

N.D.H.:04.09.2025

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

ORIGINAL APPLICATION NO. 1132 OF 2024

IN THE MATTER OF:

DEEPAK

..... APPLICANT

VERSUS

STATE OF HARYANA & OTHERS

.... RESPONDENTS

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Place: New Delhi**Date:** 30.08.2025

Filed by:-



(GAURAV AGARWAL)

Advocate for Respondent No.15
RSB Projects Pvt. Ltd.

GRV LEGAL
Advocates and Legal Consultants
O-703, Aditya Mega City,
Vaibhav Khand, Indirapuram,
Ghaziabad, U.P. NCR- 201014
Mob.:8802911392
Email. : gaurav@grvlegal.in

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**REPLY ON BEHALF OF THE RESPONDENT NO. 15,
M/S RSB PROJECTS PVT. LTD. PANIPAT**

1. That the present OA has been registered on the letter petition by the Applicant raising a grievance against the setting up of ready mix plants alleging violation of environmental norms for project P-25 of the Indian Oil Corporation.
2. That by order dated 18.11.2024 this Hon'ble Tribunal has constituted a joint committee to submit a status report. The joint committee submitted its report on 18.12.2024 and 17.02.2025 after which the project proponents including the answering Respondent was directed to be impleaded and notices were issued. The answering Respondent appeared through its advocate on 15.04.2025 after the service of notice on him. The Hon'ble Tribunal allowed the answering Respondent to file its reply.
3. That it is submitted that answering Respondent was awarded the civil works contract, including the non process area, control building and lab building at the IOCL Panipat Refinery and Petrochemical Complex Panipat, vide Purchase Order no. 38030138/AKB on 30.10.2023.
4. That the answering Respondent was scheduled to commence the work on 23.12.2023. In order to facilitate the work the answering Respondent entered into a lease agreement with Mr. Arvind

Kumar for 2.5 (approx.) acres of land at vill. Sithana for purpose of stores, offices, labour/staff accommodation and installation of batching plant.

5. The answering Respondent applied for CLU on 09.01.2024 on behalf of the landowner, but as the CLU was not received in time, the answering Respondent made temporary ready mix concrete arrangement by transferring from Kanpur site a self loading concrete transit mixer Ajax Flory 4 cubic meter since 20.01.2024. In addition the answering Respondent sourced the ready mix concrete from Kutana Chowk since 05.07.2024. Thus, no RMC plant was in operation prior to show cause by the HSPCB on the site.
6. That the batching plant of the answering Respondent was finally erected on 10.09.2024 and commissioning process was completed on 23.09.2024. However, before the answering Respondent could even commence the operation of the plant at site on 04.12.2024 a joint committee inspection was done and on 06.12.2024 the HSPCB issued a show cause notice. The committee failed to consider that the batching plant was put to operation and hence there was no violation of CTO. A true copy of the show cause notice dated 06.12.2024 is ANNEXURE A-1
7. That the answering Respondent submitted its reply on 10.12.2024 stating that it has rectified the deficiencies noted by the joint committee. A true copy of the reply to the show cause notice dated 10.12.2024 is ANNEXURE A-2 and a true copy of the Application under the Air and Water Act for grant of CTO dated 09.12.2024 is ANNEXURE A-3.

8. That the HSPCB passed directions u/s 33A of Water Act and 31-A of Air Act for closure of the unit of answering Respondent being operated illegally. The reply of the answering Respondent was not considered correctly and the closure order was passed on 23.12.2024.
9. That, thereafter, on 11.02.2025 the RO, HSPCB, Panipat recommended the imposition of EC upon the answering Respondent for Rs. 19,65,000 on at Rs. 5000/- per day for 393 days commencing from 29.11.2023 upto 25.12.2024. The said recommendation is at page 233 of the joint committee report.
10. That it is pertinent to mention here that the answering Respondent did not operated the plant for 393 days as alleged. The answering Respondent installed the plant and was successfully commissioned on 23.09.2024. Prior to the said date the answering Respondent was outsourcing the RMC as submitted above.
11. That the answering Respondent has not operated the plant after the closure was passed. Moreover, the answering Respondent is not a polluting industry as it is covered under green category unit. The absence of the Consent is at the most an irregularity and not an illegality.
12. That by order dated 23.06.2025 the HSPCB has passed a final order accepting and confirming the recommendation of the RO, HSPCB, Panipat for imposing EC of Rs. 19,65,000/-. Neither the Board nor the RO passed any speaking order specifying the damage caused to the environment or the potential damage to the environment. A true copy of the order of the Haryana Pollution

Control Board imposing environment compensation dated 23.06.2025 is ANNEXURE A-4.

