

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH AT NEW
DELHI

O.A. NO.161 OF 2023

IN THE MATTER OF:

Rana Iqbal Singh Jolly & Ors.

Applicants

Versus

State of Punjab & Ors.

Respondents

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NDoH: 23.02.2023

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Filed by:



Date: 21.02.2024

Place: Delhi

Dinesh C Pandey & Dushyant Dahiya
COUNSELS FOR THE RESPONDENT NO.8
407, VISHAL BHAWAN,
95, NEHRU PLACE,
NEW DELHI-110019

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Respondents

SHORT RESPONSE AND SUBMISSIONS ON BEHALF OF THE
RESPONDENT NO.8 TO THE STATUS REPORT DATED
02.11.2023 FILED / UPLOADED ON 07.12.2023 BY THE
RESPONDENT NO.2

Most Respectfully showeth as under:

1. That the captioned O.A. filed by the Applicants above-named is pending adjudication before this Hon'ble Tribunal and is now fixed for further hearing on 23.02.2024.
2. That this Hon'ble Tribunal in terms of its order dated 08.12.2024 has been pleased to inter-alia grant liberty to the Respondent No.8 to file its objection to the purported report dated 02.11.2023 as filed/uploaded on 07.12.2023 by the Respondent No.2.
3. That the Answering Respondent No.8 is hereby filing its brief objections to the said purported report dated 02.11.2023 as filed/uploaded on 07.12.2023 by the Respondent No.2, without going into the

details/specific instances, solely to show and demonstrate that the purported report besides being totally contrary, arbitrary, discriminating and fictitious is wholly untenable and unsupportable both on facts as also on the settled law on the subject and thus inconsequential in law being farce and an eye wash filed with an intent to mislead this Hon'ble Tribunal with respect to the underlying issues arising for kind consideration by this Hon'ble Tribunal in the present case in the manner appearing herein below:

- 3.1. The purported report dated 02.11.2023 does not in any manner even considers the relevant aspects duly supported by impeccable material in the form of photographs, notices and other communications placed on record by the Respondent No.8 in support of its allegations/grievances and much less honestly, correctly and/or diligently deals with the same in any manner.
- 3.2. The Answering Respondent No.8, in its reply dated 21.08.2023 has placed on record the photographs at pages 68 to 82 showing the enormous environmental damage / pollution being caused on account of blatant overflowing of sewerage/drains and waste-material dumped all over the place and the roadside of the village Nayagaon, S.A.S. Nagar, Mohali, Punjab which admittedly adversely affects the flora, fauna and environment of the area.

- 3.3. The Respondent No.2 while dealing with the allegations / complaints made by the Respondent No.8 qua the illegal, unlawful and objectionable activities indulged into by the Applicants (duly supported by photographs and notices issued by the Drainage Department, Govt. Of Punjab placed at pages 112 to 115 and 116 – 119 / 130-131 of reply) which besides others acts included causing nuisance and damage to the environment by (i) raising illegal / unauthorised constructions without approvals, (ii) illegal encroachment of Patiala Ki Rao river-flow by installing large iron danga in the river, (iii) excavation and use of large JCB machines, (iv) dumping of waste material in the river bed etc. The submissions in the status report in para No.6 (a) stating that none of these related to the cause of water, air, soil or noise pollution is clearly false and concocted and thus untenable in law.
- 3.4. Significantly, the purported status report does not deny the existence of permanent constructions without approvals over the alleged farm houses etc. however, goes on to ignore the rampant violations existing therein on all aspects. Even from the environmental angle/concerns, the purported report does not in any manner either refers to any

inspections/enquiries made nor point out the compliances, if any, made by the concerned persons.

- 3.5. The purported report dated 02.11.2023 as filed by the Respondent No.2 does not in any manner inspire any credence in as much as the photographs placed on record with I.A. No.837 of 2023 filed by the Respondent No.8 at pages 34-40 which clearly and categorically demonstrates marriage functions taking place at Manali farms which the purported report mischievously ignores by simply stating that no commercial functions / marriages are being organised in the premises which on the face of it is false. Furthermore, there is another lavish marriage function held at 'the Sukoon' as reflected from page 41 to 56 which is in near vicinity for which the purported report is conspicuously silent clearing making out that the same is totally an eye wash and misleading in all respects.
- 3.6. The bare perusal of the purported report clearly and undeniably goes on to show that the same has been prepared sitting in the office at the behest of interest persons without in any manner verifying the averments, documents and materials borne on record of the present case in the form of a written statement for the applicants as well as interest persons which cannot be justified and

countenanced in law in any manner. The Respondent No.8 most humbly submits that no photographs or any iota of proof has been filed on record except for google map which could in any manner justify the statements/averments made in the said purported report to the effect that these are small size farm houses/banquet halls or that there are no sufficient parking site in existence. To buttress such false and concocted averments, the status report repeatedly refers that these are not like the Hermitage which clearly is motivated, untenable and impermissible in law.

- 3.7. The purported status report dated 02.11.2023 filed by the Respondent No.2 in the present case also suffers from gross suppressions and concealments in as much as the gross-rampant violations, marriage/social functions carried out in the farm houses/resorts situated in the vicinity of the area has been sought to be suppressed/concealed for vested and malafide reasons. The Respondent No.8 has duly placed on the record the large gathering, marriage / social functions/events organised in the farm houses, banquet halls, resorts including in the Forest Hill Resort situated in the vicinity for which absolutely nothing has been put on record except for the Forest Hill Resort and that too only as an eye wash stating in para No.7 & 8 of the said

purported status report that the issue of sanctions / permissions and approvals of the building plans/CLUs etc. are pending before the Hon'ble Punjab & Haryana High Court at Chandigarh in the Contempt Petition registered as COCP No.1502 of 2023 and thus stating inter-alia *"The hearing was held on 21.09.2023 and after hearing the parties, it was decided by the Competent Authority of the Board to obtain legal opinion in the case from the Senior Law Officer of the Board for taking further action in the matter and the Regional Office shall return the application to the project proponent for obtaining the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as the matter is pending in the Hon'ble Punjab and Haryana High Court. The proceedings of the personal hearing held on 21.09.2023 were conveyed to the project proponent vide Board's letter no. 7918 dated 13.10.2023, a copy of which is enclosed herewith as Annexure R2/11"*.

It is pertinent to mention that the Respondent No.2 despite being fully aware of the pendency of the issues of the sanction/permissions and approvals of building plans/grant of CLUs etc. before the Hon'ble Punjab & Haryana High Court at Chandigarh, in the case of the

Respondent No.8 selectively, arbitrarily and capriciously is insisting that no sanctions/permissions or CLU etc. has been filed by the Respondent No.8 for grant of consent to establish and operate its activities which is beyond comprehension and not at all fair or justified in law. Copies of photographs reflecting holding of large functions/social events in Forest Hill Resort are annexed herewith as **ANNEXURE R-8/A**.

- 3.8. The Respondent No.8 has duly placed on record the requisite permissions/sanctions NOCs etc. obtained in its case being from (i) Punjab Water Regulation and Development Authority for extraction of ground water on 05.07.2023, (ii) Provisional NOC from Punjab Fire Services, (iii) Report dated 11.08.2023 of the Forest range Officer, SAS Nagar, Punjab addressed to the Forest Division Officer, SAS Nagar, stating that land of the Respondent No.8 does not fall under the jurisdiction of Forest Department and the requisite NOC from the Department of Forests and Wildlife Preservation, Punjab in terms of the communication dated 23.10.2023. The Respondent No.8 has applied for grant of the requisite CLU from the office of the Senior Town Planner, SAS Nagar on 09-08-2023 who however, in terms of the communication dated 18.09.2023

sought to deny the same inter-alia stating “*any kind of commercial activity is not allowed in the De-listed area. As Open Marriage Palace is a commercial activity. Therefore, your case cannot be considered for Change of Land Use and approval of maps.*” which is clearly in the teeth and utter disregards/disobedience/contravention of the repeated orders passed by the Hon’ble High Court of Punjab & Haryana at Chandigarh. The Respondent No.8 was thus constrained to approach the Hon’ble High Court by filing the contempt Petition registered as COCP No.3086 of 2023 in CWP No.22756 of 2013 on 03.10.2023 wherein the Hon’ble High Court of Punjab & Haryana at Chandigarh has been pleased to issue notice of motion for 28.11.2023 and directed that no coercive action shall be taken against the Petitioner (Respondent No.8) in terms of its order dated 05.10.2023. Immediately, thereafter, the Office of the Senior Town Planner, SAS Nagar, Mohali, Punjab, vide its letter dated 15.11.2023 withdrew its letter dated 18.09.2023 vide which it was communicated that the application for grant of CLU and approval of building plans in the case of Respondent No.8 was denied. Copy of the letter dated 15.11.2023 issued by the Office of the Senior Town

Planner, SAS Nagar, Mohali, Punjab is annexed herewith as **ANNEXURE R-8/B**.

- 3.9. The Respondent No.8 on 15.09.2023 had duly applied before the Respondent No.2 for grant of NOC under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1974 (placed as Annexure R-8/1 (Colly.) at pages 19 to 26 in I.A. No.837 of 2023) which as of date is, however, awaited being based upon other necessary permissions / sanctions / NOCs from other concerned departments which fact has been conveniently and conspicuously concealed from this Hon'ble Tribunal in the purported status report dated 02.11.2023 for reasons best known to Respondent No.2.
- 3.10. The purported report dated 02.11.2023 is further conspicuously silent on the relevant and material aspects wherein solely on the basis of surmises and conjectures submissions in support of the false, frivolous and concocted/untenable allegations of violation of environmental norms by the Respondent No.8 could not be ruled out has sought to be stated which disclosing any specific instance of such alleged violation which in the humble submissions of the Respondent No.8 has never happened.

