

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No.26/2019

IN THE MATTER OF:-

Abhay Dahiya & Ors.

.....Applicant

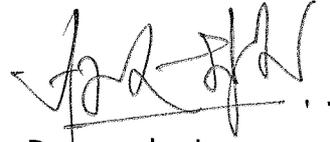
Versus

State of Haryana

.....Respondent(s)

INDEX

Sr. No.	Particulars	Dated	Pages
1.	Status report of Arun Gupta, Principal Secretary to Government Haryana, Urban Local Bodies Department on behalf of the State of Haryana in compliance of order dated 08.06.2021 of Hon'ble NGT.		1-8
2.	Annexure-R-1 (Minutes of Meeting)	09.12.2021	9-12
3.	Annexure-R-2 (Copy of order of constitution of District Level Task Forces)	07.01.2022	13-14



Respondent
(Arun Gupta)

Principal Secretary to Government Haryana,
Urban Local Bodies Department,
on behalf of State of Haryana

Placed:- Chandigarh

Dated: 05/08/2022

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No.26/2019

IN THE MATTER OF:-

Abhay Dahiya & Ors.

.....Applicant

Versus

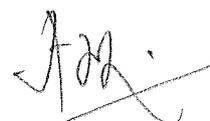
State of Haryana

.....Respondent (s)

Status report of Arun Gupta, Principal Secretary to Government Haryana, Urban Local Bodies Department, on behalf of the State of Haryana in compliance of order dated 8th June, 2021 of Hon'ble National Green Tribunal.

RESPECTFULLY SHOWETH:-

1. That I, in my official capacity as Principal Secretary to Government of Haryana, Urban Local Bodies Department, am well conversant with the facts and circumstances of the present case and competent to file the present status report on behalf of the State of Haryana, on the basis of record/information made available to the deponent.
2. That the status report is being filed with respect to the directions dated 8th June, 2021 issued by this Hon'ble Tribunal in the above mentioned Application which are to be complied with by the State of Haryana. The relevant part of said order dated 8th June, 2021 is reproduced hereunder:-



"From the above, we find that beyond saying that action will be taken by the State of Haryana in terms of SOP issued by the CPCB, there is no mention of compliance status. The authorities appear to have taken the matter lightly treating the filing of a status report to be a formality. The Tribunal expected meaningful action on the ground level which has not been taken inspite of long time available after the last hearing and finalization of the SOP by the CPCB long back. While placing on record our disapproval for such negligence and failure, we direct the Chief Secretary, Haryana to take suitable remedial measures, including action against the erring officers for such negligent behavior and ensure filing of a meaningful compliance report before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF".

3. That the Mechanism/ Guidelines for Control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets/Dhabas etc." prepared by CPCB has been adopted by the State of Haryana and according to that following approvals/clearances are required to be taken by the Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets/Dhabas etc:-

- i. Consent of Establish under Air/Water Act.
- ii. Consent to operate under Air/Water Act.
- iii. Permission with provisions of Noise Rules.
- iv. Permission for ground Water Extraction from concerned Authorities, if required.
- v. Building Plan approval from concerned authorities.
- vi. Fire Safety Certificate/NOC from concerned authorities.



vii. Arrangement of adequate parking facilities

The following departments are involved in implementation of mechanism/guidelines prepared by CPCB:

- i. Haryana State Pollution Control Board.
- ii. Urban Local Bodies Department.
- iii. Panchayats Department.
- iv. Police Department.
- v. UHBVN/DHBVN/HAREDA.
- vi. Town & Country Planning Department.
- vii. Fire Department.
- viii. Public Health Engineering Department.
- ix. Haryana Water Resources Authority.
- x. GMDA/FMDA.
- xi. District Administration.

4. That for effective implementation of the guidelines of CPCB, a meeting was convened by the deponent on 9th December, 2021 with the stakeholder departments. The minutes of meeting are annexed at Annexure-R-1.

5. That District Level Task Forces under the Chairmanship of Additional Deputy Commissioners have been constituted on 7th January, 2022 for effective implementation of the Mechanism/Guidelines for Control of Pollution and Enforcement of Environment Norms at Individual Establishment and the Area/Cluster of Restaurants/ Hotels/ Motels/Banquets/Dhabas etc. with the following roles & Responsibilities: -

- i. The Task Forces shall conduct a survey of all Restaurants/Hotels/Motels/Banquets/Dhabas etc. within their respective district within 07 days and shall prepare the check list of compliance of Environment Norms by such units as prescribed in guidelines/mechanism for control of Pollution and Enforcement



of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets/Dhabas etc. prepared by CPCB.

