

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH, BHOPAL
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.141/2023(CZ)

Omaxe Panorama City Villas Resident Welfare Society Bhiwadi	Versus	Applicant(s)
Omaze Limited		Respondent(s)

Date of hearing: 10.12.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s) : Mr. Vaibhav Mahajan, Adv. (in Virtual Mode)

For Respondent(s) : Mr. Shoeb Hasan Khan, Adv. for State of Rajasthan
(in Virtual Mode),
Mr. Sumeer Sodhi, Adv. for R-1 (in Virtual Mode),
Mr. Vaibhav Thakuria, Adv. for R-3&6 (in Virtual Mode),
Mr. Gigi C George, Adv. for R-4 (in Virtual Mode),
Mr. Raghav Agarwal, Adv. for R-5 (in Virtual Mode),
Mr. Yadvendra Yadav, Adv. for R-8

ORDER

1. Mr. Baibhav Mahajan, learned Counsel is present (in Virtual Mode) on behalf of the Applicant.
2. Mr. Raghav Agarwal, learned Counsel appearing (in Virtual Mode) states that he has instructions to appear on behalf of the Respondent No.5, Bhiwadi Integrated Development Authority. Learned Counsel may file his Vakalatnama by the next date of listing. He prays for and is granted four weeks time for filing his counter affidavit.
3. The Status Report has been filed through application dated 07.12.2024 by the Respondent No.1, Project Proponent M/s Omaxe Limited; the same is taken on record.
4. Mr. Vaibhav Mahajan, learned Counsel for the Applicant however submitted that there is no report from the Rajasthan Pollution

Control Board after the filing of the Status Report with regard to completion of the 1400 MLD capacity STP by the Respondent No.1, the Project Proponent. Learned Counsel submits that as per the RWA, though the STP is connected to the individual flats, the sewer lines are choked with reference to Villas and plots.

5. We, therefore direct the Rajasthan Pollution Control Board to inspect the site and file fresh Report.
6. Mr. Vaibhav Thakuria, learned Counsel appearing (in Virtual Mode) for the Rajasthan Pollution Control Board submits that the Board has carried out an inspection and will submit its Report within two weeks.
7. Mr. Vaibhav Mahajan, learned Counsel referring to the Joint Committee Report under the heading '**Observations**' at page 4 submitted that the Report further found that *"In compliance to directions of CAQM, dual fuel conversion of these D.G. Sets along with installation of RECD have not been provided by pp"*.
8. Mr. Sumeer Sodhi, learned Counsel appearing (in Virtual Mode) for the Respondent No.1, Project Proponent, may file his replies/objections to the "observations" in the Joint Committee Report referred to hereinabove.
9. Mr. Vaibhav Mahajan further referred to the 'Observations' at page 5 of its Report under the heading 'Observations' and submitted that the Joint Committee has *"observed that the water treatment plant was not operational and inadequate and Raw Ground Water without any primary filtration was stored in the water tank and supplied to the residents of the society directly. The digital flow meters fitted with the two bore wells were also not functional and there was no record of the quantum of ground water abstracted"*.

10. Mr. Mahajan further states that the Project Proponent has not provided any direct water connections and therefore RWA is dependent upon the extracted ground water for the water requirement of the residents of the Omaxe Panorama City Villas Resident Welfare Society, Bhiwadi.
11. Mr. Mahajan further referring to the reply filed by the Rajasthan Pollution Control Board submitted that the Pollution Control Board has itself stated that because of the repeated violations by the Project Proponent Consent to Establish (CTE) and Consent to Operate (CTO) have not been issued to the Project Proponent until the deficiencies are cured.
12. Mr. Sumeer Sodhi, appearing for the Respondent No.1 shall address this issue also in his reply.
13. **List on 22.01.2025.**

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B. Amit Sthalekar, JM

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Dr. A. Senthil Vel, EM

December 10, 2024,
Original Application No.141/2023(CZ)
SKB