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

OA No.164 of 2024

IN THE MATTER OF:

Varun Gulati ... Applicant
Versus
State of Haryana ... Respondent

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Date: 20/02/2025

Through


Bhupinder Singh
Regional Officer, HSPCB, Panipat


Rahul Khurana, Advocate
17, Central Lane, Babar Road,
Bengali Market
New Delhi
09811894060
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IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA No.164 of 2024

IN THE MATTER OF:

Varun Gulati	...	Applicant
	Versus	
State of Haryana	...	Respondent

Status Report on behalf of Haryana State Pollution Control Board, Panipat in compliance of order 06.11.2024

Most Respectfully Showeth:

1. That the above said matter was listed before this Hon'ble Tribunal on 06.11.2024, wherein following directions were passed by Hon'ble NGT-
"Learned Counsel appearing for the State of Haryana and HSPCB has admitted that till now no recovery of EC has been made. He has assured that the effective steps for compliance of the orders passed against Respondent No. 5 and 6 will be taken within a period of four weeks, and a compliance report will be filed immediately after four weeks."
2. That enhanced Environmental Compensation has been imposed of Rs.1,69,80,000/- beside Environment Compensation of Rs.1,79,10,000/- already imposed against M/s Ansal Properties & Infrastructure Ltd., Sushant City, Phase-I & Phase-II, Sector-19, Panipat vide No.I/255843/2024 dated 08.08.2024. The project proponent M/s Ansal Properties & Infrastructure Ltd., Sushant City, Phase-I & Phase-II, Sector-19, Panipat has partly deposited Environment Compensation amount of Rs.5,00,000/- and has submitted request letter for grant of time and permission to deposit the rest of environment compensation amount in installments and

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same has been sent to Competent Authority to take decision on the request made by the unit. Copy of enhanced Environment Compensation Orders is attached as **Annexure-A**.

3. That environmental compensation amount of Rs.5,47,50,000/- vide order No.I/257258/2024 dated 05.09.2024 had been imposed on unit M/s TDI Infratech Ltd., Sector 37 & 39, Village Kabri-Faridpur, Panipat but till date environmental compensation has not been deposited by the unit. Copy of EC Order is attached as **Annexure-B**.
4. That prosecution action has been taken against the above said defaulting projects by filing complaint in District Court, Panipat under the provisions of Water (Prevention and Control) Act, 1974 by HSPCB.
5. That proceeding to recover the Environment Compensation amount has been initiated against both the defaulting projects by Deputy Commissioner, Panipat. Summons had been issued to both defaulting units on 14.01.2025 and 17.02.2025 by Tehsildar, Panipat as per direction issued by Deputy Commissioner, Panipat to recover the Environment Compensation amount under Land Revenue Act. Copy of summons are attached as **Annexure-C & D**.
6. That the above status report is being submitted for kind consideration. It is undertaken to comply with the directions passed by the Hon'ble Tribunal.



Ajay Ahlawat, AEE
HSPCB, Panipat



Bhupinder Singh, EE
Regional Officer, HSPCB,
Panipat

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File No. HSPCB-0360024085PCB-HSPCB-45766 Computer No. 908073)

1/255843/2024

1/255843/2024

HARYANA STATE POLLUTION CONTROL BOARD
C-11 Sector-6, Panchkula
Ph - 0172- 577870-73, Fax No. 2581201
E-mail- hspcbho@gmail.com
Website: hspcb.org.in

Office Order

Whereas, Hon'ble National Green Tribunal (NGT) has issued directions to impose penalty on non-complying polluting units and to levy compensation on the principle of "Polluter Pays" to recover the Environment compensation for the restoration of environmental damages caused;

Whereas, the Hon'ble NGT in the matter of Paryavaran Suraksha Samiti & Ors. Vs Union of India & Parveen Kakkar & Ors. Vs MOEF & Ors. it was held that:

"11. Needless to say that it will be open to the SPCBs/Committees and CPCB to take coercive measure including recovery of compensation for the damage to the environment on "Polluter Pays" as well as also to direct taking of such precautionary measure as may be..."

