

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

EXECUTION APPLICATION NO. 30 OF 2021

IN

O.A. No. 32 OF 2020

IN THE MATTER OF:

VARUN

..Applicant

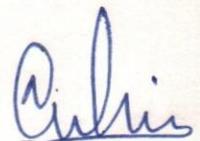
Versus

Central Pollution Control Board & Ors.

...Respondents

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Deponent

BEFORE THE NATIONAL GREEN TRIBUNAL  
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**REPLY ON BEHALF OF RESPONDENT NO. 3 i.e. HARYANA STATE  
POLLUTION CONTROL BOARD**

**Preliminary Submissions**

- 1 That above said matter was heard by this Hon'ble Tribunal on 21.10.2021 and the State Pollution Control Board, was directed to file its response on the execution application filed by the applicant. The relevant part of the above said order is reproduced here as under:-

*"Issue notice by email to the State PCB. Response be filed within one month. The State PCB may also put the affected parties to notice of these proceedings for their response if any within one month. The applicant may serve papers on the affected parties and file affidavit of service within one week."*

It is submitted that the Hon'ble Tribunal had passed order dated 05.03.2021 in O.A. No. 32 of 2020 tilted Varun Vs CPCB and the relevant portion of the order reads as under:-

*"In view of the above, further action may be taken by the State PCB to ensure compliance of environmental norms, following due process of law.*

*The State PCB may particularly ensure compliance of CETP norms, regulation of groundwater extraction and cleanliness of the drain receiving the effluents."*

- 2 That it is humbly submitted that the answering respondent & its officers have highest regard for this Hon'ble Tribunal & orders passed by it. The answering respondent has ensured the compliance of Environmental norms, following due procedure of law as directed by this Hon'ble Tribunal. The requisite steps have been taken by the Board with respect to issue concerning with it including monitoring of CETP, discharge from units, cleanliness of drains, recovering of Environment Compensation as finalized by the Competent Authority. It is submitted that issue of ground water is specifically has been

*Ans*

dealt with by the Central Ground Water Authority and the Deputy Commissioner has been authorized in respective district to deal with ground water related issues.

3. That relevant facts pertaining to issue of Environment Compensation for extraction of ground water are summarized herein below:

(i) The environmental compensation for extraction of Ground Water was levied on the industrial units of HSIIDC, Barhi by order of Deputy Commissioner. However, after action initiated against the units, a representation was filed by the industrial association of HSIIDC BARHI named as Barhi CETP Association before the Deputy Commissioner, Sonipat on 25.02.2021 opposing the notices issued by the Regional Officer of the Respondent Board to their member units w.r.t. Environment Compensation for extraction of ground water. A copy of the said representation is attached herewith as **Annexure-R/1**.

(ii) It has also been stated in the said representation that no violation has been made by their member units since they had already applied for NOC / permission of CGWA before the due date as notified by the authority in the leading newspaper i.e. 31.03.2020. They have requested the Deputy Commissioner, Sonapat to enquire in the said complaint and to direct the Regional Officer of answering respondent i.e. Haryana State Pollution Control Board (HSPCB), not to issue any further notices to any of their member units in this regard.

(iii) The said representation of industrial association Barhi was forwarded by Deputy Commissioner, Sonapat to the Regional Officer, HSPCB on 09.03.2021 to submit the action Taken report on the same. Since the Regional Officer had already submitted the Environmental Compensation assessment report of all the industrial units involved in this case to the Deputy Commissioner, Sonapat on 03.03.2021 as mentioned in previous paragraphs, therefore, no action was required to be taken at the level of Regional Officer, HSPCB. However, in reference to the above said representation and Environmental Compensation reports, the Deputy Commissioner, Sonapat formed a committee vide letter No. 7649-50 dated 05.04.2021 consisting of Hydrologist, Rohtak & Regional Officer, HSPCB, Sonapat under the supervision of Additional Deputy Commissioner, Sonapat to check the contents of the representation and annexures submitted by the association.

(iv) During the meeting of the committee, which was held under the Chairmanship of ADC, Sonipat, it was informed by the Hydrologist, Rohtak that due date for submission of application for grant of no objection certificate (NOC) for withdrawal of ground water, was extended by the CGWA upto 31.03.2020 vide public notice dated 15.10.2019 wherein it was also stipulated that industrial / infrastructure and mining projects withdrawing ground water without a valid NOC or failing to apply for NOC, by or before the said date, shall be liable to pay fine as well as environmental compensation / damages to be decided by Hon'ble NGT as per law. The copy of public notice dated 15.10.2019 issued by CGWA is annexed as **Annexure R/2**.

*Auth*

The Hydrologist also informed that CGWA has submitted reply for an RTI application vide letter dated 17.03.2020 stating that the units which have applied for NOC/permission for withdrawal of ground water before 31.03.2020 as per public notice vide no. 26-I/CGWA/PN/2018 dated 15.10.2019 will not be charged environment compensation. The copy of said letter dated 17.03.2020 is attached as **Annexure-R/3**.

It was also brought to the notice by the Hydrologist, Rohtak that Irrigation and Water Resource Department, Government of Haryana has issued notification dated 23.12.2020 by constituting "The Haryana Water Resource Authority" (HWRA) for obtaining permission/No objection Certificate from HWRA and the units located in Haryana are now required to apply to HWRA for NOC/permission for extraction of ground water. HWRA has issued public notices from time to time for industrial units extending the last date to apply for obtaining NOC/permission from HWRA for the extraction of ground water. As per latest public notice, the time to submit application has been extended upto 22.12.2021. The copy of public notices issued by HWRA is attached as **Annexure R/4**.

That out of 28 units mentioned by the applicant in OA No. 32/2020, 21 units have applied before 31.03.2020, 5 units have applied after 31.03.2020 and 2 units which are lying closed have not applied to CGWA.

(v) The committee taking into consideration the new facts as mentioned above, submitted its report to the Deputy Commissioner, Sonipat through the Additional Deputy Commissioner, Sonipat, with the following suggestions:-

- a) The units applied for NOC/permission before 31.03.2020 may not be charged Environment Compensation. The list of unit is attached as **annexure R/5**.
- b) The five units applied after 31.03.2020 may be charged with Rs 1 lac compensation besides sealing of borewell provided by these units although last date for applying for NOC/permission was further extended by HWRA. The list of such unit is attached as **annexure R/6**.
- c) Tubewell of two units which were lying closed may be sealed. The list of units attached as **annexure R/7**.

(vi) The above said report and facts submitted by the committee were agreed by the Deputy Commissioner, Sonipat and accordingly necessary directions were issued at the level of Deputy Commissioner, Sonipat on 08.06.2021 to 5 units and in compliance of which all the 05 units deposited the environmental compensation. It is pertinent to submit that out of these 05 units, NOC / permission for withdrawal of ground water has been obtained by 03 units from HWRA whereas borewells of 02 remaining units are still lying sealed for want of the NOC / permission from the Competent Authority. The remaining two units which have not applied to CGWA are still lying closed. The copies of orders issued by Deputy Commissioner, Sonipat are attached as **Annexure- R/8 to R/14**. The

*Only*

action regarding regulation of ground water shall also be taken by HWRA and all cooperation shall be extended by HSPCB or CGWA.

