for development of residential colony in an area of 9.837 acres, which was valid upto 30.09.2018.

Thereafter, the project proponent failed to obtain extension in the validity of 'consent to operate' under the Water Act, 1974.

A complaint was received regarding the unscientific disposal of wastewater and regarding operation of hotel-cum-restaurant in the premises of colony.

The colony was visited by the officer of the Board on 02.08.2023 and it was observed that: -

1. The colony consisting of Farid Enclave (Phase-1) in an area of 9.8 acres and Farid Enclave (Phase-2) in an area of 9.5 acres is in operation on Kotkapura Road, Faridkot, without any bifurcation.
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3. STP installed was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were rusted and as per site conditions, it can be revealed that the STP has not been operated since long.
4. Domestic effluent of the colony is collected in a man hole inside the colony and was disposed off onto the vacant plot of 1.5 kanal area for stagnation. Also, an outlet of untreated domestic effluent of the colony provided into Langeana drain.
5. Plantation area reserved for disposal of treated effluent has been developed as 03 no. residential plots.

The project proponent/colony was issued notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 alongwith an opportunities of personal hearing on 18.09.2023 & 03.10.2023, but no one from the colony attended the said hearings.

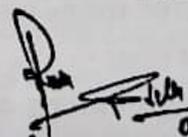
Another opportunity of personal hearing was afforded to the project proponent/colony on 16.10.2023, wherein the project proponent requested for some time period to submit the requisite documents in the matter.

The matter was considered by the Competent Authority and again an opportunity of personal hearing has been afforded to the project proponent / colony on 26.10.2023, which was postponed to 30.10.2023, however no one from the colony attended the said hearing.

After considering, the material facts of record file, it has been decided by the Chief Environmental Engineer (B) that:-

1. The project proponent will ensure to operate its STP regularly & scientifically to achieve the effluent standards at all times.
2. The project proponent will provide adequate disposal arrangements for the treated domestic effluent and no treated/untreated effluent will be discharged into drain or onto land for stagnation.
3. The project proponent will apply for obtaining consents to operate of the Board under the Water Act, 1974 & Air Act, 1981 for phase-I & phase-II of the colony, within one month.
4. Environmental Engineer, Regional Office, Faridkot shall visit the colony within one month and process the 'consent to operate' applications to be applied by the project proponent under the Water Act, 1974 & Air Act, 1981, on merits.

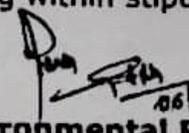
You are requested to ensure the compliance of the above decisions of the personal hearing.


Environmental Engineer (ZB)
For Chief Environmental Engineer (B)

Dated 7.11.2023

Endst. No. 3461

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Faridkot for information and requested to ensure the compliance of decision of hearing within stipulated period.


Environmental Engineer (ZB)
For Chief Environmental Engineer (B)


PUNJAB POLLUTION CONTROL BOARD

Zonal Office, Street No. 12, Power House Road, Bathinda


LIFE
 Lifestyle for
 Environment

No. 981

Registered

Dated 26/2/2024

To

M/s Farid Colonizers, Residential Colony
 namely 'Farid Enclave' (Phase-1),
 Kotakpura Road, District Faridkot.

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 mandatory on the part of the project proponent to obtain the 'consent to establish' (NOC) of the Board as required under the provisions of Water Act, 1974 and Air Act, 1981 before starting the development / construction of the project.

And whereas, it is also mandatory on the part of the project proponent to take / install adequate & appropriate water pollution / air pollution/ solid waste management / treatment facilities so as to contain the conc. of various pollutants in effluent/emissions discharged from the project premises within the standards prescribed by the Board.

And whereas, the project proponent has obtained 'consent to operate' of the Board under the provisions of Water Act, 1974 on 30.08.2012 for development of residential colony in an area of 9.837 acres, which was valid upto 30.09.2018.

And whereas, the project proponent failed to obtain extension in the validity of 'consent to operate' under the Water Act, 1974.

And whereas, a complaint was received regarding unscientific disposal of wastewater and regarding operation of hotel-cum-restaurant in the premises of the colony.

And whereas, the colony was visited by the officer of the Board on 02.08.2023 and it was observed that: -

1. The colony consisting of Farid Enclave (Phase-1) in an area of 9.8 acres and Farid Enclave (Phase-2) in an area of 9.5 acres is in operation on Kotakpura Road, Faridkot, without any bifurcation.
2. approx. 50 no. houses have been constructed and occupied alongwith 15 no. SCOs. The colonizer has constructed an establishment in the name & style of 'M/s Haveli Club' consisting of 12 no. rooms for party/ rent purpose, within the premises.
3. STP installed was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were rusted and as per site conditions, it can be revealed that the STP has not been operated since long.
4. Domestic effluent of the colony is collected in a man hole inside the colony and was disposed off onto the vacant plot of 1.5 kanal area for stagnation. Also, an outlet of untreated domestic effluent of the colony provided into Langeana drain.
5. Plantation area reserved for disposal of treated effluent has been developed as 03 no. residential plots.