3.11. The purported report does not consider, notices or in any manner place on record the true and correct facts/aspects relating to Respondent No.8 PPCB compliances inter-alia:

- a). Installed green generator sets which are CPCB compliant in all respects.
- b). Installation of two septic tanks of 2000 cubic feet and 1000 cubic feet respectively.
- c). Composting Bins of requisite standards for composting of solid waste generated at the premises have been installed as per environmental norms.
- d). No effluent sewerage/waste water is discharged into the soil or in the river/seasonal rivulet but are used for horticulture purposes for existing plantation.
- e). No kitchen (no cooking facility) is provided in the premises and solely of extraordinary circumstances for heating, chimney of standard specification has been installed.
- f). No permanent construction has been raised at site.
- g). Functions during the limited 4 months (approx.) from November to February-March in the year

only takes place during the day in as much as 'Anand Karaj' marriage is always held during the day when Doli ceremony has to be completed before the sun-set. Functions cannot be held in remaining months due to lack of a hall/ permanent cover. Due to prolonged summer & monsoon seasons, functions cannot be held in the open area.

- h). No Air Pollution or Water Pollution is caused.
- i). No norms relating to light or noise has been violated nor any specific instances made out in the complaint qua the Respondent No.8. [Photographs placed at page 59 of O.A.] even assuming without admitting the same to be correct clearly does not reveal the source of lights and further shows the timings of 20.19 p.m. which is well within 10.00 PM guidelines.
- j). The basic character of the Hermitage is only Farm which is not even a Farm House as nobody resides there. Only few temporary or pre-fabricated Structures have been raised at the farm. There is one green house for

developing seasonal plants & flower saplings as it is entirely done in house.

- k). Absolutely no violation of any environmental norms has been made out against the Respondent No.8 in the entire pleadings in the present case except for bald and fictitious allegations which as pointed out by the Respondent No.8 for the other obvious and malafide reasons.

Photographs showing the compliant gen-set, composting bins, septic tanks foundation plans, chimney and greenery in the area of the Hermitage are annexed herewith as **ANNEXURE R-8/C (Colly.)**

- 3.12. That the purported status report dated 02.11.2023 filed by the Respondent No.2 thus is clearly false, concocted, contrary to existing state of affairs at site and further prejudicial to the rights, interest and entitlements of the Respondent No.8 which being at a better footing that the Forest Hill Resort having obtained requisite permissions/approvals and/or NOCs ought to have been considered and reported as such before this Hon'ble Tribunal in the present case.

4. That the Respondent No.8 having responded to the purported status report dated 02.11.2023 as filed on 07.12.2023 by the Respondent No.2 in the present case wishes to place the following submissions for the kind consideration by this Hon'ble Tribunal seeking the kind indulgence in dismissing the present O.A. being bereft of any merits:

- 4.1. The Respondent No.8, as made out in its reply and in the I.A. No.837 of 2023, has categorically stated that its farm namely 'the Hermitage' was never conceptualised or developed as a Marriage palace, it is basically a Farm, which is on a very limited basis, being rented out for few days, to generate some resources to sustain itself.
- 4.2. In fact and in reality, the Respondent No.8 started holding limited number of functions in 2022 from November onwards till February 2023. The farm was never intended to be converted into a marriage palace in practice, as only limited number of functions in 2022/2023 winter only, during 4 months of winters from November to February. Functions cannot be held in remaining months due to lack of a hall/ permanent cover. Due to prolonged summer & monsoon seasons, functions cannot be held in the open area.
- 4.3. The farm has been used for horticulture purposes only for the most of the time and in fact due the lots of hard-work, commitment and diligent efforts put in the farm which was a

barren land could be converted into lush green farm with hundreds of Trees/ Plants & shrubs.

- 4.4. The Respondent No.8 looking to the exigencies and immediate requirements had initially intended to rent out the farm for marriage/small family functions/events (daytime) while taking into account its commitment to preservation of environment. There are no permanent constructions at site except for few temporary infrastructure to cater to the bare basic minimum needs and requirements of a farm.
- 4.5. The Respondent No.8 in light of the applicable requirements to obtain the requisite approvals, permissions and NOCs from the concerned departments had duly applied for the same in the year 2022 in light of the orders dated 28.05.2014 & 14.08.2014 passed in CWP No.22756 of 2013 and orders dated 28.04.2016, 04.05.2016 and 06.05.2016 passed in CACP No.13 of 2016 whereby the authorities under the Govt. Of Punjab were directed to take remedial steps for the land in question which were de-listed from the purview of PLPA, 1900 and on which development etc. were to take place as per the applicable law. It is submitted that the Govt. Authorities unnecessarily sat over the matter causing grave, extreme and considerable prejudice to the inhabitants of the area in question.

Subsequently in terms of the orders dated 18.05.2023, 01.06.2023, 07.07.2023 and 11.08.2023 placed at pages 223 to 255 of the reply dated 21.08.2023 the competent authorities under the Govt. Of Punjab were directed to come out with an appropriate corrigendum/notification stipulating that the restrictions / prohibitions including conditions would not apply to 1092 acres of land comprised in village Nada and Karoran which have been directed to be de-listed areas from the purview of Punjab Land Preservation Act, 1900 in the records of the Forest Department pursuant to the orders passed by the Hon'ble Supreme Court and the Hon'ble High Court of Punjab & Haryana at Chandigarh and further that the concerned department would process the permissions, sanctions etc. for development of the area as per the applicable development plans. It is submitted that the Govt. Authorities under the State of Punjab have filed various affidavits including the affidavit dated 10.08.2023 wherein the Hon'ble High Court of Punjab & Haryana at Chandigarh which is seized of the COCP No.1502 of 2023 titled as Gram Panchyat Bari Karoran Versus Vikas Garg, IAS and Others has been pleased to pass various orders regarding approvals, sanctions, permissions, development activities

etc. and the applicability of the master development plans of the area in question to fully and completely seek the compliance of its earlier orders which were flouted/ignored and brushed aside by the concerned authorities. Admittedly, the Concerned Authorities under the State of Punjab have not been complying with the authoritative, binding and valid/operatives passed by the Hon'ble High Court with respect to granting appropriate and requisite approvals/sanctions/treating the areas in question as non-forest land and entitled to grant of all requisite sanctions/permissions as required in law.

- 4.6. It was in these circumstances, upon obtaining various and requisite permissions, approvals, NOCs from the concerned departments, the Respondent No.8 referred and placed on record the fact of making an application for grant of CLU to Chief Administrator, GMADA on 05-06-2023, which was endorsed to District Town Planner (P), SAS Nagar, Mohali. A letter in this regard was received from District Town Planner, SAS Nagar on 19-06-2023 for submission of the Application afresh. Accordingly a complete Application was submitted by the Respondent No.8 to District Town Planner, SAS Nagar on 03-08-2023. However, a letter was received on 08-08-2023 from the office of District Town Planner (P),

SAS Nagar asking a fresh Application to be submitted to Senior Town Planner (STP), SAS Nagar, instead of office of District Town Planner, SAS Nagar. Accordingly, a fresh Application was submitted, along with the required documents, to the office of the Senior Town Planner, SAS Nagar on 09-08-2023 and the Respondent No.8 was eagerly waiting for a favourable response in the matter and had accordingly requested the Respondent No.2 that it would apply for grant of appropriate NOC once the CLU permission is granted in its favour. On the same lines the Respondent No.8 had placed the said facts before this Hon'ble Tribunal on 31.08.2023 when the matter was listed for hearing.

4.7. The Respondent No.8 had duly applied before the Respondent No.2 for grant of NOC under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1974 on 15.09.2023 which as of date is, however, awaited being based upon necessary CLU permissions / approval of plans / NOCs from the concerned department.

4.8. That on account of the denial of due approval/permission in terms of the letter dated 18.09.2023 issued by the office of Senior Town Planner, SAS Nagar and apprehending foul

play in the matter the Respondent No.8 was constrained to approach the Hon'ble High Court of Punjab & Haryana at Chandigarh by filing the contempt Petition registered as COCP No.3086 of 2023 in CWP No.22756 of 2013 on 03.10.2023 wherein the Hon'ble High Court of Punjab & Haryana at Chandigarh has been pleased to issue notice of motion for 28.11.2023 and directed that no coercive action shall be taken against the Respondent No.8 in terms of its order dated 05.10.2023. Thereafter, the Office of the Senior Town Planner, SAS Nagar immediately withdrew the letter dated 18.09.2023 in terms of the communication dated 15.11.2023 and stating that fresh decision would be intimated after taking all facts into consideration. It is submitted that nothing has been heard on the subject till date.

- 4.9. It is pertinent to mention that the Respondent No.2 in its purported report dated 02.11.2023 filed on 07.12.2023 has in para No.7 & 8 thereof has admitted that the issue with respect to grant of sanctions/approvals etc. is sub-judice before the Hon'ble High Court of Punjab & Haryana at Chandigarh in COCP No.1502 of 2023 and thus in the same breath stated that in case of Forest Hill Resort further action would be taken considering the said aspects while

returning the application seeking consent to establish and operate by the said Forest Hills Resort. It is submitted that the case of Respondent No.8 is on a better footing than that of Forest Hill Resort in as much as various others required permissions/approvals and NOCs have been obtained and duly placed on record in the present case.

