

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

O.A. NO. 764/2018

**IN THE MATTER OF:**

M/s Kisan Udey Samiti

....Appellant

Versus

State of Haryana and ors.

....Respondent

**INDEX**

<b>Sr.No.</b>	<b>Particular</b>	<b>Page No.</b>
1.	Status Report	1-3
2.	Copy of letter dated 16.06.2020 by HSVP (Annexure-R/1)	4
3.	Copy of letter dated 30.09.2020 by HSVP (Annexure-R/2)	5
4.	Copy of Order dated 11.09.2020 passed by Hon'ble Supreme Court (Annexure-R/3)	6-8
5.	Copy of Order dated 22.09.2020 passed by Hon'ble High Court of Delhi (Annexure-R/4)	9
6.	Copy of letter dated 25.09.2020 by HSPCB (Annexure-R/5)	10

Date: 30/09/2020

Place: Sonapat

  
Regional Officer,  
Sonapat Region

Regional Officer  
Haryana State Pollution Control Board  
Sonapat Region, Sonapat

1

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

O.A. NO. 764/2018

**IN THE MATTER OF:**

M/s Kisan Udey Samiti

.....Appellant

Versus

State of Haryana and ors.

....Respondent

**Status Report on behalf of Haryana State  
Pollution Control Board through Regional  
Officer, Sonipat**

1. That as per direction of Hon'ble Tribunal 23.10.2019, a joint Committee comprising of representative of CPCB, MoEF & CC and IIT Delhi, was constituted to suggest realistic compensation apart from other action to be taken.
2. That the Joint Committee as constituted by Hon'ble NGT hold meetings on 21.11.2019 and 17.01.2020 with reference to the Methodology for assessing Environment Compensation and Action Plan to utilized the fund. Documents pertaining to the violating 06 Housing Societies were procured and Environment Compensation as mentioned in the table below is calculated and submitted to Hon'ble NGT on 22.02.2020.

Sr. No.	Name and address of the Project found violating during inspection by the Committee	Environment Compensation Recommended by Joint Committee
1.	M/s TDI Infrastructure Ltd. (TDI Kingsburry Apartment), G.T. Road, Sonapat	18,49,08,165/-
2.	M/s TDI Infrastructure Ltd., My Floor2, Sector 60, Sonapat	1,62,56,792/-

3.	M/s TDI Infrastructure Ltd., Tuscan City, Sector 58, Sonapat	11,42,02,841/-
4.	M/s CMD Built-Tech Pvt. Ltd., (Ushay Towers), Sector-61, Kundli, Sonapat	3,65,72,745/-
5.	M/s Parker Estate Development Pvt. Ltd. Sector-61, Kundli, Sonapat	4,70,88, 735/-
6.	M/s Narang Construction & Financieries Ltd., (Maxheight) Sector-62, Kundli, Sonipat	5,50,38,551/-

3. That prosecution action against all the Builders as mentioned in above table has been taken by filing complaint in Special Environment Court, Kurukshetra.
4. That no occupation/ completion certificate and fresh CTO is being issued in sector 58 to 64 by Town Country Planning Department and HSPCB.
5. That Haryana Shahari Vikas Pradhikaran (HSVP) submitted the time bound action plan for laying of sewer line to the existing 7.5 MLD STP at village RGC, Pattla. The work of laying of sewage line has been completed as informed vide letter dated 19.06.2020. The HSVP has issued letter to each colonizer operating in sector 58 to 64 for connection of sewage pipe line laid down by HSVP. Copy of letter dated 16.06.2020 issued by the HSVP is annexed herewith as **Annexure-R/1**. Sanction to 6 projects for sewer connection have been issued by HSVP as per report submitted dated 30.09.2020. The report is annexed herewith as **Annexure-R/2**.
6. That Town Country Planning, Department has floated DNIT for installation of new STP with capacity 15 MLD. The Construction of 15 MLD STP (Phase-I) near village Aterna for sector 58 to 64 Urban Estate Sonipat amounting to Rs. 32 Crore has been started and the work would likely to be completed by 31.12.2020 as informed by HSVP vide letter dated 19.06.2020.