4. That all the operating units as mentioned by the applicant has submitted application to HWRA for obtaining permission for extraction of ground water. The present status of NOC/permission is given in table below:

| Sr. No. | Name and Address of Units  | Present Status   |
|---------|--|--|
| 1       | M/s Shivam Enterprises, Plot No. 274, Ph-I HSIIDC, Barhi, Sonipat          | NOC granted by HWRA vide letter No. HWRA/NOC/IND/N/2022/257 for the period 17.02.2022 to 17.03.2023.                 |
| 2       | Vihan Industries, Plot No 210, Ph-I HSIIDC, Barhi, Sonipat                 | NOC granted by HWRA vide letter No. HWRA/NOC/IND/N/2021/4 for the period 07.06.2021 to 07.06.2022.                   |
| 3       | Spectrum Washing, Plot No. 130, Ph-II, HSIIDC, Barhi, Sonipat              | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/3 for the period 07.06.2021 to 07.06.2022.                 |
| 4       | Anand Knit, Plot No. 650-651, Ph-II, HSIIDC, Barhi, Sonipat                | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/77 for the period for the period 01.09.2021 to 01.09.2022. |
| 5       | Shadex Creations, Plot No 661, Ph-II, HSIIDC, Barhi, Sonipat               | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/65 13.08.2021 to 13.08.2022.                               |
| 6       | Colour Zone, Plot No 598, Ph-II, HSIIDC, Barhi, Sonipat                    | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/32 from 1.06.2021 to 11.06.2022.                           |
| 7       | M.S Creations, Plot No. 561, Ph-II, HSIIDC, Barhi, Sonipat                 | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/32 from 11.06.2021 to 11.06.2022.                          |
| 8       | Tabi Creations, Plot No 540, Ph-II, HSIIDC, Barhi, Sonipat                 | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/188 from 28.12.2021 to 28.12.2022.                         |
| 9       | M.K Dyeing, Plot No 98-99, HSIIDC, Barhi, Sonipat                          | NOC granted by HWRA vide letter No. HWRA/NOC/IND/N/2021/8 for the period 07.06.2021 to 07.06.2022.                   |
| 10      | Flora Dyeing House, Plot No 392, Ph-I, HSIIDC, Barhi, Sonipat              | Sealed by the Bank. Moreover, the unit applied to HWRA vides application no. 22-2/20344/1/HR/IND/2021.               |
| 11      | Shri Sidhi Vinayak Tex Colour, Plot No. 495, Ph-II, HSIIDC, Barhi, Sonipat | Granted NOC from HWRA vide No. HWRA/NOC/IND/N/2021/9 for the period 07.06/2021 to 07.06.2022.                        |
| 12      | Denim Art, Plot No. 523 D, Phase-II, HSIIDC, Barhi, Sonipat                | NOC granted from HWRA vide No. HWRA/NOC/IND/N/2021/26 for the period   |

*Only*

|    |   |  |
|----|---|--|
|    |   | 08.06/2021 to 08.06.2022.  |
| 13 | Oasis Texfab, Plot No. 500, Ph-II, HSIIDC, Barhi, Sonipat                             | Exemption from CGWA vide no. 21-4/3254/HR/IND/2020 dated 24.09.2020.                                   |
| 14 | New Garment, Plot No. 200, HSIIDC, Barhi, Sonipat                                     | NOC granted from HWRA vide No. HWRA/NOC/IND/N/2021/63 for the period 06.12.2021 to 06.12.2022.         |
| 15 | Modern Dyeing Pvt. Ltd., Plot No. 527, phase II, HSIIDC, Indl. Estate, Barhi, Sonipat | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/22 for the period 08.06.2021 to 08.06.2022.  |
| 16 | M/s Jyoti Dhaga Udyog Plot No. 406-417, Phase-1, HSIIDC, Barhi, Sonipat               | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/148 for the period 12.11.2021 to 12.11.2022. |
| 17 | Nutex Knit Fab, Plot No. 35, Phase-1, HSIIDC, Barhi, Sonipat                          | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/161 for the period 03.12.2021 to 03.12.2022. |
| 18 | Sonu Enterprises, Plot No. 358, Ph-1, HSIIDC, Barhi, Sonipat                          | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/7 for the period 07.06.2021 to 07.06.2022.   |
| 19 | Gee AAR Thread, Plot no. 665, Ph-2, HSIIDC, Barhi, Sonipat                            | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/142 for the period 03.11.2021 to 03.11.2022. |
| 20 | Generous Textile, Plot No. 383, Ph-1 HSIIDC, Barhi, Sonipat                           | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2022/506 for the period 14.07.2022 to 14.07.2023. |
| 21 | Supreme Fashion, Plot No. 524D, 524E, Phase-2, HSIIDC, Barhi, Sonipat                 | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/75 for the period 01.09.2021 to 01.09.2022.  |
| 22 | Addingo Knit Creations, Plot No. 217, Ph-I HSIIDC, Barhi, Sonipat                     | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2022/226 for the period 09.02.2022 to 09.02.2023. |
| 23 | Denim Craze, Plot No. 550-553, Ph-II, HSIIDC, Barhi, Sonipat                          | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/33 for the period 11.06.2021 to 11.06.2022.  |
| 24 | Sidhi Vinayak Apparel, Plot No. 473D, Ph-2, HSIIDC, Barhi, Sonipat                    | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/23 for the period 08.06.2021 to 08.06.2022.  |
| 25 | Fine Dyeing, Plot No. 400-401, HSIIDC, Barhi, Sonipat                                 | NOC granted from HWRA vide letter No. HWRA/NOC/IND/N/2021/6 for the period 07.06.2021 to 07.06.2022.   |
| 26 | M/s Denimo Design Washing Pvt. Ltd, Plot No 381, Ph-I HSIIDC, Barhi, Sonipat          | NOC granted from HWRA vide letter No. HWRANOCIND/N/2021/180 for the period 24.12.2021 to 24.12.2022.   |
| 27 | Shivam Fab, Plot No. 281, Ph-1, HSIIDC, Barhi, Sonipat                                | Unit is lying presently closed.  |
| 28 | Magnet Industries, Plot No. 230,  | The borewell of the unit has been sealed on  |

|                              |   |
|------------------------------|---|
| Ph-1, HSIIDC, Barhi, Sonipat | 29.04.2022 by the Board as per direction of Haryana Water Resources Authority, Panchkula. |
|------------------------------|---|

Out of 28 units mentioned in above table, 25 units have been granted NOC by HWRA for extraction of ground water, 01 unit is lying self closed, 01 unit is lying sealed by Bank and borewell of 01 unit is lying sealed by the Board as per the direction of Haryana Water Resource Authority. All the units against whom compensation was imposed by Deputy Commissioner, Sonapat vide order dated 08.06.2021 as mentioned in **Annexure-R/6** of the reply, have deposited Environment Compensation amount.

5. That it is submitted that HSPCB is regularly monitoring the CETP's installed at HSIIDC Barhi and drains. HSPCB has taken action against the CETP by imposing environmental compensation and initiating prosecution action as the CETP was found non-complying. It is further submitted that a joint inspection was conducted on 04.01.2022 alongwith River Yamuna Monitoring Committee (RYMC) and Special Environment Surveillance Task Force (SESTF). Samples from final discharging point of CETP, HSIIDC Barhi into drain no. 6 was collected and as per analysis report no. 3564 dated 12.01.2022, parameters were found exceeding the prescribed limits. Further, sample from the main hole of storm water drain near plot no. 460, phase-I, HSIIDC Barhi was also collected and as per analysis report no. 3563 dated 12.01.2022, parameters were found exceeding the prescribed limits. A joint inspection was again conducted on 24.03.2022 alongwith River Yamuna Monitoring Committee (RYMC) and samples from pump house operated by HSIIDC, near plot no. 460, HSIIDC Barhi, Sonipat & final discharging point of CETP, HSIIDC Barhi into drain no. 6 were collected and as per analysis reports no. 4689 dated 31.03.2022 and 4690 dated 31.03.2022 were found exceeding the permissible limits. Environmental Compensation of Rs. 15,00,000/- has already been imposed on HSIIDC Barhi vide order No. I/36041/2021(2) dated 26.04.2021 and Board is initiating prosecution action under Water Act, 1974 against the officials/officers of HSIIDC Barhi, Sonipat.

#### Para wise reply

1. That the para no. 1 needs no reply being matter of record.
2. That the para no. 2 needs no reply being matter of record.
3. That in reply to para no. 3 it is submitted contents are denied for want of knowledge.
- 4.1 This para is admitted being matter of record.
- 4.2 This para is admitted being matter of record.
- 4.3 This para is admitted being matter of record.
- 4.4 This para is admitted being matter of record.
- 4.5 This para is admitted being matter of record.
- 4.6 This para is admitted being matter of record.
- 4.7 This para is admitted being matter of record.
- 4.8 This para is agreed upto the extent that the Deputy Commissioner, Sonapat forwarded the representation dated 08.04.2021 of the complainant vide his letter dated 12.04.2021 to the

Regional Officer at Sonipat of the answering respondent. However no such directions as mentioned in this para by the complainant, was issued by the Deputy Commissioner, Sonapat to the Regional Officer, Sonapat in his said letter to recover the environmental compensation from the dyeing units mentioned by applicant in his application.

