

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.4729 of 1993 (O&M)

Date of decision: 07.08.2015

Gram Sudhar Samiti(Regd.) Khukhrana and ors.

...Petitioners

Versus

The State of Haryana and others

...Respondents

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CWP No.14931 of 1997

Date of decision:07.08.2015

Narain Singh and ors.

... Petitioners.

Versus

The State of Haryana and ors.

... Respondents

**Coram: Hon'ble Mr. Justice Satish Kumar Mittal
 Hon'ble Mr. Justice Harinder Singh Sidhu**

Present: Mr. S.K. Sud, Advocate
 for the petitioners in CWP No.4729 of 1993 and

 Mr. S.N. Saini, Advocate for the petitioner
 in CWP No.14931 of 1997.

 Mrs. Kirti Singh, DAG, Haryana

 Mr. Pritam Saini, Advocate

HARINDER SINGH SIDHU, J.

 This order shall dispose of aforesaid two writ petitions.

Gram Sudhar Samiti (Regd.) Khukhrana and ors, petitioners in CWP
No.4729 of 1993 and Narain Singh and others, the petitioners in
CWP No. 14931 of 1997, have sought directions to the respondents

to take suitable measures by providing adequate machinery/plants to stop environmental and water pollution caused by the Panipat Thermal Plant Panipat.

For disposal of the petitions, the facts are being taken from CWP No.4729 of 1993.

By filing the writ petition, the petitioners have prayed for directions to the respondents to take adequate measures to stop environmental and water pollution caused by the functioning of Panipat Thermal Plant. It has been stated that the Thermal Plant is emitting dust/fly ash in the environment beyond permissible limits. Accumulation of polluted waste water discharged by the said Plant has resulted in raising the water level creating health hazards. It was pleaded that the respondent-authorities has failed to discharge their statutory duty to prevent and control the pollution caused by the Panipat Thermal Plant.

From time to time different directions were issued by this Court and the respondent authorities were called upon to submit status /progress report with regard to measures taken to control the pollution caused by the Plant.

When this matter came up for hearing on 30.9.2014, the following order was passed:-

“The petitioners have filed this writ petition wherein it is prayed that respondents No.3 and 4 i.e. The Haryana State Electricity Board and the Panipat Thermal Plant Station be directed to take adequate measures for providing adequate machinery to stop environmental pollution and to stop the water pollution by construction of drains and also to remove the stagnant water and further to respondent No.1,2,5 and 6 to discharge their statutory duties.

This writ petition was filed way back in the year

1993. More than 21 years have elapsed since the filing of the writ petition. Therefore, we direct respondents No.3 and 4 as well as respondent No.5 to file their respective status reports as to the measures they have taken to stop the environmental pollution and also the measures taken for checking the water pollution. The status reports in this regard be filed before the next date of hearing.

List on 25.11.2014.”

The respondents 3 to 5 were directed to file status report indicating the measures they have taken to stop the environmental pollution.

Pursuant to the aforesaid directions, affidavit dated 24.11.2014 of Shri V.B. Bansal, Chief Engineer/Panipat Thermal Power Station, Panipat has been filed on behalf of respondent No.4. Status report by way of affidavit dated 26.5.2015 of Shri Bhupinder Singh, Regional Officer Haryana State Pollution Control Board, Panipat has been filed on behalf of respondent No.5.

In the status report annexed with the affidavit of respondent No.4, the various remedial measures taken by respondent No.4 to stop the water pollution have been listed. It has been stated that respondent No.4 has obtained ISO:9001(Quality Management System) ISO: 14001 (Environmental Management System) and ISO: 18001 (Occupational Health and Safety Management System) certificate for the Panipat Thermal Power Plant since 2009. All the eight units of the said Thermal Plant have been provided ESPs of latest technology with BAPCON Controllers. During the overhauling of units, major repair works, fine tuning of ESPs and complete checking of controllers and other allied components is done in presence of Original Equipment Manufacturer (OEM) i.e. Bharat

Heavy Electrical Limited (BHEL) so as to improve the efficiency of Boiler & ESPs. The necessary modification and repairs of ESPs are carried out during the scheduled shut down of the units and in addition to planned shut down the ESP's are also thoroughly checked/maintained during forced outage of plant even for a short period.

In the status report filed on behalf of respondent No.5, it has been stated that the unit has laid down 250 NB M.S. Pipe line alongwith the Assandh- Panipat road for drainage of water of village Khukhrana during the year 2014 and prior to this there was kaccha drain which ultimately reaches to drain No.08. It is also mentioned that the unit has installed 04 nos. of deep tube wells in the year 1995-96 in village Khukhrana to lower the water table and 05 nos. of shallow tube wells have been installed around ash dykes of unit 7 and 8 during the year 2013 -14 to lower the water table and are working satisfactorily. The unit has installed 03 Nos. of STPs each of capacity 25 KLD, 60 KLD and 150 KLD and 01 Nos. of ETP of capacity of 60 KLD to treat the domestic and trade effluent which are also working satisfactorily. The Panipat Thermal Power Station has also installed 08 nos. of unit to generate electricity and have installed 08 nos. of Electro Static Precipitator to control the air emission from the stack of the boilers and are working satisfactorily. The unit is working on clean fuel technology to reduce generation to fly ash by using imported washed coal and also installed sprinkler system to control dust emission arising out of the loading and unloading of coal.

In view of the aforesaid status reports filed on behalf of respondents No.4 and 5, we are satisfied that adequate measures have been taken to control the pollution.

Accordingly, no further directions are required at this stage and these writ petitions are disposed of.

(SATISH KUMAR MITTAL) (HARINDER SINGH SIDHU)
JUDGE JUDGE

August 07, 2015

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