Whereas, in 63rd conference of Chairmen and Member Secretaries of PCBs/Committees held on 18.03.2019 it was decided that SPCBs/PCCs may frame their guidelines on environmental compensation based on CPCB's report circulated in the agenda of the said meeting and to provide their inputs environmental compensation report;

Whereas, the Board has decided to adopt the methodology suggested by CPCB for assessment, imposing, collection and utilization environment compensation from the polluting units in the state of Haryana. Accordingly a policy was framed by the board vide order dated 29.04.2019 and dated 20.12.2019 in this regard, which have been superseded on 22.12.2021;

Whereas, the Board has constituted environment assessment compensation committee from time to time and presently the committee constituted vide order no. HSPCB/Estt./2023/4429-4437 dated 26.10.2023 is in force to assess the environment compensation of the units found operating in violation of the provisions of the environmental acts;

Whereas, the Regional Officer, Panipat vide his letter dated 06.06.2024 recommended the case for imposing environmental compensation penalty for violation of the environmental laws committed by M/s Ansal Properties & Infrastructure Ltd., Sushant City, Phase-I & Phase-II, Sector-19, Panipat and reported the violation during the inspection on 12.04.2024 about CTO granted to the unit has already expired on 31.03.2021 but the unit still has not obtained fresh CTO, STP was found non-functional, unit has not provided flow meter, separate energy meter on STP, STP of capacity 25 KLD provided by unit is not sufficient to cater the discharge of whole township, no sludge generation at time of inspection and unit has not submitted details regarding mode of disposal of sludge generated. The project proponent have not submitted the permission to discharge the effluent into HSVP sewer.

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File No. HSPCB/0808/2024 (Computer No. 908073)

1/255843/2024

1/255843/2024

The matter was placed before the Committee constituted for assessment of environmental compensation in it's meeting held on 16.07.2024 and the committee finalized environmental as Rs 1,69,80,000/- where PI=Pollution Index, N= No. of days of violation considered for for 566 days i.e 19.11.2022 (After date of environmental compensation already imposed up to 18.11.2022) to 06.06.2024 (date of recommendation for imposing environment compensation to Head Office) unit R = Factor in Rupees, S= Factor of scale, LF = Location Factor;

Therefore, M/s Ansal Properties & Infrastructure Ltd., Sushant City, Phase-I & Phase-II, Sector-19, Panipat is hereby directed to deposit Rs. 1,69,80,000/- (Rupees One Crore Sixty Nine Lakh Eight Thousand only) towards environmental compensation penalty for the damage caused to the environment, with the Haryana State Pollution Control Board in it's account no. 100053543757 having IFSC code no. INDB0000164 in INDUSIND BANK situated at Sector-9, Panchkula, within a period of 30 days, failing which unit shall be liable for action under the applicable provisions for non compliance of the directions of the Board.

Dated Panchkula, the
08-08-2024

P. RAGHAVENDRA RAO
CHAIRMAN

Endst.No. HSPCB/PLG/2024

Date:-

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

1. The Regional Officer, Panipat Region, Panipat.
2. Sr. Account Officer, HSPCB Panchkula.
3. M/s Ansal Properties & Infrastructure Ltd., Sushant City, Phase-I & Phase-II, Sector-19, Panipat.

Signed by

Vikas Chand

Date: 08-08-2024 13:25:42

Environmental Engineer (HQ)
For Member secretary

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File No. HSPCB-0500024-COORDINATION/REGISTRATION/STP (Computer No. 310344)

/25/258/2024

/25/258/2024

HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula

Ph - 0172- 577870-73, Fax No. 2581201

E-mail- hspcbplanning@gmail.com

Website: hspcb.org.in

Office Order.

Whereas, Hon'ble National Green Tribunal (NGT) has issued directions to impose penalty on non-complying polluting units and to levy compensation on the principle of "Polluter Pays" to recover the Environment compensation for the restoration of environmental damages caused;

Whereas, the Hon'ble NGT in the matter of Paryavarán Suraksha Samiti & Ors. Vs Union of India & Parveen Kakkar & Ors. Vs MOEF & Ors. it was held that:

"11. Needless to say that it will be open to the SPCBs/Committees and CPCB to take coercive measure including recovery of compensation for the damage to the environment on "Polluter Pays" as well as also to direct taking of such precautionary measure as may be...."