- 4.9 That in response to this para it is submitted that no action was required to be taken by the Regional Officer of HSPCB on the representation of the applicant forwarded by the Deputy Commissioner vide his letter dated 12.04.2021 with regard to imposition and recovery of environmental compensation since the Regional Officer had already submitted the environmental compensation assessment report of all the respondent dyeing units of HSIIDC Barhi to the Deputy Commissioner, Sonipat vide letter dated 03.03.2021 in compliance of the Order dated 10.02.2020 of this Hon'ble Tribunal, who is the Competent Authority to issue the orders for imposing the environmental compensation against the erring industries in case of illegal extraction of ground water.
- 4.10 That the contents of this para agreed being matter of record.
- 4.11 That the contents of this para are denied and the reply is already submitted in preliminary submissions at Sr No. 2 and 3.
- 4.12 That in response to this para it is submitted that only assessment part of environment compensation was done for extraction of ground water of the units as mentioned in the complaint & that was based upon the facts & record available with HSPCB before constitution of above said committee which was recommended to Deputy Commissioner, Sonapat on 03.03.2021 being competent authority to take final action on the units for illegal extraction of ground water for industrial use as per Rule 13 of CGWA notification 24.09.2020 which was accepted and finalized by Deputy Commissioner, Sonapat and constituted the committee to reexamine the same based upon latest facts which came to the notice of Deputy Commissioner, Sonapat. The contents of preliminary submissions are being reiterated.
- 4.13 That contents are denied and it is submitted that in response to this para it is submitted that the Regional Officer, Sonapat HSPCB is not the competent authority to levy environment compensation upon the units extracting ground water as per notification of CGWA dated 24.09.2021 and the final order to levy Environment Compensation Rs 1 lacs was issued by Deputy Commissioner, Sonapat on the basis of new facts arisen due to submission of representation by the Industrial Association CETP HSIIDC Barhi to Deputy Commissioner, Sonapat and report of committee mentioned in previous paragraphs.
- 4.14 That in response to the said para it is submitted that letter dated 30.06.2021 as mentioned by the applicant in said para were issued to the units where Environment Compensation of Rs 1 lacs was imposed by the Deputy Commissioner, Sonapat vide order dated 08.06.2021 as none of the units submitted environment compensation as imposed upon them and in order to comply with the order of Deputy Commissioner, Sonapat letter were issued to the respective units only for compliance of said order.
- 4.15 That the contents are denied and it is submitted that environment compensation was only been assessed by Regional Officer, Sonapat in compliance of this Hon'ble Tribunal order

*Order*

dated 23.08.2019 in OA 176/2015 and was recommended to Deputy Commissioner, Sonapat who is competent authority as per CGWA notification 24.09.2020 for levying compensation on industrial units. Regional officer, Sonapat is not the authority to levy any Environment Compensation on industrial units for withdrawal of ground water. The assessment was done by Regional Officer, Sonapat only to comply with the order of this Hon'ble Tribunal. The final decision to levy environment compensation was taken by the Deputy Commissioner, Sonapat as per CGWA notification dated 24.09.2020. The final decision to levy environment compensation of Rs 1 lakh to the unit was taken on the basis of new facts arise while dealing with the matter as mentioned in para no 4.11. of said reply. The Regional officer has neither imposed the Environment Compensation nor waived as he is not competent in this behalf.

- 4.16 That in response to the said para it is submitted the news mentioned by the complainant was published by the news paper on 01.09.2018 on the basis of statement made by Sh. Anil Vij, Hon'ble Minister, Haryana in District Grievances Meeting Chaired by him on 31.08.2018.

Aggrieved with the order for suspension the then Regional Officer, Panipat approached to the Hon'ble Punjab and Haryana High Court, Chandigarh and after hearing the matter, orderpassed by the Minister for suspension was stayed by Hon'ble High Court vide order dated 05.09.2021 with direction that no further steps will be taken in pursuant to the meeting of the District Grievance Committee, Panipat held on 31.08.2018. Copy of order dated 05.09.2018 passed by Hon'ble Punjab and Haryana High is attached herewith as **Annexure- R/15.**

- 4.17 That in response to para 4.17 of Ex. Application, the submissions made in para No.3 and 4 above of preliminary submissions are being reiterated.

- 4.18 That HSPCB has already submitted the status about of all the units as mentioned by the applicant in said OA in earlier report filed before this Hon'ble Tribunal, based upon the true facts & status without concealing any facts. All these units have obtained all the permissions required to be obtained from the HSPCB under the relevant Acts and Rules. The status of all such permission obtained from HSPCB is attached as **Annexure R/16.** Thus averments of the applicant in this para are denied.

- 4.19 That contents of para under reply is repetition of contents of para No.4.18 of Ex. Application. However, in response to this para, it is submitted that imposition of Environment Compensation for ground water was not under the preview of HSPCB. The power to take action for illegal extraction of ground water was with Deputy Commissioner as per CGWA notification 24.09.2020 as already stated in forgoing paras. Now, HWRA has been constituted in State of Haryana and matter related to ground water extraction is being dealt by HWRA as per notification 23.12.2020.

- 4.20 That in response to the said para it submitted that in the matter OA No. 83/2020 titled as Krishan Chandra Versus Union of India & Ors. a Committee vide order dated 16.06.2020 in said matter of Deputy commissioner, Sonapat, State PCB, Mining Department and Irrigation Department was constituted. The response shall be submitted in matter of case only.

*Order*

4.21 That in response to para no. 4.21 of Ex. Application, it is submitted that allegation made in this para are denied. The Regional Officer, HSPCB, Sonapat has taken the appropriate and lawful action from time to time on merits which came under his preview and no respondent unit is operating illegally without permission required from HSPCB as explained in detail in previous paras. The action is being taken as and when some illegal industry is found by HSPCB.

4.22 & 4.23 That in response to the said para it is submitted that answering Respondent has complied with the order passed by this Hon'ble Tribunal dated 05.03.2021 in O.A. No. 32 of 2020, the relevant portion of the order reads as under;

*"In view of the above, further action may be taken by the State PCB to ensure compliance of environmental norms, following due process of law.*

*The State PCB may particularly ensure compliance of CETP norms, regulation of groundwater extraction and cleanliness of the drain receiving the effluents."*

As per order passed by this Hon'ble tribunal regular monitoring of all the drains passing through the District Sonapat is being done by Regional Office, Sonapat. The regular monitoring of CETP, Barhi is being done by the Regional Office, Sonapat. Previous analysis report no. 2720 dated 27.10.2021 of effluent discharge for CETP, Barhi were within prescribed standards. However, the analysis reports for CETP dated 30.11.2021 of the sample taken on 16.11.2021 was exceeding the prescribed standards for which Environment Compensation for the period of violation w.e.f 08.10.2021 has been submitted to Head Office by Regional Office, Sonapat vide his office letter no. 4725 dated 16.12.2021. Also, a prosecution proceeding against the authority and operator of CETP, Barhi will be filed in Special Environment Court, Kurukshetra in due course of time after completing legal formalities. The matter related to regulation of ground water extraction is to be looked after by HWRA and local administration as per latest notification 23.12.2020.

4.24 That in response to the said para it is submitted that no such data is available that the diseases as mentioned by the applicant are due to these units as mentioned in the application. Hence, the content of the said para are denied.

4.25 That in response to said para it is submitted that HSPCB has highest regard to this Hon'ble Tribunal and each order passed by this Hon'ble Tribunal is dealt in true letter and spirit. Action has always been taken by HSPCB in case of non compliance made by the defaulting units and shall be taken in future also.

 4.26 That in response to the content of said para it is submitted that HSPCB has complied order of this Hon'ble Tribunal in letter and spirit and nothing has been done by answering respondent against the order issued by this Hon'ble Tribunal.

4.27 That in response to said para it is submitted that HSPCB has always complied with the order passed by this Hon'ble Tribunal. As per order dated 05.03.2021 it was directed to HSPCB to *ensure compliance of CETP norms, regulation of groundwater extraction and cleanliness of the drain receiving the effluents*. Regular monitoring of CETP and drain is being done by HSPCB. HSPCB has taken action against the CETP found non-complying during the respective period by imposing compensation and initiating prosecution action

against the CETP. The action regarding regulation of ground water shall also be taken by HWRA and all cooperation shall be extended by HSPCB officers or CGWA.