- 4.10. The Respondent No.8 in such view of the matter where only the requisite CLU/approvals from the Senior Town Planner, SAS Nagar is awaited most humbly submits and relies upon the recent Notification No.08/04/2023-4HG1/2288 dated 18.10.2023 of the Govt. Of Punjab [palced as Annexure R-8/8 (Colly.) at pages 69 to 72 of I.A. No.837 of 2023] whereby and where under the various institutions which includes the marriage places which have come up without permissions or with deviation from earlier sanctioned plan have been granted liberty to get themselves regularised by submitting application till 30.06.2024 which squarely covers the case of the Respondent No.8. It is submitted that under the newly notified notification of the State of Punjab Govt. coupled with the previous existing policy under the notification dated 11.08.2017, the marriage palace of the Respondent No.8 is recognised as a permissible activity not falling within the notified master plan. *Reliance is placed on*

Clauses 4 & 7(v) in annexure R-8/9 at pages 190 - 210 filed with the reply of Respondent No.8. The Respondent No.8 specifically wishes to invite the kind attention of this Hon'ble Court to the notification dated 11.08.2017 of the State Of Punjab which specifically and exclusively deals with and prescribes the State Policy on the Marriage Palaces, both existing as also to be set up and clearly provides in Clause 7 (v) thereof that "the marriage palaces which are fully compliant as per provisions of this Policy but are facing closure due to non-decision of any Govt. Department/Authoritiy will be allowed to function." Further, as per the new notification dated 23.10.2023 issued by the State of Punjab prescribing norms for regularisation of standalone buildings of educational, medical, commercial, farm house, religious, social, charitable institutions, industries constructed before the date of notification, outside Municipal Limits, outside Urban Estates and outside Industrial Focal Points in the State without permission or with deviation from earlier sanctioned plan it has been stipulated that the same can be got regularised by submitting applications with complete information to competent authority by 30.06.2024. The Hermitage, owned/managed by the Respondent No.8 clearly and

categorically falls within the permissible Marriage Palaces under both the policies and having as on date obtained various NOCs/permissions from competent authorities ought be permitted to function/manage its affairs as per law.

- 4.11. The Respondent No.8 further most humbly relies upon the decision dated 31.07.2023 passed by the Hon'ble NGT, Central Zone, Bhopal Bench in O.A. No.102 of 2022 titled as Anil Mehta Vs. State of Rajasthan & Ors. Where while considering allegations/complaints involving besides others, noise pollution and light pollution pertaining to commercial complexes like hotels etc. for the various activities undertaken by them including marriages/barat procession etc., the Hon'ble Tribunal has been pleased to accept the recommendation of the joint committee constituted in the matter directing the authorities to implement the same in its true letter and spirit without any further delay and in any case within 3 months from the date of the said order. The present case so far as issuing directions concerning noise and light pollution is concerned can very well be disposed in terms of the said order of the Hon'ble Tribunal. Copy of the order dated 31.07.2023 passed by the Hon'ble NGT, Central Zone Bhopal Bench in O.A. No.102 of 2022 is annexed herewith as **ANNEXURE R-8/D**.

5. That admittedly, the issue of implementation / applicability of the master development plan for the area in question is pending adjudication before the Hon'ble High Court and is subject matter of COCP No.1502 of 2023 including the specific approval/CLU for the "Hermitage Farm" is under consideration before the Competent authority. It is also pertinent to mention that the Govt. Authorities under the State of Punjab have filed various affidavits including the affidavit dated 10.08.2023 wherein the Hon'ble High Court of Punjab & Haryana at Chandigarh which is seized of the COCP No.1502 of 2023 titled as Gram Panchyat Bari Karoran Versus Vikas Garg, IAS and Others has been pleased to pass various orders regarding approvals, sanctions, permissions, development activities etc. and the applicability of the master development plans of the area in question to fully and completely seek the compliance of its earlier orders which were flouted/ignored and brushed aside by the concerned authorities and which in all eventuality would have a bearing on the consideration and adjudication of the issues of necessary approvals/sanctions and permissions in the case of the Answering Respondent No.8. Admittedly, the Concerned Authorities under the State of Punjab have not been complying with the authoritative, binding and valid/operatives passed by the Hon'ble High Court with respect to granting appropriate and requisite approvals/sanctions/treating the areas in question as non-forest land and entitled to grant of all requisite sanctions/permissions as required in law.

6. That the Respondent No.8 most humbly submits and craves the kind indulgence of this Hon'ble Tribunal in appreciating that it has at all point of time taken all steps for applying/obtaining the requisite permissions, approvals and NOCs from the concerned department for its activities carried out from its premises. Furthermore, the Hermitage as such is a farm engaged primarily in horticulture activities. Only for few months from November till February-March it rents out the premises / lawns for day time marriage functions and has for the said purposes installed all requisite and PPCB conforming gen-sets, septic tanks, composting bins, not discharging any effluent into the soil or river/rivulet, not undertaking any night functions nor offending/causing any light or noise pollution or any other applicable environmental norms may kindly be considered and permitted to be carry on its activities strictly as per the applicable laws/policy guidelines of the Govt. Of Punjab at par / parity with the other farms/like entities in the vicinity as per law.
7. That in light of the above submissions, while demonstrating its bonafides in all respects including the fact that no violations of any of the environmental norms has been made out be it concerning noise pollution or light pollution, as vaguely and baldly alleged without any specific details / instances made out or supported by any police complaints qua the same in any manner in the O.A. filed by the applicants or even from the various reports/replies filed by the concerned authorities in the present case, the Respondent No.8 most

humbly seeks the kind indulgence of this Hon'ble Tribunal to take on record the short response filed on behalf of the Respondent No.8, reject the purported report dated 02.11.2023 as filed on 07.12.2023 by the Respondent No.2 and further be pleased to dismiss/dispose of the present O.A. being bereft of any merits in view of the submissions made herein.

8. That the present response to the report dated 02.11.2023 and submissions made herein are bonafide and it would be in the interest of justice, equity and fairplay that this Hon'ble Tribunal considering the same be graciously pleased to reject the report to the extent it vaguely seeks to support the bald/fictitious and unfounded allegations of the applicants solely based on surmises and conjectures and further be pleased to dismiss the present O.A. with exemplary costs.

for Orchid Space Designs LLP

Authorised Signatory

RESPONDENT NO.8

THROUGH

D. Pandey

Dinesh C Pandey & Dushyant Dahiya

COUNSELS FOR THE RESPONDENT NO.8

407, VISHAL BHAWAN,

95, NEHRU PLACE,

NEW DELHI-110019

Date:20.02.2024

Place:Delhi



ATTESTED
[Signature]
APS CHAHAL NO. 11451
NOTARY, PANCHKULA

21 FEB 2024

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Respondents

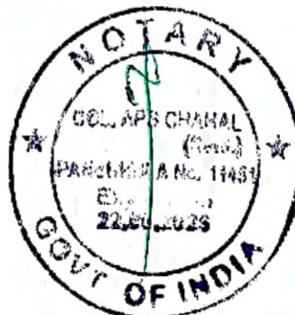
AFFIDAVIT

I, Saurabh Gupta, S/o. Sh. Sanjiv Gupta, Partner and authorised signatory, M/s. Orchid Space Designs LLP (Formerly known as M/s. Orchid Space Designs Pvt. Ltd.) and having its registered office at SCO No.118-120, Sector – 34-A, Chandigarh do hereby solemnly affirm, declare and state as under:

1. That I am one of the partners and authorised signatory of the Respondent No.8 firm in the instant O.A. and being fully conversant with the facts and circumstances of the case, am competent to swear the instant affidavit.
2. That I have read and fully understood the contents of the accompanying short response to status report dated 02.11.2023 of Respondent No.2 and submissions drafted by my counsel under my instructions, the contents whereof are not being repeated herein for



21 FEB 2024



the sake of brevity and which may kindly be read as a part and parcel of the present affidavit and which are true and correct.

- 3. That the annexures filed with the accompanying response and submissions are the true typed/photo copies of its respective originals/downloaded copies from concerned web-site.



for Orchid Space Designs LLP
[Signature]
 Authorised Signatory

DEPONENT

VERIFICATION:

21 FEB 2024

Verified at Chandigarh on this day of February 2024 that the contents of my above affidavit in para No.1 to 2 are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

for Orchid Space Designs LLP
[Signature]
 Authorised Signatory

DEPONENT



ATTESTED
[Signature]
 APS CHAHAL NO. 11451
 NOTARY, PANCHKULA

21 FEB 2024

 **BOOK NOW**



BEATS
PRESENTS
W/ SUPERSONIC TAKEOVER
AT NEXA

25TH MARCH, 9 AM ONWARDS
FOREST HILL RESORT, CHANDIGARH
HURRY BEFORE YOU MISS IT!

**30% EB
SOLD OUT!**
PASSES START FROM INR 499

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Amritara Chandra Mahal Haveli Bharatpur



Office of Senior Town Planner, S.A.S Nagar
(at Puda Bhawan, Block-A, 7th Floor, Sector-62, S.A.S Nagar)

To,

Sh. Saurabh Gupta (Partner)
M/s Orchid Space Designs LLP,
House No. 826, Sector-2,
Panchkula (Harvana).

Memo No. 1404 STP(S)/SP-36 (S)
Dated: 15/11/2023

Subject:- Permission of Change of land use and approval of Building Plans for Open Marriage Palace by M/s Orchid Space Designs LLP at Village Karoran (H.B no. 352) Tehsil Kharar, Distt. SAS Nagar.

Reference:- In Continuation to letter memo no. 1157 STP(S)/SP-36(S) dated 18.09.2023.

Regarding the above mentioned subject it is intimated that the communication issued to you vide this office memo no. 1157 STP(S)/SP-36(S) dated 18.09.2023 is withdrawn. Fresh decision shall be intimated to you after taking all facts into consideration.

