

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI.

O.A. No. 646/2023

In the matter of:

Manoj Kumar Kaushal

.....Applicant

Versus

State of H.P. & ors.

....Respondents

Additional Reply/response on behalf of Respondent No. 5 i.e. HP State Pollution Control Board in compliance to order dated 02-05-2024.

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Dated: 31-07-2024

Place; Una

Respondent
HPSPCB

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

O.A.No.646/2023

Manoj Kumar Kaushal

.....Applicant

Versus

State of Himachal Pradesh & Ors.

.....Respondents

**Additional Reply/response on behalf of respondent No. 5 i.e. HP
State Pollution Control Board in compliance to order dated
02-05-2024.**

May it please your Lordships:-

1. That the present case is pending for adjudication and was listed before Hon'ble NGT on 02-05-2024 wherein following directions have been passed qua the State Board:-

"1. Reply has been filed by Himachal Pradesh Pollution Control Board vide email dated 28.02.2024 and by Divisional Forest Officer, Una vide e-mail dated 05.04.2024.

2. We have gone through the replies filed and we find that the replies filed do not furnish the complete information particularly with respect to the justification given for the proposal of setting up of the Common Effluent Treatment Plant (CETP) and the justification given for dropping the proposal of setting up of the same.


Regional Officer
H.P.State Pollution Control Board
Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303



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3. *Learned counsel for HPPCB and the learned counsel for the State of Himachal Pradesh seek time for filing of additional reply.*

4. *Additional reply be filed at least one week before the next date of hearing hereby fixed.....”.*

2. That it is submitted that the development of new Industrial Areas in the State pertains to the Respondent No. 4 i.e. HPSIDC. In the present case, the HPSIDC had proposed a Common Effluent Treatment Plant in the Industrial Area for the treatment of effluent which is being generated by the industries in the area, however it has been kept in abeyance by the Industry Department vide letter dated 20-2-2024 (**Annexure R-5/1**) due to the lack of effluent discharged by the industries.
3. That in the recent communication received from the Joint Director, DIC Una vide letter dated 25-06-2024 (**Annexure R-5/2**), the Industries Department once again re-iterated that there is no requirement of treating the effluent in CEPT as such there is negligible effluent discharge from the Water Polluting industries established in the Industrial Area which already have their own captive ETP with ZLD (Zero Liquid Discharge). Additionally, it has also been informed that development of Industrial Area Pandoga was sanctioned under MIUS scheme of Govt of India and all the essential components have been



[Signature]
 Regional Officer
 H.P. State Pollution Control Board
 Phase-IV, Rakkar Colony,
 Distt. Una (H.P.)-174303

implemented in the project and as per the information received from the implementing agency i.e HPSIDC, the project stands closed and utilization certificate has been submitted to the Govt of India. Copy of letter is annexed as **Annexure-R-5/3**.

4. That so far the State Board is concerned, as already submitted in the previous reply, it is once again submitted that the State Board ensures the scientific disposal of the effluent/emissions of the industries in the area while granting consents to the industry. At present, there are total 24 number of industries are under operation in the area and among them 03 number of industries are generating industrial effluent. These three number of industries have already installed their captive Effluent Treatment Plants for the treatment of waste water with ZLD (Zero Liquid Discharge) facility and the State Board Carry out regular inspection/sampling of these industries to monitor compliance of the effluent w.r.t. the prescribed standards. Presently there is no major industry set up in the industrial area which needs to be connected with CETP for treatment of effluent. Due to lack of industrial discharge, the setting up of CETP by Department of Industries Govt of HP has been kept in abeyance. However, if there is any future expansion of the industrial area or the installation of significant water polluting industries is done there would be need of setting up of CETP in the area.


Regional Officer
H.P.State Pollution Control Board
Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303



5. That it is pertinent to submit here that although the matter of establishment/commissioning of the CETP pertains to Industry Department/HPSIDC, however it is notable that as per the present scenario of type of industries established in the area, the quantity of industrial effluent generated is very low, which negates the necessity of the CETP in the area. Also as already mentioned above, the industries which are generating effluent has already provided captive ETPs of adequate capacity for the treatment of industrial waste water with ZLD (Zero Liquid Discharge) facility.