### Reply to Grounds

In view of submissions made in preliminary submissions and parawise reply, no ground is made out to file the present application. The grounds raised are not maintainable against the answering respondent.

### Prayer

In view of facts and circumstances mentioned herein above, it is humbly prayed that the Execution Application may kindly be dismissed qua the answering respondent.

Dated: Sonipat

Place: 30/07/2022

Through

Respondent



Regional Officer,  
Haryana State Pollution Control Board,  
Sonipat Region

Regional Officer  
Haryana State Pollution Control Board  
Sonapat Region, Sonapat

27 Jan  
K.K.C.  
No/2021

# BARHI CETP ASSOCIATION

CIN U01900HI2016NPL064245

Incorporated under Section 8(1) of the Companies Act, 2013

Registered Office:

L. HSIIDC Industrial Estate, Barhi-131101 (Dist: Sonapat) Haryana

Annexure R/1

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(11)

S/pcll

25/2/2021

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To

The Deputy Commissioner  
Sonipat

Subject : Harassment of Industries on pretext of allegation by Sh Varun, A  
66 Ganesh Nagar, New Delhi regarding illegal Ground Water drawal

Ref: Notices by RO, HSPCB dated 25.1.2021  
OA 32/2021 before Hon'ble NGT

RC  
Take Jon  
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ck

Respected Sir

It is to respectfully bring before you that a large number of notices have been issued by Regional Officer, HSPCB, Sonipat to dozens of our member industries for levying environmental compensation alleging illegal withdrawal of ground water. The Notices, refer to some complaint and some OA no 32/2021 pending before Hon'ble NGT. A copy of notice as example is enclosed please.

Before we make any submission on baseless allegations contained in the OA/ Complaint as above, we respectfully draw your kind attention to Person, some Sh Varun, claiming to be Resident of A

66 Ganesh Nagar, Tilak Nagar, New Delhi who has filed application no 32/2021 and complaint to Regional Office, HSPCB, Sonipat on 17.2.2021. A copy each of the said OA No 32/2021 and complaint dated 17.2.2021 is enclosed for kind perusal. It may kindly be noticed that signatures of said Sh Varun on the affidavit with OA 32/2021 and his signature on complaint dated 17.2.2021 are totally different, indicating forgery/fraud committed by him. It may please also be appreciated that said Sh Varun, claiming to be resident of Delhi, is not affected any way by the environmental affairs in Barhi, Sonipat. Thus his intentions are mala fide.

27 Jan  
K.K.C.  
No/2021  
P  
M.H.M.B

Sir, you are aware that Barhi Industrial Estate was established during late 1997-99 where many of the industries relocated from Delhi due to orders of Hon'ble Supreme Court in IA 22/1994 in CWP 4677/85. There are about 350 industries in this area of which about 150-175 industries are engaged in water consuming process. A CFTP of 16 mld capacity has also been established and operated by HSIIDC to treat entire trade effluent generated from these industries for which prescribed charges are paid by the member industries.

The HSIIDC who developed the Industrial Estate could not supply water to these industries as HSIIDC itself had few ground water source to supply water to these industries as per requirement. Hence industries installed tubewell as per requirement in respective industry. Kindly appreciate that Sonapat has never been a notified area by Central Ground Water Authority for regulation of ground water. Hence, no permission was required from any Authority for installation of TW any time till year 2015. A copy of areas notified by CGWA for ground water regulation is enclosed for kind information pl.

However, subsequently, in compliance of some orders of Hon'ble NGT in a matter in which neither this association nor our members individually are a party, CGWA issued public notices that all industries in the country are required to seek its NOC/ permission for extraction of ground Water from CGWA/ State GW Authority where ever these exist in State. The date for submitting such application to CGWA was extended from time to time till 30.6.2020 for all existing industries by CGWA. Haryana did not have any State GW Authority. Therefore all our members have applied for NOC from CGWA in response to said public notice. These applications remain pending so far.

CGWA, subsequently notified Guidelines for ground water extraction and NOC therefor on 24.9.2020. Our applications were expected to be decided accordingly by CGWA. However, now that State Govt has notified the Haryana Water Resources (Conservation, Regulation And Management) Authority Act, 2020 and further issued notification dated 23.12.2020 under sec 16(1) of said Act, permission for ground water extraction is to be granted by said Authority. The CGWA has already posted notice on its website that all applications pending with CGWA for permission to extract GW in State of Haryana henceforth shall be dealt by said Authority in Haryana. A copy of screen shot of CGWA website is enclosed for kind reference.

In view of the above, it becomes clear that none of our member who have applied for NOC from CGWA for ground water extraction is drawing ground water illegally. It thus becomes clear that the complaint filed by Sh Varun is false and malafide.

The HSPCB, Sonipat is fully aware of the facts and in particular that our members have tubewell for which these members have already applied to CGWA for NOC. Thus it is not fair on part of HSPCB to issue notice to our members alleging illegal drawal of Water, more so as order of CGWA dated 23.0.2017 relied in the said notice itself has placed permission for ground water extraction and submission of application for grant of such permission on same footing for action by the Deputy Commissioner. Even , Water Act 1974 provides that pendency of consent application does not constitute operation of industry illegally without consent.

It may also not be out of context to mention that allegation regarding discharge of effluent from industries directly in to drain etc are also absolutely false as found by HSPCB also during its inspections.

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In view of the above, we request you to kindly get the matter of false/ forged complaint invested for appropriate legal action as per law. We also request you to kindly instruct HSPCB, Sonapat not to issue any notices to our members alleging illegal ground water extraction in case industry member has applied for NOC from CGWA State Authority.

Thanking you

Yours Sincerely

*[Signature]*  
For Harlii CETP Association

Encl

- 1. Copy of Notice dated 25.1.2021
- 2. Copy of OA 32/2021
- 3. Copy of Complaint dated 17.2.2021
- 4. Copy of CGWA list of Notified Areas for GW extraction.
- 5. Copy of screen shot of CGWA website

3463  
09/03/2021

कार्यालय उपायुक्त, सोनापत  
 क्रमांक 985 दिनांक 08/03/2021  
 समस्त प्रति... R.O., HSPCB, Sonapat

.....  
 ये दोनूय व...  
 इन स...  
 वी म...  
 जाये।

*[Signature]*  
4/3/21

RECEIVED  
HSPCB  
SONAPAT

सं

**GOVERNMENT OF INDIA**  
**MINISTRY OF JAL SHAKTHI**  
DEPARTMENT OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION  
**CENTRAL GROUND WATER AUTHORITY**  
[Constituted under section 3(3) of Environment (Protection) Act, 1986]

No. 26-1/CGWA/PN/2018

Dated 15.10.2019

**PUBLIC NOTICE**

SUB: ATTENTION OF ALL EXISTING GROUND WATER USERS INCLUDING INDUSTRIAL, INFRASTRUCTURE AND MINING PROJECTS.

Without prejudice to the directions of Hon'ble NGT, New Delhi under its Judgment/orders dated 11.09.2019 under OA No. 176/2015 and the outcome of the pending matters in Hon'ble NGT, New Delhi, the due date for submission of applications for grant of 'No Objection Certificate' (NOC) for Ground Water withdrawal through NOCAP portal of CGWA is hereby extended upto 31.03.2020.

All the users drawing ground water without a valid NOC from CGWA are directed to submit their applications for NOC online through NOCAP portal of CGWA by or before the said date. Industrial, Infrastructure and Mining projects withdrawing ground water without a valid NOC or failing to apply for NOC by or before the said date shall be liable to pay Fine as well as Environmental Compensation/Damages to be decided by Hon'ble NGT, New Delhi as per Law.

The detailed directions, existing guidelines etc., are available on the web link: [www.cgwa-noc.gov.in/Landing Page/Ground Water .htm / cgwb.gov.in](http://www.cgwa-noc.gov.in/Landing Page/Ground Water .htm / cgwb.gov.in).

