

## IN THE HON'BLE NATIONAL GREEN TRIBUNAL

## PRINCIPAL BENCH, NEW DELHI

APPEAL No. 30/2024

In the matter of:

M/s Bajaj Sanjay Poultry Farm

.....Applicant(s)

VERSUS

Haryana State Pollution Control Board and others

....Respondent

## INDEX

S. No.	Particulars	Annexures	Page No
1	Reply on behalf of Respondent No.1 and 2 with supporting affidavit		2-11
2	Copy of Closure order	Annexure-R-I	12-13
3	Copy of Office Order	Annexure-R-2	14-15
4	Copy of spot inspection report	Annexure-R-3	16-20
5	Copy of Show Cause notice dated 24.01.2024 & courier receipt	Annexure-R-4 & R-4A	21-22
6	Copy of Show Cause notice dated 16.04.2024 and logbook of vehicle	Annexure-R-5 & R-5A	23-25
7	Copy of recommendation of closure	Annexure-R-6	26-28
8	Copy of Compliance Report of Closure Order	Annexure-R-7	29-34
9	Closure Order dated 28.01.2020	Annexure-R-8	35
10	Suspension of Closure order dated 18.09.2020	Annexure-R-9	36
11	CTO Application dated 23.07.2024	Annexure-R-10	37-43
12	Show Cause Notice dated 25.07.2024	Annexure-R-11	44-45
13	Reply of Show Cause notice	Annexure-R-12	46-138
14	Note History	Annexure-R-13	139-140
15	Refusal of CTO	Annexure-R-14	141-142
16	Copy of appeal filed by the unit before the Appellate Authority	Annexure-R-15	143-210

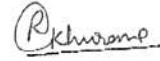
17	Copy of orders passed by Appellate Authority	Annexure-R-16	211
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Vijay Chaudhary  
Regional Officer, HSPCB,  
Gurgaon Region (South)  
Regional Office, HSPCB,  
Gurgaon Region (South) Board  
Gurgaon Region (South)  
HSIIDC Complex, 11th Floor,  
IMT Manesar, Gurgaon

Date: 12.09.2024

Through



Rahul Khurana, Advocate  
17, Central Lane, Babar Road, Bengali Market,  
New Delhi, Mob No.09811894060  
[rkhuranalegal@gmail.com](mailto:rkhuranalegal@gmail.com)

## IN THE HON'BLE NATIONAL GREEN TRIBUNAL

## PRINCIPAL BENCH, NEW DELHI

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In the matter of:

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.....Respondent

REPLY OF REGIONAL OFFICER, HARYANA STATE  
POLLUTION CONTROL BOARD, GURUGRAM REGION SOUTH  
ON BEHALF OF RESPONDENT NO. 1 AND 2.

MOST RESPECTFULLY SHOWETH

PRELIMINARY SUBMISSIONS

1. The appellant unit is engaged in poultry farming at village – Aklimpur, Gurugram City since 1998 with less than 1,00,000 Birds therein, and is located in the jurisdiction of Regional Officer Gurugram South Haryana State Pollution Control Board (hereafter referred as HSPCB). That by way of the present appeal, the appellant has challenged the Closure order dated 03.06.2024 passed by HSPCB against the M/s Bajaj Sanjay Poultry Farm, Haryana. Copy of closure order vide no. HSPCB/GUR/2024/INS/64626851CONCO001-004 dated 03.06.2024 is attached herewith and marked as **Annexure-R-1**.
2. The Central Pollution Control Board, has in Letter No B-4032/PCISSI/Poultry/2015-13165, dated 20-10-2015 "Environmental Guidelines for Poultry Farms", promulgated a number of guidelines in the matter which would apply to establishments having more than one lakh birds. These guidelines would be applicable to establishments having more than one lakhs birds only and not otherwise, and also the requirement for obtaining CTE & CTO for such farms would be applicable after the promulgation of the said guidelines.

3. In compliance of direction of this Hon`ble Tribunal dated 16.09.2020 in OA No.681 of 2017 titled as Gauri Maulekhi and dated 12.10.2021 in OA No.320 of 2021, the Central Pollution Control Board (CPCB) had issued environmental guidelines for poultry farms in Jan,2022 and the same has been adopted by government of Haryana Department of Environment and Climate Change Haryana, vide orders Endst. No.16/14/2012/3-Env. dated 27.01.2022 Consequently vide no.HSPCB/PLG/2022/I/13486 dated 22.09.2022 hereby ordered that the poultry farms handling 25000 or more birds (above 5000 birds w.e.f. 01.01.2023) at a single location added under the Green Category in the consent procedure already issued vide Head Office order Endst. No. HSPCB/2020/PLG/1767-1795 dated 04.12.2020 for the purpose of obtaining consent to establish and consent to operate under the water (Prevention And Control of Pollution) Act,1974 and Air (Prevention And Control of Pollution) Act, 1981 and authorizations under EP rules. Copy of office order dated 22.09.2022 is attached as **Annexure R-2**
  
4. The unit was visited by Sh. Sidharth Bhargava, Assistant Environmental Engineer on 23.01.2024 to check the violation and reported that although unit is complying to the guidelines but is operating illegally without obtaining prior CTE & CTO from the Board. Unit is a Poultry farm having 32564 no. of birds. Unit is covered under GREEN category as per policy of the Board. Unit established and operating without obtaining CTE/CTO from HSPCB. Requirement of Consent was communicated to the Representative of the unit during of inspection also. Copy of spot inspection report is attached herewith and marked as **Annexure-R-3**.
  
5. Show Cause Notice was issued by Board vide letter No. HSPCB/GRS/2023/1181 dated 24.01.2024 for closure under section 33-A of water (Prevention & Control of Pollution) Act, 1974, 31-A of Air (Prevention & Control of Pollution) Act, 1981, and under section 5 of Environment protection Act, 1986 for not obtaining

Consent to Operate and for non-compliance of poultry guidelines issued by Central Pollution Control Board in 2021 and the same was delivered through the courier. Unit didn't submit any reply of Show cause notice. Copy of Show Cause Notice and courier receipt are attached herewith and marked as **Annexure-R-4 & R-4A**.

6. Then another show cause notice dated 16.04.2024 was issued to the unit for closure under 31-A of Air (Prevention & Control of Pollution) Act, 1981, 33-A of water (prevention & Control of Pollution) Act, 1974 and unit had not submitted reply of Show cause notice. Show cause notice was delivered electronically through online portal. Copy of Show Cause Notice is attached herewith and marked as **Annexure-R-5**. Further, it is submitted that the copy of Show Cause Notice was also sent through Special messenger on 24-04-2024 but unit's representative refused to accept the copy of show cause notice (copy of logbook is attached as **Annexure-R-5A**).
  
7. Consequently, this office had recommended closure vide no. HSPCB/GUR/2024/RO/INS/64626851CONCR002 dated 21-05-2024 (**Annexure-R-6**) to Head Office. In recommendation of closure directions both the above mentioned Show Cause Notices were mentioned but in closure direction received from head office, show cause notice dated 24-01-2024 not mentioned due to technographical error. A closure order was received from Head Office vide letter no. HSPCB/GUR/2024/INS/64626851CONCO001-004 03-06-2024. In reference of closure order unit was visited by concerned field officer of this office on 10-06-2024 and the closure order has been implemented by sealing the DG- 62.5 KVA 01 No., DG- 40 KVA 01 No., DG- 30 KVA 01 No. & submersible of the unit. Copy of Compliance report alongwith photographs are attached as **Annexure -R-7**. During implementation of closure directions also, unit was asked to apply the CTO along with all the mandatory/requisite documents as per checklist of the Board.

8. The earlier closure order was issued by Additional Chief Secretary Government of Haryana Environment and climate change Department vide Endst. No.16/23/2019-3 Env. dated 28.01.2020 for not complying the directions issued by the State Government regarding maintenance of poultry farms. The suspension of closure order vides Endst. No. No.16/23/2019-3Env. dated 18.09.2020 issued with the direction if any time the unit found violating the said directions the performance security submitted by the unit shall be forfeited and closure directions will be re-implemented. Copy of closure order dated 28.01.2020 and suspension order dated 18.09.2020 are attached as **Annexure –R-8 & R-9**.
9. Thereafter appellant unit applied for CTO on 23-07-2024 vide application No. 74151449. Application was examined by the Board and it has been established that the application submitted by unit is incomplete and not conforming to the requirement of the provisions of the Water (Prevention & Control of Pollution) Act, 1974, and Air (Prevention & Control of Pollution) Act, 1981, as per policy of the Board. Accordingly, Show Cause Notice for refusal of consent was issued by the Board vide no. G24GUSOCTOA/WSCN74151449 on 25.07.2024. The unit had submitted reply of the show cause notice and was not found satisfactory as unit has not submitted the copy of Aravali Clearance, Forest NOC, Change of land use document, siting parameters report and not applied for suspension of closure orders issued by the Board, CTO application was rejected by the Board vide letter no. HSPCB/Consent/:313296224GUSOCTO74151449 Dated: 17/08/2024. Copy of the application for CTO, Show cause notice, Reply of Show cause notice, Note History & Refusal of CTO certificate is attached as **Annexure-R-10, R-11, R-12, R-13 & R-14** respectively.
10. Thereafter appellant unit filed an appeal in Hon'ble Appellate Authority constituted under the water (prevention and control of pollution) act 1974, air (prevention and control of pollution) act 1981 at, Chandigarh in terms of section 31 of the Air (prevention and control of pollution) Act, 1981 for setting aside the closure

order dated 03.06.2024 and same is pending in Hon'ble Appellate Authority. Copy of appeal filed by the unit before the Appellate Authority is attached as **Annexure-R-15**. Copy of orders passed by Appellate Authority dated 22-08-2024 is attached as **Annexure-R-16**. This fact is not mentioned in the present appeal by the appellant. Hence the present appeal is liable to be dismissed for concealment of material fact.

#### PARA-WISE REPLY TO FACTS IN BRIEF

1. That the above said Appeal is pending before this Hon'ble Court and the same is fixed for 13.09.2024 for filing reply.
2. That the contents of para are matter of record. As per the then prevailing norms, being a poultry farm of less than one lakh birds capacity (approx. 2500-30,000), did not require any consent to establish/operate from the Respondent Board. But as per new category of industrial/non-industrial sectors/projects categorized by Board, poultry farms handling 25000 or more birds (above 5000 birds w.e.f. 01.01.2023) are covered under Green category.
3. That the contents of para are wrong and denied. The unit was inspected by Sh. Sidharth Bhargava, Assistant Environmental Engineer on 23.01.2024 to check the violation and reported that unit is operating illegally without obtaining prior CTE & CTO from the Board. Unit is a Poultry farm having 32564 no. of birds and covered under GREEN category as per policy of the Board.
4. That the contents of para are wrong and denied. Ample opportunity was given to the unit for its defense as Show Cause Notice was issued by board vide letter No. HSPCB/GRS/2023/1181 dated 24.01.2024 for closure under section 33-A of water(prevention & Control of Pollution) Act, 1974, 31-A of Air(Prevention & Control of Pollution) Act, 1981, and under section 5 of Environment protection Act, 1986 for not obtaining Consent to Operate and for non-compliance of poultry guidelines issued by Central Pollution Control Board in 2021 and the same was delivered through the


courier. Unit didn't submit any reply of Show cause notice. Further this office had recommended closure vide no. HSPCB/GUR/2024/RO/INS/64626851CONCR002 dated 21-05-2024 to Head Office. A closure order was received from Head Office vide letter no. HSPCB/GUR/2024/INS/64626851CONCO001-004 03-06-2024 and 60 days' time was granted to the unit to comply with the shortcomings and thereafter submit self-compliance of the closure orders by way of exhaustion of birds from the poultry farm thereafter. The unit although applied for CTO on 23-07-2024 vide application No. 74151449. Application was examined by the Board and it has been established that the application submitted by unit is incomplete and not conforming to the requirement of the provisions of the Water (Prevention & Control of Pollution) Act, 1974, and Air (Prevention & Control of Pollution) Act, 1981, as per policy of the Board. Accordingly, Show Cause Notice for refusal of consent was issued by the Board vide no. G24GUSOCTOA/WSCN74151449 on 25.07.2024. The unit had submitted reply of the show cause notice and was not found satisfactory and the CTO application was rejected by the Board vide letter no. HSPCB/Consent/:313296224GUSOCTO74151449 Dated: 17/08/2024. The unit thus failed to comply with the provision of water (prevention & Control of Pollution) Act, 1974, 31-A of Air (Prevention & Control of Pollution) Act, 1981.

5. That the contents of para are wrong and denied that no show cause notice delivered to the unit. Show cause notice vide no. HSPCB/GRS/2023/1181 dated 24.01.2024 for closure issued to the unit and same was delivered through Courier and show cause notice dated 16.04.2024 is a system generated show cause notice & same is delivered electronically through online portal. Further, it is submitted that the copy of Show Cause Notice was also sent through Special messenger on 24-04-2024 but unit's representative refused to accept the copy of show cause notice.

6. That the contents of Para are wrong and hence denied. The contents of preliminary submissions and previous parawise reply are being reiterated in reply to this Para.
7. That the contents of Para are wrong and hence denied. The contents of preliminary submissions and previous parawise reply are being reiterated in reply to this Para.
8. That the unit was inspected on 23.01.2024 and found that poultry farm is operating illegally without obtaining prior CTE & CTO from the Board. Unit is a Poultry farm having 32564 no. of birds. Unit covered under GREEN category as per policy of the Board. Unit established and operating without obtaining CTE/CTO from HSPCB.
9. That the contents of Para are wrong and hence denied. Further, it is submitted that the closure order was rightly passed by the Board because unit is operating without obtaining CTE (Consent to establish) & CTO (Consent to Operate).
10. That the contents of Para are wrong and hence denied. The closure order was rightly passed by the Board as unit is operating without obtaining CTE (Consent to establish) & CTO (Consent to Operate). The contents of preliminary submissions are being reiterated.

Keeping in view of the above stated facts and circumstances of the matter, it is, therefore, respectfully prayed that the present appeal may kindly be dismissed being devoid of merits.

Place: Gurugram  
Date: 12-09-2024  
**VERIFICATION :-**

  
Vijay Chaudhary,  
Regional Officer, HSPCB,  
Gurugram Region (South)  
Regional Officer  
Haryana State Pollution Control Board  
Gurgaon Region (South)  
HSIIC Complex, 11th Floor,  
IMT Manesar, Gurgaon

Verified that the contents of Para 1 to 10 of the preliminary submissions and Para No. 1 to 10 of Para-wise reply on merits are true and correct to the best of my knowledge based on information derived

from Official record. No part of it is false and nothing material has been kept concealed therein.

Place: Gurugram  
Date: 12-09-2024

Vijay Chaudhary,  
Regional Officer, HSPCB,  
Gurugram Region (South)

Regional Officer  
Haryana State Pollution Control Board  
Gurgaon Region (South)  
HSIDC Complex, 11th Floor,  
IMT Manesar, Gurgaon

IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
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VERSUS


Haryana State Pollution Control Board and others

.....Respondent

**AFFIDAVIT**

I, Vijay Chaudhary, Regional Officer, Haryana State Pollution Control Board at Gurugram (South), aged about 56.. Years do hereby solemnly affirm and state as under:

1. That I have been impleaded as Respondent No.2 and is authorized representative of the Respondent No.1 in present case. I am well conversant with the facts and circumstances of the case therefore, I am competent to swear this affidavit.
2. That I have read the contents of accompanying reply which has been drafted under my instructions.
3. That annexures are true copy of their originals.

  
Regional Officer  
DEPONENT  
Haryana State Pollution Control Board  
Gurgaon Region (South)  
HSI IDC Complex, 111rd Floor,  
IMT Manesar, Gurgaon

**VERIFICATION**

Verified that the contents of above affidavit are true and correct to my knowledge and on the basis of information derived from the Official record which I believe to be true and no material fact has been concealed therein.

  
DEPONENT

Regional Officer  
Haryana State Pollution Control Board  
Gurgaon Region (South)  
HSI IDC Complex, 111rd Floor,  
IMT Manesar, Gurgaon



12 SEP 2024

  
**ATTESTED**  
SURAJ BHAN  
ADVOCATE & NOTARY  
GOVT. OF INDIA  
DISTT. GURUGRAM (HARYANA), INDIA  
12 SEP 2024

**HARYANA STATE POLLUTION CONTROL BOARD**  
**C-11 Sector-6, Panchkula**  
**Ph – 0172- 577870-73, Fax No. 2581201**  
**E-mail- hspcbho@gmail.com**  
**Website: hspcb.gov.in**

**CLOSURE ORDER**

Whereas, M/s Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm), Village-Aklimpur, Badshahpur, Gurugram has established and operating a Poultry Farms at Village-Aklimpur, Badshahpur, Gurugram which is polluting in nature;

Whereas, the above said-unit was visited by Field officer on 23.01.2024 and reported the following violation made by the unit under the Water Act, 1974 & the Air Act, 1981:-

The unit is operating illegally without obtaining prior CTE & CTO from the Board.

Whereas, a show Cause Notice for closure was issued to the above-said unit by the Regional Officer Gurugram South vide his letter no. HSPCB/GUR/2024/INS/64626851SCNCC001 dated 16-04-2024 but the unit has not submitted the reply;

Whereas, Regional Officer, Gurugram South vide his recommendation letter no. HSPCB/GUR/2024/RO/INS/64626851CONCR002 dated 21.05.2024 has recommended for taking closure action against the unit under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & 33-A of the Water (Prevention & Control of Pollution) Act, 1974 which has been examined and it has been found that the unit has violated the provisions of the Air (Prevention & Control of Pollution) Act, 1981 & the Water (Prevention & Control of Pollution) Act, 1974 as mentioned above;

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & 33-A of the Water (Prevention & Control of Pollution) Act, 1974 it is hereby ordered to close down the operation of the above said unit M/s Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm), Village-Aklimpur, Badshahpur, Gurugram and the owner/ proprietor is directed to exhaust the birds from the premises within 60 days;

In addition, it is also intimated that non-compliance with the directions issued under section 33-A/31-A is an offence under the provision of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 respectively.

**Dated Panchkula, the**  
**29<sup>th</sup> May, 2024**

**Chairman, HSPCB**

**Endst. No.: HSPCB/GUR/2024/INS/64626851CONCO001- 004**

**dated:-3.06.2024**

A copy of the above is forwarded to the following for information and necessary action:-

1. The Deputy Commissioner, Gurugram.
2. The SDM. He is requested to ensure the auction of birds from poultry farms in association with officers of animal Husbandry Department after 60 days in case owner fails to exhaust

the birds within 60 days. The care should be taken that no harm is caused to birds in any process/ activity performed in this regard.

3. The Deputy Director, Animal Husbandry. He is requested to associate with SDM for exhausting of birds from the premises of unit (poultry farms).
4. The Regional Officer, Gurugram South. He is asked to ensure the compliance of closure order immediately and to submit a action taken report in this regard within 03 days positively and to initiate prosecution action against the unit for violation and to recommend the case for imposing Environment Compensation to this office complete in all respect within 07 days.
5. M/s Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm), Village-Aklimpur, Badshahpur, Gurugram. They are directed to exhaust the Birds from unit.

JATIND  
ERPAL  
SINGH

Digitally signed  
by JATINDERPAL  
SINGH  
Date: 2024.06.05  
10:42:01 +05'30'

**Sr. Env. Engineer (HQ)  
For Chairman**

**HARYANA STATE POLLUTION CONTROL BOARD**

C-11 Sector-6, Panchkula

Ph – 0172- 577870-73, Fax No. 2581201

E-mail- hspcbho@gmail.com

**Office Order**

Whereas, the Board, vide Head Office order Endst. No. HSPCB/2020/PLG/1767-1795 dated 04.12.2020, has amended its existing consent procedure issued vide Head Office order Endst. No. HSPCB/2018/517-546 dated 26.02.2018 for grant of consent to establish and consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, along with consolidated list of industrial /non-industrial sectors/projects covered under Red, Orange, Green and White Categories. This procedure had been issued based upon the directions issued by the CPCB u/s 18(1)(b) of Water Act, 1974 and Air Act, 1981 vide letter no. B29012/ESS (CPA)/2015-16/8526 dated 07.03.2016 and subsequent directions thereon; and

Whereas, in compliance of directions of Hon'ble NGT dated 16.09.2020 in OA No. 681 of 2017 and dated 12.10.2021 in OA No. 320 of 2021, the Central Pollution Control Board (CPCB) had issued environmental guidelines for poultry farms in Jan 2022, and the same has been adopted by Government of Haryana, Department of Environment and Climate Change Haryana, vide orders Endst. No. 16/14/2012/3-Env. Dated: 27.01.2022.

In view of above, it is hereby ordered that the following industrial/non-industrial sector /project is added under the Green Category in the consent procedure already issued vide Head Office order Endst. No. HSPCB/2020/PLG/1767-1795 dated 04.12.2020 for the purpose of obtaining consent to establish and consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 and authorizations under EP rules:-

Sr. No.	New category of Industrial/Non-Industrial Sectors/Projects categorized by CPCB	Category	Previous status of coverage under consent management of board	Remarks
1.	Poultry Farms handling 25000 or more birds (above 5000 birds w.e.f. 01.01.2023) at a given time in single location and Hatchery & Piggery irrespective of number of birds/animals	Green	Existing Category at Sr. No. 33 'Poultry Farms handling one lac or more birds at a given time in single location and Hatchery & Piggery irrespective of no. of birds/animals'.	The existing Category at Sr. No. 33 in Green category is replaced with new category.

These orders come into force with immediate effect.

Dated Panchkula, the

P. Raghavendra Rao

22<sup>nd</sup> September, 2022

Chairman

**Endst. No. HSPCB/PLG/2022/**

**Dated:22/09/2022**

A copy of the above is forwarded to the following for information and further necessary action:-

1. All Branch Incharges dealing with consent management in Head Office of the Board.
2. All Regional Officers of the Board in the field.
3. Nodal Officer of the HSPCB, Haryana Enterprises Promotion Centre (HEPC) Bay No. 63-64-65-66, Sector 2, Panchkula.
4. Branch incharge (IT) for uploading the orders on the website of the Board and making necessary changes in the OCMMS and online inspection module

Signed by Bhupender Singh

Rinwa

Date: 22-09-2022 17:46:12

Reason: Approved

**Sr. EE (PLG)**

**For Chairman**

**Endst. No. HSPCB/PLG/2022/**

**Dated:22/09/2022**

A copy of the above is forwarded to the following for information of the officers:-

1. PS to Chairman
2. PA to Member Secretary

**Sr. EE (PLG)**

**For Chairman**



**Regional Office, Panchkula Region**  
**Haryana State Pollution Control Board**  
 SCO-115-116, 1st Floor, Sector -25, Panchkula  
 Website - [www.hspcb.gov.in](http://www.hspcb.gov.in) E-Mail - [hspcbropkl@gmail.com](mailto:hspcbropkl@gmail.com)

1. Name and Address of the Unit: *M/s Balaji Poultry Farm of M/s Bajaj Sanjay Poultry Farm Badshahpur, Gurugra*
2. Date of Inspection: *23/01/24*
3. Date of Establishment: *1998*
4. Name of the unit Prop./Directors/Partners: *Sh. Sanjay Kumar Bajaj Prop. sbajaj13@gmail.com*
5. E-mail ID and Contact No.: *813 0511661 sbajaj13@gmail.com*
6. Latitude and Longitude: *- see photos 9818 868053*
7. Total no. of birds: *32,564*
8. Total no. of Sheds: *06*
9. Whether covered under Consent Management?: *As per policy*

Compliance status of directions issued by Env. Department to Govt. of Haryana vide dated 29.05.2013.

Sr. No.	Directions:	Compliance status
	All Poultry Farms shall be set up as per following Siting Criteria:-	
1	The poultry farm shall not be located within <ul style="list-style-type: none"> <li><input type="checkbox"/> 500 m from residential zone</li> <li><input type="checkbox"/> 200 m from major water course</li> <li><input type="checkbox"/> 1000 m from any major drinking water reservoir on catchment side</li> <li><input type="checkbox"/> 100 m from any drinking water source like wells, summer storage tanks, tanks</li> <li><input type="checkbox"/> 500 m from nearby poultry, dairy or another livestock enterprisers or industry</li> </ul>	<i>Relates to Revenue Deptt.</i>
2	The poultry sheds shall not be located within <ul style="list-style-type: none"> <li><input type="checkbox"/> 20 m from farm boundary</li> <li><input type="checkbox"/> 200 m from public roads</li> <li><input type="checkbox"/> 20 m from other sheds on the same farm</li> <li><input type="checkbox"/> 100 m from any other dwelling on the same property.</li> </ul>	
3	The poultry sheds shall be positioned <ul style="list-style-type: none"> <li><input type="checkbox"/> on East to West direction</li> <li><input type="checkbox"/> at least 2 m above the water table</li> <li><input type="checkbox"/> at least 0.5 m above ground level</li> </ul>	
4	The poultry farm shall raise green belt all around the farm with minimum of two rows spaced apart of not more than 3 m.	
		<i>One row</i>

*[Signature]*

5	The poultry farm shall be fenced with barbed wire / linked mesh upto a height of 1.5 m with appropriately secured entrance and outlet.	Comply
6	No open burning or indiscriminate dumping of any dead birds/ feathers / offal's, unused material like litter / empty gunnies / containers etc. shall be adopted within or outside the farm premises.	- do -
7	Proper drainage / outlet for collection and discharge shall be provided for storm runoff / discharges from the farm.	- do -
8	No obstruction shall be created for any water course within the farm or outside the farm boundary.	- do -
II	<b>All Poultry Farm shall adopt following method for Manure Storage and Management</b>	
1	The litter / manure storage dumps shall be minimum 2 m above the water table and of sufficient size based on the type and number of birds handled. It's base should be constructed with stone slabs or concrete or impermeable compacted clay.	Comply
2	The litter/ manure storage dumps shall have a 25 m buffer strip all around to keep out of wet areas/ drainage discharges.	
3	The dry manure dump shall be covered with permanent roof or with plastic / similar material to prevent air emissions and the precipitation falling on it.	
III	<b>To minimization of odour / gaseous pollution problem the poultry farms shall ensure for/to</b>	
1	Proper ventilation and free flow of air over manure collection points to keep it dry.	Y 25
2	Protect manure from unwanted pests, pesticides.	Y 25
3	Protect manure from run off water and cover it to avoid dust and odours in storage pits	Y 25
4	Design, construct, operate and maintain waste storage facilities to contain all manure, litter and washings.	Y 25
5	Collect carcasses promptly on regular basis and dispose them appropriately without damaging the environment.	Y 25
IV	<b>All Poultry Farm shall dispose dead birds by adopting one or more of the following methods</b>	
(a)	<b>Dead Birds Disposal - Burial</b>	
1	The dead birds arising from day to day farm activity shall be separated from other live birds promptly and should be stored in closed containers/ disposed off within 24 hours by following any of the appropriate disposal methods.	Complying
2	The dead birds burial pit shall be of 3 to 4 m in depth and 0.8 to 1.2 m diameter and located above minimum of 3 m from the ground water table.	- do -
3	The dead birds burial pit shall be provided with a vermin / fly proof cover made up of wooden / metal / concrete having a central operable lid of proper size for day to day dropping of carcasses.	- do -
4	When the pit is full, a compacted soil cover of 0.5 m shall be provided with the top of the covered soil well above the ground level.	- do -
5	The distance between any two burial pits shall not be less than 1 m.	on pit
(b)	<b>Dead Birds Disposal - Composting</b>	
	Composting is a natural process of decaying dead birds under controlled conditions. The bacteria and fungi reduce the organic waste into a useful end product by this system. Daily mortality is collected and the carcasses are subsequently layered into the primary bin with used up litter, straw/husk and sprayed with water at a ratio of 1:2:0.1:0.25 by weight respectively. To start with a layer of one feet of litter is spread in concrete floor then a layer of straw or paddy husk are added to aid in aeration and to supply adequate source of carbon. On this, a single layer of carcasses are placed and water is sprayed to maintain the required moisture. Finally, the layer of carcasses is covered with old manure. Subsequently layering of carcasses is repeated in a similar fashion. Once the pit is full, it is covered finally with a layer of used up litter and left it for composting. The temperature of compost increases rapidly to 60 to 70°C as bacterial action progresses. This phase is followed by a decrease in temperature after 14 to 21 days later. After composting, it can be safely stored until needed for land application.	
	<b>All Poultry Farms shall setup composting facility (if required) as under:-</b>	
1	The composting facility shall not be located within 300 m from the nearest dwelling and 100 m from any well or water course.	No compost facility at site
2	The capacity of the composting facility shall be sufficient to handle the average mortalities on the farm.	
3	The roof of the composting facility shall be permanent with bottom concreted.	

*[Handwritten signatures and marks]*

<p>The composting facility shall be secured with link mesh all around raised to a height of 1.5 m above the ground level to avoid the predation by stray dogs etc.</p>	<p>NA</p>
<p><b>Dead Birds Disposal - Incineration</b></p>	
<p>The incinerator shall be located in down wind direction to the poultry houses and populated areas.</p>	<p>only buria of dead birds</p>
<p>The incinerator capacity shall be of sufficient size such that no un-burnt carcasses are left in a day's operation.</p>	
<p>The guidelines and standards prescribed under Bio-Medical Waste (Management &amp; Handling) Rules, 1998 shall be followed for erection and operation of the incinerator.</p>	<p>No feed mill at site</p>
<p><b>In case the poultry farms have installed Feed Mill then these shall ensure that</b></p>	
<p>Multi-clones shall be installed in the feed mill.</p>	<p>Complying</p>
<p>All the workers working in the feed mill should be provided with dust masks.</p>	
<p><b>I Waste Water Discharge</b></p>	
<p>The waste water generated from the cleaning operations (after each batch removal) shall be collected in appropriate holding tank and put to use in the green belt.</p>	<p>Complying</p>
<p><b>2) Process for treatment and disposal of effluent</b></p>	
<p>a. Improve drainage, reduce standing water and water ditches to control mosquitoes and flies.</p>	<p>Complying</p>
<p>b. Reduce water use and spills from drinking devices by preventing overflow or leakages and using calibrated, well-maintained self-watering devices;</p>	
<p>c. Installation of vegetative filters (reed filters) and surface water diversions to direct clean run offs around areas containing wastes will help in decreasing spread of pollutants.</p>	
<p>d. Use of pressure pumps, hot water or steam in cleaning activities instead of cold water and plain water scrubs can tremendously improve sanitation and reduce the quantities of wash water effluents considerably.</p>	
<p>e. Implement buffer zoned to surface water bodies, as appropriate to local conditions and requirements, and avoid land spreading of manure within these areas.</p>	
<p><b>VII All Poultry Farms shall follow Best Management Practices</b></p>	
<p>Apart from the above code practice, the following Best Management Practices which facilitates for control of the generation or delivery of pollutants shall be followed by poultry farms thereby preventing environment.</p>	
<p><b>A. Disposal of solid wastes</b></p>	
<p>1 Place primary importance to minimize waste generation in regular farm management schedule.</p>	<p>Farm found clean &amp; complying</p>
<p>2 Implement integrated pest control and management to control pests and limit pesticide use in farm.</p>	
<p>3 Properly collect, sort, treat, transport and utilize the solid wastes</p>	
<p>4 Always balance land application of manure to the nutritional requirements of soil and crop.</p>	
<p>5 Keep manure dry and avoid wet spots/ patches.</p>	
<p>6 Store manure properly by following appropriate storage technologies like composting.</p>	
<p>7 Reduce mortalities on farm by proper animal care and disease prevention program.</p>	
<p>8 Use reliable options for collection, storage, transport and disposal of dead birds.</p>	
<p>9 Properly evaluate the effectiveness of pesticide and its potential environmental impacts before application.</p>	
<p>10 Never use pesticide containers for any other use and should be properly disposed to an engineered land fill facility.</p>	
<p><b>B. Gainful utilization and recovery of wastes</b></p>	
<p>1 The products from the rendering plant can be used a pet food.</p>	<p>NA</p>
<p>2 The pet food also can be made by extrusion of hatchery waste with soyabean meal.</p>	<p>NA</p>
<p><b>C. Efficient Feed Management Practices</b></p>	
<p>1 Avoid exposure of feed and feed ingredients to rain, moisture, flies and pests.</p>	<p>No mill at site. Storage Proper</p>
<p>2 Ensure proper storage of feed and its transport.</p>	
<p>3 Avoid reuse of used feed bags.</p>	
<p>4 Keep feeder equipment always clean and tidy.</p>	
<p>5 Dispose properly the waste feed with due consideration to bio-security and environment.</p>	
<p>6 Properly balance the feed for meeting the precise nutritional requirements.</p>	

- 3 -

*[Signature]*

7	Avoid overages / excess nutrients	
8	Match feed formulation to the specific nutritional requirements of birds like growth, production, breeding etc.	
9	Balance properly the energy: protein, calcium: phosphorous, Lysine: Methionine, Manganese: Zinc: Selenium ratios in the diet	
10	Use enzymes, amino acids and gut modifiers etc. for enhancing feed utilization and nutrient adsorption.	Complying
11	Ensure proper balancing and mixing of trace elements like vitamins, minerals, amino acids and other feed activities	
12	Accurate weighing and proper distribution of feed to avoid wastage.	
13	Always use quality, uncontaminated feed material	
14	Implement a comprehensive nutrient management plan for the entire farm.	
15	Maintain records for feed issues and consumption of water and feed on daily basis.	
16	Provide good quality drinking water	
17	Deliver safe water to birds without exposure to contaminants - nipple system is best compared to open dispenses.	
18	Avoid spillage or leakage of water on the farm	
D.	<b>Best management practices</b>	
1	Use predators to control of pests.	
2	If pesticides are used then follow the correct doses, methods of application and proper disposal of used containers.	Complying No pests found at site
3	Take proper precaution to protect human, animal and environmental health before pesticide application.	
4	Consider rotating the generic contents of pesticide to avoid build up of resistance in the target pest.	
5	Avoid use of pesticides that fall under Hazardous class.	
6	Always follow label guidelines for dose application and safety precautions while mixing and transfer. Application of pesticides should be undertaken by trained persons in well ventilated and well lit areas.	
7	Avoid contamination of feed, water and other road material including their equipment with pesticides.	
8	Store pesticides always in their original container at exclusively dedicated place and kept under lock and key.	
E.	<b>General sanitation and hygiene</b>	
1	Design and construct all poultry structures to keep out pests.	Complying - do -
2	Use mechanical controls in preference to chemical controls to kill or repel pests on the farm.	clean
3	Use good house keeping practices in feed godown, mills, sheds and other facilities to limit food sources and habitat for pests.	NA
i.	The feed mill and godown shall be located on a well elevated ground preferably near the entrance to the farm and isolated from other poultry sheds.	NA
ii.	It shall have a separate entrance and exit without crisscrossing the internal poultry farm roads.	Yes provide
iii.	Provision for vehicle tyre dip shall be made available at the entrance control gate.	No flood in
iv.	Floor of the feed mill and godown shall be concrete, damp proof, redent/vermin proof and raised above the ground level by a minimum of 2 feet.	Relative to it
v.	Shall have adequate fire and other accident safety provisions.	Complying
vi.	All feed ingredients shall be stored on pallets or platforms to facilitate easy detection of leakage and to prevent absorption of moisture from the ground.	- do -
vii.	Avoid pest infestation of stored feed ingredients by frequent inspection and following prompt interventions.	- do -
viii.	Never store pesticides and other poisonous materials in feed plants or feed making premises.	- do -
ix.	Provide exclusive storage facility within feed plant for feed additives like vitamins, minerals etc.,	- do -
x.	Always store finished feed in covered containers and try to deliver to sheds for distributions to birds in specially made closed delivery trucks avoiding baggage and its reuse.	- do -
xi.	Never store finished feed in sheds for more than the current days requirement.	- do -
xii.	Prevent interaction of feeds with wild birds, rodents, pests, flies etc. as a measure of food safety and prevention of spread of diseases.	- do -

*[Handwritten signature]*

	Avoid spillage to limit wastage and discourage habitation for pests and rodents.	Complying
	Observe sanitation and cleanliness as routine to ensure quality and safety of feed grains.	Clean
	Ensure safe and healthy working atmosphere for personal by providing protective equipment and proper training to persons involved in specific jobs.	Not provided
	Keep and maintain proper inventory of men, materials and jobs performed in detail.	Yes
	The loading and unloading operations shall be limited to day time.	Yes
	Vegetative noise barriers shall be considered along the periphery of the farm.	Provided road
5	Establishment of sound bio-security protocols (specific to location, structural and operational) will minimize the potential for the spread of pathogens.	Complying
6	The bio-security protocols shall be uninterrupted and included for the entire poultry operation that control animals, feed equipment, transport, personal, visitors, stray animals, migratory bird, rodents etc.	- do -
7	Workers on multiple age group farms shall always work with youngest birds first before attending the other groups.	- do -
8	As far as possible follow an all-in-all out system and single age group limit the disease spread.	- do -
9	Training of workers for the specific jobs, recording and monitoring each of the process application on the farm will help in achieving desired results.	Maintained
10	Emerging technologies that benefit the environment shall be reviewed and useful technologies shall be adopted as a part of resource management policy on a continuous basis.	-
11	The policy that includes ideal land-crop-livestock food relationship with environmental protection and public health shall be nurtured and practiced vigorously.	-
12		

Remarks:-

Unit visited on complaint basis.  
 Unit is complying & by manure is controlled.  
 Unit has maintained stock register  
 and has also provided bills of  
 Fly act paint

Signature of Representative of the unit:  
 Name: Jaswant Singh  
 Designation: Supervisor  
 Dated:

Signature of Officer of HSPCB:  
 Name: Sidharth  
 Designation: AEI  
 Dated: 23/01/2024



Regional Office, Gurugram (S)  
**Haryana State Pollution Control Board**  
 3<sup>rd</sup> Floor, HSIIDC Complex, IMT Manesar, Gurugram  
 Website – www.hspcb.gov.in E-Mail - hspcbrogrs@gmail.com  
 Tele No. 0124-2290207, 0124-2290208



No. HSPCB/GRS/2023/ 1181

Dated: 21/11/2024

To  
 M/s Balaji Poultry Farm (M/s Bajaj Sanjay Poultry Farm)  
 Badshahpur, Gurugram  
 Haryana

Sub:- Show Cause Notice for closure under section 33-A of Water (Prevention & Control of Pollution) Act, 1974, 31-A of Air (Prevention & Control of Pollution) Act, 1981 and under section 5 of Environment (Protection) Act, 1986 for not obtaining Consent to Operate and for non-compliance of the poultry guidelines issued by Central Pollution Control Board in 2021.

Whereas, the Hon'ble NGT in OA No. 681 of 2017 titled as Gauri Maulekhi V/s Union of India & Ors. Regarding poultry farms draft guidelines by CPCB.

"Accordingly Hon'ble NGT allowed the application and direct CPCB to revisit the guidelines for categorizing the poultry farms as Green Category and exempting their regulation under Air, Water & EP Act. CPCB may issue fresh appropriate orders within three months and in if no further order is issued, all the State PCBs/PCCs will require enforcement of consent mechanism under the above acts after 01.01.2021 for all poultry farms above 25000 birds in the same manner as is being done for farms having more than one lakh birds. Till then, even without such consent mechanism, the State PCBs/PCCs may strictly enforce the environmental norms and taken appropriate remedial action against the any violation of water, air and soil standards statutorily laid down".

Whereas, CPCB has framed the revised guidelines in compliance to Hon'ble NGT order applicable for poultry farms having capacity above 25000 birds.

Whereas, your unit requires Consent to Operate under the consent management policy of the Board and to comply the guidelines issued by CPCB(<https://cpcb.nic.in/openpdffile.php?id=TGF0ZXN0RmlsZS8zMzFfMTYyOTAsOTQwMF9tZWVpYXBob3RvMjMmicucGRm>).

In view of the above, you are hereby issued Show Cause notice for closure for not obtaining consent to operate under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and an opportunity for compliance the guidelines within 15 days is given, failing which closure & legal action as per law shall be initiated against your unit under the provisions of relevant acts/rules.

In case you fail to reply or comply within stipulated period, then it will be presumed that you have nothing to say in this regard and accept the status as mentioned above and action under relevant acts will be initiated without giving any further notice.

This may be treated as most urgent.

Regional Officer  
 Gurugram Region (S)

 <b>DTDC EXPRESS LTD.</b> Regd. Office No - 3 Victoria Road Bangalore 580047		Service <b>145</b> Origin <b>WNS</b>	Destination <b>Cockatoo</b>
Date <b>23/1/24</b> Sender's Name <b>Maryana State Pollution</b> Company Name <b>Maryana</b> Address <b>Maryana</b> City <b>Maryana</b> State <b>PH</b> PIN Code <b>581101</b> Sender's VAT/ CST/ TIN Number		Pickup Ref. No.	Secure Pac Num Consignment No.
Description of Content		Recipient's Name <b>M/S Butaji</b> Ph <b>XXXXXX</b> Company Name <b>XXXXXX</b> Address <b>Badharapur, Chickballur</b> City <b>XXXXXX</b> State <b>XXXXXX</b> PIN Code <b>XXXXXX</b> Sender's VAT/ CST/ TIN Number	
Value of Goods		Shipment Type <input type="checkbox"/> Dox <input type="checkbox"/> Non-Dox <input type="checkbox"/> DIM 1: L cm X B cm X H cm X Pcs DIM 1: L cm X B cm X H cm X Pcs Total Num Pcs Actual Wt Kg Volumetric Wt Kg	
Total Value of Goods		CN Expiry Dt. CN NO.  <b>Z34312858</b>	
Declared Value for Carriage		Risk Coverage: Owner <input type="checkbox"/> Carrier <input type="checkbox"/>	
Value added Services <input type="checkbox"/> Not Available		7.3 Mode: Surface <input type="checkbox"/> Air Cargo <input type="checkbox"/> Express <input type="checkbox"/>	
Charges		10 Booking Branch Name / Code . Address	
a) Tariff (inc. of FSC & GST) b) Risk Surcharge		Booking Franchisee Name Franchisee Code Franchisee Service Tax No.	
Total Amount (a+b+c) Rs. in Words Mode of Payment Cash <input type="checkbox"/> Credit card <input type="checkbox"/>		Courier Signature	
Sender's Signature Date Time:		11 NOTE: AS PER COMPANY SOP WITHOUT INSURANCE OF YOUR PRODUCT ANY TYPE OF CLAIM CANNOT BE PROCESSED.	