Whereas in the 63rd Conference of Chairmen and Member Secretaries of PCBs/Committees held on 18.03.2019 it was decided that SPCBs/PCCs may frame their guidelines on environmental compensation based on CPCB's report circulated in the agenda of the said meeting and to provide their inputs environmental compensation report;

Whereas, the Board has decided to adopt the methodology suggested by CPCB for assessment, imposing, collection and utilization environment compensation from the polluting units in the state of Haryana. Accordingly a policy was framed by the board vide order dated 29.04.2019 and dated 20.12.2019 in this regard, which have been superceded on 22.12.2021;

Whereas, the Board has constituted environment assessment compensation committee from time to time and presently the committee constituted vide order no. HSPCB/Estt./2023/4429-4437 dated 26.10.2023 is in force to assess the environment compensation of the units found operating in violation of the provisions of the environmental acts;

Whereas, the Regional Officer, Panipat vide his letter dated 26.04.2024 and 27.06.2024 recommended the case for imposing environmental compensation against the said unit. Hearing was given 13.08.2024 to the unit and Regional office. Regional Officer, Panipat was present during hearing but nobody attended the hearing from the unit's side. The Regional Officer, Panipat Region informed that the unit is a Township Development Project and is covered under the Red category under consent management system of the Board and is a large scale unit. The site was inspected by the then field officer Sh. Pardeep Singh, AEE and Joint Committee constituted by Hon'ble NGT on 12.04.2024 & 19.04.2024 and during inspection it was found that the unit was operating without obtaining prior CTO from the Board. Further, the CTE of the unit has expired on 25.09.2015 but the unit has neither got the CTE extended nor submitted compliance of condition of CTE and the unit has further started giving occupancy after completion/semi-completion of the project. STP of the unit was found non-operational at the time of inspection,

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फार्म माल

Form Mal No. 59

मिसल नं०

आरम्भ की तारीख निर्णय की तारीख
बाकीदार की हाजरी के लिए सम्मन
Summon for the attendance of defaulters Others

Palhatia c/o. Palhat

बहुकम तहसीलदार एवं सहायक क्लैक्टर द्वितीय श्रेणी पानीपत

मुकदमा वसूली जर बकाया $1,79,10,000 + 1,64,80,000 = 3,48,90,000$
बाबत वर्ष.....

गांव

बजिमा M/s. Ansal Properties

Infrastructure Ltd Sector-19 Phase-2-2
Palhat

जमादार तहसील

ऊपर लिखे बाकीदारों को रकम के सहित तारीख 30/01/2025 तक जमा
करने के लिए तहसील दफतर में बकाया रकम के साथ उपस्थित करें।

तारीख.....

मोहर.....

तहसीलदार एवं सहायक क्लैक्टर
Collector and Grade

द्वितीय श्रेणी पानीपत
14/1/2025

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फार्म माल 59

Form Mal No. 59

मिसल नं०

आरम्भ की तारीख

निर्णय की तारीख

बाकीदार की हाजरी के लिए सम्मन

Summon for the attendance of defaulters

HSPCB Panipat

बहुकम तहसीलदार एवं सहायक क्लैक्टर द्वितीय श्रेणी पानीपत

मुकदमा वसूली जर बकाया 1,69,00,000/बाबत वर्ष

गांव

बजिम्मा M/c Ordeal Properties

Infrastructure Ltd. Shubant city, Phase-1

Phase-II Sector-15, Panipat

जमादार तहसील

ऊपर लिखे बाकीदारों को रकम के सहित तारीख 07-03-2025 तक जमा करने के लिए तहसील दफ्तर में बकाया रकम के साथ उपस्थित करो।

तारीख.....

मोहर.....

