

IN THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, AT NEW DELHI

ORIGINAL APPLICATION No. 434 OF 2022

**IN THE MATTER OF:**

Gurudwara Manak Tabra Prabandhan Committee

Through Its President

.....Applicant

Versus

State Of Haryana & Ors.

.....Respondent(s)

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THROUGH



A.R. TAKKAR, SHRIYA TAKKAR, BHARGAVA RAVIKUMAR, KAPILBAKSHI,




HIMANI BHADAURIA, MANAN TAKKAR & PRINCE SHARMA

ADVOCATES  
M/s ARTLO

# A-25/12, DEODAR MARG, DLF PHASE -1,  
GURGAON - 122002

MOB: 8826200005

EMAIL ID: ARTAKKAR@ARTLO.IN

IN THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, AT, NEW DELHI  
ORIGINAL APPLICATION No. 434 OF 2022

**IN THE MATTER OF:**

Gurudwara Manak Tabra Prabandhan Committee  
Through Its President .....Applicant

Versus

State of Haryana & Ors. ....Respondent(s)

Reply on behalf of Respondent No. 9 i.e. M/s.  
Maha Luxmi Screening Plant, Manak Tabra,  
Panchkula, through its Proprietor in response to  
the Joint Committee Report dated 20.01.2024.

**RESPECTFULLY SHOWETH:**

1. That the instant reply is being filed in response to the Joint Committee report dated 20 January 2024 by Maha Luxmi Screening Plant, Manak Tabra, Panchkula. It is submitted that the Answering Respondent is a Proprietorship Firm, and this reply is being filed through its Proprietor Mahender Singh.
2. That this Original Application has been filed by the Applicant gurudwara under a misconceived notion that the Respondent Screening Plant is being operated contrary to the Haryana Government, Environment Department notification dated 10<sup>th</sup> of March 2016, which is denied, the same being contrary to the factual situation on the ground.
3. That this Hon'ble Tribunal based upon the averments made in the Original Application, vide order dated 4<sup>th</sup> of July, 2022 was pleased to constitute a Joint Committee comprising of state PCB and Deputy Commissioner, Panchkula which was directed

to meet within four weeks, undertake site visits, look into the grievances of the Applicant, verify all relevant facts and take requisite action by following due process of law.

4. The Joint Committee accordingly filed its report on 25<sup>th</sup> July 2023, upon which this Hon'ble Tribunal vide order dated October 11, 2023, was pleased to inter alia direct HSPCB to file additional report regarding status of compliance with statutory provisions/environmental norms with the requisite details and all relevant documents including verification reports regarding such compliance.
5. When this matter came up for hearing on January 25, 2024, this Hon'ble Tribunal was pleased to inter alia pass the following order:

*"5. In view of the averments made in the application and observations made in the report of the Joint Committee, we consider presence of (1) M/s. Maa Sharda Screening Plant, Manak Tabra, Panchkula, Haryana, (2) M/s. Naha Luxmi Screening Plant, Manak Tabra, Panchkula, Haryana and (3) M/s Shree Shayam Ji Screening Plant, Manak Tabra, Panchkula, Haryana who stand impleaded as respondents No. 8 to 10. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 8 to 10.*

*6. Notice issued to respondent no. 5 was received with 'left' report. Notice be issued again to respondent no. 5 and be served on it through the*

*Deputy Commissioner, Panchkula and for this purpose notice issued to the respondent no. 5 be sent to the Deputy Commissioner, Panchkula by E-mail for getting service of the same effected on it and sending his report in this regard*

*7. Replies by respondents no. 5 to 10 and additional reply/response by HSPCB be filed within 15 days by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.*