Rajinder Kumar
Senior Town Planner,
S.A.S Nagar.



672

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CS125D5P



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1100



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PROJECT:

STRUCTURAL PLAN FOR TOILET BLOCK

GENERAL NOTES:

REFERENCES DRG NO-01A

ENGINEER:

Er. PANKAJ NANDA

OWNER:

DATE:-28-APR-2020

DEALT BY:- M.A

CHECKED BY: PANKAJ NANDA

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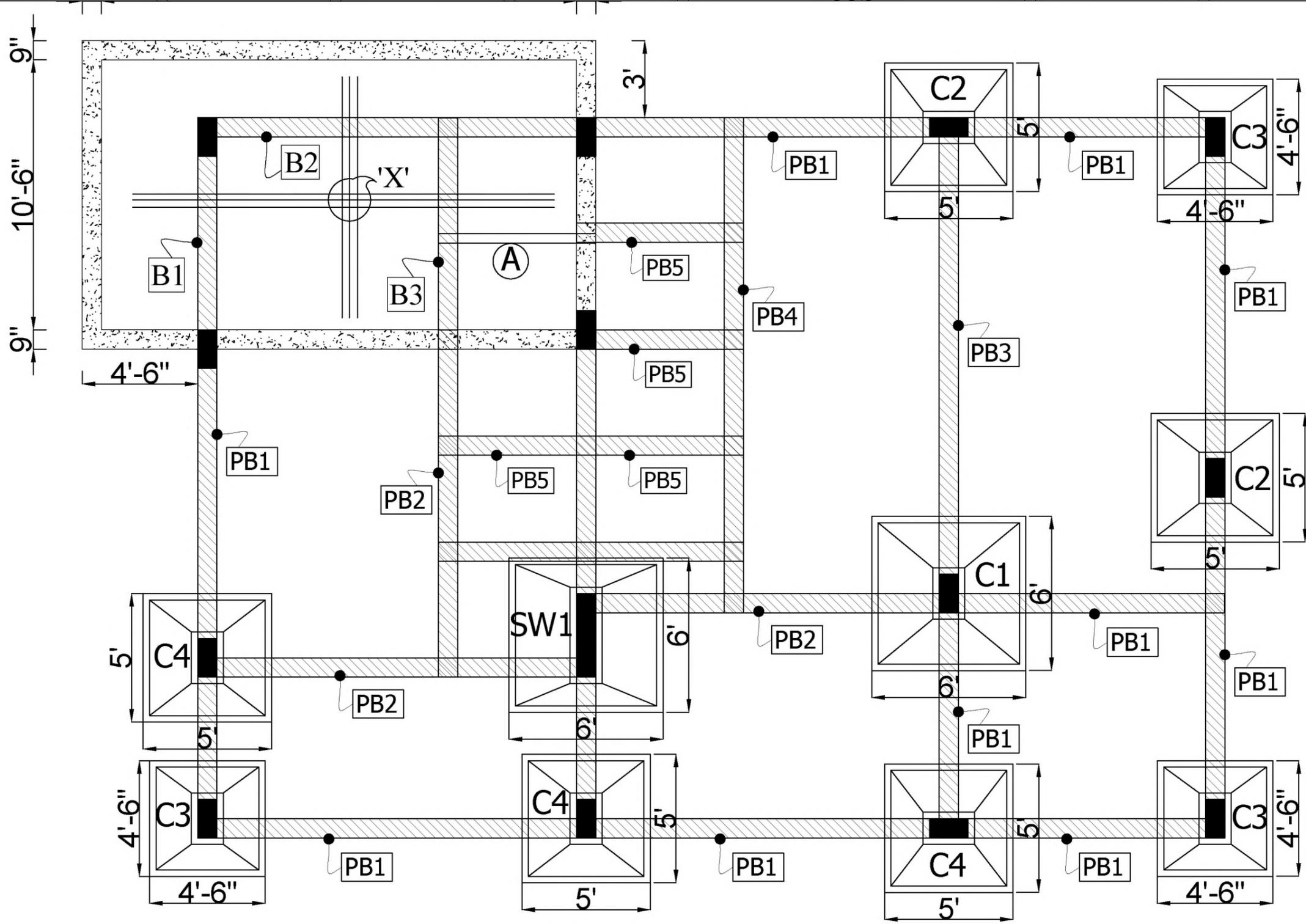
TITLE:
FDN. PLAN

DRG. NO.
ST-2

STRUCTURAL CONSULTANT
Er. PANKAJ NANDA (M.E.STRUCTURES)
S.C.O-39, FIRST FLOOR SECTOR -12
PANCHKULA.(H.R)
PHONE NO- 0172-4171073

email: - pnstructures@gmail.com

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USE CONC. GRADE M25,STEEL FE-500

TOP PLAN

Item No.01

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH, BHOPAL**

(By Virtual Mode)

Original Application
No.102/2022(CZ)
(I.A.No.25/2023)

Anil Mehta

Application(s)

Versus

State of Rajasthan & Ors.

Respondent(s)

Date of hearing: 31.07.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s) : Mr. Maitreya Prithwiraj Ghorpade, Adv.
For Respondent(s) : Mr. Dharamvir Sharma, Adv. for MoEF&CC
Mr. Nishant Kesharwani, Adv. for Mr. Shoeb
Khan, Adv. for R-1
Mr. Sandeep Singh Baghel, Adv. for R-2 & 4
Mr. Om Prakash Srivastava, Adv for R-3

ORDER

1. This Original Application (herein after referred to as 'OA') under Section 14, 15 and 20 of National Green Tribunal Act, 2010 (herein after referred to as '**NGT Act, 2010**') has been preferred by one Mr. Anil Mehta, resident of 2 Kharan Kuwa, New Bhopal Pura, Udaipur, State of Rajasthan, alleging that there is a water body/wetland i.e. Fatehsagar Lake at Udaipur, ecology whereof is being damaged on account of noise pollution in violation of Noise (Regulation and Control) Rules, 2000 (herein after referred to as '**Noise Pollution Rules 2000**') as amended from time to time; due to unauthorised encroachment; by developing residential complexes in close proximity of the said wetland and also on account of light pollution by use of high intensity light in vicinity of wetland at various commercial complexes like hotels etc. It is also said that there is a notified wildlife sanctuary i.e. Sajjangarh Wildlife

Sanctuary, in respect whereof an Eco-Sensitive Zone has also been notified and partially part of Fatehsagar Lake wetland falls in the Eco-Sensitive Zone of Sajjangarh Wildlife Sanctuary, and activities prohibited in Eco Sensitive Zone cannot be allowed in such area.

2. This Tribunal noticed the complaint raised by applicant in its order dated 06.01.2023 and found it appropriate to obtain a factual report by constituting a Joint Committee comprising:

- i. One Representative from MoEF&CC
- ii. One representative from Secretary, Environment, Rajasthan
- iii. Collector, Udaipur, Rajasthan
- iv. One representative from Rajasthan State Wetland Authority
- v. One representative from Udaipur Municipal Corporation
- vi. One representative from Rajasthan State Pollution Control Board

3. The committee has submitted report, (uploaded on 28.03.2023) after visiting site on 09.02.2023. It has discussed various provisions of Noise Pollution Rules 2000, as amended from time to time, and in particular amendment notification dated 10.08.2017 and has noted down the criteria to make a complaint to authority in respect of noise pollution, action taken by Rajasthan State Pollution Control Board (hereinafter referred to as 'RSPCB') with regard to noise complaints and also its own recommendations. The relevant extract of Committee's report reads as under:

"Existing Rules and Decisions in this matter:-

1. As per Rule No. 4 (2) of Noise Pollution (Regulation and Control Amendments Rules, 2017. The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise and definition of authority:-

"Authority" means and includes any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of

the ambient air quality standards in respect of noise under any law for the time being in force.

2. Also Hon'ble National Green Tribunal, Principal Bench, Delhi in the Original Application No. 681/2018 (CZ) titled as News item published in "The Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15" passed an order on dated 15.03.2019; interalia reproduced as follows:-

"The State PCBs may undertake noise level monitoring in conjunction with the Police Department and take remedial action. The Police Departments of all the States/UTs may obtain the noise monitoring devices within a period of three months.

The Police Department of all the State/UTs may also train their staff regarding the use of such devices and develop a robust protocol for taking appropriate action against the defaulters".

3. Criteria for making Noise Complaints as described under Noise Rules:- Copy of The Noise Pollution (Regulation and Control) Rules

2000 (As amended till 10.08.2017 vide S.O. 2555 (E) annexed as Annexure-1

As per Rule No. 7 of Noise Pollution (Regulation and Control) Rules, 2000. Complaints to be made to the authority. -

(1) A person may, if the noise level exceeds the ambient noise standards by 10 db (A) or more given in the corresponding columns against any area/zone [or, if there is a violation of any provision of these rules regarding restrictions imposed during night time], make a complaint to the authority.

(2)The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

Ambient Air Quality Standards in respect of Noise:-

Area Code	Category Area/Zone	of	Limits in dB(A) Leq*	
			Day Time	Night time
(A)	Industrial area		75	70
(B)	Commercial area		65	55
(C)	Residential area		55	45
(D)	Silence Zone		50	40

Criteria to make a complaint to the authority:-

Area Code	Category Area/Zone	of	Complaint criteria in dB(A) Leq* exceeding 10 dB of standard	
			Day Time	Night Time
(A)	Industrial area		85	80
(B)	Commercial area		75	65
(C)	Residential area		65	55
(D)	Silence Zone		60	50

Note:-

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
3. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

8dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq: It is an energy mean of the noise level, over a specified period.