Prayer:-

In view of submissions made hereinabove and the facts & circumstances of the case, it is therefore prayed that the petition may kindly be disposed off qua the respondent Board. Any other order deemed fit and appropriate, may be passed in the interest of justice.

Date: 31/07/2024

Place: Una




Respondent No. 5

HPSPCB Shimla

Regional Officer
H.P.State Pollution Control Board
Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

O.A.No.646/2023

Manoj Kumar Kaushal

.....Applicant

Versus

State of Himachal Pradesh & Ors.

.....Respondents

AFFIDAVIT

I, Praveen Kumar S/o Jagdish Ram, aged 48 years, presently working as Regional Officer, H.P. State Pollution Control Board, Una, H.P. do hereby solemnly declare and affirm on oath as under :-

1. That the deponent has been duly authorized to file reply and the accompanying Additional reply/response has been drafted at my instance and under my instructions.
2. That the contents of reply paras 1-5 are true and correct to the best of my knowledge, derived from official record, no part of it is false and nothing material has been concealed therefrom.
3. I further affirm that the contents of this affidavit of mine are true and correct to my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified at Una on 3rd day of July, 2024.



Certified That Sh. Praveen Kumar
Deponent made a declaration on oath
before me read over, explained and
admitted correct, identified by Sh. Shivam Sharma
J. E. E. on 31/7/24

Shivam Sharma
ADVOSTED
Shivam Sharma
Advocate-cum-
Oath Commissioner
Distt. Courts Una (H.P.)

Praveen Kumar
DEPONENT
Regional Officer
H.P.State Pollution Control Board
Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303

No: Ind/U/Dev/IA Pandoga/- 4091
Office of the Joint Director Industries,
District Industries Centre, Una, H.P.
Dated: Una the 26-2-24

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Annexure-R-5-1

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To

The Executive Engineer,
HP Pollution Control Board,
Una, Himachal Pradesh.

Subject: Regarding CETP in Industrial Area Pandoga

Sir,

This is in reference to the discussion held with your good self on the subject cited above. In this regard it is submitted that although a CETP with 5 MLPD capacity was proposed to be established in Industrial Area Pandoga. However keeping in view the nature of units established in the Industrial Area, the proposal was kept in abeyance.

As you are aware that there are only two Industrial Units in the Area that discharge liquid effluents in the area i.e M/s Hindustan Farmdirect Ingerdients Pvt. Ltd. and M/s Ian Macleod Distillers India Ltd. While the formers discharge is about 25 KLPD and installed ETP with ZLD of 35 KLPD Capacity. The later has discharge of about 67 KLPD and installed ETP with ZLD of 75 KLPD Capacity.

Keeping the view the lack of effluent discharge from the Industrial units, the establishment of CETP with such a huge public funds whould be a wastage of resources. Therefore the proposal for CETP in Industrial Area Pasndoga has been dropped as of now.

Deede

F.R.
AEE
[Signature]
20/02/2024

[Signature]
20/02/2024

State Pollution Control Board
Dialy
S.No. 1876
Dated 20/02/2024

Yours Faithfully

[Signature]
Joint Director Industries,
District Industries Centre,
Una District Una, H.P.
Phone: 01975-223002

To

The District Magistrate,
 Una, District Una, H.P.

Subject:

Original Application No. 646/2023 titled as Manoj Kumar
 Kaushal versus State of H.P. & ors.

Sir,

Regarding observations of the Hon'ble National Green Tribunal (NGT), detailed reply along with justification was submitted to the Hon'ble National Green Tribunal. The following facts are again submitted for kind perusal of the Hon'ble National Green Tribunal.