13. That the order dated 23.06.2025 is also in contrary to the recent judgement of the Hon'ble Supreme Court in case of Delhi Pollution Control Committee v. Lodhi Property Co. Ltd. Etc. Civil Appeal no. 757-760 of 2013 decided on 04.08.2025. The Hon'ble Supreme Court has clearly stated in the said judgement that the before any imposition of environment clearance the Board has to make a determination of some form of environmental damage or harm by the erring entity, however, no such determination is done in present case. The relevant paragraph is quoted as under :

“30. The Board’s powers under Section 33A of the Water Act and Section 31A of the Air Act have to be read in light of the legal position on the application of Polluter Pays principle as formulated and explained. This means that State Board cannot impose environmental damages in case of every contravention or offence under the Water Act and Air Act. It is only when the State Board has made a determination that some form of environmental damage or harm has been caused by the erring entity, or the same is so imminent, that the State Board must initiate action under Section 33A of the Water Act and Section 31A of the Air Act.”

14. That it is submitted that the answering Respondent has not operated the RMC plant in violation of the law. The answering Respondent being under the impression that the units falling under the green category were not required to obtain consent and hence the answering Respondent could not obtain consent as required. However, the plant was closed down as soon as the order of closure was communicated. The calculation of the EC from 29.11.2023 for 393 days is baseless and illegal as the plant was commissioned only on 23.09.2024 and, therefore, no compensation can be imposed when the plant was even

commissioned.

15. That the answering Respondent has applied for the CTO as soon as the joint committee informed about the same during inspection on 04.12.2024. The failure of answering Respondent to obtain the CTO was due to bonafide ignorance of law that the CTO was required for green category units. It may be pertinent to mention that in case of **Just Rights for Children Alliance and Another v. S. Harish and Others Crl. Appeal No. 2161-2162 of 2024 decided on 23.09.2024** the Hon'ble Supreme Court has held that ignorance of law as a defence is applicable where :

- (1) an ignorance or unawareness of any law
- (2) such ignorance or unawareness must give rise to a corresponding reasonable and legitimate right or claim
- (3) the existence of such right or claim must be believed bonafide and
- (4) the purported act sought to be punished must take place on the strength of such right or claim.

15. That in the light of the reply in the preceding paragraphs it is submitted that on the merits of the case, the Original Applications deserves to be dismissed with exemplary costs to the answering Respondent.

Respondent No. 15,
M/S RSB Projects Pvt. Ltd. Panipat

Through


GAURAV AGARWAL
Advocate, Supreme Court
O-703, Aditya Mega City,
Vaibhav Khand, Indirapuram,
Ghaziabad, U.P.-(NCR) 201014
Email: gaurav@grvlegal.in;
Mob.: 8802911392
Counsel for Respondent No. 15



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AFFIDAVIT

I, Sandeep Gupta, aged about 41 years, S/o Shri R.K. Gupta, Resident of 1103, Sector-15, Faridabad, Haryana-121007, do hereby state on solemn affirmation as under:

1. That am the Director of the Respondent No.25, in the present Original Application as such I am well conversant with the facts and circumstances of the present case and hence, competent to swear this affidavit.
2. That I have gone through the accompanying Reply from para 1 to 14 and say that the contents thereof are true and correct to the best of my knowledge and belief and I believe the same to be true.
3. That the Annexure A-1 to A-4 the reply are true copy of the documents.

Solemnly affirmed on this day 27th of August, 2025 at Faridabad, Haryana.



