

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

O.A. NO. 1132 OF 2024

IN THE MATTER OF:

DEEPAK

...APPLICANT

Versus

STATE OF HARYANA & OTHERS

....RESPONDENTS

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Place: New Delhi

Dated: 12.05.2026

Through



SOM RAJ CHOUDHURY
& SHRUTEE ARADHANA

FOR LEX REX ASSOCIATES
ADVOCATES FOR RESPONDENT NO. 23)

C-1, Gulmohar Park

New Delhi-110049

9871228823[M]

Email:lexrex.som@gmail.com

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REPLY ON BEHALF OF RESPONDENT NO. 23,
M/S BANSAL INFRA TECH SYNERGIES INDIA LTD.(RMC PLANT)

1. That the present OA has been registered on the Letter Petition by the Applicant raising grievance against the setting up of ready mix plants alleging violation of environmental norms for project of Indian Oil Corporation.
2. It is submitted that the answering Respondent was awarded the Batching Plant Installation and commissioning for Panipat P-25 Expansion Project of M/s IOCL at Kutana Village, District Karnal, Haryana on 02.09.2022.
3. That the answering Respondent in pursuance to the said Work Order entered into a lease agreement with Mr. Sukhwinder and Mr. Jasbir Singh for the required land for the said project at Kutana Chowk , Kutana Village, District Karnal w.e.f. 20.10.2022.



4. That the answering Respondent commissioned its RMC Plant on 09.01.2023, and applied for CLU in DTP Department, Karnal. However, as the said Lease Deed could not be registered as the said land was in Mustrka Khata and therefore, the CLU could not be obtained from the concerned Department. For the said reason, the answering Respondent stopped the RMC plant's functioning from 01.04.2023.

It is pertinent to mention herein that the said RMC plant was below the cost of Rs. 1 Crore and as per the understanding of the Pollution Board Order No. HSPCB/2014/1804-2022 dated 11.06.2014, RMC Plants having investment cost of less than Rs. 1 Crore were exempted from Consent Management and therefore, the answering Respondent, in absence of CLU and the cost of the said RMC Plant being less than Rs. 1 Crore, could not proceed for CTE/CTO.

5. That the concerned RMC Plant was operational on a temporary basis only for a very limited period for the month of January, February and March, 2023; totaling to a cumulative 31 days of operation for the said three months, the details of which are as provided below:-

- A. January, 2023- 11 days
- B. February, 2023-12 days
- C. March, 2023- 08 days

It is pertinent to mention herein that the RMC plant of the answering Respondent was not operational during the notified



GRAP period nor was it functional during the time of inspection of the Joint Committee on 21.11.2024.

6. That on the date of inspection, it is submitted that the said plant was not in running condition. However, in its environment compensation order dated 21.11.2024 against the answering Respondent, the Regional Office, Haryana State Pollution Control Board erroneously imposed of penalty of Rs. 10 lakhs towards Environment Compensation on the account of damage caused by the unit to the Environment.
7. It is further submitted that the answering Respondent has submitted the requisite affidavit dated 20.02.2025 with the Regional Office, Haryana Pollution Control Board along with supporting documents/photos, wherein it was categorically stated that the process of removal of the said plant stood completed. True copy of the affidavit dated 20.02.2025 submitted by the answering Respondent before the Regional Office, Haryana Pollution Control Board is marked and annexed herewith as **Annexure- R/ 1 (Page No.9 to -)**.
8. That the answering Respondent in its objection/reply dated 08.04.2025 to the Environment Compensation order dated 21.11.2024 specifically submitted that the RMC plant of the answering Respondent was only temporarily functional from the period from January, 2023 to March, 2023 for a cumulative period of 31 days across three months. Further, at the time of inspection, the said RMC Plant was not functional and the answering Respondent was in the process of



dismantling the plant and the entire RMC plant stood dismantled w.e.f. 14.01.2025. Therefor-e, the answering Respondent, vide its objection/reply letter dated 08.04.2025 requested for waiver of the unjust and illegal imposition of penalty on it. True copy of the objection/ reply letter dated 08.04.2025 is marked and annexed herewith as **Annexure - R/2 (Page No. 10 to 11)**.

9. That accordingly, taking into consideration the reply submitted by the answering Respondent, the Regional Office, Haryana State Pollution Control Board revised the earlier imposed Environment Compensation of Rs. 10 Lakhs to Rs. 1,55,000/- and accordingly, vide its letter dated 15.04.2025 submitted the said revised Environment Compensation before the Haryana State Pollution Control Board for consideration.
10. That the answering Respondent was called for a personal hearing on 13.05.2025 before the Environment Compensation Assessment Committee for assessment of Environment Compensation in terms of the proposal submitted vide letter dated 15.04.2025 by the Regional Office, Haryana State Pollution Control Board. During the course of the hearing, the Committee asked the answering Respondent to submit necessary proofs/documents for establishing the operation of the concerned RMC Plant from the period of January, 2023 to March, 2023.
11. That the answering Respondent vide its letter dated 27.05.2025, in addition to its reply dated 08.04.2025 submitted further documents as evidence with respect to the



concerned RMC Plant running for a period from January, 2023 to March, 2023 before the Regional Office, Haryana State Pollution Control Board. True copy of the letter dated 27.05.2025 is marked and annexed herewith as **Annexure - R/3 (Page No. 12 to -)**.