And whereas, the project proponent/colony was issued notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 alongwith an opportunity of personal hearing before the Chief Environmental Engineer (B) of the Board on 18.09.2023 & 03.10.2023, but no one from the colony attended the said hearings.

And whereas, another opportunity of personal hearing was afforded to the project proponent/colony before the Chief Environmental Engineer (B) of the Board on 16.10.2023, wherein the project proponent requested for some time period to submit the requisite documents in the matter.

And whereas, the matter was considered and another opportunity of personal hearing was afforded to the project proponent / colony on 30.10.2023, however again no one from the colony attended the said hearing.

And whereas, after considering, the material facts of record file, it was decided by the Chief Environmental Engineer (B) that:-

1. The project proponent will ensure to operate its STP regularly & scientifically to achieve the effluent standards at all times.
2. The project proponent will provide adequate disposal arrangements for the treated domestic effluent and no treated/untreated effluent will be discharged into drain or onto land for stagnation.
3. The project proponent will apply for obtaining consents to operate of the Board under the Water Act, 1974 & Air Act, 1981 for phase-I & phase-II of the colony, within one month.
4. Environmental Engineer, Regional Office, Faridkot shall visit the colony within one month and process the 'consent to operate' applications to be applied by the project proponent under the Water Act, 1974 & Air Act, 1981, on merits.

And whereas, to check the compliance w.r.t. the decisions of the personal hearing, the colony was visited by the officer of the Board on 29.01.2024 and it was observed that:-

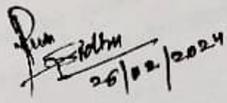
1. The STP of the colony was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were found rusted and site conditions reveals that the STP has not been operated since long.
2. Untreated domestic effluent of the colony is being collected in a collection tank provided by the colony and same is disposed of onto vacant plot for stagnation within the premises of the colony. Also, an outlet has been provided for discharge of untreated domestic effluent into Langeana drain.
3. Earlier proposed plantation area has been developed into 03 no. residential plots by the project proponent and presently no plantation area has been provided for disposal of the treated wastewater.
4. Solid waste was found disposed in vacant plot along the drain. No management has been provided for handling of the solid waste in compliance to the Solid Waste Management Rules, 2016.

And whereas, the project promoter is violating the provisions of the Water Act, 1974 and also failed to comply with the decisions of the personal hearing dated 30.10.2023.

And whereas, therefore the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water Act, 1974 proposes to issue the following directions:-

- i) That the project proponent will immediately dismantle and remove all outlets and stop forthwith discharging any effluent/ wastewater onto land for stagnation/ inland surface water or through any other mode.
- ii) That the project proponent will immediately stop discharging wastewater from the colony till all necessary water pollution control measures are taken and consent to operate its outlet is obtained u/s 25/26 of the Water Act, 1974.
- iii) That the Punjab State Power Corporation Ltd. authorities shall be directed not to release any new electric power connection to any house/commercial shop/building already constructed or being constructed within the residential colony developed by the project proponent without no objection certificate and/or consent to operate of the Board.
- iv) That the Punjab Urban Planning & Development Authority be directed to cancel the license issued to the project proponent for development of residential colony.
- v) That the Sub Registrar – cum - Tehsildar, Bathinda be directed not to register any sale deed pertaining to the residential colony.

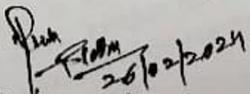
As such, you are, hereby, given an opportunity to file objections, if any, on the proposed directions before the **Hon'ble Chairman of the Board in his office at Vatavarn Bhawan, Nabha Road, Patiala on 06.03.2024 at 11:00 A.M** failing which, it will be presumed that the project proponent has nothing to say and further action which include confirmation of above directions will be taken by the Board without giving any further notice / opportunity.


Environmental Engineer (ZB)
For Chairman, PPCB

Dated 26/02/2024

Endst. No. 959

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Faridkot for information and necessary action. He is requested to intimate the project proponent of the colony regarding date, time & venue of the hearing well before the date of hearing.


Environmental Engineer (ZB)
For Chairman, PPCB


PUNJAB POLLUTION CONTROL BOARD

Zonal Office, Street No. 12, Power House Road, Bathinda


LIFE

Lifestyle for Environment

No. 1033

Registered

Dated 5/3/2024

To

 M/s Farid Colonizers, Residential Colony
 namely 'Farid Enclave' (Phase-1),
 Kotakpura Road, District Faridkot.