Sandeep Gupta

DEPONENT

VERIFICATION

Verified at Faridabad, Haryana on this 27th day of August, 2025 that the contents of my above affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

ATTESTED AS IDENTIFIED

[Signature]
Notary Faridabad (Haryana)

Sandeep Gupta

DEPONENT

27 AUG 2025

I know the Deponent and He/She
Signed Print. His/Her Thumbs
Impression in My Presence

345

7

Sandeep Sr P.K.gupta

42138
27/8/2025

for all



ANNEXURE R-1

HARYANA STATE POLLUTION CONTROL BOARD
SCO No.55, SECTOR-25, HUDA, PANIPAT

Ph. - (0180) 2672037, Telefax - 2664951, E-mail: hspcbprn@gmail.com

No HSPCB/PR/2024/

2177

Dated

06/12/2024

To

M/s RSB Project Pvt Ltd
 Ready Mix Concrete Plant,
 Village Singhpura-Sithana, Panipat

Sub.

Show cause notice for Closure under section 33-A for violation of section 25 of Water (Prevention and Control of Pollution) Act, 1974 and 31-A for violation of section 21 of Air (Prevention and Control of Pollution) Act, 1981 and imposition of Environmental Compensation as per Board policy dated 22/12/2021.

Whereas, the matter was listed on 18/11/2024 before Hon'ble NGT in OA No.1132 of 2024 titled as Deepak V/s State of Haryana. The Complainant mentioned in the complaint that for the civil work of Indiar Oil Corporation Ltd., Panipat Refinery for KP-25 Project Area, several constructions companies have set up Ready Mix Concrete plants on agriculture land of farmers by taking them on rent and about 50 such plants have been set up. These plants are extracting groundwater illegally without permission of competent authority and operation of these plants is also emitting huge quantity of dust causing air pollution in the area which is causing health hazards to local people.

Whereas, the Hon'ble NGT has constituted a Joint Committee comprising of District Magistrate, Panipat, Haryana State Pollution Control Board and Central Pollution Control Board vide its orders dated 18/11/2024.

Whereas, the Joint Committee carried out the inspection of RMC plants on 04/12/2024.

Whereas your unit was inspected by the concerned Field Officer of this office on dated 04/12/2024 and during the inspection following short comings were observed:

1. Unit has not obtained prior CTE/CTO from the Board
2. Not obtained permission from HWRA for ground water extraction
3. Not complied with guidelines issued for RMC Plants by HSPCB vide letter no HSPCB/2013/267-278 dated 24.12.2013.

In view of the above, you are hereby directed to show cause within 03 days as to why closure and legal action against your unit may not be taken along with the imposition of the Environmental compensation for the damage caused to the environment under section 33-A/44 of Water (Prevention and Control of Pollution) Act, 1974 and 31-A/37 of Air (Prevention and Control of Pollution) Act, 1981 for above mentioned non-compliance.

In case you fail to comply with the non-compliances 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 33-A/44 of Water (Prevention and Control of Pollution) Act, 1974 and 31-A/37 of Air (Prevention and Control of Pollution) Act, 1981.

The reply of SCN submitted to concerned RO offices shall only be considered and in case unit submitted their reply to other offices of the Board the same is not liable for consideration on any legal forum.

Further representative of the units may also come in person at the concerned regional office to present against the proposed action communicated through show cause notice, within the stipulated time period mentioned in show cause notice.

Regional Officer
 Panipat Region

Endst.No HSPCB/PR/2024/

Dated

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

1. The Chairman, Haryana State Pollution Control Board, Panchkula
2. The Deputy Commissioner, Panipat

Regional Officer
 HSPCB, Panipat

//TRUE COPY//

To,

Dt. 10/12/2024

The regional officer

Panipat region, panipat

Regarding reply of show cause notice dated 06/12/2024 wide no 2177 for closure under section 33 -A for violation of section 25 of water (prevention and control of pollution) act 31-A for violation of section 21 on air (prevention and control of pollution) act 1981 and imposition of environmental composition as per board policy dated 22/12/21

We RSB project pvt ltd having RMC plant in village Sithana we replying your office letter wide above subject following

Whereas the Joint committee carried out inspection of RMC plant on 4/12/2024 and during the inspection following short coming were observed these things

1-we have applied prior CTE /CTO from the dated 09/12/2024 wide no 477417419 / application no 87690067 dated 7/12/2024

2-we have applied permission from HWRA from the board wide no HWRA/IND /N/2024 /7320

3-we have complied with guideline issued for RMC plant by HSPCB vide letter no HSPCB /2012/267/-278 dated 24/12/2013 along with photograph attached

We are request to you we replying and we fulfil the objection which is baen raised by your latter accordingly para wise so please Issue CTO for the five year ignore fine and obliged



For RSB PROJECTS PVT. LTD.