12. That the final decision by the Environment Compensation Assessment Committee qua the case of present answering Respondent is still pending and therefore, there is no final demand raised by the State Pollution Control Board towards the Environment Compensation qua the answering Respondent.
13. That the answering Respondent has not operated the plant during the GRAP period and has not been operating the said RMC plant since April, 2023. Moreover, the answering Respondent is not a polluting industry as it is covered under Green Category Unit. It is submitted that the absence of consent is at most an irregularity and not an illegality and therefore, the answering Respondent has not operated the RMC Plant in violation of law.
14. That in the light of the reply in the preceding paragraphs, it is submitted that the Original Application deserves to be dismissed with exemplary cost to the answering Respondent.
15. That the answering Respondent craves leave of this Hon'ble Tribunal to file further affidavits if required or directed by this Hon'ble Tribunal.



16. That the annexures attached herewith are true copy of their respective originals.



For Respondent No. 23

M/s Bansal Infratech Synergies India Ltd.

Place: New Delhi

Dated: __04.2026.

Through

MR. SOM RAJ CHOUDHURY
Advocate on Record
Supreme Court of India
C-1, Gulmohar Park,
New Delhi-110049
9871228823(M)
Email: lexrex.som@gmail.com



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IN THE MATTER OF:

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...APPLICANT

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STATE OF HARYANA & OTHERS

...RESPONDENTS

AFFIDAVIT

I, Sohan Lal, S/o Dalip Singh aged about 39 years, posted as Site Accountant, M/s Bansal Infratech Synergies India Ltd., R/o 64, Block-I, Kasoon (134), District- Jind, Haryana-126115 presently at New Delhi do hereby solemnly affirm and declare as under: -

1. That I am the Respondent No. 23 in the above-noted appeal and am well conversant with the facts and circumstances of the case, I am competent and authorized to swear the present affidavit.
2. That the contents of the reply to the Application has been drafted by my counsel under my instructions based on records kept and maintained by me and information given by me and believed to be true.
3. That the annexures annexed herewith with the present affidavit are true copy of their respective originals.
4. That the facts contained in the present affidavit are true and correct to best of my knowledge and belief and nothing material has been concealed therefrom.



VERIFICATION:


Verified at New Delhi on this 27th day of April, 2026 that the contents of the above affidavit are true and correct to best of my knowledge and belief and nothing material has been concealed therefrom.

Shanwar



DEPONENT

27. 04. 26



ATTESTED

Dipankar Das

DIPANKAR DAS
ADVOCATE
NOTARY PUBLIC
REGD. NO. 916
GOVT. OF INDIA
LAWYERS CHAMBER
SUPREME COURT OF INDIA
NEW DELHI

Shanwar

IDENTIFIED





BANSAL INFRATECH
SYNERGIES INDIA LTD.
 CIN : u70101DLI988PLC030288

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Dated: 20.02.2025

To,

The Regional Officer,
 Haryana State Pollution Control Board,
 Karnal Haryana-132001

[Signature]
 F.R
 Regional Officer
 A.E.E. So 'B'-I,II,III
 J.E.E. Clerk

Subject: Request for Review/Withdrawal of Compensation Penalty

Respected Sir,

I/we request a review of the compensation penalty imposed on M/s Bansal Infratech synergies India Ltd located Village Kutana Kohand-Assandh Road, Karnal 132040 (Lata. 29.2949 N; Long. 76.5234 E) Wide Environmental Compensation order No. HSPCB/KAR/2024/5173 dtd. 21-11-2024. The penalty was levied, due to non-compliance of CAQM (Commissioning of Air Quality management).

After reviewing the matter we want to inform you that our plant was not operational during the said period and therefore, levying of such penalty on us is unjustified and illegal. We are committed to complying with all environmental regulations and maintaining a safe and healthy environment in future.

So, We again request you to consider our appeal and withdraw the compensation penalty. Please let us know if any additional information or documentation is required.

Details of our submission are as follows:

- Date of penalty notice: 21-11-2024
- Penalty amount: 10 LAKH
- Grounds for appeal: Request for the Remove/withdrawal the penalty.
- Corrective actions taken: Demolished/Removed RMC plant from the location

Thank you for your attention to this matter.

Sincerely,

DAVINDER SINGH

Authorised Signatory



BANSAL INFRATECH SYNERGIES INDIA LTD.

Contact No. 97798 60715

Website : www.bisil.in

Registered Office: K-1/81, 3rd Floor, C.R. Park New Delhi-110019, Tel. : 011-4906 6744, Email: info@bisil.in

Branch Address : SCO-77, (FF), Sector-12, Panchkula (Haryana) - 134112, Phone : 7696006000, Email: info@bisil.in

628

nspcb@kar@gmail.com

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BANSAL INFRA TECH

SYNERGIES INDIA LTD.

CIN : u70101DLI988PLC030288

REF NO: BISIL/PNP/RMC/12

Date: 08.04.2025

Regional Office.