*8. List for further consideration on 23.02.2024."*

6. That in compliance with the aforesaid order passed by this Hon'ble Tribunal, notice was issued by the Registry of this Hon'ble Tribunal and the same was received by the Answering Respondent on the 2<sup>nd</sup> of February 2024 by post. That the present response is being filed by the Answering Respondent in pursuance to the directions issued by the order dated January 25, 2024, by this Hon'ble Tribunal and also responding to the report filed by the Joint Committee.
7. That at the very outset it is respectfully submitted that the Answering Respondent screening Plant has been established in accordance with law and as per the Siting criteria prescribed by Notification dated 10<sup>th</sup> March 2016, a copy of which is being attached hereto as **Annexure R-9/1**. A perusal of this Notification would show that it provides various distances to be maintained from places like National Highway, State highway, nearest metropolitan city, nearest town/village Abadi, nearest tourist complex, water supply schemes, indoor health treatment

units, Bird/wildlife sanctuaries/state wildlife parks and educational institutes, and river/Nalah et cetera. While establishing this Answering Respondent Unit, in accordance with the prescribed procedure, a report from Tehsildar concerned was taken, which certifies that the Answering Respondent Unit does not violate any of the prescribed distances. A copy of this report made by Nayab Tehsildar dated 28<sup>th</sup> December 2016 is being attached hereto as **Annexure R-9/2** for the kind perusal of this Hon'ble Tribunal. It is relevant to mention here that the Applicant Gurudwara is not a Tourist Complex declared by the Tourism Department, Haryana. That the Haryana Tourism Corporation Limited vide letter dated 31.08.2022 has clarified that as per record of Tourism Department, Haryana Gurudwara Manak Tabra, Rajpur Rani is not a Tourist Complex declared by the Tourist Department, Haryana and a copy of the letter dated 31.08.2022 in this regard is attached hereto as **Annexure R-9/3**.

8. The Answering Respondent Unit has been operating after obtaining due Consent to Operate from the Haryana State Pollution Control Board both under Water (Prevention and Control of Pollution) Act, 1974 as well as Air (Prevention and Control of Pollution) Act, 1981 which is valid till 31<sup>st</sup> of March, 2027. A copy of this consent to operate is being attached hereto as **Annexure R-9/4**.
9. That the Joint Committee in its report has made the following recommendations during its visit as well as its report filed regarding the Answering Respondent unit, which have immediately been implemented. The recommendations made by the joint committee are as under:

The Joint Committee inspected M/s Mahaluxmi screening plant on 16.01.2024 to verify the compliance submitted by the unit of the deficiencies observed on 21.11.2023 and CTO conditions. Further during inspection, the above said unit found operational and observations observed during the inspection are as under: -

1. Not maintaining two rows of trees on the outer periphery.
2. Height of installed barricades along the outer periphery is less than the height of the highest tip of the conveyor belts which is not as per the notification dated 10.03.2016.
3. Not maintaining the ramp inside the premises.
4. Not maintaining the 03 no. of re-circulation tanks.  
However, found re-circulating with 2 no of tanks.

10. That in response to the above-mentioned recommendations, the Answering Respondent Unit has taken the required measures as stated below:

- 1 & 2. That the Respondent Unit has augmented the green belt along the periphery providing two rows of plantation approved by the Divisional Forest Officer wherever the plants had died /not present and also has augmented the barrier/barricade along the periphery to the height of the highest tip of the conveyor belts which is enclosing the premises entirely from all sides. Photographs showing the plantation

and the barriers/barricades are being attached hereto as **Annexure R-9/5.(COLLY)**

4. That the Respondent Unit has constructed a metalled ramp within the premises of the plant for vehicular movement. A copy of the photograph is attached herein as **Annexure R-9/6.**
  4. That the Respondent Unit has provided 3 numbers of structurally sound and adequately sized tanks for setting of suspended solids in the effluents generated from the process and has ensured recycling/reuse of treated water for up to ninety per cent in the process. A copy of the photograph in this regard is attached herein as **Annexure R-9/7.**
11. That the Respondent Screening Plant which is a very small unit has been operating strictly in accordance with Law and has in no manner deviated from the provisions of Law and has also been complying with the Notification dated 10.03.2016 in all aspects. It is submitted that the Original Application filed by the Applicant Gurudwara is therefore misconceived and liable to be dismissed.

#### **PRAYER**

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to:

- a. Dismiss this original application qua the answering respondent with costs;

Pass any such and further orders as deemed fit and proper in the peculiar facts and circumstances in favour of the Respondent in the interest of justice and fair play.