Authorized Signatory 10/12/2024
RSB projects RMC plant pvt

Village sithana panipat

//TRUE COPY//

Application Form Updated on: 09-12-2024

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

From: Industry ID-24PIT615400



M/s. RSB Projects Pvt Ltd
Sithana Madlauda Panipat

To

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

Sir,

I/We hereby apply to consent/authorization for the year 09/12/2024 to 31/12/2028 Application No. 87690067 dated 09-12-2024

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 | Arvind Kumar |
| Designation | Owner |
| Office Address | |
| Telephone/Fax and | |
| Email Address of the applicant | |
| 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.) | RSB Projects Pvt Ltd
Sithana Madlauda Panipat |
| (b) Details of Planning Permission obtained from Municipal Corporation /directories of Urban Development of Town & Country palnning/Haryana Urban Development authority,whichever applicable. | |
| (c) Name of Municipal Corporation/ Panchayat Samiti/Panchayat under whose jurisdiction the unit is Located and name of the license issuing Authority. | |

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	Arvind Kumar	Owner	Sithana Madlauda Panipat		9138010405	

4. If registered as a small-scale industrial unit, give Number and Date of registraion. : 9138010405, 01/01/2024
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)). : 265.0
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. HARYANA STATE
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.
9. Total Plot Area, Built up Area and Area available for the use of treated sewage/trade effluent. : Total Plot Area :
Built-up Area :
10. Month and year of proposed commissioning of the unit. : 01/10/2024
11. Number of workers and office staff. :
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
- (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
1	Ready Mix Concrete	Metric Tonnes/Day	70	70	50	50

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
1	NA	Metric Tonnes/Day	0	0	0	0

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
1	Concrete Mixture and Water	50	Metric Tonnes/Day

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).

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

16. Water consumption for different uses (m³/day).

Sr. No.	Water Consumed For	Quantity(KLD)
1	Sanitation/Domestic/Horticulture	1.0
2	Others As Raw Material	8.0

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)	Borewell	9.0

18. Water Treatment Details

Sr. No.	Use	Effluent Generation(KLD)	Treatment Arrangement Status	Treatment Details
1	Domestic Effluent	0.5	Not Required	Septic Tank

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	Domestic Effluent	0.5	0.0	0.5	Others

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 epored 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	Domestic Effluent	COD	0	0	mg/l	09/12/2024	NA	NA

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
NA	0	Metric Tonnes/Day				

22. Details of Stack

Stacks Numbers :	1
Stack Attached to:	NA ,
Fuel type:	NA ,
Fuel Quantity:	0 ,
Material for construction of Stack:	NA ,
Shape (Round/Rectangle):	Round ,
Height above ground level(in metres):	0 ,
Diameters/Size in meters	0 ,
Gas quantity Nm³/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)
1	0	0	0	Yes

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'(December1985). YES
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
1	NA	SPM	0	mg/Nm ³

Process Emission quality parameter details:

Sr. No.	Process	Parameters	Conc. of pollutants		Units
			Untreated	Treated	
1	NA	Particulate Matter (PM)	0	0	mg/Nm ³

Details of Process Emission:

Sr. No.	Source of Generation of process Emissions	Name of the emissions(i.e SO ₂ /NO _x /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	
1	NA	NA	[Others]	0	0	Yes

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. : YES
 (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?
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.
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).
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).
 (b) Details of isolated storage.
 (c) Details of emergency preparedness plans (On-Site/ Off-Site prepared).
34. Brief details of tree plantation/ green belt development within applicant's premises.
35. Information of schemes for waste minimization, source recovery and recycling implemented and to be implemented, separately.
36. Any other additional information that the applicant desires to give.
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 & Hazaradous Waste Management Rules, 2008 and standards/norms prescribed for discharge of pollutants under EPA Rules, 1986.

b.) That we shall comply with all the provisions of Water Act, 1974, Air Act, 1981 & Hazaradous 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. Manufacturing process and process Flow Chart.
2. Fard Jamabandi or Intkal, whichever is applicable / Allotment letter in case of Industrial area.
3. C.A. Certificate regarding capital investment cost w.r.t. land building, plant and machinery of the proposed project.