  
(K.C. NAIK)  
CHAIRMAN  
15.10.2019

SPEED POST

Government of India  
Ministry of Jal Shakti  
Department of Water Resources, River Development & Flood Rehabilitation  
Central Ground Water Authority  
Library No. 18-11, Indraprastha House, Mansarovar Road, New Delhi-110028  
Phone: 011-23381409, Fax: 011-23382705, Email: [cgwa@cgwa.gov.in](mailto:cgwa@cgwa.gov.in)

CGWA/GWA/Haryana/2011/2012/150

Dated: 17 MAR 2020

Sh. Bharat Kherwal  
House No. 36, Nvay Puri,  
Karnal-120011 (Haryana)

Seeking information under 'The Right to Information Act-2005'

This is with reference to your RTI application No. CGWA/K1/20100641 dated 06.07.2020 seeking information under RTI Act, 2005 received by CGWA, New Delhi on 13.07.2020.

In this regard, point-wise reply to your application dated 06.07.2020 is as under:

Point-1: As per CGWA Public Notice No. CGWA/PN/2018 dated 13.10.2018, Projects applied for NOC before 31.03.2020 will not be charged environmental compensation.

Point-2: Not applicable.

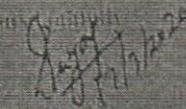
Point-3: As regards to levy of compensation (part of environmental compensation in case of illegal extraction of ground water) (copy enclosed) as per C.P.C.H. to be followed as per the direction of Hon'ble NRI.

Therefore document fee amounting to Rs. 20/- at the rate of Rs. 2/- per page may please be deposited by way of Indian Postal Order (IPO) with DDO, CGWA, New Delhi under intimation to the undersigned.

Hope, this is up to your satisfaction. In case, you are not satisfied with the information provided, you may make an appeal to the First Appellate Authority within 30 days from the date of receipt of this letter as per provision of section 19 of the RTI Act 2005, whose details are as under:

Sh. Sunil Kumar  
Member (N&W) & First Appellate Authority (RTI)  
Ministry of Jal Shakti  
Department of Water Resources, R.D.A.  
Central Ground Water Authority  
"Bharat Bhawan", N.D.D.

Encl: 10 pages for A4 size

  
(H. Chakraborty)  
Member (N&W) & First Appellate Authority



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Annexure-R/4

**HARYANA WATER RESOURCES (CONSERVATION,  
REGULATION AND MANAGEMENT) AUTHORITY**

**Public Notice**

This is to inform that the Government of Haryana has established the Haryana Water Resources Authority under the Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020 with a mandate for Conservation, Regulation and Management of water resources (groundwater and surface water) in the State. In this regard, the guidelines dated 23.12.2020, have been issued by the Government of Haryana and the same are available on the website of HWRA i.e. <https://hwra.org.in>

The projects including Industries/Mining/Infrastructure sectors extracting ground water will have to apply for permission to HWRA. The valid NOCs issued earlier by the CGWA will be valid but the renewal of NOCs will be done by the HWRA. However, the proponents who have applied to CGWA but have not been granted permission for ground water extraction by CGWA, will have to apply afresh online to HWRA for seeking permission to extract ground water.

The ground water users of the above said projects who have neither taken ground water extraction permission from CGWA nor from HWRA are also hereby directed to apply for permission/NOCs from HWRA. The applicant may seek above said permission/NOC from HWRA by applying online on <https://hwra.org.in> within 45 days i.e. latest by 30.09.2021. The projects not having ground water extraction permission/NOC will be liable for penal action as per the provisions of the Act, rules, regulations and guidelines made thereunder.

Chairperson,  
Haryana Water Resources Authority

(18)

**HARYANA WATER RESOURCES (CONSERVATION,  
REGULATION AND MANAGEMENT) AUTHORITY**

**Public Notice**

In continuation of earlier public notice dated 18.08.2021, this is to inform that the Government of Haryana has established the Haryana Water Resources Authority under the Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020 with a mandate for Conservation, Regulation and Management of water resources (groundwater and surface water) in the State. In this regard, the guidelines dated 10.09.2021, have been issued by the Authority and the same are available on the website of HWRA i.e. <https://hwra.org.in>.

The projects including Industries/Mining/Infrastructure sectors extracting ground water will have to apply for permission to HWRA. The valid NOCs issued earlier by the CGWA will be valid but the renewal of NOCs will be done by the HWRA. However, the proponents who have applied to CGWA but have not been granted permission for ground water extraction by CGWA, will have to apply afresh online to HWRA for seeking permission to extract ground water.

The ground water users of the above said projects who have neither taken ground water extraction permission from CGWA nor from HWRA are also hereby directed to apply for permission/ NOCs from HWRA. The applicant may seek above said permission/NOC from HWRA by applying online on <https://hwra.org.in>, latest by extended 31.10.2021. The projects not having ground water extraction permission/NOC will be liable for penal action as per the provisions of the Act, rules, regulations and guidelines made thereunder.

**Chairperson,  
Haryana Water Resources Authority.**

PRDH/1069/11/30/2022/4987/3 1/4

(19)

**HARYANA WATER RESOURCES (CONSERVATION,  
REGULATION AND MANAGEMENT) AUTHORITY**

**Public Notice**

In continuation of earlier public notice dated 18.08.2021, 30.09.2021 and 01.11.2021, this is to inform that the Government of Haryana has established the Haryana Water Resources Authority under the Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020 with a mandate for Conservation, Regulation and Management of water resources (groundwater and surface water) in the State. In this regard, the guidelines dated 10.09.2021, have been issued by the Authority and the same are available on the website of HWRA i.e. <https://hwra.org.in>.

The projects including Industries/Mining/Infrastructure sectors extracting ground water will have to apply for permission to HWRA. The valid NOCs issued earlier by the CGWA will be valid but the renewal of NOCs will be done by the HWRA. However, the proponents who have applied to CGWA but have not been granted permission for ground water extraction by CGWA, will have to apply afresh online to HWRA for seeking permission to extract ground water.

The ground water users of the above said projects who have neither taken ground water extraction permission from CGWA nor from HWRA are also hereby directed to apply for permission/NOCs from HWRA. The applicant may seek above said permission/NOC from HWRA by applying online on <https://hwra.org.in>, latest by extended 22.12.2021. The projects not having ground water extraction permission/NOC will be liable for penal action as per the provisions of the Act, rules, regulations and guidelines made thereunder. This shall be last and final opportunity to apply for ground water extraction permission/NOC. The ground water users without NOC shall be liable for environment compensation and penalty.

Chairperson,  
Haryana Water Resources Authority

(20)

**HARYANA WATER RESOURCES (CONSERVATION,  
REGULATION AND MANAGEMENT) AUTHORITY**

**Public Notice**

In continuation of earlier public notice dated 18.08.2021 and 30.09.2021, this is to inform that the Government of Haryana has established the Haryana Water Resources Authority under the Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020 with a mandate for Conservation, Regulation and Management of water resources (groundwater and surface water) in the State. In this regard, the guidelines dated 10.09.2021, have been issued by the Authority and the same are available on the website of HWRA i.e. <https://hwra.org.in>.

The projects including Industries/Mining/Infrastructure sectors extracting ground water will have to apply for permission to HWRA. The valid NOCs issued earlier by the CGWA will be valid but the renewal of NOCs will be done by the HWRA. However, the proponents who have applied to CGWA but have not been granted permission for ground water extraction by CGWA, will have to apply afresh online to HWRA for seeking permission to extract ground water.

The ground water users of the above said projects who have neither taken ground water extraction permission from CGWA nor from HWRA are also hereby directed to apply for permission/NOCs from HWRA. The applicant may seek above said permission/NOC from HWRA by applying online on <https://hwra.org.in>, latest by extended 30.11.2021. The projects not having ground water extraction permission/NOC will be liable for penal action as per the provisions of the Act, rules, regulations and guidelines made thereunder.