Action at a glance taken by Rajasthan State Pollution Control Board w.r.t. Noise Complaints:-

1. On receiving complaints received from various sources RSPCB had conducted Noise Monitoring in the month of February-2022 at the following points and the brief details are as under:-

S. No.	Point of Collection	Date of Monitoring	Leq dB(A)
1.	Top of Ambavgarh road	11/2/2022	86.2(day)
2.	PP Singhal Marg near to Fatehsagar	11/2/2022	94.3 (night)
3.	At the end of Alkapuri Road	11/2/2022	94.8(day)

Copy of analysis reports annexed as Annexure-2.

2. As the results exceeded the permissible limits of any area/ zone RSPCB contacted the Hotel association and conveyed to the members to strictly follow Noise pollution control rules and desist from playing music after 10.00 PM. Also RSPCB had issued 29 notices to the hotels located around the lakes informing them about the Noise Pollution (Regulation and Control) Rules. Before the beginning of religious festivals/ marriages and as a result of this action the ambient quality noise monitoring results were significantly reduced. It may also be noted that the honking of horns also cause momentary increase in noise pollution load and continues honking on every road significantly increase noise pollution.

S. No.	Point of Collection	Date of Monitoring	Leq dB(A)
1.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel	09/09/22	57.4(day) 53.6(night)
2.	Ambient noise monitoring at entrance gate of hotel Hilltop	09/09/22	62.4(day) 55.5(night)
3.	Ambient noise monitoring in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E	12/09/22	63.1(day) 56.1(night)
4.	Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454 E	12/09/22	62.0(day) 52.1(night)
5.	Ambient noise monitoring	12/09/22	63.4(day)

	<i>near to Lalit Laxmi Vilas hotel</i>		<i>59.6(night)</i>
6.	<i>Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel</i>	<i>12/09/22</i>	<i>75.4(day) 69.4(night)</i>
7.	<i>Ambient noise monitoring near to hotel Hilltop</i>	<i>12/09/22</i>	<i>66.9(day) 61.2(night)</i>
8.	<i>Ambient noise monitoring near to hotel Lakend</i>	<i>12/09/22</i>	<i>68.8(day) 62.8(night)</i>
9.	<i>Ambient noise monitoring in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E</i>	<i>15/09/22</i>	<i>65.9(day) 52.1(night)</i>
10.	<i>Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454 E</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
11.	<i>Ambient noise monitoring near to hotel lakend</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
12.	<i>Ambient noise monitoring near to hotel Hilltop</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
13.	<i>Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
14.	<i>Ambient noise monitoring near to Lalit Laxmi Vilas hotel</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
15.	<i>Ambient noise monitoring near to Lalit Laxmi Vilas hotel</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
16.	<i>Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
17.	<i>Ambient noise monitoring near to hotel Hilltop</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
18.	<i>Ambient noise monitoring near to hotel Lakend</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
19.	<i>Ambient noise monitoring in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
20.	<i>Ambient noise monitoring in ESZ zone at location latitude 24.590882 N longitude 73.652454 E</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
21.	<i>Ambient noise monitoring near to hotel Hilltop</i>	<i>06/01/2023</i>	<i>62.0(day) 52.1(night)</i>
22.	<i>Ambient noise monitoring near to hotel Lakend</i>	<i>06/01/2023</i>	<i>62.0(day) 52.1(night)</i>

23.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel wook	06/01/2023	62.0(day) 52.1(night)
24.	Ambient noise monitoring near to hotel Hilltop	25/01/2023	62.0(day) 52.1(night)
25.	Ambient noise monitoring near to hotel Lakend	25/01/2023	62.0(day) 52.1(night)
26.	Ambient noise monitoring in ESZ zone at location latitude 24.590885 N, longitude 73.652454E	25/01/2023	62.0(day) 52.1(night)
27.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel wook	26/01/2023	62.0(day) 52.1(night)
28.	Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454E	26/01/2023	62.0(day) 52.1(night)
29.	Ambient noise monitoring in ESZ zone at location latitude-24.588644 N, Longitude-73.651751 E	26/01/2023	62.0(day) 52.1(night)
30.	Ambient noise monitoring at PHED pump house.	06/02/2023	62.0(day) 52.1(night)
31.	Ambient noise monitoring near main gate of the hotel lakend.	06/02/2023	62.0(day) 52.1(night)

Copy of analysis reports annexed as Annexure-3.

4. It is pertinent to mention here that in **Noise monitoring of point source carried out by Noise Level Meter there is contribution of noise of activities going on in nearby area viz. Horn Honking by vehicles/ engine voices, noise of vehicle silencers, music playing in vehicles etc. and there is no mechanism to measure noise pollution caused by point source only.**

Study conducted by Regional Office, RSPCB, Udaipur:-

• Earlier RSPCB also conducted a study on noise level by honking of horn from two wheelers, from four wheelers (4 seater) and four wheeler (8 seater) from three consecutive distance (5 Meter, 10 Meter & 15 Meter from the source) because the monitoring conducted as depicted in the above table were in the vicinity of busy traffic roads.

Observation are depicted below:-

1. Two wheeler-

S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	89.9	85.4	77.3

2.	LA max dB	96.5	90.9	82.2
3.	LA min dB	60.3	57.7	58.5

2. Four Wheeler (4-seater)-

S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	97.1	91.6	83.4
2.	LA max dB	100.6	94.4	87.2
3.	LA min dB	67.1	63.5	60.2

3. Four Wheeler (8-seater)-

S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	97.4	94.4	90.4
2.	LA max dB	99.0	98.1	94.6
3.	LA min dB	58.3	57.3	56.1

In continuation to the above study, noise monitoring was also carried out of DJ/Sound system at consecutive distance of 50 meter, 100 meter and 150 meter. Observation are depicted below:-

S. No.	Parameter	50 meter from noise source	100 meter from noise source	150 meter from noise source
1.	LA eq dB	65.6	58.2	55.7
2.	LA max dB	73.3	69.3	65.7
3.	LA min dB	51.7	47.4	59.3

However the **volume was at optimum level (average) and not maximum**. Copy of analysis reports annexed as Annexure-4.

In compliance of Hon'ble NGT order dated 06.01.2023 above said committee visited the places namely Fatehsagar, P.P. Singhal Marg (Alkapuri) and Eco sensitive zone of Sajjangarh Wild Life Sanctuary and observation's/ findings of Joint committee is as under :-

1. It may be concluded from the study conducted by RSPCB that the **noise level in area for example Alkapuri, Ambavgarh, Fatehsagar road can exceed the prescribed standards of residential/ commercial area even when there was no noise from loud speaker or music system but due to plying of vehicles.**
2. Moreover, as per the criteria for making complaint when the **noise level exceed by 10 dB, complaint has to be made in any zone.**
3. Out of 25 monitoring conducted during day time and 26 monitoring conducted during night time w.r.t. noise complaints near hotels in day time 24 and in night time 23 time have not exceeded complaint permissible limits i.e. more than 10 dB w.r.t. to commercial zone in day/ night time. However they have exceeded the noise level standard for residential area + 10 dB beyond which complaint can be made. **The residential / commercial / silence zones have not been notified as**

yet by the Municipal Council Udaipur.

4. Committee visited the Lake Fatehsagar at morning time between 11:30 AM to 12:30 PM and during evening time between 8:30 to 9:30 PM Noise Monitoring was also conducted by Rajasthan State Pollution Control Board in presence of joint committee and monitoring results are as under:-

Parameter	Between 11:30 AM to 12:30 PM	Between 8:30 to 9:30
LA eq dB	62.3	68.5
LA max dB	89.0	91.0
LA min dB	46.6	54.8

Copy of analysis reports annexed as Annexure-5.

Comment:- Although during visit in morning/ evening time no music was plying but in evening time in half hour 165 times honking of horn was heard at site and results were more than morning. Hence, **indicating contribution of plying vehicles in the noise pollution. The results did not exceed 10 dB of permissible standards above which complain can be made as prescribed under Noise Rules for commercial area.**

5. After that committee was visited the P.P. Singhal Marg)Hotel Lakend Area) Noise Monitoring was also conducted by Rajasthan State Pollution Control Board and monitoring results are as under:-

Parameter	Day time
LA eq dB	69.9
LA max dB	100.3
LA min dB	57.7

Copy of analysis reports annexed as Annexure-6.

Comments:- During visit in morning time no music was playing **The results did not exceed 10 dB of permissible standards above which complain can be made as prescribed under Noise Rules for commercial area.**

6. The committee also visited the Eco sensitive area of Sajjangarh Wild Life Sanctuary between 11:30 AM to 12:30 PM Noise Monitoring was also conducted by Rajasthan State Pollution Control Board and monitoring results are as under:-

Parameter	Day time
LA eq dB	60.7
LA max dB	39.4
LA min dB	94.4

Comments:- During visit in morning time no music was playing The results did not exceed 10 dB of permissible standards above which complain can be made as prescribed under Noise Rules for commercial area.

