

Item No.10

Court No. 1

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

M.A. No.74/2024

In

Original Application No. 614/2023

Amit Sharma

Applicant

Versus

Haryana Pond and Waste Water
Management Authority & Ors.

Respondent(s)

Date of hearing: 22.08.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: None

Respondent: None

ORDER

1. This MA has been registered on the basis of the report dated 19.04.2024 submitted under the Signature of Technical Advisor, Haryana Pond & Waste Water Management Authority(HPWWMA) in pursuance to the order of the Tribunal dated 11.10.2023 passed in OA No. 614/2023.

2. In that OA, grievance was raised about contamination of the water in the pond located in village Dhaliawas by alleging that human waste, household, sewage dumps, effluents and bio-wastage was flowing into the pond and contaminating its water.

3. Tribunal by the order dated 11.10.2023 had constituted the four member Joint Committee and had directed the Joint Committee to inspect the pond in question, get the water analysis report of the water of the pond and also ascertain the source of pollution in the pond and

submit a report. Direction of the Tribunal in this regard, in the order dated 11.10.2023 was as under:-

“XXX.....XXX.....XXX

4. *At this stage, we deem it proper to constitute a Committee comprising of the Secretary, Haryana State Pollution Control Board and concerned Superintending Engineer, Irrigation Department of State of Haryana, representative of Ground Water Department and Sarpanch of the Gram Panchayat, Dhaliawas. The Superintending Engineer will act as nodal agency. The Committee will inspect the pond in question, get the water analysis report of the water of the pond and also ascertain the source of pollution in the pond and submit a report within two months before Respondent- Chairperson, Haryana Pond & Waste Water Management Authority who will duly consider the report and ensure that the remedial measures are taken within three months of the receipt of the report. HPWWMA will send the action taken report before the Registrar General of the Tribunal within six months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. If found necessary, the matter will be listed before the Bench for consideration.”*

5. In terms of the above direction, no report has been submitted by Joint Committee. So called report dated 19.04.2024 is not under the signature of the Members of the Joint Committee nor does it reflect that the committee had visited the site or had ascertained the source of pollution in the pond or it had obtained the water analysis report of the water of the pond. Hence, order of the Tribunal has not been complied with.

6. Therefore, we again direct the Joint Committee to comply with the order of the Tribunal dated 11.10.2023 and submit the report within the extended period of eight weeks before the Registrar General of the Tribunal. If it is found necessary the matter will be listed for consideration before the Bench.

7. MA is accordingly disposed of.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 22, 2024
M.A. No.74/2024
JG.