Subject: Notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.
Ref: This Office letter no. 951 dated 26.02.2024.

Whereas, the project proponent of the colony was afforded an opportunity of personal hearing u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 before the Hon'ble Chairman of the Board in his office at Vatavarn Bhawan, Nabha Road, Patiala on 06.03.2024 at 11:00 A.M., which has now been rescheduled before the Worthy Member Secretary of the Board on 06.03.2024 at 4:00 P.M. due to some administrative reasons.

As such, you are, hereby, given an opportunity to file objections, if any, on the directions proposed vide letter under reference before the **Worthy Member Secretary of the Board in his office at Vatavarn Bhawan, Nabha Road, Patiala on 06.03.2024 at 4:00 P.M.** failing which, it will be presumed that the project proponent has nothing to say and further action including confirmation of the proposed directions will be taken by the Board without giving any further notice / opportunity.

Pun Rishi
05/03/2024
Environmental Engineer (ZB)
For Member Secretary, PPCB

Endst. No. 1034

Dated 7/3/2024

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Faridkot for information and necessary action. He is requested to intimate the project proponent of the colony regarding change in the time & venue of the hearing well before the date of hearing.

Pun Rishi
05/03/2024
Environmental Engineer (ZB)
For Member Secretary, PPCB



No. 1062.

Registered

Dated 06/02/2024

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, it is mandatory on the part of project proponent to obtain the consent of the Board under the provisions of the Water Act, 1974 to operate an outlet for discharge of waste water from the residential colony.

And whereas, it is also mandatory on the part of project proponent to install adequate & appropriate sewage treatment plant so as to contain the conc. of various pollutants in waste water discharged conforms to effluent standards prescribed by the Board.

And whereas, the project proponent has obtained 'consent to operate' of the Board under the provisions of Water (Prevention & Control of Pollution) Act, 1974 for development of residential colony in an area of 9.837 acres (phase-I) on 30.08.2012 (valid upto 28.02.2013) and further extended upto 30.09.2018.

And whereas, the project proponent failed to obtain extension in the validity of 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 for Phase-I of the colony.

And whereas, a complaint was received regarding unscientific disposal of wastewater and regarding operation of hotel-cum-restaurant in the premises of the colony.

And whereas, the colony was visited by the officer of the Board on 02.08.2023 and it was observed that: -

1. The colony consisting of Farid Enclave (Phase-1) in an area of 9.8 acres and Farid Enclave (Phase-2) in an area of 9.5 acres is in operation on Kotkapura Road, Faridkot, without any bifurcation.
2. Approx. 50 no. houses have been constructed and occupied alongwith 15 no. SCOs. The colonizer has constructed an establishment in the name & style of 'M/s Haveli Club' consisting of 12 no. rooms for party/ rent purpose, within the premises.
3. STP installed was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were rusted and as per site conditions, it can be revealed that the STP has not been operated since long.
4. Domestic effluent of the colony is collected in a man hole inside the colony and was disposed off onto the vacant plot of 1.5 kanal area for stagnation. Also, an outlet of untreated domestic effluent of the colony provided into Langeana drain.
5. Plantation area reserved for disposal of treated effluent has been developed as 03 no. residential plots.

And whereas, the project proponent/colony was issued notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 alongwith an opportunity of personal

hearing before the Chief Environmental Engineer (B) of the Board on 18.09.2023 & 03.10.2023, but no one from the colony attended the said hearings.

And whereas, another opportunity of personal hearing was afforded to the project proponent/colony before the Chief Environmental Engineer (B) of the Board on 16.10.2023, wherein the project proponent requested for some time period to submit the requisite documents in the matter.

And whereas, the matter was considered and another opportunity of personal hearing was afforded to the project proponent / colony on 30.10.2023, however again no one from the colony attended the said hearing. After considering, the material facts of record file, it was decided by the Chief Environmental Engineer (B) that:-

1. The project proponent will ensure to operate its STP regularly & scientifically to achieve the effluent standards at all times.
2. The project proponent will provide adequate disposal arrangements for the treated domestic effluent and no treated/untreated effluent will be discharged into drain or onto land for stagnation.
3. The project proponent will apply for obtaining consents to operate of the Board under the Water Act, 1974 & Air Act, 1981 for phase-I & phase-II of the colony, within one month.
4. Environmental Engineer, Regional Office, Faridkot shall visit the colony within one month and process the 'consent to operate' applications to be applied by the project proponent under the Water Act, 1974 & Air Act, 1981, on merits.