Chairperson,  
Haryana Water Resources Authority

List of units which had applied to CGWA before 31.03.2020 and have not charged environment compensation

| Sr. No. | Name and Address of Units   | Date of submission of application to CGWA. |
|---------|---|--|
| 1       | M/s Shivam Enterprises, Plot No. 274, Ph-I HSIIDC, Barhi, Sonipat                     | 22.02.2019                                 |
| 2       | Vihan Industries, Plot No 210, Ph-I HSIIDC, Barhi, Sonipat                            | 09.07.2017                                 |
| 3       | Spectrum Washing, Plot No. 130, Ph-II, HSIIDC, Barhi, Sonipat                         | 30.09.2018                                 |
| 4       | Anand Knit, Plot No. 650-651, Ph-II, HSIIDC, Barhi, Sonipat                           | 29.09.2018                                 |
| 5       | Shadex Creations, Plot No 661, Ph-II, HSIIDC, Barhi, Sonipat                          | 14.07.2017                                 |
| 6       | Colour Zone, Plot No 598, Ph-II, HSIIDC, Barhi, Sonipat                               | 25.06.2018                                 |
| 7       | M.S Creations, Plot No. 561, Ph-II, HSIIDC, Barhi, Sonipat                            | 14.07.2017                                 |
| 8       | Tabi Creations, Plot No 540, Ph-II, HSIIDC, Barhi, Sonipat                            | 13.07.2017                                 |
| 9       | M.K Dyeing, Plot No 98-99, HSIIDC, Barhi, Sonipat                                     | 09.06.2017                                 |
| 10      | Flora Dyeing House, Plot No 392, Ph-I, HSIIDC, Barhi, Sonipat                         | 25.07.2019                                 |
| 11      | Shri Sidhi Vinayak Tex Colour, Plot No. 495, Ph-II, HSIIDC, Barhi,                    | 20.06.2017                                 |
| 12      | Denim Art, Plot No. 523 D, Phase-II, HSIIDC, Barhi, Sonipat                           | 02.01.2018                                 |
| 13      | Oasis Texfab, Plot No. 500, Ph-II, HSIIDC, Barhi, Sonipat                             | EXEMPTION TAKEN FROM CGWA.                 |
| 14      | New Garment, Plot No. 200, HSIIDC, Barhi, Sonipat                                     | 30.12.2017                                 |
| 15      | Modern Dyeing Pvt. Ltd., Plot No. 527, phase II, HSIIDC, Incl. Estate, Barhi, Sonipat | 24.11.2017                                 |
| 16      | M/s Jyoti Dhaga Udyog Plot No. 406-417, Phase-1, HSIIDC, Barhi,                       | 26.07.2017                                 |
| 17      | Nutex Knit Fab, Plot No. 35, Phase-1, HSIIDC, Barhi, Sonipat                          | 02.10.2018                                 |
| 18      | Sonu Enterprises, Plot No. 358, Ph-1, HSIIDC, Barhi, Sonipat                          | 18.03.2020                                 |
| 19      | Gee AAR Thread, Plot no. 665, Ph-2, HSIIDC, Barhi, Sonipat                            | 30.09.2018                                 |
| 20      | Generous Textile, Plot No. 383, Ph-1 HSIIDC, Barhi, Sonipat                           | 31.05.2017                                 |
| 21      | Supreme Fashion, Plot No. 524D, 524E, Phase-2, HSIIDC, Barhi,                         | 30.09.2019                                 |

**List of units which had applied to CGWA after 31.03.2020 and where environment compensation of Rs 1 Lacs imposed**

| <b>Sr. No.</b> | <b>Name and Address of Units</b>  | <b>Date of submission of application to CGWA.</b> |
|----------------|---|---|
| 1              | Addingo Knit Creations, Plot No. 217, Ph-I<br>HSIIDC, Barhi, Sonipat            | 02.06.2020  |
| 2              | Denim Craze, Plot No. 550-553, Ph-II,<br>HSIIDC, Barhi, Sonipat                 | 06.01.2021  |
| 3              | Sidhi Vinayak Apparel, Plot No. 473D, Ph-2,<br>HSIIDC, Barhi, Sonipat           | 28.05.2020  |
| 4              | Fine Dyeing, Plot No. 400-401, HSIIDC,<br>Barhi, Sonipat                        | 31.12.2020  |
| 5              | M/s Denimo Design Washing Pvt. Ltd, Plot No<br>381, Ph-I HSIIDC, Barhi, Sonipat | 03-06-20  |

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Annexure - R/7

| List of unit which are lying closed |  |
|-------------------------------------|--|
| Sr. No.                             | Name and Address of Units  |
| 1                                   | Shivam Fab, Plot No. 281, Ph-1, HSIIDC, Barhi, Sonipat           |
| 2                                   | Magnet Industries, Plot No. 230, Ph-1, HSIIDC, Barhi,<br>Sonipat |

**ORDER**

Whereas, As per public notice issued by CGWA vide No. 26-1/CGWA/PN/2018 dated 15.10.2019 it was informed that "without prejudice to the directions of Hon'ble NGT, New Delhi under its Judgment/orders dated 11.09.2019 under OA No. 176/2015 and the outcome of the pending matters in Hon'ble NGT, New Delhi, the due date for submission of applications for grant of 'No Objection Certificate' (NOC) for Ground Water withdrawal through NOCAP portal of CGWA is hereby extended upto 31.03.2020."

Whereas, as per report dated 02.06.2021 of the committee constituted by Additional Deputy Commissioner vide letter No. 7649-50 dated 05.04.2021 comprising of Hydrologist Rohtak and Regional Officer, HSPCB, Sonapat has informed that your unit submitted application 21-4/2919/HR/IND/2020 on 28.05.2020 through NOCAP to Central Ground Water Authority (CGWA) after due date of 31.03.2020.

Whereas, as per the orders of Hon'ble National Green Tribunal, New Delhi issued in O.A No. 176/2015 Dated 11.09.2019 titled as Shailesh Singh Vs Hotel Holiday Regency, Moradabad & Ors." District Magistrate / CGWA have been assigned for levy Environment Compensation and taking penal action.

Whereas, As per the Gazette Notification, S.O. 3289 (E) Dated New Delhi, the 24<sup>th</sup> September, 2020 point 10.0.(b) District collectors / Deputy Commissioners (DCs) / District Magistrates (DMs) are authorized to take enforcement measures abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

Whereas your unit has applied the application to CGWA after due date of 31.03.2020 and is extracting ground water without permission from Central Ground Water Authority.

In view of the above, it is hereby ordered to impose environmental compensation of Rs. 1, 00,000/- with direction to seal the ground water extraction structure till the time your unit will obtain No Objection Certificate from Competent Authority. You are therefore directed to submit the environment compensation of Rs. 1, 00,000/- for illegal withdrawal of ground water and will not extract ground water till your unit will not obtain No Objection Certificate from Competent Authority.

  
District Magistrate,  
Sonapat.

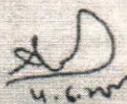
Endst No. 3856/MB

Dated 08.06.2021

A copy of the above is forwarded to the following for compliance of order:-

1. The Additional Deputy Commissioner, Sonapat
2. The Hydrologist, Rohtak
3. The Regional Officer, Haryana State Pollution Control Board, Sonapat
4. M/s Sidhi Vinayak Apparel, Plot No. 473D, Ph-2, HSIIDC Barhi, Sonapat  
(Through ROPCB, Sonapat)

*Handwritten notes and stamps:*  
Sidhi Vinayak Apparels Pvt. Ltd.  
CGWA No. 26-1  
Date: 10/6/21 Time: 2:00  
Security Sign

  
District Magistrate,  
Sonapat.

**ORDER**

Whereas, As per public notice issued by CGWA vide No. 26-1/CGWA/PN/2018 dated 15.10.2019 it was informed that "without prejudice to the directions of Hon'ble NGT, New Delhi under its Judgment/orders dated 11.09.2019 under OA No. 176/2015 and the outcome of the pending matters in Hon'ble NGT, New Delhi, the due date for submission of applications for grant of 'No Objection Certificate' (NOC) for Ground Water withdrawal through NOCAP portal of CGWA is hereby extended upto 31.03.2020."

Whereas, as per report dated 02.06.2021 of the committee constituted by Additional Deputy Commissioner vide letter No. 7649-50 dated 05.04.2021 comprising of Hydrologist Rohtak and Regional Officer, HSPCB, Sonipat has informed that your unit submitted application 21-4/2928/HR/IND/2020 submitted on 02.06.2020 through NOCAP to Central Ground Water Authority (CGWA) after due date of 31.03.2020.

Whereas, as per the orders of Hon'ble National Green Tribunal, New Delhi issued in O.A No. 176/2015 Dated 11.09.2019 titled as Shailesh Singh Vs Hotel Holiday Regency, Moradabad & Ors." District Magistrate / CGWA have been assigned for levy Environment Compensation and taking penal action.