For MAHALAXMI SCREENING PLANT  
JIE-9 12E  
Proprietor

**RESPONDENT**  
**M/S MAHALAXMI SCREENING PLANT**

**THROUGH**



**A.R.TAKKAR, SHRIYA TAKKAR, UNNATI ANAND, BHARGAVA RAVIKUMAR,**



**KAPIL BAKSHI, HIMANI BHADHURIA, PRINCE SHARMA AND MANAN TAKKAR,**  
**ADVOCATES**

**ARTLO**

**# A25/12, DEODAR MARG, DLF PHASE -1,**

**GURGAON - 122002**

**MOB.9815550001/9643014849**

**EMAIL: SHRIYATAKKAR@ARTLO.IN**

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

ORIGINAL APPLICATION NO. 434 OF 2022

IN THE MATTER OF:

GURUDWARA MANAK TABRA PRABANDHAN COMMITTEE  
THROUGH ITS PRESIDENT SH. TARA SINGH.

...PETITIONER/ APPLICANT

VERSUS

STATE OF HARYANA & ORS

...RESPONDENTS

AFFIDAVIT

I, Mohinder Singh S/o Shri Rounki Ram, aged about 46 Years Through its Proprietor of M/s Mahalaxmi Screening Plant R/o Village Mattawala, Post Office Kot, District Panchkula, Haryana.

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

1. That the above titled Reply 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 11 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.



*Mohinder Singh*  
For MAHALAXMI SCREENING PLANT

Proprietor

2. That the contents of paragraphs no. 1 to 11 of above tilted Reply 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 Reply are true copies of their respective originals.

For MAHALAXMI SCREENING PLANT  
 21E-9 127E  
 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 MAHALAXMI SCREENING PLANT  
 21E-9 127E  
 Proprietor  
**DEPONENT**



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

**ANNEXURE R-9/1**

HARYANA GOVT. GAZ. (EXTRA) MAR 10, 2016  
(PHGN. 20, 1937 SAKA)

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[Authorized English Translation]

**HARYANA GOVERNMENT  
ENVIRONMENT DEPARTMENT**

**Notification**

**The 10<sup>th</sup> March, 2016**

No. S.O. 5/C.A 29/1986/S. 5 and 7/2016- Whereas, article 48-A of the Constitution of India interalia envisages that the State shall endeavour to protect the environment;

An, whereas, it is necessary and expedient to take immediate steps under sections 5 and 7 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) and section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981) and rules framed there under to maintain ecological balance in the State of prevent environmental degradation and to avoid traffic and human health hazards;

And, whereas, the State Government has already taken a decision to maintain ecological balance keeping in view the industrial development and also to maintain the quality of environment and to avoid health hazard for the residents of the area;

And, whereas, as per Haryana Government, Environment Department, notification No. 16/42/2005-Env-III, dated the 4<sup>th</sup> October 2007, directions were given for screening plant units in regard to siting criteria norms as per Schedule-I and emission norms and pollution control measures requirements as per schedule-II.

And whereas after considering the state government has made amendments in the aforesaid notification issued vide notification no. S.O 64/C.A 29 1986/S.5 and 7/2008 dated the 23<sup>rd</sup> July,2008 .

And whereas, representations were received from Screening Plant Associations in the State to review the siting parameters norms.

And, whereas, after considering the objections and suggestions, invited vide Haryana Government Environment Department Notification No.16/42/2005-3 Env. dated the 23<sup>rd</sup> November, 2015 the State Government is of the opinion that it is necessary and expedient to issue the final notification for issuing directions for screening plant unit with regard to siting criteria norms.

Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) read with Government of India, Ministry of Environment and Forests, Department of Environment, Forests and Wildlife, notification no. S.O. 152 (E), dated the 10<sup>th</sup> February, 1988, and in pursuance of the provision of section 7 of the said Act and rule 4 of the Environment (Protection) Rules, 1986, and in supersession of the Haryana Government, Environment Department, notification No. 16/42/2005-Env-III, dated the 4<sup>th</sup> October, 2007 and

notification No. S.O. 64/C.A. 29/1986/S.5 and 7/2008, dated the 23<sup>rd</sup> July, 2008 and with reference to Haryana Government, Environment Department, notification No. 16/42/2005-3Env., dated the 23<sup>rd</sup> November, 2015 the Governor of Haryana hereby proposes to issue the following directions for screening plant units with regard to siting criteria norms as per Schedule-I and emission norms and pollution control measure requirements as per schedule.