- ii. The Task Forces shall ensure the implementation of ground level enforcement plan.
- iii. The Task Forces shall meet twice in a month and review the compliance status by the Restaurants/Hotels/Motels/Banquets/Dhabas etc.
- iv. The Task Forces shall take action against the non-complying units as prescribed in ground level enforcement plan and submit the compliance report to Member Secretary, Haryana State Pollution Control Board.

The copy of order of constitution of District Level Task Forces is annexed at Annexure-R-2.

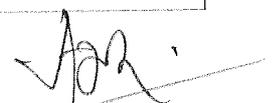
6. That the survey of units to be covered under mechanism of CPCB is being conducted by District Level Task Forces. As per the reports received till date from District Level Task Forces, the detail of such units and status of compliance with respect to the guidelines of CPCB is as under:-

Total No. of such units identified/surveyed till date:- 3207			
Sr. No.	Compliance required as per CPCB guidelines	No. of complying with the CPCB Norms	Remarks
1.	No. of units have CTO	168	1492 units are not covered under consent management system. Show cause notices have been issued to 1475 units. Closure action has been taken against 20 units by HSPCB and 36 units

AK

Total No. of such units identified/surveyed till date:- 3207

Sr. No.	Compliance required as per CPCB guidelines	No. of complying with the CPCB Norms	Remarks
			found closed. 16 units have applied for CTO.
2.	No. of units have sanctioned building plan	707	Show cause notices have been issued to 1948 units. 25 units are not required to get sanctioned their building plan. 36 units found closed. Show cause notices to remaining 491 units are also being issued.
3.	No. of units have Effluent Treatment Plan (ETP)	155	1496 units are not required to install ETP. Show cause notices have been issued to 1016 units. 83 units are connected to public sewer. 36 units found closed. Closure action has been completed against 12 units by HSPCB. Show cause notices to remaining 409 units are also being issued.
4.	No. of units have adequate parking facilities	1514	Show cause notices have been issued to 1219 units. 68 units are using common parking. 36 units found



Total No. of such units identified/surveyed till date:- 3207

Sr. No.	Compliance required as per CPCB guidelines	No. of complying with the CPCB Norms	Remarks
			closed. Show cause notices to remaining 370 units are also being issued.
5.	No. of units processing their solid waste	1159	Show cause notices have been issued to 1629 units. 116 units in Faridabad are sending their wet waste to Bio-methanation plant of IOCL. 63 units in Sirsa are sending their waste to MC for processing. 36 units found closed. Show cause notices to remaining 204 units are also being issued.
6.	No. of units have permission to extract ground water	169	Show cause notices have been issued to 734 units. Drinking water in 1241 units is being supplied through Government water supply lines. 61 units in Hisar are not required permission as they are extracting ground water less 10 KLD. 36 units found closed. 02 units have applied for permission.

AAR

Total No. of such units identified/surveyed till date:- 3207			
Sr. No.	Compliance required as per CPCB guidelines	No. of complying with the CPCB Norms	Remarks
			Show cause notices to remaining 964 units are also being issued.
7.	Fire safety certificate/NOC from concerned authorities. (No. of Units)	493	Show cause notices have been issued to 2358 units. 36 units found closed. 02 units have applied for NOC. Show cause notices to remaining 318 units are also being issued.
8.	No. of units adopted water conservation measures	403	Show cause notices have been issued to 1552 units. 36 units found closed. Show cause notices to remaining 1216 units are also being issued.

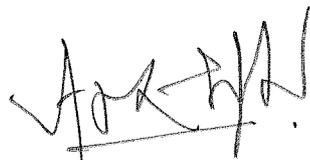
Show cause notices have been issued or being issued to all non-complying units to provide an opportunity to comply with the guidelines of CPCB and in case non-compliance continued, strict action will be taken against them.

7. That Directorate of Urban Local Bodies, Haryana is regularly following up the matter with District Level Task Forces. Two review meetings on 14th March, 2022 and 27th April, 2022 hold by Director, Urban Local Bodies and



one by Principal Secretary to Govt. Haryana, Urban Local Bodies Department on 6th June, 2022 already been convened with District Level Task Forces.

8. That the State of Haryana is trying to be its best to implement the Guidelines/Mechanism of CPCB and stands committed to implement the directions issued by this Hon'ble Tribunal in letter and spirit. The aforesaid status report may kindly be accepted and may be allowed to be taken on record of this Hon'ble Tribunal.



