

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

(Through Physical Hearing with Hybrid VC Option)
Original Application No. 346/2022

H.C. Arora

Applicant

Versus

State of Punjab & Ors.

Respondent

Date of hearing: 20.01.2023

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

Applicant: Ms. Suanina, Advocate (through VC).

Application under provisions of the National Green Tribunal Act, 2010.

ORDER

1. In compliance of order dated 21.09.2022 report of the Joint Committee has been submitted vide email dated 02.12.2022.
2. Objections/Rejoinder to the report of the Joint Committee has been filed by the applicant vide email dated 17.01.2023.
3. We have gone through the report of the Joint Committee. In the report of the Joint Committee reference has been made to analysis reports of water samples drawn from surface water and drinking water which are stated to be within the prescribed limits. However, the water samples drawn have been examined only with respect to the basic parameters and the water samples have not been examined for the presence of heavy metals. The Joint Committee is directed to get the surface and ground water samples collected from the affected place and to get the same analyzed for the presence of heavy metals.
4. The Application has been filed by PSPCB for waiver of costs imposed by this Tribunal vide order dated 21.09.2022 on the ground that due to

technical snag the email could not be retrieved on time. It was for the PSPCB to take appropriate steps for retrieving the emails in time and we do not find any plausible explanation for its non-compliance with order passed by this Tribunal regarding submission of the report of the Joint Committee. According the application for waiver of costs is dismissed. The PSPCB is directed to deposit the costs with the Punjab State Legal Services Authority within one month failing which the Punjab State Legal Services Authority shall be entitled to realize the same by filing an execution petition before Learned Civil Judge (Senior Division), Fazilka.

5. List for further consideration on 20.04.2023.

6. A copy of this order be sent to the Member Secretary, PSPCB for requisite compliance and also the Member Secretary, Punjab State Legal Services Authority for taking appropriate action for initiating of recovery proceedings in case of non-deposit of the costs by PSPCB with it within one month from the date of this order.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 20 2023
AG