Whereas, As per the Gazette Notification, S.O. 3289 (E) Dated New Delhi, the 24<sup>th</sup> September, 2020 point 10.0.(b) District collectors / Deputy Commissioners (DCs) / District Magistrates (DMs) are authorized to take enforcement measures abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

Whereas your unit has applied the application to CGWA after due date of 31.03.2020 and is extracting ground water without permission from Central Ground Water Authority.

In view of the above, it is hereby ordered to impose environmental compensation of Rs. 1, 00,000/- with direction to seal the ground water extraction structure till the time your unit will ~~not~~ obtain No Objection Certificate from Competent Authority. You are therefore directed to submit the environment compensation of Rs. 1, 00,000/- for illegal withdrawal of ground water and will not extract ground water till your unit will not obtain No Objection Certificate from Competent Authority.

  
u.c. m  
District Magistrate,  
Sonipat.

Endst No. 3854/MB

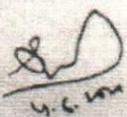
Dated 08.06.2021

A copy of the above is forwarded to the following for compliance of order:-

1. The Additional Deputy Commissioner, Sonipat
2. The Hydrologist, Rohtak
3. The Regional Officer, Haryana State Pollution Control Board, Sonipat
4. M/s Addingo Knit Creations, Plot No. 217, Ph-I HSIIDC, Barhi, Sonipat  
(Through ROPCB, Sonipat)

Addaglo Knit Creation Pvt. Ltd.  
Plot No. 217, Barhi Industrial Area,  
HSIIDC Distt. Sonipat (HR)



  
u.c. m  
District Magistrate,  
Sonipat.

(26)

**ORDER**

Whereas, As per public notice issued by CGWA vide No. 26-1/CGWA/PN/2018 dated 15.10.2019 it was informed that "without prejudice to the directions of Hon'ble NGT, New Delhi under its Judgment/orders dated 11.09.2019 under OA No. 176/2015 and the outcome of the pending matters in Hon'ble NGT, New Delhi, the due date for submission of applications for grant of 'No Objection Certificate' (NOC) for Ground Water withdrawal through NOCAP portal of CGWA is hereby extended upto 31.03.2020."

Whereas, as per report dated 02.06.2021 of the committee constituted by Additional Deputy Commissioner vide letter No. 7649-50 dated 05.04.2021 comprising of Hydrologist Rohtak and Regional Officer, HSPCB, Sonipat has informed that your unit submitted application 21-4/3262/HR/IND/2020 on 31.12.2020 through NOCAP to Central Ground Water Authority (CGWA) after due date of 31.03.2020.

Whereas, as per the orders of Hon'ble National Green Tribunal, New Delhi issued in O.A No. 176/2015 Dated 11.09.2019 titled as Shailsh Singh Vs Hotel Holiday Regency, Moradabad & Ors." District Magistrate / CGWA have been assigned for levy Environment Compensation and taking penal action.

Whereas, As per the Gazette Notification, S.O. 3289 (E) Dated New Delhi, the 24<sup>th</sup> September, 2020 point 10.0.(b) District collectors / Deputy Commissioners (DCs) / District Magistrates (DMs) are authorized to take enforcement measures abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

Whereas your unit has applied the application to CGWA after due date of 31.03.2020 and is extracting ground water without permission from Central Ground Water Authority.

In view of the above, it is hereby ordered to impose environmental compensation of Rs. 1,00,000/- with direction to seal the ground water extraction structure till the time your unit will ~~not~~ obtain No Objection Certificate from Competent Authority. You are therefore directed to submit the environment compensation of Rs. 1,00,000/- for illegal withdrawal of ground water and will not extract ground water till your unit will not obtain No Objection Certificate from Competent Authority.

  
District Magistrate,  
Sonipat.

Endst No. 3857

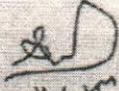
Dated 08.06.2021

A copy of the above is forwarded to the following for compliance of order:-

1. The Additional Deputy Commissioner, Sonipat
2. The Hydrologist, Rohtak
3. The Regional Officer, Haryana State Pollution Control Board, Sonipat
4. M/s Fine Dyeing, Plot No. 400-401, HSIIDC, Barhi, Sonipat

(Through ROPCB, Sonipat)



  
District Magistrate,  
Sonipat.

**ORDER**

Whereas, As per public notice issued by CGWA vide No. 26-1/CGWA/PN/2018 dated 15.10.2019 it was informed that "without prejudice to the directions of Hon'ble NGT, New Delhi under its Judgment/orders dated 11.09.2019 under OA No. 176/2015 and the outcome of the pending matters in Hon'ble NGT, New Delhi, the due date for submission of applications for grant of 'No Objection Certificate' (NOC) for Ground Water withdrawal through NOCAP portal of CGWA is hereby extended upto 31.03.2020."

Whereas, as per report dated 02.06.2021 of the committee constituted by Additional Deputy Commissioner vide letter No. 7649-50 dated 05.04.2021 comprising of Hydrologist Rohtak and Regional Officer, HSPCB, Sonipat has informed that your unit submitted application 21-4/3284/HR/IND/2021 on 06.01.2021 through NOCAP to Central Ground Water Authority (CGWA) after due date of 31.03.2020.

Whereas, as per the orders of Hon'ble National Green Tribunal, New Delhi issued in O.A No. 176/2015 Dated 11.09.2019 titled as Shailesh Singh Vs Hotel Holiday Regency, Moradabad & Ors." District Magistrate / CGWA have been assigned for levy Environment Compensation and taking penal action.

Whereas, As per the Gazette Notification, S.O. 3289 (E) Dated New Delhi, the 24<sup>th</sup> September, 2020 point 10.0.(b) District collectors / Deputy Commissioners (DCs) / District Magistrates (DMs) are authorized to take enforcement measures abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

Whereas your unit has applied the application to CGWA after due date of 31.03.2020 and is extracting ground water without permission from Central Ground Water Authority.

In view of the above, it is hereby ordered to impose environmental compensation of Rs. 1, 00,000/- with direction to seal the ground water extraction structure till the time your unit will ~~not~~ obtain No Objection Certificate from Competent Authority. You are therefore directed to submit the environment compensation of Rs. 1, 00,000/- for illegal withdrawal of ground water and will not extract ground water till your unit will not obtain No Objection Certificate from Competent Authority.

Endst No. 3855/MB

A copy of the above is forwarded to the following for compliance of order:-

1. The Additional Deputy Commissioner, Sonipat
2. The Hydrologist, Rohtak
3. The Regional Officer, Haryana State Pollution Control Board, Sonipat
4. M/s Denim Craze, Plot No. 550-553, Ph-II, HSIIDC, Barhi, Sonipat  
(Through ROPCB, Sonipat)

Received  
 For Compliance of order  
 10/06/21  
 District Magistrate,  
 Sonipat.  
 Dated 08.06.2021

*[Signature]*  
 District Magistrate,  
 Sonipat.

(28)

**ORDER**

Whereas, As per public notice issued by CGWA vide No. 26-1/CGWA/PN/2018 dated 15.10.2019 it was informed that "without prejudice to the directions of Hon'ble NGT, New Delhi under its Judgment/orders dated 11.09.2019 under OA No. 176/2015 and the outcome of the pending matters in Hon'ble NGT, New Delhi, the due date for submission of applications for grant of 'No Objection Certificate' (NOC) for Ground Water withdrawal through NOCAP portal of CGWA is hereby extended upto 31.03.2020."

Whereas, as per report dated 02.06.2021 of the committee constituted by Additional Deputy Commissioner vide letter No. 7649-50 dated 05.04.2021 comprising of Hydrologist Rohtak and Regional Officer, HSPCB, Sonipat has informed that your unit submitted application 21-4/2932/HR/IND/2020 on 03.06.2020 through NOCAP to Central Ground Water Authority (CGWA) after due date of 31.03.2020.

Whereas, as per the orders of Hon'ble National Green Tribunal, New Delhi issued in O.A No. 176/2015 Dated 11.09.2019 titled as Shailesh Singh Vs Hotel Holiday Regency, Moradabad & Ors." District Magistrate / CGWA have been assigned for levy Environment Compensation and taking penal action.