Respondent
(Arun Gupta)

Principal Secretary to Government Haryana,
Urban Local Bodies Department,
on behalf of State of Haryana

Placed:- Chandigarh

Dated: 05/08/2022

VERIFICATION:-

Verified that the content of para no.1 to 8 of the status report by way of affidavit are true and correct to my knowledge derived from official record. No part of it is false and nothing has been concealed therein.



Respondent
(Arun Gupta)

Principal Secretary to Government Haryana,
Urban Local Bodies Department,
on behalf of State of Haryana

Placed:- Chandigarh

Dated: 05/08/2022

Annexure - R-1

शहरी स्थानीय
निकाय निदेशालय
हरियाणा



DIRECTORATE OF URBAN
LOCAL BODIES
HARYANA

ब्लॉक सं. 11-14, सेक्टर 4, पंचकुला, हरियाणा
Block No. 11-14, Sector 4, Panchkula, Haryana

Tel.: +91 172 2670020 ; Fax: +91 172 2670021
Website: www.ulbharyana.gov.in ; email: dulbhry@hry.nlc.in

To,

1. Additional Chief Secretary to Govt. Haryana, Power Department & New and Renewable Energy Department.
2. Additional Chief Secretary to Govt. Haryana, Irrigation & Water Resource Department.
3. Additional Chief Secretary to Govt. Haryana, Development and Panchayats Department.
4. Additional Chief Secretary to Govt. Haryana, Environment and Climate Change Department.
5. Additional Chief Secretary to Govt. Haryana, Town & Country Planning and Urban Estates Department.
6. Additional Chief Secretary to Government Haryana, Finance and Planning Departments.
7. Chief Executive Officer, GMDA/FMDA.
8. Principal Secretary to Govt. Haryana, Public Health Engineering Department
9. Director General of Police, Haryana.
10. Chief Administrator, Haryana Shaheri Vikas Pradhikaran.
11. Director, Fire Service Haryana.
12. Member Secretary, Haryana State Pollution Control Board.
13. All the Deputy Commissioners in the State of Haryana.
14. All the Commissioners of Municipal Corporations in the State of Haryana.
15. All the Additional Deputy Commissioners in the State of Haryana.
16. All the District Municipal Commissioners in the State of Haryana.

Memo No:Tech/NGT/DULB/2021/16109-124

Dated: 23.12.2021

Subject: Minutes of Meeting held on 09.12.2021 at 03:30 PM under the chairmanship of Worthy Chief Secretary, Haryana regarding control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets etc. in the matter of OA No. 26 of 2019 Abhay Dahiya & Ors. Vs State of Haryana.

On the subject cited above.

2. Please find enclosed herewith the copy of minutes of meeting held on 09.12.2021 at 03:30 PM under the chairmanship of Worthy Chief Secretary, Haryana regarding control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets etc. in the matter of OA No. 26 of 2019 Abhay Dahiya & Ors. Vs State of Haryana.
3. I have been directed by the competent authority to request you to take immediate necessary action on the decisions taken in the meeting. You are also requested to kindly send the action taken report to this office at the earliest.

DA: As above.

Ranjit
Executive Engineer,
For Director, Urban Local Bodies
Haryana, Panchkula.

CC:

1. SS to W/CS, Haryana for kind information of W/CS, Haryana.
2. PS to W/PSULB for kind information of W/PSULB, Haryana.
3. PA to W/DULB for kind information of W/DULB, Haryana.

Minutes of Meeting held on 09 December 2021 at 03:30 PM under the chairmanship of Chief Secretary regarding control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets, etc., in the matter of OA No.26 of 2019 Abhay Dahiya & Ors. Vs State of Haryana.

A meeting was held on 09 December 2021 at 03:30 PM under the chairmanship of Chief Secretary, Haryana regarding control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets etc. in the matter of OA No.26 of 2019 Abhay Dahiya & Ors. Vs State of Haryana. The list of Participants is attached at **Annexure-I**.

2. At the outset, Principal Secretary, Urban Local Bodies welcomed all the participants and briefed about the OA No. 26/2019 titled as Abhay Dahiya & Ors. Vs. State of Haryana. PSULB apprised that the matter originally related to Dhabas in Murthal in Sonapat but National Green Tribunal (NGT) observed that the situation may not be confined to GT Road, Murthal in Sonapat District which is subject matter of present proceedings but is wide spread throughout the State and it has been observed by NGT vide order dated 25 November 2019 that the Chief Secretary shall frame a policy for regulating the functioning of road side restaurants/establishments generating solid and liquid waste and also drawing ground water.

3. In compliance of directions of NGT, a Policy for Scientific Handling and Reuse of Liquid Waste, Solid Waste and Ground Water Extraction by Restaurants/Dhabas/Motels/Hotels/Marriage Gardens/Banquet Halls was notified on 29 July 2020 but NGT was not satisfied with the policy and directed CPCB to prepare a Standard Operating Procedure (SoP) to be followed by Haryana and other States.