And whereas, to check the compliance w.r.t. the decisions of the personal hearing, the colony was visited by the officer of the Board on 29.01.2024 and it was observed that:-

1. The STP of the colony was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were found rusted and site conditions reveals that the STP has not been operated since long.
2. Untreated domestic effluent of the colony is being collected in a collection tank provided by the colony and same is disposed of onto vacant plot for stagnation within the premises of the colony. Also, an outlet has been provided for discharge of untreated domestic effluent into Langeana drain.
3. Earlier proposed plantation area has been developed into 03 no. residential plots by the project proponent and presently no plantation area has been provided for disposal of the treated wastewater.
4. Solid waste was found disposed in vacant plot along the drain. No management has been provided for handling of the solid waste in compliance to the Solid Waste Management Rules, 2016.

And whereas, the project promoter is violating the provisions of the Water Act, 1974 and also failed to comply with the decisions of the personal hearing dated 30.10.2023.

And whereas, it is pertinent to mention here that O.A. No. 665 of 2023 has been filed before the Hon'ble National Green Tribunal by Sh. Nirmal Singh Chahal complaining that 'Farid Enclave', Kotkapura Road, Faridkot, Punjab is operating in violation to the Environmental Norms. The State of Punjab through Chief Secretary, Govt. of Punjab, District Magistrate, Faridkot and PPCB have been impleaded as respondent no. 1 to 3. The reply/response has been

sought within 02 months and the matter is listed for hearing before the Hon'ble NGT on 13.03.2024.

And whereas, notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 has been issued to the project proponent/colony vide Board's letter no. 951 dated 26.02.2024 with following proposed directions:-

- i) That the project proponent will immediately dismantle and remove all outlets and stop forthwith discharging any effluent/ wastewater onto land for stagnation/ inland surface water or through any other mode.
- ii) That the project proponent will immediately stop discharging wastewater from the colony till all necessary water pollution control measures are taken and consent to operate its outlet is obtained u/s 25/26 of the Water Act, 1974.
- iii) That the Punjab State Power Corporation Ltd. authorities shall be directed not to release any new electric power connection to any house/commercial shop/building already constructed or being constructed within the residential colony developed by the project proponent without no objection certificate and/or consent to operate of the Board.
- iv) That the Punjab Urban Planning & Development Authority be directed to cancel the license issued to the project proponent for development of residential colony.
- v) That the Sub Registrar – cum - Tehsildar, Bathinda be directed not to register any sale deed pertaining to the residential colony.

And whereas, the project proponent/colony was afforded an opportunity of personal hearing before the Chairman of the Board on 06.03.2024, which was rescheduled before the Member Secretary of the Board on the same date i.e. 06.03.2024 vide Board's letter no. 1033 dated 05.03.2024 due to some administrative reasons.

And whereas, during hearing, the Partners of the colony submitted written reply to the notice issued by the Board and the same was taken on record. The Partners and their consultant reiterated the same facts as mentioned in reply and stated as under:-

1. The project was developed in the year 2005 and was completed in 2017. There were 2 phases of the project in which first phase was to develop 9.8 acres and 2nd phase was to develop 9.5 acres. We have developed only plotted colony. We had sold vacant plots to the buyers and were not involved in any kind of construction.
2. Till now, in total developed colony (Both the phases), 49 houses have been constructed out of which 42 are occupied with around 148 residents and 15 SCO were constructed but none of them is running regularly and 1 hotel plus restaurant is operational under the name of M/s Haveli Club. We had sold the plot reserved for the hotel to Haveli Club and now, that is a different entity which is being operated by the different management. We have no any link over the hotel/restaurant.
3. Total water consumption for the colony is around 25-30 KLD which generates effluent of around 20-25 KLD. We had prepared the Septic tank as the primary treatment and had installed (in 2012) the STP of 200 KLD expecting the higher occupancy and as per the regulations by PPCB. Due to insufficient effluent, we could not operate the STP. Due to only 10-15 % of the effluent. So, after the primary treatment, effluent is being disposed-off

on the plantation area developed alongside the roads and green belt developed for the colony. Plantation area is still reserved for the proper disposal of the effluent.

4. There is no pipeline connecting the domestic effluent of the colony to the drain.
5. Moreover, we had completed our colony in 2017 and had handed over the colony to PUDA in March, 2017 with Registries for the roads and other common areas has been transferred to PUDA Registry No. 4141 dated 17.03.2017 for Phase -I & Registry No.4174 dated 17.03.2017 for Phase -II and PUDA issued us the Completion Certificate No. CA/BDA/BTI/201712358-61 Dated 28.04.2017 for Phase -I & Completion Certificate No. CA/BDA/BTI/2017/3885-87 Dated 29.04.2017 for Phase-II. PUDA has released our 80% of the security and 20% is pending.
6. In Sep, 2021, Farid Enclave Welfare Society was being registered under the President ship of Nirmal Singh Chahal. From this date, welfare society is responsible for the management of solid waste, waste water, plantation, and the operations of the colony. Separate bank account has been set up by the welfare society in which funds are being collected from the residents for the regular operations of the society and for the payments regarding society expenses. We made a mistake by not signing the hand over documents to the welfare society.