Haryana State Pollution Control Board

2nd Floor, Sco-78-79, Namastey Chownk, Karnal-Haryana.

Reference: Environmental Compensation Wide order No: HSPCB/KAR/2024/5173 dated 21/11/2024.

Subject: RMC Batching Plant installation and commissioning for Panipat P-25 Expansion Project M/s Indian Oil Corporation Limited.

Dear Sir,

With reference to the subject above we would like to update about the batching plant installation near kutana chownk of Kutana Village, District Karnal for the panipat P-25 Expansion Project of M/s Indian Oil Corporation Limited as part of the project.

1. We entered into the lease agreement with Mr. Sukhwinder Singh and Mr. Jasbir Singh for the required land at nearby the project site at kutana chownk wef 20.10.2022 (Copy of lease agreement enclosed).
2. We purchased a small RMC plant in December 2022 for the exclusive purpose of completing our pending project with IOCL at Panipat Refinery for P-25 Project and commissioned the same on 09.01.2023. We have applied for CLU in DTP Department Karnal But Lease deed could not be done because the said land is in mustrika khata so we stopped the running of plant after 31st March 2023 and from 1st april 2023 to till date our plant was not running. Moreover, at that time, we were of the understanding that as per Pollution Board order No-HSPCB/2014/1804-22 dated 11-06-2014, RMC plants having investment cost less than 1 crore were exempted from consent management. Therefore, in absence of CLU and that the cost of plant was less than 1 crore, we could not proceed for CTE/CTO. (Copy of RMC Plant Invoice and Calibration reports are enclosed). The plant was thus operational on temporary basis only for three months. Month wise running of RMC plant on temporary basis are impended below:

Received
Haryana State Pollution Control Board
Karnal Region

Website : www.bisil.in

Registered Office: K-1/81, 3rd Floor, C.R. Park New Delhi-110019, Tel. : 011-4906 6744, Email: info@bisil.in

Branch Address : SCO-77, (FF), Sector-12, Panchkula (Haryana) - 134112, Phone : 769606000, Email: info@bisil.in

PTO


- o January 2023 - 809.30 cum 11 Days
- o February 2023 - 642 cum 12 Days
- o March 2023 - 606.50 cum 08 Days

Copies of log sheets are enclosed for your kind reference.

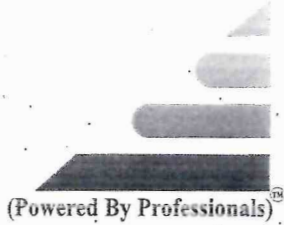
3. From the above, we would again confirm that we would like to re-confirm said RMC plant was intended to be exclusively used as our captive use for RMC requirement of our ongoing project of IOCL Panipat refinery (P-25) Expansion project only, and that plant was operational on temporary basis in Jan 2023, Feb 2023 and March 2023.
4. As on the date of inspection as well, the Hon'ble team members of pollution control board notice that plant was not in running condition. In fact, after March 2023, we had planned to dismantle and mobilise this plant to some other site/location in other state as soon as we could procure another contract/project. At the time of inspection, we were in the process of dismantling the plant. In this context, we would like to inform that we have dismantled our entire RMC Plant on 14.01.2025.
5. As may be seen from the above, the plant was never fully established and made operational. The plant was running temporarily only in the month of Jan 2023, Feb 2023 and March 2023, and that the plant was not operational during GRAP period or at the time of inspection. In addition, we have fully complied with your Environmental Compensation Notice and have taken immediate action to dismantle the RMC plant and removed the same on 14.01.2025. Affidavit for the same has already been submitted to your good office on dated 25.02.2025 with photographs.

In view of the above, we request you to not take any action against us and kindly exonerate us from the penalty.

Thanking you.


Davinder Singh
Authorised Signatory

Bansal Infratech Synergies India Limited



BANSAL INFRA TECH SYNERGIES INDIA LTD.

CIN : u70101DLI988PLC030288

Date 27-05-2025

To,

The Regional Officer,
Haryana State Pollution Control Board,
Karnal Haryana-132001

Subject: Reply in the reference of Letter No.HSPCB/KAR/2025/2622 dtd. 16-05-2025

Respected Sir,

In the Reference of above Subject we submit the Some Documents as the evidence of RMC Plant Running Period Jan 23 to Mar 2023 like Raw material purchasing bills, Raw Material Stock Register (Raw material that's normally used in RMC Production) and Vendors Account ledger etc. that is a proof of Raw material Purchasing for RMC Plant On the Jan 23 to Mar 2023 after that Our Plant Had Shut down and premises is use as a Site Main Office only.

All the above Said documents enclosed here with for your review.

Thank you for your attention to this matter.

Sincerely,



DAVINDER SINGH

RMC Plant Manager

BANSAL INFRA TECH SYNERGIES INDIA LTD.

Contact No. 97798 60715

*Received
HSPCB Ho Karnal
Raj
30/05/25*

Website : www.bisil.in

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Branch Address : SCO-77, (FF), Sector-12, Panchkula (Haryana) - 134112 Phone : 7696006000, Email: info@bisil.in