

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SITTING AT NEW DELHI**

In
OA No. 32/2020

In the matter of :

Varun

Applicant(s)

Versus

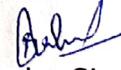
Central Pollution Control Board & ors

Respondent(s)

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FILED BY:



Bhupinder Singh,
Regional Officer

Haryana State Pollution Control Board, Sonapat
Star Complex, Bahalgrah- Delhi road, Sonipat, Haryana 131001

Date: 11/06/2020

Place: Sonapat

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH,
NEW DELHI

Original Application No. 32/2020

In the matter of :

Varun

Applicant(s)

Versus

Central Pollution Control Board & ors

Respondent(s)

**ACTION TAKEN REPORT ON BEHALF OF HARYANA STATE
POLLUTION CONTROL BOARD.**

MOST RESPECTFULLY SHOWETH:

1. That the present application has been made before this Hon'ble NGT alleged that respondent Nos 04 to 32 are discharging effluents in open drains resulting in causing of diseases in the area. The industries are Red category industries which are grossly polluting but no action is being taken by the statutory authorities. The present complaint was listed before this Hon'ble NGT on 10.02.2020 and passed an order that *"we consider it appropriate to require a factual and action taken report from the Haryana State PCB. The State PCB may also furnish any information, if available, about the antecedents of the applicant, which may be relevant for these proceedings"*. Copy of order passed by this Hon'ble NGT dated 10.02.2020 is attached as **Annexure-R/1**.

2. That as per record of this office the applicant earlier has filed an RTI application dated 24.12.2019 in this office in respect to the units mentioned in the application. The information alongwith consent to operate

certificate of the units was sent to the applicant vide this office letter no. HSPCB/SR/2020/4650 dated 16.01.2020 as per RTI Act, 2005. The copy of RTI reply submitted to the applicant is attached as **Annexure-R/2**.

3. That the status of Consent to operate obtained by these units from HSPCB alongwith quantity of effluent generation as per consent to operate certificate is given in the table below:

| Sr No | Name & Address of the unit | Status of Consent to Operate with validity period | Status of ETP |
|-------|--|---|---------------|
| 1 | M/s Samarath Industries, Plot No 384, Ph-I HSIIDC, Barhi, Sonipat | Consent obtained for the period 01.04.2017 to 30.09.2021. | Installed |
| 2. | M/s Denimo Design Washing Pvt. Ltd, Plot No 381, Ph-I HSIIDC, Barhi, Sonipat | Consent obtained for the period 19.02.2019 to 30.09.2020. | Installed |
| 4. | Jyoti Dhaga Udyog Pvt. Ltd., Plot No- 406-417, Ph-I HSIIDC, Barhi, Sonipat | Consent obtained for the period 01.10.2019 to 29.09.2020. | Installed |
| 5. | Nutex Knit Fab, Plot No 35, Ph-I HSIIDC, Barhi, Sonipat | Consent obtained for the period 01.04.2017 to 30.09.2022. | Installed |
| 6. | Sonu Enterprises, Plot No. 358, Ph-I HSIIDC, Barhi, Sonipat | Consent obtained for the period 01.04.2017 to 30.09.2021. | Installed |
| 7. | Shivam Enterprises, Plot No. 274, Ph-I HSIIDC, Barhi, Sonipat | Consent obtained for the period 01.04.2016 to 30.09.2020. | Installed |
| 8. | Addingo Knit Creations, Plot No. 217, Ph-I HSIIDC, Barhi, Sonipat | Consent obtained for the period 01.04.2017 to 30.09.2021. | Installed |
| 9. | Magnet Industries, Plot | Consent obtained for the period 01.10.2017 to | Installed |

| | | | |
|-----|--|---|-----------|
| | No. 230, Ph-I HSI IDC, Barhi, Sonipat | 30.09.2022. | |
| 10. | Vihan Industries, Plot No 210, Ph-I HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.04.2017 to 30.09.2022. | Installed |
| 11. | Spectrum Washing, Plot No. 130, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.04.2016 to 30.09.2020. | Installed |
| 12. | Oasis Texfab, Plot No. 500, Ph- II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2018 to 30.09.2023. | Installed |
| 13. | Anand Knit, Plot No. 650-651, Ph- II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2018 to 30.09.2022. | Installed |
| 14. | Denim Art, Plot No. 523 D, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2017 to 30.09.2022. | Installed |
| 15. | Supreme Fashions, Plot No. 524 D & 524 E, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2018 to 30.09.2023. | Installed |
| 16. | Sidhi Vinayak Apparels, Plot No. 473 D, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 24.11.2019 to 30.09.2023. | Installed |
| 17. | Denim Craze, Plot No. 550-553, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 18.11.2018 to 30.09.2021. | Installed |
| 18. | Shadex Creations, Plot No 661, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2017 to 30.09.2022. | Installed |
| 19. | Colour Zone, Plot No 598, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 19.06.2018 to 30.09.2022. | Installed |
| 20. | M.S Creations, Plot No. 561, Ph- II, HSI IDC, Barhi, | Consent obtained for the period 09.05.2018 to 30.09.2019. | Installed |