During hearing, it was deliberated by the Member Secretary of the Board that the project proponent obtained consent to operate under the Water(Prevention & Control of Pollution) Act, 1974 only for phase-I of the colony which was valid up to 30.09.2018 and thereafter failed to obtain consent to operate under the said Act. Moreover, Phase-II of the colony has been established/commissioned without obtaining consent to establish/operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. Further as per the details of the visit carried out by officer(s) of the Board on 02.08.2023 and 29.01.2024, respectively, the STP of the colony was found in abundant condition and wild grass was found grown in the STP area, the component of the STP were found rusted and the site condition revealed that the STP has not been operated since long. Untreated domestic effluent of the colony is disposed off onto vacant plot for stagnation within the premises and an outlet has been provided for discharge of untreated domestic effluent into Langeana drain. Proposed plantation area has been developed into 03 no. residential plots and presently no plantation area has been provided for disposal of the treated wastewater. No management has been provided for handling of the solid waste in compliance to the Solid Waste Management Rules, 2016. Moreover, the partner(s) of the colony failed to submit any written agreement/legal document executed between the partner(s) of the colony and the Resident Welfare Association (RWA) regarding handing over of the colony for its regular operation and maintenance and as such the reply was found fully unsatisfactory.

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, hereby, directs as under:-

1. 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.
2. That PSPCL authorities shall not release any new electric power connection to any house / commercial shop / building already constructed or being constructed within the premises of the project without no objection certificate and/or valid consent to operate under the provisions of Water Act, 1974 of PPCB.
 3. That the Punjab Urban Planning & Development Authority shall cancel the license issued to the project promoter for development of residential colony.
 4. That the Sub Registrar-cum-Tehsildar, Faridkot shall not register any sale deed pertaining to the residential colony.
 5. 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 & Control of Pollution) Act, 1974 for operation without STP and valid consent of the Board.

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.

Endst. No. 1063

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.

6/3/2024
Senior Environmental Engineer (ZB)
For Member Secretary, PPCB
Dated 06/03/2024

6/3/2024
Senior Environmental Engineer (ZB)
For Chairman, PPCB

M/s Farid Colonizers,
Residential Colony namely 'Farid Enclave' (Phase -1 & 2),



PUNJAB POLLUTION CONTROL BOARD
Zonal Office, Street No. 12, Power House Road, Bathinda



No. 1062.

Registered

Dated 06/02/2024

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, it is mandatory on the part of project proponent to obtain the consent of the Board under the provisions of the Water Act, 1974 to operate an outlet for discharge of waste water from the residential colony.

And whereas, it is also mandatory on the part of project proponent to install adequate & appropriate sewage treatment plant so as to contain the conc. of various pollutants in waste water discharged conforms to effluent standards prescribed by the Board.

And whereas, the project proponent has obtained 'consent to operate' of the Board under the provisions of Water (Prevention & Control of Pollution) Act, 1974 for development of residential colony in an area of 9.837 acres (phase-I) on 30.08.2012 (valid upto 28.02.2013) and further extended upto 30.09.2018.

And whereas, the project proponent failed to obtain extension in the validity of 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 for Phase-I of the colony.

And whereas, a complaint was received regarding unscientific disposal of wastewater and regarding operation of hotel-cum-restaurant in the premises of the colony.

And whereas, the colony was visited by the officer of the Board on 02.08.2023 and it was observed that: -

1. The colony consisting of Farid Enclave (Phase-1) in an area of 9.8 acres and Farid Enclave (Phase-2) in an area of 9.5 acres is in operation on Kotkapura Road, Faridkot, without any bifurcation.
2. Approx. 50 no. houses have been constructed and occupied alongwith 15 no. SCOs. The colonizer has constructed an establishment in the name & style of 'M/s Haveli Club' consisting of 12 no. rooms for party/ rent purpose, within the premises.
3. STP installed was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were rusted and as per site conditions, it can be revealed that the STP has not been operated since long.
4. Domestic effluent of the colony is collected in a man hole inside the colony and was disposed off onto the vacant plot of 1.5 kanal area for stagnation. Also, an outlet of untreated domestic effluent of the colony provided into Langeana drain.
5. Plantation area reserved for disposal of treated effluent has been developed as 03 no. residential plots.

And whereas, the project proponent/colony was issued notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 alongwith an opportunity of personal

hearing before the Chief Environmental Engineer (B) of the Board on 18.09.2023 & 03.10.2023, but no one from the colony attended the said hearings.