Any action taken in pursuance of the superseded notifications referred to above shall be deemed to have been taken under the provisions of this notification so far as it is not inconsistent with the provisions of this notification.

### SCHEDULE I

#### Norms for siting of screening plants in Haryana;-

Serial Number	Criteria	Distance in Kilometers
1	2	3
1.	Minimum distance required from the Nearest National Highway.	0.25
2.	Minimum distance required from the Nearest State Highway.	0.10
3.	Minimum distance required from the Nearest Metropolitan City.	5.00
4.	Minimum distance required from the Municipal limits of any town.	0.25
5.	Minimum distance required from the Nearest Town Abadi.	1.50
6.	Minimum distance required from the Nearest Village Abadi	0.25

7.	Minimum distance required from the Nearest Tourist Complex.	1.00
8.	Minimum distance required from any land recorded as forest in Government record (revenue or forest department) except strip forests/plantation along roads, canals, railway lines and bunds.	0.20
9.	Minimum distance required from approved water supply scheme open to sky of 20KL capacity.	0.25
10.	Minimum distance required from any indoor health treatment unit catering to 25 or more indoor patients.	1.00
11.	Minimum distance required from notified Bird/Wild Life sanctuaries/a National or State Wild Life Parks.	0.20
12.	Minimum distance from river or water channel, Nullah, drain.	0.10
13.	Minimum distance from any educational institution.	1.00

The following directions are also given in respect of above said Schedule.

Note;-

- (i) Distance shall be measured following the same principles and methodology as followed in measuring distances in Public Works Department, Building and Road Department or in the Revenue Department as per technical conditions and convenience.
- (ii) No siting criteria shall be applicable with respect to distance from the Nearest Major District Roads and other roads subject

to conditions of wind braking wall of twelve feet height above the metaled surface alongwith the road side.

- (iii) No Screening plant unit shall be allowed to operate which is not meeting siting norms as prescribed above. Such screening plant units which are within the prohibited limits of siting criteria shall shift to the areas conforming to prescribed siting distances.
- (iv) No screening plant unit in Faridabad District shall be allowed to be set up outside the identified crushing zone in Faridabad District.
- (v) The distance prescribed above at serial number 11 with respect to notified Bird/Wild Life sanctuaries/a National or State Wild Life Parks shall be applicable only in those cases where eco sensitive zone have yet not been declared or proposed by Ministry of Environment and Forest and Climate Change, Government of India in such cases.
- (vi) In case eco sensitive zone of protected area like national park, wild life sanctuary or conservation reserve is notified having restriction for a specified distance, then the same shall be adhered to.
- (vii) The screening plants shall not operate any activity of stone crushing/pulverizing/grinding in their plant.
- (viii) In case of river, the distance shall be measured from the flood protection embankment on the outer side of the river. Where

there is no flood protection embankment, the distance shall be measured from the outer edge of the “Gair Mumkin Land” as per revenue record, recorded as Gair Mumkin Nadi, Choe or similar nomenclature identifying a water body on the outer side of the choe/river.

- (ix) The distance of the screening plant units from various prescribed locations shall be certified/verified by the concerned Tehsildar and for the forest land the report regarding the siting distance shall be taken from concerned Divisional Forest Officer. The concerned Regional Officer of the Board shall verify distance of the prescribed locations other than those verified by Divisional Forest Officer or Tehsildar.

## **SCHEDULE II**

Emission norms and pollution control measures and requirements-

### **Item No. I**

- (i) The screening plant units shall keep air emissions/noise levels and effluent discharge within the norms as prescribed under the Environmental (Protection) Act, 1986 and the rules framed thereunder.

### **Item No. II**

The following pollution control devices are required to be installed and operated as a mandatory obligation by the screening plant units.

