

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
OA No. 654/2023**

Amulya Kumar Shahi & Ors.

.....Applicant(s)

Versus

State of Haryana & Ors.

.....Respondent(s)

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Date:- 28th MAY 2024
Place:- GURUGRAM



**Vijay Chaudhary,
Regional Officer, HSPCB
Gurugram Region (S)**

Regional Officer
Haryana State Pollution Control Board
Gurgaon Region (South)
HSIIDC Complex, IIIrd Floor,
IMT Manesar, Gurgaon

**BEFORE THE NATIONAL GREEN TRIBUNAL
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State of Haryana & Ors.

.....Respondent(s)

**REPORT ON BEHALF OF REGIONAL OFFICER, HARYANA
STATE POLLUTION CONTROL BOARD, HSPCB, GURUGRAM
REGION SOUTH IN COMPLIANCE OF ORDER DATED 19-
10-2023**

MOST RESPECTFULLY SHOWETH:-

1. That the applicant has filed the present complaint/OA submitting that respondent no.7, Tulip Ivory operating DG set, transformer and other machines 24x7 at a distance of just 2-3 mtrs. from the residence of the applicant and is causing the pollution in violation of Noise Pollution (Regulation and Control) Rules, 2000. Further allegation is that on account of operations of DG sets, transformer etc. by respondent no. 7, the noise level in the flat of the applicant is measured as 65 d(B) to 75 d(B) at all time, which is beyond the permissible limit.
2. The Hon'ble Tribunal vide order dated 19.10.2023 had taken cognizance of the present case and disposed of the application with the direction to the Member Secretary, Haryana State Pollution Control Board to duly consider the grievance of the applicant and take remedial measures in accordance with law.

19/10

3. Prior to this complaint, a complaint was received on 26.01.2023 with complaint ID No.47473391 against the residential building i.e M/s Tulip Ivory where in it was alleged that 24*7 noise is create by the machines. In reference of this complaint site was visited by Sh. Sidharth Bhargava, AEE Gurugram Region (S) on dated 07.02.2023 and during inspection it was found that unit has regular electric connection from Dakshin Haryana Bijli Vitran Nigam and generators run only at the time of power cut. The noise level when the generators are operating is 62.5 dB, and when DG sets are off, it's 55.5 dB(at the flat/residence of the complainant). Copy of inspection report dated 07.02.2023 alongwith noise monitoring report is attached as **Annexure-R/1.**
4. After that another complaint with same facts was received on 28.02.2023 with complaint ID No.47473668. Sh. Sidharth Bhargava, AEE again inspected the site and during inspection it was found that there are 02 nos. DG sets provided for electrical backup of said building and 01 nos. transformer is also there. The DGs are provided with acoustic enclosure and run only when there is power cut. Further, a small humming sound is created by transformer which is negligible. The noise level when the generators were operating was 64.5 dB, and when those are off, it's 53.5 dB(at the flat /residence of the complainant). Copy of inspection report alongwith noise monitoring report is attached as **Annexure-R/2.**
5. There after complaint through twitter ticket-121488 on 23.08.2023 received in this office and Sh. Amulya Kumar Shahi applicant approached Hon'ble Tribunal in OA no. 654 of 2023 in the matter of Amulya Kumar Shahi & Ors. Vs State of Haryana and others. In compliance of order dated 19.10.2023 passed by this Hon'ble Tribunal Sh. Sidharth Bhargava, AEE inspected the site on 27.10.2023 and during inspection the noise level when the generators were operating was 61.5 dB, and when those are off, it's 52.5 dB(at the flat /residence of the complainant). Copy of inspection report alongwith noise monitoring report is attached as **Annexure-R/3.**
6. After inspection, in compliance of order dated 27.10.2023 the builder of Tulip Ivory installed additional damping's in DG Sets to further reduce noise level. There after a mail received from

the complainant Sh. Amulya Kumar Shahi that he is satisfied with the inspection conducted by HSPCB Officer and requested to mark his cases as resolved. Copy of mail received from applicant is attached as **Annexure-R/4**.

In view of the submissions made herein above, present Reply may kindly be taken on record.