22



**HARYANA STATE POLLUTION CONTROL BOARD**  
Haryana State Pollution Control Board, 3rd Floor, HSIIDC Office Complex,  
IMT Manesar, Gurugram Email:- hspcbrogrs@gmail.com

No: HSPCB/GUR/2024/INS/64626851SCNCC001

Dated: 16-04-2024

To  
Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm)  
Village-Aklimpur, Badshahpur, Gurugram

**Sub: Show cause notice for closure 31-A of Air (Prevention & Control of Pollution) Act, 1981/ 33-A of Water (Prevention & Control of Pollution) Act, 1974**

Whereas your unit has been inspected on 16-04-2024 regarding and during the inspection following deficiencies has been observed as per provisions of section 31A of Air (Prevention & Control of Pollution) Act, 1981/ 33A of Water (Prevention & Control of Pollution) Act, 1974) :

1. Unit established and operating without obtaining CTE/CTO from HSPCB.

## HARYANA STATE

In view of the above, you are hereby directed to show cause within 15 days as to why closure action against your unit may not be taken under section 31A of Air (Prevention & Control of Pollution) Act, 1981/ 33A of Water (Prevention & Control of Pollution) Act, 1974), for non compliance of the above mentioned / deficiencies

In case you fail to comply with the / deficiencies mentioned above within the above mentioned stipulated time period, it will be presumed that you have nothing to say in this regard and accept the status as above, which will warrant action under section / 31-A of Air (Prevention & Control of Pollution) Act, 1981/ 33-A of Water (Prevention & Control of Pollution) Act, 1974

In addition to above it is also intimated that non compliance of direction issued under section / 33-A of Water (Prevention & Control of Pollution) Act, 1974/ 31-A of Air (Prevention & Control of Pollution) Act, 1981 is an offence punishable under respective Acts

VIJAY  
CHAUDHARY  
Vijay Chaudhary , Regional Officer

Digitally signed by VIJAY  
CHAUDHARY  
Date: 2024.04.16 16:03:55  
+05'30'

**Regional Office Gurgaon South**



REGISTER IN RESPECT OF MOTOR-CAR PURPOSE OF THE

FORM No. "B"

(See Rule 6 D) OR OTHER CONVEYANCE USED FOR THE BUSINESS OR PROFESSION

Date	Period of Use		Reading of Meter		Distance Covered	Name & Designation of the person using the Conveyance	Place visited and purpose of visit	Signature of the person using the conveyance	Remarks
	From (Hours)	To (Hours)	At the Commencement of the trip	At the Conclusion of the trip					
15-4-24	9:00		65114	65152	38 Km	Divyanshu Ji	Sec-8, Bilapora TM,		
15-4-24	9:00		65152	65191	39 Km	Divyanshu Krishna	Bilapora TM,		
15-4-24	9:00		65191	65204	13 Km	Divyanshu Krishna	Sec-4		
18-4-24	9:00		65278	65297	19 Km	Divyanshu Ji	Sec-90		
19-4-24	9:00		65297	65334	37 Km	Divyanshu Ji	Sec-8, Sec-6		
19-4-24	9:00		65334	65382	48 Km	Harsh (Rohit)	Sec-45, 50		
22-4-24	9:00	7:30 PM	65382	65442	60 Km	Divyanshu Krishna			
23-4-24	9:00	5:00 PM	65442	65566	124 Km	Divyanshu Krishna			
24-4-24	9:00	3:00 PM	65566	65609	43 Km	Siddhant Ji			
24-4-24	9:00	5:00 PM	65609	65621	12 Km	Amangal (Siddhant)			
25-4-24	9:00	10:30	65621	65632	11 Km	Divyanshu Krishna			
25-4-24	11:00	5:00 PM	65632	65699	67 Km	Divyanshu Ji	Sec-6		
26-4-24	9:00	2:00	65699	65723	24 Km	Divyanshu Ji	Sec-37, Fekwade		
26-4-24	2:00	5:00	65723	65771	48 Km	Divyanshu Ji	Sec-8-6		
27-4-24		Saturday				Rohit	Sec-52		
28-4-24		Sunday							
29-4-24	9:00		65771	65823	52 Km	Divyanshu Krishna	Sec-34		
29-4-24	12:00		65823	65832	9 Km	Siddhant Ji			
30-4-24	9:00	5:00	65832	65895	63 Km	Siddhant Ji	Sec-5, 4		
Total		1254							



**HARYANA STATE POLLUTION CONTROL BOARD**  
Haryana State Pollution Control Board, 3rd Floor, HSIIDC Office Complex,  
IMT Manesar, Gurugram Email:- hspcbrogrs@gmail.com

No: HSPCB/GUR/2024/INS/64626851SCNCC001

Dated: 16-04-2024

To  
Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm)  
Village-Aklimpur, Badshahpur, Gurugram

**Sub: Show cause notice for closure 31-A of Air (Prevention & Control of Pollution) Act, 1981/ 33-A of Water (Prevention & Control of Pollution) Act, 1974**

Whereas your unit has been inspected on 16-04-2024 regarding and during the inspection following deficiencies has been observed as per provisions of section 31A of Air (Prevention & Control of Pollution) Act, 1981/ 33A of Water (Prevention & Control of Pollution) Act, 1974) :

1. Unit established and operating without obtaining CTE/CTO from HSPCB.

**HARYANA STATE**

In view of the above, you are hereby directed to show cause within 15 days as to why closure action against your unit may not be taken under section 31A of Air (Prevention & Control of Pollution) Act, 1981/ 33A of Water (Prevention & Control of Pollution) Act, 1974), for non compliance of the above mentioned / deficiencies

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VIJAY  
CHAUDHARY  
Vijay Chaudhary , Regional Officer

Digitally signed by VIJAY  
CHAUDHARY  
Date: 2024.04.16 16:03:55  
+05'30'

Regional Office Gurgaon South

24/4/2024  
मुझे के मोडुफ व्याप्ति के Notice देने से मना किया  
आर आपका नाम बताने से मना किया

\*\*\* This is system generated certificate \*\*\*

Anany Pal  
24/4/2024



## Haryana State Pollution Control Board

Haryana State Pollution Control Board, 3rd Floor, HSIIDC Office Complex, IMT Manesar,  
Gurugram Email:- hspcbrogrs@gmail.com

No. :HSPCB/GUR/2024/RO/INS/64626851CONCR002

Dated: 21/05/2024

Performa for recommendation to issue direction for closure and disconnection of service against the non-complying units under section 33-A 31-A of Water Air Act 1974 1981 by Regional Officer.

1.	<b>Detail of Recommendation letter by field officer</b>	HSPCB/GUR/2024/RO/INS/64626851CONCR002 21/05/2024		
2.	<b>Name of the unit</b>	Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm)		
3.	<b>Address of the unit</b>	Village-Aklimpur, Badshahpur, Gurugram		
4.	<b>Detail of land(Khasra/Kila/Plot No.)</b>	<b>Detail of land</b>	<b>Description</b>	<b>Unit</b>
5.	<b>Latitude and Longitude of the site.</b>	Latitude : 28.361202Longitude : 77.036169		
6.	<b>Product(s)</b>	<b>Product Name</b>	<b>Production Quantity/Capacity</b>	<b>Units</b>
		Poultry Farm		Metric Tonnes/Day
7.	<b>Bio Product</b>	<b>By-Product Name</b>	<b>Production Quantity/Capacity</b>	<b>Units</b>
		NA		Metric Tonnes/Day
8.	<b>Manufacturing Process</b>	Poultry Farm		
9.	<b>Category of the unit</b>	Green Medium		
10.	<b>Status of CTE</b>	<b>Not Obtained</b> <b>Applied</b> <b>Details:</b> Not obtained CTE		
11.	<b>Status of CTO</b>	<b>Not Obtained</b> <b>Not Applied</b> <b>Details:</b> Not obtained CTO		
12.	<b>Date of Inspection of the unit</b>	2024-01-23		
13.	<b>Name and designation of the officer(s)inspection unit</b>	<b>Sr.No</b>	<b>Name of Officer</b>	<b>Dsignation</b>
		1	Sidharth Bhargava	AEE
14.	<b>Detail of violation observed during inspection:</b>	<b>Details of violation observed during inspection:</b> a. Operational b. i) Established and Operating without CTE of the Board. ii) Established and Operating without CTO of the Board.		
15.	<b>Complaint/Court case,if any</b>	Yes		

16.	Detail of sampling and analysis of Effluent/Emission exceeding the norms	<table border="1"> <thead> <tr> <th>Type of Sample</th> <th>A/R Number</th> <th>A/R Date</th> <th>Parameter</th> <th>Result</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Type of Sample	A/R Number	A/R Date	Parameter	Result							
Type of Sample	A/R Number	A/R Date	Parameter	Result										
17.	Reasons for not collection of samples,if not collected.													
18.	Detail of Show Cause Notice issued with date.	<table border="1"> <thead> <tr> <th>SCN Under Act</th> <th>SCN Under Section</th> <th>SCN No.</th> <th>SCN Date</th> </tr> </thead> <tbody> <tr> <td>Air/Water Act</td> <td>31A, 33A</td> <td>HSPCB/GUR/2024/INS/6462685 1SCNCC001</td> <td>2024-04-16 16:01:13.694</td> </tr> </tbody> </table>	SCN Under Act	SCN Under Section	SCN No.	SCN Date	Air/Water Act	31A, 33A	HSPCB/GUR/2024/INS/6462685 1SCNCC001	2024-04-16 16:01:13.694				
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Air/Water Act	31A, 33A	HSPCB/GUR/2024/INS/6462685 1SCNCC001	2024-04-16 16:01:13.694											
19.	Modes of issue of show cause notice.	Online Dispatch Email												
20.	Detail of reply of Show Cause Notice,if any received.	Not Received												
21.	Date of fresh inspection with name & designation of inspection officer to verify the compliance and detail of permission obtained for the same from competent authority	<table border="1"> <thead> <tr> <th>Name Of Inspecting Officer</th> <th>Designation of Inspecting Officer</th> <th>Fresh Inspection Date</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td colspan="4">* Name of Competent Authority From Whom permission obtained:-</td> </tr> <tr> <td colspan="4">* Designation of Competent Authority From Whom permission obtained:-</td> </tr> </tbody> </table>	Name Of Inspecting Officer	Designation of Inspecting Officer	Fresh Inspection Date	Remarks	* Name of Competent Authority From Whom permission obtained:-				* Designation of Competent Authority From Whom permission obtained:-			
Name Of Inspecting Officer	Designation of Inspecting Officer	Fresh Inspection Date	Remarks											
* Name of Competent Authority From Whom permission obtained:-														
* Designation of Competent Authority From Whom permission obtained:-														
22.	present status of compliance made by the unit,if any after issue of show cause notice.	Available Detail of Compliance after SCN:Not available												
23.	Detail violation for which closure action recommended.	Unit established and operating without obtaining CTE/CTO from HSPCB												
24.	Whether case recommended also for prosecution(if applicable) alongwith reason if not recommended	Yes												
25.	Authority to whom direction to be issued to stop services to the unit.	Electricity												
26.	Copy of Spot Inspection Reports													
27.	Proof of Name and OwnerShip of unit	Not Attached Not Attached Not Attached												
28.	Final recommendations as per provisions of the Act/Rules.	A complaint against the unit received. Unit is a Poultry farm having 32564 no. of birds. Unit covered under GREEN category as per policy of the Board. Unit established and operating without obtaining CTE/CTO from HSPCB. Show cause notice for closure already issued to the unit vide no. 1181 dated 24-01-2024. But till date no reply received. In view of above it is recommended that closure order under section 33-A of Water Act,1974 & 31-A of Air Act 1981 issued against the unit as per policy of the Board.												
29.	Date of Submitting recommendation by Regional Officer.	2024-05-21												

VIJAY CHAUDHARY  
Digitally signed by VIJAY CHAUDHARY  
Date: 2024.05.21 14:07:36 +05'30'  
**Vijay Chaudhary , Regional Officer**  
**Regional Office, Gurgaon South**

**Documents attached herewith**  
**Copy of show cause notice**  
**Copy of show cause notice**  
**Copy of spot inspection report**



## COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of Regional Office order No. 2024/INS/6462/851/CONC/001-004 dated 03/06/24 issued by the Haryana State Pollution Control Board, Gurugram Region (South) under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31A of Air (Prevention & Control of Pollution) Act, 1981 the unit M/s Balaji Poultry farm (M/s Bajaj Sanjay Poultry farm) is hereby closed on 10/06/2024 by sealing the plant & machinery as mentioned below.

**Sr. No.**

1. DG - 62.5 kVA x 01 No
2. DG - 40 kVA x 01 No
3. DG - 30 kVA x 01 No

4.

Submersible - 10 HP - 2.5 inch delivery  
- 01 No

Sh. Bajaj, Auth. sign Representative of the unit present

at the time of sealing of Plant & Machinery of the unit, has not shown any stay orders of any courts against the above mention Closure Orders. The unit will be itself responsible for watch & Ward of the unit.

Signature of Rep.  
of the unit

Seal Impression

Signature of Officers  
of the Board

AFI GS  
(Sidharth)











**HARYANA GOVERNMENT**  
**ENVIRONMENT DEPARTMENT**  
**ORDER**

(25)

FTMS-8-  
(05.02.20)

Whereas, directions have been issued by the Environment Department, Government of Haryana under section 5 of Environment (Protection) Act, 1986 in the form of orders dated 27.05.2013 vide letter Endst. No. 16/14/2012-3 Env. Dated 29.05.2013 to address the problem of pollution from poultry farms/hatcheries.

Whereas Regional Officer, HSPCB Panchkula has informed that M/s Balaji Poultry Farm, Vill. Aklimpur, Gurugram was inspected on 01.11.2019. The unit was not complying with the directions dated 29.05.2013 issued by the State Government regarding maintenance of poultry farms & following deficiencies were observed:-

CHAIRMAN

(i)

The unit has not provided acoustic chamber and proper stack height for D.G. sets.

(ii)

The unit has not provided proper arrangement to keep dry the litter/manure dumps.

(iii)

The unit has not provided facility for composting and incineration of dead birds.

(iv)

The unit has not installed ETP.

(v)

The unit has not provided adequate tyre dip system at the entrance gate.

(vi)

The unit has not provided base of impermeable material for storage of impermeable material.

(vii)

The unit has not provided proper facility for disposal of waste water generated from the unit and the unit is discharging waste water in open land for percolation in unscientific manner.

(viii)

Unit has not maintained good housekeeping.

Whereas, a show cause notice for closure u/s 5 of Environment (Protection) Act, 1986 was issued to the unit by Regional Officer, Gurugram(South) vide letter no. HSPCB/GRS/2019/2954-55 dated 06.11.2019 but the unit did not submit any reply/compliance of the said show cause notice so far nor complied the directions of the order issued by Environment Department to Govt. of Haryana vide dated 29.05.2013.

Whereas, Regional Officer, Gurugram(South) has recommended for issue of directions under section 5 of Environment (Protection) Act, 1986 for regulating the activities of the above said poultry farm.

Therefore, in exercise of powers conferred under section 5 of Environment (Protection) Act 1986, it is hereby ordered that farming activity of the above said poultry farm be stopped immediately and there should not be any replacement / additions of birds in the poultry farm.

Dated :-22.01.2020

**Dheera Khandelwal,**  
**Additional Chief Secretary to Govt. Haryana,**  
**Environment and Climate change Department.**

Endst. No. 16/23/2019- 3 Env.

Dated:-28.01.2020

A copy is forwarded to the Chairman, Haryana State Pollution Control Board, C-11 Sector-6 Panchkula w.r.t. their letter No. HSPCB/ 2019/972 dated 01.01.2020

*Kamal Dutt*  
Superintendent Environment,  
Additional Chief Secretary to Govt. Haryana,  
Environment and Climate Change Department.

MS-46075  
25/09/20

-95

Sum  
for NA  
Ob  
25/9  
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hms  
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Cl  
9/2  
2/11

**HARYANA GOVERNMENT**  
**ENVIRONMENT & CLIMATE CHANGE DEPARTMENT**  
**ORDER**

Whereas closure directions against M/s Balaji Poultry Farm, Vill. Aldimpur, Gurugram had been issued vide Endst. No. 16/23/2019 - 3Env. dated 28.01.2020, for not complying with the Environment & Climate Change Department's directions issued vide no. 16/14/2012 - 3Env. dated 27.5.2013 under section 5 of the Environment (Protection) Act, 1986.

After reconsideration, the Government has decided to suspend the above said closure directions with the condition that the above said poultry farm will maintain the status at the site as per the directions issued by the Government of Haryana, Environment & Climate Change Department vide order dated 28.01.2020 and if any time, the unit found violating the said directions, the performance security submitted by the said unit shall be forfeited and closure directions will be re-implemented.

Dated: - 16.09.2020

Shekhar Vidyarthi  
Secretary to Govt. Haryana,  
Environment & Climate Change Department.

Endst. No. 16/23/2019- 3 Env.

Dated:- 18.09.2020

A copy is forwarded to the Deputy Commissioner, Gurugram (South) for information and further necessary action.

-sd-  
Under Secretary, Environment  
for Additional Chief Secretary to Govt. Haryana,  
Environment & Climate Change Department.

Endst. No. 16/23/2019- 3 Env.

Dated:- 18.09.2020

A copy is forwarded to the Chairman, Haryana State Pollution Control Board, C-11 Sector-6 Panchkula w.r.t. their letter No. HSPCB/2020/9910 dated 01.09.2020.

Jeenu Bhatia  
Under Secretary, Environment  
for Additional Chief Secretary to Govt. Haryana,  
Environment & Climate Change Department.

**HARYANA STATE POLLUTION CONTROL BOARD****C-11,SECTOR-6 PANCHKULA****Ph.2577870-73 Fax:01722581201-02****HSPCB**

From: Industry ID-24GUSO472940



M/s. BAJAJ SANJAY POULTRY FARM  
AKLIMPUR, GURUGRAM, HARYANA 122101

To

The Member Secretary,  
Haryana State Pollution Control Board,  
Panchkula.

Sir,

I/We hereby apply to consent/authorization for the year 22/07/2024 to 22/07/2039 Application No. 74151449 dated 23-07-2024

1. Consent to /operate/renewal of consent under section 25 & 26 of the Water(Prevention and Control of Pollution)Act,1974 as amended
2. Consent to /operate/renewal of consent under section 21 of the Air(Prevention and Control of Pollution)Act,1981 as amended
3. Authorization/renewal of authorization under Rule 5 of the Hazardous Waste(Management and Handling Rules)1999 as amended in connection with my/our existing/proposes/alterd/additional manufacturing/processing activities from the premises as per details given below:-

**PART A: GENERAL**

1. Name : SANJAY KUMAR BAJAJ  
Designation : SOLE PROPRIETOR  
Office Address :  
Telephone/Fax and : -,-  
Email Address of the applicant : bajajsk13@gmail.com
2. (a) Name and location of the Industrial Unit/Premises for which the application is made.(Give Revenue Survey No/Plot No.,name of the Tulaka and District,also Telephone No. and Fax No.) : BAJAJ SANJAY POULTRY FARM  
AKLIMPUR, GURUGRAM, HARYANA  
122101  
-  
-
- (b) Details of Planning Permission obtained from Municipal Corporation /directories of Urban Development of Town & Country palnning/Haryana Urban Development authority,whichever applicable. : NA
- (c) Name of Municipal Corporation/ Panchayat Samiti/Panchayat under whose jurisdiction the unit is Located and name of the license issuing Authority. : GURUGRAM

3. Name  
Address  
Telephone No.,Fax and  
E-mail address  
of the officer responsible for the matter connected with Pollution Control and Hazardous Waste Disposal.

S.No.	Name	Designation	Residential Address	Email Id	Mobile Number	Owner Type
1	SANJAY KUMAR BAJAJ	Owner	A-41, EROSRO SEWOOD CITY, SECTOR-49, GURUGRAM, HARYANA - 122018	skbajaj13@gmail.com	9811020150	SOLE PROPRIETOR

4. If registered as a small-scale industrial unit, give Number and Date of registration : UDYAMHR050017579, 01/01/2021

5. Gross Capital Investment of the unit without depreciation till the date of application (cost of building, land, plant and machinery) (to be supported by affidavit, annual report and certificate from Chartered Accountant. For proposed units, give estimated figure (In Lakhs)) : 386.13

6. If the site is located near river bank/other water bodies; indicate the name and distance of the water body.

Sr. No.	Surrounding of site	Distance (in meters)	Description
		-----NIL-----	

7. Does the location satisfy the requirements under relevant Central/State Government notifications on ecologically fragile area etc., if so give details. :

8. If the site is situated in notified industrial estate: :

(a) Whether effluent collection, treatment and disposal system has been provided by the authority; NO

(b) will the applicant utilize the system, if provided; NO

(c) if not provided, details of proposed arrangement for the treatment of effluent. NA

9. Total Plot Area, Built up Area and Area available for the use of treated sewage/trade effluent. : Total Plot Area : 8700.74  
Built-up Area : 5050.74

10. Month and year of proposed commissioning of the unit. : 13/04/1998

11. Number of workers and office staff. : 19

12. (a) Do you have a residential colony within the Premises in respect of which the present application is made? : YES

(b) If yes, please state population staying : 19

(c) indicates its location and distance with reference to plant site.

13. List of products and by-products manufactured in tones/Month, Kiloletre/Month or Numbers/Month (give figures corresponding to maximum installed production capacity).

Sr. No.	Name of the Product produced/to be produced	Quantity of Products produced/to be produced.			
		Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
-----NIL-----					

Sr. No.	Name of the By-Products produced/to be produced	Quantity of By-Products produced/to be produced.			
		Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
-----NIL-----					

14. List of raw-material and process of Chemicals with Annual consumption corresponding to above stated Production Figures, in tones/month or numbers/month.

S.No.	Name of the Raw-material/Chemicals used/to be used	Quantity of the Raw-material/Chemicals used/being used	Unit
-----NIL-----			

15. Description of Process of manufacture for each products showing input/output, quality and quantity of solid, liquid and gaseous wastes, if any, forms each unit process. (to be supported by flow sheet and material balance).
- : VILLAGE AKLIMPUR, GURUGRAM, HARYANA

**PART B: WASTE WATER ASPECTS (FOR WATER OF CONSENT) IF NOT APPLICABLE, WRITE NOT APPLICABLE.**

16. Water consumption for different uses (m<sup>3</sup>/day).

Sr. No.	Water Consumed For	Quantity(KLD)
1	Process and wash	5.0

17. Source of water supply, Name of authority granting permission if applicable and quality permitted.

Sr. No.	Source Type	Source Name	Quantity (KLD)
1	Ground Water (within premises)	Self	7.0

18. Water Treatment Details :

Sr. No.	Use	Effluent Generation(KLD)	Treatment Arrangement Status	Treatment Details
1	Trade Effluent	5.0	Yes	ETP

19. Waste Water Discharge/Dosposal Details :

S.No	Type of Effluent	Maximum Generation Quantity of Effluent(KLD)	Effluent to be Recycle(KLD)	Effluent Disposal/Discharge Quantity (KLD)	Mode of disposal
1	Trade Effluent	7.0	5.0	5.0	For Irrigation

20. Quality of untreated/treated effluents(specify pH and concentration of suspended solids, Bio chemical,Oxygen Demand and specific pollutants relevant to the industry.Total dissolved solids to be reported for disposal on the land or into stream/river).  
Enclose a copy of latest report of analysis from the laboratory approved/ recognized by Haryana State Pollution Control Board/Central Government in the Ministry of Environment and Forest. For proposed unit furnish expected characteristics of untreated/treated effluents.

Sr . No.	Type of Effluent	Parameters	Conc. of Pollutant		Unit	Date of report	Report analysis no.	Name of Laboratory
			Untreated	Treated				
1	Trade Effluent	pH	6.5	6.5	mg/l	10/06/2020	NA	ANBROS CONSULTANTS AND ENGINEERS
2	Trade Effluent	BOD	30	30	mg/l	23/07/2024	NA	ANBROS CONSULTANTS AND ENGINEERS
3	Trade Effluent	COD	250	250	mg/l	23/07/2024	NA	ANBROS CONSULTANTS AND ENGINEERS
4	Trade Effluent	Oil and Grease	10	10	mg/l	23/07/2024	NA	ANBROS CONSULTANTS AND ENGINEERS

**PART C: AIR EMISSION ASPECTS(FOR AIR CONSENT) IF NOT APPLICABLE, WRITE NOT APPLICABLE.**

21. Fuel Consumption :

Fuel Name	Daily Consumption (T/day)	Unit	Calorific value	Ash contents	Sulphur contents	Others
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## 22. Details of Stack

Stacks Numbers :	
Stack Attached to:	
Fuel type:	
Fuel Quantity:	
Material for construction of Stack:	
Shape (Round/Rectangle):	
Height above ground level(in metres):	
Diameters/Size in meters	
Gas quantity Nm <sup>3</sup> /hr:	
Gas Temperature 'C:	
Exit velocity of Tones/sec:	

## Details of DG Set:

Sr. No.	Capacity of D.G. set in(KVA)	Quantity of Fuel used/to be used (in Lts./day)	Ht. of Stack provided/to be provided above roof level(in mts.)	Whether canopy/acoustic enclosure provided/ to be provided(please define clearly)
-----NIL-----				

23. Do you have an adequate facility of collection of samples of emission in the form of portholes, platforms, ladder etc., as per Central Board Publication 'Emissions Part iii'(December 1985). : NO
24. Quality of treated fuel gas emission and process emissions. Specify concentration of criteria pollutants and industry/process specific pollutants stack wise. Enclose a copy of latest report of analysis from the approved/ recognized laboratory by Haryana State Pollution Control Board/ Central Government in the Ministry of Environment and Forest. For proposed units, furnish the expected characteristics for the emission.

## Fuel Gas Emission quality parameter details:

Sr. No.	Stack	Parameters	Result	Units
-----NIL-----				

## Process Emission quality parameter details:

Sr. No.	Process	Parameters	Conc. of pollutants		Units
			Untreated	Treated	
-----NIL-----					

## Details of Process Emission:

Sr. No.	Source of Generation of process Emissions	Name of the emissions(i.e SO2/NOx/Acid Mist/any other).	Details of APCD provided/to be provided to control process emissions.	Height of Stack provided/to be provided for discharge of process emissions(in mts)..		Whether emission sampling facilities provided or not
				Above Ground Level	Above Roof Level	
-----NIL-----						

#### PART E: ADDITIONAL INFORMATION

28. (a) Do you have any proposals to upgrade the present system for treatment and disposal of effluent/emission and hazardous waste. : NO  
 (b) If yes, give details with time-schedule for the implementation and approx. expenditure to be incurred on it.
29. Capital and Recurring (Operations and Maintenance) expenditure on the various aspects of environment protection such as effluent emission HW solid waste tree plantation monitoring data acquisition etc. :
30. To which the pollution Control equipment separate meters for recording consumption of electric energy are installed? : YES
31. Which of the pollution Control items are connected to Diesel Generator set (captive power source) to ensure the running in the event of normal power failure. : NA
32. Name, quantity and method of disposal non-hazardous solid waste generated separately from the process of manufacture and waste treatment(give details of area/ capacity available in applicants land). : Captive consumption by the Applicant
33. Hazardous chemicals are defined under the Manufacture, Storage and Import of Hazardous Chemicals, Rules 1989.  
 (a) List of Hazardous Chemicals stores(imported and indigenous). : NA  
 (b) Details of isolated storage. : NA  
 (c) Details of emergency preparedness plans (On-Site/ Off-Site prepared). : NA
34. Brief details of tree plantation/ green belt development within applicant's premises. : Trees plantation done
35. Information of schemes for waste minimization, source recovery and recycling implemented and to be implemented, separately. : YES
36. Any other additional information that the applicant desires to give. : NA
37. I/We further declares that the information furnished above is correct to the best of my/our knowledge.

38. I/We hereby submit that I am the authorised person of this unit to apply for CTO and incase of any change from what is stated in this application in respect of raw-materials, products, process of manufacture & treatment and/or disposal of emissions, hazardous waste etc. in quality & quantity; a fresh application for consent/authorization shall be made & until the grant of fresh consent/ authorization, no change shall be made.
39. I/We undertakes to furnish any other information within 1 month of its being called by the Board/Committee.
40. I/We agreed to submit to the board an application for renewal of consent/autorization 3 months in advance before the date of expiry of the consent/authorization validity period.
41. I/We deposit Rs.....(.....rupees) in favour of Haryana State Pollution Control Board as the fee for Consent/ Authorization.

Sr. No.	Fee For	Bank Name	Branch	DD No./Cheque No.	Date	Amount(in Rs.)

42. Declaration about awareness of the prescribed standards :-

a.) That I am aware of the provisions of the Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986.

**Yours faithfully,**

**Signature** \_\_\_\_\_  
**Name** SANJAY KUMAR BAJAJ  
**Designation** SOLE PROPRIETOR

b.) That we shall comply with all the provisions of Water Act, 1974, Air Act, 1981 & Hazardous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986 after commissioning of our unit.

c.) That the work for construction and installation of pollution control measures will be done side by side while doing the construction and installation of the main plant of the unit and will not start the production with out installing proper and adequate pollution control measure as per scheme enclosed and without obtaining prior consent to operate from the Board.

d. In Case of any of the non-compliance by the unit, the Board will be at liberty to forfeit the performance security deposited along with the security case.

**DOCUMENTS ENCLOSED:**

1. Report of Tehsildar regarding Kisam of land through Deputy Commissioner for areas covered under Aravali Notification, if applicable. In case the land falls in the industrial estate/area and HUDA sectors, the report of Regional Officer will be taken regarding applicability of Aravali Notification.
2. Detail of Effluent Treatment Plant / Sewage treatment Plant, Air Pollution Control Devices / HWM, as applicable.
3. Fard Jamabandi or Intkal, whichever is applicable / Allotment letter in case of Industrial area.
4. Any other document 1
5. C.A. Certificate regarding capital investment cost w.r.t. land building, plant and machinery of the proposed project.
6. Latest analysis reports for effluent! Air emissions Noise level of DG sets (required at the time of regular consent to operate & renewal of consent to operate).
7. LabAnalysisReport



**Haryana State Pollution Control Board**  
Haryana State Pollution Control Board, 3rd Floor, HSIIDC Office  
Complex, IMT Manesar, Gurugram Email:-  
hspcbrogrs@gmail.com



No. G24GUSOCTOA/WSCN74151449

DT. 25/07/2024

To

M/s BAJAJ SANJAY POULTRY FARM  
AKLIMPUR, GURUGRAM, HARYANA 122101  
GURUGRAM  
GURGAON SOUTH

**Sub: Show cause notice for refusal of consent to operate under Section 25/26 of Water Act, 1974, Section 21/22 of Air Act, 1981.**

Please refer to your application dated **2024-07-23** received in the Board for consent to operate under Air (Prevention & Control of Pollution) Act, 1981 and Water Act, 1974.

Your application has been examined by the Board and it has been observed that the application submitted by you is incomplete and not conforming to the requirement of the provisions of the Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974 as per policy of the Board.

Accordingly, Show Cause Notice for refusal of consent under above said Acts is issued to reply or take corrective measures for the deficiencies and incompleteness in your application as per details given below:-

1. Not deposited CTO fees, performance security fees, sample testing fees and late fees. 2. Not submitted C.A. Certificate regarding capital investment cost w.r.t. land, building, plant and machinery of the proposed project. 3. Not submitted FardJamabandi and Intkal of land of the unit, in case unit is located outside approved industrial area/estate. 4. Not submitted Power of attorney/authority letter to sign the application. 5. Not submitted Report of Tehsildar and District Forest Officer regarding Kisam of land through Deputy Commissioner, for areas covered under Aravali Notification, if applicable. In case the land falls in the industrial estate / area and HUDA sectors, the report of Regional Officers will be taken regarding applicability of Aravali Notification (only for District Gurugram and Nuh). 6. Not submitted Proof of receipt of application submitted to the Forest Department for clearance / permission /NOC, of Forest Department. 7. Not submitted change of land use permission/license/NOC certificate from the Town & Country Planning Department or respective Municipal or other Authority or village Panchayat, as the case may be. 8. Not

submitted Lease deed/ Rent Agreement in case land is taken on rent or lease, Collaboration deed in case of construction projects, if applicable (duly registered with revenue authorities). 9. Not submitted copy of MOA / partnership Deed / Trust Deed, as applicable having the name and address of Directors/Partners. 10. Not submitted site plan of the unit in case it is located outside approved industrial area. 11. Not submitted Layout plan showing the details of all manufacturing processes, location of stacks/ chimneys, ETP/ STP, APCM, Hazardous Waste storage and treatment facilities, tube wells, Water supply lines, Effluent drains and final outlets for the disposal of the effluent. 12. Not submitted siting report and compliance to the notification dated 29.04.2022. 13. Unit has been closed by HSPCB vide order dated 29.05.2024. The unit has not complied to the closure orders by way of exhausting the birds from the farm within 60 days of issue of closure order and unit has also not applied for suspension of closure orders thereof.

**General Deficiencies :**

In case, you fail to submit reply or submit compliance of the deficiencies within **07** days, the consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 shall be refused due to the above deficiencies/ incompleteness in your application.

**Regional Officer, Gurgaon South  
For Haryana State Pollution Control Board**

**Date: 31/07/2024**

To

The Regional Officer, Gurugram South

Haryana Pollution Control Board

Board, 3rd Floor, HSIIDC Office

Complex, IMT Manesar, Gurugram

Email:- hspcbrogrs@gmail.com

**Ref: Your Letter No. G24GUSOCTOA/WSCN74151449 Dated: 25/07/2024.**

**Sub: Reply to the Show Cause Notice for refusal of Consent to Operate under Section 25/26 of Water Act, 1974, Section 21/22 of Air Act, 1981.**

Dear Sir,

With reference to your show cause notice as referred above, the reply is submitted as under:-

**1. Not deposited CTO fees, performance security fees, sample testing fees and late fees.**

That the unit has already deposited consent fees under the Water Act and Air Act amounting to Rs.20,000/- each along with sample testing fees Rs.2,700/- under the Water Act and Rs.2,700/- under the Air Act (although not required because there is no source of emission except D/G/Set for which acoustic chambers have already been provided). Testing fees Rs.500/- has also been deposited under the Noise Rules. The unit has already deposited performance security (although not required because we have applied for CTO only and not CTE) of Rs.50,000/- and Rs.25,000/- vide DD Nos. 144584 and 144585 both dated 10.06.2020 with the Board. However, even if any fees is less than as required by the Board, please intimate the same so that it can be deposited accordingly before taking any adverse action against our unit.

**2. Not submitted C.A. Certificate regarding capital investment cost w.r.t. land, building, plant and machinery of the proposed project.**

That the unit has already submitted proof of capital investment cost w.r.t. land, building, plant and machinery duly attested by C.A., however we are attaching a copy of the same again for your kind reference.

**3. Not submitted Fard Jamabandi and Intkal of land of the unit, in case unit is located outside approved industrial area/estate.**

That the poultry farm unit is located outside the industrial area/estate, however, we are submitting the Jamabandi proof of land which is in the name of the Proprietor of the unit i.e. Mr. Sanjay Kumar Bajaj.

4. **Not submitted Power of attorney/authority letter to sign the application.**

No power of attorney or authority letter is required in our case as it is a Proprietorship Firm and Mr. Sanjay Kumar Bajaj is the Sole Proprietor of the poultry farm, who signed all the documents.

5. **Not submitted Report of Tehsildar and District Forest Officer regarding Kisam of land through Deputy Commissioner, for areas covered under Aravali Notification, if applicable. In case the land falls in the industrial estate / area and HUDA sectors, the report of Regional Officers will be taken regarding applicability of Aravali Notification (only for District Gurugram and Nuh).**

That the unit is not covered under the Aravali Notification and hence no NOC is required. We are copy of the necessary notifications issued with respect to the same for your kind reference.

6. **Not submitted Proof of receipt of application submitted to the Forest Department for clearance / permission /NOC, of Forest Department.**

That our unit is established and running on present location for the last more than 25 years as such there is no violation of any forest department. However, we are in the process of applying for the same and will submit the proof of the same within 03 days.

7. **Not submitted change of land use permission/license/NOC certificate from the Town & Country Planning Department or respective Municipal or other Authority or village Panchayat, as the case may be.**

That our unit is a poultry farm and as per the Haryana Government guidelines such units are part of Agricultural activities. Thus, our activities are considered as the part of Agricultural activities. We are attaching the letter issued by the Department of Animal Husbandry, which is the monitoring body for such activities dated 19.12.2017 as proof for the same. Moreover, our poultry farm was established on present location during 1998 at that time it was neither covered under preview of the HSPCB nor comes under the Control of Town and Country Planning Department, Government of Haryana and the relevant notification was only issued by the Town and Country Planning Department on 12.08.2017 to this effect i.e. 20 years after the establishment of poultry farm. A copy the relevant notification is attached herewith for your kind reference.

8. **Not submitted Lease deed/ Rent Agreement in case land is taken on rent or lease, Collaboration deed in case of construction projects, if applicable (duly registered with revenue authorities).**

Since the Proprietor of the unit i.e. Mr. Sanjay Kumar Bajaj is himself the owner of the land, therefore, no Lease deed/ Rent Agreement is required to be submitted. However, we are submitting a copy of Sale Deed of the same property for your kind reference.

9. **Not submitted copy of MOA / partnership Deed / Trust Deed, as applicable having the name and address of Directors/Partners.**

Since our unit is run under the sole proprietorship firm, therefore, no MOA / partnership Deed / Trust Deed, as applicable having the name and address of Directors/Partners is required to be submitted.

**10. Not submitted site plan of the unit in case it is located outside approved industrial area.**

We are attaching a copy of the Site Plan for the unit for your kind reference.

**11. Not submitted Layout plan showing the details of all manufacturing processes, location of stacks/ chimneys, ETP/ STP, APCM, Hazardous Waste storage and treatment facilities, tube wells, Water supply lines, Effluent drains and final outlets for the disposal of the effluent.**

Since we are not a manufacturing unit so, Layout Plan is not applicable on us however, we are attaching a copy of the Layout Plan for the unit for your kind reference.

**12. Not submitted siting report and compliance to the notification dated 29.04.2022.**

That direction were issued under section 5 of E.P. Act vide Endst. No16/14/2012-13 dt.27.05.2013 by the Environment Department Government of Haryana regarding poultry farm for compliance. As per the direction issued by the Board, no siting parameters or Consent to Establish (CTE) is required for the existing poultry farm unit and hence, no NOC is required from the Town and Country Planning Department.

**13. Unit has been closed by HSPCB vide order dated 29.05.2024. The unit has not complied to the closure orders by way of exhausting the birds from the farm within 60 days of issue of closure order and unit has also not applied for suspension of closure orders thereof.**

That direction were issued to our unit vide no.16/23/2019-3 dated 28.01.2020 for the compliance of direction dt 27.05.2013. After that the unit was found complying with the provisions of the Water Act 1974, Air Act 1981 and direction dated 27.05.2013 as per order no.16/23/2019-3 ENV. dated 18.09.2020.

That the Board inspected our unit on 23.01.2024 and as per the inspection report, our unit was found complying with necessary environmental laws and thus, no pollution was caused by our unit in the surrounding area. Hence, the complaint made against our unit and received through the C.M. window is totally baseless and without merits and it is only to harass us. Even the directions/closure order under Section 33A of the Water Act, 1974 and 31A of the Air Act, 1981 were issued without complying with the necessary notifications issued by the HSPCB whereas the unit is always complying with the provisions of all Environmental Laws.

Moreover, as per the Office Order Endst.No.HSPCB/PLG/2020/1767-93 dated 03/12/2020 issued by the Board (as amended from time to time) at Page 16, Para 3.4 provides for *Procedure for obtaining Consent to Operate (CTO) by the Industrial/Non-Industrial Sector/Project/Unit already existing and operating before 14.07.2016* and we have filed our CTO application accordingly and there was no mandatory requirement to apply for suspension of closure order. However, if we were

required to obtain the same, we are now requesting your good office to kindly keep the alleged Closure Order dated 29/05/2024 under suspension.

14. That now we have submitted Consent to Operate (CTO) application as per the Board's direction with requisite consent fees and testing charges to ascertain the pollution potential, if any.
15. That it is also requested your good office to kindly remove the seal from the D.G. Sets and Water Supply for the safety and life of birds being live stock.
16. That we are committed not to increase any birds without the valid consent/permission of the Board.

In view of above it is again requested to grant us Consent to Operate being old unit and obliged. If there is any lapse in our Consent to Operate (CTO) application please intimate us and provide us a Personal Hearing before deciding our Consent to Operate (CTO) application.

Kindly do the needful and oblige.

Thanking you.

Yours sincerely,

**For Bajaj Sanjay Poultry Farm**

Sd/-

**Sanjay Kumar Bajaj**

**Proprietor**

**Mobile: 9811020150**

**Place: Gurugram**

**List of Documents enclosed:**

1. C.A. Certificate regarding capital investment cost;
2. Copy of Jamabandi;
3. Copy of Aravali Notification;
4. Copy of relevant notification regarding Controlled Area issued by the GMDA;
5. Copy of the Sale Deed of the plot/unit;
6. Copy of the Site Plan;
7. Copy of the Layout Plan; and
8. Copy of the Office Order Endst.No.HSPCB/PLG/2020/1767-93 dated 03/12/2020.

TO WHOM SO EVER IT MAY CONCERN

On the basis of information, Audited Financials and Provisional financial statements, we hereby confirm that Mr. Sanjay Kumar Bajaj, Proprietor of M/s Bajaj Sanjay Poultry Farm having its Office at Badshahpur, Sohna Road, Gurgaon has Capital Investment Cost in the books of accounts for Aklimpur farm situated at Aklimpur Road, Gurgaon, Haryana as on 31.03.2024 as follows:

CAPITAL INVESTMENT COST  
 (as on 31/03/2024)

S.No	Particulars	Amount (Rs.in Lakhs)
1.	Land (Original Cost)	331.71
2.	Building (WDV)	44.68
3.	Plant & Machinery (WDV)	9.74
	<b>Total</b>	<b>386.13</b>

The certificate is issued on the request of the management and based on information and details provided to us for HSPCB (Haryana State Pollution Control Board) purpose.