Yours faithfully,

Signature _____
Name Arvind Kumar
Designation Owner

** This is System Generated Form Signature not Required **

//TRUE COPY//

HARYANA STATE POLLUTION CONTROL BOARD
C-11 Sector-6, Panchkula
Ph - 0172- 577870-73, Fax No. 2581201
hspcb-solidwaste@gmail.com
Website: hspcb.org.in

Order

Whereas, Hon'ble National Green Tribunal (NGT) has issued directions to impose the penalty on the non-complying polluting units and to levy compensation on the Principles "Polluter Pays" to recover the Environment compensation for the restoration of the Environment damages caused.

Whereas, the Hon'ble NGT in the matter of Paryavaran Surksha samiti & Ors. Vs Union of India & Parveen Kakkar & Ors. Vs MOEF & Ors. it was held that:

"11. Needless to say that it will be open to the SPCBs/Committees and CPCB to take coercive measure including recovery of compensation for the damage to the environment on "Polluter Pays" as well as also to direct taking of such precautionary measure as may be...."

Whereas in 63rd conference of Chairman and Member Secretary of PCBs/Committees held on 18.03.2019 it was decided that SPCBs/PCCs may frame their guidelines on environmental compensation based on CPCB's report circulated in the agenda of the said meeting and to provide their inputs environmental compensation report.

Whereas, the Board has decided to adopt the methodology suggested by CPCB for assessment, imposing, collection and utilization environment compensation from the polluting units in the state of Haryana. Accordingly a policy was framed by the board vide order dated 29.04.2019 and dated 20.12.2019 in this regard, which have been superseded on 22.12.2021.

Whereas, the Board has constituted environment assessment compensation committee from time to time and presently the committee constituted vide order no. HSPCB/Estt/2023/449-4437 dated 26.10.2023 & order no. HSPCB/Estt/2023/4625-33, dated 08.11.2023 is in force to assess the environment compensation of the units found operating in violation of the provisions of the environmental acts.

Whereas, the Regional Officer, HSPCB, Panipat vide his letter dated 01.05.2025 has recommended the case for imposing environmental compensation penalty for violation of the environmental laws committed by M/s RSB Project Pvt. Ltd., Ready Mix Concrete Plant, Village Singhpura-Sithana,, Panipat. The matter was placed before the Committee constituted for assessment of environmental compensation in it's meeting held on 28.05.2025. The Committee finalized environmental compensation of Rs. 19,65,000 /- by considering the minimum rates @ Rs. 5000/- per day for violation period of 393 days i.e from 29.11.2023 (Date of shifting of RMC plant to the present site) to 25.12.2024 (Date of compliance of closure order).

i.e **EC= 5000 x Number of days = Rs. 5000 x 393 = Rs. 19,65,000/-**

Therefore, M/s RSB Project Pvt. Ltd., Ready Mix Concrete Plant, Village Singhpura- Sithana,, Panipat is hereby directed to deposit Rs. 19,65,000/- (Rs. Nineteen Lakh Sixty Five Thousand only) towards environmental compensation penalty for the damage caused to the environment, with the Haryana State Pollution Control Board in it's account no. 100053543757 having IFSC code no. INDB0000164 in INDUSIND BANK situated at Sector-9, Panchkula, within a period of 30 days, failing which unit shall be liable for action under the applicable provisions for non compliance of the directions of the Board.

**Dated: Panchkula
23-06-2025**

**VINEET GARG
Chairman**

Endst. to the following for information and necessary action please:-

1. Regional Officer, Panipat Region HSPCB. He is directed to pursue the matter for payment of environmental compensation as stated above and to submit the compliance report in this regard within the prescribed time period.
2. Sr. Account Officer, HSPCB Panchkula.
3. M/s RSB Project Pvt. Ltd., Ready Mix Concrete Plant, Village Singhpura-Sithana,, Panipat.

**Scientist-C (SWM Cell)
For Chairman**

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