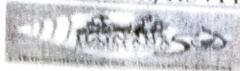
7. That these project proponents have not submitted Environment Compensation as imposed by Hon'ble NGT therefore letter dated 20.03.2020 has been send to Deputy Commissioner, Sonipat for recovery of Environment Compensation. Accordingly, Summon were issued by Tehsildar, Rai asking to deposit the Environment Compensation on 31.08.2020 as imposed by Hon'ble NGT.
8. That 02 projects i.e. M/s Parker Estate Developers Pvt. Ltd. and M/s Pardeshi Developers Pvt Lt. (M/s CMK M/s CMD Built-Tech Pvt. Ltd) filed Civil Appeal before Hon'ble Supreme Court of India. The order dated 11.09.2020 passed by Hon'ble Supreme Court is annexed herewith as **Annexure-R/3**. One Project M/s TDI Infrastructure Ltd. approached the High Court of Delhi by way of Writ Petition (Civil). Copy of order dated 22.09.2020 is annexed herewith as **Annexure-R/4**.
9. The projects as mentioned in above said table has submitted representation for the Compensation as imposed by Joint Committee constituted by Hon'ble NGT. The project proponents have been directed to submit interim compensation as imposed by Hon'ble NGT. The copy of letter dated 25.09.2020 is annexed herewith as **Annexure-R/5**.

The report is being submitted accordingly. It is undertaken that directions passed by this Hon'ble Tribunal shall be complied with sincerely.

  
Regional Officer,  
Sonipat Region

Date: 30/09/2020  
Place: Sonapat

Regional Officer  
Haryana State Pollution Control Board  
Sonapat Region, Sonapat



To,

The Superintending Engineer,  
HSVP Circle, Rohtak.193  
19/06/2020

Memo No. HDM/2020/ .....

Dated .....

**Subject:-** Second meeting Hon'ble NGT directions O.A. No. 764/2018 in the matter of Kissan Uday Samiti Vs State of Haryana before NGT PB New Delhi.

In this connection, it is submitted that for management of sewerage system in Sector - 58 to 64, U/E, Sonipat, the work for laying of sewer line in the left out reaches has been completed and linked with the existing 7.5 MLD capacity STP in Rajiv Gandhi Education City, Sonipat. The work for laying of 1100mm & 900mm i/d NP 4 pipe line of length 110 mtr & 640 mtr and the work for construction of sump well completed on 20.12.2019. The work was delayed due to non receipt of payment of acquisition of land by the farmers & directions received from EPCA vide his office letter No. EPCA-R/2019/L-52 dated October 31, 2019 & HSPCB letter No. HSPCB/Aircell /2019/2406-2418 dated 25.10.2019 in this office for which all the contractual agencies have been directed vide this office memo No. 9292-98 dated 31.10.2019 to stop all the construction activities at site immediately till further order and the construction work was closed upto 10.12.2019 as per instruction of NGT. The work for cleaning of existing sewer lines is in progress. The licensed colonizers have been requested to apply for sewer connection vide tis office letter No. 564-69 dated 20.01.2020, 1113-18 dated 06.02.2020 and 2002-07 dated 11.03.2020.

In addition to this, the work for the construction of STP of capacity 15 MLD (PH-I) Near Village - Aterna for Sector- 58 to 64, U/E, Sonipat amounting to Rs. 32.00 Crores has been started. The work would likely to be completed by 31.12.2020.

This is for your kind information and further necessary action, please..

FR  
ASSTT. CLERK  
19/6

Executive Engineer,  
HSVP Division, Sonipat

RO

Endst. No. HDM/2020/ ..... 3860

Dated 16.6.2020

A copy of the above is forwarded to the following for information & further necessary action, please:-

1. The Deputy Commissioner, Sonipat.
2. The Chief Engineer - I, HSVP, Panchkula.
3. The Regional Officer, Haryana State Pollution Control Board, Star Complex, Opp. General Hospital, Delhi Road, Sonipat.
4. The Sub Divisional Engineer, HSVP Sub Division No. II, Sonipat as per report supplied by him.

Executive Engineer

5

Annexure - R/19



OFFICE OF THE EXECUTIVE ENGINEER, HSVP DIVISION, SECTOR - 15, SONIPAT

xensonipat@gmail.com



0130 2233814



To

The Regional Officer,  
Haryana State Pollution Control Board,  
Star Complex, Opp. General Hospital, Delhi Road,  
Sonipat.