1. Initially common effluent treatment plant with 5 MLD per day capacity was to be established. However, keeping in view the nature of units in the Industrial Area, the proposal was kept in Abeyance,
2. The details of units established or are being established has already been supplied for the kind perusal of the Hon'ble National Green Tribunal along with original reply. However it is again re-iterated that presently, there are only 2 industrial units in the area that discharge liquid effluent. These are M/s Hindustan Farmdirect Ingredients Pvt. Ltd. and M/s Ian MacLeod Distillers India Ltd. While M/s Hindustan Farmdirect Ingredients Pvt. Ltd. is in orange category with discharge of about 20 KLPD has installed Effluent Treatment Plant (ETP) with Zero Liquid Discharge ZLD of 30 KLPD capacity and M/s Ian MacLeod Distillers India Ltd has discharge of about 67 KLPD and has installed ETP with ZLD of 75 KLPD capacity. Since both the units are units are having ETP with ZLD there is no discharge of effluents and as such there is no requirement of treating the same in CETP. keeping in view the fact that there is negligible, effluent discharge from the established industrial units and necessary infrastructure to treat the effluents is in place and functional inside the Industrial Units
3. It is also worth mentioning here that the project was sanctioned under MIUS scheme of Government of India and all the essential components have been implemented, the implementing agency that is, HPSIDC has also informed that as of now, the project stands closed and utilisation certificate has been submitted to the Government of India (Copy enclosed at Annexure-1). However, regarding the concerns of the applicant and Hon'be NGT to the protection of environment, it is informed that the Government of

Original

Clear

F.R.

AEE

25/06/2024

25/06/2024



Himachal Pradesh is fully aware of its role and responsibility towards protecting the environment and forest wealth of the State

The Government of Himachal Pradesh is firmly committed to the issue of environment, protection and scientific disposal of industrial waste. As replied supra, presently there is no need for construction of CETP in the area. However, if and when the need arises for development of such infrastructure in the area in the future, the same shall be provided on priority in consultation with, Himachal Pradesh Pollution Control Board.

Yours Faithfully

(Anshul/Dhiman)
Joint Director (Ind.)
District Industries Centre,
Una, H.P. Ph.No. 01975-22302

Endst No. Ind/U/Dev/IAPandoga 372
Copy to:-

Dated 25/06/2024

The Regional Officer HP State Pollution Control Board, Phase-IV
Rakkar Colony, Una, Distt. Una, H.P.


Joint Director(Ind.)
Distt. Industries Centre, Una
Distt. Una (H.P.)

SIDC

**HIMACHAL PRADESH
STATE INDUSTRIAL DEVELOPMENT CORPORATION LTD**

Mehatpur, Distt. Una (HP) Tel. No 01975-232108

Regd. Office:-New Himrus Building, Circular Road, Shimla-171001(HP)

CIN: - U70109HP1966SGC 002683, GSTN: 02AACCT0331N1Z0

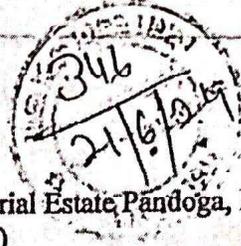
Tel No.0177-2621426/2624751/2625339 Fax: 0177-262427

mail: sidc-hp@nic.in Visit us at : www.hpsidc.org

No. EE/HPSIDC/MPR/100- 687 - 89
To

Dated: 12/06/2024

✓ The Joint Director Industries
District Industries Centre Una,
District Una (HP).174315



Subject :- Regarding Implementation of the project Industrial Estate Pandoga, District Una under MIUS of Government of India (Closure report thereof)

Sir,

This is in reference to above, it is informed that the project sanctioned under MIUS scheme by Government of India for development of Industrial Estate stands fully implemented and project now stands closed. The project stands closed as per Ministry of Commerce & Industry vide letter no. File No. P-32027/44/2021-MIUS dated 05.12.2022

It is submitted for your kind information please.

Thanking you.

Yours Faithfully,

Executive Engineer
HPSIDC Ltd. Division
MehatpurDistt.Una (H.P)

Copy to:-

1. The Superintending Engineer HPSIDC LTD. Shima-1 Distt. Shimla (H.P) for information please.
2. The Assitant Engineer HPSIDC LTD. Mehatpur Distt. Una (H.P) for compliance.

Executive Engineer
HPSIDC Ltd. Division
MehatpurDistt.Una (H.P)

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