

**SPEED POST**

F. No. 2906 / 1 / 01 / IPC-I / 2187

22 May 2019

To,  
The Chairman,  
Haryana State Pollution Control Board,  
C-11, Sector-6, Panchkula -134109,  
**HARYANA**

**Sub: Directions under Section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 – Industrial pollution in Panipat, Sonapat and Faridabad**

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the Pollution Control Boards/Committees is to plan a comprehensive programme for prevention, control and abatement of pollution of stream and wells in the concerned State/UT and to secure the execution thereof;

WHEREAS, the State Pollution Control Boards / Pollution Control Committees (SPCBs / PCCs) are required to ensure installation and regular operation of the requisite pollution control facilities in polluting industries;

WHEREAS, two applications - O.A. No. 639 of 2018 Shailesh Kumar Vs. State of Haryana and O.A. No. 624 of 2018 Gaurav Jain Vs. State of Haryana, have been filed before Hon'ble NGT regarding industrial pollution in Panipat & Sonipat areas and Faridabad area which is leading to ground water pollution in the areas due to discharge of effluent on land and illegal discharge of effluent into ground water by industries.

WHEREAS, vide orders dated 11.09.2018 and 12.09.2018 in O.A. No, 639 of 2018 and O.A. No, 624 of 2018 respectively, Hon'ble NGT directed for constitution of joint committees of CPCB, CWGA and District Administration concerned – to look into the allegations, monitor/take stock of the situation, prepare an action plan which be executed in a time bound manner, and for furnishing of reports of action taken within 3 months.



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WHEREAS, CPCB had issued closure directions in Panipat and Sonapat areas based on joint inspection carried out during May and June 2018 in the matter of another application in Hon'ble NGT and issued closure directions to 90 industrial units and subsequently the closure direction issued in respect of 60 units were revoked. Closure directions of most of the units were revoked subject to the condition that compliance verification shall be done by HSPCB within maximum 03 months. On not receiving verification reports reminder letter was issued vide letter dated 21.01.2019 to HSPCB.

WHEREAS, the joint committees submitted to Hon'ble NGT the report regarding Panipat & Sonapat areas on 10.12.2019, which mentioned that compliance of units whose closure directions have been revoked is yet to be verified, and submitted the report regarding Faridabad area on 11.12.2019. These reports were taken up on 08.03.2019 and Hon'ble NGT passed a common order in the two cases observing that 'the report (s) submitted by the Committee constituted in this matter does not list the non-complying units and no action taken against industries illegally extracting ground water has been specified' and directing CPCB that 'the gaps in be revisited under the supervision of the Member Secretary CPCB by a team of two Senior Officers nominated by the Member Secretary CPCB' and 'to also assess illegal drawl of ground water'.

WHEREAS, accordingly CPCB revisited the gaps in the previous reports of the joint committee and expressed in the review meeting held on 04.04.2018 in CPCB HO that the previous orders dated 11.09.2018 and 12.09.2018 in O.A. No. 639/2018 O.A. No. 624/2018 respectively, as clear form the latest common order dated 08.03.2019, required a final action taken report within 3 month which should have included the action plan as well as the action taken through its execution. CPCB therefore asked HSPCB and CGWB as below:

1. Haryana State Pollution Control Board shall verify the compliance status of all the industrial units related to O.A. No. 639/2018 and O.A. No. 624/2018 in respect of the allegations in the O.A.s (the verification should be based on fresh inspections i.e. inspections / joint inspections done after Hon'ble NGT orders dated 11.09.2018/12.09.2018) and the ATR will be provided to CPCB by April 30, 2019
2. CGWB shall issue further directions to the industrial units related to O.A. No. 639/2018 and O.A. No. 624/2018 which are abstracting ground water without requisite permission from CGWB/A within a week, failing which the bore-wells installed by all such industrial units will be sealed by CGWB/A and the ATR will be provided to CPCB by April 30, 2019.

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WHEREAS, CGWB has provided ATR vide letter dated 26.04.2019 and status of NOC as on 10.05.2019 by email, informing that letters dated 22.04.2019 have been written to concerned DCs for taking action against defaulter units.

WHEREAS, HSPCB has provided interim ATRs regarding Panipat and Sonapat areas vide letter dated 17.05.2019 and regarding Faridabad area vide letter date 20.05.2019 which show that compliance verification of units in the areas has not been completed and action is yet to be taken in most cases in which inspections have been carried out as samples results are awaited.

NOW, THEREFORE, in view of the above and in exercise of the powers conferred under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974, the following directions are issued to Haryana State Pollution Control Board (HSPCB) for compliance:

- (i) HSPCB shall verify compliance to the conditions of consent issued under Water Act, 1974 in the remaining 08 industrial units in Panipat & Sonapat areas and the remaining 38 industrial units in Faridabad area within 15 days and ensure follow up action against all non-complying units within 15 days thereafter.
- (ii) The industries which were found closed on their own or sealed or found not in operation as per the status enclosed with HSPCB letter dated 17.05.2019 and 20.05.2019 shall not be allowed to operate by HSPCB till compliance to the conditions of consent and directions issued under Section 5 of the E (P) Act, 1986 is ensured.
- (iii) HSPCB shall consider disposal of effluent of all the industries located in Sonipat & Panipat areas and Faridabad area through dedicated conveyance systems to the nearby existing CETPs. In case, existing CETPs' capacity is not adequate, HSIDC may upgrade the existing CETPs to adequate capacity or install CETPs of adequate capacity for ensuring treatment of all industrial effluents, in a time bound manner.
- (iv) As per CGWB, 47 out of 55 units in Panipat, 13 out of 34 units in Sonapat and 5 out of 8 units in Faridabad drawing ground water have not even applied for obtaining NOC (Annexure-I). HSPCB shall ensure action against all defaulter units by imposing deterrent environmental compensation from the date of commissioning for illegal drawl of water within 15 days in addition to the action being taken by CGWB through DCs.

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- (v) HSPCB shall review its present Policy for renewal of consents as well as periodic inspection of the industries for compliance verification as directed by Hon'ble NGT order dated 08.03.2019 in the matter of OA No. 639 of 2018 and OA 624 of 2018, to ensure regular operation of ETPs by industries in the state.
- (vi) HSPCB shall direct Municipal authorities in Panipat & Sonapat areas and Faridabad area to reassess the quality of ground water used for water supply through a reputed organization and in case the quality of ground water is not complying to the drinking water specifications of IS:10500-2012, then action shall be taken for sealing or capping of such tube wells immediately.

Haryana State Pollution Control Board shall submit compliance of the above directions within 15 days and final ATR after completing all actions within 01 month from the date of issue of these directions failing which action would be initiated under the provision of Environment (Protection) Act, 1986.

  
**(S. P. S. Parihar)**  
Chairman

Copy for information to:

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**UTTAR PRADESH**
3. DH - IPC-VI, CPCB, Delhi
4. ✓ DH - IT, CPCB, Delhi

  
**(Prashant Gargava)**  
Member Secretary