

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 624/2018

IN THE MATTER OF:

Gaurav Jain Vs. State of Haryana & Ors.

CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Present: Applicant: Mr. Narender Singh Yadav, Adv. and Mr. Gaurav Jain, Petitioner

| | Date and Remarks | Orders of the Tribunal | | | | | | | | | | | | | | | | | | | | | |
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| | Item No. 04 September 12, 2018 R | <p>1. In this application, prayer is to stop discharge of untreated trade effluents in the ground water through borewells by various industries at Faridabad which are mentioned as respondent nos. 6 to 59 in this application.</p> <p>2. According to the applicant, the said industries are discharging chemicals which are affecting the drinking water. According to the applicant, the water sample of Sector-7, Faridabad was got tested from M/s Standard analytical Laboratory (ND) Pvt. Ltd. and following results were found:</p> <table border="1" data-bbox="505 1602 1422 1876"><thead><tr><th></th><th><i>Results</i></th><th><i>Standard</i></th></tr></thead><tbody><tr><td><i>"Total Dissolve Solids (TDS)</i></td><td><i>4814</i></td><td><i>500</i></td></tr><tr><td><i>Calcium</i></td><td><i>519</i></td><td><i>75</i></td></tr><tr><td><i>Chloride</i></td><td><i>1895</i></td><td><i>250</i></td></tr><tr><td><i>Sulphate</i></td><td><i>950</i></td><td><i>200</i></td></tr><tr><td><i>Total Hardness</i></td><td><i>1512</i></td><td><i>200</i></td></tr><tr><td><i>Total Coliform</i></td><td><i>9/100m</i></td><td><i>Absent/100ml"</i></td></tr></tbody></table> <p>3. Either the industries are not running their ETPs or the ETPs are not functional. It is also possible that the pollutants are being injected in the ground water. Reference is also being made to News Items dated 17.04.2017 and 03.05.2017 in <i>Nav Bharat Times</i>, Faridabad.</p> <p>4. The applicant claims to have sent complaints to the</p> | | <i>Results</i> | <i>Standard</i> | <i>"Total Dissolve Solids (TDS)</i> | <i>4814</i> | <i>500</i> | <i>Calcium</i> | <i>519</i> | <i>75</i> | <i>Chloride</i> | <i>1895</i> | <i>250</i> | <i>Sulphate</i> | <i>950</i> | <i>200</i> | <i>Total Hardness</i> | <i>1512</i> | <i>200</i> | <i>Total Coliform</i> | <i>9/100m</i> | <i>Absent/100ml"</i> |
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| | <p>Item No. 04</p> <p>September 12, 2018</p> <p>R</p> | <p>Commissioner of Municipal Corporation, Faridabad. Applicant has also annexed documents titled "Check complaint status" showing that Municipal Corporation, Faridabad has received the complaint. According to letter of the State Public Information Officer, Municipal Corporation Faridabad, no action is required because 'Rainy well project' was under process to reduce the problem. The Haryana State Pollution Control Board vide a letter dated 27.09.2016 informed the applicant that 28 notices have been issued on the subject. Reliance has also been placed on Central Ground Water Board report with regard to the State of Haryana, showing the pollutants in the water. List of other polluting industries has also been filed. Applicant has also filed a copy of show cause notice issued by Haryana State Pollution Control Board under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and Section 31-A of Air (Prevention & Control of Pollution) Act, 1981 regard with the Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2016.</p> <p>5. Identical matter was dealt with by the Tribunal being Original Application No. 639/2018 titled as <i>Shailesh Singh Vs. State of Haryana & Ors.</i> vide order dated 11.09.2018.</p> <p>6. In view of above, we consider it necessary to constitute a joint team of representatives of Central Pollution Control Board, Haryana State Pollution Control Board, Central Ground Water Authority and District Administration concerned, to look into the allegations and monitor the situation. The coordinator will be the representative of the Central Pollution Control Board. The</p> |
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| | <p>Item No. 04</p> <p>September 12, 2018</p> <p>R</p> | <p>Joint Committee may hold its meeting within two weeks from today and take stock of the situation and prepare an action plan. The action plan may be, thereafter, executed in a planned time bound manner.</p> <p>7. Report of the action taken may be furnished to this Tribunal within three months from today by e-mail at <i>filing.ngt@gmail.com</i>.</p> <p>8. A copy of this order be sent to the concerned authorities for nominating the Members and taking further steps by e-mail.</p> <p>9. The application is disposed of.</p> <p>10. Put up for consideration of report on 26.02.2019.</p> <p>11. The applicant may furnish a set of papers to the above authorities for compliance.</p> <p>12. Needless to say that order of National Green Tribunal is binding as a decree of Court and non-compliance is actionable by way of punitive action including prosecution, in terms of the National Green Tribunal Act, 2010.</p> <p>....., CP (Adarsh Kumar Goel)</p> <p>....., JM (Dr. Jawad Rahim)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p style="text-align: right;">12.09.2018</p> |
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