

Item No.1

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 304/2023
(I.A. No. 313/2023)

Deepak Tripathi

...Applicants

Versus

State of Haryana & Ors.

...Respondents

Date of hearing: 03.05.2023.

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Ms. Mansi Chahal and Mr. S.A Zaidi,
Advocates.

**Application under Section 18 read with Sections 14, 15, 16 and 17 of the National
Green Tribunal Act, 2010.**

ORDER

1. The applicant has filed the present application under Section 18 read with Sections 14, 15, 16 and 17 of the National Green Tribunal Act, 2010 for directions *inter alia* to respondent no. 2-Haryana State Pollution Control Board (HSPCB) to shut down illegal and polluting industries which are operating in blatant violations of the environmental rules and norms in the residential area in Kapda Colony, Air Force Road, NIT, Faridabad, Haryana and imposition of environmental compensation on them.

2. The applicant has averred that respondents no. 6 to 18 are running unauthorized, illegal and polluting Power Press & Plastic Moulding industries in the residential area- Kapda Colony, Air Force Road, NIT, Faridabad, Haryana which are contributing to massive air & noise

pollution, which is proving detrimental to the public health and environment. Apart from the Respondents No 6 to 18-Industries, there are about 400-500 polluting industries which are operating in the residential area in Kapda Colony, NIT, Faridabad, in utter violations of the rules and norms. These industries have installed huge grinding machines which cause vibrations and extreme noise when operated. These industries have also installed diesel generators, which also contribute to the increasing levels of Air and Noise pollution. The applicant made several complaints to the concerned Authorities but no action has been taken so far.

3. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.

4. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of Haryana State Pollution Control Board (HSPCB), Commissioner, Municipal Corporation, Faridabad and Deputy Commissioner, Faridabad and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponents, verify the factual position and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponents. The State PCB will be the nodal agency for coordination and compliance.

5. Factual and Action taken Report may be submitted within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

6. List for further consideration on 21.08.2023.

7. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the HSPCB, Commissioner, Municipal Corporation, Faridabad and Deputy Commissioner, Faridabad by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 03, 2023
AG