Date:- 28th MAY 2024

Place:- GURUGRAM



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

Regional Officer
Haryana State Pollution Control Board
Gurgaon Region (South)
HSIIDC Complex, IIIrd Floor,
IMT Manesar, Gurgaon

HARYANA STATE POLLUTION CONTROL BOARD

Spot Inspection Performa

1.	Name & address of the Unit	Complaint ID - 47473391
2.	Date & Time of Inspection	07/02/2023
3.	Name of the representative of the unit, present at the time of the inspection	/
4.	Remarks:-	<p>The complaint is of Residential building. The complainant alleges that the builder runs generator 24x7 which is not true as the unit has regular electric connection from DHBUNL. The noise level at the site is 62.5 dBA (daytime) Complaint may be filed please.</p>
	Signature of the representative of the unit	Signature of the Officer/Officials of the Board who conducted the inspection

Format of Report: Noise Monitoring

Location:-

- Latitude & Longitude : 28.392448 & 77.028224
- City : Gurugram
- Description of monitoring site: **Residential (R)**
- Site Name = **Group Housing Project Tulip Ivory, Sector-70, Gurugram**
- Date : 07.02.2023

Data/Observation:

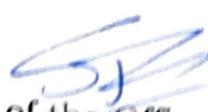
Ambient Noise Level during Monitoring:-

Group Housing Project Tulip Ivory, Sector-70, Gurugram Location-Tower of the Complainant.	DG Sets ON			DG Sets OFF		
	Lmin	Lmax	Leq (dB(A))	Lmin	Lmax	Leq (dB(A))
Time Duration Starting 10.30 a.m.						
05 mins	61	64	62.5	55	56	55.5
05 mins	63	64	63.5	55	57	56
05 mins	61	64	62.5	55	57	56
05 mins	62	64	63.0	55	56	55.5
05 mins	61	63	62.0	54	56	55
05 mins	60	64	62.0	54	56	55


**AEE, Regional office
Gurugram Region (S)**

HARYANA STATE POLLUTION CONTROL BOARD

Spot Inspection Performa

1.	Name & address of the Unit	(1) Complaint ID - 47473667 (2) Complaint ID - 47473668
2.	Date & Time of Inspection	16/03/2023, 10:30 am
3.	Name of the representative of the unit, present at the time of the inspection	Maintenance staff of M/s Tulip Ivory
4.	Remarks:- <p>The complaint is against the residential building M/s Tulip Ivory (near EWS Block) wherein it is alleged that 24x7 noise is created by the machines. The claim is wrong and denied as there are 02 nos. DG sets provided for electrical backup of said buildings and 01 nos Transformer is also there. The DGs are provided with acoustic enclosure and run rarely & only when there is power cut. Further a small humming sound is created by transformer which is negligible.</p> <p style="text-align: right;">No violation. Complaint be filed</p>	
	Signature of the representative of the unit No authorised representative at site	Signature of the Officer/Officials of the Board who conducted the inspection  AFE

Format of Report: Noise Monitoring

Location:-

- Latitude & Longitude : 28.392448 & 77.028224
- City : Gurugram
- Description of monitoring site: **Residential (R)**
- Site Name = **Group Housing Project Tulip Ivory, Sector-70, Gurugram**
- Date : 16.03.2023

Data/Observation:

Ambient Noise Level during Monitoring:-

Group Housing Project Tulip Ivory, Sector-70, Gurugram Location-Tower of the Complainant.	DG Sets ON			DG Sets OFF		
	Lmin	Lmax	Leq (dB(A))	Lmin	Lmax	Leq (dB(A))
Time Duration Starting 03.00 p.m.						
05 mins	64	65	64.5	53	54	53.5
05 mins	63	65	64	54	56	55
05 mins	63	64	63.5	51	54	52.5
05 mins	64	65	64.5	54	55	54
05 mins	65	65	65	51	53	52
05 mins	64	66	65	54	55	54.5


**AEE, Regional office
Gurugram Region (S)**

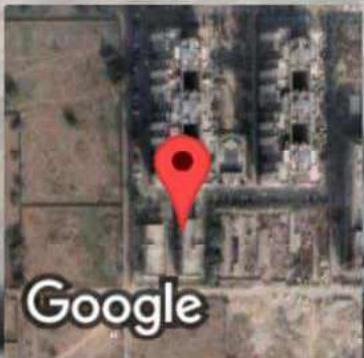
HARYANA STATE POLLUTION CONTROL BOARD

Spot Inspection Performa

1.	Name & address of the Unit	Twitter ticket-121488
2.	Date & Time of Inspection	27/10/2023
3.	Name of the representative of the unit, present at the time of the inspection	Estate Manager
4.	<p>Remarks:-</p> <p>The unit is a Group Housing Project and complaint is against the Project by a resident of noise and air pollution. The noise level at the premises of the complainant measured and found out to be 57.5 dBA and is within permissible limit. The complaint is devoid of merit. May be filed please.</p>	
	Signature of the representative of the unit	 Signature of the Officer/Officials of the Board who conducted the inspection