For P.K. Lakhani & Co.  
 Chartered Accountants  
 FRN : 014682N

*Ajay*



Ajay Kumar Banga  
 Partner  
 M.No. 431318  
 Place: Gurgaon  
 Date: 19<sup>th</sup> July 2024  
 UDIN: 24431318BKAOQV4907

For Bajaj Sanjay Poultry Farm

*Bajaj*  
 Proprietor



13620230003708

## नकल जमाबंदी (पड़त पटवार)



गाँव : अकलीमपुर

हदबस्त न. : 166

जिला : गुरुग्राम

तहसील : बादशाहपुर

साल : 2017-2018

1	2	3	4	5	6	7	8	9	10	11
खेवट या जमाबंदी न.	खतीनी न.	नाम तरफ या पत्नी	विवरण सहित भालिक नाम	विवरण सहित काश्तकार	कुंए या सिंघाई के अन्य साधन का नाम	नम्बर खसरा या मुरब्बे और किले का नम्बर	रकबा और किस्म जमीन	दर और संख्या के ब्यारे के साथ लगान जो मुजारा देता है	हिस्सा या हकीयत का पैमाना और बाउ का डंग	अभियुक्ति
217 //	219	दाताराम	मंगत राम पुत्र नानगराम पुत्र	खुदकाश्त		13// 15	8-0 चाही		कब्जा पड़ता बशरह खेवट न. 218 पर दर्ज है। खेवट न.1	नोट आड रहन का हवाला खेवट न. 218 पर दर्ज है। रपट न. 693//19/02/2008 नोट आड रहन का हवाला खेवट न. 158 पर दर्ज है। बस्के रपट न. 301 तिथी 13/12/2017 रजि न.6462 तिथी 13/12/2017 11:52:00 AM के अनुसार िमन जानिम रविन्द्र कुमार पुत्र रुपचन्द ने खेवट न. 200 खतीनी 203 के खसरा न. 13//15 का 667/4000 हिस्सा ने खेवट न. 200 खतीनी 205 के खसरा न. 13//8/1, 14//1 का 667/4000 हिस्सा बदले मु. 150000/- रु. मे Syndicat Bank के पास ता अदायगी रकम रकबा आड रहन रहेगा ा रपट न.599//6/3/18
200			बन्धी 87/2000 भाग किशनचन्द पुत्र नानगराम पुत्र बन्धी 111/1000 भाग शिवकुमार, विजयकुमार पुत्रान महेरचन्द पुत्र नानगराम हर दो समभाग 111/1000 भाग सुरेश कुमार पुत्र उदयबीर पुत्र कवरचन्द 27/400 भाग श्रीमती समीक्षा देवी पत्नी सुरेश कुमार पुत्र 10/291 भाग वासीदेह देवेन्द्र कुमार, रविन्द्र कुमार पुत्रान							

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Issued to : Jaswant

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Report Generation Date : 28/08/2023 01:18 PM

Nakal Fees Total Charges: 85 Rupees Only (Fee: 50 + Computer Service Charges:35)



नकल को वेरीफाई करने के लिए QR कोड को स्कैन करें।



136202300003708

## नकल जमाबंदी (पड़त पटवार)

गाँव : अकनीमपुर

हदबस्त न. : 166

जिला : मुकसाम

तहसील : बादशाहपुर

साल : 2017-2018



खेवट या जमाबंदी न.	खतीनी न.	नाम तरफ या पत्नी	विवरण सहित मालिक नाम	विवरण सहित काश्तकार	कुंए या सिंचाई के अन्य साधन का नाम	नम्बर खसरा या मुरब्बे और किले का नम्बर	रकबा और किस्म जमीन	दर और संख्या के ब्यौरे के साथ लगान जो मुजारा देता है	हिस्सा या हकीयत का पैमाना और बाछ का ढंग	अभियुक्ति
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217खालू

दाताराम खालू

रुपचन्द पुत्र  
तेजराम  
हर दो समभाग  
667/2000 भाग  
नवीन वशिष्ठ,  
आनन्द पुत्रान  
कर्णपाल पुत्र  
महाबीर प्रसाद  
हर दो समभाग  
174097/2328000 भाग  
प्रवीन शर्मा पुत्र  
सुदेश कुमार पुत्र  
महाबीर  
174097/2328000 भाग  
धर्म सिंह पुत्र  
महाबीर प्रसाद पुत्र  
174097/2328000 भाग  
रिंकु पुत्र  
महाबीर प्रसाद पुत्र  
174097/2328000 भाग  
वासीदेह

न.7244 तिथी  
27/02/2018 11:56:00  
AM के अनुसार िमन  
जानिम विजय कुमार  
पुत्र मेहरचन्द,  
शिवकुमार पुत्र  
मेहरचन्द ने खेवट न.  
200 खतीनी 203 के  
खसरा न. 13//15 का  
111/1000 हिस्सा ने  
खेवट न. 200 खतीनी  
205 के खसरा न.  
13//8/1, 14//1 का  
111/1000 हिस्सा ने  
खेवट न. 200 खतीनी  
206 के खसरा न.  
13//5/1, 13//7,  
14//20/2, 4//25/1 का  
111/1000 हिस्सा ने  
खेवट न. 200 खतीनी  
207 के खसरा न.  
13//5/2, 14//10,  
4//25/2 का 111/1000  
हिस्सा बदले मु.  
150000/- रु. मे  
सिडिकेट बैंक पुत्र  
बादशाहपुर के पास ता

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Issued to : Jaswant

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Report Generation Date : 28/08/2023 01:18 PM

Nakal Fees Total Charges: 85 Rupees Only (Fee: 50 + Computer Service Charges:35)



नकल को वेरीफाई करने के लिए QR कोड को स्कैन करें।



136202300003708

## नक़ल जमाबंदी (पड़त पटवार)

गाँव : अकलीमपुर

हदबस्त न. : 166

ज़िला : गुरुग्राम

तहसील : बादशाहपुर

साल : 2017-2018



खेवट या जमाबंदी न.	खतीनी न.	नाम तरफ या पत्ती	विवरण सहित मासिक नाम	विवरण सहित काश्तकार	कुए या सिंचाई के अन्य साधन का नाम	नम्बर खसरा या मुरब्बे और किले का नम्बर	रकबा और किस्म जमीन	दर और संख्या के ब्यौरे के साथ लगान जो मुजारा देता है	हिस्सा या हकीयत का पैमाना और बाछ का ढंग	अभिवृत्ति
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अदायगी रकम रकबा आउं  
रहन रहेगा ा  
रपट न.524//08/03/2017  
के अनुसार संजय कुमार  
बजाज पुत्र चिमनलाल बजाज  
आउ रहन है। देखे खेवट न.  
216  
रपट न. 650//1/1/2014  
से किला न.14//1 मिन  
(3-4) पर धारा 4 लागू है  
रपट न. 650//1/1/2014  
से किला न.14//20 मिन  
(1-0) पर धारा 4 लागू है  
रपट न. 650//1/1/2014  
से किला न.14//10 (8-0)  
पर धारा 4 लागू है।  
1330 पारिवारिक हस्तांतरण  
खारिज  
— ताल आरम्भ—  
1411 है  
—ताल समाप्त—  
— ताल आरम्भ—  
1413 पारिवारिक  
हस्तांतरण  
—ताल समाप्त—

217चालू

दाताराम चालू

220

मंगतराम,  
किशनचन्द पुवान

13//

4

8-0 चाही

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Issued to : Jaswant

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Report Generation Date : 28/08/2023 01:18 PM

Nakal Fees Total Charges: 85 Rupees Only (Fee: 50 + Computer Service Charges.35)



नक़ल को डेरीफाई करने के लिए QR कोड को स्कैन करें।



13620230003708

नक़ल जमाबंदी (पड़त पट्टवार)

गाँव : अकलीमपुर

हदबस्त नं. : 166

ज़िला : गुरुग्राम

तहसील : बादशाहपुर

साल : 2017-2018



खेवट या जमाबंदी नं.	खतौनी नं.	नाम तरफ या पत्नी	विवरण सहित मालिक नाम	विवरण सहित काश्तकार	कुए या सिंचाई के अन्य साधन का नाम	नम्बर खसरा या मुरब्बे और किले का नम्बर	रक्बा और किस्म जमीन	दर और संख्या के ब्यौरे के साथ लगान जो मुजारा देता है	हिस्सा या हकीयत का पैमाना और बाछ का दंग	अभियुक्ति
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पुत्र  
हर दो समभाग  
2/3 भाग  
हिस्सेदारान  
शिवकुमार,  
विजय कुमार पुत्रान व  
लता देवी,  
मुनिता देवी,  
सुमन देवी पुत्रियां  
पुत्र  
हर पाँच समभाग  
1/3 भाग  
वासीदेह  
हिस्सेदारान

6  
8/2  
किते 3  
कुल मजरुआ  
20-0  
20-0 चाही

8-0 कुल  
7-0 चाही  
1-0 गै. मु.  
मुर्गी फार्म  
5-0 चाही  
21-0  
कुल गैर मजरुआ  
1-0  
1-0 गै.मु.

217चानू  
दाताराम चानू  
221 दाताराम चानू

मंगतराम पुत्र  
पुत्र  
हिस्सेदार  
बाया  
संजय कुमार बजाज पुत्र  
चिमन लाल बजाज पुत्र  
1/3 भाग  
मुशवी  
किशनचन्द पुत्र  
पुत्र  
1/3 भाग  
हिस्सेदार

13//  
8/1  
14//  
1  
किते 2  
कुल मजरुआ  
4-0

242 नं 796  
25/07/21  
अलमारा 242 नं 693  
19/02/08  
3-0 ब.जदीद  
5-2 कुल  
4-0 चाही  
1-2 गै. मु.  
मुर्गी फार्म  
8-2  
कुल गैर मजरुआ  
4-2

म.प.क.ल. नं 4  
म.प.क.ल. नं 13  
15-6 का 1  
म.प.क.ल. नं 5-2  
कुल मजरुआ 22-6  
कुल गैर मजरुआ 4-2

8/1 (3-0) 14 (5-2) 14  
(7-4)  
1 (5-2)  
कुल मजरुआ 22-6  
कुल गैर मजरुआ 4-2

कुल मजरुआ 7,27,70,000/-  
कुल गैर मजरुआ 7,27,70,000/-

Handwritten signature



नक़ल को वेरीफाई करने के लिए QR कोड को स्कैन करें।



136202300003708

गाँव : अकलीमपुर

## नकल जमावदी (पड़त पटवार)

हदबस्त न. : 166

जिला : गुरुग्राम

तहसील : बादशाहपुर

शाल : 2017-2018



खेट या जमावदी न.	खतीनी न.	नाम तरफ या पत्नी	विवरण सहित मालिक नाम	विवरण सहित काश्तकार	बुए या सिंचाई के अन्य साधन का नाम	नम्बर खसरा या मुरब्बे और किले का नम्बर	रकबा और किस्म जमीन	दर और संख्या के बचौरे के साथ लगान जो मुजारा देता है	हिस्सा या हकीयत का पैमाना और बाछ का ढंग	अभियुक्ति
				शिवकुमार, बिजय कुमार पुत्रान पुत्र हर दो समभाग 1/3 भाग वासीदेह हिस्सेदारान		4-0 चाही	3-0 ब.जदीद 1-2 मै.मु.			
222				तेजा ऊर्फ तेजराम पुत्र पुत्र वासीदेह हिस्सेदार		4// 25/1 13// 5/1 7 14// 20/2 मिन	0-6 मै. मु. मुर्गी फार्म 0-12 मै. मु. मुर्गी फार्म 8-0 चाही 1-12 चाही			
217चात्		दाताराम चात्				किले 4 सालम 3 मिन 1	10-10			
				तेजा ऊर्फ तेजराम पुत्र पुत्र हिस्सेदार		9-12 चाही 4// 25/2	कुल मजरुआ कुल गैर मजरुआ 9-12 0-18 9-12 चाही 0-18 मै.मु. 1-16 मै. मु. मुर्गी फार्म			
223										

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Report Generation Date : 28/08/2023 01:18 PM

Nakal Fees Total Charges: 85 Rupees Only (Fee: 50 + Computer Service Charges:35)

Issued to : Jaswani



नकल को वेरीफाई करने के लिए QR कोड को स्कैन करें।



136202300003708

नकल जमाबंदी (पड़त पटवार)

गाँव : अकलीमपुर

हदबस्त न. : 166

जिला : गुरुग्राम

तहसील : बादशाहपुर

साल : 2017-2018



खेवट या जमाबंदी न.	खतीनी न.	नाम तरफ या पत्नी	विवरण सहित मालिक नाम	विवरण सहित काश्तकार	कुंए या सिंचाई के अन्य साधन का नाम	नम्बर खसरा या मुरब्बे और किले का नम्बर	रकबा और किस्म जमीन	दर और संख्या के ब्यौरे के साथ लगान जो मुजारा देता है	हिस्सा या हकीयत का पैमाना और बाछ का ढंग	अभियुक्ति
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बाया  
संजय कुमार बजाज पुत्र  
चिमन लाल बजाज पुत्र  
वासीदेह  
मुशवी

13//  
5/2  
14//  
10

7-8 गै. मु.  
मुर्गी फार्म  
8-0 गै. मु.  
मुर्गी फार्म

रख नं 1570 की रख रख नं 217 खाता  
25/08/23  
नं 233 गं/किला नं 4  
13  
14  
10(8-0) मिट उरकबा 15 मि 17-4 मालम खाता नं  
25/2(1-16) 5/2(7-8)  
17-4 221 गं/किला नं 13 14 08  
कुल गैर मजरा  
8/1(3-0) 1(5-8)  
17-4 रकबा 8-2 का 1 उफाग नकल रकबा 2-14  
17-4 गै.मु. व रख नं 2-16 खाता 218 गं/किला नं 13  
64-16 का 1 उफाग नकल रकबा 2-8 कुल रकबा 14(7-4)  
15 मि रकबा 2-8  
मिन पालन मलम कुमार बजाज वादक नं. 2-8  
कुल मजरा  
वसिदा का लोन 242 नं 790 का लोन  
41-12 23-4  
41-12 चाही 3-0 ब.जदीद 7,27,00,000 रुपये नं 25/07/21  
20-4 गै.मु. रुपये नं आडरदन हो मुफा है 27,66,000

मिजान हकीयत

किते 13  
सातम 12  
जिन 1  
कुल मजरा  
41-12  
41-12 चाही

217घात्

दाताराम घात्

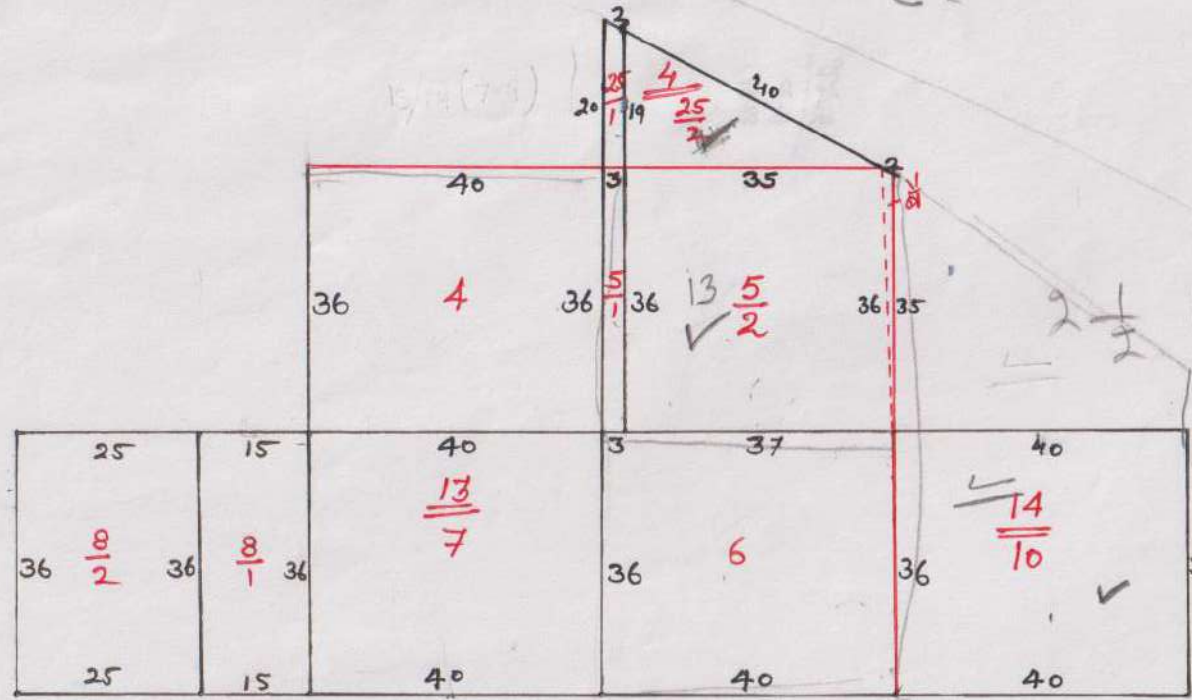
मुताबिक अंश नं. 1 का नं 823  
गवना कसुल लाल



नकल को वेरीफाई करने के लिए QR कोड को स्कैन करें।

नकल अम्बा शिखर किलावन्दी मौजा अकलीमपुर ह० न० (166) उपतहसील बादशाहपुर जिला गुरुग्राम

उत्तर बादशाहपुर



पश्चिम

पूर्व

दक्षिण

निम्नलिखित तसदीक की जाती है कि मकान मुराफिअ असल के तिक है। उजरात इका जायता वसूल पाई

21-12-18

## RESTRICTING CERTAIN ACTIVITIES IN SPECIFIED AREA OF ARAVALLI RANGE

### MINISTRY OF ENVIRONMENT & FORESTS

#### NOTIFICATION

New Delhi, the 7th May 1992

(Under Section 3(1) and 3(2) (v) of the Environment (Protection) Act, 1986 and rule 5 (3) (d) of the Environment (Protection) Rules, 1986 restricting certain activities in specified area of Aravalli Range, which are causing Environmental Degradation in the Region.

**S.O. 319 (E)** - Whereas a Notification under section 3 (1) and section 3 (2) (v) of the Environment (Protection) Act, 1986 (29 of 1986) inviting objections against restricting certain activities in specified area of Aravalli Range which are causing Environmental Degradation in the Region was published in the Gazette of India, Part II-Section 3 Sub-section (ii) vide S. O. 25 (E) dated 9<sup>th</sup> January, 1992;

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2), of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby prohibits the carrying on of the following process and operations, except with its prior permission, in the areas specified in the Table appended to this Notification:

- (i) Location of any new industry including expansion modernisation;
- (ii) <sup>1</sup>[Mining processes and operations, except mining project (major minerals) with lease areas of more than five hectares covering: -
  - (a) All new mining operations including renewals of mining leases, or
  - (b) Existing mining leases in sanctuaries or national Park and areas covered under Project Tiger, or
  - (c) Mining is being done without permission of the competent authority].
- (iii) Cutting of trees;
- (iv) Construction of any clusters of dwelling units, farms houses, sheds, community centres, information centres and any other activity connected with such construction (including roads a part of any infrastructure relating thereto);
- (v) Electrification (laying of new transmission lines).

<sup>1</sup> Substituted vide Notification S.O.248(E), dated 28.2.2003.

2. Any person who desires to undertake any of the above mentioned processes or operations in the said areas, shall submit an application to the Secretary, Ministry of Environment and Forests, New Delhi, in the attached application form (Annexure) specifying, inter alia, details of the area and the proposed process or operation. He shall also furnish an Environment Impact Statement and an Environmental Management Plan along with the application and such other information as may be required by the Central Government for considering the application.
3. The Central Government in the Ministry of Environment and Forests shall, having regard to the guidelines issued by it from time to time for giving effect to the provisions of the said Act, grant permission within a period of three months from the date of receipt of the application or where further information has been asked for from the applicant, within a period of three months from the date of the receipt of such information, or refuse permission within the said time on the basis of the impact of the proposed process or operation on the environment in the said area.
4. For seeking permission under this Notification, an application in the prescribed form (see Annexure), duly filled in, may be submitted to the Secretary, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, Lodi Road, New Delhi.

[No. 17/1/91-PL/IA]

**R. RAJAMANI, Secy.****TABLE**

Areas where carrying on of processes and operations without permission is prohibited

- (i) all reserved forests, protected forests or any other area shown as "forest in the land records maintained by the State Government as on the date of this notification in relation to Gurgaon District of the State of Haryana and the Alwar District of the State of Rajasthan.
- (ii) All areas shown as: -
  - (a) Gair Mumkin Pahar, or
  - (b) Gair Mumkin Rada, or
  - (c) Gair Mumkin Behed, or
  - (d) Banjad Beed, or
  - (e) Rundh.

in the land records maintained by the State Government as on the date of this notification in relation to Gurgaon district of the State of Haryana and the Alwar district of the State of Rajasthan.

- (iii) all areas covered by notifications issued under section 4 and 5 of the Punjab Land Preservation Act, 1900, as applicable to the State of Haryana in the district of Gurgaon up to the date of this Notification.
- (iv) all areas of Sariska National Park and Sariska Sanctuary notified under the Wildlife (Protection) Act, 1972 (53 of 1972).

### ANNEXURE

#### APPLICATION FORM

1. (a) Name & address of the project proposed:  
 (b) Location of the project:  
 Name of the Place:  
 District, Tehsil:  
 Location Map:  
 (c) Alternate sites examined and the reasons for the site proposed:
2. Objectives of the project:
3. (a) Land Requirement:  
 Agriculture land:  
 Other (specify):  
 (b) (i) Topography of the area indicating gradient, aspect & altitude.  
 (ii) Erodability classification of the proposed land.  
 (c) Pollution sources existing within 10 km. Radius.  
 (d) Distance of the nearest National Park/Sanctuary/Biosphere Reserve/  
 Monuments/heritage site/ Reserve Forest:  
 (e) Rehabilitation plan for Quarries/borrow areas :  
 (f) Green belt plan.  
 (g) Compensatory afforestation plan.
4. Climate & Air Quality\*:  
 (a) Wind rose at site:  
 (b) Max. /Min./Mean annual temperature.  
 (c) Ambient air quality data:  
 (d) Nature & concentration of emission of SPM, Gases (CO, CO<sub>2</sub>, SO<sub>2</sub>, NO<sub>x</sub> etc.) from the project:

- 5.\*\* (a) Water balance at site surface and ground water availability and demand:  
 (b) Lean season water availability:  
 (c) Water source to be tapped with details of competing users (Rivers, lake, Ground, Public supply):  
 (d) Water Quality:  
 (e) Changes observed in quantity and quality of water in the last 15 years and present charging and extraction details:  
  
 (f) (i) Quantum of waste water to be released with treatment details:  
 (ii) Quantum & Quality of water in the receiving water body:  
 (iii) Quantum of waste water to be released on land and the type of land:
6. Solid Wastes:  
 (a) Nature & quantity of solid wastes generated:  
 (b) Solid waste disposal method:
7. Noise & vibrations:  
 (a) Sources of noise & vibrations:  
 (b) Ambient noise level:  
 (c) Noise & vibration control measures proposed:  
 (d) Subsidence problem, if any, with control measures:
8. Power requirement indicating source of supply; complete environmental details to be furnished separately, if captive power unit proposed:
9. Total labour force to be deployed with details of:
  - Endemic health problems in the area.
  - Health care system proposed:
10. (a) Number of families and population to be displaced :  
 (b) Rehabilitation Master Plan:
11. Risk assessment report:
12. (a) Environmental Impact Assessment Report :  
 (b) Environmental Management Plan: Prepared as per Guidelines of MEF issued from time to time.  
 (c) Detailed Feasibility Report:  
 (d) Proposal for diversion of Forestland under Forest (Conservation) Act, 1980 including Benefit Cost analysis.

596

*Notifications under the Environment (Protection) Rules, 1986*

13. Recommendations of the State Pollution Control Board and/or the State Department of Environment & Forests.

Signature of the Applicant  
Along with name, date and  
full Postal address.

\* Data may be obtained from India Meteorological Department and State Pollution Control Board.

\*\* Ground water Board and the Irrigation Deptt. may be contacted for data.

N.B.:

- A. Item Nos. 3(c), 4, 5, 6, 7, 8, 9, 10, 12 (b) and 12 (c) are not applicable to cutting of trees.
- B. Item Nos. 3(c), 4, 7, 11 are not applicable to construction of cluster of dwelling units, farm sheds, community centre and any other activity connected with such construction including roads.
- C. Item Nos. 3(b), 3(c) (3e), 3(f), 4, 5, 6, 7, 9, 12(a) & 12(b) are not applicable to electrification.
- D. All items to be furnished in case of mining, industry, thermal power, transport projects.
- E. Notwithstanding the above, any item(s) considered not applicable may be so indicated along with reasons.

Source: Gazette of India, Extraordinary Part-II Sub-section 3(iii)

**Note:** The Principal notification restricting certain activities in specified area of Aravalli range which are causing environmental degradation in the region was published in the Gazette of India vide number S.O. 319 (E) dated the 7<sup>th</sup> May, 1992 and subsequently amended vide number S.O. 1189(E) dated the 29<sup>th</sup> November, 1999.

## MINISTRY OF ENVIRONMENT AND FORESTS

## NOTIFICATION

New Delhi, the 29th November, 1999

**S.O. 1189 (E):-**In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), (hereinafter referred to as the said Act), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby delegates the powers conferred on it to take measures for protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution, to be exercised also by the State Governments as notified in the Notification of the Government of India in the Ministry of Environment and Forests S.O. NO. 319 (E) dated 7<sup>th</sup> May 1992 subject to certain conditions which are as follows:-

- (i) the State Governments concerned, namely, Haryana and Rajasthan shall constitute an Expert Committee for each state as per the composition given in the Schedule-I annexed to this Notification;
  - (ii) each State Government shall also constitute a Monitoring Committee, under the chairmanship of the District Collector concerned (Gurgaon in Haryana and Alwar in Rajasthan) as given in the Schedule-II annexed to this Notification which shall inter alia monitor the compliance of the conditions stipulated while according environmental clearance by such State Governments and report to such State Government about the violations, if any, and the action taken thereon;
  - (iii) the District Collectors of Gurgaon in Haryana and Alwar in Rajasthan shall be authorised by the respective State Governments to take necessary action under section 5 of the said Act in respect of cases where the project proponents fail to implement the conditions.
2. The State Government concerned shall initiate steps to prepare a Master Plan for the development of the area covered by the Notification S.O. 319 (E) dated 7<sup>th</sup> May, 1992 integrating environmental concerns and keeping in view the future land use of the area. This Master Plan shall be prepared by the concerned state agency, approved by the competent authority and finally published, within two years from the date of issue of this Notification, in accordance with the procedure laid down in the Town and Country Planning Act or any other similar Act of the respective State Government. The State Government concerned shall implement the Master Plan forthwith after its final publication.
  3. Any person desirous of undertaking any of the activities mentioned in the Notification No. 319 (E) dated 7<sup>th</sup> May 1992 shall submit an application to the Secretary, Department of Environment of the Government of Haryana/Rajasthan, as the case may be. The applicant shall also furnish environment impact

statement and an environment management plan and such other information as may be prescribed by such State Governments. The application after due scrutiny shall be placed before the Expert Committee for its recommendations. Based on the recommendations of the Expert Committee, the Department of Environment in the State Government concerned shall take a final decision and convey the same to the applicant within three months from the date of receipt of application or when further information has been asked for from the applicant within three months from the date of receipt of such information.

4. The Ministry of Environment and Forests retains appellate power against rejection of any proposal and the National Environmental Appellate Authority constituted under the National Environment Appellate Authority Act, 1997 (22 of 1997) shall continue as an Appellate Authority against approval.

17/1/91-PL/IA

V. RAJAGOPALAN

JOINT SECRETARY TO THE GOVERNMENT OF INDIA

**SCHEDULE-I****COMPOSITION OF THE EXPERT COMMITTEE**

- |    |   |                  |
|----|---|------------------|
| 1. | Secretary, Department of Environment of the concerned State Government  | Chairman         |
| 2. | Head of the Regional Office, Indian Bureau of Mines   | Member           |
| 3. | Representative of Town and Country Planning Department of the concerned State Government  | Member           |
| 4. | Representative of Sariska Tiger Reserve (for Rajasthan)/District Forest Officer concerned (for Haryana)                                   | Member           |
| 5. | One expert on mining who is a qualified Mining Engineer   | Member           |
| 6. | One expert on industry  | Member           |
| 7. | One Representative each from two non-governmental organisations nominated by the Ministry of Environment and Forests, Government of India | Members          |
| 8. | Member Secretary of the State Pollution Control Board of the State  | Member           |
| 9. | Representative of the Department of Environment of the concerned State Government   | Member Secretary |

**SCHEDULE-II****COMPOSITION OF THE MONITORING COMMITTEE**

- |    |  |          |
|----|--|----------|
| 1. | District Collector of Gurgaon/Alwar  | Chairman |
| 2. | Representative of the Pollution Control Board of the concerned State                                   | Member   |
| 3. | Representative of the Sariska Tiger Reserve (for Rajasthan) /District Forest Officer (for Haryana)     | Member   |
| 4. | Representative of the Regional Office of Indian Bureau of Mines  | Member   |
| 5. | Representative of a non-governmental organisation to be nominated by the respective State Governments. | Member   |
| 6. | Representative of Town and Country Planning Department of the concerned State Government               | Member   |

**Note 1:** The Principal notification relating to Environmental Impact Assessment of Development Projects was published in the Gazette of India vide number : S.O. 60(E) dated the 27<sup>th</sup> January, 1994 and subsequently amended vide numbers S.O. 356(E) dated the 4<sup>th</sup> May, 1994, S.O. 318 (E) dated 10<sup>th</sup> April, 1997, S.O. 73 (E) dated 27<sup>th</sup> January, 2000, S.O. 119(E) dated the 13<sup>th</sup> December, 2000, S.O. 737 (E) dated the 1<sup>st</sup> August, 2001, S.O. 1148 (E) dated 21<sup>st</sup> November, 2001 and S.O. 632 (E) dated the 13<sup>th</sup> June, 2002.

**Note 2:** The Principal notification restricting certain activities in specified area of Aravalli range which are causing environmental degradation in the region was published in the Gazette of India vide number S.O. 319 (E) dated the 7<sup>th</sup> May, 1992 and subsequently amended vide number S.O. 1189(E) dated the 29<sup>th</sup> November, 1999.

HARYANA GOVERNMENT  
TOWN AND COUNTRY PLANNING DEPARTMENT  
NOTIFICATION

**The 12 August, 2017**

No.T&CP/GMDA/PF-89-III/2017/19918: In exercise of the power conferred by sub-section (1) of section 3 of the Gurugram Metropolitan Development Authority Ordinance, 2017 (Haryana Ordinance No. 2 of 2017), the Governor of Haryana hereby declares the area with the boundary as specified in the Schedule I given below and containing the area falling within the limits of controlled areas in Gurugram district as specified in Schedule II and shown in the plan appended hereto, to be Gurugram Metropolitan Area for the purposes of the said section, namely:-

**SCHEDULE I**

Gurugram Metropolitan Area shall comprise the whole of the area specified in Schedule to be read with the Drawing number GMDA/1/2017 dated 10.07.2017.

North Starting from point 'A' where the revenue boundary village Khandewla, village Tirpari and village Jatola meets thence moving towards north along the northern boundary of village Jatola and Tajnagar thence along the western revenue boundary of village Fazilpur Badli, Farukhnagar thence along northern revenue boundary of village Sarbasirpur, thence along western revenue boundary of village Mubarikpur thence along northern revenue boundary of village Mubarikpur, Jhanjrola, Iqbalpur, Mankrola, Budhera, Kherki Majra, Dhankot, Daultabad, Dharampur, Babupur, thence along western revenue boundary of village Chauma khera, thence along southern and western revenue boundary village Bajghera, thence along northern revenue boundary of village Bajghera Chauma khera, Carterpuri, Dundahera, Nathupur, thence along eastern revenue boundary of village Nathupur, Sikenderpur Ghosi upto point 'B' where boundary of village Sikenderpur Ghosi and Chakarpur meets.

- East Thence moving from point 'B' towards south along the eastern revenue boundary of village Chakarpur, Wazirabad, Haiderpur viran, Gual-Pahari, Balola, Bandhwari upto point 'C' where it meets with revenue boundary of village Rojka Gujjar.
- South Thence moving from point 'C' towards west along the southern revenue boundary of village Bandhwari, Behramur, Kadarpur, Bhondsi, Tikli, Gairatpur Bas, Badgujar, Nainwal, thence along eastern and southern revenue boundary of village Kherki, thence along southern revenue boundary of village Baghanki, thence along eastern revenue boundary of village Langra, thence along eastern and southern revenue boundary of village Udepuri upto point 'D' where boundary of village Udepuri and Pathreri meets.
- West Thence moving from point 'D' towards south along the eastern, southern and western revenue boundary of village Pathreri, thence along southern and western revenue boundary of village Bilaspur and thence moving towards north along the western revenue boundary of village Binola, Fazalwas, Fakharpur, Tatarpur, Jamalpur and thence along southern revenue boundary of village Sanpka, Jatola, thence towards north along western revenue boundary village Jatola upto point 'A' i.e. the starting point.

**SCHEDULE II**

Gurugram Metropolitan Area shall comprise the whole of the area specified in Schedule II as below;

(A) Complete area falling within all the controlled area forming the following development plans:

- i) All the controlled area forming Gurgaon-Manesar Urban Complex, Development Plan 2031 AD; notified vide Haryana Gazette notification no.CCP(NCR)/FDP-2031/GGN/2012/3541, dated 15 November,2012.
- ii) The parts of controlled area of the Farukhnagar Draft Development Plan; notified vide Haryana Gazette notification no. CCP(NCR)/GGN/FGR/DDP-2031/2012/2660, dated 21 August,2012, within the revenue estate of villages as listed below;
  1. Farukhnagar
  2. Sarbasipur
  3. Fazilpur Badli (Part)
  4. Jaduala
  5. Mubarikpur
  6. Jhanjrola
  7. Sultanpur (Part)
  8. Saidpur Mohammadpur (Part)
  9. Iqbalpur
  10. Kaliawas (Part)
  11. Makrola (Part)
  12. Budhera (Part)
- iii) All the controlled area forming part of Gwal Pahari, Bandhwari and Balola Development Plan; notified vide Haryana Gazette notification no. CCP(NCR)/FDP/(GP)/GGN/2010/3833, dated 6 December, 2010.
- iv) The parts of Controlled area of the Sohna Development Plan notified vide Haryana Gazette notification no CCP(NCR)/FDP-2031/GGN-SHN/2012/3543, dated 15 November, 2012, within the revenue estate of villages as listed below;
  1. Gwal phari (Part)

2. Bandhwari (Part)
  3. Balola (Part)
  4. Behrampur (Part)
  5. Ulhawas (Part)
  6. Kadarpur (Part)
  7. Hassanpur
  8. Bhondsi (Part)
  9. Aklimpur
  10. Tikli
  11. Sakatpur
  12. Gairatpur Bas
  13. Bar Gujjar
  14. Naurangpur (Part)
  15. Manesar (Part)
- v) The parts of controlled area of the Pataudi-Haily Mandi Development Plan notified vide Haryana Gazette notification no. CCP(NCR)/GGN/FDP-2031/PTD-HMD/2013/308, dated 28 January, 2013, within the revenue estate of villages as listed below;
1. Jatola
  2. Tajnagar
  3. Khawaspur
  4. Jamalpur
  5. Mokalwas (Part)
  6. Pathreri
  7. Chandla Dungarwas
  8. Baghanki
  9. Kherki
  10. Langra
  11. Udeypur
  12. Binola
  13. Bilaspur
  14. Fazilpur Badli (Part)

15. Sanpka
16. Babra Bakipur (Part)
17. Dhana (Part)
18. Kasan (Part)

- (B) Complete area under Municipal Corporation, Gurugram;  
 (C) Complete area under Municipal Committee Farukhnagar;  
 (D) Abadi deh of following Gram Panchayats of Gurugram district;

**(i) TEHSIL GURUGRAM**

1. Bajhgera
2. Babupur
3. Dharampur
4. Mohammadheri
5. Daultabad
6. Kherki Majra
7. Dhankot
8. Gopalpur
9. Budhera
10. Chandu
11. Sadhrana
12. Garhi Harsaru
13. Hamirpur
14. Wazirpur
15. Dhorka
16. Meoka
17. Hayatpur
18. Kankrola
19. Dhana
20. Bhangrola
21. Basharia
22. Palra
23. Dhumaspur
24. Medawas

25. Kadarapur
26. Nangli Umarpur
27. Tikli
28. Aklimpur
29. Gairatpur Bas
30. Mankrola

**(ii) TEHSIL MANESAR**

1. Badha
2. Sikanderpur Badha
3. Lakhnola
4. Nawada Fatehpur
5. Naharpur Kasan
6. Khoh
7. Kasan
8. Fazalwas
9. Kukdola
10. Sehrawan
11. Gwalior
12. Nainwal
13. Manesar
14. Baskusla
15. Naurangpur
16. Shikohpur (Dhani Rampur)
17. Hassanpur
18. Binola
19. Bilaspur
20. Pathrari
21. Chandla Dungarwas
22. Langra
23. Udepuri
24. Baghanki
25. Kherki

26. Bar Gujjar

27. Sakatpur

**(iii) TEHSIL SOHNA**

1. Bhondsi

2. Kadarapur

3. Behrampur

4. Ulahwas

**(iv) TEHSIL FARUKHNAGAR**

1. Sultanpur

2. Kaliawas

3. Sadpur Mohammadpur

4. Khantawas

5. Dhanawas

6. Babra Bakipur

7. Khawaspur

8. Jhund Sarai Abad

9. Jhund Sarai Viran

10. Baslambi

11. Kharkhari

12. Mokalwas

13. Fakharpur

14. Sanpka

15. Jamalpur

16. Tatarpur

17. Jatola

18. Judola

19. Tajnagar

20. Fazilpur Badli

21. Mubarikpur

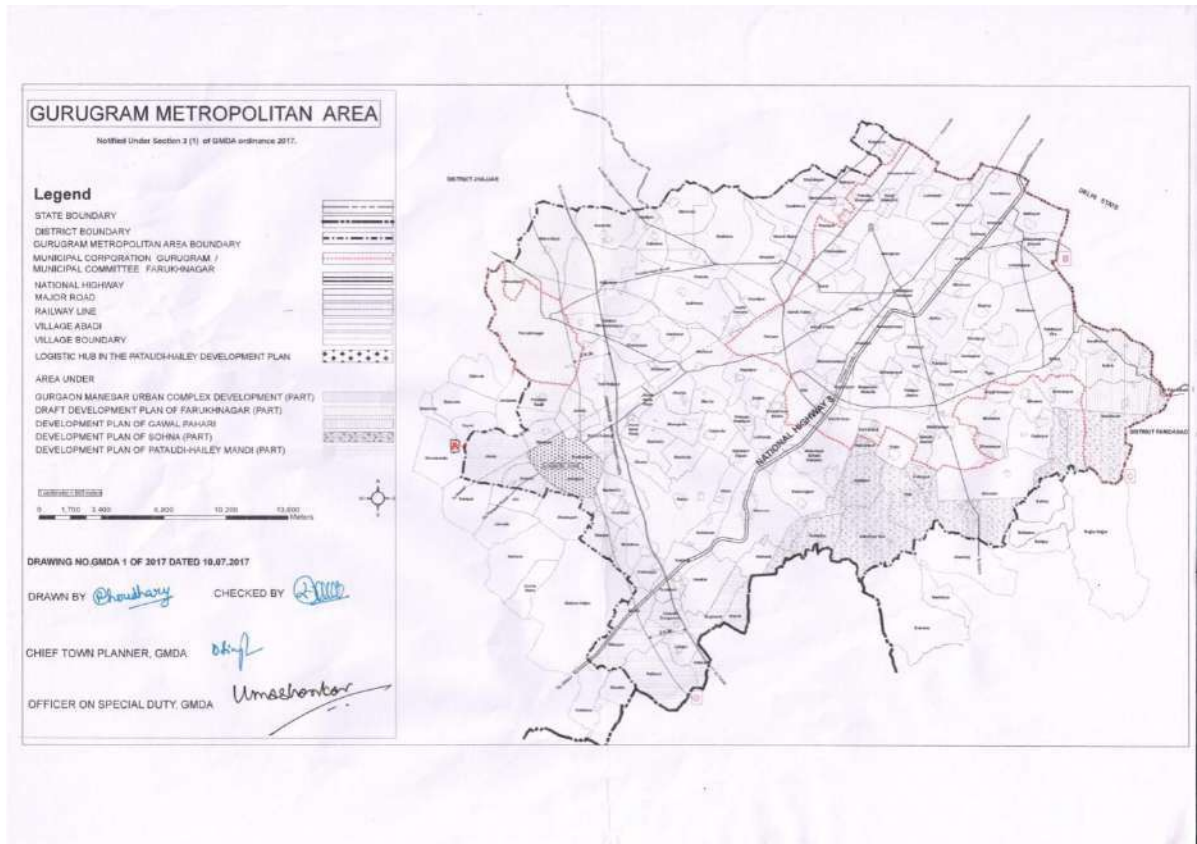
22. Patli Hajipur

23. Iqbalpur

24. Jhanjrola

25. Sarbasirpur

Sd/-  
ARUN KUMAR GUPTA,  
Principal Secretary to Government of Haryana,  
Town and Country Planning Department





11/7 Akhimpur

किसमंतसीका :- बयनामा,

रकम :- 59,000/- रुपये

स्टाम्प :- 7,375/- रुपये

शब्द :- 200

यह रकबा गुडगावा सोहना रोड से  
तीन किलोमीटर की दूरी पर है। जिस  
पर सरकारी रेट 90,000/- रुपये प्रति

एकड़ के हिसाब से ज्यादा स्टाम्प लगाया  
है।

मन कि मंगल/सुत्र श्री नानग रामसुत्र बंसी निवासी अकलीमपुर तहसील

गुडगावा का है। जो कि मैं आराजी जरई खोवट खाता नम्बर 87/106,

खसरा नम्बरानः 13

14

रकबा 15 कनाल

8मिन शर्क 14

3-0

7-4

5-2

6 मरले का 1/3 हिस्सा बकदर 5 कनाल 2 मरले, आराजी जरई मौजा,

अकलीमपुर तहसील व जिला गुडगावा का बजरये कबजा क़ात मानिक व

पेज नं 0/2

Mansur + h

Sold to Mr. Jangra  
Rs. 199  
The sum of  
For balance of Rs. 59  
In Favour of Mr. Jangra

District Treasury  
GURGAON

17/1/51

17-1-51  
बताते बमुताबक हुआ

26 जनवरी 1951

5-1-51 दिनांक श्री मंगलराज

गानगराज निवासी जालंधर

गत रात पेसबंद

Mangal Raj

50. हमारे सम्मुख  
100 रुपये में बकाया  
की राशि है।

[Signature]

मंगलराज

जगज कुमा, राजापुर, झरडी

मंगलराज  
को 50 रुपये का  
चैक जारी किया  
जा रहा है।  
59000 रुपये का  
बकाया

नोट मिलकर सम्भाल  
की व सुझाव  
नौ नौकर किया फुरीकेन  
राजपुरा 59000 रुपये का

किसी प्रकार का कोई भी पत्र  
परिचित हैं जो साक्षी  
की पहचान करता है।

गत रात पेसबंद

Mangal Raj

[Signature]  
उपनिर्देशक  
गुर्गाँवा

जगज कुमा, राजापुर, झरडी  
Jangra Kumar Bajra



••2••

काबिज हूँ। यह रकबा मेरे कब्जे है। और यह रकबा मेरे हिस्से से कम है।  
 और दीगर हिस्सेदारान के पास उनके हिस्से का रकबा अलग मौजूद है।  
 यह रकबा हर तरह के बार से पाकव साफ है। मेने उपरोक्त आराजी पर 6.  
 किसी प्रकार का कोई कर्जा वगेरा नही लिया हुआ है। यह आराजी, -  
 रेतीली है। व जमीन में पानी का साधन नही है। अब मुझ को तरक्की,  
 दीगर जायदाद वगेरा रूपये की जरूरत है। आज अपने ठीक होश हवास -  
 में अपनी मरजी और गृहणी से वगेर किसी दवाब के रकबा मजकूराला  
 5 कनाल 2 मरले, मेय हकूक दाखाली क्खारजी, को मेये सर्व अधिकार,

पेजन 0/3••

Mangal Singh



...3...