| | | | |
|-----|--|---|-----------|
| | Sonipat | | |
| 21. | Tabi Creations, Plot No 540, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2017 to 30.09.2022. | Installed |
| 22. | Shivam Fab, Plot No. 281, Ph-I, HSI IDC, Barhi, Sonipat | No unit exists at this location | — |
| 23. | M.K Dyeing, Plot No 98-99, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.04.2016 to 30.09.2020. | Installed |
| 24. | Flora Dyeing House, Plot No 392, Ph-I, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2017 to 30.09.2022. | Installed |
| 25. | Gee Aar Threads, Plot No. 665, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.04.2017 to 30.09.2021. | Installed |
| 26. | Shri Sidhi Vinayak Tex Colour, Plot No. 495, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2017 to 30.09.2022. | Installed |
| 27. | Fine Dyeing, Plot No. 400-401, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2017 to 30.09.2022. | Installed |
| 28. | New Garments, Plot No. 200, HSI IDC, Barhi, Sonipat | Consent obtained for the period 09.03.2018 to 30.09.2022. | Installed |
| 29. | Generous Textiles, Plot No 383, Ph-I, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.04.2017 to 30.09.2021. | Installed |
| 30. | Modern Dyeing, Plot No. 527, Ph-II, HSI IDC, Barhi, Sonipat | Consent obtained for the period 01.10.2017 to 30.09.2022. | Installed |

3. That the effluent generated by the units mentioned in application as mentioned in above table after treatment is discharged into public sewer

laid down by Haryana State Industrial and Infrastructure facility (HSIIDC) which is further connected to CETP for further treatment. The water sample from outlet of CETP was collected by HSPCB on 21.05.2020. The analysis report no. 2784 dated 01.06.2020 received from Board Laboratory, Punchkula shows parameters within permissible limit. Copy of analysis report is attached as **Annexure- R/3**. The parameter received are as under:

| Name of Parameter | Result (mg/l) | Limit (mg/l) |
|-----------------------|---------------|--------------|
| pH | 7.62 | 5.5-9.0 |
| Suspended Solid | 36.0 | 100 |
| BOD | 26.0 | 30 |
| COD | 121.0 | 250 |
| Oil & Grease | 2.5 | 10 |
| Conductivity | 2530.0 | -- |
| Ammonical Nitrogen | BDL | 50 |
| Total Dissolved solid | 1731.0 | 2100 |
| Dissolved Phosphate | 0.12 | 5.0 |
| Sulphide | BDL | 2.0 |
| Total Chromium | BDL | 2.0 |
| Hexavalent Chromium | BDL | 0.1 |
| Nickel | BDL | 3.0 |
| Iron | 0.285 | 3.0 |
| Zinc | BDL | 5.0 |

| | | |
|--------|-----|-----|
| Copper | BDL | 3.0 |
|--------|-----|-----|

4. That the inspection of units mentioned in the application couldn't be carried out at this stage due to lockdown measures taken by Government of India in view of Pandemic COVID-19 and migration of labour during lockdown period. All these units are not in operation during lockdown period therefore inspection of these units could not be done at this stage and shall be carried out after resumption of the operation by these units.

5. That HSPCB will abide by all the further Directions of Hon'ble NGT in this matter.

Date: 11/06/2020

Place: Sonapat


Regional Officer,
HSPCB, Sonipat Region.

Item No. 06

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 32/2020

Varun

Applicant(s)

Versus

Central Pollution Control Board & Ors

Respondent(s)

Date of hearing: 10.02.2020

CORAM:**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Applicant(s):

Ms. Mansi Chahal, Mr. Kapil Sagar, Advocates

ORDER

1. Grievance in this application is that respondent Nos. 04 to 32 viz. Samarth Industries, Denimo Design Washing Pvt. Ltd., Jyoti Dhaga Udyog Pvt. Ltd., Nutex Knit Fab, Sonu Enterprises, Shivam Enterprises, Addingo Knit Creations, Magnet Industries, Vihan Textiles, Spectrum Washing, Oasis Tex Fab, Anand Knit, Denim Art, Supreme Fashions, Sidhi Vinayak Apparels, Denim Craze, Shadex Creations, Color Zone, M.S. Creations, Tabi Creations, Shivam Fab, M. K. Dyeing, Flora Dyeing House, Gee Aar Threads, Shri Sidhi Vinayak Tex Colour, Fine Dyeing, New Garments, Generous Textiles and Modern Dyeing functioning at Barhi Industrial area in District

industries which are grossly polluting but no action is being taken by the statutory authorities. The applicant made representation on 01.01.2020 to the Haryana State PCB and to the Central Ground Water Authority but no action was taken.