And whereas, another opportunity of personal hearing was afforded to the project proponent/colony before the Chief Environmental Engineer (B) of the Board on 16.10.2023, wherein the project proponent requested for some time period to submit the requisite documents in the matter.

And whereas, the matter was considered and another opportunity of personal hearing was afforded to the project proponent / colony on 30.10.2023, however again no one from the colony attended the said hearing. After considering, the material facts of record file, it was decided by the Chief Environmental Engineer (B) that:-

1. The project proponent will ensure to operate its STP regularly & scientifically to achieve the effluent standards at all times.
2. The project proponent will provide adequate disposal arrangements for the treated domestic effluent and no treated/untreated effluent will be discharged into drain or onto land for stagnation.
3. The project proponent will apply for obtaining consents to operate of the Board under the Water Act, 1974 & Air Act, 1981 for phase-I & phase-II of the colony, within one month.
4. Environmental Engineer, Regional Office, Faridkot shall visit the colony within one month and process the 'consent to operate' applications to be applied by the project proponent under the Water Act, 1974 & Air Act, 1981, on merits.

And whereas, to check the compliance w.r.t. the decisions of the personal hearing, the colony was visited by the officer of the Board on 29.01.2024 and it was observed that:-

1. The STP of the colony was found in abundant condition and wild grass was found grown in the STP area. The components of the STP were found rusted and site conditions reveals that the STP has not been operated since long.
2. Untreated domestic effluent of the colony is being collected in a collection tank provided by the colony and same is disposed of onto vacant plot for stagnation within the premises of the colony. Also, an outlet has been provided for discharge of untreated domestic effluent into Langeana drain.
3. Earlier proposed plantation area has been developed into 03 no. residential plots by the project proponent and presently no plantation area has been provided for disposal of the treated wastewater.
4. Solid waste was found disposed in vacant plot along the drain. No management has been provided for handling of the solid waste in compliance to the Solid Waste Management Rules, 2016.

And whereas, the project promoter is violating the provisions of the Water Act, 1974 and also failed to comply with the decisions of the personal hearing dated 30.10.2023.

And whereas, it is pertinent to mention here that O.A. No. 665 of 2023 has been filed before the Hon'ble National Green Tribunal by Sh. Nirmal Singh Chahal complaining that 'Farid Enclave', Kotkapura Road, Faridkot, Punjab is operating in violation to the Environmental Norms. The State of Punjab through Chief Secretary, Govt. of Punjab, District Magistrate, Faridkot and PPCB have been impleaded as respondent no. 1 to 3. The reply/response has been

sought within 02 months and the matter is listed for hearing before the Hon'ble NGT on 13.03.2024.

And whereas, notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 has been issued to the project proponent/colony vide Board's letter no. 951 dated 26.02.2024 with following proposed directions:-

- i) That the project proponent will immediately dismantle and remove all outlets and stop forthwith discharging any effluent/ wastewater onto land for stagnation/ inland surface water or through any other mode.
- ii) That the project proponent will immediately stop discharging wastewater from the colony till all necessary water pollution control measures are taken and consent to operate its outlet is obtained u/s 25/26 of the Water Act, 1974.
- iii) That the Punjab State Power Corporation Ltd. authorities shall be directed not to release any new electric power connection to any house/commercial shop/building already constructed or being constructed within the residential colony developed by the project proponent without no objection certificate and/or consent to operate of the Board.
- iv) That the Punjab Urban Planning & Development Authority be directed to cancel the license issued to the project proponent for development of residential colony.
- v) That the Sub Registrar – cum - Tehsildar, Bathinda be directed not to register any sale deed pertaining to the residential colony.

And whereas, the project proponent/colony was afforded an opportunity of personal hearing before the Chairman of the Board on 06.03.2024, which was rescheduled before the Member Secretary of the Board on the same date i.e. 06.03.2024 vide Board's letter no. 1033 dated 05.03.2024 due to some administrative reasons.

And whereas, during hearing, the Partners of the colony submitted written reply to the notice issued by the Board and the same was taken on record. The Partners and their consultant reiterated the same facts as mentioned in reply and stated as under:-

1. The project was developed in the year 2005 and was completed in 2017. There were 2 phases of the project in which first phase was to develop 9.8 acres and 2nd phase was to develop 9.5 acres. We have developed only plotted colony. We had sold vacant plots to the buyers and were not involved in any kind of construction.
2. Till now, in total developed colony (Both the phases), 49 houses have been constructed out of which 42 are occupied with around 148 residents and 15 SCO were constructed but none of them is running regularly and 1 hotel plus restaurant is operational under the name of M/s Haveli Club. We had sold the plot reserved for the hotel to Haveli Club and now, that is a different entity which is being operated by the different management. We have no any link over the hotel/restaurant.
3. Total water consumption for the colony is around 25-30 KLD which generates effluent of around 20-25 KLD. We had prepared the Septic tank as the primary treatment and had installed (in 2012) the STP of 200 KLD expecting the higher occupancy and as per the regulations by PPCB. Due to insufficient effluent, we could not operate the STP. Due to only 10-15 % of the effluent. So, after the primary treatment, effluent is being disposed-off