4. CPCB vide its report dated 26 February 2021 recommended that Mechanism/Guidelines for Control of Pollution and Enforcement of Environment Norms at Individual Establishment and the Area/cluster of Restaurants/Hotels/Motels/Banquets etc. prepared by CPCB in the matter of NGT O.A. No. 400/2017 is comprehensive and covers all the aspects of policy document of the State of Haryana and Guidelines of CPCB on Eateries/Restaurant. These guidelines may be adopted by the Government of Haryana for control of pollution.

5. After taking approval from Government, policy for Scientific Handling and Reuse of Liquid Waste, Solid Waste and Ground Water Extraction by Restaurants/Dhabas/Motels/Hotels/Marriage Gardens/Banquet Halls notified on 29 July 2020 was withdrawn vide notification dated 16 April 2021 and Mechanism/Guidelines for Control of Pollution and Enforcement of Environment Norms at Individual Establishment and the Area/cluster of Restaurants/Hotels/Motels/Banquets, etc., prepared by CPCB has been adopted on 23 April 2021.

6. NGT vide order dated 03 June 2021 observed that a compliance report may be filed by the Chief Secretary in terms of the SoP/Mechanism/Guidelines prepared by the CPCB.

7. Director Urban Local Bodies gave a power point presentation and briefed that as per the guidelines of CPCB the following environmental norms are required to be complied with by the Dhaba/Restaurants/Hotels/Motels/Banquets, etc:

- Consent of Establish under Air/Water Act.
- Consent to operate under Air/Water Act.
- Permission with provisions of Noise Rules.
- Permission for ground Water Extraction from concerned Authorities, if required.

- Building Plan approval from concerned authorities.
- Fire Safety Certificate/NOC from concerned authorities.

8. Based on SoP prepared by CPCB, Department of Urban Local Bodies circulated a draft action plan to all stake holder departments on 05.08.2021 requesting to submit concrete ground level enforcement plan consisting of monitoring mechanism, penalty provisions, timelines for enforcement/monitoring activities, timelines in which the unit operators are required to comply with the norms/standards etc. The stakeholder departments are as under:

- i. Haryana State Pollution Control Board.
- ii. Urban Local Bodies Department.
- iii. Panchayats Department.
- iv. Police Department.
- v. UHBVN/DHBVN/HAREDA.
- vi. Town & Country Planning Department.
- vii. Fire Department.
- viii. Public Health Engineering Department.
- ix. Haryana Water Resources Authority.
- x. GMDA/FMDA.
- xi. District Administration.

9. Director Urban Local Bodies apprised that the reports in this regard have been received from Haryana Water Resources Authority and HSPCB but timelines in the report of HSPCB are not mentioned.

10. The compliances required by stakeholder departments were discussed in detail. Chief Secretary advised all the stakeholder departments to submit their ground level enforcement plan consisting of monitoring mechanism, penalty provisions, timelines for enforcement/monitoring activities, timelines in which the unit operators are required to comply with the norms/standards, etc.

11. DULB proposed the following District Level Task Force for implementation and enforcement of ground level enforcement plan/SoP/Guidelines of CPCB:-

- i. Additional Deputy Commissioner, Chairman.
- ii. Commissioner/District Municipal Commissioner, Co-Chairman.
- iii. Superintending Engineer, UHBVN/DHBVN, Member.
- iv. Superintending Engineer, PHED, Member.
- v. District Development & Panchayat Officer, Member.
- vi. District Fire Officer, Member.
- vii. District Town Planner, Member.
- viii. Deputy Superintendent of Police, HQ, Police, Member.
- ix. Representative of Haryana Water Resources (Conservation, Regulation & Management) Authority/Central Ground Water Authority, Member.
- x. Regional Officer, HSPCB, Member Secretary.

12. After discussion, the above proposal regarding constitution of District Level Task Force was approved.

The meeting ended with vote of thanks to all present.