2. In view of the above allegation, we consider it appropriate to require a factual and action taken report from the Haryana State PCB within one month by email at judicial-ngt@gov.in.
3. We asked the applicant, who is present in person and whose address in the application is of Delhi, as to how he has the information based on which the application is filed and what is his interest in the matter and who is funding these proceedings. He states that he is working with two NGOs- SAFE and Save Water. The application is silent on this aspect. It may be necessary to verify the antecedents of the applicant and his bonafides.
4. The State PCB may also furnish any information, if available, about the antecedents of the applicant, which may be relevant for these proceedings.
5. A copy of this order be sent to the Haryana State PCB by email for compliance.
6. The applicant may furnish a set of papers to the Haryana State PCB and file an affidavit of service within one week.

List for further consideration on 16.04.2020.

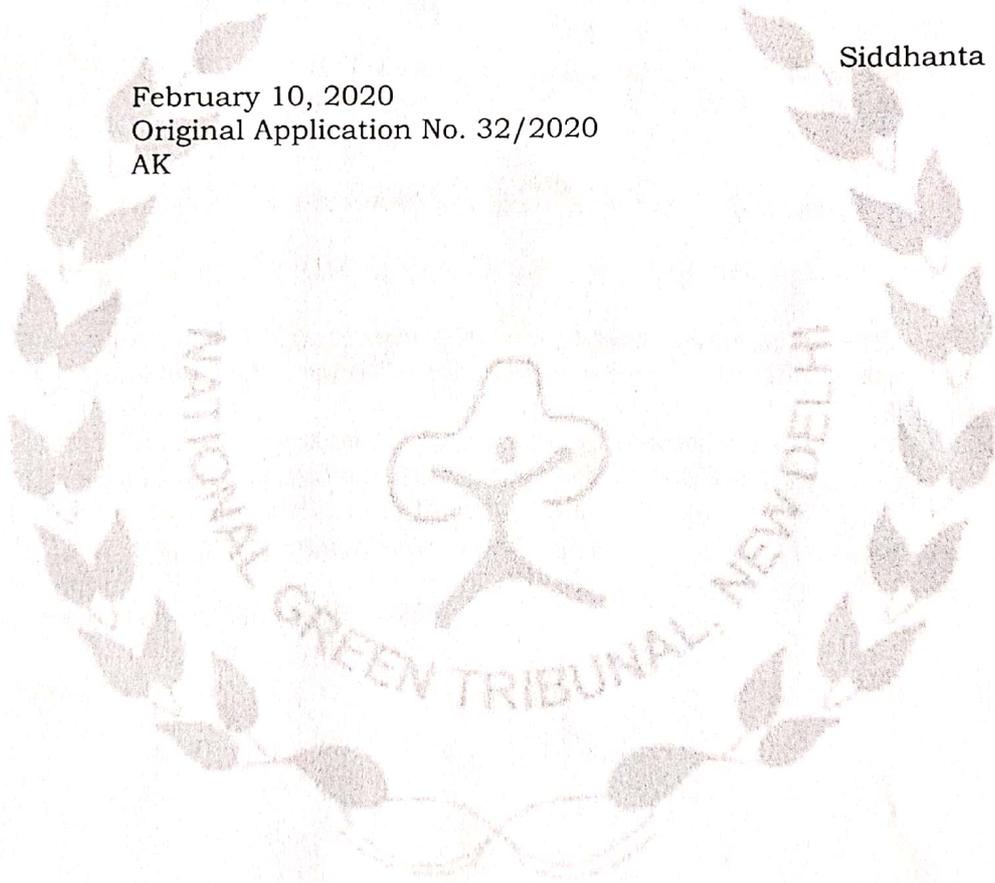
Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

Siddhanta Das, EM

February 10, 2020
Original Application No. 32/2020
AK



HARYANA STATE POLLUTION CONTROL BOARD

Star Complex, Opp. General Hospital, Delhi Road, Sonipat

Ph. - 0130-2236119, E-mail ID: - hspcbrosr@gmail.com

No. HSPCB/SR/2020/ 4650

Dated: 16/01/2020

Registered

To

Sh. Varun,
A-66, 1st Floor, Ganesh Nagar, Tilak Nagar,
New Delhi.