- (i) All screening plants shall construct a metalled road within the premises of the plant.
- (ii) The screening plant units shall stack its raw/processed material only in the screening plant area which shall be properly identified and, preferably, enclosed by a wall.
- (iii) Regular cleaning and wetting of the ground within the premises of the screening plant and the road leading to such screening plant for dust containment;
- (iv) All screening plant units shall provide green belt along the periphery having avenue plantation of two rows after approval of plantation plan by the Divisional Forest Officer concerned. Till plantation within the premises is fully developed, the project proponent shall erect a barrier/ barricade along the periphery to contain the dust emissions. Such barricade shall completely enclose the premises from all sides either by a boundary wall or flexible cloth (tarpaulin etc.) or a combination of two. The height of the barricade shall not be less than the height of the highest tip of the conveyor belts.
- (v) The silt generated by the screening plant shall be disposed of scientifically in the low-lying areas and owner of screening plant shall make a proper plan for the same;
- (vi) The screening plant units shall ensure that the material received for screening/proceeding comes from approved mining lease holders, where extraction has taken place as per

a mining plan/scheme of mining or terms or reference of mining contract as applicable and duly approved by competent authority/Mines and Geology Department. The owner shall submit proof to this effect to the Haryana State Pollution Control Board at the time of applying for Consent to Establish/Consent to Operate.

- (vii) The screening plants shall furnish to the Haryana State Pollution Control Board the complete data relating to the source and quantity of raw material legitimately utilized or exploited by the screening plant units and also its production data and taxes and duties paid as applicable thereon under the law of land;
- (viii) Every screening plant, shall obtain consent to establish from the Haryana State Pollution Control Board and shall not operate without obtaining consent to operate from the Board.
- (ix) In case of permanent closure of unit, the area shall be rehabilitated to its original position.
- (x) The screening plant unit shall provide project adequate pollution control measures before starting of production.
- (xi) The screening plant shall provide structurally sound and adequate by sized setting tanks (3 No.) for setting of suspended solids in the effluents generated from the process and ensure recycling/reuse of the treated water upto ninety percent in the process.

- (xii) The screening plants shall provide the adequate pollution control measure/devises based upon the environmentally sound technology including acoustic enclosures to meet the norms prescribed under Environment (Protection) Rules, 1986 for ambient air quality with respect to noise for the sensitive zones.

**Item No. III**

Every screening plant shall posses and operate and in a minimum area of one acre of land (1.0 acre) owned by the screening plant owner or having a lease of minimum five years duly registered in his favour.

**Item No. IV**

- (i) The existing screening plants which do not fulfil the parameters of this notification shall have to shift within one year from the date of issue of this notification, which is extendable for another one year provided that screening plant unit procures the land for site meeting the sitting norms as per this notification, and applies to Haryana State Pollution Control Board during the said period of one year.
- (ii) In case of any conflict between any existing statutory provision and any administrative orders issued by any authority including the Haryana State Pollution Control Board, the statutory provisions shall be applicable.
- (iii) Irrespective of any other reason to the contrary, no screening plant unit would allowed to operate in violation of any other

applicable legal restrictions, statute and rules legislated as enforced or prescribed by the Competent Legislative Authority or the prescribing authority including the Town and Country Planning Department, Haryana, Mines and Geology Department, Haryana, Forest Department, Haryana or Central Ground Water Authority etc., whether in the past or in future. The issue of consent to establish certificate by the Haryana State Pollution Control Board shall not be treated as any permission to late any such statutory legal notifications.

ANURAG RASTOGI,  
Principal Secretary to Government Haryana  
Environment Department



**TRUE TYPED COPY**





# Haryana Tourism Corporation Limited

(a state government undertaking)

CIN : 45202CH19748GC003437

Regd. Office : S.C.O. 17-18-19, Sector 17-D, Chandigarh-160017



21

To

The Regional Officer,  
Haryana State Pollution Control Board,  
Regional Office, Panchkula.  
(email ID: [hspcbropkl@gmail.com](mailto:hspcbropkl@gmail.com))

Chauhan  
**ANNEXURE R-9/3**

No.: HTC-22/EE/ 2178

Dated: 31/8/22

**SUBJECT: SILTING PARAMETERS OF THE SCREENING PLANTS ESTABLISHED IN  
MANAK TABRA, RAIPUR RANI, PANCHKULA.**

Reference: Your mail letter File no.HSPCB-150004/13/2021-Region Panchkula-HSPCB,  
dated 26.07.2022 (received on 30.08.22), on the subject.