समेत जो भी मेरे उपरोक्त रकबे के है, बदले मुवलिंग 59,000/- रुपये ,  
 आधे जिस्के मुवलिंग 29,500/- रुपये होते है। बदस्त संजय कुमार बजाज  
 स्मृत्र श्री चिम्मन लालबजाज स्मृत्र श्री सौहन लाल बजाज निवासी 451/1।  
 सौहना रोड गुडगावा बय कर दिया। जरे ब्य तमाममुवलिंग 59,000/-  
 रुपये नकदरौबरु श्री मान सब रजिस्टारस्हाब गुडगावा वसूल पाउगा । -  
 कबजामोके पर हारीदार को दे दिया है। ओर अपने जेसा मालिक व ,  
 कारिब्र बना दिया है। आगे अगर मिलकियत के इगडे पर व कानूनी नुस  
 पर रकबा मजकूरा आला हारीदार के कबजे से निकल गया तो मे कुल जरे  
 बय व खार्चा हरजादेने का जुम्मेवार हूगा। खार्चा बय कुल बजुम्मे ब्यायफ

Mangait R

Mangait R  
 पेजन 0/4..



••4••

है। खोक्ट नम्बर 87, खाता नम्बरान 104 ता 107, कुल रकबा 84 कनाल  
 11 मरले मे मेरा 1/9 हिस्सा बनता है। जिस में से आज उपरोक्त गसरा  
 नम्बरान रकबा 5 कनाल 2 मरले, बजरये कब्जा काशत बय कर छि रहा  
 हू। लिहाजा यह बयनामा लिखा दिया कि सन्दरहे और समय परकाम आवे  
 तारीख तहरीर :- 17.7.91, लेक अजय अग्रवाल व सीका नवीस गुडगावा

रि नं०  $\frac{375}{201}$  21/07/91

मगत राम बाया

*Mangat Ram*  
 वाक जिकर लिह  
 गवाह :- *Janghwan Singh*

सजय कुमार बजाज  
 खारीदार

*Sanjay Kumar Bajaj*  
 गवाह :- *...*

जवाहः *...*

गवाह :- *...*

*11/5/91*



मगत राम बाया  
 वाक जिकर लिह  
 गवाह :- *Janghwan Singh*

ALAY AGGARWAL  
 MURGA



•• 5 ••

मंगल राम बाया

*Mangal + Ra*

1/11

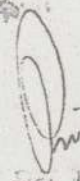
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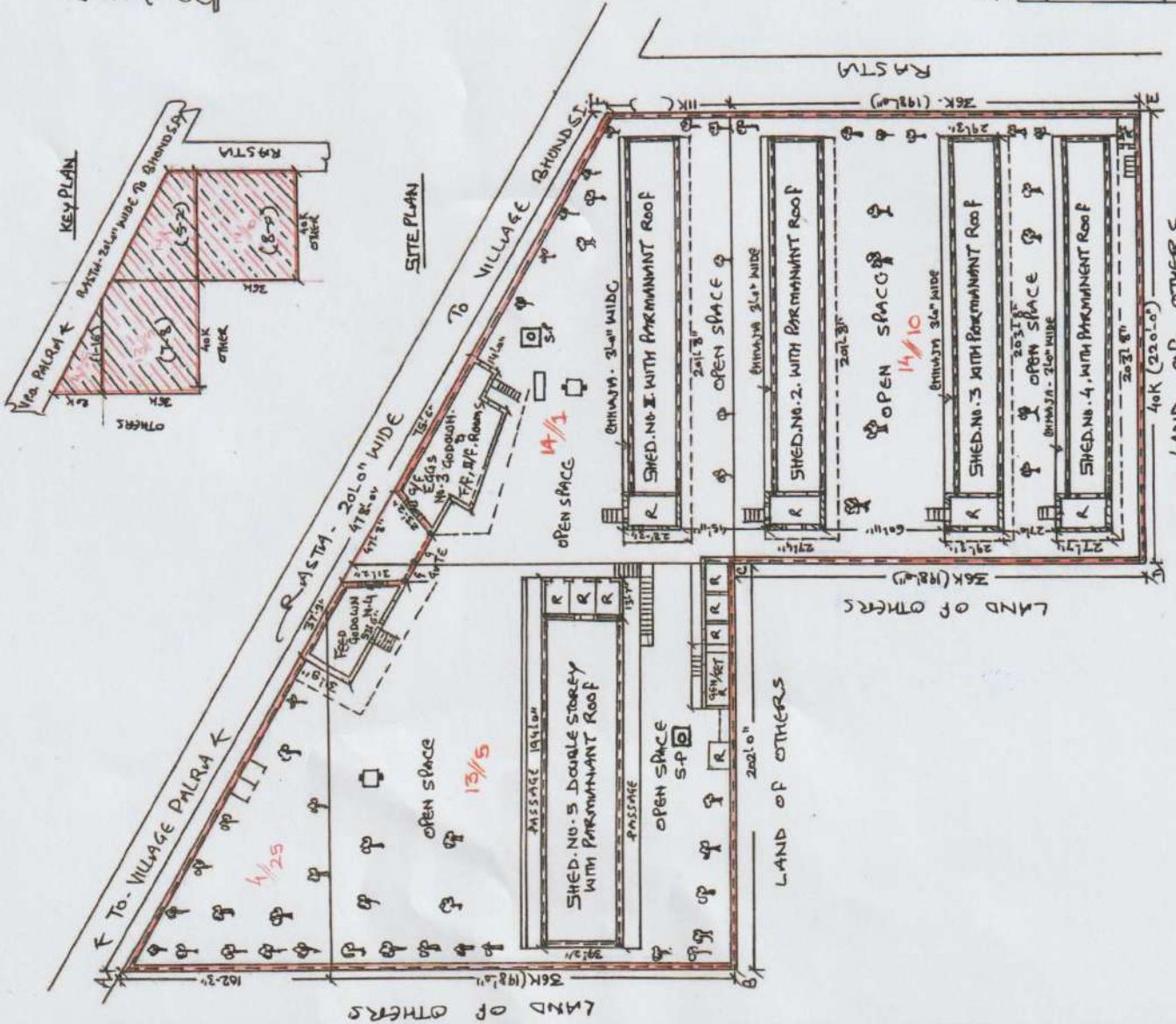
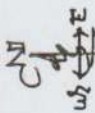
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 पत्रा नं. 455 पत्रा नं. 188  
 पत्रा नं. 17796  
 पत्रा नं. को दर्ज रजिस्टर कि

  
 सचिव रजिस्ट्रार  
 पुणे

SITE PLAN SHOWING THE POULTRY FARM BEARING BEARING RECF. NO. 4 KILLA NO. 25. MIN EAST (1-16) RECF. NO. 13, KILLA NO. 5, MIN EAST (7-8), RECF. NO. 14, KILLA NO. 10 (8-0), KILLA NO. 1 (5002) TOTAL MEASURING 22 KANAL 06 MARLA SITUATED IN THE REVENUE ESTATE OF VILLAGE AKLIMPUR SUB-TEHsil BMDSHAHIPUR DISTT. GURUGRAM.

M/S. BAJAJ POULTRY FARM.  
 PROPRIETOR: SH. SANJAY BAJAJ

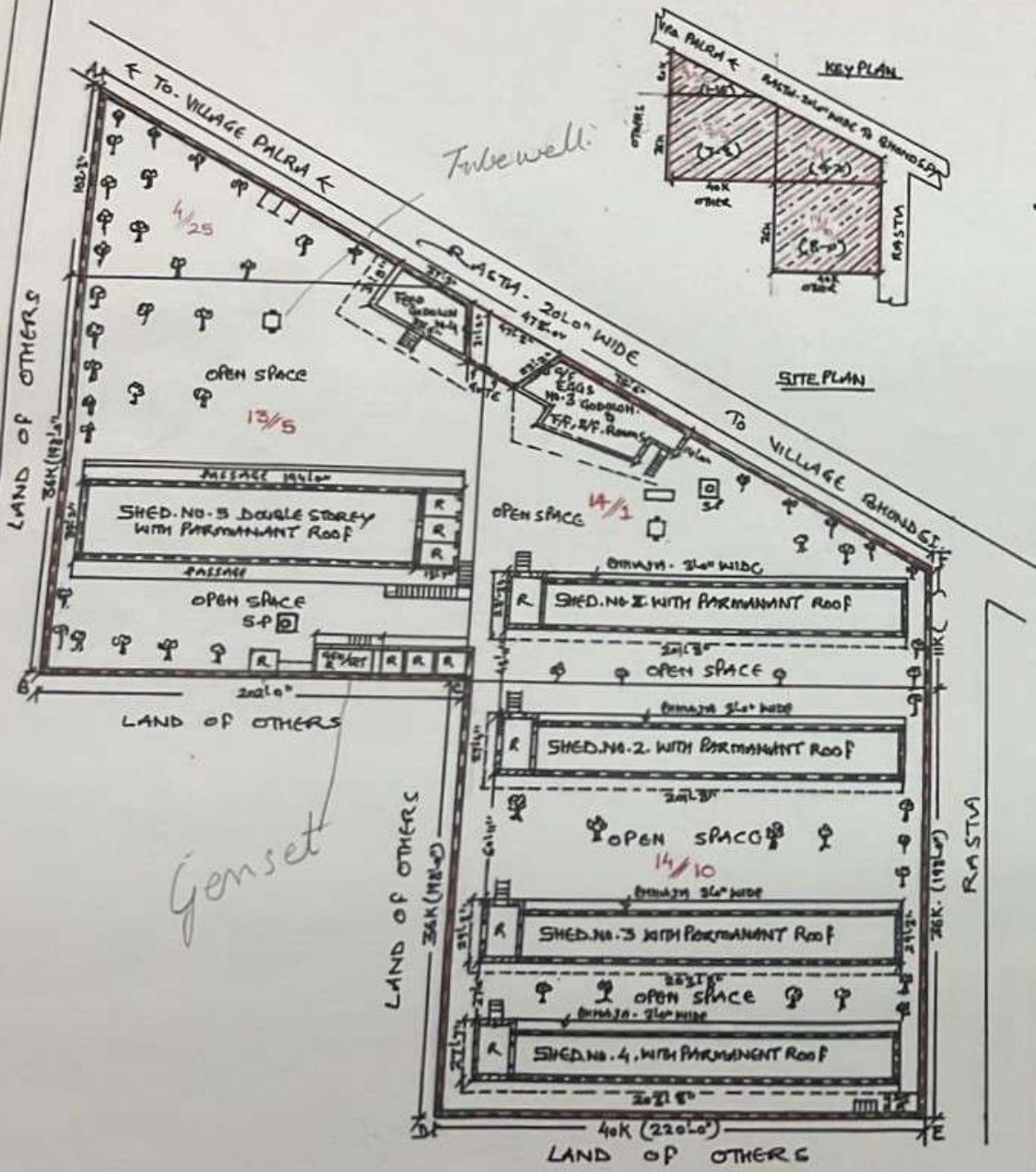
- NOTE:
1. FOUR SIDE STONE WALL IN HEIGHTS 6" AND LABELED WIDE FENCING
  2. SHED NO. 1, 2, 3, 4, (OLD)
  3. SHED NO. 5
  4. EGGS GODOWN & PACKING ROOM FIELD/F
  5. FEED GODOWN & ROOMS. P/F, II/FLOOR
  6. SUMBERISBLE. PUMP. P/100.
  7. GENERATOR ROOM.
  8. DUSTHREE ROOMS AND WATER TANK OF II/FLOOR.



SITE PLAN DRAWN AFTER VISITING SITE AT NEW DELHI LOCATION OF APPLICANT

Signature: *Sh. Sanjay Bajaj*  
 Date: 10/12/24  
 Draughtsman  
**KEWAL KRISHAN PUNIA**  
 NEW COURT GURGAON  
 Recd. H. No. 40/11, 318  
 Opp. Canara Bank, Old Railway Road,  
 Sector: Nigar, Gurgaon-122001 (HR)  
 SIGN.

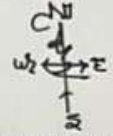
SITE PLAN IS CORRECT FOR SPOT.
PROB. APPLICANT. SIGN.



**SITE PLAN SHOWING THE POULTRY FARM BEARING BEARING RECP. NO. 4 KILLA NO. 25. MIN EAST (1-16) RECP. NO. 12, KILLA NO. 9. MIN EAST (7-8), RECP. NO. 14, KILLA NO. 10 (8-0), KILLA NO. 1 (5002) TOTAL MEASURING 22 KANAL 06 MURLLA SITUATED IN THE REVENUE ESTATE OF VILLAGE AKLIMPUR SUB-TENAL BUDSHAH PUR DISTT. GURUGRAM.**

**M/S. BAJAJ POULTRY FARM.**

**PROPRIETOR: SH. SANJA BAJAJ**



- NOTE:**
1. FOUR SIDE STONE WALL IN HEIGHTS 6L" AND GARGED WIDE BANDING.
  2. SHED NO. 1, 2, 3, 4, (OLD) SHED NO. 5.
  3. EGGS GODOWN & PACKING ROOM, P/F, II/F
  4. FEED GODOWN & ROOMS, P/F, II/FLOOR
  5. SUBMERSIBLE PUMP. Two.
  6. GENERATOR ROOM.
  7. THREE ROOMS AND WATER TANK OF II/FLOOR.

SITE PLAN DRAWN AFTER VISITING SPOT AT DEMARCATION OF APPLICANT

DRAWN BY  
**KEWAL KRISHAN PUNIA**  
 Draughtsman  
 NEW COURT GURGAON  
 Recd. H. No. 40/11, 318  
 Opp. Canara Bank, Old Railway Road,  
 Gurgaon (Nagar, Gurgaon-122001 (HR))  
 P.C.N.

SITE PLAN IS CORRECT AS PER SPOT.

PROP/APPLICANT SIGN.



## HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula  
Ph - 0172- 577870-73, Fax No. 2581201  
E-mail- hspcbho@gmail.com

### Office Order

Whereas, the Board vide Head Office order Endst. No. HSPCB/2018/517-546 dated 26.02.2018 has issued consent procedure for grant of consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 based upon the directions issued by CPCB vide its letter no. B-29012/ESS (CPA)/2015-16/8526 dated 07.03.2016 to all the State Pollution Control Boards u/s 18(1)(b) of Water Act, 1974 and Air Act, 1981; and

Whereas, Central Pollution Control Board (CPCB) has issued directions under section 18 (1)(b) of the Water (Prevention and Control of Pollution) Act 1974 vide letter no. B-29016/ROGW/IPC-VI/2020-21/ dated 30.04.2020 regarding categorization of some new industrial sectors and listing of Non-Industrial Operations (Activities/ Facilities/ Infrastructure/ Services) and subsequent letter no. B-29016/ROGW/IPC-VI/2020-21/ dated 10.07.2020 regarding categorization of Dairy Farm and Gaushala; and

Whereas, in compliance of above directions of CPCB and recommendations by the committee constituted vide office order endst. no. 6862-6865 dated 03.05.2016 for categorization of new or left over industrial sectors/projects, the Board has reviewed all the earlier office orders regarding the categorization of the Industrial/ Non-Industrial Sector/Project/Unit for the purpose of consent mechanism.

In view of above and in supersession of consent procedure alongwith consolidated list of Industrial Sector/Project covered under Red, Orange, Green and White categories was issued vide No. HSPCB/2018/517-546 dated 26.02.2018 (as amended thereof), the amended procedure for obtaining consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 alongwith amended categorization of Red, Orange, Green and White category of Industrial/ Non-Industrial Sector/Project/Unit/unit under the consent management of the Board is given as **Annexure-P**.

These orders shall come in to force with immediate effect.

Dated Panchkula, the  
3<sup>rd</sup> December, 2020

Ashok Kheterpal,  
Chairman

Endst. No. HSPCB/PLG/2020/ 1767-93

Dated: 04-12-2020

A copy of the above is forwarded to the following for information and further necessary action:-

1. All Branch Incharges dealing with consent management in Head Office of the Board.
2. All Regional Officers of the Board in the field.
3. Nodal Officer of the HSPCB, Haryana Enterprises Promotion Centre (HEPC), Bay No. 63-64-65-66, Sector 2, Panchkula.
4. Branch Incharge -IT Cell.

Endst. No. HSPCB/PLG/2020/ 1794-95

Sr. EE (PLG)  
For Chairman

Dated: 04-12-2020

A copy of the above is forwarded to the following for information of the officers:-

1. PS to Chairman
2. PA to Member Secretary

Sr. EE (PLG)  
For Chairman

## Haryana State Pollution Control Board

### Procedure for obtaining consent to establish and consent to operate under Water Act, 1974 & Air Act, 1981.

In pursuance of the provisions of section 25, 26 and 27 of Water (Prevention and Control of Pollution) Act, 1974 read with Rule 22 of the Haryana Water (Prevention and Control of Pollution) Rules, 1978 and section 21 of the Air (Prevention and Control of Pollution) Act, 1981 read with Rule 15 of the Haryana Air (Prevention and Control of Pollution) Rules, 1983 as amended from time to time and approval of the Board in its 178<sup>th</sup> meeting held on 30.01.2018, vide agenda item no. 178.22, the following revised comprehensive procedure for grant and refusal of the consent to establish and consent to operate under Water Act, 1974 and Air Act, 1981 after incorporating all the policy orders and instructions and new categorization of Industrial/ Non-Industrial Sector/Project/Unit issued by the Board from time to time, is laid down in supersession of earlier procedure for grant of consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 issued vide Head Office order Endst. No. HSPCB/2018/517-544 dated 26.02.2018 and all other orders issued in this regard before issue of this procedure:-

#### 1. General Provisions.

- 1.1 All the Industrial/ Non-Industrial Sector/Project/Unit have been categorized under Red, Orange, Green and White categories based upon their pollution potential and range of pollution index for the purpose of consent management under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of pollution) Act, 1981 on the direction of CPCB issued under section 18 (1) (b) of Water Act, 1974 and Air Act, 1981 vide letter no. B-29012/ESS(CPA)/2015-16 /8571 dated 07.03.2016 in supersession of earlier categorization of Industrial Sector/Project/Unit issued vide notification dated 15.04.2014 and amended from time to time. The revised list of Industrial/ Non-Industrial Sector/Project/Unit categorized under Red, Orange, Green and White categories for the purpose of consent management and inventrization of industries under these categories under Water Act, 1974 and Air Act, 1981, has already been adopted by this Board and implemented vide Head Office order Endst. No. HSPCB/PLG-135/2016/546-572 dated 14.07.2016 and subsequently vide order Endst. No. HSPCB/PLG-171/2017/4081-4106 dated 19.05.2017, Endst. No. HSPCB/PLG-171/2017/4295-4320 dated 08.06.2017 and consent procedure alongwith consolidated list of Industrial Sector/Project covered under Red, Orange, Green and White categories was issued vide No. HSPCB/2018/517-544 dated 26.02.2018 and subsequent order no. HSPCB/2018/1312-1336 dated 29.06.2018, HSPCB/PLG/20195095 dated 15.02.2019 and HSPCB/PLG/2019/507-531 dated 15.10.2019 and consolidated lists of Industrial/Non Industrial Sector/Project covered under Red, Orange, Green and White categories, are given at **Annexure-I to IV** respectively.

- 1.2 The Industrial/ Non-Industrial Sector/Project/Unit categorized as Red, Orange and Green, have been covered under consent management for obtaining prior consent to establish (CTE) and consent to operate (CTO) under section 25/26 of the Water Act, 1974 and under section 21 of the Air Act, 1981.
- 1.3 The Industrial/ Non-Industrial Sector/Project/Unit falling under white Category as per **Annexure-IV**, are exempted from Consent Management for the purpose of obtaining CTE and CTO under Water Act, 1974 and Air Act, 1981 and there is no necessity for obtaining the CTE and CTO by the industries covered under white category and other units not covered under Red, Orange and Green categories and intimation to the Board in this regard shall suffice.

However, this type of units will have to provide required pollution control devices to meet the prescribed standards for discharge of environmental pollutants, where ever required, depending upon their process and activities and these Industrial/ Non-Industrial Sector/Project/Unit shall be governed by self regulatory regime and are not permitted to pollute the environment.

No inspection of White category of industries will be carried out by the Board officials except in the cases where any complaint is received against such type of industries for causing pollution.

- 1.4 The Industrial/ Non-Industrial Sector/Project/Unit already existing and not covered previously under consent management as per notification dated 15.04.2014 or earlier but have been covered under consent management now as per new categorization of industrial sectors appended with this procedure, shall obtain only CTO and will not require to obtain the CTE.
- 1.5 Siting of the industries / projects shall be only in confirming areas and no industry/project shall be permitted to establish or operate in the ecologically fragile area / protected area or in any non confirming areas or in the residential areas of MCs / HUDA / villages and in any other approved residential colonies / areas.
- 1.6 The units covered under Environment Impact Assessment (EIA) Notification dated 14.09.2006, as amended from time to time, shall apply for Consent to Establish to the Board only after obtaining prior Environmental Clearance from the Competent Authority.
- 1.7 The Industrial/ Non-Industrial Sector/Project/Unit falling in the area prescribed in the Aravali Notification dated 7<sup>th</sup> May, 1992 issued by MoEF & CC, shall require prior clearance from competent authority prescribed under the Aravali Notification, before applying to the Board for CTE or 1<sup>st</sup> CTO in case of new units covered under consent management as per new categorization of projects listed in this procedure.
- 1.8 The report regarding siting of the projects outside the Aravali area in the Districts of Gurgaon & Mewat, shall also be taken for the purpose of Consent to Establish (CTE) or first CTO in case of new units covered under consent management as per new categorization of projects listed in this procedure, from Tehsildar and District Forest Officer through the concerned

Deputy Commissioner, to ensure the compliance of the provisions of Aravali Notification dated 7<sup>th</sup> May, 1992 in addition to other prescribed documents. However, in case of Industrial/ Non-Industrial Sector/Project/Unit located in approved industrial estates/approved HUDA sectors of District Gurgaon and Mewat, verification report in this regard would be required from Regional Officer concerned.

- 1.9 The projects falling in the revenue estates, covered in ambit of the Notification no. 191(E) dated 27.08.2010 issued by Ministry of Environment, and Forest, Government of India regarding protected area of Sultanpur National Park in District Gurgaon, shall comply with the provisions of said Notification and will obtain the prior permission/clearance of the Monitoring Committee and the Prescribed Authority constituted under the said Notification before submitting the application for CTE to the Board.
- Prior permission/clearance from competent authority shall also be required in case of other similar protected areas declared by the MoEF & CC, Government of India or any prescribed authority from time to time.
- 1.10 For obtaining CTE in case of the Hot Mix Plants, Screening Plants, Grinding/pulverizing units, poultry farms and Stone crushers, the project proponents will also submit the distance regarding the siting parameters prescribed by the Government of Haryana, Environment Department for these projects, provided by the concerned authorities prescribed in the respective notifications, in addition to other prescribed documents for obtaining CTE, to ensure the compliance of the prescribed siting parameters before grant of the CTE.
- 1.11 The units proposed to be setup outside approved industrial areas/estates, will necessarily provide the information in the application form regarding detail of land i.e. Khasra/Kila nos. of the land where the unit has to be established. In case of approved industrial area/estates, the plot no. allotted by the concerned authority will have to be mentioned in the application. The detail of land or plot no. of the unit will be mentioned in the CTE to be granted by the Board.
- 1.12 CTE will be granted only for the operation/ process for product (s) or activities for which the plot has been allotted or CLU permission has been given by the concerned authorities. In case, later on concerned authorities allowed change in product (s) or activity at such specified location in that eventuality, the concerned unit is entitled for CTE for the such changed product (s) or activities at such specified place.
- 1.13 All the units shall provide all necessary facilities for sampling of air or emission from any of their chimney, flue or duct, plant or Vessel of any other sources and outlets, stationery or mobile including necessary facilities for access to the sampling places, as specified by the Board before applying for first CTO as per provisions of Rule 18 of Haryana Air (Prevention and Control of Pollution) Rules, 1983 as amended from time to time.
- 1.14 The performance security deposited along with the application for CTE, shall be refunded / returned on the recommendation of concerned Regional Officer automatically without taking any request from the units in this

regard, after installation of the required and adequate pollution control devices, compliance of all the conditions of CTE & first CTO and submission of satisfactory analysis reports of effluent/ air emissions/ noise levels, as applicable, from all sources within the stipulated time period prescribed in first CTO, showing all the results complying with the standards prescribed for discharge of pollutants under EP Rules, 1986 and/or laid down by the HSPCB if any.

The performance security so deposited will be forfeited in case the unit fails to comply with any of the conditions of CTE or first CTO or the standards prescribed by the Board / under EP Rules, 1986 as amended from time to time, for discharge of Environmental Pollutants or if 1<sup>st</sup> CTO is refused.

- 1.15 The consent to operate can be granted even to those units which have past violation of their establishment without obtaining CTE provided these type of units are complying with all the relevant provisions of Environmental Acts/Rules and standards for discharge of environmental pollutants prescribed under EP Rules, 1986 as applicable, subject to the legal action is taken against such units by filing the prosecution case in Special Environment Court for such past violations under relevant Acts before granting of CTO and subject to imposing a specific condition that CTO so granted is without prejudice to the action taken for prosecution in respect of past violation committed by the unit and CTO so granted will have no effect on the prosecution case filed by the Board against such units for past violation in the Court under the relevant provisions of the Water Act, 1974 and/or Air Act, 1981.

No ex-post facto CTE will be given in such cases of past violation as no such provisions is available in Water Act, 1974 and/or Air Act, 1981.

- 1.16 In case the unit is covered under Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016, E-Waste (Management) Rules, 2016, Plastic Waste Management Rules, 2016 and Bio-Medical Waste Management Rules, 2016, it shall simultaneously apply for the grant of authorization/registration under the relevant provisions of these Rules.
- 1.17 The units which intend to increase quantity of effluent or no. of outlets or no. of stacks/ source of emissions, as compared with the quantity for which consent to establish and consent to operate was previously granted or intend to make any expansion in the existing project or change in manufacturing process, such units will obtain the fresh prior consent to establish, for such change.
- In case of change of machinery of latest technology in existing units without increase in production or without any change in the manufacturing process, there will be no need to obtain fresh CTE.
- 1.18 All the applications for CTE and CTO shall be processed within time period prescribed by the Board for all the concerned officers dealing with the consent management at Regional as well as at Head Office level and it will

be ensured by all the concerned officers that the applications are decided within the time limit prescribed by the Board.

1.19 Thrust will be given that all units obtain CTO for 5 years in case of Red category, 10 year in case of Orange category and 15 years in case of Green Category of industries.

1.20 In case any unit changes its nomenclature (name) only, then such unit will apply on the prescribed performa given at **Annexure-A**, through the concerned Regional Office of the Board for grant of permission for change of its name in CTE/CTO and in other records of the Board, alongwith the documents as given in the Checklist of the documents given at serial no. 1 of **Annexure-1**.

Regional Officer will submit the details and his recommendation to Head Office for approval on the prescribed performa given at **Annexure-B**.

In case there is only change in the ownership of the unit without change in its nomenclature (name), the copy of fresh memorandum of article & association or partnership deed or proof of proprietorship, as the case may be, shall be submitted through the concerned Regional Office who in turn will forward a copy of the same to Head Office alongwith his comments.

1.21 Where a unit, to whom consent has been granted by the Board, transfers his interest in the industry to any other person/unit, by its sale or otherwise, such consent shall be deemed to have been granted to such other person/unit after grant of permission by the Board for the same and such other person/unit shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to such other person/unit originally.

In such cases the unit transferring his interest in the industry to any other person/unit, will intimate the Board for the same through concerned Regional Office and request to allow transfer of his interest in the industry on the prescribed format given at **Annexure-C** alongwith the documents as given in the Checklist of the documents given at serial no. 2 of **Annexure-F**.

Regional Officer will submit the details and his recommendation to Head Office for approval on prescribed performa given at **Annexure-D**.

1.22 Where an existing unit is purchased or taken on lease by another unit and the new unit apply to the Board for grant or renewal of CTE/CTO in his name such units will first obtain the permission for change of name and other details of the existing unit, purchased or taken on lease by such units, in the record of the Board including transfer of interest of such industry in their name for which an application for the same on the prescribed performa given at **Annexure-C**, alongwith the documents as given in the Checklist of the documents given at serial no. 2 of **Annexure-F**, through concerned Regional Office.

Regional Officer will submit the details and his recommendation to Head Office for approval on the prescribed performa given at **Annexure-D**.

1.23 Applications for change of name of the unit or transfer of interest in the industry to any other person/unit, will be decided at the level of Head Office on the recommendation of concerned Regional Officer.

The concerned Branch in Head Office dealing with consent management, will submit the proposal to the authorities on the format on the prescribed performa given at **Annexure-E** for approval.

1.24 First CTO for expansion of projects, shall be valid for a period up to which the CTO for their existing project already stand granted and in case Ist CTO for expansion project is applied alongwith the application for renewal of CTO for existing project then validity of such CTO shall be the same for both expended and existing projects.

1.25 The provisions of inspection policy issued by the Board shall be strictly complied.

1.26 No unit shall be established and operated by any person without obtaining prior CTE and CTO respectively under Water Act, 1974/ Act, 1981 from the Board. If the unit after grant of CTE/CTO, intends to shift to another site/location then it will take the fresh CTE for the establishment at the new site/location.

## 2. Procedure for grant of consent to establish (CTE) for new units

### 2.1 Consent to Establish for new units

2.1.1 The new Industrial/ Non-Industrial Sector/Project/Unit falling under Red, Orange and Green Categories listed as **Annexure-I, II & III** respectively, shall apply for Consent to Establish of the Board through the on-line portal of Haryana Enterprises Promotion Centre (HEPC), in the prescribed form alongwith requisite NOC/CTE fee as prescribed by the Board from time to time and will be deposited through online payment gateway as per fees schedule available on the website of the Board i.e. [hspcb.gov.in](http://hspcb.gov.in)

2.1.2 Application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/Board of directors / partners of the unit.

2.1.3 All documents applicable for respective Industrial/ Non-Industrial Sector/Project/Unit mentioned in the checklist given at **Annexure-V**, will be submitted by the units while applying for CTE, by uploading the same on the online portal.

2.1.4 The units while submitting the application for obtaining CTE, shall also submit a performance security through online payment gateway as per the slab given at **Annexure-VI** or revised from time to time, alongwith undertaking by the applicant as per specimen given at **Annexure-VII**, signifying adherence to the prescribed standards, all the conditions of CTE and indicating awareness about the provisions of the Water Act, 1974/Air Act, 1981 and applicable Rules and self

certification regarding not starting of any construction or installation work at site.

- 2.1.5 No inspection is required for the purpose of dealing the cases of CTE unless any violation come to the notice of the Board and undertaking/self certification submitted by the unit, will be considered sufficient to decide the CTE applications, subject to submission of complete application alongwith prescribed documents, consent fee and performance security.
- 2.1.6 If at any stage it is found that the work at the site of the unit was/has been started for construction of plant and installation of machinery before obtaining the consent to establish under Water Act, 1974 and Air Act, 1981 from the Board, legal action will be taken in that case against such units by filing the prosecution case in Special Environment Court for such violations under relevant provisions of the said Acts before or even after grant of CTE, as the case may be.
- 2.1.7 The validity period of CTE so granted by the Board will be as under:-
- (i). The CTE for the projects requiring Environmental Clearance, shall be granted for a period upto 07 years subject to the validity of Environmental Clearance or the date of commissioning of the project, whichever is earlier.
  - (ii). The CTE, for the projects not requiring Environmental Clearance, shall be granted for a period upto 05 years including stone crushers, hot mix plants, screening plants, brick kilns etc. or the date of commissioning of the project, whichever is earlier.

## 2.2 Renewal/Extension of Consent to Establish

- 2.2.1 The units intending for auto renewal of their CTE from the Board, shall apply through online portal of HEPC at least 90 days prior to the date of expiry of the period of previous CTE, in prescribed Performa with declaration and undertaking as per **Annexure-VIII** alongwith the prescribed CTE/NOC fees and documents prescribed for extension of CTE as per checklist given in **Annexure-V**.
- 2.2.3 This application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/board of directors / partners of the unit.
- 2.2.4 The consent to establish will be renewed on the basis of self certification only in those cases where there is no change in the raw material, process, product, increase in overall capital investment cost on land, building, plant and machinery, production capacity and also in pollution load of the unit and will remain the same as declared by the unit in its original application submitted earlier to the Board for obtaining first CTE.

- 2.2.5 The CTE will be renewed only once and for a period of maximum 02 years from the date of expiry of the period of first CTE granted subject to validity of EC if applicable.
- 2.2.6 The units where the CTE has earlier been granted as per provisions of policy notification dated 15.04.2014 and/ or extended upto the eligible period as prescribed in the said notification or less, those units will apply for renewal of CTE for remaining period as applicable as per provisions prescribed in this procedure in Para no. 2.1.5 plus another 02 years (Subject to validity of EC if applicable).
- 2.2.7 The facility for renewal of CTE can be availed for one term only subject to payment of requisite NOC/CTE fees. Such units will deposit requisite NOC/CTE fees for renewal of consent to establish only applicable for one time alongwith the application for auto renewal.
- 2.2.8 In case the unit fails to apply for renewal of CTE before 90 days of expiry of CTE and apply there after upto the date of expiry of CTE then 50% performance security deposited by the unit at the time of obtaining the first CTE, will be forfeited and such units will be required to deposit the forfeited amount of performance security along with application for renewal of CTE. In case of the units which fail to apply for renewal of CTE within the validity period of previous CTE, 100% performance security will be forfeited and direction will be issued to such units by the Board to stop the further construction and installation work of their project.
- The units which fail to apply for renewal of CTE within validity period of previous CTE, shall apply afresh along with all relevant documents, NOC/CTE fees and fresh performance security required for grant of fresh CTE with documentary proof that they have not done any work for construction or installation of machinery after expiry of validity period of CTE.
- Where ever it come to the notice of the Board at any stage that any unit, applied for extension of CTE or has been extended the CTE, has done any construction or machinery installation work after expiry of validity of CTE, legal action under the relevant provisions of Water Act, 1974 and/or Air Act, 1981 will be taken against such units in that case for such violation.
- 2.2.9 Inspection will not be carried out by the Board's officers for processing the applications for extension/renewal of CTE, except in the cases where any complaint or report has been received in the Board regarding any violation made by the unit.
- 2.2.10 Those units which have been granted CTE but do not want to continue the work for construction and installation of their project beyond the validity period of their CTE, shall submit an undertaking in this regard to the Board, at least 30 days prior to the date of expiry of previous CTE, on prescribed format given at **Annexure IX**, giving the detail about the status of their project constructed and established till the date of submission of such undertaking.

Such units will not start the work for further construction/ installation of their project, without obtaining prior CTE for remaining work of establishment of their project and shall apply for extension as per policy, as and when it is intended to resume the remaining construction/installation work of this project, alongwith the required documents prescribed for extension of CTE, CTE/NOC fees as applicable and self declaration to the effect that they have not done any work at site or construction or installation of machinery after expiry of validity of previous CTE granted by the Board. In case any violation in this regard come to the notice of the Board at any stage then CTE will be refused/cancelled beside taking legal action.

No fresh performance security will be required for such type of cases.

- 2.2.11 In case of building & construction projects or township and area development projects, where the validity period of license issued by Town & Country Planning Department expired after grant of CTE and applied for renewal/extension of CTE without renewal of such license, the CTE for such projects will be extended till the validity of Environmental Clearances of such projects, subject to submission of all required documents prescribed for renewal of CTE and subject to submission of proof regarding submission of their application to Town and Country Planning Department for renewal of their license, with one of the specific condition that the unit will not do any construction work of their project till the renewal of license from Town & Country Planning Department and the extension of CTE so granted will become null & void if such units fail to renew their license for their project from Town & Country Planning Department. The copy of extension of CTE so granted will also be forwarded to Director, Town & Country Planning Department for their information and necessary action.

### **2.3 Consent to Establish for Expansion of the industries/projects**

- 2.3.1 No expansion in the existing Industrial/ Non-Industrial Sector/Project/Unit covered under consent management will be done without prior CTE of the Board.
- 2.3.2 For expansion of the existing Industrial/ Non-Industrial Sector/Project/Unit falling under Red, Orange and Green Categories, the application shall be submitted for Consent to Establish of the Board under Water Act, 1974 and Air Act, 1981 through the on-line portal of the HEPC in the prescribed form alongwith documents related to CTE for expansion projects as per checklist given in **Annexure-V**, applicable performance security as per the slab given at **Annexure-VI** and requisite NOC/CTE fee prescribed by the Board as per fees schedule available on the website of the Board. The

performance security and NOC/CTE fees should be deposited through online payment gateway.

- 2.3.3 The performance security and CTE fees for expansion projects shall be charged based on the cost of the expansion project.

In case the project proponent proposes to increase the production capacity within the existing plant without adding any investment cost, then the performance security and CTE fees shall be charged on the basis of capital investment cost of the existing plant.

- 2.3.4 Application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/Board of directors / partners of the unit.
- 2.3.5 Inspection will not be carried out for processing the cases of CTE for Expansion of the Industrial/ Non-Industrial Sector/Project/Unit and cases of CTE for expansion will be decided on the basis of status of compliance of standards for discharge of Environmental Pollutants prescribed under EP Rules, 1986, for the existing plant of the unit supported with the latest analysis reports and valid consent to operate.
- 2.3.6 Period of CTE for expansion projects, shall be same as applicable for establishment of new units at the time of Ist CTE as well as renewal of CTE as prescribed in para no. 2.1 and 2.2 respectively.
- 2.3.7 For extension/renewal of CTE granted for expansion projects, the procedure prescribed in para no. 2.2, shall be applicable.

### 3. Procedure for Grant of Consent to Operate

#### 3.1 First Consent to operate

- 3.1.1 The Industrial/ Non-Industrial Sector/Project/Unit falling under Red, Orange and Green Categories listed in **Annexure-I, II & III** respectively, after completing the construction and installation of their project with valid CTE, shall apply for 1<sup>st</sup> consent to operate of the Board before commissioning their proposed production/activities and even before starting the trial run of such activities/trial production, through the online portal of the HEPC in the prescribed form alongwith all documents, applicable for respective industrial sectors/projects, mentioned in the checklist given at **Annexure-X** and report on compliance of conditions of CTE and Environmental Clearance (if applicable) by uploading the same on the online portal. No documents are allowed to be submitted manually.
- 3.1.2 Application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/Board of directors / partners of the unit.
- 3.1.3 Requisite consent fee, as prescribed by the Board from time to time, shall also be deposited by the units while applying for CTO, through

online payment gateway, as per schedule available on the website of the Board i.e. [www.hspcb.gov.in](http://www.hspcb.gov.in).