Whereas, As per the Gazette Notification, S.O. 3289 (E) Dated New Delhi, the 24<sup>th</sup> September, 2020 point 10.0.(b) District collectors / Deputy Commissioners (DCs) / District Magistrates (DMs) are authorized to take enforcement measures abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

Whereas your unit has applied the application to CGWA after due date of 31.03.2020 and is extracting ground water without permission from Central Ground Water Authority.

In view of the above, it is hereby ordered to impose environmental compensation of Rs. 1,00,000/- with direction to seal the ground water extraction structure till the time your unit will ~~not~~ obtain No Objection Certificate from Competent Authority. You are therefore directed to submit the environment compensation of Rs. 1,00,000/- for illegal withdrawal of ground water and will not extract ground water till your unit will not obtain No Objection Certificate from Competent Authority.

  
District Magistrate,  
Sonipat.

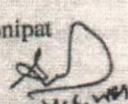
Dated 08.06.2021

Encl No. 3858/MB

A copy of the above is forwarded to the following for compliance of order:-

1. The Additional Deputy Commissioner, Sonipat
2. The Hydrologist, Rohtak
3. The Regional Officer, Haryana State Pollution Control Board, Sonipat
4. M/s Denimo Design Washing Pvt. Ltd., Plot No. 381, Ph-I, HSIIDC, Barhi, Sonipat

(Through ROPCB, Sonipat)

  
District Magistrate,  
Sonipat.

*For Denimo Design Washing Pvt. Ltd.*  
11/6/21  
7008685898087

(29)

**ORDER**

Whereas, As per public notice issued by CGWA vide No. 26-1/CGWA/PN/2018 dated 15.10.2019 it was informed that "without prejudice to the directions of Hon'ble NGT, New Delhi under its Judgment/orders dated 11.09.2019 under OA No. 176/2015 and the outcome of the pending matters in Hon'ble NGT, New Delhi, the due date for submission of applications for grant of 'No Objection Certificate' (NOC) for Ground Water withdrawal through NOCAP portal of CGWA is hereby extended upto 31.03.2020."

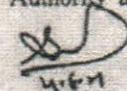
Whereas, as per report dated 02.06.2021 of the committee constituted by Additional Deputy Commissioner vide letter No. 7649-50 dated 05.04.2021 comprising of Hydrologist Rohtak and Regional Officer, HSPCB, Sonipat has informed that your unit is lying closed and has not informed regarding submission of application to Central Ground Water Authority (CGWA) till date.

Whereas, as per the orders of Hon'ble National Green Tribunal, New Delhi issued in O.A No. 176/2015 Dated 11.09.2019 titled as Shailesh Singh Vs Hotel Holiday Regency, Moradabad & Ors." District Magistrate / CGWA have been assigned for levy Environment Compensation and taking penal action.

Whereas, As per the Gazette Notification, S.O. 3289 (E) Dated New Delhi, the 24<sup>th</sup> September, 2020 point 10.0.(b) District collectors / Deputy Commissioners (DCs) / District Magistrates (DMs) are authorized to take enforcement measures abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

Whereas your unit has not applied the application to CGWA till date and is extracting ground water without permission from Central Ground Water Authority.

In view of the above, it is hereby ordered to seal the ground water extraction structure till the time your unit will ~~not~~ obtain No Objection Certificate from Competent Authority and disconnection of electric supply of your unit.

  
District Magistrate,  
Sonipat.

Endst No. 3853 / MB

Dated 08.06.2021

A copy of the above is forwarded to the following for compliance of order:-

1. The Additional Deputy Commissioner, Sonipat
2. The Hydrologist, Rohtak
3. The Xen, UHBVN, Sonipat for disconnection of electric supply.
4. The Regional Officer, Haryana State Pollution Control Board, Sonipat
5. M/s Shivam Fab, Plot No. 281, Ph-1, HSIIDC, Barhi, Sonipat  
(Through ROPCB, SONIPAT)

  
District Magistrate,  
Sonipat.

10/06/2021

C (30)

**ORDER**

Whereas, As per public notice issued by CGWA vide No. 26-1/CGWA/PN/2018 dated 15.10.2019 it was informed that "without prejudice to the directions of Hon'ble NGT, New Delhi under its Judgment/orders dated 11.09.2019 under OA No. 176/2015 and the outcome of the pending matters in Hon'ble NGT, New Delhi, the due date for submission of applications for grant of 'No Objection Certificate' (NOC) for Ground Water withdrawal through NOCAP portal of CGWA is hereby extended upto 31.03.2020."

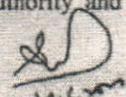
Whereas, as per report dated 02.06.2021 of the committee constituted by Additional Deputy Commissioner vide letter No. 7649-50 dated 05.04.2021 comprising of Hydrologist Rohtak and Regional Officer, HSPCB, Sonipat has informed that your unit is lying closed and has not informed regarding submission of application to Central Ground Water Authority (CGWA) till date.

Whereas, as per the orders of Hon'ble National Green Tribunal, New Delhi issued in O.A No. 176/2015 Dated 11.09.2019 titled as Shailesh Singh Vs Hotel Holiday Regency, Moradabad & Ors." District Magistrate / CGWA have been assigned for levy Environment Compensation and taking penal action.

Whereas, As per the Gazette Notification, S.O. 3289 (E) Dated New Delhi, the 24<sup>th</sup> September, 2020 point 10.0.(b) District collectors / Deputy Commissioners (DCs) / District Magistrates (DMs) are authorized to take enforcement measures abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

Whereas your unit has not applied the application to CGWA till date and is extracting ground water without permission from Central Ground Water Authority.

In view of the above, it is hereby ordered to seal the ground water extraction structure till the time your unit will ~~not~~ obtain No Objection Certificate from Competent Authority and disconnection of electric supply of your unit.

  
District Magistrate,  
Sonipat.

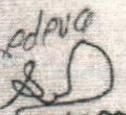
Endst No. 3859/MB

Dated 08.06.2021

A copy of the above is forwarded to the following for compliance of order:-

1. The Additional Deputy Commissioner, Sonipat
2. The Hydrologist, Rohtak
3. The Xen, UHBVN, Sonipat for disconnection of electric supply.
4. The Regional Officer, Haryana State Pollution Control Board, Sonipat
5. M/s Magnet Industries, Plot No. 230, Ph-1, HSIIDC, Barhi, Sonipat

(Through RO PCB, Sonipat)

Anok Tyagi  
9999174456 - Kanon Sengupta  
  
District Magistrate,  
Sonipat.



(31)

Annexure - R/15

8

139

CWP-22468-2018

BHUPINDER SINGH V/S STATE OF HARYANA AND ORS

Present: Mr. Sunil K. Nehra, Advocate,  
for the petitioner.

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Learned counsel for the petitioner contends that the District Grievance Committee, headed by respondent No.4, cannot pass orders with respect to the suspension of regular employee i.e. petitioner.

Notice of motion for 20.11.2018.

To be heard along with CWP-12263-2018.

In the meantime, no further steps will be taken against the petitioner pursuant to the meeting of the District Grievance Committee, Panipat, held on 31.08.2018.

05.09.2018  
ajp

(RITU BAHRI)  
JUDGE

32

Annexure-R/16

List of units against whom compensation was imposed by Deputy Commissioner,  
Sonapat vide order dated 08.06.2021

| Sr. No. | Name and Address of Units  | Date of submission of application to CGWA. |
|---------|--|--|
| 1       | Addingo Knit Creations, Plot No. 217, Ph-I<br>HSI IDC, Barhi, Sonipat            | 02.06.2020                                 |
| 2       | Denim Craze, Plot No. 550-553, Ph-II,<br>HSI IDC, Barhi, Sonipat                 | 06.01.2021                                 |
| 3       | Sidhi Vinayak Apparel, Plot No. 473D, Ph-2,<br>HSI IDC, Barhi, Sonipat           | 28.05.2020                                 |
| 4       | Fine Dyeing, Plot No. 400-401, HSI IDC,<br>Barhi, Sonipat                        | 31.12.2020                                 |
| 5       | M/s Denimo Design Washing Pvt. Ltd, Plot No<br>381, Ph-I HSI IDC, Barhi, Sonipat | 03-06-20                                   |