Sub: Application under RTI Act, 2005.

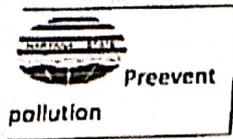
Kindly refer to your RTI application dated 16.12.19 & balance fees of Rs.320/- under Postal Orders received on dated 15.1.2020 vide this office letter No. 4510 dated 02.01.2020.

In this connection, it is intimated that the point wise reply is as under:-

1. The copies of the CTE/CTO of the units submitted in the RTI application is enclosed as Annexure-I.
2. The quantity of the effluent for which CTO has been granted to the unit after treatment from individual ETP installed by the unit is mentioned in the CTO already attached as Annexure-I.
3. Source of the fuel is mentioned in the CTO already attached as Annexure-I.
4. The copies of the authorization obtained under HWM is attached as Annexure-II.
5. The annual return is submitted by the units in the prescribed format.
6. The documents are submitted in the application form are not submitted in hard copy in this office.
7. No record is available with this office.

DA/As above.

dc
Regional Officer-cum-PIO
Sonipat Region.



Form J

11
Annexure - R/3

(See Rule 36)
Test Report

Report No- 2785

Dated: 01-June-2020

I hereby, certify that I Dr. Jal Bhagwan Board Analyst duly appointed under sub section (3) of section 53 of the Water (Prevention and Control of Pollution) Act 1974 (06 of 1974), received a sample on the 22 day of May, 2020, collected by Sh. Lalit Mallk, AEE on dated 21 day of May, 2020 of M/s Senior Manager HSIIDC, 16 MLD CETP, Barhi, Sonapat for analysis.

Further certify that I have analyzed the above mentioned sample on 22-May-2020 to 01-June-2020 and declare the result of analysis to be as follows:-

| | | | |
|----|-------------------------|---------------|----------------|
| 1. | Sample Code | 3275 | 3276 |
| 2. | Sample Collected from # | Inlet of CETP | Outlet of CETP |

OBSERVATION

| | | | |
|----|------------|------------|----------|
| 1. | Appearance | Dark Brown | Brownish |
| 2. | Odour | Foul | Mild |

RESULTS

| Sr. No. | Parameter Name | Result | Result | Limit | Test Method |
|---------|------------------------------------|--------|--------|---------|---------------|
| 1. | pH Value | 6.37 | 7.62 | 5.5-9.0 | APHA,4500-H+B |
| 2. | Suspended Solid mg/l | 310.0 | 36.0 | 100 | APHA,2540-D |
| 3. | BOD mg/l | 210.0 | 26.0 | 30 | IS:3025(P-44) |
| 4. | COD mg/l | 737.6 | 121.6 | 250 | APHA, 5220-B |
| 5. | Oil & Grease mg/l | 14.5 | 2.5 | 10 | APHA, 5520-B |
| 6. | Conductivity Micro S/cm | 4170.0 | 2530.0 | - | - |
| 7. | Ammonical Nitrogen (as N) mg/l | 30.24 | BDL | 50 | - |
| 8. | Total Dissolved Solid mg/l | 3000.0 | 1731.0 | 2100 | - |
| 9. | Dissolved Phosphate (as P) mg/l | 0.44 | 0.12 | 5.0 | - |
| 10. | Sulphide (as S) mg/l | 4.0 | BDL | 2.0 | - |
| 11. | Total Chromium (as Cr) mg/l | BDL | BDL | 2.0 | - |
| 12. | Hexavalent Chromium (as Cr+6) mg/l | BDL | BDL | 0.1 | - |
| 13. | Nickel (as Ni) mg/l | BDL | BDL | 3.0 | - |
| 14. | Iron (as Fe) mg/l | 0.338 | 0.285 | 3.0 | - |
| 15. | Zinc (as Zn) mg/l | BDL | BDL | 5.0 | - |
| 16. | Copper (as Cu) mg/l | BDL | BDL | 3.0 | - |

The Conditions of the seals, listening and container on receipt was as follows:

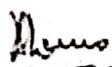
Container had its seal found intact and in order, slip on the container had the signature of the representative of the industry and the Board.

Signed this 01 day of June-2020

Haryana State Pollution Control Board Laboratory,
SCO-115, 1st & 2nd Floor, Sector-25, Panchkula, Haryana
To

The Member Secretary, HSPCB, Panchkula
Regional Office, Sonapat

This test report relate only to the particular sample submitted for testing


Board Analyst

Scanned with CamScanner

Scanned with CamScanner