- on the plantation area developed alongside the roads and green belt developed for the colony. Plantation area is still reserved for the proper disposal of the effluent.
4. There is no pipeline connecting the domestic effluent of the colony to the drain.
 5. Moreover, we had completed our colony in 2017 and had handed over the colony to PUDA in March, 2017 with Registries for the roads and other common areas has been transferred to PUDA Registry No. 4141 dated 17.03.2017 for Phase -1 & Registry No.4174 dated 17.03.2017 for Phase -II and PUDA issued us the Completion Certificate No. CA/BDA/BTI/201712358-61 Dated 28.04.2017 for Phase -I & Completion Certificate No. CA/BDA/BTI/2017/3885-87 Dated 29.04.2017 for Phase-II. PUDA has released our 80% of the security and 20% is pending.
 6. In Sep, 2021, Farid Enclave Welfare Society was being registered under the President ship of Nirmal Singh Chahal. From this date, welfare society is responsible for the management of solid waste, waste water, plantation, and the operations of the colony. Separate bank account has been set up by the welfare society in which funds are being collected from the residents for the regular operations of the society and for the payments regarding society expenses. We made a mistake by not signing the hand over documents to the welfare society.

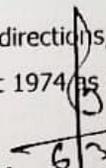
During hearing, it was deliberated by the Member Secretary of the Board that the project proponent obtained consent to operate under the Water(Prevention & Control of Pollution) Act, 1974 only for phase-I of the colony which was valid up to 30.09.2018 and thereafter failed to obtain consent to operate under the said Act. Moreover, Phase-II of the colony has been established/commissioned without obtaining consent to establish/operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. Further as per the details of the visit carried out by officer(s) of the Board on 02.08.2023 and 29.01.2024, respectively, the STP of the colony was found in abundant condition and wild grass was found grown in the STP area, the component of the STP were found rusted and the site condition revealed that the STP has not been operated since long. Untreated domestic effluent of the colony is disposed off onto vacant plot for stagnation within the premises and an outlet has been provided for discharge of untreated domestic effluent into Langeana drain. Proposed plantation area has been developed into 03 no. residential plots and presently no plantation area has been provided for disposal of the treated wastewater. No management has been provided for handling of the solid waste in compliance to the Solid Waste Management Rules, 2016. Moreover, the partner(s) of the colony failed to submit any written agreement/legal document executed between the partner(s) of the colony and the Resident Welfare Association (RWA) regarding handing over of the colony for its regular operation and maintenance and as such the reply was found fully unsatisfactory.

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, hereby, directs as under:-

1. 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.
2. That PSPCL authorities shall not release any new electric power connection to any house / commercial shop / building already constructed or being constructed within the premises of the project without no objection certificate and/or valid consent to operate under the provisions of Water Act, 1974 of PPCB.
 3. That the Punjab Urban Planning & Development Authority shall cancel the license issued to the project promoter for development of residential colony.
 4. That the Sub Registrar-cum-Tehsildar, Faridkot shall not register any sale deed pertaining to the residential colony.
 5. 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 & Control of Pollution) Act, 1974 for operation without STP and valid consent of the Board.

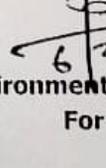
In case of failure to comply with the above said directions, you are liable for action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988.


Senior Environmental Engineer (ZB)
For Member Secretary, PPCB

Dated 06/03/2024

Endst. No. 1063

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.


Senior Environmental Engineer (ZB)
For Chairman, PPCB


PUNJAB POLLUTION CONTROL BOARD

Zonal Office, Street No. 12, Power House Road, Bathinda


Life
Lifestyle for
Environment

 No. 1064-65
Registered

 Dated 06/03/2024

To

- 1) The Chief Engineer (Operations),
Punjab State Power Corporation Limited
Bathinda.
- 2) The Superintending Engineer (Operations),
Punjab State Power Corporation Limited
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.

It is intimated that the project proponent (M/s Farid Colonizers,) has developed residential colony namely 'Farid Enclave' (Phase -1 & 2) at Kotkapura Road, Distt. Faridkot.

And whereas, the project proponent has failed to take adequate pollution control measures and operating outlet without consent of the Board under the Water Act, 1974 inspite of issuance of various notices / opportunities of personal hearings by the Board from time to time.