- 3.1.4 The application shall be submitted for grant of CTO for a period, based upon the category of the project, as prescribed by the Board. However the units shall be at liberty to apply for consent to operate for lesser period also, by giving the justification for the same.
- 3.1.5 No separate trial consent will be granted and 1<sup>st</sup> consent to operate will include trial consent. The units can operate their projects only after obtaining prior CTO from Board.
- 3.1.6 At the time of obtaining 1<sup>st</sup> CTO, the industries will deposit the prescribed testing fees with the Board through online payment gateway for analyzing their samples of effluent/air emission/noise, as applicable, from the Board's laboratories. Analysis reports issued from the authorized laboratories will not be accepted for grant of first CTO.
- 3.1.7 Inspection of the industry will be carried out by the authorized officer/ officers of the Board before commissioning of the production in the unit and before giving the 1<sup>st</sup> CTO, after approval from the Competent Authority, to ascertain the status regarding installation of pollution control measures/ devices undertaken at the time of obtaining the CTE, as well to assess their structural adequacy and to check the compliance of the other conditions of CTE and Environmental Clearance (if applicable), before deciding the cases of 1<sup>st</sup> CTO. The application for first CTO will be decided on the merits of the case and according to the compliance status ascertained by the Regional Officers after inspection of the unit.
- 3.1.8 In case the first CTO is refused then the performance security deposited by the unit at the time of obtaining the CTE will be forfeited and the unit will also not start its production or any of its activities at site.
- 3.1.9 The inspection of the unit will be carried out again, after grant of the 1<sup>st</sup> CTO, by the authorized officer (s) of the Board with prior approval of competent authority as per inspection policy within a period of 03 months after grant of 1<sup>st</sup> CTO for collection of samples of effluent/ air emissions/ noise, as applicable, to get the samples analyzed from the Board's Laboratories as per policy of the Board, in case sampling from the unit is required depending upon the process of the unit.
- 3.1.10 In case the analysis report of samples of Air/ effluent/ noise so collected, are found complying the standards prescribed by the Board or under EP Rules, 1986, the 1<sup>st</sup> CTO granted, will remain valid for the period for which it has been granted based upon the category of the project or as was demanded by the unit whichever is less but in case of failure of sample (s), the 1<sup>st</sup> CTO so granted will be revoked/ cancelled after following the due procedure, beside taking legal action against the unit and forfeiture of performance security

deposited by the unit at the time of obtaining the CTE, as per policy of the Board.

### 3.2 Period for consent to operate

3.2.1 Validity of period of consent to operate for different category of Industrial/ Non-Industrial Sector/Project/Unit under Water Act, 1974 and Air Act, 1981, will be as under:-

Industry/Project Category	Validity Period
Red Category	5 Years
Orange Category	10 Years
Green Category	15 Years

3.2.2 The units will be at liberty to deposit the full applicable consent fee for the whole prescribed period depending upon their category. However the units shall be at liberty to apply for consent to operate for lesser period also by giving justification for the same. The fees for consent to operate can also be deposited by the industries in installments as per time schedule given below :-

Sr. No.	Category	Validity period of consent	Time schedule
1	Red	05 years	For the First 03 years, at the time of filing of application and for the remaining 02 years before ending the 3 <sup>rd</sup> year.
2	Orange	10 Years	For the First 04 years, at the time of filing of application, for next 03 years before ending the 4 <sup>th</sup> year and for the remaining 03 years before ending the 7 <sup>th</sup> year.
3	Green	15 Years	For the first 05 years at the time of filing the application, for next 05 year before ending the 5 <sup>th</sup> year and for the remaining 05 year before ending the 10 <sup>th</sup> years.

3.2.3 In case of the units, who opted to pay consent fee in installments for obtaining CTO for longer period and fails to deposit the installment of consent fees within prescribed time limit, the CTO so granted will be revoked/cancelled for the remaining period for which consent fees will not be deposited, after following the due procedure.

3.2.4 In case the rates of consent fees are revised during the period of consent to operate and the unit has opted to deposit the consent fees in the installments then such units will have to deposit the consent fee at the revised / enhanced rates for the remaining period

from the date of revision of the consent fees. However, the units which have opted to deposit the full consent fees at the time of filing the application for consent to operate, will not be liable to pay the revised / enhanced consent fees in case the consent fee is enhanced during the period of consent to operate granted to those units.

- 3.2.5 The consent to operate granted shall have the validity ending as indicated in the table below:-

Sr. No.	Category	Validity month (up to)
1	Red	End of September
2	Orange	End of March
3	Green	End of December

### 3.3 Renewal of Consent to Operate

- 3.3.1 The Industrial/ Non-Industrial Sector/Project/Unit falling under Red, Orange and Green Categories listed in **Annexure-I, II & III** respectively, intending for renewal of the CTO from the Board, shall apply through the online portal of the HEPC, not earlier than 180 days and atleast 90 days before expiry of the validity period of previous CTO granted by the Board under Water Act, 1974 and Air Act, 1981, on prescribed Performa as per **Annexure-XI**, self certification and undertaking on compliance of conditions of previous consent to operate granted to the unit alongwith the requisite consent fees to be deposited through online payment gateway and the documents as mentioned in the checklist given at **Annexure-X**.
- 3.3.2 No documents are allowed to be submitted manually.
- 3.3.3 Application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/Board of directors / partners of the unit.
- 3.3.4 The consent to operate will be renewed only in those cases where there is no change in the raw material, process, product, increase in overall capital investment cost on land, building, plant and machinery, production capacity and also in pollution load of the unit and will remain the same as declared in the original application for obtaining previous CTO.
- 3.3.5 The CTO will be renewed only for those units which are complying the standards prescribed for discharge of pollutants prescribed under EP Rules, 1986 and submitted all required documents and prescribed consent fees.
- 3.3.6 Renewal of CTO will not prevent the Board from taking appropriate action against the defaulting units including revoking the CTO, which will fail to comply with any of the conditions of the CTO or any relevant provisions of the Water Act, 1974 and Air Act, 1981.
- 3.3.7 If the Industrial/ Non-Industrial Sector/Project/Unit fails to apply before 90 days of the expiry of previous consent and applies 60 days before the expiry of previous consent, the unit shall have to pay

additional consent fee @ 50% of the consent fee notified under the Rules. Subsequently, if the unit fails to apply before 60 days of the expiry of previous consent and applies 30 days before the expiry of previous consent, then the unit will have to pay additional consent fee @ 100% of the consent fee applicable. If the unit fails to apply 30 days before the expiry of the previous consent, the unit will have to pay additional consent fee @ 200% of the consent fee applicable. Thereafter, the Board will take closure action under the provisions of Water Act, 1974/ Air Act, 1981 against such units for not having the valid consent to operate.

- 3.3.8 In, case the unit apply for renewal of CTO after the date of expiry of consent period or after taking the penal action as prescribed above then such applications will be entertained only if such units deposit consent fees for the longer period as per the policy of the Board depending upon the category of the unit alongwith the additional fees @ 300% of the consent fees prescribed for one year alongwith normal consent fees for subsequent years.
- 3.3.9 There will be no requirement of inspection of industries at the time of renewal of CTO. However such units will be required to submit the analysis reports of effluent, air emissions and noise levels, as applicable, from all sources issued from any of the recognized laboratories or from any of the Board's Laboratory, not more than 03 months old, showing the compliance of prescribed standards, with self certification and undertaking for compliance of the relevant provisions of Acts/Rules as applicable and adherence to the prescribed standards alongwith latest Mandatory Inspection report / analysis reports conducted by the team of officer of the Board and required documents.
- 3.3.10The unit will be at liberty to get their samples of effluent/air emissions/noise, analyzed from Board's laboratories, for the purpose of renewal of consent to operate. In that case, the inspection will be carried out for the purpose of this sampling by the authorized officer (s) of the Board only after taking prior permission from the Competent Authority as per inspection policy of the Board.

**3.4 Procedure for obtaining Consent to Operate (CTO) by the Industrial/ Non-Industrial Sector/Project/Unit already existing and operating before 14.07.2016 which were not covered previously under consent management as per notification dated 15.04.2014 amended from time to time or earlier but have been covered under consent management first time w.e.f. 14.07.2016 as per revised categorization of industrial sectors for consent management.**

- 3.4.1 The Industrial/ Non-Industrial Sector/Project/Unit already existing and operating before 14.07.2016 which were not covered previously under consent management as per notification dated 15.04.2014 amended from time to time or earlier but have been covered under consent management first time w.e.f. 14.07.2016 in view of revised categorization of industrial sectors for consent management as per order issued vide Ends. No. HSPCB/PLG-135/2016/546-572 dated 14.07.2016, vide order Endst. No. HSPCB/PLG-171/2017/4081-4106 dated 19.05.2017 and Endst. No. HSPCB/PLG-171/2017/4295-4320 dated 08.06.2017, shall not require CTE and will obtain CTO directly and apply for the same to the Board through online portal of HEPC in the prescribed form alongwith documents as mentioned in the check list given at **Annexure-XII** and requisite consent fee prescribed by the Board to be deposited through online payment gateway as per fees schedule available on the website of the Board i.e. hspcb.gov.in.
- 3.4.2 The application shall be submitted for grant of CTO for a period based upon the category of the project as prescribed by the Board. However the units shall be at liberty to apply for consent to operate for lesser period also, by giving the justification for the same.
- 3.4.3 These units will also be at liberty to deposit the applicable fee for consent to operate as per provisions given in Para No. 3.2.2 of this procedure.
- 3.4.4 These units will deposit the prescribed testing fees with the Board for analyzing their samples of effluent/air emission/noise, as applicable, only from the Board's laboratories, for obtaining the first CTO.
- 3.4.5 Inspection of these units applying for CTO will be carried out by the authorized officers of the Board after obtaining prior permission from the competent authority to verify and process the applications for CTO and for collection of the samples of effluent/air emissions/noise, as required.
- 3.4.6 Consent to operate shall be granted only in those cases where all the applicable documents as mentioned in the checklist are submitted and have installed the required and adequate pollution control measures and the standards prescribed by the HSPCB or under EP Rules, 1986 for discharge of environmental pollutants has been complied with.

#### **4. Competent Authority for deciding the applications for CTE & CTO.**

- 4.1 The CTE and CTO shall be granted or refused on the merits of the case after examination, by the competent authority as per powers delegated by the Board from time to time and the approval certificates bearing digital signatures of the authorized officer, shall be issued through online system which can be downloaded by the applicants from the online portal.
- 4.2 Chairman of the Board has over all and full powers for deciding the application for CTE as well as CTO.
- 4.3 All Regional Officers of the Board have been delegated powers for grant/refusal of CTE and CTO under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, in their respective area of jurisdiction, vide order Endst. No. HSPCB/PLG-139/2016/5814-5839 dated 02.03.2016 and vide order Endst. No. HSPCB/2017/2657-2681 dated 25.01.2017 for Red, Orange and Green category of Industrial/ Non-Industrial Sector/Project/Unit having investment cost upto Rs. 10 crore or CLU cases upto 1 acre in conforming area.
- 4.4 All the cases of the Industrial/ Non-Industrial Sector/Project/Unit of Red, Orange and Green category, having investment cost more than Rs. 10 crore or CLU cases more than 1 acre in conforming area, which are submitted through the online portal of HEPC for grant of consent to establish and consent to operate of the Board under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, shall be decided by the officer of the Board on deputation with EEC/HEPC and delegated with such powers by the HSPCB for grant/refusal of CTE/CTO.

## 5. Requirement of Sampling and submission of analysis reports

- 5.1 The Industrial/ Non-Industrial Sector/Project/Unit covered under consent management, will submit analysis reports of effluent/air emissions/noise levels of DG sets, as applicable, only from the Board's laboratories at the time of obtaining 1<sup>st</sup> CTO and thereafter the industries will be at liberty to get their samples analyzed from other Govt./Semi Govt./Private laboratories recognized by Board for the purpose of renewal of CTO.
- 5.2 In the case of Mandatory Inspections, court matters, re-sampling and complaints, the samples will be analyzed from Board Laboratories.
- 5.3 The Ambient Air Quality reports will be required only in the cases of specific complaints or where there are specific directions from CPCB/MoEF&CC or from any other competent authority or where any court of law has issued direction in this regard.
- 5.4 In case water is used only for cooling purpose and being circulated completely, there would be no requirement of analysis reports of such cooling water.
- 5.5 The units which have installed Effluent Treatment Plants/ Sewage Treatment Plants and utilizing the treated effluent for agriculture/horticulture purpose within their premises or recycling/reusing in their process of manufacturing, shall also submit the analysis reports of the samples of effluent from inlet and outlet of their ETPs/STPs and from final outlet (s) of the units, if these are different.
- 5.6 The standards prescribed under environmental laws by MoEF&CC/ CPCB are followed by the Board. Further, it is clarified that the standards to be prescribed from time to time under environmental laws by MoEF&CC/CPCB shall also be deemed to be the standards of Board. Provided that in case any stringent parameters will be prescribed by the Board on any subject where upon parameters are also provided by MoEF&CC/CPCB, the standards prescribed by the Board will be followed.  
The general standards prescribed under EP Rules, 1986 (as amended) shall be applicable on the industries for which specific standards are not prescribed.

## 6. Action against Violators

- 6.1 In case the industry is found creating such conditions that generate any type of pollution in excess of the prescribed standards or if there is any objection/ complaint received from the surrounding community & if on verification it is found that such objection/ complaint has some substance even after grant of CTE/CTO by the Board, the Board shall be at liberty to revoke/withdraw/cancel the CTE/CTO issued to such units & take legal action against such units under the provisions of the Water Act 1974, Air Act 1981 and the Environment (protection) Act, 1986, as considered appropriate.
- 6.2 Grant or renewal of CTE and CTO does not prevent the Board from revoking of those CTE and CTO including taking appropriate action against those defaulting units, where CTE or CTO has been obtained or got extended on

the basis of wrong declaration or false documents and also who fail to comply with any of the conditions of CTE granted to such units or any relevant provisions of Water Act, 1974 and Air Act, 1981 beside forfeiture of performance security deposited by the unit for obtaining CTE.

This consent procedure shall come in to force with immediate effect.

**Dated:** \_\_\_\_\_

**Chairman**

**Annexure-I*****List of Red Category of Industrial/ Non-Industrial Sectors/Projects***

<b>Sr. No.</b>	<b>Industrial/ Non-Industrial Sector/Project/Unit</b>
1.	Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of hazardous chemicals rules ,1989 as amended)
2.	Automobile Manufacturing (integrated facilities)
3.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Spent cleared metal catalyst containing copper,, Spent cleared metal catalyst containing zinc,,
4.	Manufacturing of lubricating oils ,grease and petroleum based products
5.	DG Set of capacity $\geq$ 5 MVA
6.	Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black
7.	Lead acid battery manufacturing(excluding assembling and charging of lead-acid battery in micro scale)
8.	Phosphate rock processing plant
9.	Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW]
10.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt,
11.	Processes involving chlorinated hydrocarbons
12.	Sugar ( excluding Khandsari)
13.	Fibre glass production and processing (excluding moulding)
14.	Fire crackers manufacturing and bulk storage facilities
15.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Dismantlers Recycling Plants --Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule.
16.	Milk processes and dairy products (large, medium scale and integrated projects)
17.	Phosphorous and its compounds
18.	Pulp & Paper (waste paper based without bleaching process to manufacture Kraft paper)
19.	Coke making , liquefaction, coal tar distillation or fuel gas making
20.	Manufacturing of explosives, detonators, fuses including management and handling activities
21.	Manufacturing of paints varnishes, pigments and intermediate (excluding blending/mixing)
22.	Organic Chemicals manufacturing
23.	Airports and Commercial Air Strips having discharge of 100 KLD or more

Sr. No.	Industrial/ Non-Industrial Sector/Project/Unit
24.	Asbestos and asbestos based industries
25.	Basic chemicals and electro chemicals and its derivatives including manufacturing of acid
26.	Cement
27.	Chlorates, per-chlorates & peroxides
28.	Chlorine, fluorine, bromine, iodine and their compounds
29.	Dyes and Dye- Intermediates
30.	Health-care Establishment as defined in BMW Rules, having discharge of 100 KLD or more with or without incinerator
31.	Hotels having overall waste-water generation @ 100 KLD and more or having 3 star and above or having 100 rooms and above
32.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Lead acid battery plates and other lead scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [ * Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "rains".
33.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Integrated Recycling Plants --Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule.
34.	Manufacturing of glue and gelatin
35.	Mining and ore beneficiation
36.	Nuclear power plant
37.	Pesticides (technical) (excluding formulation)
38.	Photographic film and its chemicals
39.	Railway locomotive work shop/Integrated road transport workshop/Authorized service centers having discharge of 100 KLD or more
40.	Yarn / Textile processing involving any effluent/emission generating processes including bleaching, dyeing, printing and colouring
41.	Chlor Alkali
42.	Ship Breaking Industries
43.	Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells)
44.	Industry or process involving metal surface treatment or process such as pickling/ electroplating/paint stripping/ heat treatment using cyanide bath/ phosphating or finishing and anodizing / enamellings/ galvanizing
45.	Tanneries
46.	Ports and harbour, jetties and dredging operations
47.	Synthetic fibers including rayon ,tyre cord, polyester filament yarn
48.	Thermal Power Plants
49.	Slaughter house (as per notification S.O.270(E)dated 26.03.2001)and meat

Sr. No.	Industrial/ Non-Industrial Sector/Project/Unit
	processing industries, bone mill, processing of animal horn, hoofs and other body parts
50.	Aluminium Smelter
51.	Copper Smelter
52.	Fertilizer (basic) (excluding formulation)
53.	Iron & Steel (involving processing from ore/ integrated steel plants) and or Sponge Iron units
54.	Pulp & Paper ( waste paper based units with bleaching process to manufacture writing & printing paper)
55.	Zinc Smelter
56.	Oil Refinery (mineral Oil or Petro Refineries)
57.	Petrochemicals Manufacturing ( including processing of Emulsions of oil and water )
58.	Pharmaceuticals including basis drugs
59.	Pulp & Paper ( Large-Agro + wood) , Small Pulp & Paper ( agro based-wheat straw/rice husk)
60.	Distillery ( molasses / grain / yeast based)
61.	Induction Furnace clubbed with AOD Furnace
62.	Synthetic detergents and soaps having waste water generation more than 100 KLD (excluding formulation)
63.	Automobile servicing, repairing and painting having waste water generation more than 100 KLD (excluding only fuel dispensing)
64.	Building and construction projects having waste water generation more than 100 KLD irrespective of their built-up area
65.	Ceramics and Refractories having coal consumption more than 12 MT per day
66.	Fermentation industry including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol) having discharge > 100 KLD
67.	Lead metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy-making
68.	Industry or processes involving foundry operations having capacity of 5 MT/hr. and more.
69.	Manufacturing of lead glass
70.	Non-alcoholic beverages (soft drink) & bottling of alcohol/non alcoholic products having waste-water generation > 100 KLD.
71.	Vegetable oil manufacturing including solvent extraction and refinery /hydrogenated oils having waste-water generation more than 100 KLD
72.	Parboiled Rice Mills having waste-water generation > 100 KLD or fuel consumption > 12 MTD or both.
73.	Common treatment and disposal facilities (CETP, TSDF, E-waste recycling, CBMWTF, effluent conveyance project, incinerator, solvent/acid recovery plant, MSW sanitary land fill site
74.	Sewage treatment plants having capacity 100 KLD or more
75.	Industrial estates/ parks / complexes/ areas/ export processing zones/ SEZs/ Biotech parks/ leather complex
76.	Units engaged in the activities of handling and management of Hazardous Waste as defined in Hazardous and other Wastes (M & TM) Rules, 2016, other than those covered under any of the category of industrial sectors, such as use, treatment, processing, recovery, pre-processing, co-processing,

<b>Sr. No.</b>	<b>Industrial/ Non-Industrial Sector/Project/Unit</b>
	utilization etc. of the hazardous and other wastes
77.	Recycling of used lead acid batteries
78.	Lithium Ion battery manufacturing units or assembling of Lithium Ion batteries with or without charging, having overall liquid waste generation of 100 KLD or more irrespective of quantity of fuel used or the projects having overall liquid waste generation less than 100 KLD but having daily fuel consumption above 12 MT/day
79.	Railway Stations (Waste Water Generation $\geq$ 100 KLD)

## Annexure-II

**List of Orange Category of Industrial/ Non-Industrial Sector Sectors/Projects**

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
1.	Dismantling of rolling stocks ( wagons/ coaches)
2.	Bakery and confectionery units with production capacity > 1 TPD. ( With ovens / furnaces)
3.	Chanachur and ladoo from puffed and beaten rice( muri and shira) using husk fired oven
4.	Coated electrode manufacturing
5.	Compact disc computer floppy and cassette manufacturing / Reel manufacturing
6.	Flakes from rejected PET bottle
7.	Food and food processing including fruits and vegetable processing
8.	Jute processing without dyeing
9.	Manufacturing of silica gel
10.	Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items
11.	Printing or etching of glass sheet using hydrofluoric acid
12.	Silk screen printing, sari printing by wooden blocks
13.	Synthetic detergents and soaps(excluding formulation)
14.	Thermometer manufacturing
15.	Cotton spinning and weaving ( medium and large scale)
16.	Almirah, Grill Manufacturing (Dry Mechanical Process )
17.	Aluminium & copper extraction from scrap using oil fired furnace (dry process only)
18.	Automobile servicing, repairing and painting having quantity of waste water generation up to 100 KLD (excluding only fuel dispensing)
19.	Ayurvedic and homeopathic medicine
20.	Brickfields ( excluding fly ash brick manufacturing using lime process)
21.	Building and construction projects having quantity of waste water generation 10 KLD to 100 KLD irrespective of their built-up area
22.	Ceramics and Refractories having coal consumption upto 12 MT per day
23.	Coal washeries
24.	Dairy and dairy products ( small scale)
25.	DG set of capacity >1MVA but < 5MVA
26.	Dry coal processing, mineral processing, industries involving ore sintering, pelletisating, grinding & pulverization
27.	Fermentation industry including manufacture of yeast, beer, distillation of alcohol having quantity of waste water discharge upto 100 KLD (Extra Neutral Alcohol)
28.	Ferrous and Non- ferrous metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy-making
29.	Fertilizer (granulation / formulation / blending only)
30.	Fish feed, poultry feed and cattle feed
31.	Fish processing and packing (excluding chilling of fishes)
32.	Forging of ferrous and non- ferrous metals ( using oil and gas fired furnaces)

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
33.	Formulation/pelletization of camphor tablets, naphthalene balls from camphor/naphthalene powders.
34.	Glass ceramics, earthen potteries and tile manufacturing using oil and gas fired kilns, coating on glasses using cerium fluorides and magnesium fluoride etc.
35.	Gravure printing, digital printing on flex, vinyl
36.	Heat treatment using oil fired furnace ( without cyaniding)
37.	Hot mix plants
38.	Hotels (< 3 star) or hotels having > 20 rooms and less than 100 rooms or having quantity of waste water discharge less than 100 KLD.
39.	Ice cream
40.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Paint and ink Sludge/residues
41.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Brass Dross ,, Copper Dross,, Copper Oxide Mill Scale,, Copper Reverts, Cake & Residues,, Waste Copper and copper alloys in dispersible form,, Slags from copper processing for further processing or refining ,, Insulated Copper Wire,, Scrap/copper with PVC sheathing including ISRI-code material namely "Druid" ,, Jelly filled Copper cables ,, Zinc Dross-Hot dip Galvanizers SLAB,, Zinc Dross-Bottom Dross,, Zinc ash/Skimming arising from galvanizing and die casting operations,, Zinc ash/Skimming/other zinc bearing wastes arising from smelting and refining,, Zinc ash and residues including zinc alloy residues in dispersible form ,,
42.	Industry or processes involving foundry operations having capacity of foundry operations less than 5 MT per hr.
43.	Lime manufacturing (using lime kiln)
44.	Liquid floor cleaner, black phenyl, liquid soap, glycerol mono-stearate manufacturing
45.	Manufacturing of glass
46.	Manufacturing of iodized salt from crude/ raw salt
47.	Manufacturing of mirror from sheet glass
48.	Manufacturing of mosquito repellent coil
49.	Manufacturing of Starch/Sago
50.	Mechanized laundry using oil fired boiler
51.	Modular wooden furniture from particle board, MDF< swan timber etc, Ceiling tiles/ partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making ( With boiler)
52.	New highway construction project
53.	Non-alcoholic beverages(soft drink) & bottling of alcohol/non alcoholic products having quantity of waste water generation up to 100 KLD
54.	Paint blending and mixing (Ball mill)
55.	Paints and varnishes (mixing and blending)
56.	Ply wood manufacturing (including Veneer and laminate) using the fuel such as wood or coal or any other authorized fuel with or without resin plant
57.	Potable alcohol ( IMFL) by blending, bottling of alcohol products
58.	Printing ink manufacturing
59.	Printing press

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
60.	Reprocessing of waste plastic including PVC
61.	Rolling mill (oil or coal fired) and cold rolling mill
62.	Spray painting, paint baking, paint shipping
63.	Steel and steel products using various furnaces like blast furnace /open hearth furnace/induction furnace/arc furnace/submerged arc furnace /basic oxygen furnace /hot rolling reheated furnace
64.	Stone crushers
65.	Surgical and medical products including prophylactics and latex
66.	Tephlon based products
67.	Thermocol manufacturing ( with boiler)
68.	Tobacco products including cigarettes and tobacco/opium processes
69.	Transformer repairing/ manufacturing ( dry process only)
70.	Tyres and tubes vulcanization/ hot retreating
71.	Vegetable oil manufacturing including solvent extraction and refinery /hydrogenated oils without waste water generation or having quantity of waste water generation up to 100 KLD
72.	Wire drawing and wire netting
73.	Dry cell battery ( excluding manufacturing of electrodes) and assembling & charging of acid lead battery on micro scale
74.	Pharmaceutical formulation and for R & D purpose ( For sustained release/ extended release of drugs only and not for commercial purpose)
75.	Synthetic resins
76.	Synthetic rubber excluding molding
77.	Cashew nut processing
78.	Coffee seed processing
79.	Parboiled Rice Mills having quantity of waste water generation up to 100 KLD or fuel consumption up to 12 MTD or both
80.	Foam manufacturing
81.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Used Oil - As per specifications prescribed from time to time.
82.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Waste Oil ---As per specifications prescribed from time to time.
83.	Producer gas plant using conventional up drift coal gasification ( linked to rolling mills glass and ceramic industry refectories for dedicated fuel supply)
84.	Health care establishments (As defined in BMW Rules) having waste water generation less than 100 KLD without incinerator
85.	Airport and commercial air strips having discharge less than 100 KLD
86.	Railway locomotive workshop/Integrated road transport workshop/Authorized service centers (having waste-water generation < 100 KLD)
87.	Manufacturing of pasted veneers using coal/wood scrap boiler or thermic fluid heater and by sun drying
88.	Cardboards and Millboards
89.	Strawboards
90.	Formulation of pesticides/ insecticides
91.	Recycling / Pyrolysis plants of waste pneumatic tyres/tyre scrap

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
92.	Screening plants
93.	Surgical cotton industries
94.	Inorganic Chemical Compounds such as Chlorides/Sulphates/Sulphites/Niterates/Oxides/Flourides/ Stearates of metals/Cations
95.	Sodium and other silicates manufacturing
96.	Cotton coated fabrics including printing and lamination (Rexene)
97.	Friction dust
98.	Brake lining/ Disc brake pad
99.	Chlorinated paraffin wax/plasticizers
100.	Sewage treatment plants having capacity 10 KLD or more but less than 100 KLD
101.	Infrastructure development projects having overall liquid Waste generation 100 KLD or more
102.	Dismantling of E-Waste
103.	Flour mills generating trade effluent
104.	Distilled water units using boiler or furnace as heating source
105.	Construction and Demolition (C&D) Waste processing and recycling units
106.	Garment/ Apparel manufacturing units having only garment washing, with or without boiler except bleaching, dyeing, printing, coloring
107.	Lithium Ion battery manufacturing units or assembling of Lithium Ion batteries with or without charging, having overall liquid waste generation of 100 KLD and daily consumption of coal/fuel less than 12 MT/day or without use of any fuel in the process
108.	Railway Stations (Waste Water Generation $\geq 10$ KLD but $< 100$ KLD))
109.	Scrapping Centers (for end of life of vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.) a. Collection, de-pollution, dismantling centres and shredding centres b. Collection, de-pollution and dismantling centres c. shredding centres (can include white goods/other scraps also)
110.	Compressed/refined bio-gas production for bio-degradable wastes
111.	Dairy Farm having 15 animals and above (Stand alone or isolated)
112.	Gaushalas (having waste water generation $> 100$ KLD)

## Annexure-III

**List of Green Category of Industrial/ Non-Industrial Sector Sectors/Projects**

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
1.	Aluminium utensils from aluminium circles by pressing only (dry mechanical operation)
2.	Ayurvedic and homeopathic medicines (without boiler)
3.	Bakery /confectionery /sweets products (with production capacity <1tpd (with gas or electrical oven)
4.	Bi-axially oriented PP film along with metalizing operations
5.	Biomass briquettes (sun drying) without using toxic hazardous wastes
6.	Blending of melamine resins & different powder, additives by physical mixing
7.	Brass and bell metal utensils manufacturing from circles(dry mechanical operation without re-rolling facility)
8.	Candy
9.	Cardboard or corrugated box and paper products (excluding paper or pulp manufacturing and without using boilers)
10.	Carpentry & wooden furniture manufacturing (excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade, etc.
11.	Cement products (without using asbestos / boiler / steam curing) like pipe ,pillar, jafri, well ring, block/tiles etc.(should be done in closed covered shed to control fugitive emissions)
12.	Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process)
13.	Chilling plant, cold storage and ice making
14.	Coke briquetting ( sun drying)
15.	Cotton spinning and weaving (small scale)
16.	Dal Mills
17.	Decoration of ceramic cups and plates by electric furnace
18.	Digital printing on PVC clothes
19.	Facility of handling, storage and transportation of food grains in bulk
20.	Flour mills/Atta Chakki (dry process) running on commercial mode with packing facility of Atta for selling it into market (having wheat cleaning process and fugitive dust)
21.	Glass , ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln
22.	Glue from starch (physical mixing) with gas / electrically operated oven /boiler.
23.	Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month)
24.	Heat treatment with any of the new technology like ultrasound probe , induction hardening , ionization beam, gas carburizing etc.
25.	Insulation and other coated papers (excluding paper or pipe manufacturing)
26.	Leather foot wear and leather products (excluding tanning and hide processing except cottage scale)

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
27.	Lubricating oil, greases or petroleum based products (only blending at normal temperature)
28.	Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying
29.	Oil mill Ghani and extraction ( no hydrogenation / refining)
30.	Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn
31.	Phenyl/toilet cleaner formulation and bottling
32.	Polythene and plastic processed products manufacturing (virgin plastic)
33.	Poultry Farms handling one lac or more birds at a given time in single location and Hatchery & Piggery irrespective of no. of birds/animals
34.	Power looms (without dye and bleaching)
35.	Puffed rice (muri) (using gas or electrical heating system)
36.	Pulverization of bamboo and scrap wood
37.	Ready mix cement concrete irrespective of investment cost
38.	Reprocessing of waste cotton
39.	Rice mill (Rice hullers only)
40.	Rolling mill ( gas fired) and cold rolling mill
41.	Rubber goods industry (with approved fuel operated baby boiler)
42.	Saw mills
43.	Soap manufacturing (hand made without steam boiling / boiler)
44.	Spice grinding (up to 20 HP motor)
45.	Spice grinding (>20 HP motor)
46.	Steel furniture without spray painting
47.	Steeping and processing of grains
48.	Tyres and tube retreating (without boilers)
49.	CO2 recovery
50.	Distilled water ( without boiler) with electricity as source of heat
51.	Hotels (up to 20 rooms and without boilers)
52.	Manufacturing of optical lenses (using electrical furnace)
53.	Mineralized water
54.	Tamarind powder manufacturing
55.	Cutting, sizing and polishing of marble stone
56.	Emery powder ( fine dust of sand) manufacturing
57.	Flyash export, transport & disposal facilities
58.	Mineral stack yard / Railway sidings
59.	Oil and gas transportation pipeline
60.	Seasoning of wood in steam heated chamber
61.	Synthetic detergent formulation
62.	Tea processing ( with boiler)
63.	Modular wooden furniture from particle board, MDF< swan timber etc, Ceiling tiles/ partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making (Without boiler)
64.	LPG bottling plants
65.	Sewage treatment plants having capacity less than 10 KLD
66.	Infrastructure development projects having overall liquid Waste generation less than 100 KLD

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
67.	Industrial inorganic gases namely- a) Chemical gas- Acetylene, hydrogen, chlorine, fluorine, ammonia, sulphur dioxide, ethylene, hydrogen-sulphide, phosphine b) Hydrocarbon gases- Methane, ethane, propane
68.	Automobiles manufacturing outsourcing all of the polluting activities.
69.	Refurbishing of used electrical and electronic equipments
70.	Manufacturing of bakelite molded components
71.	Railway Stations (Waste Water Generation <10 KLD)
72.	Gaushalas (having waste water generation <100 KLD)
73.	Compressed/refined bio-gas production for bio-degradable wastes (No waste water discharge from digester and also feed slurry to digester having volatile organic fraction more than 75%)

## Annexure-IV

**List of White Category of Industrial/ Non-Industrial Sector Sectors/Projects**

<b>Sr. No.</b>	<b>Industrial/ Non-Industrial Sector Sector/Project</b>
1.	Assembly of air coolers /conditioners ,repairing and servicing
2.	Assembly of bicycles ,baby carriages and other small non motorizing vehicles
3.	Bailing (hydraulic press)of waste papers
4.	Bio fertilizer and bio-pesticides without using inorganic chemicals
5.	Biscuits trays etc from rolled PVC sheet (using automatic vacuum forming machines)
6.	Blending and packing of tea
7.	Block making of printing without foundry (excluding wooden block making)
8.	Chalk making from plaster of Paris (only casting without boilers etc. (sun drying / electrical oven)
9.	Compressed oxygen gas from crude liquid oxygen (without use of any solvents and by maintaining pressure & temperature only for separation of other gases)
10.	Cotton and woolen hosiers making (Dry process only without any dyeing / washing operation)
11.	Diesel pump repairing and servicing (complete mechanical dry process)
12.	Electric lamp ( bulb) and CFL manufacturing by assembling only
13.	Electrical and electronic item assembling ( completely dry process)
14.	Engineering and fabrication units (dry process without any heat treatment / metal surface finishing operations / painting)
15.	Flavoured betel nuts production/ grinding (completely dry mechanical operations)
16.	Fly ash bricks/ block manufacturing
17.	Fountain pen manufacturing by assembling only
18.	Glass 51yde151es and vilas making from glass tubes
19.	Glass putty and sealant (by mixing with machine only)
20.	Ground nut decorticating
21.	Handloom/ carpet weaving (without dyeing and bleaching operation)
22.	Leather cutting and stitching (more than 10 machine and using motor)
23.	Manufacturing of coir items from coconut husks
24.	Manufacturing of metal caps containers etc
25.	Manufacturing of shoe brush and wire brush
26.	Medical oxygen
27.	Organic and inorganic nutrients (by physical mixing)
28.	Organic manure (manual mixing)
29.	Packing of powdered milk
30.	Paper pins and u clips
31.	Repairing of electric motors and generators (dry mechanical process)
32.	Rope (plastic and cotton)
33.	Scientific and mathematical instrument manufacturing
34.	Solar module non conventional energy apparatus manufacturing unit
35.	Solar power generation through solar photovoltaic cell, wind power and mini

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
	hydel power (less than 25 MW)
36.	Surgical and medical products assembling only (not involving effluent / emission generating processes)
37.	Automobile fuel outlets (only dispensing)
38.	Diesel generator sets having total capacity 1 MVA or less and equipped with acoustic enclosures alongwith adequate stack height
39.	Almirah, Grill Manufacturing without painting operation (Dry Mechanical Process)
40.	Health care Establishments i.e hospitals/clinics without indoor facilities and having only OPD consultancy
41.	Printing presses without involving water polluting process
42.	Garment / Apparel units involving only stitching process, without discharge of effluent and Air emissions from process
43.	Poultry Farms handling less than one lac birds. (Environmental guidelines issued by Haryana Government/CPCB for poultry farms shall be applicable)
44.	Atta chakki for personal use with dry process without involving wheat cleaning process and fugitive dust emission
45.	Compressed/refined bio-gas production for bio-degradable wastes [Domestic bio-digesters based on cow dung or house hold biodegradable waste (such as gobar gas plant)]

**Annexure-V****Check List of documents for obtaining consent to establish (CTE) under  
Water Act, 1974 / Air Act, 1981****I. 1<sup>st</sup> Consent to Establish**

1. Online application
2. Proof of deposit of NOC/CTE fee and performance security.
3. C.A. Certificate regarding capital investment cost w.r.t. land, building, plant and machinery of the proposed project.
4. Fard Jamabandi and Intkal of land of the unit, in case unit is located outside approved industrial area/estate.
5. Power of attorney/authority letter to sign the application.
6. Allotment letter of the plot issued from the concerned authority in case of approved industrial area.
7. Manufacturing process and process Flow Chart.
8. Design Scheme of Effluent Treatment Plant/ Sewage treatment Plant, Air Pollution Control Devices / Hazardous Waste Management as applicable, with Hydraulic Design and design calculations based upon the Pollution load and prescribed standards.  
In case of Brick kilns, design and drawing of high draft Zig Zag technology based Kiln and stack.
9. Report of Tehsildar and District Forest Officer regarding Kism of land through Deputy Commissioner, for areas covered under Aravali Notification, if applicable. In case the land falls in the industrial estate / area and HUDA sectors, the report of Regional Officers will be taken regarding applicability of Aravali Notification (only for District Gurugram and Nuh).
10. Clearance/ permission in case of the projects falling in the revenue estates covered in the Notification no. 191(E) dt. 27.08.2010 issued by Ministry of Environment, and Forest, Government of India regarding protected area of Sultanpur National Park in District Gurgaon.
11. Proof of receipt of application submitted to the Forest Department for clearance / permission /NOC, of Forest Department.
12. Report of Revenue Department / Forest Department & other concerned departments regarding sitting parameters in respect of Stone Crushers, Hot Mix Plants, Screening Plants, Pulverizes, Poultry Farms and License of DFSC in Case of brick Kilns.
13. Change of land use permission/license/NOC certificate from the Town & Country Planning Department or respective Municipal or other Authority or village Panchayat, as the case may be.
14. Lease deed/ Rent Agreement in case land is taken on rent or lease, Collaboration deed in case of construction projects, if applicable (duly registered with revenue authorities).
15. Copy of Environmental Clearance in case of the projects covered under, EIA Notification dated 14.09.2006.
16. Copy of MOA / partnership Deed / Trust Deed, as applicable having the name and address of Directors/Partners.
17. Declaration by the unit regarding awareness about pollution control related standards and law and undertaking for their compliance, as

per Annexure-VII.

18. Site plan of the unit in case it is located outside approved industrial area.
19. Layout plan showing the details of all manufacturing processes, location of stacks/ chimneys, ETP/ STP, APCM, Hazardous Waste storage and treatment facilities, tube wells, Water supply lines, Effluent drains and final outlets for the disposal of the effluent.

## II. Renewal/Extension of Consent to Establish

1. Online application for renewal of CTE with declaration on prescribed Performa (Annexure-VIII).
2. Proof of deposit of NOC/CTE fees (as per schedule available on the web-site of the Board i.e. [www.hspcb.gov.in](http://www.hspcb.gov.in))
3. Copy of 1st CTE & previous renewed CTE (if any).
4. Power of Attorney/authority letter to sign the application.
5. Progress report regarding construction of project and installation of pollution control measures/devices, as per scheme submitted while obtaining 1st CTE.
6. Valid license or proof of submission of application for renewal of license to Town and Country Planning Department or any other concerned authority, in case of Building and construction projects and Township and Area Development projects.

## III. Consent to Establish for expansion of the existing project

Apart from the documents required for obtaining 1st CTE and NOC/fee, following additional documents are required to be submitted along with application for CTE for expansion of projects:-

1. Copy of valid CTO under Water Act, 1974/ Air Act, 1981 and Authorization under Hazardous Waste Management Rules (if applicable) for the existing project.
2. Latest inspection report and analysis reports of effluent/ air emissions/ noise (as applicable), conducted by Board officers for the mandatory inspection, if conducted.
3. Copy of fresh analysis reports of effluent/air emissions/ noise, analyzed from Board's lab/recognized lab. (not more than 03 month old)
4. Declaration regarding compliance of prescribed standards for discharge of environmental pollutants in the existing operating project of the unit as per **Annexure -XIII**.

## Annexure-VI

**Performance Security prescribed for obtaining the Consent to Establish.****a) Performance Security as per investment cost of the projects (other than mentioned at Sr. No. b).**

Sr. No.	Capital Investment Cost of the project (Cost of land, building, Plant and Machinery)	Red Category (in Rs.)	Orange Category (in Rs.)	Green Category (in Rs.)
1.	Upto 0.5 crore	25,000/-	12,500/-	5,000/-
2.	Above 0.5 crore upto 1.00 crore	50,000/-	25,000/-	10,000/-
3.	Above 1.0 crore upto 5.00 crore	1,00,000/-	75,000/-	25,000/-
4.	Above 5.0 crore upto 10.00 crore	2,00,000/-	1,50,000/-	50,000/-
5.	Above 10.00 crore upto 50.00 crore	3,00,000/-	2,00,000/-	1,00,000/-
6.	Above 50.00 crore upto 100.00 crore	4,00,000/-	2,50,000/-	1,25,000/-
7.	Above 100.00 crore	5,00,000/-	3,00,000/-	1,50,000/-

**b) Performance Security for specific projects irrespective of investment cost**

1. Hot Mix Plants/ Stone Crushers/ Screening Plants : 50,000/-
2. Brick Kilns : 25,000/-
3. Mining Projects:-
  - a) More than ten Hectares : 5.0 lac
  - b) Five to ten Hectares : 2.5 lac
  - c) Less than five Hectares : 1.0 lac

**Annexure-VII****Declaration by the applicant for obtaining I<sup>st</sup> CTE**

I, \_\_\_\_\_ S/o/D/o/W/o \_\_\_\_\_ resident of \_\_\_\_\_ declare and affirm as under:-

1. That I am the Partner/Director/Manager/Occupier/Proprietor of the unit M/s \_\_\_\_\_.
2. That I am aware of the provisions of Water Act, 1974, Air Act, 1981 and HOWM Rules, 2016, Rules and procedure framed there under and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986 and shall comply with the same.
3. That we shall comply with all the provisions of Water Act, 1974, Air Act, 1981 and Rules framed there under HOWM Rules, 2016 and standards/norms prescribed for discharge of pollutants under EP Rules, 1986 after commissioning of our unit.
4. That we have not started the work at the site for construction of plant and installation of machinery of our project and will also not start the same before obtaining the consent to establish under Water Act, 1974 and Air Act, 1981 from the Haryana State Pollution Control Board.
5. That the work for construction and installation of pollution control measures will be done side by side while doing the construction and installation of the main plant of the unit and will not start the production without installing proper and adequate pollution control measure as per scheme enclosed and without obtaining prior consent to operate from the Board.
6. In case of the non compliance of the above undertaking or false declaration found at any stage, the Board will be at liberty to forfeit the performance security amounting to Rs. \_\_\_\_\_ deposited along with the CTE application through online payment gateway or in the form of Demand Draft no. \_\_\_\_\_ dated \_\_\_\_\_ issued by \_\_\_\_\_ (Bank) besides taking any other legal action under the provision of Water Act, 1974 & Air Act, 1981.
7. That we shall comply with all the terms & conditions of consent to establish to be issued by the Board.

