

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

Review Application No. 2/2025  
In  
Original Application No. 806/2024

IN THE MATTER OF:

Prabhjot Sodhi

...Petitioner

Vs

State of Haryana

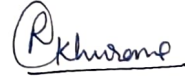
...Respondents

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Filed By:

Date:03.03.2025



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**REPLY OF THE MEMBER SECRETARY, HARYANA STATE  
POLLUTION CONTROL BOARD IN COMPLAINE OF ORDER  
DATED 20.02.2025**

**MOST RESPECTFULLY SHOWETH:**

1. That this Hon'ble Tribunal vide order dated 20.02.2025 has taken note of the fact that vide order dated 23.08.2024, a Committee comprising of District Magistrate, Palwal and Haryana State Pollution Control Board was directed to examine the matter and if any violation of environmental laws is found, to take appropriate action in accordance with law, after giving opportunity of hearing to concerned stakeholders within two months, however, no report was filed within time granted by this Hon'ble Tribunal. Therefore, this Hon'ble Tribunal was please to direct that District Magistrate, Palwal and Member Secretary, Haryana State Pollution Control Board shall appear before Tribunal on 04.03.2025 to show cause as to why action be not taken for not complying Tribunal's order, by initiating prosecution under Section 26 of NGT Act, 2010.
2. That at the outset, its humbly submitted that answering noticee has highest regard for the Environment as well as for the directions passed by this Hon'ble Tribunal. It is most respectfully submitted that the undersigned regrets the delay in submitting the report which has been filed on 28.02.2025 after implementing the closure order dated 19.02.2025. The relevant dates and events are mentioned in the subsequent paragraphs.



3. That order dated 23.08.2024 passed by this Hon'ble Tribunal was received at Head Office on 09.09.2024 which was forwarded to the Regional Office, HSPCB at Palwal for necessary compliance. The Regional Office, vide letter dated 16.09.2024 sent letter to office of Deputy Commissioner, Palwal for deputing his nominee to carry out the inspection. After receiving nominee of the Deputy Commissioner, Palwal on 09.10.2024, members of Joint Committee deemed it appropriate to associate the District Town Planner, T&CP Department also because one of the issues raised in OA i.e. Change of Land Use was pertaining to said authority. Accordingly, unit was inspected on 28.10.2024 by the joint committee alongwith District Town Planner.
4. That during inspection, samples were collected from ETP and Analysis Report was received on 06.11.2024 from HSPCB Laboratory. Show Cause Notice was issued on 11.11.2024. In response to SCN unit requested for further grant of extra time on 16.11.2024 via e-mail as under:

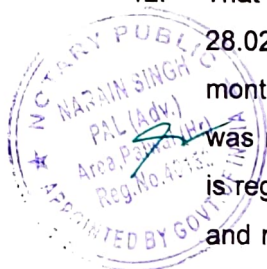
"In Reference to your letter number HSPCB/PAL/2024/650, Dated: 11/11/2024 I, Prem Kumar Khullar, defence veteran would like to inform you that we are not capable to reply details because there is lot of legalities involved please give us a month and after 11 December 2024, we will do reply probably".

Since, closure of a healthcare facility poses significant challenges due to its crucial role in providing essential medical services to the community and can disrupts the continuity of care for patients. Many individuals rely on these facilities for ongoing treatments, emergency care, and routine check-ups. In view of above, time has been granted to the unit to justify its position regarding environmental compliances. The unit submitted its reply and submissions on 01.12.2024.

That reply and other documents submitted by the unit was considered alongwith official record pertaining to the unit in question. On 11.12.2024, concerned Field Officer raised inspection on general inspection module for closure recommendation on HROCMMS which was approved by the Regional Officer.



6. That while recommending the Closure Action through e-portal, technical difficulty was faced as SCN dated 11.11.2024 already issued was not being reflected and system could not be progressed further. Therefore, formal SCN dated 23.12.2024 of one day was issued through online portal and thereafter, recommendations of closure action were made on 26.12.2024.
7. That from 27.12.2024 to 31.12.2024 file was under examination at head office level and on 31.12.2024, received file in RO account with observation as speaking order was not attached.
8. On 01.01.2025 file was again submitted to head office with speaking order. The file was returned back on 10.01.2025 with observations which was further down marked to concerned field officer on 12.01.2025 and reply to observations were submitted on 21.01.2025 to head office.
9. The case file moved from 21.01.2025 to 11.02.2025 from Sr Environment Engineer to Chief Environmental Engineer to Member Secretary to Chairman for approval.
10. The closure order was approved on 11.02.2025 by chairman and then down marked in hierarchy. On 19.02.2025, the closure order was issued which was marked to concerned Field Officer, HSPCB on 21.02.2025. The Closure order was compiled with on 24.02.2025 by sealing the machineries.
11. That all proceedings as mentioned above have taken considerable time. However, strict instructions have been issued that timely compliances of Hon'ble NGT directions be made at level of Head Office as well as at all regional offices.
12. That compliance report in OA No.806/2024 was filed on 28.02.2025. Therefore, report could not be submitted within two months as granted by this Hon'ble Tribunal. However, said delay was neither willful nor intentional. Delay in submitting the report is regretted. The noticee undertakes to be more careful in future and not to cause the delay on the part of HSPCB in compliance of the directions passed by this Hon'ble Tribunal.





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AFFIDAVIT

I, Pardeep Kumar, IAS, Member Secretary, Haryana State Pollution Control Board, aged about 58 years do hereby solemnly affirm and state as under:-

1. That in the aforesaid official capacity, I am well conversant with the facts and circumstances of the case, therefore, I am competent to swear this affidavit.
2. That I have gone through the contents of accompanying reply which has been drafted under my instructions.
3. That Annexures are true copy of their originals.

Deponent

Verification:

Verified at ..... on ..... day of March, 2025 that the contents of affidavit are true and correct to my knowledge and on the bases of information derived from the official record which I believe to be true and no material fact has been concealed therein.

Register Entry No.....

Dated..... 2025

Deponent



I am with the deponent/Executed by me personally who has signed/Marked their impression in my presence, and Notary Public Attested Document On my behalf.