7. **During the visit it was found that there is chopati/food stalls operational at the bank of Lake Fatehsagar. There was no littering observed at the bank of lake Fatehsagar.** Regular cleaning/ road sweeping and garbage collection is done by Nagar Nigam and bins are installed there for collection of solid waste generated and the waste collection tipper regularly collects the same and disposes at the designated site. Representative of Nagar Nigam informed that in compliance of Hon ble High Court order, Jodhpur a Lake Patrol Team has been constituted in city and they are carry out regular monitoring near the lakes and if anybody found throwing garbage or any waste material in lake on site challan / penalty imposed on them. **No Bio Medical Waste disposal was found in any of the above area visited by the team.**

8. As per information provided by the Forest Department at present **Fatehsagar Lake is not a notified wetland and is also not included in the list of district wise wetland identified for notification and development by the State Government of Rajasthan. Hence, Wetland Rules 2017 will not be applicable.**

Recommendations of the committee:-

1. It may be noted that the noise standards for fire-crackers were notified by the Environment (Protection) (Second Amendment) Rules, 1999 vide G.S.R.682(E), dated the 5th October, 1999 and inserted as serial no. 89 of Schedule I of the Environment (Protection) Rules, 1986. Subsequently these Rules were amended by the Environment (Protection) Second Amendment Rules, 2006 vide G.S.R. 640(E), dated the 16th October, 2006, under the Environment (Protection) Act, 1986) **"The manufacture, sale or use of fire-crackers generating noise levels exceeding 125 dB(AI) or 145 dB(C) pk at 4 m distance from the point of bursting shall be prohibited."** For individual fire-crackers constituting the series joined Fire Crackers), the above-mentioned limit may be reduced by $5 \log_{10}(N)$ dB, where N is the number of crackers joined together. **It indicates that the use of the same is allowed if the noise pollution is less than 125 dB.**

It can be easily visualized that the fire-crackers are used in residential as well as commercial areas then the ambient noise quality permissible limits are bound to be non-complied. Moreover, the effect of the same shall persist for a long distance thus violating the noise standards at a faraway place too.

In the same matter regarding the use of loudspeakers, in the report of CPCB on "Scale of compensation to be recovered for violation of noise pollution (Regulation and control) rules, 2000" submitted in compliance to Hon'ble National Green Tribunal order dated 15.03.2019 and 06.08.2019 in the matter of O.A.

No. 681/2018 titled "Time of India" authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15", in section no. 4(ii) it has been specifically mentioned under "**Limitation of noise rules with respect to loudspeaker**" that "In order to verify compliance, ambient noise monitoring is to be carried out for 16 hours (day time) and violation by specific source of noise cannot be identified due to background noise. Further, as impact of the noise source, duration of which mostly varies from a few seconds to few seconds to few minutes gets leveled when monitoring for long duration (16 hours) is carried out."

So it is evident that the CPCB has itself mentioned that the limitation of noise rules with respect to loud speakers and it is the need of the hour that specific guidelines be framed for same specifically mentioning the duration of noise pollution monitoring to be carried out in such circumstances. **It is also submitted that operation of loudspeakers, bursting of fire-crackers, blowing of horns etc all are having noise level much more than the prescribed limit in day period and therefore, the ambient noise standard are bound to increase in such circumstances and CPCB should develop a special protocol for dealing with complaints of bursting of fire-crackers, barat processions, horns and loudspeakers which shall be mandatory to follow and shall be followed. CPCB should also take up a study of a model city which is free from noise pollution and recommend measures to be incorporated here too and should also give the comment regarding measurement of noise pollution from a point source eliminating other such sources.**

2. Public grievance lodging App to control the menace of pollution due to Noise in the country may be prepared by CPCB with the provisions of following steps:-

- (i) Complaint lodging facility with uploading facility of video/GPS tagged photographs for the general complainant.
- (ii) The complaint to be automatically transferred to concerning area SHO.
- (iii) SHO mark complaint to concerning Beat Constable.
- (iv) Beat constable equipped with Noise Level Meter approach the location and measure the Noise.
- (v) If complaint found correct on site fine based on CPCB report scale of compensation for violation of Noise Rules as mentioned (Copy enclosed) in Original Application No. 681/2018 may be imposed with challan and uploaded on the same app marking disposal of complaint.
- (vi) The complainant may also receive copy of challan and complaint will be closed.

3. All the **lake side hotels at Fatehsagar / Ambaugarh should be install a continuous ambient noise level meter with the consultation of RSPCB connected by online CCTV to the above app so that the information of noise level is in the public domain and the authority can check the levels as mentioned in the app at point no. 1 above.**

4. All the hotels should install a display board depicting the ill

effect of noise pollution and certifying that they do not increase the sound levels beyond permissible standards at their main gate.

5. The Municipal authorities/ UIT should install display boards in their areas indicating ill effect of noise pollution near Lakes of Udaipur in ESZ.

6. The **Municipal authorities should complete the work of notifying area into commercial, residential and silence zone so that applicability of noise level standards can be ensured.** In this regard, the Municipal Commissioner Udaipur has asked the Director ULB to appoint a technical consultant through the process of tender and the work is under process.

7. Every Police Thana shall be equipped with Noise Level Meter. It need be mentioned here that it was found by joint committee towards noise level meter reading and the officials carrying out monitoring should also take into account the above fact as the noise level meter measures a sum total noise present at any location from all sources.

8. **Mobile DJ music systems/operating on four wheelers vehicles with Barat procession /religious procession to be banned and the ban to be enforced by Police / RTO.**

9. **In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited:-**

a) **Prohibition for DJ sound system in marriage procession.**

b) **Bursting of fire crackers.**

c) **Hotels/ not allowed to play music in open area i.e. Garden.** They shall ensure play music in sound proof / acoustic halls.

d) **Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/ marriage gardens in open.**

e) **Use of Laser light / Spot light.**

f) **Marriage gardens with halls shall be allowed if music is played in enclosed halls.** If there is no facility of hall then the same be closed.

10. CCTV cameras be installed all around the periphery of Fatehsagar Lake and in the eco sensitive zone at strategic places.

4. Applicant, in the meantime, also filed I.A. 04 of 2023 with the request to modify order dated 06.01.2023 by permitting his inclusion as member of Joint Committee constituted by Tribunal. This application was rejected by Tribunal vide order dated 06.04.2023.

5. In the meantime some of respondents also filed their reply.

6. Reply dated 20.03.2023 has been filed by respondent 3 i.e. Municipal Corporation Udaipur (hereinafter referred to as 'MCU') stating that lake Fatehsagar is an artificial lake constructed by Maharaja Jai

Singh in year 1578 AD. Later on, it was reconstructed in the reign of Maaharana Fatah Singh. The lake is surrounded by hills, green zone, commercial and residential properties. Since long back, Fatehsagar lake and other water bodies in Udaipur have been main drinking water resource, hence placed under supervision and monitoring of Water Resources Department, Government of Rajasthan. By order dated 12.05.2017, passed by Water Resources Department, lake Fatehsagar was handed over to Urban Improvement Trust, Udaipur (hereinafter referred to as '**UIT**') for further maintenance and care. With regard to noise pollution, it is said that RSPCB is the authority who must take action, necessary in the matter. With regard to light pollution, it is said that MCU is responsible for maintenance of street lights which is a statutory duty. Street lights installed by MCU are eco-friendly and not glaring. It is in public interest that street lights have been upgraded by using LED version and there is no high intensity lights placed by MCU on streets. With regard to Fatehsagar lake, it is being managed by UIT since 2017 under the order of Water Resources Department and MCU only cleans and brooms it in public interest, manually and in mechanized way, and garbage is collected on private site.

7. Ministry of Environment Forest and Climate Change (hereinafter referred to as '**MoEF&CC**') i.e. respondent 6 has filed its reply dated 13.01.2023 stating that it has notified Noise Pollution Rules 2000 under provisions of Environment (Protection) Act, 1986 (hereinafter referred to as '**EP Act, 1986**') to regulate and control increasing ambient noise level in public places from various sources *inter alia* industrial activity, construction activity, generator sets, speakers, public address systems, music systems, vehicular horns and other mechanical devices. Separate ambient levels are fixed for industrial, commercial, residential areas and silence zones. There is a restriction of use of loud speakers or a public

address system which can be used only after obtaining written permission from the competent authority and shall not be used between 10.00 p.m. to 6.00 a.m. except in closed premises for communication, for example, auditorium, conference rooms, community halls and banquet halls. Under Rule 2(c) the authority empowered to take action is such as authorized by Central Government or State Government, as the case may be, and includes District Magistrate, Police Commissioner or any other officer not below the rank of Deputy Superintendent of Police, designated for maintenance of ambient air quality standards in respect of noise, under any law for the time being in force.

8. Central Pollution Control Board (hereinafter referred to as '**CPCB**') has published list of authorities for implementation of Noise Rules, 2000 and in respect to Rajasthan, Sub Divisional Magistrates of respective Sub Divisions are concerned authorities responsible for implementation of Noise Rules, 2000. Under Schedule Note 3 of Noise Pollution Rules, 2000, power is given to Competent Authority to declare an area as silent zone which falls within a distance of not less than 100 meters from concerned Hospital, Educational institution or Court. The amendment notification dated 10.08.2017 of Noise Pollution Rules, 2000 declares by adding a proviso to Rules 3 (5) that unless and until an area is notified/declared a 'silence zone' by State Government, no area shall fall in the category of 'silence zone/area'.

9. Applicant has filed a detailed objection to Joint Committee report uploaded on 28.03.2023 stating that Committee has failed to undertake monitoring of noise for substantial duration; during night time proper monitoring has not been done and other issues raised by applicant like bursting of firecrackers, impact of helicopter ride on noise pollution, light pollution in and around wetland, conservation of wetland and effect of bass have not been examined and committee has also not correctly

interpreted or understood the provision of Noise Pollution Rules, 2000.

10. Applicant has filed I.A. 25 of 2023 placing on record some additional facts regarding persisting and unfettered violations of Noise Pollution Rules, 2000 near Fatehsagar lake and also identification of Fatehsagar lake as 'wetland' under National Wetland Inventory and Assessment (NWIA) Project by the MoEF&CC and in the light of Supreme Court's order dated 08.02.2017 in *M.K. Balakrishnan & Ors. Vs. Union of India & Ors., Writ Petition (Civil) No.230 of 2001*.