Assistant Collector Head Office
 तहसीलदार एवं सहायक क्लैक्टर
 PANIPAT
 द्वितीय श्रेणी पानीपत

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प्रेषक :

तहसीलदार पानीपत

प्रेषित :

श्री

हल्का 42041

क्रमांक :

/लेखक दिनांक

विषय :

M/s Ansal Properties & Infrastructure
Ltd. Shushant City Phase - I & Phase - II,
Sector - 19, Panipat.

घल व अघल सम्पत्ति तसदीक बारे।

सन्दर्भ :

इस कार्यालय के पत्र क्रमांक...../लेखा दिनांक.....के सन्दर्भ में।

यादी :

विषयाधीन मामला में उक्त बाकीदार से बाबत H.S.P.C.B. के मुबलिक 1, 69, 80, 800/
 स्पये की वसूली प्रमाणपत्र बलैक्टर महोदय पानीपत से प्राप्त हुआ है बाकीदार को कई
 बार नोटिस जारी करने के उपरान्त भी बकाया राशि नहीं जमा करवा रहा है अतः आप
 उक्त बाकीदार की घल-अघल सम्पत्ति तसदीक करके रिपोर्ट एक सप्ताह के अन्दर-
 अन्दर इस कार्यालय में मिजवाना सुनिश्चित करें। बाकीदार की सम्पत्ति तसदीक होने
 की सूरत में उसकी कब्जा बारे रिपोर्ट भी दी जायें और बकाया राशि की वसूली भी
 करवायें।

12/02/25
 तहसीलदार, पानीपत

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Form Mal No. 59

हार्म माल

मिसल नं०

आरम्भ की तारीख

निर्णय की तारीख

बाकीदार की हाजरी के लिए सम्मन

Summon for the attendance of defaulters

other

Palkhedia, C.B. Raibhat.

बहुकम तहसीलदार एवं सहायक क्लैक्टर द्वितीय श्रेणी पानीपत

मुकदमा वसूली जर बकाया 1,79,10,000 बाबत वर्ष

गांव

वजिम्मा. m/s. Khural Properties

and Infrastructure Ltd. Sustant city sect 19.

Palkhedia

जमादार तहसील

ऊपर लिखे बाकीदारों को रकम के सहित तारीख 20/1/2023 तक जमा करने के लिए तहसील दफ्तर में बकाया रकम के साथ उपस्थित करो।

तारीख.....

मोहर.....

तहसीलदार एवं सहायक क्लैक्टर
Assistant Collector IIrd Gradeद्वितीय श्रेणी पानीपत
14/01/2023

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शक :

तहसीलदार पानीपत

पिठित :

श्री _____

हल्का परवारी _____

क्रमांक :

/ लेखक दिनांक

विषय :

M/s Ansal Properties & Infrastructure
Ltd Chandant City Phase-I & Phase-II
Sector-19, Panipat.

घल व अचल सम्पति तसदीक बारे।

सन्दर्भ : इस कार्यालय के पत्र क्रमांक _____ / लेखा दिनांक _____ के सन्दर्भ में।

यादी : विषयाधीन मामला में उक्त बाकीदार से बाबत H.S.P.C.R. के मुबलिक ₹. 29,90,000/- रुपये की वसूली प्रमाणपत्र रलैक्टर महोदय पानीपत से प्राप्त हुआ है बाकीदार को कई बार नोटिस जारी करने के उपरान्त भी बकाया राशि नही जमा करवा रहा है अतः आप उक्त बाकीदार की घल-अचल सम्पति तसदीक करके रिपोर्ट एक सप्ताह के अन्दर-अन्दर इस कार्यालय में निजवाना सुनिश्चित करें। बाकीदार की सम्पति तसदीक होने की सूरत में उसकी कम्पा बारे रिपोर्ट भी दी जायें और बकाया राशि की वसूली भी करवायें।

do
 तहसीलदार पानीपत
 17/02/2025

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फार्म माल 59

Form Mal No. 59

गिसल नं०

आरम्भ की तारीख

निर्णय की तारीख

बाकीदार की हाजरी के लिए सम्मन

Summon for the attendance of defaulters

..... H.S.P.C.B., Panipat

बहुकम तहसीलदार एवं सहायक क्लैक्टर द्वितीय श्रेणी पानीपत

मुकदमा वसूली जर बकाया ₹, 79,10,000/- बाबत वर्ष.....