Memo No. HDM/2020/ ..... Dated .....

**Subject:- Second meeting Hon'ble NGT directions O.A. No. 764/2018 in the matter of Kissan Uday Samiti Vs State of Haryana before NGT PB New Delhi (Sanction of Sewer connection of licensed area).**

Please refer to your telephonic message received on dated 30.09.2020 on the subject cited above.

In this regard, it is intimated the work for connecting the sewerage effluent linked with the existing 7.5 MLD STP in RGEC was completed. The licensed colonizers of the area was requested vide this office letter No. 4186 -4196 dated 25.06.2020 to apply for sewer connection with complete documents. The colonizers have applied for sewer connection and further, this office has issued sanction of sewer connection to the following colonizers:-

S. No.	Name of colonizers	License No.	Sewer connection
1	M/s Ansal Properties and Infrastructure Ltd	48 to 55 of 2003 and 4 to 11 of 2004 for area 89.13 acres	1 No.
2	M/s Ansal Properties and Infrastructure Ltd	86 to 97 of 2004 and 128 to 131 of 2004 and 448 to 454 of 2006 for area 92.234 acres	1 No.
3	M/s TDI Infrastructure Ltd.	153 to 167 of 2004 and 183 to 228 of 2004 and 101 to 144 of 2005, 72 of 2012, 79 of 2008, 42 to 60 of 2005 for area 43.96 acres	1 No.
4	M/s Narang Construction & Financiers Pvt. Ltd	1262 to 1263 of 2006, 81 of 2010, 60 of 2011 for area 12.53 acres	1 No.
5	M/s Max Height Promoters Pvt. Ltd.	142 of 2014 for area 5.00 acres	1 No.
6	M/s Parker Builders Pvt. Ltd.	57-59 of 2007 for area 4.065 acres	1 No.

This is for your kind information and necessary action, please.

Executive Engineer,  
HSVP Division, Sonipat.

Dated .....

Endst. No. HDM/2020/.....

A copy of the above is forwarded to the following for information & further necessary action, please.

1. The Deputy Commissioner, Sonipat.
2. The Chief Engineer -I, HSVP, Panchkula.
3. The Superintending Engineer, HSVP Circle, Rohtak.
4. The Sub Divisional Engineer, HSVP Division No. II, Sonipat.

Executive Engineer,  
HSVP Division, Sonipat.

30.09.2020

ITEM NO.15 Court B (Video Conferencing) SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No(s).17702/2020

(Arising out of impugned interim order dated 23-10-2019 in OA No.764/2018 passed by the National Green Tribunal)

M/S PARKER ESTATE DEVELOPERS PVT. LTD. Petitioner(s)

VERSUS

KISSAN UDEY SANITI & ORS. Respondent(s)  
(With appls. for c/delay in filing appeal, exemption from filing c/c of the impugned judgment, stay application, exemption from filing affidavit, permission to file appeal, stay application)

WITH

Diary No(s). 18310/2020 (XVII)  
(With appls. for c/delay in filing appeal, exemption from filing c/c of the impugned judgment, stay application, exemption from filing affidavit, permission to file appeal, stay application)

Date : 11-09-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE HEMANT GUPTA  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Siddharth Dave, Sr. Adv.

Mr. Sumeer Sodhi, AOR

For Respondent(s) Mr. Anil Grover ,Sr.AAG HARYANA  
Ms. Noopur Singhal, Adv  
Mr. Rahul Khurana, Adv  
Mr. Satish Kumar, Adv  
Mr. Sanjay Kumar Visen, AOR

UPON hearing the counsel the Court made the following  
O R D E R



Permission to file appeal is granted.

Delay condoned.

While finding certain violations that were

committed by the appellant, Haryana State Pollution Control Board imposed interim environmental compensation of Rs.27,37,500 on the appellant in C.A.Diary No.17702/2020.

It is submitted by Mr. Sumeer Sodhi that the appellant in C.A. Diary No.18310/2020 has deposited the interim compensation amount of Rs.6,37,500/- imposed by the Haryana State Pollution Control Board.