11. Tribunal considered Joint Committee report on 06.04.2023 and directed to provide copy of report to Collector/Municipal Corporation/MCU with direction to enforce recommendations of Committee upto the strength of applicability and if there is any grievance, they (Collector and MCU), may file their response on those points. They were also directed to submit Action Taken Report.

12. Pursuant to the order dated 06.04.2013, an Action Taken Report has been submitted by District Collector, Udaipur (Respondent No. 5) in the form of a chart and relevant extract of report is reproduced as under:

<i>Recom mendat ion no. of Joint Commit tee report dated 09.02.2023</i>	<i>Joint committee recommendation</i>	<i>Action taken by RSPCB</i>
1.	<i>So it is evident that he CPCB has itself mentioned that the limitation of noise rules with respect to loud speakers and it is the need of the hour that specific guidelines be framed for same specifically mentioning the duration of noise pollution monitoring to be carried out in such circumstances. It is also submitted that operation of loudspeakers, bursting of fire-crackers, blowing of horns etc. all</i>	No action required at District Level. <i>Action may be taken at CPCB Level. Therefore, Regional Officer RSPCB, Udaipur was directed to issued a request letter to Regional Director, Central Pollution Control</i>

	<p>are having noise level much more than the prescribed limit in day period and therefore, the ambient noise standard are bound to increase in such circumstances and CPCB should develop a special protocol for dealing with complaints of bursting of fire-crackers, barat processions, horns and loudspeakers which shall be mandatory to follow and shall be followed. CPCB should also take up a study of a model city which is free from noise pollution and recommend measures to be incorporated here too and should also give the comment regarding measurement of noise pollution from a point source eliminating other such sources.</p>	<p>Board, Bhopal vide letter no. 227 dated 12.05.2023(Copy enclosed as annexure-I)</p>
2.	<p>Public grievance lodging App to control the menace of pollution due to Noise in the country may be prepared by CPCB with the provisions of following steps:-</p> <p>(i) Complaint lodging facility with uploading facility of video/GPS tagged photographs for the general complainant.</p> <p>(ii) The complaint to be automatically transferred to concerning area SHO.</p> <p>(iii) SHO mark complaint to concerning Beat Constable.</p> <p>(iv) Beat constable equipped with Noise Level Meter approach the location and measure the Noise.</p> <p>(v) If complaint found correct on site fine based on CPCB report scale of compensation for violation of Noise Rules as mentioned (Copy enclosed) in Original Application No. 681/2018 may be imposed with challan and uploaded on the same app marking disposal of complaint.</p> <p>(vi) The complainant may also</p>	<p>No action required at District Level. Action may be taken at CPCB Level. Therefore, Regional Officer RSPCB, Udaipur was directed to issued a request letter to Regional Director, Central Pollution Control Board, Bhopal vide letter no. 227 dated 12.05.2023(Copy enclosed as annexure-I)</p>

	<i>receive copy of challan and complaint will be closed</i>	
3.	<i>All the lake side hotels at Fatehsagar/Ambaugarh should be install a continuous ambient noise level meter with the consultation of RSPCB connected by online CCTV to the above app so that the information of noise level is in the public domain and the authority can check the levels as mentioned in the app at point no. 1 above.</i>	<i>Regional Officer RSPCB, Udaipur was directed to issue necessary directions to Hotels situated near lakes. In compliance of direction RSPCB has issued letters to 31 Hotels situated near lakes regarding compliance vide this office letter no.RPCB/ROU/UDR/Hotel-353/126/1-29 dated 21.04.2023 (Copy of letter and list of hotels enclosed as annexure-II).</i>
4.	<i>All the hotels should install a display board depicting the ill effect of noise pollution and certifying that they do not increase the sound levels beyond permissible standards at their main gate.</i>	<i>Regional Officer RSPCB, Udaipur was directed to issue necessary directions to Hotels situated near lakes. In compliance of direction RSPCB has issued letters to 31 Hotels situated near lakes regarding compliance vide this office letter no.RPCB/ROU/UDR/Hotel-353/126/1-29 dated 21.04.2023 (Copy of letter and list of hotels enclosed as annexure-II).</i>
5.	<i>The Municipal authorities/ UIT should install display boards in their areas indicating ill effect of noise pollution near Lakes of Udaipur in ESZ.</i>	<i>Regional Officer RSPCB, Udaipur was directed to issue letter to Municipal</i>

		Commissioner regarding compliance. In compliance letter has been issued to Municipal Commissioner regarding compliance. (Copy enclosed as annexure-III)
6.	The Municipal authorities should complete the work of notifying area into commercial residential and silence zone so that applicability of noise level standards can be ensured. In this regard, the Municipal Commissioner Udaipur has asked the Director ULB to appoint a technical consultant through the process of tender and the work is under process.	Regional Officer RSPCB, Udaipur was directed to issue letter to Superintendent of Police. In compliance letter has been issued to Superintendent of Police regarding compliance vide this office letter no. RPCB/ROU/Legal-77/222 dated 11.05.2023 (Copy enclosed as annexure-IV)
7.	Every Police Thana shall be equipped with Noise Level Meter. It need be mentioned here that it was found by joint committee towards noise level meter reading and the officials carrying out monitoring should also take into account the above fact as the noise level meter measures a sum total noise present at any location from all sources.	Superintendent of Police. In compliance letter has been issued to Superintendent of Police regarding compliance vide this office letter no. RPCB/ROU/Legal-77/222 dated 11.05.2023. (Copy enclosed as annexure-IV)
8.	Mobile DJ music systems/operating on four wheelers vehicles with Barat procession/religious procession to be banned and the ban to be enforced by Police/ RTO.	RSPCB has identified two vehicles those operating Mobile DJ music system on four wheelers and letter has been issued vide this office letter no. RPCB/ROU/

		<p>Legal-77/ 196 dated 04.05.2023 to Regional Transport officer for cancelation of registration and seizure of these two vehicles and all such vehicles equipped with mobile DI music system/ operating on four wheelers. (Copy enclosed as annexure-V)</p>
9.	<p>In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited:- (a.) Prohibition for DJ sound system in marriage procession. (b.) Bursting of fire crackers. (c.) Hotels/ not allowed to play music in open area i.e. Garden. They shall ensure play music in sound proof acoustic halls. (d.) Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/ marriage gardens in open. (e.) Use of Laser light/ Spot light. (f.) Marriage gardens with halls shall be allowed if music is played in enclosed halls. If there is no facility of hall then the same be closed.</p>	<p>Necessary directions issued to RSPCB and RSPCB has issued directions to 31 Hotels situated near lakes regarding compliance vide this office letter no. RPCB/ROU/UDR /Hotel-353/126/1-29 dated 21.04.2023. (Copy of letter and list of hotels enclosed as annexure-1). After issuance of letter United Hoteliers of Udaipur (Society) has submitted a representation (Copy enclosed as annexure-VI) and some key features is as under: -</p> <p>1. They shall not allow the use of mobile DJ music system operating on</p>

		<p><i>four wheelers vehicle with Barat or religious processions within hotel premises.</i></p> <p><i>2. They will install display boards at the main gate outlining the ill effect of noise pollution and certifying that sound level do not exceed permissible standards.</i></p> <p><i>3. They committed to install continuous ambient noise level meters within our premises and ensuring regular monitoring of noise levels.</i></p> <p><i>4. They committed to play sound within prescribed limits as per law.</i></p> <p><i>5. For the Sajjangarh ESZ area, we request a reconsideration of the prohibition on Dhol, Nagada and Tum-tum. We suggest these traditional instruments should be allowed, provided the sound</i></p>
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		<p><i>generated is within prescribed limits. These instruments are an integral part of our cultural heritage and traditions, and their responsible use should be permitted. As this also provides livelihood to the underprivileged artists, performers and their families.</i></p> <p><i>6. Also, that some leverage be given in the enforcement these regulations, considering the ambient sound levels around their properties. Vehicular traffic, human movement, and other factors beyond our control contribute to increase in noise levels. We kindly request that these external factors be taken into account while assessing their compliance with the noise regulations.</i></p> <p><i>7. In light of recent</i></p>
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		<p><i>Honorable Supreme Court decision on Writ Petition (Civil) No. 202 of 1995 in Godavarman Thirumulpad vs Union of India on 26th April 2023 (para no. 57). We request that specific ESZ regulations should not be imposed until new ESZ regulations are redefined by the Ministry of Environment, Forest and Climate Change (MoEF).</i></p>
8.	<p><i>CCTV cameras be installed all around the periphery of Fatehsagar Lake and in the eco sensitive zone at strategic places.</i></p>	<p>Necessary direction are being issued to Municipal/UIT authorities at the earliest.</p>

13. On most of the points, District Collector, Udaipur has said that the function has to be discharged by RSPCB or other but with regard to recommendations to control noise pollution in Eco-Sensitive Zone of Sajjangarh Wildlife Sanctuary falling in wildlife sanctuary, Collector has said that these directions are basically in respect of 31 hotels situated near lake and it is said have been acted upon by directing concerned hotels to comply. In respect of some other matters, Collector has recommended reconsideration.

14. MCU i.e. respondent 3 has filed another reply dated 20.06.2023 but it is similar to reply dated 20.03.2023 filed by respondent 3.

