



HSPCB

Regional Office, Gurugram (S)
Haryana State Pollution Control Board

3rd Floor, HSIIDC Complex, IMT Manesar, Gurugram

Website - www.hspcb.gov.in E-Mail - hspcbrogrs@gmail.com

Tele No. 0124-2290207, 0124-2290208

No. HSPCB/GRS/2019/ 3236

Dated: 27/11/19

To

The Registrar
National Green Tribunal ,
New Delhi

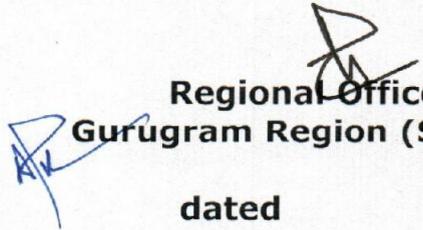
Email id- Judicial-ngt@gov.in

Sub: Regarding compliance of directions of Honorable National green tribunal in OA no 688/2019 & 908/2019 Aditya Jakhar vs state of Haryana.

Ref.: Order dated 16-09-2019 in the matter of OA no 688/2019 & 31-10-2019 in the matter of OA no. 908/2019

With reference to the subject cited, it is submitted that the prosecution action under section under section 43/44 of Water (Prevention & Control of Pollution) Act, 1974 has been initiated against M/s Ramprastha Saare Township Village- Wazirpur Meoka Gurugram as the parameters exceeded the permissible limits. The recommendation regarding sanction of prosecution against the directors of the project proponent and regarding environmental compensation to the competent authority for the violation has been sent to competent authority for approval. The copy of same is enclosed as **Annexure-A & B** for your kind consideration please.

DA/ **Annexure-A & B**


Regional Officer
Gurugram Region (S)
dated

Endst no. HSPCB/GRS/2019

A copy of above is forwarded to Sh Anil Grovar Addl. Adv. General, Haryana (groveradvocate@rediffmail.com) for information and necessary action please


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No. HSPCB/GRS/2019/ 3232

Dated: 27/11/19

Kind Atten. Sh. Nitin Mehta, EE (HQ)

To

The Chairman
Haryana State Pollution Control Board
Panchkula

Sub: Environmental Compensation Assessment report - M/s Ramprastha Saare Township {Group housing Complex} Village Wazirpur Meoka Gurgaon

Ref.: This office SCN no. HSPCB/GRS/2019/2050 dated 04-09-2019.

With reference to subject cited above, it is submitted that the above said project was inspected by Sh. Navneet Bhardwaj, AEE on dated 21-08-2019 and the sample of domestic effluent was collected from the outlet of STP in presence of the representative of above said unit.

Whereas as per analysis report No. 811 dated 26-08-2019 by Gurugram Laboratory (copy enclosed), the results found exceeding the prescribed limits in the following parameters:-

Sr. No.	Parameters	Results (mg/l)	Limits (mg/l)
01	Suspended Solids	168	100
02	BOD	55	30

From the above mentioned results it is clear that the project was not operating STP properly and discharging the effluent without proper treatment as per CPCB norms.

The unit is an Building & construction projects and hence covered under Red category as per policy order dated 26-02-2018. The unit falls under Large categorization as Investment cost of your project is more than 100 Crore.

The project proponent has not submitted reply/compliance of the Show Cause Notice issued under to the project vide this office letter No. 2050 dated 04-09-2019. This office has recommended prosecution action vide letter no. 3229 dated 27-11-2019 against the project proponent under

section 43/44 for violation of section 24/25/26 of water act, 1974 as closure action was not recommended under 33-A because lot of people residing in the premises.

It is mention that complainant Sh. Aditya Jakhar has filed OA No. 908/2019 in Hon'ble National Green Tribunal, New Delhi and the order dated 31-10-2019 reproduced as

"A copy of this order dated 31.10.2019, along with complaint, be sent to the Municipal Corporation, Gurgaon and the SPCB by e-mail for compliance. 2 Needless to say that order of National Green Tribunal is binding as a decree of Court and non-compliance is actionable by way of punitive action including prosecution, in terms of the National Green Tribunal Act, 2010. List for further consideration on 06.03.2020."

Therefore, the project is liable to pay the environmental compensation as per direction of the board issued vide office order no. 6043-6075 dated 29.04.2019, as assessed by this office as per methodology defined therein. The assessment report for Environmental Compensation is given as under:

$$EC = PI * N * R * S * LF$$

i.e. $EC = 80 * N * 250 * 1.5 * 1.25 = \text{Rs. } 37,500/- \text{ per day} * N$
(number of days)

In view of above, it is requested that the assessment report may be examined and finalized at Head office level by the committee of the officers so that the further directions could be issued to the defaulting unit accordingly.