**Deponent/Applicant**

**Dated:**

**Annexure-VIII****Format of the application for auto renewal of the consent to establish under Water Act, 1974 / Air Act, 1981.**

To

The Chairman,  
Haryana State Pollution Control Board,  
C-11, Sector 6, Panchkula.

**Sub: Application for auto-renewal of the consent to establish under Water Act, 1974 / Air Act, 1981- Self certification.**

**Ref: Consent to establish issued by the Board vide letter no. \_\_\_\_\_ dated \_\_\_\_\_ valid up to \_\_\_\_\_.**

Sir,

We are submitting herewith application for auto renewal of our consent to establish under Water Act, 1974 / Air Act, 1981 granted by your Board vide letter under reference, along with the prescribed NOC fees for the same and the following declaration and undertaking as per policy of your Board :-

1. That we have a valid consent to establish under Water Act, 1974 / Air Act, 1981 issued by HSPCB vide above referred letter validity upto \_\_\_\_\_, copy of which is enclosed herewith.
2. That the present details of the manufacturing process and other informations /data of our unit are same as submitted / provided to the Board earlier with original application for obtaining original Consent to Establish referred above and therefore the same may be considered for present application for renewal of consent to establish for another period w.e.f. \_\_\_\_\_ to \_\_\_\_\_.
3. That the proposed capital investment cost of our industry/ project, as per documents submitted with earlier application for consent to establish granted by HSPCB vide above referred letter, was Rs. \_\_\_\_\_ lacs, which will remain the same and will not be increased in terms of land, building and plant and machinery, without prior information / permission of the HSPCB.
4. That there will be no change in the raw material, process, products, quantity of effluent, source of air emissions, scheme of pollution control measures and increase in production or pollution load and will remain same as submitted in original application for consent to establish.
5. That we shall deposit the balance NOC fees if found due at any later stage due to increase in capital investment cost on land, building, plant and machinery.
6. That we are complying with the conditions of consent to establish granted earlier vide letter under reference and further undertake to comply with further conditions if any imposed by HSPCB in future.
7. That we shall install all the required pollution control measures and devices as per scheme / proposal already submitted by us with our original application for consent to establish upto the satisfaction of the Board side by side in proportionate to the construction of the project and before the commissioning of the unit failing which Board will be at liberty to forfeit the

performance security deposited by us with the Board in this regard beside taking legal action under the provisions of relevant Acts/Rules applicable to our unit.

8. That we shall not start even trial production without obtaining prior consent to operate for trial production from the HSPCB.
9. That we shall provide all the arrangements for sampling of air emissions and effluent as prescribed by the Board and online monitoring systems as directed by the HSPCB/CPCB from time to time, in our unit before starting even trial production.
10. That in case our unit is not fully established within the validity period of extension of CTE, than we shall apply afresh for obtaining new CTE, 90 days before the expiry of the renewed CTE.
11. That we are complying and shall comply with all the conditions of Environmental Clearance (in case unit is covered under EIA notification dated 14.09.2006.)
12. That we shall comply with all the relevant provisions of water Act, 1974, Air Act, 1981, EPA, 1986 and Rules made their under including Hazardous Waste (MH&TM) Rules, 2008 applicable to our unit.
13. That we undertake that auto renewal of consent to establish will not prevent the HSPCB for taking coercive action against us if our unit fails to comply the prescribed standards or conditions of consent to establish granted and renewed to our unit or only applicable provision of Water Act, 1974, Air Act, 1981 and EPA, 1986 and Rule made their under.
14. That the declaration and undertaking given above has the approval of all the partners / Board of Directors / owners of the industry / project and copy of resolution of the Board / power of attorney in the regard is attached herewith.

It is therefore requested that the consent to establish may kindly be renewed/extended further for another period w.e.f. \_\_\_\_\_ to \_\_\_\_\_.

Dated: \_\_\_\_\_

Authorized Signatory

Name and Designation  
with phone no., email address  
and seal of the company

**Annexure-IX****Undertaking by those units which have been granted CTE but do not want to continue the work for construction and installation of their project beyond the validity period of their CTE.**

I, \_\_\_\_\_ S/o/D/o/W/o \_\_\_\_\_ in the capacity of \_\_\_\_\_ of M/s \_\_\_\_\_ undertake as under:-

1. That I am the Partner/Director/Manager/Occupier/Proprietor of the unit M/s \_\_\_\_\_.
2. That our unit have been granted consent to establish by the Board under Water Act, 1974 /Air Act, 1981 vide Letter no. \_\_\_\_\_ dated \_\_\_\_\_ valid up to \_\_\_\_\_.
3. That the detail about the status of our project constructed and established till date is attached herewith.
4. That we do not want to continue the work for construction and installation of our project beyond the validity period of consent to establish granted by the Board at this stage.
5. That we shall apply for extension of consent to establish as and when the remaining work for construction and installation of the project is proposed to be started well in advance and will not start the construction and installation work of the project without further extension of the consent to establish from the Board.

Dated: \_\_\_\_\_

Authorized Signatory

Name and Designation  
with phone no., email address  
and seal of the company

## Check list of documents for obtaining I<sup>st</sup> consent to operate (CTO)

### I. 1st Consent to Operate

1. Online consent application.
2. Power of attorney/authority letter to sign the application.
3. Proof or deposit of required and applicable consent fee, as per schedule available on the web-site [www.hspcb.gov.in](http://www.hspcb.gov.in).
4. Collection and testing fee prescribed by the Board as per schedule available on the web-site of the Board, for analysing the samples of effluent/ Air emissions/ Noise level of DG sets, as applicable, for all sources. (Analysis report of air emissions from all sources including diesel engines of capacity more than 0.8MW (800kW) for power plants and generator sets will be required).
5. Copy of balance sheet duly attested by CA or CA certificate w.r.t. capital investment cost of the unit for the preceding year. (Capital investment cost should include the original cost of land, building, plant & machinery without depreciation but with upto date additions. The cost of land and building should be included in the capital investment cost even if it is on lease or rent or mortgage).
6. MOA / partnership Deed / Trust Deed (if changed).
7. Layout plan showing the details of all manufacturing processes, location of stacks/ chimneys, ETP/ STP, APCM, Hazardous Waste storage and treatment facilities, tube wells, Water supply lines, Effluent drains and final outlets for the disposal of the effluent.
8. Permission of the concerned authorities for disposal of the effluent in to sewer/drain etc.
9. Detail of land in case the effluent is discharged on land for percolation or for irrigation along with copy of registered agreement made with the land owners in case the land belong to the persons other then the land of the applicant unit.
10. Detail of ETP/STP, APCM, acoustic enclosure, Hazardous Waste Management Facilities installed in the unit along with their size, specification and capacity.
11. In case of industries/projects/establishments handling Hazardous Chemicals having threshold quantities mentioned in schedule II and III of MSIHC, Rules, 1989 and covered under rule 10 & 13 of these Rules, proof of submission of safety audit report duly audited with the help of an expert, atleast 90 days before commencing the activity and onsite emergency plan alongwith report of the mock drill of the same to Chief Inspector of Factories alongwith copy of the same. (Required as per instructions of MOEF & CC issued vide letter No. 14-7(382)/2010-HSMD dated 09.03.2016).
12. Occupation certificate issued by Town & Country Planning Department, in case of Building & construction projects/area development projects.

### II. Renewal of consent to operate

1. Online application for renewal of CTO on prescribed Performa (Annexure-XI).
2. Proof of deposit of required and applicable consent fee (as per schedule available on the web-site [www.hspcb.gov.in](http://www.hspcb.gov.in)).
3. Copy of previous CTO.
4. Power of attorney/authority letter to sign the application.
5. Copy of balance sheet duly attested by CA or CA certificate w.r.t. capital investment cost of the unit for the preceding year. (Capital investment cost should include the original cost of land, building, plant & machinery without depreciation but with upto date additions. The cost of land and building should be included in the capital investment cost even if it is on lease or rent or mortgage).
6. Latest inspection report and analysis reports of effluent/ air emissions/ noise conducted by Board officer (s) for the mandatory inspection, if conducted.
7. Copy of fresh analysis reports of effluent/air emissions/ noise analyzed from Board's lab/recognized lab. (not more than 03 months old)
8. Environment Statement in Form V for the financial year ending on 31<sup>st</sup> March (required in compliance of Rule 14 of EP Rules, 1986).
9. In case of industries/projects/establishments handling Hazardous Chemicals having threshold quantities mentioned in schedule II and III of MSIHC, Rules, 1989 and covered under rule 10 & 13 of these Rules, proof of submission of updated safety audit report duly audited with the help of an expert, annually and up to date onsite emergency plan alongwith report of the mock drill of the same to Chief Inspector of Factories alongwith copy of the same, (Required as per instructions of MOEF & CC issued vide letter No. 14-7(382)/2010-HSMD dated 09.03.2016).
10. Permission of the concerned authorities for disposal of the effluent in to sewer/drains etc (in case not submitted earlier).
11. Detail of land in case the effluent is discharged on land for percolation or for irrigation along with copy of registered agreement made with the land owners in case the land belong to the persons other then the land of the applicant unit (in case not submitted earlier).
12. Copy of logbook for last 03 months maintained for operation of ETP/STP/APCM for the record of energy and chemical consumption, quantity of effluent at inlet and outlet of ETP/STP supported with readings of magnetic flow meters alongwith quantity of treated effluent recycled/reused in the process, utilized in the premises and discharged, mode of disposal.

## Annexure-XI

**Format of the application for auto renewal of the consent to operate under Water Act, 1974 / Air Act, 1981.**

To

The Member Secretary,  
Haryana State Pollution Control Board,  
C-11, Sector 6, Panchkula.

**Sub: Application for auto-renewal of the consent to operate for the period \_\_\_\_\_ under Water Act, 1974 / Air Act, 1981.**

Sir,

It is submitted that we had been granted the consent to operate under Water Act, 1974 / Air Act, 1981 upto \_\_\_\_\_ by the Board vide letter No. \_\_\_\_\_ dt. \_\_\_\_\_ and No. \_\_\_\_\_ dt. \_\_\_\_\_ respectively. Now we are submitting our application for auto renewal of the consent to operate under Water Act, 1974 / Air Act, 1981 for the period \_\_\_\_\_ to \_\_\_\_\_, along with the prescribed consent fees for the same and with the following declaration and undertaking as per policy of your Board :-

1. That we have valid consent to operate under Water Act, 1974 / Air Act, 1981 upto \_\_\_\_\_ issued by HSPCB vide above referred letters, copies of which are enclosed herewith.
2. That the present details of the manufacturing process and other informations / data of our unit are same as submitted / provided by the Board earlier with original application for obtaining previous Consent to operate referred above and therefore the same may be considered for present application for renewal of consent to operate for further period w.e.f. \_\_\_\_\_ to \_\_\_\_\_.
3. That the capital investment cost on land, building, plant and machinery of our industry/ project without charging depreciation and with upto date additions as on \_\_\_\_\_ is Rs. \_\_\_\_\_ lacs and the consent fees has been deposited according to the said capital investment cost of our unit. We undertake to deposit the balance consent fees if any found due at any stage due to increase in the investment cost on Land, Building, Plant and Machinery of our unit at any later stage.
4. That we are complying with the conditions of previous consent to operate granted to our unit by the Board valid upto \_\_\_\_\_ and also complying with all the standards / norms prescribed under EP Rules, 1986 for discharge of environmental pollutants, by operating our pollution control devices regularly and effectively.
5. That there will be no change in the raw material, process, products, quantity of effluent, source of air emissions, technology of pollution control measures and increase in production or pollution load and will remain same as submitted in the previous application for consent to operate.

6. That we shall keep on operating and maintaining our pollution control measures / devices regularly and effectively and will maintain and keep all the parameters within standards / norms prescribed under EP Rules, 1986.
7. That we are submitting herewith the copy of the latest inspection report and analysis report of effluent/ air emissions/ noise conducted by the Board's officers on \_\_\_\_\_ alongwith copy of fresh analysis reports of effluent/ air emissions/ noise analyzed from Board's laboratory/ recognized laboratory, showing the compliance of prescribed standards.
8. We undertake to comply with all the conditions of renewal of consent to operate to be imposed by the Board if any.
9. That we shall comply with all the relevant provisions of water Act, 1974 and Air Act, 1981.
10. We undertake that auto renewal of consent to operate will not prevent the Board for taking coercive action against us if our unit fails to comply with the prescribed standards or conditions of consent granted during auto renewal of the same.
11. The undertaking has the approval of the Board of Directors/ Partner/Owner of the industry/project and copy of the resolution of the Board/ Power of Attorney is attached herewith.

It is therefore requested that the consent to operate under Water Act, 1974/ Air Act, 1981 may kindly be renewed further for another period w.e.f. \_\_\_\_\_ to \_\_\_\_\_.

Dated: \_\_\_\_\_

Authorized Signatory

Name and Designation  
with phone no., email address  
and seal of the company

## Annexure – XII

**Checklist of documents for obtaining Consent to Operate (CTO) by the Industrial/ Non-Industrial Sector/Project/Unit already existing and operating before 14.07.2016 which were not covered previously under consent management as per notification dated 15.04.2014 amended from time to time or earlier but have been covered under consent management first time w.e.f. 14.07.2016 as per revised categorization of industrial sectors for consent management.**

1. Online consent application.
2. Power of attorney/authority letter to sign the application.
3. Proof or deposit of required and applicable consent fee, as per schedule available on the web-site www.hspcb.gov.in.
4. Collection and testing fee prescribed by the Board as per schedule available on the web-site of the Board, for analysing the samples of effluent/ Air emissions/ Noise level of DG sets, as applicable, for all sources. (Analysis report of air emissions from all sources including diesel engines of capacity more than 0.8MW (800kW) for power plants and generator sets will be required).
5. Copy of balance sheet duly attested by CA or CA certificate w.r.t. capital investment cost of the unit for the preceding year. (Capital investment cost should include the original cost of land, building, plant & machinery without depreciation but with upto date additions. The cost of land and building should be included in the capital investment cost even if it is on lease or rent or mortgage).
6. MOA / partnership Deed / Trust Deed (if changed).
7. Layout plan showing the details of all manufacturing processes, location of stacks/ chimneys, ETP/ STP, APCM, Hazardous Waste storage and treatment facilities, tube wells, Water supply lines, Effluent drains and final outlets for the disposal of the effluent.
8. Permission of the concerned authorities for disposal of the effluent in to sewer/drain etc.
9. Detail of land in case the effluent is discharged on land for percolation or for irrigation along with copy of registered agreement made with the land owners in case the land belong to the persons other then the land of the applicant unit.
10. Detail of ETP/STP, APCM, acoustic enclosure, Hazardous Waste Management Facilities installed in the unit along with their size, specification and capacity.
11. Fard Jamabandi and Intkal of land of the unit in case unit is located outside approved industrial area/estate.
12. Allotment letter of the plot issued from the concerned authority in case of approved industrial area/estate.
13. Manufacturing process and process Flow Chart.
14. Report of Tehsildar and District Forest Officers regarding Kisam of land through Deputy Commissioner for areas covered under Aravali Notification, if applicable. In case the land falls in the industrial estate / area and HUDA sectors, the report of Regional Officers will be taken regarding applicability of Aravali Notification (only for Gurugram and Nuh District).
15. Clearance/ permission in case of the projects falling in the revenue estates covered in the Notification no. 191(E) dt. 27.08.2010 issued by Ministry of Environment, and Forest, Government of India regarding protected area of

Sultanpur National Park in District Gurgaon.

16. Change of land use permission/license/NOC certificate from the Town & Country Planning Department or respective Municipal or other Authority or Panchayat as the case may be.
17. Lease deed/ Rent Agreement duly registered with revenue authorities, in case land is taken on lease/rent.
18. Site plan of the unit in case it is located outside approved industrial area.
19. Environment Statement in Form V for the financial year ending on 31st March. (required in compliance of Rule 14 of EP Rules, 1986).
20. Proof of submission of updated safety audit report duly audited with the help of an expert, annually and up to date onsite emergency plan alongwith report of the mock drill of the same to Chief Inspector of Factories alongwith copy of the same, in case of industries/projects/establishments handling Hazardous Chemicals having threshold quantities mentioned in schedule II and III of MSIHC, Rules, 1989 and covered under rule 10 & 13 of these Rules. (Required as per instructions of MOEF & CC issued vide letter No. 14-7(382)/2010-HSMD dated 09.03.2016).
21. Copy of logbook for last 03 months maintained for operation of ETP/STP/APCM for the record of energy and chemical consumption, quantity of effluent at inlet and outlet of ETP/STP supported with readings of magnetic flow meters alongwith quantity of treated effluent recycled/reused in the process, utilized in the premises and discharged, mode of disposal.

**Annexure-XIII****Declaration by the applicant for obtaining CTE for expansion of the project.**

I, \_\_\_\_\_ S/o/D/o/W/o \_\_\_\_\_ resident of \_\_\_\_\_ declare and affirm as under:-

1. That I am the Partner/Director/Manager/Occupier/Proprietor of the unit M/s \_\_\_\_\_.
2. That we are operating pollution control devices in our industry regularly and effectively and meeting the standards prescribed under Environment (Protection) Rules, 1986 for discharge of pollutants into the atmosphere, which will be maintained in future also.
3. That we shall install the required and adequate pollution control devices for the expansion project in our industry before commissioning the production and will also obtain prior consent to operate before starting trial production in our expansion project.
4. In case of the non compliance of the above undertaking or false declaration found at any stage, the Board will be at liberty to forfeit the performance security amounting to Rs. \_\_\_\_\_ deposited along with the CTE application through online payment gateway or in the form of Demand Draft no. \_\_\_\_\_ dated \_\_\_\_\_ issued by \_\_\_\_\_ (Bank) besides taking any other legal action under the provision of Water Act, 1974 & Air Act, 1981.
5. That we shall comply with all the terms & conditions of consent to establish to be issued by the Board.

**Deponent/Applicant****Dated:**

## Annexure-A

**Performa for submission of application by the units for change of their name in the record of HSPCB as per the change in the permission granted by the competent authority.**

**(In case of change of name of unit without change in ownership/process/raw material/products)**

1.	Name & address of the unit registered with the Board	:	
2.	New name of the unit after change as per registration certificate issued from the registration authority i.e. Deptt. of Industries & Commerce/Registrar of companies/Societies etc.	:	
3.	Name and designation of authorized signatory of the applicant unit.	:	
4.	Reasons for the change in the name of the unit	:	
5.	Competent authority for change of name of the unit	:	
6.	Letter no. and date of authority granted the permission for change of name	:	
7.	Status of CTO/authorization of the old unit with validity if granted; (a) Under Water Act, 1974 (b) Under Air Act, 1981 (c) Under HOWM Rules, 2008/2016 (d) Any other applicable Rules	:	
8.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	:	
9.	Capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit.	:	
10.	Detail of CTE/NOC fees; (i) Amount required to be deposited as per fee structure (in Rs.) (ii) Deposited amount with detail of DD No., date and Bank/online transaction no./date. (iii) Balance amount, if any	:	
11.	Manufacturing process, raw materials and products of the unit.	:	
12.	Detail of change in name, ownership or transfer of interest of the unit, if any done in the past	:	
13.	Detail of supporting documents attached (as per checklist)	:	

14.	Declaration; (i). That I am the authorized signatory of my unit to submit this application. (ii). That there is/will be no change in the ownership/ manufacturing process /raw materials/ products of the industry and in case of any such change is proposed in future, prior consent to establish and/or other required permissions will be taken from the HSPCB. (iii). That we shall comply with all the terms and conditions what so ever imposed by the Board while giving permission for change of name of the unit in the record of HSPCB.	:	
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**Date:**

**Place:**

**(Signature)**  
**Authorized Signatory**  
**(as per column no. 3)**

**Checklist of supporting documents to be submitted by the unit**

- a) Power of attorney/authorization letter
- b) Copy of latest CTO/Authorization
- c) Self declaration regarding no change in the ownership process/raw material/products of the unit.
- d) Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, with changed name of the unit.
- e) Proof of NOC/CTE fees deposited.
- f) Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, attested by CA.

## Annexure-B

**Performa for recommendation of Regional Officer regarding grant of permission for change of name of unit in record of HSPCB as per the change in the permission granted by the competent authority.**

**(In case of change of name of unit without change in ownership/process/raw material/products)**

1.	Name & address of the unit registered with the Board	
2.	New name of the unit after change as per registration certificate submitted by the unit issued from the registration authority.	
3.	Competent authority for change of name of unit	
4.	Reasons for the change in the name of the unit.	
5.	Status of Consent to establish/operate and authorization (as applicable) with validity if granted.	
6.	Letter no. and date of authority granted the permission for change of name	
7.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	
8.	Whether deposited the required and applicable CTE/NOC fees (Yes/No)	
9.	Amount of CTE/NOC fees deposited and mode of payment alongwith balance NOC fee if any.	
10.	Date of receipt of application and subsequent clarification submitted (if any) in Regional Office.	
11.	Date of submission of recommendation to Head Office.	
12.	Status of Registration of new name of unit with concerned authorities.	
13.	Detail of supporting documents submitted by the unit and attached with recommendation.	
14.	Whether submitted all the required documents by the unit as per checklist. If not then submit the detail of such documents not submitted.	
15.	Manufacturing process / raw materials /products of the unit.	
16.	Whether there is any change in the ownership, manufacturing process, raw material and products of the unit.	
17.	Recommendation of Regional Officer.	

**Dated:** \_\_\_\_\_

**Regional Officer**  
\_\_\_\_\_ **Region**

## Annexure-C

**Performa for submission of application for transfer of consent and interest from one industry to another industry due to sale or other reasons and replacement of their name and ownership in the record of HSPCB**

**(Without change in process/raw material/products)**

1.	Name & address of the existing unit registered with the Board	:	
2.	Name of the new unit transferred interest of the existing unit as per registration certificate issued from the registration authority i.e. Deptt. of Industries & Commerce/Registrar of companies/Societies etc.	:	
3.	Name and designation of authorized signatory of the applicant unit.	:	
4.	Competent authority for registration of name of unit.	:	
5.	Letter no. and date and authority where the unit registered its name.	:	
6.	Status of CTO/authorization of the existing unit with validity if granted; (a) Under Water Act, 1974 (b) Under Air Act, 1981 (c) Under HOWM Rules, 2008/2016 (d) Any other applicable Rules	:	
7.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	:	
8.	Capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, in case unit is taken on lease/ rent/mortgaged or based upon sale deed registered with revenue authorities, in case the existing unit has been sold.	:	
9.	Detail of CTE/NOC fees; (i) Amount required to be deposited as per fee structure (in Rs.) (ii) Deposited amount with detail of DD No., date and Bank/online transaction no./date. (iii) Balance amount, if any	:	
10.	Detail of change in ownership	:	
11.	Manufacturing process/raw materials/products of the unit.	:	
12.	Detail of change in name, ownership or transfer of interest of the unit, if any done in the past	:	
13.	Detail of supporting documents attached (as per checklist)	:	

14.	Declaration; (i). That I am the authorized signatory of my unit to submit this application. (ii). That there is/will be no change in the manufacturing process / raw materials /products of the industry and in case of any such change is proposed in future, prior consent to establish and/or other required permissions will be taken from the HSPCB. (iii). That we shall comply with all the terms and conditions what so ever imposed by the Board while transferring the consent/other clearances and giving permission for replacement of name of the unit in the record of HSPCB.	
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**Date:**

**Place:**

**(Signature)**  
**Authorized Signatory**  
**(as per column no. 3)**

**Name & address of  
 applicant unit:**

**Checklist of supporting documents to be submitted by the unit**

- a) Power of attorney/authorization letter
- b) Copy of latest CTO/Authorization
- c) Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, in favour of the new unit.
- d) Proof of NOC/CTE fees deposited.
- e) Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, in case unit is taken on lease/rent/mortgaged or based upon sale deed registered with revenue authorities, in case the existing unit has been sold.
- f) Copy of sale deed/rent deed/mortgaged deed/lease deed etc. as applicable registered from revenue authorities.
- g) Copy of fresh memorandum of article & association or partnership deed or proof of proprietorship, as the case may be of the new unit, transferred the interest of the industry.

## Annexure-D

**Performa for recommendation of Regional Officer regarding grant of permission for transfer of consent and interest from one industry to another industry due to sale or other reasons and replacement of their name and ownership in the record of HSPCB**

**(Without change in process/raw material/products)**

1.	Name & address of the applicant unit	
2.	Name & address of the existing unit registered with the Board	
3.	Name of the new unit transferred interest of the existing unit as per registration certificate issued from the registration authority.	
4.	Competent authority for registration of name of unit.	
5.	Date and authority where the unit registered its name.	
6.	Status of Consent to establish/operate and authorization (as applicable) with validity if granted.	
7.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	
8.	Whether deposited the required and applicable CTE/NOC fees (Yes/No)	
9.	Amount of CTE/NOC fees deposited and mode of payment alongwith balance NOC fee if any.	
10.	Date of receipt of application and subsequent clarification submitted (if any) in Regional Office.	
11.	Date of submission of recommendation to Head Office.	
12.	Status of Registration of name of new unit with concerned authorities.	
13.	Detail of supporting documents submitted by the unit and attached with recommendation.	
14.	Whether submitted all the required documents by the unit as per checklist. If not then submit the detail of such documents not submitted.	
15.	Manufacturing process / raw materials /products of the unit.	
16.	Whether there is any change in the manufacturing process / raw material /products of the unit.	
17.	Recommendation of Regional Officer.	

**Dated:** \_\_\_\_\_

**Regional Officer**  
\_\_\_\_\_ **Region**

## Annexure-E

**Performa for submission of proposal by the concerned Branch in Head Office dealing with consent management for the cases of permission for change of name of the units or for transfer of consent and interest from one industry to another industry due to sale or other reasons and replacement of their name and ownership in the record of HSPCB.**

1.	Subject:- (Type of case; Whether for grant of permission for change of nomenclature (name) of the unit without other changes <b>or</b> for transfer of consent and interest from one industry to another industry due to sale or other reasons and replacement of their name and ownership in the record of HSPCB.)	
2.	Regional Officer submitting the recommendation alongwith recommendation.	
3.	No. and date of letter vide which recommendation submitted	
4.	Date of receipt of application in Regional Office	
5.	Date of receipt of the case in Head Office	
6.	Name & address of the applicant unit	
7.	Name of the existing unit already registered with HSPCB	
8.	New name of the unit after change as per registration certificate submitted by the unit issued from the registration authority. (in case of change of name without other changes) <b>Or</b> Name of the new unit transferred interest of the existing unit as per registration certificate issued from the registration authority.	
9.	Whether deposited required and applicable NOC fee as per report of RO.	
10.	Status of CTO under Water Act/Air Act and authorization with validity if granted.	
11.	In case CTO/authorization applied and not decided then name of the unit (existing or new) applied CTO.	
12.	Whether submitted all the required documents as per checklist.	
13.	In case of shortcomings in the documents, detail of such documents	
14.	Status of Registration of new name/ new unit's name with competent authority with date	
15.	Competent authority for registration of name of unit.	
16.	Detail of change in name, ownership or transfer of interest of the unit, if any done in the past	

17.	Manufacturing process/raw materials/products of the unit.	
18.	Observation of the Branch.	
19.	Proposal of the Branch.	

**Checklist of documents****1. For only change of nomenclature (name) of the unit in the record of the Board:**

- (a) Power of attorney/authorization letter
- (b) Copy of latest CTO/Authorization
- (c) Self declaration regarding no change in the ownership process/raw material/products of the unit.
- (d) Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, with changed name of the unit.
- (e) Proof of NOC/CTE fees deposited.
- (f) Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, attested by CA.

**2. For transfer of interest of a person in his industry to any other person or Where an existing unit is purchased or taken on lease by another unit and the new unit apply to the Board for grant or renewal of CTE/CTO in his name:**

- (a) Power of attorney/authorization letter
- (b) Copy of latest CTO/Authorization
- (c) Copy of fresh registration certificate issued from Industries & Commerce Department or from Registrar of Companies/societies or from any other concerned authority, as the case may be, in favour of the new unit.
- (d) Proof of NOC/CTE fees deposited.
- (e) Proof of capital investment cost of the unit on land, building, plant & machinery (without depreciation) based upon latest balance sheet of the unit, in case unit is taken on lease/rent/mortgaged or based upon sale deed registered with revenue authorities, in case the existing unit has been sold.
- (f) Copy of sale deed/rent deed/mortgaged deed/lease deed etc. as applicable registered from revenue authorities.
- (g) Copy of fresh memorandum of article & association or partnership deed or proof of proprietorship, as the case may be of the new unit, transferred the interest of the industry.

\*\*\*\*\*

From : M/S BAJAJ SANJAY POULTRY FARM (24GUSO472940)

No : 74151449

Date : 23/07/2024 15:02:04

Sub : Application For - CTO / both / new

Activity: Forward

**Description**

Check and submit recommendation.

Activity: Verification

**Description****Note By:** Vijay Chaudhary (Regional Officer)**Date Time:** 23/07/2024 15:28:31 PM**Forwarded To:** AEE 1

Activity: Forward

**Description**

SCN for refusal may be issued to the unit for following deficiencies :- 1. Not deposited CTO fees, performance security fees, sample testing fees and late fees. 2. Not submitted C.A. Certificate regarding capital investment cost w.r.t. land, building, plant and machinery of the proposed project. 3. Not submitted FardJamabandi and Intkal of land of the unit, in case unit is located outside approved industrial area/estate. 4. Not submitted Power of attorney/authority letter to sign the application. 5. Not submitted Report of Tehsildar and District Forest Officer regarding Kisam of land through Deputy Commissioner, for areas covered under Aravali Notification, if applicable. In case the land falls in the industrial estate / area and HUDA sectors, the report of Regional Officers will be taken regarding applicability of Aravali Notification (only for District Gurugram and Nuh). 6. Not submitted Proof of receipt of application submitted to the Forest Department for clearance / permission /NOC, of Forest Department. 7. Not submitted change of land use permission/license/NOC certificate from the Town & Country Planning Department or respective Municipal or other Authority or village Panchayat, as the case may be. 8. Not submitted Lease deed/ Rent Agreement in case land is taken on rent or lease, Collaboration deed in case of construction projects, if applicable (duly registered with revenue authorities). 9. Not submitted copy of MOA / partnership Deed / Trust Deed, as applicable having the name and address of Directors/Partners. 10. Not submitted site plan of the unit in case it is located outside approved industrial area. 11. Not submitted Layout plan showing the details of all manufacturing processes, location of stacks/ chimneys, ETP/ STP, APCM, Hazardous Waste storage and treatment facilities, tube wells, Water supply lines, Effluent drains and final outlets for the disposal of the effluent. 12. Not submitted siting report and compliance to the notification dated 29.04.2022. 13. Unit has been closed by HSPCB vide order dated 29.05.2024. The unit has not complied to the closure orders by way of exhausting the birds from the farm within 60 days of issue of closure order and unit has also not applied for suspension of closure orders thereof.

**Note By:** Sidharth Bhargava (AEE 1)**Date Time:** 25/07/2024 13:02:23 PM**Forwarded To:** Regional Officer

Activity: Forward

**Description**

SCN issued.

Activity: Show Cause (**Send To Industry**) | **Reminder** | [View SCN \(both\) For Refusal](#)**Description****Note By:** Vijay Chaudhary (Regional Officer)**Date Time:** 25/07/2024 15:27:43 PM**Forwarded To:** AEE 1Activity: Forward [View Document](#)**Description**

Dear sir We are filing a reply to the SCN along with necessary documents for your kind perusal.

**Note By:** 24GUSO472940 (Industry)**Date Time:** 31/07/2024 21:35:21 PM**Forwarded To:** AEE 1

Activity: Forward

**Description**

RO level case.....SCN for refusal was issued to the unit for the deficiencies. The unit submitted the reply but is not satisfactory due to the following :- 1. Not deposited CTO fees, performance security fees, sample testing fees and late fees. - The unit has deposited total fees of Rs. 45900/-. However, the total fee due to the unit for the period of CTO applied including late fees, performance security and sample testing fee is Rs. 3,41,500/-. 2. Not submitted C.A. Certificate regarding capital investment cost w.r.t. land,

263

140

building, plant and machinery of the proposed project. - The unit has submitted CA certificate with depreciating value of Building and Plant & Machinery which is not as per the checklist of HSPCB as the cost of land, building and Plant & Machinery has to be taken without depreciation and of original value. 3. Not submitted Report of Tehsildar and District Forest Officer regarding Kisam of land through Deputy Commissioner, for areas covered under Aravali Notification, if applicable. In case the land falls in the industrial estate / area and HUDA sectors, the report of Regional Officers will be taken regarding applicability of Aravali Notification (only for District Gurugram and Nuh). - Unit has not submitted NOC of Aravali issued by DC Gurugram. 4. Not submitted Proof of receipt of application submitted to the Forest Department for clearance / permission /NOC, of Forest Department. - Unit has not submitted the same. 5. Not submitted change of land use permission/license/NOC certificate from the Town & Country Planning Department or respective Municipal or other Authority or village Panchayat, as the case may be. - Unit has not submitted NOC/CLU from the concerned department. 6. Not submitted siting report and compliance to the notification dated 29.04.2022. - The unit has not submitted the siting report. 7. Unit has been closed by HSPCB vide order dated 29.05.2024. The unit has not complied to the closure orders by way of exhausting the birds from the farm within 60 days of issue of closure order and unit has also not applied for suspension of closure orders thereof. In view of above it is recommended that CTO under Air & Water Act may be refused.

**Activity:** Verification Closed | [View Verification Report](#) |

**Description**

**Note By:** Sidharth Bhargava (AEE 1)

**Date Time:** 17/08/2024 15:19:36 PM

**Forwarded To:** Regional Officer

**Activity:** Forward

**Approval/Refusal Status:** Refused

**Description**

As recommended by the field officer for refusal, refused and certificate generated.

**Note By:** Vijay Chaudhary (Regional Officer)

**Date Time:** 17/08/2024 16:43:21 PM

**Forwarded To:** Regional Officer

**Activity:** Forward

**Approval/Refusal Status:** Refused

**Description**

**Activity:** Close After Refusal

**Description**

**Note By:** Vijay Chaudhary (Regional Officer)

**Date Time:** 17/08/2024 16:43:38 PM

**Forwarded To:** Regional Officer

**HARYANA STATE POLLUTION CONTROL BOARD**

Haryana State Pollution Control Board, 3rd Floor,  
HSIIDC Office Complex, IMT Manesar,  
Gurugram Email:- hspcbrogrs@gmail.com



No. HSPCB/Consent/ : 313296224GUSOCTO74151449

Dated:17/08/2024

To

M/s :BAJAJ SANJAY POULTRY FARM  
AKLIMPUR, GURUGRAM, HARYANA 122101  
GURGAON SOUTH

**Subject: Refusal of consent to operate under Water Act, 1974 and Air Act, 1981.**

Please refer to your application no. 74151449 dated 2024-07-23 received in the Board for consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

Your above referred application has been examined by the Board and it has been established that the application submitted by you is incomplete and not conforming to the requirement of the provisions of the Water (Prevention & Control of Pollution) Act, 1974, and Air (Prevention & Control of Pollution) Act, 1981, as per policy of the Board. Accordingly, Show Cause Notice for refusal of consent under above said Act containing the said shortcoming/ incompleteness was issued by the Board on dated **2024-07-25**. But you have failed to submit the satisfactory reply of the above said show cause notice and submit compliance of the observations. You have failed to take corrective measures the shortcomings and incompleteness in your application as per given below:-

4. Not deposited CTO fees, performance security fees, sample testing fees and late fees. - The unit has deposited total fees of Rs. 45900/-. However, the total fee due to the unit for the period of CTO applied including late fees, performance security and sample testing fee is Rs. 3,41,500/-. 2. Not submitted C.A. Certificate regarding capital investment cost w.r.t. land, building, plant and machinery of the proposed project. - The unit has submitted CA certificate with depreciating value of Building and Plant & Machinery which is not as per the checklist of HSPCB as the cost of land, building and Plant & Machinery has to be taken without depreciation and of original value. 3. Not submitted Report of Tehsildar and District Forest Officer regarding Kisam of land through Deputy Commissioner, for areas covered under Aravali Notification, if applicable. In case the land falls in the industrial estate / area and HUDA sectors, the report of Regional Officers will be taken regarding applicability of Aravali Notification (only for District Gurugram and Nuh). - Unit has not submitted NOC of Aravali issued by DC Gurugram. 4. Not submitted Proof of receipt of application submitted to the Forest Department for clearance / permission /NOC, of Forest Department. - Unit has not submitted the same. 5. Not submitted change of land use permission/license/NOC certificate from the Town & Country

Planning Department or respective Municipal or other Authority or village Panchayat, as the case may be. - Unit has not submitted NOC/CLU from the concerned department. 6. Not submitted siting report and compliance to the notification dated 29.04.2022. - The unit has not submitted the siting report. 7. Unit has been closed by HSPCB vide order dated 29.05.2024. The unit has not complied to the closure orders by way of exhausting the birds from the farm within 60 days of issue of closure order and unit has also not applied for suspension of closure orders thereof.

In view of the above stated facts, the consent under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act, 1981 sought vide your above referred application, is hereby refused due to the above shortcomings / incompleteness.

In future, your unit would be discharging effluent into the atmosphere at your own risk in violation of the above said Act and rendering yourself liable for legal action under section 43/44 of the Water (Prevention & Control of Pollution) Act, 1974 and section 38/39 of Air (Prevention and Control of Pollution) Act, 1981.

VIJAY

CHAUDHARY

*Regional Officer, Gurgaon South*

Digitally signed by VIJAY  
CHAUDHARY  
Date: 2024.08.17 16:42:55  
+05'30'

**HARYANA STATE**

*Haryana State Pollution Control Board.*

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act,  
1974 and Air (Prevention and Control of Pollution) Act, 1981]

**APPEAL NO. \_\_\_\_\_ OF 2024**

**IN THE MATTER:**

**M/S BAJAJ SANJAY POULTRY FARM**

**....APPELLANT**

**VERSUS**

**HARYANA STATE POLLUTION CONTROL**

**...RESPONDENT**

**BOARD & ORS.**

**INDEX**

<b>SR. NO.</b>	<b>PARTICULARS</b>	<b>PAGE NO.</b>
1.	APPLICATION ON BEHALF OF APPELLANT UNDER SECTION 151 CPC FOR EXEMPTION FROM FILING LEGIBLE/TRANSLATED/TYPED COPIES OF ANNEXURES.	1-2
2.	AFFIDAVIT IN SUPPORT.	3-4
3.	APPLICATION UNDER SECTION 151 CPC AND ALL OTHER ENABLING PROVISIONS IN THIS REGARD WITH A PRAYER FOR STAY ON THE DIRECTIONS/ORDER DATED 03.06.2024 OF THE RESPONDENT BOARD TILL THE FINAL DECISION OF THE PRESENT APPEAL.	5-9

	AND/OR PASS ANY SUCH OTHER ORDER OR ORDERS AS THIS HON'BLE AUTHORITY MAY DEEM FIT AND PROPER IN THE FACTS AND CIRCUMSTANCES OF THE INSTANT CASE.	
4.	AFFIDAVIT IN SUPPORT.	10-11
5.	APPLICATION FOR CONDONATION OF DELAY	12-16
6.	AFFIDAVIT IN SUPPORT.	17-18
7.	SYNOPSIS.	19-25
8.	LIST OF DATES AND EVENTS	26-32
9.	MEMO OF PARTIES	33-34
10.	APPEAL IN TERMS OF SECTION 31 OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981 FOR SETTING ASIDE THE CLOSURE ORDER DATED 04.04.2024 I.E. ANNEXURE A/1 WHICH HAS BEEN PASSED BY THE RESPONDENT BOARD WITHOUT DUE APPLICATION OF MIND AND IN COMPLETE VIOLATION OF THE PRINCIPLES OF NATURAL JUSTICE.	35-52
11.	AFFIDAVIT IN SUPPORT.	53-54
12.	ANNEXURE A/1 Copy of the impugned closure order dated 03.06.2024.	55-56
13.	ANNEXURE A/2	57-61

	Copy of the inspection report dated 23.01.2024.	
14.	ANNEXURE A/3 Copy of the compliance report of closure order.	62
15.	ANNEXURE A/4 Copy of the circular/guidelines dated 18.06.2020 issued by the Respondent Board.	63
16.	ANNEXURE A/5 Copy of the proof of the Application for the grant of Consent to Operate.	64
17.	Vakalatnama.	65

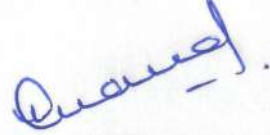
THROUGH



A.R. TAKKAR, \_\_\_\_\_,



SHRIYA TAKKAR, UNNATI ANAND




BHARGAVA RAVI KUMAR, NIDHI R JHA & MANAN TAKKAR  
ADVOCATES

M/S ARTLO

# P6/2-E, FIRST FLOOR, DLF PHASE -II,

GURGAON - 122002

MOB: 8826200005

MAIL ID: [ARTAKKAR@ARTLO.IN](mailto:ARTAKKAR@ARTLO.IN)

DATE-

PLACE-

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act,  
1974 and Air (Prevention and Control of Pollution) Act, 1981]

**APPEAL NO. OF 2024**

**IN THE MATTER:**

M/s Bajaj Sanjay Poultry Farm, Village Aklimpur, Gurugram, Haryana,  
through, its Proprietor Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj.

**....Appellant**

**VERSUS**

Haryana State Pollution Control Board & Ors.