15. Respondent 2 i.e. RSPCB has filed a separate reply giving parawise reply to averments made in OA. In para 14 it is however said that Fatehsagar lake is not a 'notified wetland' and not included in the list of District wise wetland identified for notification and development by State Government of Rajasthan, hence, Wetlands (Conservation and Management Rules) 2017 are not applicable; in the last one year, RSPCB has consistently monitored noise complaints. Out of 25 monitoring during day time 24 were found in permissible limits of commercial zone but exceeded in residential area. Similarly out of 26 monitored complaints during night time, 23 were found in permissible limit of commercial zone but exceeding in residential area; residential, commercial silence zones have not been notified by MCU; with regard to implementation of Noise Rules, 2000 as amended in 2017 it is stated that authorities competent to take action are District Magistrate or Police authorities hence, compliants were sent to concerned Station House Office of police to ensure compliance. With regard to light pollution it is said that Joint Committee in its report has recommended prohibition of laser lights/spot light in Eco Sensitive Zone of Sajjangarh Wildlife Sanctuary area.

16. Reply, similar to what has been submitted by respondent 2 has been filed on behalf of respondent 1 and 4 also, hence is not being repeated.

17. Applicant, has filed an objection/rejoinder to action taken report vide rejoinder dated 27.07.2023 and it is said that Collector, Udaipur has wrongly tried to wriggle out of his responsibility though he is the authority competent to take appropriate action preventing noise pollution, light pollution etc. but he has not taken effective steps or action in the matter.

18. We have heard learned counsel for parties and perused record.

19. First question up for consideration is “whether Fatehsagar lake is a wetland to which Rule 4 of Wetland Rule 2017, is applicable”. It is not denied by respondents that ‘Fatehsagar lake’ is included in National Wetland Inventory and Assessment project by MoEF&CC whereby it has identified 201503 wetlands Supreme Court in the order dated 08.02.2017 in *M.K. Balakrishnan & Ors. Vs. Union of India & Ors., Writ Petition (Civil) No.230 of 2001* has said:

“Accordingly, we direct the application of the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010 to these 2,01,503 wetlands that have been mapped by the Union of India. The Union of India wil identify and inventorize all these 2,01,503 wetlands with the assistance of the State Governments and will also communicate our order to the State Governments which will also bind the State Governments to the effect that these identified 2,01,503 wetlands are subject to the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010.”

20. In view of Supreme Court’s above direction even if ‘Fatehsagar lake’ is not a ‘notified wetland’, it has to be protected by application of Rule 4 of Wetland Rules of 2017. Rule 4 of Wetland Rules 2017 say as under:

“4. Restrictions of activities in wetlands.—(1) The wetlands shall be conserved and managed in accordance with the principle of ‘wise use’ as determined by the Wetlands Authority.

*(2) The following **activities shall be prohibited within the wetlands, namely,-***

(i) conversion for non-wetland uses including encroachment of any kind;

(ii) setting up of any industry and expansion of existing industries;

(iii) manufacture or handling or storage or disposal of construction and demolition waste covered under the Construction and Demolition Waste Management Rules, 2016; hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms Genetically engineered organisms or cells, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008; electronic waste covered under the E-Waste (Management) Rules, 2016;

(iv) solid waste dumping;

(v) discharge of untreated wastes and effluents from industries, cities, towns, villages and other human settlements;

(vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of commencement of these rules; and,

(vii) poaching.

Provided that the Central Government may consider proposals from the State Government or Union Territory Administration for omitting any of the activities on the recommendation of the Authority.”

21. The restrictions of activities in wetlands and protection provided in Rule 4 has to be extended to 'Fatehsagar lake' and its 'Zone of Influence' area. It is the responsibility of Rajasthan State Wetland Authority i.e. respondent 4 to take appropriate action in the matter and do the needful. First question is answered accordingly.

22. The second question is, "whether partially 'Zone of Influence' of Fatehsagar lake including lake area falls within the notified area of Eco Sensitive Zone of Sajjangarh of wildlife sanctuary", and if so "whether prohibition applicable to Eco Sensitive Zones have to be applied to said area or not".

23. Irrespective of the fact whether Eco Sensitive Zone of Sajjangarh Wildlife Sanctuary covers entire Fatehsagar lake area or its 'Zone of Influence', we are satisfied that area falls within notified area of Eco Sensitive Zone shall attract restrictions and prohibitions applicable to Eco Sensitive Zone and the same will have to be applied and implemented. On this aspect, we have no manner of doubt and also do not find any otherwise pleading or material on record to take a different view of the matter. In view of the matter, State of Rajasthan through Principal Secretary, Environment and Climate Change as also Principal Chief Conservator of Forest, Wildlife and all its assisting authorities are responsible to take appropriate action and enforce restrictions, prohibitions and regulations applicable to Eco Sensitive Zone of notified Wildlife Sanctuary to the area which falls within 'Fatehsagar lake' or its 'Zone of Influence' and take appropriate action to implement the same without any further delay.

24. Third question is regarding "noise pollution in area of Fatehsagar

lake". It is not disputed by learned counsel of the applicant that no specific standards have been prescribed in respect of wetland regarding noise level or standard of noise. In absence of such standards having not been prescribed, it is difficult to assume that there is violation of Noise Pollution Rules, 2000 which refers to 4 categories of area i.e. Industrial, Commercial, Residential and Silence Zone. With regard to mixed area, Rules permit that such area can be declared by concerned authority but in the present case it is also not the case of applicant or respondent, that any such mixed area in the area of Fatehsagar lake or its 'Zone of Influence' has been declared. In absence of any such declaration, we find it difficult to issue any specific direction to take action by concerned authorities, particularly when neither any person is impleaded in OA who is allegedly violating Noise Pollution Rules 2000 nor in absence of any such person a general vague direction can be issued to authorities concerned to comply with law when no specific violation of law against any individual is demonstrated or shown by applicant.

25. Joint Committee report has found that in some areas, particularly in night time, noise standards even of highest level i.e. prescribed for industrial area or commercial area are being breached on account of the activities of marriage procession etc. undertaken in various hotels campus, inside and outside, which are located in the area of 'Fatehsagar lake' and its 'Zone of Influence' and recommendations have been made for taking several steps to mitigate such violation of noise pollution by directing hotels not to permit certain activities within area of 'Zone of Influence' of Fatehsagar lake or Eco Sensitive Zone of Sajjangarh Wildlife Forest which includes within its ambit the area of Fatehsagar lake. No serious objection has been raised by respondents with regard to the recommendations made by Joint Committee. Applicant though has filed objection to Joint Committee report but during course of the arguments

stated that those recommendations be directed to be acted upon and should be implemented.

26. We are also of the view that by taking out processions like marriage processions etc. and by beating the drums or using bands, noise pollution levels cannot be breached particularly during night hours. At least these activities cannot be permitted to go on in area falling within 'Zone of Influence' of Sajjangarh Wildlife Sanctuary. Therefore to that extent respondents shall ensure and impose complete prohibition on such activities. Concerned hotels etc. shall be notified of this prohibition so that they may not allow such activities to go on.

27. Fourth question is regarding "light pollution". Learned counsel for applicant drew our attention to annexure 23 and 24 to OA which are some articles published in different journals on the aspect of 'light pollution'. However, it is not disputed that till date no authenticated investigation or research with regard to light pollution has been conducted in the context of Indian conditions and at least none has been placed on record. It cannot be doubted that in certain circumstances high Intensity Lights may be detrimental to wildlife and other species of different categories and also to nature as such. But this aspect requires a detailed study on the matter, and if necessary, appropriate guidelines/regulations need be framed. On this aspect we find it appropriate to direct MoEF&CC, respondent 6, and Ministry of Science and Technology, Government of India to take up requisite study on the issue of 'light pollution' and take appropriate action to regulate such pollution in the context of Indian conditions and if necessary different provisions may be made for different areas depending on nature of flora, fauna and other relevant factors available in those areas.

28. In view of above discussion, we find it appropriate to accept report of Joint Committee to the extent it is consistent with the view taken

above and, direct respondents to implement recommendations made therein which are consistent to our findings above, in words and spirit, without any further delay and in any case within a period of 3 months from today.

29. MoEF&CC, District Collector, RSPCB, MCU and Rajasthan State Wetland Authority shall file compliance reports with Registrar of Central Zone Bhopal Bench by 15.11.2023. If Registrar finds that any further order is necessary, he may place the matter before the Bench.

30. Subject to above directions, OA is disposed of. No costs.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

July 31, 2023
Original Application
No.102/2022(CZ)
(I.A.No.25/2023)
N



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Proof of Service

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Dushyant Dahiya <adv.dushyantdahiya@gmail.com>

Advance Service- Short Response and submissions on behalf of Respondent No. 8 / The Hermitage to the status report dated 02.11.2023 filed by Respondent No.2 in O.A. No. 161 of 2023 titled as "Rana Iqbal Singh Jolly & Ors. vs. State of Punjab & Ors."

1 message

Dushyant Dahiya <adv.dushyantdahiya@gmail.com>

Wed, Feb 21, 2024 at 11:56 AM

To: Vasu Bhushan <adv.vasubhushan@gmail.com>, sunieta.ojha@gmail.com, paranjay chopra <chopra.paranjay@gmail.com>, officeofkaransharmaor@gmail.com, "Dinesh C Pandey, Advocate" <advdcpandey@gmail.com>, osdlindia@gmail.com

Dear Sir / Ma'am

Please find attached herewith the copy of the short response and submissions on behalf of Respondent No. 8 / The Hermitage to the status report dated 02.11.2023 in the above-captioned matter. This is for your information and necessary action. Kindly acknowledge the receipt of the same and oblige.

Thanks & Regards

Dinesh C. Pandey & Dushyant Dahiya, Advs.
Counsels for the Respondent No.8 / The Hermitage
407, Vishal Bhawan,
95, Nehru Place,
New Delhi-110019
Contact:- 9810124707 / 9560431100



Short Response and submissions to PPCB report dated 02 11 2023 on behalf of Respondent No 8.pdf
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