In O.A.No.764 of 2018, Kissan Udey Samiti sought for remedial action for violation of environmental norms from the defaulters for not providing proper sanitisation and sewage system in constructing buildings in Sectors 58-64 at Kundli District, Sonapat. The National Green Tribunal ('the Tribunal') sought a report from the Chief Secretary of Haryana. The recommendations made by the Committee constituted by the State of Haryana was placed before the Tribunal. After perusing the report, the Tribunal imposed 2.5 crores as interim compensation.

The interim compensation was made subject to final determination of the compensation to be fixed by the State Pollution Control Board after hearing the Project Proponents. It is clear from the order passed by the Tribunal that appellants were not heard.

Issue notice returnable after eight weeks on

the condition that the appellant(s) shall deposit 50% of the interim compensation imposed on them before the Tribunal, with the Registry of this Court within a period of eight weeks.

However, the appellants shall appear before the State Pollution Control Board as directed by the Tribunal. The State Pollution Control Board shall give an opportunity to the appellants before passing a final order without being influenced by the interim compensation imposed by the Tribunal.

The recovery proceedings are stayed for a period of 8 weeks within which the amount of 50% of the interim compensation shall be deposited. In default, the recovery proceedings shall revive.

(Geeta Ahuja)  
Court Master

(Anand Prakash)  
Court Master

\$~22

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5906/2020 & CM Nos.21358/2020, 23466/2020**

TDI INFRASTRUCTURE LTD. .... Petitioner  
 Through Ms.Kanika Agnihotri, Mr.Amer Vaid,  
 Mr.Arjun Rekhi, Advs.  
 versus

KISSAN UDEY SAMITI & ORS. .... Respondents  
 Through Mr.Shiv Charan Garg, Adv. for R-1.  
 Mr.Anil Grover, Sr. Additional  
 Advocate General Haryana, Mr.Rahul  
 Khurana, Mr.Satish Kumar, Advs. for  
 R-2.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

% **22.09.2020**

This hearing has been held by video conferencing.

The learned counsel for the petitioner prays for leave to withdraw the present petition with liberty to challenge the order impugned before the Supreme Court in form of an appeal.

The petition alongwith pending applications are dismissed as withdrawn with liberty as prayed for.

**NAVIN CHAWLA, J**

**SEPTEMBER 22, 2020/Arya**



**HARYANA STATE POLLUTION CONTROL BOARD**

C-11, SECTOR-8, PANCHKULA

Ph. 0172-2577870-73 Fax No. 2581201

Email: hspcbcoordination@gmail.com

Website: hspcb.gov.in

FR  
AEE-III/AEE-IV/AEE-IV/SC-2  
JEE/ASSTT/CLERK

No. HSPCB/Coord. Cell/2020/

To

1203  
29/09/2020 Dated:-

RO

1. TDI Infrastructure Pvt. Ltd.,  
(For TDI Kingsburry Apartments, My Floor, Tuscan City)  
G.T. Road, Sonipat.
2. M/s CMD Built-Tech Pvt. Ltd. (Ushay Towers)  
Sector-61, Kundli, Sonipat.
3. M/s Parker Estate Developers Pvt. Ltd.,  
Sector-61, G.T. Road, NH-1, Kundli, Sonipat.
4. M/s Pardesi Developers Pvt. Ltd.,  
Ushay Towers, Sector-61, Village Rasoi, Sonipat.

**Subject: - Regarding representation submitted by the Group Housing Projects as mentioned in OA 764/2018 titled Kissan Uday Samiti Vs State of Haryana.**

In this connection, it is intimated that you had submitted the representation in compliance of NGT order dated 23.10.2019 through RO Sonipat but representation will only be considered after units deposit interim compensation. As directed by worthy Chairman, interim compensation as imposed by Hon'ble NGT in order dated 23.10.2019 of total amount of Rs. 22.5 crores on 06 no's of units, which is yet to be deposit by you at this stage.

In view of above, I have been directed by the competent authority to ask you deposit the interim compensation within 10 days positively, otherwise further necessary action will be taken against you.

Sr. Env. Engineer (HQ)

For Chairman

Dated:- 25/09/2020

Endst. No. HSPCB/Coord. Cell/2020/ 1891

A copy of above is forwarded to RO Sonipat for his letter no. 1237 dated 21.08.2020 for information and further necessary action.

Sr. Env. Engineer (HQ)

For Chairman

fms  
39701