\*\*\*

As requested by you vide your mail letter under reference, it is intimated that there  
are following 4 Tourist Resorts in Distt. Panchkula:

1. Red Bishop Tourist Complex, Panchkula.
2. Yadvindras Garden Tourist Complex, Pinjore (Panchkula).
3. Tourist Complex at Morni (Panchkula).
4. Tourist Complex at Tikkartaal (Panchkula).

It is further clarified that as per record of Tourism Deptt., Haryana, Guru Dwara  
Manak Tabra, Raipur Rani is not a Tourist Complex declared by Tourism Department, Haryana.

This is for your kind information, please.

Paul  
Executive Engineer,  
HTC Chandigarh.

Dated: 31/8/22

Endstt. No. HTC-22/EE/ 2179

A copy is above is forwarded to the following for information, please:

1. Managing Director, HTC, Chandigarh w.r.t. the Regional Officer, Haryana State  
Pollution Control Board, Regional Office, Panchkula mail letter under reference.
2. Joint Director, Tourism Haryana, Chandigarh w.r.t. his note dated 31.08.2022

Paul  
Executive Engineer,  
HTC, Chandigarh.

Dated: 31/8/22

R. Manil

**TRUE TYPED COPY**

HARYANA TOURISM CORPORATION LIMITED

(A state government undertaking)

CIN :45202CH1974SGC003437

Regd. Office-S.C.O.17-18-19, sector 17-D, Chandigarh-160017

To

The Regional Officer,

Haryana State Pollution Control Board,

Regional Office, Panchkula

(email ID: [hspcbropkl@gmail.com](mailto:hspcbropkl@gmail.com))

No HTC-22/EE/ 2178

Dated: 31/8/22

SUBJECT: SILTING PARAMETERS OF THE SCREENING PLANTS ESTABLISHED IN  
MANAK TABRA, RAIPUR RANI PANCHKULA.

Reference: Your mail letter File no.HSPCB-150004/13/2021-Renlon Panchkula-HSPCB, dated 26.07.2022 (received on 30.08.22), on the subject.

As requested by you vide your mail letter under reference, it is intimated that there are following 4 Tourist Resorts in Distt. Panchkula:

1. Red Bishop Tourist Complex, Panchkula.

2. Yadvindras Garden Tourist Complex Pinjore (Panchkula)
3. Tourist Complex at Morni (Panchkula)
4. Tourist Resorts at Tikkartaal (Panchkula).

It is further Clarified that as per record of Tourism Deptt Haryana, Guru Dwara Manak Tabra, Raipur Rani is not a Tourist Complex declared by Tourism Department, Haryana. This is for your kind information, please

Endsitt. No HTC-22/EE/ 2179-80

Executive Engineer.

HTC, Chandigarh

Dated. 31.08.2022

A copy is above is forwarded to the following for information, please:

1. Managing Director, HTC, Chandigarh w.r.t. the Regional Officer, Haryana State Pollution Control Board, Regional Office, Panchkula mail letter under reference.
2. Joint Director, Tourism Haryana, Chandigarh w.r.t his note dated 31.08.2022 .

Executive Engineer  
HTC, Chandigarh.  
31.08.22

**ANNEXURE R-9/4**
**HARYANA STATE POLLUTION CONTROL BOARD**

SCO 116, Ist & IInd Floor, Sector 25, Panchkula  
Ph. 0172-2566286 Email:- hspcbropkl@gmail.com  
E-mail: hspcb@hry.nic.in



No. HSPCB/Consent/ : 318505022PANCTO28894313

Dated:03/10/2022

To.