गांव..... बजिम्मा M/S Ansal Properties &
Infrastructure Ltd. Shushant City Phase - I &
Phase - II, Sector - 19, Panipat.

जमादार तहसील

ऊपर लिखे बाकीदारों को रकम के सहित तारीख 06/03/2025 तक जमा करने के लिए तहसील दफतर में बकाया रकम के साथ उपस्थित करो।

तारीख.....

मोहर.....

तहसीलदार एवं सहायक क्लैक्टर
M/S Collection and Control
द्वितीय श्रेणी, पानीपत
17/02/25

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Form Mal No. 59

आरम्भ की तारीख निर्णय की तारीख
बाकीदार की हाजरी के लिए सम्मन
Summon for the attendance of defaulters

.....Balukin c/o P.A.P......

बहुकम तहसीलदार एवं सहायक कलेक्टर द्वितीय श्रेणी पानीपत

मुकदमा वसूली जर बकाया.....5,47,00,000.....बाबत वर्ष.....

गांव.....बजिमा M/s Tameja.....
Developer & Infrastructure Limited Village
Kabri Ferialpur Sect 37 & 39 Panchkula

जमादार तहसील

ऊपर लिखे बाकीदारों को रकम के सहित तारीख.....30/11/2025.....तक जमा करने के लिए तहसील दफ्तर में बकाया रकम के साथ उपस्थित करो।

तारीख.....
मोहर.....

तहसीलदार एवं सहायक कलेक्टर
Assistant Collector IIInd Grade
14/11/25 द्वितीय श्रेणी पानीपत

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फार्म माल 59

Form Mal No. 59

मिसल नं०

आरम्भ की तारीख

निर्णय की तारीख

बाकीदार की हाजरी के लिए सम्मन

Summon for the attendance of defaulters

H.S.P.C.B., Panipat

बहुकम तहसीलदार एवं सहायक क्लैक्टर द्वितीय श्रेणी पानीपत

मुकदमा वसूली जर बकाया 543,50,000/- बाबत वर्ष

गांव बजिम्मा M/s Tamefa Developer

L. Infrastructure Ltd. Vill Kaboi - Faridpur,

Sector 37 & 39, Panipat

जमादार तहसील

ऊपर लिखे बाकीदारों को रकम के सहित तारीख 06/03/2025 तक जमा करने के लिए तहसील दफतर में बकाया रकम के साथ उपस्थित करो।

तारीख.....

मोहर.....

तहसीलदार एवं सहायक क्लैक्टर

Assistant Collector (Ind. Gr.)

द्वितीय श्रेणी पानीपत

17/02/25

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प्रेषक :

सहस्रीलदार पानीपत

प्रेषित :

श्री

हल्का पटवारी

क्रमांक :

/लेखक दिनांक

विषय :

M/s Taneja Developer & Infrastructure
Vtd. Vill. Kabri - Faridpur, Sr. Wat - 37699
Panipat.

घल व अचल सम्पति तसदीक बारे।

सन्दर्भ :

इस कार्यालय के पत्र क्रमांक...../लेखा दिनांक.....के सन्दर्भ में।

यादी :

विषयाधीन मामला में उक्त बाकीदार से बाबत HSPCB के मुबलिक 5.47,50,000/- रुपये की वसूली प्रमाणपत्र वलैक्टर महोदय पानीपत से प्राप्त हुआ है बाकीदार को कई बार नोटिस जारी करने के उपरान्त भी बकाया राशि नहीं जमा करवा रहा है अतः आप उक्त बाकीदार की घल-अचल सम्पति तसदीक करके रिपोर्ट एक सप्ताह के अन्दर-अन्दर इस कार्यालय में भिजवाना सुनिश्चित करें। बाकीदार की सम्पति तसदीक होने की सुरत में उसकी कब्जा बारे रिपोर्ट भी दी जाये और बकाया राशि की वसूली भी करवाये।

[Signature]
 सहस्रीलदार पानीपत
 17/02/2025