- DA/ 1. Copy of SCN dated 04-09-2019
2. Copy of recommendation for prosecution action
3. Copy of C.A. Certificate
4. Copy of CTO


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Gurugram Region (S)**



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Tele No. 0124-2290207, 0124-2290208

No. HSPCB/GRS/2019/ 3229

Dated: 27/11/19

To

The Chairman
Haryana State Pollution Control Board
Panchkula

Sub.: Regarding sanction for prosecution under section 43/44 for violations of the provisions laid down under section 24/25/26 of Water (Prevention & Control of Pollution) Act, 1974 and vetting of complaint to be filed in Special Environment Court, Faridabad against M/s Ramprastha Saare Township Village-wazirpur Meoka Gurugram

Kindly refer to the subject noted above, it is intimated that the said project is a group housing project and falls under Red Category as per latest Notification of the Board.

The concerned field officer Sh. Navneet Bhardwaj, AEE of this office visited the site on dated 21.08.2019 and the legal sample from the outlet of STP in presence of representative of the unit and sent to Board's Lab at Gurugram and as per analysis report received vide A/R no. 811 dated 26.08.2019 (**Annexure - A**), the parameters were found exceeding the prescribed limits.

Further, This office has issued SCN under Section 43/44 for violations of the provisions laid down under section 24/25/26 of Water (Prevention & Control of Pollution) Act, 1974 vide No. HSPCB/GRS/2019/2050 dated 04.09.2019 (**Annexure - B**). The unit has not submitted any reply/compliance regarding above said show cause notice till date. The licence of group housing colony was transferred in favour of M/s Ramprastha Saare reality Pvt Ltd., M/s Ramprastha Saare land holding company two Pvt Ltd and M/s Ramprastha Saare land holding company five Pvt Ltd vide Town & Country Planning Department letter no. 36805 dated 17-04-2013 **Annexure-C**.

The copy of latest list of directors from Ministry of Corporate Affairs of M/s Ramprastha Saare reality Pvt Ltd., M/s Ramprastha Saare land holding company two Pvt Ltd and M/s Ramprastha Saare land holding company five Pvt Ltd is enclosed as **Annexure - D, E & F**.

M/s Ramprastha Saare Township Village-wazirpur Meoka Gurugram has obtained environmental clearance vide letter no. 935 dated 11.07.2014 for construction of Group Housing Complex, Village - Wazirpur, Meoka Gurugram. The consent to operate to the unit has been granted vide No. 2602615 dt. 11.03.2016 upto 31.03.2026 through OCMMS. The land paper on the name of project proponent is enclosed as **Annexure-G & H**.

The closure action under section 33-A of Water (Prevention and Control of pollution) Act, 1974 cannot be initiated as the above said project is group housing complex project and people are residing in the premises.

It is mention that complainant Sh. Aditya Jakhar has filed OA No. 908/2019 in Hon'ble National Green Tribunal, New Delhi and the order dated 31-10-2019 reproduced as

"A copy of this order dated 31.10.2019, along with complaint, be sent to the Municipal Corporation, Gurgaon and the SPCB by e-mail for compliance. 2 Needless to say that order of National Green Tribunal is binding as a decree of Court and non-compliance is actionable by way of punitive action including prosecution, in terms of the National Green Tribunal Act, 2010. List for further consideration on 06.03.2020."

In view of above, it is recommended that

- a) The sanction may be accorded and the concerned field office **Sh. Ajay Singh, AEE** may be authorized for filing prosecution case under Water Act, 1974 in Special Environment Court, Faridabad under section 43/44 for violations of the provisions laid down under section 24/25/26 of Water (Prevention & Control of Pollution) Act, 1974 against the Group Housing Complex by M/s Ramprastha Saare Township at Village Wazirpur Meoka Gurgaon Regd. office at Ramprastha Sare Reallty Pvt. Ltd. Duet House, Plot No. 46, Udyog Vihar Phase -4 Gurgaon (Haryana) & person responsible for day to day activity i.e. directors of M/s Ramprastha Saare reality Pvt Ltd., M/s Ramprastha Saare land holding company two Pvt Ltd and M/s Ramprastha Saare land holding company five Pvt Ltd.

1. M/s Ramprastha Saare Township Village-wazirpur Meoka Gurugram.
2. Sh. Raghubir Singh Chauhan, A-279, Durga Vihar, new Delhi-110062.
3. Sh. Abhishek Gupta, 105/22 Palam Vihar, Gurugram-122001

- b) The vetting of complaint may be accorded by the legal cell so that same may be filed in Special Environment Court, Faridabad (**Annexure-I**)

- DA/**
1. Copy of A/R dated 26-08-2019
 2. Copy of Show Cause Notice dated 04-09-2019.
 3. Copy of Town & Country Planning Department letter dated 17-04-2013
 4. Copy of list of director.
 5. Copy of land papers
 6. Copy of NGT order dated 31-10-2019.
 7. Copy of EC dated 11-07-2014.
 8. Copy of DTP licence dated 11-09-2017.
 9. Copy of CTO dated 11-03-2016.
 10. Copy of complaint to be filed in SEC Fbd.

**Regional Officer
Gurugram Region (S)**

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