M/s :Maha Luxmi Screening Plant  
Village Manak Tabra Raipur Rani Trilokpur Road District Panchkula

Subject: Grant of consent to operate to M/s Maha Luxmi Screening Plant.

Please refer to your application no. 28894313 received on dated 2022-09-28 in regional office Panchkula. With reference to your above application for consent to operate, M/s Maha Luxmi Screening Plant is here by granted consent as per following specification/Terms and conditions.

<b>Consent Under</b>	BOTH
<b>Period of consent</b>	03/10/2022 - 31/03/2027
<b>Industry Type</b>	Screening Plant
<b>Category</b>	ORANGE
<b>Investment(In Lakh)</b>	41.150002
<b>Total Land Area(Sq. meter)</b>	8000.0
<b>Total Builtup Area(Sq. meter)</b>	2500.0
<b>Quantity of effluent</b>	
1. Trade	0.0 KL/Day
2. Domestic	2.0 KL/Day
<b>Number of outlets</b>	1.0
<b>Mode of discharge</b>	
1. Domestic	Septic Tank
2. Trade	
<b>Domestic Effluent Parameters</b>	
1. NA	0
<b>Trade Effluent Parameters</b>	
1. TSS	100 mg/l
<b>Number of stacks</b>	1
<b>Height of stack</b>	
1. NA	0
<b>Emission parameters</b>	
1. NA	
<b>Product Details</b>	
1. Bajri Core Sand and Bolders	450 Metric Tonnes/day

<b>Capacity of boiler</b>	
1. NA	Ton/hr
<b>Type of Furnace</b>	
1. NA	0 NA
<b>Type of Fuel</b>	
1. Diesel	0.003 KL/day
<b>Raw Material Details</b>	
River Gravels	450 Metric Tonnes/Day

*Regional Officer, Panchkula  
Haryana State Pollution Control Board.*

#### **Terms and conditions**

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material,

quantity, quality of the effluent, mode of discharge, treatment facilities etc.

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.
12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.
13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.
14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.
15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.
16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

**Specific Conditions :**

1. That the unit shall not operate any activity of stone crushing/pulverizing/ grinding in their plant.
2. That the unit will comply all the conditions of the Notification dated 10.03.2016.
3. That the unit shall purchase its raw material from the legal mines only.
4. That the unit will comply the order/ direction issued by the Hon'ble Supreme Court of India, Punjab & Haryana High Court, NGT, Environment Court or any other court.
5. That the unit will apply for renewal of consent to operate before 90 days from the expiry of this CTO.
6. That the unit will comply with the all the Rules/ Regulations/ Acts/ Notification issued by CPCB/ HSPCB and MOEF&CC.
7. In case, any violations is found at any stage, then this CTO, so granted, shall be revoked without giving show cause notice.

*Regional Officer, Panchkula  
Haryana State Pollution Control Board.*















IN THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, AT, NEW DELHI

IA NO OF 2024

IN

ORIGINAL APPLICATION No. 434 OF 2022

**IN THE MATTER OF:**

GURUDWARA MANAK TABRA PRABANDHAN COMMITTEE  
THROUGH ITS PRESIDENT

.....APPLICANT

VERSUS

STATE OF HARYANA & ORS.

.....RESPONDENT(S)

**APPLICATION ON BEHALF OF RESPONDENT  
NO 9 UNDER SECTION 151 CPC FOR  
EXEMPTION FROM FILING LEGIBLE/TYPED  
COPIES OF SOME OF THE ANNEXURES.**

**MOST RESPECTFULLY SHOWETH;**

1. That the instant reply is being filed in response to the Joint Committee report dated 20, January 2024 by Maha Luxmi Screening Plant, Manak Tabra, Panchkula. It is submitted that the Answering Respondent is a Proprietorship Firm, and this reply is being filed through its Proprietor Mahender Singh.
2. That due to urgency in the matter and paucity of time, some of the Annexures along with the Reply are illegible/dim. Due to the urgency of the matter it is not possible at this stage to file the legible/ typed copies of the Annexures. That the Respondent herein will replace the same as per directions of this Hon'ble Tribunal in due course.
3. That the present Application is being made bonafide and in the interest of justice.