Annexure-1

List of participants			
Sr. No.	Name of officer & Designation	Name of Dept.	Remarks
1	Sh. Devender Singh, IAS	ACS, TCP	
2	Sh. A. K. Singh	PSPHED	
3	Sh. Arun Gupta, IAS	PSULB	
4	Sh. P. K. Agrawal, IPS	DGP Haryana	
5	Sh. Mohammed Shayin, IAS	Managing Director, Haryana Power Generation Corporation Ltd.	
6	Sh. Ajit Balaji Joshi, IAS	Chief Administrator, Haryana Shehri Vikas Pradhikaran	
7	Sh. Ramesh Chander Bidhan, IAS	Director General, Development & Panchayats	
8	Sh. Ashok Kumar Meena, IAS	Director, Fire Services	
9	Sh. D. K. Behara, IAS	Director, ULBD	
10	Dr. Hanif Qureshi	Director General, HAREDA	
11	Sh. S. Narayanan,	MS, HSPCB	
12	Sh. D.R. Bhaskar	Chief Engineer, ULBD	
13	Sh. A. K. Bharadwaj	DA/CS	

Annexure-R-2

**Urban Local Bodies Department, Haryana
Notification**

No. 9/1/2022-4C11

Date:- 07-01-2022

To ensure the compliance of directions of Hon'ble NGT in the matter of OA No. 26 of 2019 titled as Abhay Dahiya & Ors. Vs State of Haryana regarding control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets/Dhabas etc. district level task forces are hereby constituted as under:-

- i. Additional Deputy Commissioner, Chairman.
- ii. Commissioner/District Municipal Commissioner, Co-Chairman.
- iii. Superintending Engineer, UHBVN/DHBVN, Member.
- iv. Superintending Engineer, PHED, Member.
- v. District Development & Panchayat Officer, Member.
- vi. District Fire Officer, Member.
- vii. District Town Planner, Member.
- viii. Deputy Superintendent of Police, HQ, Police, Member.
- ix. Representative of Haryana Water Resources (Conservation, Regulation & Management) Authority/Central Ground Water Authority, Member.
- x. Regional Officer, HSPCB, Member Secretary.

Roles & Responsibilities of the Committees: -

- i. The Task Forces shall conduct a survey of all Restaurants/Hotels/Motels /Banquets/Dhabas etc. within their respective district within 07 days and shall prepare the check list of compliance of Environment Norms by such units as prescribed in guidelines/mechanism for control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/Cluster of Restaurants/Hotels /Motels /Banquets /Dhabas etc. prepared by CPCB.
- ii. The Task Forces shall ensure the implementation of ground level enforcement plan.
- iii. The Task Forces shall meet twice in a month and review the compliance status by the Restaurants/Hotels/Motels/Banquets/Dhabas etc.
- iv. The Task Forces shall take action against the non-complying units as prescribed in ground level enforcement plan and submit the compliance report to Member Secretary, Haryana State Pollution Control Board.

**Place: Chandigarh
Dated: 05-01-2022**

**Arun Gupta, IAS
Principal Secretary to Govt. of Haryana,
Urban Local Bodies Department**

Endst. No. 9/1/2022-4CII

Date:- 07-01-2022

A copy of the above is forwarded to the following for kind information and necessary action please:

1. PS/CPS to CM for kind information of Hon'ble Chief Minister Haryana, Chandigarh.
2. PS/CS for kind information of W/Chief Secretary, Haryana.
3. PS to PSULB for kind information of W/PSULB.

Brado
Superintendent Committee-II
for Principal Secretary to Govt. of Haryana,
Urban Local Bodies Department

Endst. No. 9/1/2022-4CII

Date:- 07-01-2022

A copy of above is forwarded to following for information and necessary action:-

1. Additional Chief Secretary to Govt. Haryana, Power Department & Newand Renewable Energy Department.
2. Additional Chief Secretary to Govt. Haryana, Development and Panchayats Department.
3. Additional Chief Secretary to Govt. Haryana, Environment and Climate Change Department.
4. Additional Chief Secretary to Govt. Haryana, Town & Country Planning and Urban Estates Department.
5. Chief Executive Officer, GMDA/FMDA.
6. Principal Secretary to Govt. Haryana, Public Health Engineering Department
7. Director General of Police, Haryana.
8. Director, Fire Service Haryana.
9. Member Secretary, Haryana State Pollution Control Board.
10. All the Commissioners of Municipal Corporation in the State of Haryana.
11. All the Additional Deputy Commissioners in the State of Haryana.
12. All the District Municipal Commissioners in the State of Haryana.
13. All the Superintending Engineer, PHED posted at district level in the State of Haryana.
14. All the Superintending Engineer, UHBVN/DHBVN posted at district level in the State of Haryana.
15. All the Deputy Superintendent of Police posted at district level in the State of Haryana.
16. All the District Development & Panchayat Officer posted at district level in the State of Haryana.
17. All the District Fire Officer posted at district level in the State of Haryana.
18. All the District Town Planner posted at district level in the State of Haryana.

Brado
Superintendent Committee-II
for Principal Secretary to Govt. of Haryana,
Urban Local Bodies Department