**.....Respondent**

**APPLICATION ON BEHALF OF APPELLANT UNDER SECTION  
151 CPC FOR EXEMPTION FROM FILING  
LEGIBLE/TRANSLATED/TYPED COPIES OF ANNEXURES.**

1. The Appellant unit has been forced to knock the doors of this Hon'ble Authority by way of present application on account of the impugned action of the Respondents in arbitrarily and illegally closing down the Appellant poultry unit despite the fact that it is fully compliant one and strictly operating in accordance with the guidelines issued by the Government of Haryana from time to time and there is no violation of any guidelines or any pollution norm. The Appellant above named begs to present this Memorandum of Appeal against the arbitrary and illegal closure order dated 03.06.2024 issued by the Respondent i.e. the Haryana Pollution Control Board under Section 33-A of the Water (Prevention and Control of Pollution) Act 1974 and Section 31-A of the Air Prevention and Control of Pollution) Act 1981.






2. That due to urgency in the matter and paucity of time, some of the Annexures annexed along with the appeal are illegible/dim. Due to the urgency of the matter it is not possible at this stage to file the legible/typed/translated copies of Annexures. Applicant will replace the same as per directions of the Hon'ble Authority in due course.
3. That the present application is being made bonafide and in the interest of justice.



**PRAYER**

In the circumstances mentioned above, it is most respectfully prayed that this Hon'ble Authority may kindly be pleased to:

- i. Exempt the Applicant from filing /better legible/typed/translated copies of the Annexures; and/or
- ii. Pass such other or further orders as this Hon'ble Authority may deems fit and proper in the facts and circumstances of the case.

THROUGH

  
A.R. TAKKAR, \_\_\_\_\_,  SHRIYA TAKKAR,  UNNATI ANAND

  
  
BHARGAVA RAVI KUMAR, NIDHI R JHA & MANAN TAKKAR  
ADVOCATES  
M/S ARTLO  
# P-6/2E, FIRST FLOOR, DLF PHASE -II,  
GURGAON - 122002  
MOB: 8826200005  
MAIL ID: ARTAKKAR@ARTLO.IN

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act, 1974 and  
Air (Prevention and Control of Pollution) Act, 1981]

I.A. NO. \_\_\_\_\_ OF 2024

IN

APPEAL NO. \_\_\_\_\_ OF 2024

**IN THE MATTER OF:**

Bajaj Sanjay Poultry Farm

...Appellant

Versus

Haryana State Pollution Control Board & Anr

...Respondent

**AFFIDAVIT**

I, Sanjay Kumar Bajaj S/o, Late Sh. Chaman Lal Bajaj aged about 63. Through its Proprietor Bajaj Sanjay Poultry Farm R/o Villeg Aklimpur, Gurugram-122101, Haryana.

I the above named deponent do hereby solemnly affirm and declare as under:-

1. That the above titled Application has been drafted under the authority and instructions of the deponent and after perusing its contents, the deponent has duly signed it, and the contents of paragraph Nos. 1 to thereof are true and correct to the knowledge of the deponent, and the same may be read as contents of this affidavit also, which are not being reproduced for the sake of brevity. No part of it is false and nothing material has been kept concealed therefrom.
2. That the contents of paragraphs no. 1 to of above tilted Application are true and correct to my knowledge, no part of that is false and nothing has been kept concealed therefrom.



(4)

3. That the Annexures attached with the Application are true copies of their respective originals.

For Bajaj Sanjay Poultry Farm



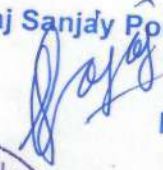
Proprietor

**DEPONENT**

**VERIFICATION**

Verified that the contents of paragraphs no. 1 to of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been concealed therein.

For Bajaj Sanjay Poultry Farm

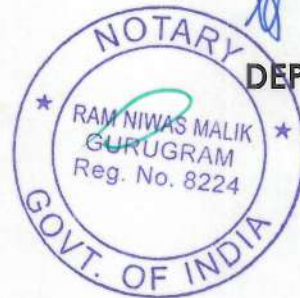


Proprietor

**DEPONENT**

**ATTESTED**

RAM NIWAS MALIK, ADVOCATE  
NOTARY, GURUGRAM (HR.) INDIA





**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act,  
1974 and Air (Prevention and Control of Pollution) Act, 1981]

**APPEAL NO.                      OF 2024**

**IN THE MATTER:**

M/s Bajaj Sanjay Poultry Farm, Village Aklimpur, Gurugram, Haryana,  
through, its Proprietor Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj.

....Appellant

**VERSUS**

Haryana State Pollution Control Board & Ors.

.....Respondent

**APPLICATION UNDER SECTION 151 CPC AND  
ALL OTHER ENABLING PROVISIONS IN THIS  
REGARD WITH A PRAYER FOR STAY ON THE  
DIRECTIONS/ORDER DATED 03.06.2024 OF THE  
RESPONDENT BOARD TILL THE FINAL  
DECISION OF THE PRESENT APPEAL.**

**AND/OR**

**PASS ANY SUCH OTHER ORDER OR ORDERS  
AS THIS HON'BLE AUTHORITY MAY DEEM FIT  
AND PROPER IN THE FACTS AND  
CIRCUMSTANCES OF THE INSTANT CASE.**

**MOST RESPECTFULLY SHOWETH:**

1. The Appellant unit has been forced to knock the doors of this Hon'ble Authority by way of present application on account of the impugned action of the Respondents in arbitrarily and illegally closing down the Appellant

poultry unit despite the fact that it is fully compliant one and strictly operating in accordance with the guidelines issued by the Government of Haryana from time to time and there is no violation of any guidelines or any pollution norm. The Appellant above named begs to present this Memorandum of Appeal against the arbitrary and illegal closure order dated 03.06.2024 issued by the Respondent i.e. the Haryana Pollution Control Board under Section 33-A of the Water (Prevention and Control of Pollution) Act 1974 and Section 31-A of the Air Prevention and Control of Pollution) Act 1981. That the said closure order has been passed by the Respondent Board in complete violation of the principles of natural justice including Audi Alteram Partem. It is submitted that the said closure order mentions about a Show Cause Notice for closure dated 16.04.2024 having been issued to the Appellant herein but the Appellant failed to submit its reply. It is imperative to mention herein that the Show Cause Notice dated 16.04.2024 was never served upon the Appellant herein, thereby depriving the Appellant herein to submit its reply to the same and putting up its defence in regards of the alleged violations. That since the Show Cause Notice dated 16.04.2024 was never served upon the Appellant herein, the Appellant continues to be in dark with respect to the allegations levelled against the Appellant herein. It is further important to mention herein that the closure order dated 03.06.2024 has been issued based upon the inspection carried out by the field officer of the Respondent Board on 23.01.2024. That however, the inspection report dated 23.01.2024 of the inspection carried out by the field officer of the Board specifically stated that the unit is a compliant one. Thus, it was incumbent for the Respondent Board to serve the show cause notice dated 16.04.2024 upon the Appellant

herein so as to know the alleged deficiencies because the report dated 23.01.2024 gave a clean chit to the Appellant herein. Further, the inspection was carried out on 23.01.2024 and the impugned closure order has been passed only after a lapse of approximately 4.5 months. That thus the impugned closure order dated 03.06.2024 has been passed by the Respondent Board without due application of mind and in complete violation of the principles of natural justice and hence is liable to be set aside by this Hon'ble Authority. The primary grievance of the petitioner is that post detailed inspection on 23.01.2024, after finding the unit to be totally compliant and operating in accordance with the guidelines issued by the Government of Haryana, and while admitting this fact in the inspection report dated 23.01.2024, the impugned closure order has been issued by the Respondent Board.

2. That the impugned Closure Order has been passed by the Respondent Board solely on the ground of hyper technicality of not obtaining Consent to Operate. That the Respondent Board failed to take into consideration that the Appellant is a totally non-polluting unit which has been in operation since 1998. The Respondent Board ought to have taken into consideration the fact that the Appellant unit has been operated through out in good faith without any pollution hazards. The only thing against the Appellant unit was the procedural lapse of not obtaining Consent to Operate. The impugned order has been passed without appreciating that a fully compliant unit cannot be ordered to shut down only on the ground of the technical irregularity of not obtaining Consent to Operate. That the Hon'ble Supreme Court in *Electrosteel Steels Limited v. Union of India, 2021 SCC online SC 1247* has held: "*The question is whether an establishment contributing to the*

*economy of the country and providing livelihood to hundreds of people should be closed down for the technical irregularity of shifting its site without prior environmental clearance, without opportunity to the establishment to regularize its operation by obtaining the requisite clearances and permissions, even though the establishment may not otherwise be violating pollution laws, or the pollution, if any, can conveniently and effectively be checked. The answer has to be in the negative.*" That similarly in the present case, without giving an opportunity to the Appellant herein to regularize its operation by obtaining the requisite Consent, the Respondent Board has illegally and arbitrarily ordered for closure of the Appellant unit.

3. That vide the impugned order dated 03.06.2024 the Respondent Board has directed the Appellant herein to exhaust the birds from the premises within 60 days and further has issued directions for auction of birds after 60 days in case the Appellant fails to exhaust the same. That the Respondent Board failed to take into consideration the fact that is not an industry where the machinery can be switched off and then switched on. Due to the very nature of the poultry farm and it being susceptible to diseases easily, no running poultry farming shall accommodate birds of another poultry farm, making disposal of birds of the Appellant poultry farm impossible.
4. The Respondent Board has proceeded against the Appellant unit in a mechanical manner without fully appreciating the legal as well as the factual aspects involved in the matter and hence committed an error and passed an order which is illegal, invalid and legally unsustainable.

9




5. That irreparable loss and injury shall be caused to the Appellant if the impugned order/directions dated 03.06.2024 issued by the Respondent Board are not stayed. The impugned directions have been passed by the Respondent Board without due application of mind and without providing an opportunity of hearing to the Appellant herein and therefore are liable to be set aside in the interest of justice and fair play.



**PRAYER**

In the above view of the matter and as per the submissions made hereinabove, it is most respectfully prayed that this Hon'ble Authority may kindly be pleased to:

- i. Pass an order staying the operation of the impugned directions dated 03.06.2024, till the pendency of the present Appeal;
- ii. Pass any such other order or orders as this Hon'ble Authority may deem fit and proper in the facts and circumstances of the instant case.

**THROUGH**

  
A.R. TAKKAR, \_\_\_\_\_,  SHRIYA TAKKAR,  UNNATI ANAND

  
BHARGAVA RAVI KUMAR,  NIDHI R JHA & MANAN TAKKAR  
ADVOCATES  
M/S ARTLO  
# P-6/2E, FIRST FLOOR, DLF PHASE -II,  
GURGAON – 122002  
MOB: 8826200005  
MAIL ID: ARTAKKAR@ARTLO.IN

(10)

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act, 1974 and  
Air (Prevention and Control of Pollution) Act, 1981]

I.A. NO. \_\_\_\_\_ OF 2024  
IN  
APPEAL NO. \_\_\_\_\_ OF 2024

**IN THE MATTER OF:**

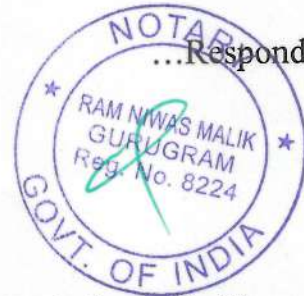
Bajaj Sanjay Poultry Farm

...Appellant

Versus

Haryana State Pollution Control Board &amp; Anr

...Respondent

**AFFIDAVIT**

I, Sanjay Kumar Bajaj S/o, Late Sh. Chaman Lal Bajaj aged about 63. Through its  
Proprietor Bajaj Sanjay Poultry Farm R/o Village Aklimpur, Gurugram-122101,  
Haryana.

I the above named deponent do hereby solemnly affirm and declare as under:-

1. That the above titled Application for Stay has been drafted under the authority and instructions of the deponent and after perusing its contents, the deponent has duly signed it, and the contents of paragraph Nos. 1 to thereof are true and correct to the knowledge of the deponent, and the same may be read as contents of this affidavit also, which are not being reproduced for the sake of brevity. No part of it is false and nothing material has been kept concealed therefrom.
2. That the contents of paragraphs no. 1 to of above titled Application for Stay are true and correct to my knowledge, no part of that is false and nothing has been kept concealed therefrom.

3. That the Annexures attached with the Application for Stay are true copies of their respective originals.



For Bajaj Sanjay Poultry Farm

*[Signature]*

Proprietor

DEPONENT

**VERIFICATION**

Verified that the contents of paragraphs no. 1 to 3 of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been concealed therein.

ATTESTED

RAM NIWAS MALIK, ADVOCATE  
NOTARY, GURUGRAM (HR.) INDIA

For Bajaj Sanjay Poultry Farm

*[Signature]*

Proprietor

DEPONENT

(12)

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act,  
1974 and Air (Prevention and Control of Pollution) Act, 1981]

**APPEAL NO. OF 2024**

**IN THE MATTER:**

M/s Bajaj Sanjay Poultry Farm, Village Aklimpur, Gurugram, Haryana,  
through, its Proprietor Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj.

**....Appellant**

**VERSUS**

Haryana State Pollution Control Board & Ors.

**.....Respondent**

**APPLICATION FOR CONDONATION OF DELAY**

1. The Appellant unit has been forced to knock the doors of this Hon'ble Authority by way of present application on account of the impugned action of the Respondents in arbitrarily and illegally closing down the Appellant poultry unit despite the fact that it is fully compliant one and strictly operating in accordance with the guidelines issued by the Government of Haryana from time to time and there is no violation of any guidelines or any pollution norm. The Appellant above named begs to present this Memorandum of Appeal against the arbitrary and illegal closure order dated 03.06.2024 issued by the Respondent i.e. the Haryana Pollution Control Board under Section 33-A of the Water (Prevention and Control of Pollution) Act 1974 and Section 31-A of the Air Prevention and Control of

Pollution) Act 1981. That the said closure order has been passed by the Respondent Board in complete violation of the principles of natural justice including Audi Alteram Partem. It is submitted that the said closure order mentions about a Show Cause Notice for closure dated 16.04.2024 having been issued to the Appellant herein but the Appellant failed to submit its reply. It is imperative to mention herein that the Show Cause Notice dated 16.04.2024 was never served upon the Appellant herein, thereby depriving the Appellant herein to submit its reply to the same and putting up its defence in regards of the alleged violations. That since the Show Cause Notice dated 16.04.2024 was never served upon the Appellant herein, the Appellant continues to be in dark with respect to the allegations levelled against the Appellant herein. It is further important to mention herein that the closure order dated 03.06.2024 has been issued based upon the inspection carried out by the field officer of the Respondent Board on 23.01.2024. That however, the inspection report dated 23.01.2024 of the inspection carried out by the field officer of the Board specifically stated that the unit is a compliant one. Thus, it was incumbent for the Respondent Board to serve the show cause notice dated 16.04.2024 upon the Appellant herein so as to know the alleged deficiencies because the report dated 23.01.2024 gave a clean chit to the Appellant herein. Further, the inspection was carried out on 23.01.2024 and the impugned closure order has been passed only after a lapse of approximately 4.5 months. That thus the impugned closure order dated 03.06.2024 has been passed by the Respondent Board without due application of mind and in complete violation of the principles of natural justice and hence is liable to be set aside by this Hon'ble Authority. The primary grievance of the petitioner is that

post detailed inspection on 23.01.2024, after finding the unit to be totally compliant and operating in accordance with the guidelines issued by the Government of Haryana, and while admitting this fact in the inspection report dated 23.01.2024, the impugned closure order has been issued by the Respondent Board.

2. That the impugned Closure Order has been passed by the Respondent Board solely on the ground of hyper technicality of not obtaining Consent to Operate. That the Respondent Board failed to take into consideration that the Appellant is a totally non-polluting unit which has been in operation since 1998. The Respondent Board ought to have taken into consideration the fact that the Appellant unit has been operated through out in good faith without any pollution hazards. The only thing against the Appellant unit was the procedural lapse of not obtaining Consent to Operate. The impugned order has been passed without appreciating that a fully compliant unit cannot be ordered to shut down only on the ground of the technical irregularity of not obtaining Consent to Operate. That the Hon'ble Supreme Court in *Electrosteel Steels Limited v. Union of India, 2021 SCC online SC 1247* has held: "*The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down for the technical irregularity of shifting its site without prior environmental clearance, without opportunity to the establishment to regularize its operation by obtaining the requisite clearances and permissions, even though the establishment may not otherwise be violating pollution laws, or the pollution, if any, can conveniently and effectively be checked. The answer has to be in the negative.*" That similarly in the present case, without giving an opportunity



to the Appellant herein to regularize its operation by obtaining the requisite Consent, the Respondent Board has illegally and arbitrarily ordered for closure of the Appellant unit.

3. That vide the impugned order dated 03.06.2024 the Respondent Board has directed the Appellant herein to exhaust the birds from the premises within 60 days and further has issued directions for auction of birds after 60 days in case the Appellant fails to exhaust the same. That the Respondent Board failed to take into consideration the fact that is not an industry where the machinery can be switched off and then switched on. Due to the very nature of the poultry farm and it being susceptible to diseases easily, no running poultry farming shall accommodate birds of another poultry farm, making disposal of birds of the Appellant poultry farm impossible.
4. The Respondent Board has proceeded against the Appellant unit in a mechanical manner without fully appreciating the legal as well as the factual aspects involved in the matter and hence committed an error and passed an order which is illegal, invalid and legally unsustainable.
5. That the counsel for the Appellant unit had sent the Appeal for signatures to the Appellant, however due to leakage of water in the premises of the Appellant, all documents including the Appeal for signatures had to be shifted in a hurry because of which the file pertaining to the present matter got mixed up with other documents and was untraceable. The file could only be located two days back and the Appeal therefore is being filed immediately. That based on the above submission, there is a delay of \_\_\_\_\_ days in filing the present appeal.

6. That the delay of \_\_\_\_\_ days in filing the accompanying Appeal is bonafide, unintentional and inadvertent and without any motive. In case the delay in filing the instant Appeal is not condoned, the Appellant shall suffer irreparable injury and loss and the ends of substantial justice would be defeated.
7. That no prejudice would be caused to the parties to the case if the delay is condoned.
8. It is, therefore, respectfully prayed that the delay of \_\_\_\_\_ days in filing the Appeal may kindly be condoned, in the interest of justice.

**THROUGH**

  
A.R. TAKKAR, \_\_\_\_\_,  SHRIYA TAKKAR,  UNNATI ANAND

  
BHARGAVA RAVI KUMAR,  NIDHI R JHA & MANAN TAKKAR  
ADVOCATES  
M/S ARTLO  
# P-6/2E, FIRST FLOOR, DLF PHASE -II,  
GURGAON – 122002  
MOB: 8826200005  
MAIL ID: ARTAKKAR@ARTLO.IN

(17)

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act, 1974 and  
Air (Prevention and Control of Pollution) Act, 1981]

I.A. NO. \_\_\_\_\_ OF 2024

IN

APPEAL NO. \_\_\_\_\_ OF 2024

**IN THE MATTER OF:**

Bajaj Sanjay Poultry Farm

Versus

Haryana State Pollution Control Board &amp; Anr



Appellant

Respondent

**AFFIDAVIT**

I, Sanjay Kumar Bajaj S/o, Late Sh. Chaman Lal Bajaj aged about 63. Through its Proprietor Bajaj Sanjay Poultry Farm R/o Villegge Aklimpur, Gurugram-122101, Haryana.

I the above named deponent do hereby solemnly affirm and declare as under:-

1. That the above titled Application has been drafted under the authority and instructions of the deponent and after perusing its contents, the deponent has duly signed it, and the contents of paragraph Nos. 1 to thereof are true and correct to the knowledge of the deponent, and the same may be read as contents of this affidavit also, which are not being reproduced for the sake of brevity. No part of it is false and nothing material has been kept concealed therefrom.
2. That the contents of paragraphs no. 1 to of above tilted Application are true and correct to my knowledge, no part of that is false and nothing has been kept concealed therefrom.

(18)

3. That the Annexures attached with the Application are true copies of their respective originals.



For Bajaj Sanjay Poultry Farm

Proprietor

DEPONENT

**VERIFICATION**

Verified that the contents of paragraphs no. 1 to 3 of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been concealed therein.

**ATTESTED**  
  
 RAM NIWAS MALIK, ADVOCATE  
 NOTARY, GURUGRAM (HR.) INDIA

For Bajaj Sanjay Poultry Farm

Proprietor

DEPONENT

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act,  
1974 and Air (Prevention and Control of Pollution) Act, 1981]

**APPEAL NO. OF 2024**

**IN THE MATTER:**

M/s Bajaj Sanjay Poultry Farm, Village Aklimpur, Gurugram, Haryana,  
through, its Proprietor Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj.

**....Appellant**

**VERSUS**

Haryana State Pollution Control Board & Ors.

**.....Respondent**

**SYNOPSIS**

1. That the Appellant before this Hon'ble Authority is a duly registered proprietorship engaged in the work of Poultry Farming at Village- Aklimpur, Gurugram, Haryana. The present application is being filed by the Appellant through its Proprietor, Shri. Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj, who is fully conversant with the facts and circumstances of the case and has been duly authorized in this regard.
2. That the Appellant poultry farm was established in the year 1998 under the name and style of M/s Bajaj Sanjay Poultry Farm, Village- Aklimpur, Gurugram, Haryana. As per the then prevailing norms, being a poultry farm of less than one lakh birds capacity (approx. 32000), did not require any consent to establish/operate from the Respondent Board either under the Air (Prevention and Control of Pollution) Act, 1981 or the Water (Prevention

and Control of Pollution) Act, 1974. It is relevant to add here that the poultry form is being operated strictly as per the best management practices. The poultry form has an adequate green foliage cover in the form of appropriate trees in 2/3 rows along the boundary walls, the workers are skilled and maintain a clean healthy environment in the poultry form and also have been provided dust masks to cover their nose and mouth, it has got constructed vehicle tire dips at the main gate entrance, proper inventory of men and materials is maintained, there is no effluent discharge and the dead bird are duly disposed of by following the prescribed method of burial.

3. That the Appellant poultry farm was inspected on the 23.01.2024 by the Regional officer, Panchkula HSPCB. During the inspection the Appellant poultry farm was found compliant in all respects and the same was also duly mentioned by the Regional officer Panchkula HSPCB in its inspection report dated 23.01.2024. That a perusal of the inspection report would clearly show that the Regional Officer i.e. Respondent No.2 gave a clean chit to the Appellant herein as there were no deficiencies found by the officer in the running of the poultry farm.
4. That after about a lapse of approximately 4.5 months from the date of inspection i.e. 23.01.2024, the Appellant poultry farm was visited by the officers of the Respondent Board on 10.06.2024. It is submitted that the Appellant herein was shocked to know that the officers of the Respondent Board had come to shut down the poultry farm and to seal the plant and machinery. It is imperative to mention herein that it was only on 10.06.2024 when the officers of the Respondent Board came to seal the poultry farm, that the impugned closure order dated 03.06.2024 was

21

handed over by hand to the Appellant herein. That therefore, it is extremely important to note herein that the Respondent Board did not serve the impugned closure order on the Appellant herein and it was handed over only on 10.06.2024. That after handing over the impugned closure order to the Appellant herein, the officers of the Respondent Board closed the Appellant Poultry farm and sealed its plant and machinery.

5. That upon receiving the said impugned order dated 03.06.2024 passed by the Respondent Board under Section 33-A of the Water (Prevention and Control of Pollution) Act 1974 and Section 31-A of the Air Prevention and Control of Pollution) Act 1981, the Appellant herein was surprised to know about a show cause notice dated 16.04.2024 alleged to have been served upon the Appellant herein. It is in the humble submission of the Appellant herein that no show cause notice dated 16.04.2024 was ever served upon the Appellant herein. It is submitted that had the undersigned received the show cause notice dated 16.04.2024, the same would have been duly replied to by the Appellant. It is submitted that it was only on receipt of the impugned closure order dated 03.06.2024 that the undersigned came to know about the show cause notice dated 16.04.2024.
6. That since the show cause notice dated 16.04.2024 was never served by the Respondent Board upon the Appellant herein, the action of the Respondent Board of closing down the Appellant Poultry Farm and sealing its plant and machinery, is in complete violation of its own circular/guidelines dated 18.06.2020. That the circular/guidelines dated 18.06.2020 issued by the Respondent Board itself clearly mentions that 15 day's notice should be given to the unit to submit its reply to the show cause notice and the same



should be sent to the unit through email. That the circular/guidelines dated 18.06.2020 also mentions that immediate closure can only be done in cases where there is threat to the environment.

7. At the outset it is submitted that the Respondent Board did not serve any show cause notice upon the Appellant herein either through email or any other mode whatsoever. Further, immediate closure was not warranted for in the present case as there is no harm that is being caused by the Appellant herein to the environment in the running of the poultry farm. That poultry farming being an agri-industry, no industrial process whatsoever is involved in it. No pollution whatsoever is caused by running of the Appellant unit so as to strictly bring the same within the ambit of Environment (Protection) Act, 1986 or the Water (Prevention and control of Pollution) Act, 1974 or the Air (Prevention and Control of Pollution) Act, 1981. Hence, the action of the Respondent Board is completely in violation of the circular/guidelines dated 18.06.2020 as well as in violation of the principles of natural justice.
8. That despite the fact that the inspection report dated 23.01.2024 gave a clean chit to the Appellant herein and the Appellant unit is being run in compliance since its inception, a closure order dated 03.06.2020 has been issued against the Appellant which is arbitrary, invalid, improper and legally unsustainable in the eyes of law.
9. That the impugned Closure Order has been passed by the Respondent Board solely on the ground of hyper technicality of not obtaining Consent to Operate. That the Respondent Board failed to take into consideration that the Appellant is a totally non-polluting unit which has been in operation

since 1998. The Respondent Board ought to have taken into consideration the fact that the Appellant unit has been operated through out in good faith without any pollution hazards. The only thing against the Appellant unit was the procedural lapse of not obtaining Consent to Operate. The impugned order has been passed without appreciating that a fully compliant unit cannot be ordered to shut down only on the ground of the technical irregularity of not obtaining Consent to Operate.

10. That the Hon'ble Supreme Court in *Electrosteel Steels Limited v. Union of India, 2021 SCC online SC 1247* has held:

*"The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down for the technical irregularity of shifting its site without prior environmental clearance, without opportunity to the establishment to regularize its operation by obtaining the requisite clearances and permissions, even though the establishment may not otherwise be violating pollution laws, or the pollution, if any, can conveniently and effectively be checked. The answer has to be in the negative."*

That similarly in the present case, without giving an opportunity to the Appellant herein to regularize its operation by obtaining the requisite Consent, the Respondent Board has illegally and arbitrarily ordered for closure of the Appellant unit. That the Appellant unit has applied for the grant of Consents and hence should be allowed to operate.

(24)

11. The Respondent Board has not only failed to serve the show cause notice dated 16.04.2024 upon the Appellant herein but also has failed to award an opportunity of hearing to the Appellant unit. That by not providing an opportunity of hearing to the Appellant unit, the Respondent Board has violated the mandatory principle of Natural of Justice.
  
12. The importance of the doctrine of natural justice is evident from the fact that with the development of law it has been treated as an ingredient of Article 14 of the Constitution of India. 'Natural Justice' means a fair process. A fair process essentially must exclude arbitrariness and exclusion of arbitrariness would ensure equality and equal treatment before law. That the Audi Alteram Partem facet of natural justice is also requirement of Art. 14, for, natural justice is the antithesis of arbitrariness. The right of Audi Alteram Partem is a valuable right recognized under the Constitution of India wherein it is held that, the principle of the maxim which mandates that no one should be condemned unheard, is a part of the rules of natural justice.
  
13. It is stated by the Appellant Poultry farm that is operating in complete compliance to the norms and no useful purpose will be served by first closing the poultry farm and then after inspection re starting it which is not possible in view of lives of thousands of birds being at stake. This is not an industry where the machinery can be switched off and then switched on. Due to the very nature of the poultry farm and it being susceptible to diseases easily, no running poultry farm shall accommodate birds of another poultry farm, making disposal of birds of the Appellant poultry farm impossible.



14. That most of the guidelines in order to run the Appellant unit in an efficient, hygienic and clean manner keeping in view the fact that any unhygienic condition can cause mass mortality of the poultry birds. It is submitted that the birds are kept in a hygienic and clean environment, given drinking water in a quantity i.e. sufficient without any wastage, given feed after the same is ground in a feed mill and their manure is scientifically collected, stored and taken away, therefore there is no discharge of sewage.
15. The Respondent Board has proceeded against the Appellant unit in a mechanical manner without fully appreciating the legal as well as the factual aspects involved in the matter and hence committed an error and passed an order which is illegal, invalid and legally unsustainable.

THROUGH



A.R. TAKKAR, \_\_\_\_\_, SHRIYA TAKKAR, UNNATI ANAND



**BHARGAVA RAVI KUMAR, NIDHI R JHA & MANAN TAKKAR**  
**ADVOCATES**

**M/S ARTLO**

**# P-6/2E, FIRST FLOOR, DLF PHASE -II,**  
**GURGAON - 122002**

**MOB: 8826200005**

**MAIL ID: ARTAKKAR@ARTLO.IN**



**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act,  
1974 and Air (Prevention and Control of Pollution) Act, 1981]

**APPEAL NO.                      OF 2024**

**IN THE MATTER:**

M/s Bajaj Sanjay Poultry Farm, Village Aklimpur, Gurugram, Haryana,  
through, its Proprietor Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj.

**....Appellant**

**VERSUS**

Haryana State Pollution Control Board & Ors.

**.....Respondent**

**LIST OF DATES AND EVENTS**

<b>S.NO</b>	<b>DATE</b>	<b>PARTICULARS</b>
1.	1998	That the Appellant poultry farm was established in the year 1998 under the name and style of M/s Bajaj Sanjay Poultry Farm, Village- Aklimpur, Gurugram, Haryana. As per the then prevailing norms, being a poultry farm of less than one lakh birds capacity (approx. 32000), did not require any consent to establish/operate from the Respondent Board either under the Air (Prevention and Control of Pollution) Act, 1981 or the Water (Prevention and Control of

27

		<p>Pollution) Act, 1974. It is relevant to add here that the poultry form is being operated strictly as per the best management practices. The poultry form has an adequate green foliage cover in the form of appropriate trees in 2/3 rows along the boundary walls, the workers are skilled and maintain a clean healthy environment in the poultry form and also have been provided dust masks to cover their nose and mouth, it has got constructed vehicle tire dips at the main gate entrance, proper inventory of men and materials is maintained, there is no effluent discharge and the dead bird are duly disposed of by following the prescribed method of burial.</p>
1.	23.01.2024	<p>That the Appellant poultry farm was inspected on the 23.01.2024 by the Regional officer, Panchkula HSPCB. During the inspection the Appellant poultry farm was found compliant in all respects and the same was also duly mentioned by the Regional officer Panchkula HSPCB in its inspection report dated 23.01.2024. That a perusal of the inspection report would clearly show that the Regional Officer i.e. Respondent No.2 gave a clean chit to the Appellant herein as there were no deficiencies found by the officer in the running of</p>

		the poultry farm.
3.	10.06.2024	<p>That after about a lapse of approximately 4.5 months from the date of inspection i.e. 23.01.2024, the Appellant poultry farm was visited by the officers of the Respondent Board on 10.06.2024. It is submitted that the Appellant herein was shocked to know that the officers of the Respondent Board had come to shut down the poultry farm and to seal the plant and machinery. It is imperative to mention herein that it was only on 10.06.2024 when the officers of the Respondent Board came to seal the poultry farm, that the impugned closure order dated 03.06.2024 was handed over by hand to the Appellant herein. That therefore, it is extremely important to note herein that the Respondent Board did not serve the impugned closure order on the Appellant herein and it was handed over only on 10.06.2024. That after handing over the impugned closure order to the Appellant herein, the officers of the Respondent Board closed the Appellant Poultry farm and sealed its plant and machinery.</p>
2.		<p>That upon receiving the said impugned order dated 03.06.2024 passed by the Respondent Board under Section 33-A of the Water (Prevention and Control of Pollution) Act 1974 and Section 31-A</p>

299

		<p>of the Air Prevention and Control of Pollution) Act 1981, the Appellant herein was surprised to know about a show cause notice dated 16.04.2024 alleged to have been served upon the Appellant herein. It is in the humble submission of the Appellant herein that no show cause notice dated 16.04.2024 was ever served upon the Appellant herein. It is submitted that had the undersigned received the show cause notice dated 16.04.2024, the same would have been duly replied to by the Appellant. It is submitted that it was only on receipt of the impugned closure order dated 03.06.2024 that the undersigned came to know about the show cause notice dated 16.04.2024.</p>
3.		<p>That since the show cause notice dated 16.04.2024 was never served by the Respondent Board upon the Appellant herein, the action of the Respondent Board of closing down the Appellant Poultry Farm and sealing its plant and machinery, is in complete violation of its own circular/guidelines dated 18.06.2020. That the circular/guidelines dated 18.06.2020 issued by the Respondent Board itself clearly mentions that 15 day's notice should be given to the unit to submit its reply to the show cause notice and the same should be sent to the unit through email. That the</p>

		<p>circular/guidelines dated 18.06.2020 also mentions that immediate closure can only be done in cases where there is threat to the environment.</p>
4.		<p>At the outset it is submitted that the Respondent Board did not serve any show cause notice upon the Appellant herein either through email or any other mode whatsoever. Further, immediate closure was not warranted for in the present case as there is no harm that is being caused by the Appellant herein to the environment in the running of the poultry farm. That poultry farming being an agri-industry, no industrial process whatsoever is involved in it. No pollution whatsoever is caused by running of the Appellant unit so as to strictly bring the same within the ambit of Environment (Protection) Act, 1986 or the Water (Prevention and control of Pollution) Act, 1974 or the Air (Prevention and Control of Pollution) Act, 1981. Hence, the action of the Respondent Board is completely in violation of the circular/guidelines dated 18.06.2020 as well as in violation of the principles of natural justice.</p>
5.	23.07.2024	<p>That the impugned Closure Order has been passed by the Respondent Board solely on the ground of</p>

		<p>hyper technicality of not obtaining Consent to Operate. That the Respondent Board failed to take into consideration that the Appellant is a totally non-polluting unit which has been in operation since 1998. The Respondent Board ought to have taken into consideration the fact that the Appellant unit has been operated through out in good faith without any pollution hazards. The only thing against the Appellant unit was the procedural lapse of not obtaining Consent to Operate. The impugned order has been passed without appreciating that a fully compliant unit cannot be ordered to shut down only on the ground of the technical irregularity of not obtaining Consent to Operate. It is imperative to mention herein that the Appellant unit has now applied for the grant of Consent to Operate on 23.07.2024.</p>
6.		<p>The impugned directions have been passed by the Respondent Board without due application of mind and without providing an opportunity of hearing to the Appellant herein and therefore are liable to be set aside in the interest of justice and fair play.</p> <p>Hence, the present Appeal.</p>

THROUGH



A.R. TAKKAR,



\_\_\_\_\_, SHRIYA TAKKAR, UNNATI ANAND



**BHARGAVA RAVI KUMAR, NIDHI R JHA & MANAN TAKKAR**

**ADVOCATES**

**M/S ARTLO**

**# P-6/2E, FIRST FLOOR, DLF PHASE -II,**

**GURGAON - 122002**

**MOB: 8826200005**

**MAIL ID: ARTAKKAR@ARTLO.IN**

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act, 1974 and Air  
(Prevention and Control of Pollution) Act, 1981]

APPEAL NO. \_\_\_\_\_ OF 2024

**IN THE MATTER:**

M/S BAJAJ SANJAY POULTRY FARM

....APPELLANT

**VERSUS**

HARYANA STATE POLLUTION CONTROL

...RESPONDENT

BOARD & ORS.

**MEMO OF PARTIES****IN THE MATTER OF:**

M/s Bajaj Sanjay Poultry Farm , Village Aklimpur, Gurugram, Haryana, through, its  
Proprietor Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj.

....Appellant

**VERSUS**

1. Haryana State Pollution Control Board, Sector -6, Panchkula,  
through its Chairman.

Email id: [hspcbho@gmail.com](mailto:hspcbho@gmail.com) Phone no.: 0172-57787073.

2. The Regional officer, Haryana State Pollution Control Board,  
Panchkula, Haryana.

Email id: [hspcbropkl@gmail.com](mailto:hspcbropkl@gmail.com)

(34)

3. Department of Town and Country Planning,

through its Chief Town Planner, Mini Secretariat, Sector-1, Panchkula.

Email id: [dtp3.gurugram.tcp.panchkula@gmail.com](mailto:dtp3.gurugram.tcp.panchkula@gmail.com)

.... Respondents

THROUGH



A.R. TAKKAR, \_\_\_\_\_,



SHRIYA TAKKAR, UNNATI ANAND



BHARGAVA RAVI KUMAR, NIDHI R JHA & MANAN TAKKAR  
ADVOCATES

M/S ARTLO

# P-6/2E, FIRST FLOOR, DLF PHASE -II,

GURGAON - 122002

MOB: 8826200005

MAIL ID: [ARTAKKAR@ARTLO.IN](mailto:ARTAKKAR@ARTLO.IN)

DATE-

PLACE-

(35)

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act,  
1974 and Air (Prevention and Control of Pollution) Act, 1981]

**APPEAL NO. \_\_\_\_\_ OF 2024**

**IN THE MATTER:**

M/s Bajaj Sanjay Poultry Farm, Village Aklimpur, Gurugram, Haryana,  
through, its Proprietor Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj.

**....Appellant**

**VERSUS**

Haryana State Pollution Control Board & Ors.

**.....Respondent**

**APPEAL IN TERMS OF SECTION 31 OF  
THE AIR (PREVENTION AND CONTROL  
OF POLLUTION) ACT, 1981 FOR SETTING  
ASIDE THE CLOSURE ORDER DATED  
04.04.2024 I.E. ANNEXURE A/1 WHICH HAS  
BEEN PASSED BY THE RESPONDENT  
BOARD WITHOUT DUE APPLICATION OF  
MIND AND IN COMPLETE VIOLATION OF  
THE PRINCIPLES OF NATURAL JUSTICE.**

**MOST RESPECTFULLY SHOWETH:**

1. The address of the Appellant is as given above for the service of any notices in connection with this Appeal and that of their legal counsels is ARTLO INDIA, # P-6/2E, DLF Phase-2, Gurugram – 122002, Haryana.

2. The addresses of the Respondents are as given above for service of notices of this Appeal.
3. The Appellant unit has been forced to knock the doors of this Hon'ble Authority by way of present application on account of the impugned action of the Respondents in arbitrarily and illegally closing down the Appellant poultry unit despite the fact that it is fully compliant one and strictly operating in accordance with the guidelines issued by the Government of Haryana from time to time and there is no violation of any guidelines or any pollution norm. The Appellant above named begs to present this Memorandum of Appeal against the arbitrary and illegal closure order dated 03.06.2024 issued by the Respondent i.e. the Haryana Pollution Control Board under Section 33-A of the Water (Prevention and Control of Pollution) Act 1974 and Section 31-A of the Air Prevention and Control of Pollution) Act 1981. That the said closure order has been passed by the Respondent Board in complete violation of the principles of natural justice including Audi Alteram Partem. It is submitted that the said closure order mentions about a Show Cause Notice for closure dated 16.04.2024 having been issued to the Appellant herein but the Appellant failed to submit its reply. It is imperative to mention herein that the Show Cause Notice dated 16.04.2024 was never served upon the Appellant herein, thereby depriving the Appellant herein to submit its reply to the same and putting up its defence in regards of the alleged violations. That since the Show Cause Notice dated 16.04.2024 was never served upon the Appellant herein, the Appellant continues to be in dark with respect to the allegations levelled against the Appellant herein. It is further important to mention herein that the closure order dated 03.06.2024 has been issued based upon the

(27)

inspection carried out by the filed officer of the Respondent Board on 23.01.2024. That however, the inspection report dated 23.01.2024 of the inspection carried out by the field officer of the Board specifically stated that the unit is a compliant one. Thus, it was incumbent for the Respondent Board to serve the show cause notice dated 16.04.2024 upon the Appellant herein so as to know the alleged deficiencies because the report dated 23.01.2024 gave a clean chit to the Appellant herein. Further, the inspection was carried out on 23.01.2024 and the impugned closure order has been passed only after a lapse of approximately 4.5 months. That thus the impugned closure order dated 03.06.2024 has been passed by the Respondent Board without due application of mind and in complete violation of the principles of natural justice and hence is liable to be set aside by this Hon'ble Authority. The primary grievance of the petitioner is that post detailed inspection on 23.01.2024, after finding the unit to be totally compliant and operating in accordance with the guidelines issued by the Government of Haryana, and while admitting this fact in the inspection report dated 23.01.2024, the impugned closure order has been issued by the Respondent Board.

That the impugned Closure Order has been passed by the Respondent Board solely on the ground of hyper technicality of not obtaining Consent to Operate. That the Respondent Board failed to take into consideration that the Appellant is a totally non-polluting unit which has been in operation since 1998. The Respondent Board ought to have taken into consideration the fact that the Appellant unit has been operated through out in good faith without any pollution hazards. The only thing against the Appellant unit was the procedural lapse of not obtaining Consent to Operate. The impugned order

has been passed without appreciating that a fully compliant unit cannot be ordered to shut down only on the ground of the technical irregularity of not obtaining Consent to Operate. That the Hon'ble Supreme Court in *Electrosteel Steels Limited v. Union of India, 2021 SCC online SC 1247* has held: "*The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down for the technical irregularity of shifting its site without prior environmental clearance, without opportunity to the establishment to regularize its operation by obtaining the requisite clearances and permissions, even though the establishment may not otherwise be violating pollution laws, or the pollution, if any, can conveniently and effectively be checked. The answer has to be in the negative.*" That similarly in the present case, without giving an opportunity to the Appellant herein to regularize its operation by obtaining the requisite Consent, the Respondent Board has illegally and arbitrarily ordered for closure of the Appellant unit.

That vide the impugned order dated 03.06.2024 the Respondent Board has directed the Appellant herein to exhaust the birds from the premises within 60 days and further has issued directions for auction of birds after 60 days in case the Appellant fails to exhaust the same. That the Respondent Board failed to take into consideration the fact that is not an industry where the machinery can be switched off and then switched on. Due to the very nature of the poultry farm and it being susceptible to diseases easily, no running poultry farming shall accommodate birds of another poultry farm, making disposal of birds of the Appellant poultry farm impossible.