And whereas, after considering the material facts of the case, the Competent Authority of the Board has decided to direct the authorities concerned not to release any new electric power connection to any house / commercial shop / building already constructed or being constructed within the residential colony.

As such, it is therefore directed to comply with the following directions: -

"That the authorities concerned shall not release any new electric power connection to any house / commercial shop / building already constructed or being constructed within the residential colony namely 'Farid Enclave' (Phase -1 & 2) located at Kotkapura Road, Distt. Faridkot, without no objection certificate and / or valid consent to operate under the provisions of the Water (Prevention and Control of Pollution) Act 1974 of PPCB."

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.

6/3/2024
 Senior Environmental Engineer (ZB)
 For Member Secretary, PPCB
 Dated 06/03/2024

 Endst. No. 1066

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 follow up the authorities concerned for immediate compliance of the directions.

6/3/2024
 Senior Environmental Engineer (ZB)
 For Member Secretary, PPCB
 Dated 06/03/2024

 Endst. No. 1067

A copy of the above is forwarded to M/s Farid Colonizers, Residential Colony namely 'Farid Enclave' (Phase -1 & 2), Kotkapura Road, Distt. Faridkot for information.

6/3/2024
 Senior Environmental Engineer (ZB)
 For Member Secretary, PPCB


PUNJAB POLLUTION CONTROL BOARD

Zonal Office, Street No. 12, Power House Road, Bathinda


LIFE
Lifestyle for
Environment

No. 1068

Registered

Dated 06/03/2024

To

 The Administrator,
Punjab Urban Planning & Development Authority,
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.

It is intimated that the project proponent (M/s Farid Colonizers) has developed residential colony namely 'Farid Enclave' (Phase -1 & 2) at Kotkapura Road, Distt. Faridkot.

And whereas, the project proponent has failed to take adequate pollution control measures and operating outlet without consent of the Board under the Water Act, 1974 inspite of issuance of various notices / opportunities of personal hearings by the Board from time to time.

And whereas, after considering the material facts of the case, the Competent Authority of the Board has decided to direct the authorities concerned to cancel the license issued to the residential colony.

As such, it is, therefore, requested to comply with the following directions:-

"That the authorities concerned shall cancel the license issued to the residential colony namely 'Farid Enclave' (Phase -1 & 2) developed at Kotkapura Road, Distt. Faridkot."

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.

6/3/2024
Senior Environmental Engineer (ZB)
For Member Secretary, PPCB

Endst. No. 1069

Dated 06/03/2024

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 follow up the authorities concerned for immediate compliance of the above directions.

6/3/2024
Senior Environmental Engineer (ZB)
For Member Secretary, PPCB

Endst. No. 1070

Dated 06/03/2024

A copy of the above is forwarded to M/s Farid Colonizers, Residential Colony namely 'Farid Enclave' (Phase -1 & 2), Kotkapura Road, Distt. Faridkot for information.

6/3/2024
Senior Environmental Engineer (ZB)
For Member Secretary, PPCB


PUNJAB POLLUTION CONTROL BOARD

Zonal Office, Street No. 12, Power House Road, Bathinda


 No. 1071
Registered

 Dated 06/03/2024

To

 The Sub-Registrar-cum-Tehsildar,
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.**

It is intimated that the project proponent (M/s Farid Colonizers,) has developed residential colony namely 'Farid Enclave' (Phase -1 & 2), at Kotkapura Road, Distt. Faridkot.

And whereas, the residential colony has failed to take adequate pollution control measures and operating outlet without consent of the Board under the Water Act, 1974 inspite of issuance of various notices / opportunities of personal hearings by the Board from time to time.

And whereas, after considering the material facts of the case, the Competent Authority of the Board has decided to direct the authorities concerned not to register any sale deed in the residential colony.

As such, it is, therefore, requested to comply with the following directions:-

"That the authorities concerned shall not register any sale deed pertaining to the residential colony namely 'Farid Enclave' (Phase -1 & 2), developed at Kotkapura Road, District Faridkot."

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.

06/03/2024
Senior Environmental Engineer (ZB)
For Member Secretary, PPCB

 Dated 06/03/2024

 Endst. No. 1072

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 follow up the authorities concerned for immediate compliance of the directions.

06/03/2024
Senior Environmental Engineer (ZB)
For Member Secretary, PPCB

 Dated 06/03/2024

 Endst. No. 1073

A copy of the above is forwarded to M/s Farid Colonizers, Residential Colony namely 'Farid Enclave' (Phase-1&2), Kotkapura Road, Distt. Faridkot for information.

06/03/2024
Senior Environmental Engineer (ZB)
For Member Secretary, PPCB