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

- i. Exempt the Respondent No 9 from filing better legible/typed copies of the Annexure; and/or
- ii. Pass such other or further orders as this Hon'ble Tribunal may deems fit and proper in the facts and circumstances of the case.

**THROUGH:**

**A.R. TAKKAR, SHRIYA TAKKAR, KAPILA BAKSHI, BHARGAVA RAVIKUMAR,**

  
**HIMANI BHADAURIA, MANAN TAKKAR AND PRINCE SHARMA  
ADVOCATES  
M/s ARTLO  
A25/12, DEODAR MARG, DLF PHASE -1,  
GURGAON-122002  
#9582209633  
PRINCE@ARTLO.IN**

## ORIGINAL APPLICATION NO. 434 OF 2022

IN THE MATTER OF:

GURUDWARA MANAK TABRA PRABANDHAN COMMITTEE  
THROUGH ITS PRESIDENT SH. TARA SINGH.

...PETITIONER/ APPLICANT

VERSUS

STATE OF HARYANA & ORS

...RESPONDENTS

AFFIDAVIT

I, Mohinder Singh S/o Shri Rounki Ram, aged about 46 Years Through its Proprietor of M/s Mahalaxmi Screening Plant R/o Village Mattawala, Post Office Kot, District Panchkula, 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.



For MAHALAXMI SCREENING PLANT  
Tara Singh  
Proprietor

2. That the contents of paragraphs no. 1 to of above tilted 37 Application 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 are true copies of their respective originals.

For MAHALAXMI SCREENING PLANT  
MIE + 9 27E  
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 MAHALAXMI SCREENING PLANT  
MIE + 9 27E  
Proprietor

**DEPONENT**



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

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, AT NEW DELHI  
ORIGINAL APPLICATION NO. 434 OF 2022

IN THE MATTER OF

GURUDWARA MANAK TABRA PRABANDHAN COMMITTEE

APPLICANT

VERSUS

STATE OF HARYANA & ORS

.....RESPONDENTS

KNOW ALL to whom these presents shall come that I/We the above named *M/s. Mahalaxmi Screening Plant.* do hereby appoint **MR AR TAKKAR & BELOW MENTIONED ADVOCATES** 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 Practitioner, 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 21<sup>st</sup> day of FEB, 2024

Accepted



**A.R.TAKKAR SHRIYA TAKKAR, UNNATI ANAND, BHARGAVA RAVIKUMAR,**






**KAPIL BAKSHI, HIMANI BHADHURIA, PRINCE SHARMA AND MANAN TAKKAR,  
ADVOCATES**

**ARTLO**

**# A25/12, DEODAR MARG, DLF PHASE -1,**

**GURGAON - 122002**

**MOB.9815550001/9643014849**

**EMAIL: SHRIYATAKKAR@ARTLO.IN**

For MAHALAXMI SCREENING PLANT  


Proprietor

(SIGNATURE OR THUMB IMPRESSION)

**M/S MAHALAXMI SCREENING PLANT**



Gurudwara Manak Tabra Prabandhan Committee through its President Sh. Tara Singh  
Sone Sh Jhanda Singh ...Applicant Versus State of Haryana & Ors

39

Rahul Chaudhry <rahul@artlo.in>

Wed 2/21/2024 9:58 PM

To:rkhuranalegal@gmail.com <rkhuranalegal@gmail.com>;DEL@DKSDALAL.COM <DEL@DKSDALAL.COM>  
Cc:Prince <prince@artlo.in>;Bhargava Ravi Kumar <Bhargava@artlo.in>

📎 1 attachments (18 MB)  
MAHALUXMIREs 9 (1).pdf;

Dear Sir/ma'am

Please find attached herewith a scanned copy of the Reply on Behalf of Respondent No. 9 . in the captioned matter. i.e. Gurudwara Manak Tabra Prabandhan Committee through its President Sh. Tara Singh Sone Sh Jhanda Singh Versus State of Haryana & Ors

Rahul Choudhary  
Clerk  
ARTLO

email :rahul@artlo.in  
website : [www.artlo.in](http://www.artlo.in)

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