Thus, by the way of the present appeal, the Appellant craves the indulgence of this Hon'ble Authority for setting aside the impugned closure order dated 03.06.2024 passed under Section 31-A of the Air Act. That the impugned closure order has been issued under both Section 33-A of the Water (Prevention and Control of Pollution) Act 1974 and Section 31-A of the Air (Prevention and Control of Pollution) Act 1981. That since the appeal against directions issued under Section 33-A of the Water Act lies before the Hon'ble National Green Tribunal, an appeal has also been filed under Section 33-A of the Water Act, before the Hon'ble National Green Tribunal. Copy of the impugned closure order dated 03.06.2024 is marked and annexed herewith as **Annexure-A/1**.

**FACTS IN BRIEF:**

1. That the Appellant before this Hon'ble Authority is a duly registered proprietorship engaged in the work of Poultry Farming at Village- Aklimpur, Gurugram, Haryana. The present application is being filed by the Appellant through its Proprietor, Shri. Sanjay Kumar Bajaj S/O Lt. Shri. Chaman Lal Bajaj, who is fully conversant with the facts and circumstances of the case and has been duly authorized in this regard.
2. That the Appellant poultry farm was established in the year 1998 under the name and style of M/s Bajaj Sanjay Poultry Farm, Village- Aklimpur, Gurugram, Haryana. As per the then prevailing norms, being a poultry farm of less than one lakh birds capacity (approx. 32000), did not require any consent to establish/operate from the Respondent Board either under the Air (Prevention and Control of Pollution) Act, 1981 or the Water (Prevention and Control of Pollution) Act, 1974. It is relevant to add here that the poultry form is being operated strictly as per the best management practices.

The poultry form has an adequate green foliage cover in the form of appropriate trees in 2/3 rows along the boundary walls, the workers are skilled and maintain a clean healthy environment in the poultry form and also have been provided dust masks to cover their nose and mouth, it has got constructed vehicle tire dips at the main gate entrance, proper inventory of men and materials is maintained, there is no effluent discharge and the dead bird are duly disposed of by following the prescribed method of burial.

3. That the Appellant poultry farm was inspected on the 23.01.2024 by the Regional officer, Panchkula HSPCB. During the inspection the Appellant poultry farm was found compliant in all respects and the same was also duly mentioned by the Regional officer Panchkula HSPCB in its inspection report dated 23.01.2024. Copy of the inspection report dated 23.01.2024 is marked and annexed herewith as **Annexure-A/2**. That a perusal of the inspection report would clearly show that the Regional Officer i.e. Respondent No.2 gave a clean chit to the Appellant herein as there were no deficiencies found by the officer in the running of the poultry farm.
4. That after about a lapse of approximately 4.5 months from the date of inspection i.e. 23.01.2024, the Appellant poultry farm was visited by the officers of the Respondent Board on 10.06.2024. It is submitted that the Appellant herein was shocked to know that the officers of the Respondent Board had come to shut down the poultry farm and to seal the plant and machinery. It is imperative to mention herein that it was only on 10.06.2024 when the officers of the Respondent Board came to seal the poultry farm, that the impugned closure order dated 03.06.2024 was handed over by hand to the Appellant herein. That therefore, it is extremely important to note

(41)

herein that the Respondent Board did not serve the impugned closure order on the Appellant herein and it was handed over only on 10.06.2024. That after handing over the impugned closure order to the Appellant herein, the officers of the Respondent Board closed the Appellant Poultry farm and sealed its plant and machinery. Copy of the compliance report of closure order is marked and annexed herewith as **Annexure-A/3**.

5. That upon receiving the said impugned order dated 03.06.2024 passed by the Respondent Board under Section 33-A of the Water (Prevention and Control of Pollution) Act 1974 and Section 31-A of the Air Prevention and Control of Pollution) Act 1981, the Appellant herein was surprised to know about a show cause notice dated 16.04.2024 alleged to have been served upon the Appellant herein. It is in the humble submission of the Appellant herein that no show cause notice dated 16.04.2024 was ever served upon the Appellant herein. It is submitted that had the undersigned received the show cause notice dated 16.04.2024, the same would have been duly replied to by the Appellant. It is submitted that it was only on receipt of the impugned closure order dated 03.06.2024 that the undersigned came to know about the show cause notice dated 16.04.2024.
6. That since the show cause notice dated 16.04.2024 was never served by the Respondent Board upon the Appellant herein, the action of the Respondent Board of closing down the Appellant Poultry Farm and sealing its plant and machinery, is in complete violation of its own circular/guidelines dated 18.06.2020. That the circular/guidelines dated 18.06.2020 issued by the Respondent Board itself clearly mentions that 15 day's notice should be given to the unit to submit its reply to the show cause notice and the same

should be sent to the unit through email. That the circular/guidelines dated 18.06.2020 also mentions that immediate closure can only be done in cases where there is threat to the environment. Copy of the circular/guidelines dated 18.06.2020 issued by the Respondent Board itself is marked and annexed herewith as **Annexure-A/4**.

7. At the outset it is submitted that the Respondent Board did not serve any show cause notice upon the Appellant herein either through email or any other mode whatsoever. Further, immediate closure was not warranted for in the present case as there is no harm that is being caused by the Appellant herein to the environment in the running of the poultry farm. That poultry farming being an agri-industry, no industrial process whatsoever is involved in it. No pollution whatsoever is caused by running of the Appellant unit so as to strictly bring the same within the ambit of Environment (Protection) Act, 1986 or the Water (Prevention and control of Pollution) Act, 1974 or the Air (Prevention and Control of Pollution) Act, 1981. Hence, the action of the Respondent Board is completely in violation of the circular/guidelines dated 18.06.2020 as well as in violation of the principles of natural justice.
8. That despite the fact that the inspection report dated 23.01.2024 gave a clean chit to the Appellant herein and the Appellant unit is being run in compliance since its inception, a closure order dated 03.06.2020 has been issued against the Appellant which is arbitrary, invalid, improper and legally unsustainable in the eyes of law.
9. That the impugned Closure Order has been passed by the Respondent Board solely on the ground of hyper technicality of not obtaining Consent

(43)

to Operate. That the Respondent Board failed to take into consideration that the Appellant is a totally non-polluting unit which has been in operation since 1998. The Respondent Board ought to have taken into consideration the fact that the Appellant unit has been operated through out in good faith without any pollution hazards. The only thing against the Appellant unit was the procedural lapse of not obtaining Consent to Operate. The impugned order has been passed without appreciating that a fully compliant unit cannot be ordered to shut down only on the ground of the technical irregularity of not obtaining Consent to Operate. It is imperative to mention herein that the Appellant unit has now applied for the grant of Consent to Operate and copy of proof of the same is marked and annexed herewith as **Annexure-A/5**.

10. That in facts stated aforesaid, the action of the Respondents are wholly illegal, arbitrary, unwarranted and are nothing but a colorable exercise of power on the part of the Respondents and thus are liable to be quashed inter-alia on the following grounds amongst others:

**GROUND:**

- A. **FOR THAT** in the humble submission of the Appellant, the closure order dated 03.06.2024, has been passed by Respondent Board without application of mind and without taking into consideration the entire facts of the case in as much as without serving the show cause notice dated 16.04.2024 upon the Appellant herein and without according any opportunity of being heard to the Appellant herein.
- B. **FOR THAT** the very object of framers of the Environment (Protection) Act, 1986, was inter-alia to provide for the protection and improvement of

environment and for this purpose statutory boards including Central Pollution Control Board and State pollution Control Boards in Centre as well as all the States respectively were established. Vast powers to administer these laws were given to the boards including power to shut down a non-compliant unit as well as to give legally binding directions to any authority et cetera. The framers of these statutes never vested any board to shut down a compliant unit, rather it has been the endeavour of governments/boards as well as the courts to shut down an unit only in case of non-compliance and upon an unit becoming compliant, allow it to operate as per the parameters of law. In the instant case, and admittedly compliant unit has directed to shut down by the Respondent Board and that too without serving the show cause notice dated 16.04.2024 upon the Appellant herein and falsely alleging that no reply/compliance has been submitted by the Appellant unit and thus the action is hit by the well settled doctrine of colourable exercise of power, and the impugned action is liable to be set aside on this ground as well.

C. **FOR THAT** the impugned Closure Order has been passed by the Respondent Board solely on the ground of hyper technicality of not obtaining Consent to Operate. That the Respondent Board failed to take into consideration that the Appellant is a totally non-polluting unit which has been in operation since 1998. The Respondent Board ought to have taken into consideration the fact that the Appellant unit has been operated through out in good faith without any pollution hazards. The only thing against the Appellant unit was the procedural lapse of not obtaining Consent to Operate. The impugned order has been passed without appreciating that a fully compliant unit cannot be ordered to shut down

only on the ground of the technical irregularity of not obtaining Consent to Operate. That the Hon'ble Supreme Court in *Electrosteel Steels Limited v. Union of India*, 2021 SCC online SC 1247 has held:

*“The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down for the technical irregularity of shifting its site without prior environmental clearance, without opportunity to the establishment to regularize its operation by obtaining the requisite clearances and permissions, even though the establishment may not otherwise be violating pollution laws, or the pollution, if any, can conveniently and effectively be checked. The answer has to be in the negative.”*

D. **FOR THAT** similar orders were passed by the Hon'ble Supreme Court in *M/s Pahwa Plastics Pvt. Ltd. & Anr. vs. Dastak NGO & Ors.* 2022 SCC Online SC 362:

*“The question in this case is, whether a unit contributing to the economy of the country and providing livelihood to hundreds of people, which has been set up pursuant to requisite approvals from the concerned statutory authorities, and has applied for Ex post facto EC, should be closed down for the technical irregularity of want of prior environmental clearance, pending the issuance of EC, even though it may not cause pollution and/or may be*

*found to comply with the required norms. The answer to the aforesaid question has to be in the negative.*

.....

*The Appellants will be allowed to operate the units. Electricity, if disconnected, shall be restored subject to payment of charges, if any. If the application for EC is rejected on the ground of any contravention on the part of the Appellants, it will be open to the Respondents to disconnect the supply of electricity.”*

That similarly in the present case, without giving an opportunity to the Appellant herein to regularize its operation by obtaining the requisite Consent, the Respondent Board has illegally and arbitrarily ordered for closure of the Appellant unit. That the Appellant unit has applied for the grant of Consents and hence should be allowed to operate.

- E. **FOR THAT** since the show cause notice dated 16.04.2024 was never served by the Respondent Board upon the Appellant herein, the action of the Respondent Board of closing down the Appellant Poultry Farm and sealing its plant and machinery, is in complete violation of its own circular/guidelines dated 18.06.2020. That the circular/guidelines dated 18.06.2020 issued by the Respondent Board itself clearly mentions that 15 day's notice should be given to the unit to submit its reply to the show cause notice and the same should be sent to the unit through email. That the circular/guidelines dated 18.06.2020 also mentions that immediate closure can only be done in cases where there is threat to the environment. At the outset it is submitted that the Respondent Board did not serve any show

cause notice upon the Appellant herein either through email or any other mode whatsoever. Further, immediate closure was not warranted for in the present case as there is no harm that is being caused by the Appellant herein to the environment in the running of the poultry farm. that poultry farming being an agri-industry, no industrial process whatsoever is involved in it. No pollution whatsoever is caused by running of the Appellant unit so as to strictly bring the same within the ambit of Environment (Protection) Act, 1986 or the Water (Prevention and control of Pollution) Act, 1974 or the Air (Prevention and Control of Pollution) Act, 1981. Hence, the action of the Respondent Board is completely in violation of the circular/guidelines dated 18.06.2020 as well as in violation of the principles of natural justice.

F. **FOR THAT** the Respondent Board has not only failed to serve the show cause notice dated 16.04.2024 upon the Appellant herein but also has failed to award an opportunity of hearing to the Appellant unit. That by not providing an opportunity of hearing to the Appellant unit, the Respondent Board has violated the mandatory principle of Natural of Justice.

G. **FOR THAT** the importance of the doctrine of natural justice is evident from the fact that with the development of law it has been treated as an ingredient of Article 14 of the Constitution of India. 'Natural Justice' means a fair process. A fair process essentially must exclude arbitrariness and exclusion of arbitrariness would ensure equality and equal treatment before law. That the Audi Alteram Partem facet of natural justice is also requirement of Art. 14, for, natural justice is the antithesis of arbitrariness. The right of Audi Alteram Partem is a valuable right recognized under the

Constitution of India wherein it is held that, the principle of the maxim which mandates that no one should be condemned unheard, is a part of the rules of natural justice.

**H. FOR THAT** in **Dhunseri Petrochem And Tea Vs Union Of India Ors** dated 16 May, 2013, this Hon'ble Authority has observed that :

*“The adherence to principles of natural justice as recognized by all civilized States is of supreme importance when a quasi-judicial body embarks on determining disputes between the parties, or any administrative action involving civil consequences is in issue. These principles are well settled. The first and foremost principle is what is commonly known as Audi Alteram Partem rule.”*

*“The doctrine of Audi Alteram Partem has three basic essentials. Firstly, a person against whom an order is required to be passed or whose rights are likely to be affected adversely must be granted an opportunity of being heard. Secondly, the authority concerned should provide a fair and transparent procedure and lastly, the authority concerned must apply its mind and dispose of the matter by a reasoned or speaking order.”*

**I. FOR THAT** the above findings of the Court puts one matter beyond ambiguity, i.e., the affected party is entitled to full and fair opportunity, and such an opportunity, shall, both in fact and in substance, be granted to ensure that justice is not only done but also seems to have been done. That

in the present case, admittedly, there is flagrant violation of the principles of natural justice as the Appellant was neither provided a copy of the show cause notice dated 16.04.2024 nor was given an opportunity of being heard and serious prejudice has been caused to the Appellant as a result of non-compliance to the fundamental principles of rule of law and which inevitably lead the Appellant to shut down its entire business activity. There is grave violation of the principle of natural justice as the Respondent has neither served the show cause notice dated 16.04.2024 upon the Appellant herein nor provided an opportunity of being heard.

J. **FOR THAT** it is stated by the Appellant Poultry farm that is operating in complete compliance to the norms and no useful purpose will be served by first closing the poultry farm and then after inspection re starting it which is not possible in view of lives of thousands of birds being at stake. This is not an industry where the machinery can be switched off and then switched on. Due to the very nature of the poultry farm and it being susceptible to diseases easily, no running poultry farm shall accommodate birds of another poultry farm, making disposal of birds of the Appellant poultry farm impossible.

K. **FOR THAT** even for the sake of arguments, though not admitted, it is taken that the Appellant unit is required to obtain consent to establish/operate from the Respondent Board either under the Air (Prevention and Control of Pollution) Act, 1981 or the Water (Prevention and Control of Pollution) Act, 1974, then a show cause notice qua this ought to have been issued and the Appellant unit would applied for the consents and filed its reply accordingly, but the Respondent board has

50

chosen to act illegally and arbitrarily contrary to the procedure established by the statutory provisions and the rules. The Appellant unit is not the one which can be switched off and then started again after some time, rather poultry farming involves living birds which just can't be shifted sole or culled instantly. On these grounds as well the impugned action of the respondent board and respondents are hit by arbitrariness and illegality and is completely non-just in the eyes of law.

L. **FOR THAT** the Appellant unit is implementing all the necessary applicable guidelines as mentioned in the notification issued by the Government of Haryana for the clean, hygienic and better running of their Appellant unit.

M. **FOR THAT** most of the guidelines in order to run the Appellant unit in an efficient, hygienic and clean manner keeping in view the fact that any unhygienic condition can cause mass mortality of the poultry birds. It is submitted that the birds are kept in a hygienic and clean environment, given drinking water in a quantity i.e. sufficient without any wastage, given feed after the same is ground in a feed mill and their manure is scientifically collected, stored and taken away, therefore there is no discharge of sewage.

N. **FOR THAT** the Respondent Board has proceeded against the Appellant unit in a mechanical manner without fully appreciating the legal as well as the factual aspects involved in the matter and hence committed an error and passed an order which is illegal, invalid and legally unsustainable.

**LIMITATION:**

That the copy of the impugned order was received by the Appellant herein on 10.06.2024 and hence there is a delay of \_\_\_\_\_ days in filing the present Appeal. That the Appellant along with the Appeal is therefore also moving a condonation of delay application.

**PRAYER**

In view of the submissions made herein above, the Appellant most respectfully prays that this Hon'ble Authority may kindly be pleased to:

1. Allow the present appeal filed by the Appellant in the interest of justice and fair play;
2. Set aside the closure order dated 03.06.2024 having been issued illegally and without due appreciation of law and facts involved in the case, much less without serving the show cause notice dated 16.04.2024 upon the Appellant unit and without providing an opportunity of hearing;
3. Allow the Appellant unit to operate its unit as the Appellant unit is complying with all applicable rules/guidelines;
4. Any other relief which this Hon'ble Authority may deem fit and proper in the peculiar facts and circumstances of the case may also be granted in favour of the Appellant;
5. Exemption from filing certified copies of Annexures.


(52)



Pass such and/or further orders as deemed fit and proper in the peculiar facts and circumstances of this case in favor of the Appellant Company.

For Bajaj Sanjay Poultry Farm  
Proprietor

APPELLANT

THROUGH

  
A.R. TAKKAR, \_\_\_\_\_,  SHRIYA TAKKAR,  UNNATI ANAND

   
BHARGAVA RAVIKUMAR, NIDHI R JHA, MANAN TAKKAR  
ADVOCATES  
M/S ARTLO  
# P6/2-E, FIRST FLOOR, DLF PHASE -II,  
GURGAON - 122002  
MOB: 8826200005  
MAIL ID: ARTAKKAR@ARTLO.IN

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act, 1974 and  
Air (Prevention and Control of Pollution) Act, 1981]

**APPEAL NO. \_\_\_\_\_ OF 2024**

**IN THE MATTER OF:**

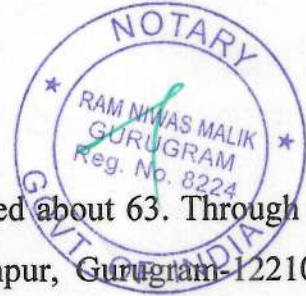
Bajaj Sanjay Poultry Farm

...Appellant

Versus

Haryana State Pollution Control Board & Anr

...Respondent

**AFFIDAVIT**

I, Sanjay Kumar Bajaj S/o, Late Sh. Chaman Lal Bajaj aged about 63. Through its Proprietor Bajaj Sanjay Poultry Farm R/o Village Aklimpur, Gurugram-122101, Haryana.

I the above named deponent do hereby solemnly affirm and declare as under:-

1. That the above titled Appeal has been drafted under the authority and instructions of the deponent and after perusing its contents, the deponent has duly signed it, and the contents of paragraph Nos. 1 to thereof are true and correct to the knowledge of the deponent, and the same may be read as contents of this affidavit also, which are not being reproduced for the sake of brevity. No part of it is false and nothing material has been kept concealed therefrom.
2. That the contents of paragraphs no. 1 to of above tilted Appeal are true and correct to my knowledge, no part of that is false and nothing has been kept concealed therefrom.

(54)

3. That the Annexures attached with the Appeal are true copies of their respective originals.

For Bajaj Sanjay Poultry Farm

*[Signature]*  
Proprietor

DEPONENT



**VERIFICATION**

Verified that the contents of paragraphs no. 1 to 3 of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been concealed therein.

For Bajaj Sanjay Poultry Farm

*[Signature]*  
Proprietor

DEPONENT

**ATTESTED**  
RAM NIWAS MALIK, ADVOCATE  
NOTARY, GURUGRAM (HR.) INDIA

323  
HARYANA STATE POLLUTION CONTROL BOARD

ANNEXURE A/200

C-11 Sector-6, Panchkula  
Ph - 0172- 577870-73, Fax No. 2581201  
E-mail- hspcbho@gmail.com  
Website: hspcb.gov.in

55

CLOSURE ORDER

Whereas, M/s Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm), Village-Aklimp Badshahpur, Gurugram has established and operating a Poultry Farms at Village-Aklimp Badshahpur, Gurugram which is polluting in nature:

Whereas, the above said-unit was visited by Field officer on 23.01.2024 and reported following violation made by the unit under the Water Act, 1974 & the Air Act, 1981:-

The unit is operating illegally without obtaining prior CTE & CTO from the Board.

Whereas, a show Cause Notice for closure was issued to the above-said unit by the Regional Officer Gurugram South vide his letter no. HSPCB GUR/2024/INS/64626851SCNCC001 dated 16-04-2024 but the unit has not submitted the reply:

Whereas, Regional Officer, Gurugram South vide his recommendation letter HSPCB/GUR/2024 RO/INS/64626851CONCR002 dated 21.05.2024 has recommended for take closure action against the unit under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & 33-A of the Water (Prevention & Control of Pollution) Act, 1974 which has been examined and it has been found that the unit has violated the provisions of the Air (Prevention & Control of Pollution) Act, 1981 & the Water (Prevention & Control of Pollution) Act, 1974 as mentioned above.

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & 33-A of the Water (Prevention & Control of Pollution) Act, 1974 it is hereby ordered to close down the operation of above said unit M/s Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm), Village-Aklimp Badshahpur, Gurugram and the owner/ proprietor is directed to exhaust the birds from the premises within 60 days;

In addition, it is also intimated that non-compliance with the directions issued under section 33-A/31-A is an offence under the provision of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 respectively.

Dated Panchkula, the  
29<sup>th</sup> May, 2024

Chairman, HSPCB

Endst. No.: HSPCB/GUR/2024/INS/64626851CONCO001- 004

dated:-3.06.2024

A copy of the above is forwarded to the following for information and necessary action:-

1. The Deputy Commissioner, Gurugram.
2. The SDM. He is requested to ensure the auction of birds from poultry farms in association with officers of animal Husbandry Department after 60 days in case owner fails to exhaust.

(56)

the birds within 60 days. The care should be taken that no harm is caused to birds in any process/ activity performed in this regard.

3. The Deputy Director, Animal Husbandry. He is requested to associate with SDM for exhausting of birds from the premises of unit (poultry farms).
4. The Regional Officer, Gurugram South. He is asked to ensure the compliance of closure order immediately and to submit a action taken report in this regard within 03 day positively and to initiate prosecution action against the unit for violation and to recommend the case for imposing Environment Compensation to this office complete in all respect within 07 days.
5. M/s Balaji Poultry farm (M/s Bajaj Sanjay Poultry Farm), Village-Aklampur, Badshahpur Gurugram. They are directed to exhaust the Birds from unit.

JATIND  
ERPAL  
SINGH

Sr. Env. Engineer (HC)  
For Chairma



57

1. Name and Address of the Unit: M/s Balaji Poultry Farm of M/s Bajaj Sanjay Poultry Farm, Badshahpur, Guru
2. Date of Inspection: 23/01/24
3. Date of Establishment: 1998
4. Name of the unit Prop./Directors/Partners: Sh. Sanjay Kumar Bajaj, Prop.
5. E-mail ID and Contact No.: 813 0511661 - 3, sbajaj13@gmail.com
6. Latitude and Longitude: - see photos, 9818 86805 3
7. Total no. of birds: 32,564
8. Total no. of Sheds: 06
9. Whether covered under Consent Management?: As per policy

Compliance status of directions issued by Env. Department to Govt. of Haryana vide dated 29.05.2013.

Sr. No.	Directions:	Compliance status
	All Poultry Farms shall be set up as per following Siting Criteria:-	
1	The poultry farm shall not be located within 500 m from residential zone 200 m from major water course 1000 m from any major drinking water reservoir on catchment side 100 m from any drinking water source like wells, summer storage tanks, tanks 500 m from nearby poultry, dairy or another livestock enterprisers or industry	Relate to Rev. dep.
2	The poultry sheds shall not be located within 20 m from farm boundary 200 m from public roads 20 m from other sheds on the same farm 100 m from any other dwelling on the same property.	
3	The poultry sheds shall be positioned on East to West direction at least 2 m above the water table at least 0.5 m above ground level	
4	The poultry farm shall raise green belt all around the farm with minimum of two rows spaced apart of not more than 3 m.	

- | -  
*[Signature]*

58

5	The poultry farm shall be fenced with barbed wire / linked mesh upto a height of 1.5 m with appropriately secured entrance and outlet.	Complying
6	No open burning or indiscriminate dumping of any dead birds/ feathers / offal's, unused material like litter / empty gunnies / containers etc. shall be adopted within or outside the farm premises.	- do -
7	Proper drainage / outlet for collection and discharge shall be provided for storm runoff / discharges from the farm.	- do -
8	No obstruction shall be created for any water course within the farm or outside the farm boundary.	- do -
II	<b>All Poultry Farm shall adopt following method for Manure Storage and Management</b>	
1	The litter / manure storage dumps shall be minimum 2 m above the water table and of sufficient size based on the type and number of birds handled. Its base should be constructed with stone slabs or concrete or impermeable compacted clay.	Complying
2	The litter/ manure storage dumps shall have a 25 m buffer strip all around to keep out of wet areas/ drainage discharges.	
3	The dry manure dump shall be covered with permanent roof or with plastic / similar material to prevent air emissions and the precipitation falling on it.	
III	<b>To minimization of odour / gaseous pollution problem the poultry farms shall ensure for/to</b>	
1	Proper ventilation and free flow of air over manure collection points to keep it dry.	YLS
2	Protect manure from unwanted pests, pesticides.	YLS
3	Protect manure from run off water and cover it to avoid dust and odours in storage pits	YLS
4	Design, construct, operate and maintain waste storage facilities to contain all manure, litter and washings.	YLS
5	Collect carcasses promptly on regular basis and dispose them appropriately without damaging the environment.	YLS
IV	<b>All Poultry Farm shall dispose dead birds by adopting one or more of the following methods</b>	
(a)	<b>Dead Birds Disposal - Burial</b>	
1	The dead birds arising from day to day farm activity shall be separated from other live birds promptly and should be stored in closed containers/ disposed off within 24 hours by following any of the appropriate disposal methods.	Complying
2	The dead birds burial pit shall be of 3 to 4 m in depth and 0.8 to 1.2 m diameter and located above minimum of 3 m from the ground water table.	- do -
3	The dead birds burial pit shall be provided with a germin / fly proof cover made up of wooden / metal / concrete having a central operable lid of proper size for day to day dropping of carcasses.	- do -
4	When the pit is full, a compacted soil cover of 0.5 m shall be provided with the top of the covered soil well above the ground level.	- do -
5	The distance between any two burial pits shall not be less than 1 m.	On pit
(b)	<b>Dead Birds Disposal - Composting</b>	
	Composting is a natural process of decaying dead birds under controlled conditions. The bacteria and fungi reduce the organic waste into a useful end product by this system. Daily mortality is collected and the carcasses are subsequently layered into the primary bin with used up litter, straw/husk and sprayed with water at a ratio of 1:2:0.1:0.25 by weight respectively. To start with a layer of one feet of litter is spread in concrete floor then a layer of straw or paddy husk are added to aid in aeration and to supply adequate source of carbon. On this, a single layer of carcasses are placed and water is sprayed to maintain the required moisture. Finally, the layer of carcasses is covered with old manure. Subsequently layering of carcasses is repeated in a similar fashion. Once the pit is full, it is covered finally with a layer of used up litter and left it for composting. The temperature of compost increases rapidly to 60 to 70°C as bacterial action progresses. This phase is followed by a decrease in temperature after 14 to 21 days later. After composting, it can be safely stored until needed for land application.	
	<b>All Poultry Farms shall setup composting facility (if required) as under:-</b>	
1	The composting facility shall not be located within 300 m from the nearest dwelling and 100 m from any well or water course.	No compo facility at site
2	The capacity of the composting facility shall be sufficient to handle the average mortalities on the farm.	
3	The roof of the composting facility shall be permanent with bottom concreted.	

4	The composting facility shall be secured with iron mesh all around raised to a height of 1.5 m above the ground level to avoid the predation by stray dogs etc.	AVT
(c)	<b>Dead Birds Disposal - Incineration</b> 327	204
1	The incinerator shall be located in down wind direction to the poultry houses and populated areas.	Only 1 of dead birds (59)
2	The incinerator capacity shall be of sufficient size such that no un-burnt carcasses are left in a day's operation.	
3	The guidelines and standards prescribed under Bio-Medical Waste (Management & Handling) Rules, 1998 shall be followed for erection and operation of the incinerator.	
V	<b>In case the poultry farms have installed Feed Mill then these shall ensure that</b>	No feed at 51
1	Multi- clones shall be installed in the feed mill.	
2	All the workers working in the feed mill should be provided with dust masks.	
VI	<b>Waste Water Discharge</b>	Comply
1	The waste water generated from the cleaning operations (after each batch removal) shall be collected in appropriate holding tank and put to use in the green belt.	
2	<b>Process for treatment and disposal of effluent</b>	Comply
a.	Improve drainage, reduce standing water and water ditches to control mosquitoes and flies.	
b.	Reduce water use and spills from drinking devices by preventing overflow or leakages and using calibrated, well-maintained self-watering devices;	
c.	Installation of vegetative filters (reed filters) and surface water diversions to direct clean run offs around areas containing wastes will help in decreasing spread of pollutants.	
d.	Use of pressure pumps, hot water or steam in cleaning activities instead of cold water and plain water scrubs can tremendously improve sanitation and reduce the quantities of wash water effluents considerably.	
e.	Implement buffer zoned to surface water bodies, as appropriate to local conditions and requirements, and avoid land spreading of manure within these areas.	
VII	<b>All Poultry Farms shall follow Best Management Practices</b>	
	Apart from the above code practice, the following Best Management Practices which facilitates for control of the generation or delivery of pollutants shall be followed by poultry farms thereby preventing environment.	-
A.	<b>Disposal of solid wastes</b>	Farm found clean & Comply
1	Place primary importance to minimize waste generation in regular farm management schedule.	
2	Implement integrated pest control and management to control pests and limit pesticide use in farm.	
3	Properly collect, sort, treat, transport and utilize the solid wastes	
4	Always balance land application of manure to the nutritional requirements of soil and crop.	
5	Keep manure dry and avoid wet spots/ patches.	
6	Store manure properly by following appropriate storage technologies like composting.	
7	Reduce mortalities on farm by proper animal care and disease prevention program.	
8	Use reliable options for collection, storage, transport and disposal of dead birds.	
9	Properly evaluate the effectiveness of pesticide and its potential environmental impacts before application.	
10	Never use pesticide containers for any other use and should be properly disposed to an engineered land fill facility.	
B.	<b>Gainful utilization and recovery of wastes</b>	NA
1	The products from the rendering plant can be used a pet food.	
2	The pet food also can be made by extrusion of hatchery waste with soyabean meal.	
C.	<b>Efficient Feed Management Practices</b>	No visit Storage Prop
1	Avoid exposure of feed and feed ingredients to rain, moisture, flies and pests.	
2	Ensure proper storage of feed and its transport.	
3	Avoid reuse of used feed bags.	
4	Keep feeder equipment always clean and tidy.	
5	Dispose properly the waste feed with due consideration to bio-security and environment.	
6	Properly balance the feed for meeting the precise nutritional requirements.	

- 3 -



60

7	Avoid overages / excess nutrients	
8	Match feed formulation to the specific nutritional requirements of birds like growth, production, breeding etc.	
9	Balance properly the energy: protein, calcium: phosphorous, Lysine: Methionine, Manganese: Zinc: Selenium ratios in the diet	
10	Use enzymes, amino acids and gut modifiers etc. for enhancing feed utilization and nutrient adsorption.	
11	Ensure proper balancing and mixing of trace elements like vitamins, minerals, amino acids and other feed activities	Comply
12	Accurate weighing and proper distribution of feed to avoid wastage.	
13	Always use quality, uncontaminated feed material	
14	Implement a comprehensive nutrient management plan for the entire farm.	
15	Maintain records for feed issues and consumption of water and feed on daily basis.	
16	Provide good quality drinking water	
17	Deliver safe water to birds without exposure to contaminants - nipple system is best compared to open dispenses.	
18	Avoid spillage or leakage of water on the farm	
D.	<b>Best management practices</b>	
1	Use predators to control of pests.	
2	If pesticides are used then follow the correct doses, methods of application and proper disposal of used containers.	
3	Take proper precaution to protect human, animal and environmental health before pesticide application.	
4	Consider rotating the generic contents of pesticide to avoid build up of resistance in the target pest.	
5	Avoid use of pesticides that fall under Hazardous class.	
6	Always follow label guidelines for dose application and safety precautions while mixing and transfer. Application of pesticides should be undertaken by trained persons in well ventilated and well lit areas.	Comply No prob found o site
7	Avoid contamination of feed, water and other road material including their equipment with pesticides.	
8	Store pesticides always in their original container at exclusively dedicated place and kept under lock and key.	
E.	<b>General sanitation and hygiene</b>	
1	Design and construct all poultry structures to keep out pests.	Comply
2	Use mechanical controls in preference to chemical controls to kill or repel pests on the farm.	- do -
3	Use good house keeping practices in feed godown, mills, sheds and other facilities to limit food sources and habitat for pests.	clean
i.	The feed mill and godown shall be located on a well elevated ground preferably near the entrance to the farm and isolated from other poultry sheds.	NA
ii.	It shall have a separate entrance and exit without crisscrossing the internal poultry farm roads.	NA
iii.	Provision for vehicle tyre dip shall be made available at the entrance control gate.	Yes, pro
iv.	Floor of the feed mill and godown shall be concrete, damp proof, redent/vermin proof and raised above the ground level by a minimum of 2 feet.	No flood
v.	Shall have adequate fire and other accident safety provisions.	Relates to
vi.	All feed ingredients shall be stored on pallets or platforms to facilitate easy detection of leakage and to prevent absorption of moisture from the ground.	Comply
vii.	Avoid pest infestation of stored feed ingredients by frequent inspection and following prompt interventions.	- do -
viii.	Never store pesticides and other poisonous materials in feed plants or feed making premises.	- do -
ix.	Provide exclusive storage facility within feed plant for feed additives like vitamins, minerals etc.,	- do -
x.	Always store finished feed in covered containers and try to deliver to sheds for distributions to birds in specially made closed delivery trucks avoiding baggage and its reuse.	- do -
xi.	Never store finished feed in sheds for more than the current days requirement.	- do -
xii.	Prevent interaction of feeds with wild birds, rodents, pests, flies etc. as a measure of food safety and prevention of spread of diseases.	- do -

xiii	Avoid spillage to limit wastage and discourage habitation for pests and rodents.	Complying
xiv	Observe sanitation and cleanliness as routine to ensure quality and safety of feed grains.	329 Complying
xv	Ensure safe and healthy working atmosphere for personal by providing protective equipment and proper training to persons involved in specific jobs.	Not provided
xvi	Keep and maintain proper inventory of men, materials and jobs performed in detail.	Yes (61)
4	The loading and unloading operations shall be limited to day time.	Yes
5	Vegetative noise barriers shall be considered along the periphery of the farm.	Provided for
6	Establishment of sound bio-security protocols (specific to location, structural and operational) will minimize the potential for the spread of pathogens.	Complying
7	The bio-security protocols shall be uninterrupted and included for the entire poultry operation that control animals, feed equipment, transport, personal, visitors, stray animals, migratory bird, rodents etc.	- do -
8	Workers on multiple age group farms shall always work with youngest birds first before attending the other groups.	- do -
9	As far as possible follow an all-in-all out system and single age group limit the disease spread.	-
10	Training of workers for the specific jobs, recording and monitoring each of the process application on the farm will help in achieving desired results.	Maintained
11	Emerging technologies that benefit the environment shall be reviewed and useful technologies shall be adopted as a part of resource management policy on a continuous basis.	-
12	The policy that includes ideal land-crop-livestock food relationship with environmental protection and public health shall be nurtured and practiced vigorously.	-

Remarks:-

Unit visited on complaint basis.  
 Unit is complying & fly nuisance is controlled.  
 Unit has maintained stock register and has also provided bills of Fly act. paint

Signature of Representative of the unit:  
 Name: Jaswant Singh  
 Designation: Supervisor  
 Dated:

Signature of Officer of HSPCB:  
 Name: Sidharth  
 Designation: AE12  
 Dated: 23/01/2024

ANNEXURE

A/3

COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of Regional Office order No. 24/INS/A/12/85 dated 10/11/85 issued by the Karnataka State Pollution Control Board, Bangalore Region (South) under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31A of Air (Prevention & Control of Pollution) Act, 1981 the unit M/s. Balaji Sweets, Bangalore (Balaji Sweets, Sanjay Sweets, JRM) hereby closed on 10/11/85 by sealing the plant & machinery as mentioned below.

Sr. No.

- 1. 1000 Litre capacity of No.
- 2. 1000 Litre capacity of No.
- 3. 1000 Litre capacity of No.
- 4. 1000 Litre capacity of No. - 1000 Litre - 2.5 inch delivery - 01 No.

Sh. ... Representative of the unit present at the time of sealing of Plant & Machinery of the unit, has not shown any stay orders of any courts against the closure mentioned Closure Orders. The unit will be itself responsible for watch & Ward of the unit.

Signature of ...  
of the unit

Signature of Officers  
of the Board



# HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula

Ph - 0172-577870-73, Fax No. 2581201

E-mail- hspcbho@gmail.com

Website: www.hspcb.org.in

331

ANNEXURE

A/4

No. HSPCB/PLG/2020/

Dated:

63

To

All the Regional Officers in the field.

Sub: - Regarding issuance of show cause notices.

Whereas, vide Head Office order Endst. No. HSPCB/2005/2454-460 dated 23.08.2005 it was ordered to authorize Regional officers to issue closure order/sealing the polluting process of the unit after giving three days notices or directly seal polluting process in grave emergency and above said order was modified vide Head Office order Endst. No. HSPCB/PLG/2020/1045-1067 dated 19.03.2020:

Whereas, Standard performa of show cause notices has already been approved and circulated vide Head Office letter no HSPCB/2018/2661-2682 dated 13.12.2018 wherein 15 days time has been mentioned to show cause.

Whereas, vide Head Office order Endst. No. HSPCB/PLG/2019/380-402 dated 16.09.2019 it was ordered all the show cause notices will be issued through registered post with AD and record for same with receipt will be maintained in Regional Offices;

Whereas, it has been displayed on portal of HROCMMS of HSPCB, the industry/unit is responsible for the correctness of email ID, Mobile Number and other particulars filled through its login. Various communications are made with the industry/unit through Email/SMS, the same may be updated immediately in case of any change.

The Instructions issued vide letter no. HSPCB/IT/2020/10680 dated 12.06.2020 are hereby superseded and the following instructions are issued:-

- i) That 15 days show cause notice shall be given to the unit, as per standard performa of show cause notices circulated vide Head Office letter no. HSPCB/2018/2661-2682 dated 13.12.2018. The show cause notice alongwith the annexure if any shall be sent through email only. In case, if there is any threat to environment, immediate closure action be taken as per orders dated 23.08.2005 and as amended vide order dated 19.03.2020.
- ii) That 15 days time period to give the reply of show cause notice shall be counted from date of email sent to unit as registered in the general details on the HROCMMS online portal of HSPCB.
- iii) It will be ensured that annexures if any to be sent with show cause notice shall be attached in the email with due care.

Sr. Environmental Engineer (PLG)

For Chairman

Dated: 16/6/20

Endst. No. HSPCB/PLG/2020/1138-1198

A copy of the above is forwarded to the following for information and necessary actions:-

- 1. All the Branch Incharges in Head office.
- 2. Nodal Officer (IT) for uploading on website of the Board.

Sr. Environmental Engineer (PLG)

For Chairman

Dated: 16/6/20

Endst. No. HSPCB/PLG/2020/

A copy of the above is forwarded to following for kind information of the officers:-

- 1. PS to Chairman.
- 2. PA to Member Secretary.

Sr. Environmental Engineer (PLG)

For Chairman

Handwritten notes: fms, 26710

(5)

ANNEXURE A/5

7/23/24, 3:25 PM

Application Details

Print

Note History

From : M/S BAJAJ SANJAY POULTRY FARM (24GUS0472940)  
 No : 74151449  
 Sub : Application For - CTO / both / new

Date : 23/07/2024 15:02:04

(65)

**BEFORE THE APPELLATE AUTHORITY**

[Constituted Under the Water (Prevention and Control of Pollution) Act, 1974 and Air Prevention and Control of Pollution Act, 1981]

APPEAL NO. \_\_\_\_\_ OF 2024

**IN THE MATTER OF:****BAJAJ SANJAY POULTRY FARM**

... APPELLANT

**VERSUS****HARYANA STATE POLLUTION CONTROL BOARD & ANR**

...RESPONDENTS

KNOW ALL to whom these present shall come that I/We the above named petitioner/appellant do hereby appoint, ARTLO/A.R.TAKKAR, ADVOCATE to be the Advocates in the above noted case and authorize him :-To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. to take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf. And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes. And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called. And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself. And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this \_\_\_\_\_ day of \_\_\_\_\_, 2024

Accepted

  
**A.R. TAKKAR,**  
 P/377/1988

  
**SHRIYA TAKKAR,**  
 P/1769/2016

  
**ASMITA DUGGAL**  
 D/3525/2015

  
**UNNATI ANAND**  
 D/7583/2018

  
**BHARGAVA RAVIKUMAR,**  
 KAR/506/2020

  
**KAPIL BAKSII,**  
 D/5585/2021

  
**NIDHI R JHA,**  
 MAH/5315/2021

**& MANAN TAKKAR**  
 D/2518/2023

M/S ARTLO  
 # P6/2-E, FIRST FLOOR, DLF PHASE -II,  
 GURGAON - 122002  
 MOB: 8826200005  
 MAIL ID: [ARTAKKAR@ARTLO.IN](mailto:ARTAKKAR@ARTLO.IN)

  
 For Bajaj Sanjay Poultry Farm

(SIGNATURE OR THUMB IMPRESSION)

Proprietor

**12 of 2024 M/s Bajaj Sanjay Poultry Farm Vs. HSPCB**

Present: Sh. Archit Rana, Advocate proxy counsel for appellant.  
Shri Ramesh Chahal, Advocate for the respondent.

Notice of the appeal issued to respondent. Sh.Ramesh Chahal, Advocate for respondent accepted the notice. Copy supplied.

List on 19.09.2024 for filing reply to the application seeking for condonation of delay in filing the appeal.

Dated 22-08-2024

Sd/-  
Appellate Authority