 **GPS Map Camera**



Gurugram, Haryana, India
Flat Number B 704 Tulip Ivory, Sector 70, Gurugram, Haryana
122101, India
Lat 28.392448°
Long 77.028224°
27/10/23 04:50 PM GMT +05:30



 **GPS Map Camera**

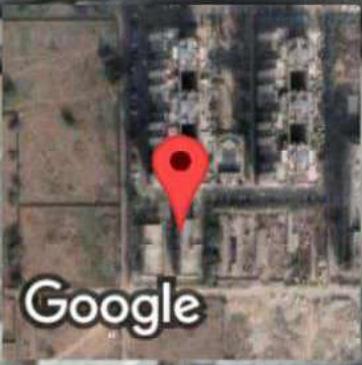
Gurugram, Haryana, India

Flat Number B 704 Tulip Ivory, Sector 70, Gurugram, Haryana
122101, India

Lat 28.392448°

Long 77.028224°

27/10/23 04:50 PM GMT +05:30



Google



 **GPS Map Camera**

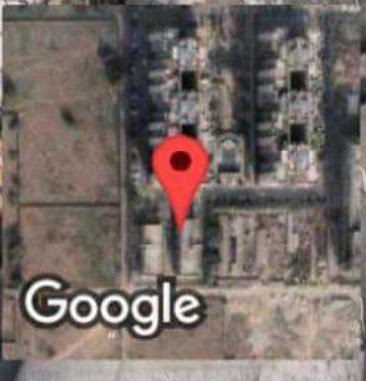
Gurugram, Haryana, India

Flat Number B 704 Tulip Ivory, Sector 70, Gurugram, Haryana
122101, India

Lat 28.392448°

Long 77.028224°

27/10/23 04:50 PM GMT +05:30





GPS Map Camera

Gurugram, Haryana, India

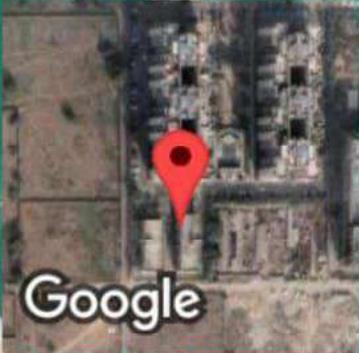
Flat Number B 704 Tulip Ivory, Sector 70, Gurugram, Haryana

122101, India

Lat 28.392448°

Long 77.028224°

27/10/23 04:50 PM GMT +05:30



Google

Format of Report: Noise Monitoring

Location:-

- Latitude & Longitude : 28.392448 & 77.028224
- City : Gurugram
- Description of monitoring site: **Residential (R)**
- Site Name = Group Housing Project Tulip Ivory, Sector-70, Gurugram
- Date : 27.10.2023

Data/Observation:

Ambient Noise Level during Monitoring:-

Group Housing Project Tulip Ivory, Sector-70, Gurugram Location-Tower of the Complainant.	DG Sets ON			DG Sets OFF		
	Lmin	Lmax	Leq (dB(A))	Lmin	Lmax	Leq (dB(A))
Time Duration Starting 04.00 p.m.						
05 mins	61	62	61.5	51	54	52.5
05 mins	59	61	60	52	54	53
05 mins	61	63	62	50	54	52
05 mins	60	62	61	53	55	54
05 mins	60	64	62	50	52	51
05 mins	61	64	62.5	52	54	53


**AEE, Regional office
Gurugram Region (S)**

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GURGAON REGION SOUTH HSPCB <hspcbrogrs@gmail.com>

Resolved - Tulip Ivory EWS Noise Pollution

1 message

Amulya Shahi <amulyaa_24@yahoo.in>
To: hspcbrogrs@gmail.com

Fri, Mar 29, 2024 at 12:14 PM

To
HSPCB RO Gurugram, Haryana

Dear sir,

I had raised complaints via sameer app about noise pollution at Tulip Ivory EWS, which after the visit and inspection conducted by HSPCB staff, has been resolved to satisfactory level.

Thanks for the efforts, now I request to mark my all cases as resolved.

Thanks & Regards

Amulya Shahi
8826053287