

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI
(PRINCIPAL BENCH)

OA No. 1137 of 2024

Neelam Rani & Ors

..... Applicant

Vs

State of Punjab & Ors

..... Respondent

Additional reply of Er. Gurmit Singh, Environmental Engineer,
Punjab Pollution Control Board, Regional Office-3, Ludhiana on behalf of
respondent no. 3.

RESPECTFULLY SHOWETH:

Preliminary Submissions:

- 1) That the above-mentioned case is pending for adjudication before the Hon'ble National Green Tribunal and is listed for hearing on 15.04.2025.
- 2) That the respondent Punjab Pollution Control Board has filed replies dated 14.02.2025 and 17.03.2025 in compliance to order dated 10.02.2025 in the present case, but inadvertently some important facts relating to the case have been left out of the replies filed by the Board.
- 3) That the observations of the visiting officer during visit of the industrial unit on 05.06.2024 and subsequent compliances made by the industrial unit M/s Bharti Scientific Dyers, Rahon Road, Ludhiana were not mentioned inadvertently in the replies filed by the Board. The observations of the visiting officer during visit on 05.06.2024 and subsequent compliances observed by the visiting

officer during visit on 10.10.2024 are enclosed herewith in **Annexure-A** and the same may kindly be perused.

- 4) That considering the observations and recommendations made by the visiting officer after visit of the unit on 10.10.2024 (as explained in **Annexure-A**), the directions were issued by the Board vide letter no. 6387 dated 06.11.2024 to the following effect.

That the soft flow machines of total capacity 250 kg and cabinet machines of total capacity 300 kg installed by the industry be sealed, with immediate effect.

A copy of letter no. 6387 dated 06.11.2024 is enclosed as **Annexure-B**.

- 5) That thereafter on the application made by the industry, the Board has granted consent to operate to the industry under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 vide letter dated 07.11.2024 for a period of 06 months on temporary basis valid upto 06.05.2025 for the reduced discharge of 120 KLD for disposal of treated effluent onto land for plantation. Accordingly, the electricity connection of the industry was restored for a period of six months on temporary basis with the issuance of directions to the Punjab State Power Corporation Limited, Ludhiana vide letter no. 6397-6399 dated 07.11.2024. A copy of letter no. 6397-6399 dated 07.11.2024 is enclosed as **Annexure-C**.

- 6) That it is relevant to mention here that as per the policy of the Board the permanent restoration of electricity connection has to be made after adjudging the adequacy and efficiency of the treatment system of the concerned industrial unit on the basis of 3 effluent samples to be collected and drawn on different dates.

-  7) That however, after the restoration of electricity connection of the industrial unit vide the issuance of directions dated 07.11.2024 to

the Punjab State Power Corporation Limited, Ludhiana on the temporary basis, the industry was again found to be violating the environmental norms after the samples of effluent were drawn during the visit by the officer of the Board on 12.12.2024. Hence, the electricity connection of the industrial unit was again disconnected on 17.01.2025 without affording an opportunity of hearing. The sequence of events has been narrated by the Board in the reply dated 14.02.2025 and the said reply may kindly be read part of the present reply.

- 8) That the additional reply is hereby submitted for kind perusal and appropriate orders of this Hon'ble Tribunal.

Date: 11-04-2025

Place: Ludhiana

Deponent

ma
(Er. Gurmit Singh)
Environmental Engineer,
Punjab Pollution Control Board
Regional Office-3, Ludhiana

(On behalf of Respondent no. 3)

Verification:

Verified that the contents of paragraphs 01 to 07 of the above affidavit are true and correct to my knowledge as derived from the official record. Para No. 8 is prayer. No part of the above affidavit is false and nothing material has been kept concealed or suppressed therein.

Date: 11-04-2025

Place: Ludhiana

Deponent

ma
(Er. Gurmit Singh)
Environmental Engineer,
Punjab Pollution Control Board
Regional Office-3, Ludhiana

(On behalf of Respondent no. 3)

Observations of the visiting officer during visit on 05.06.2024 and the compliances made by the industry namely M/s Bharti Scientific Dyers, Rahon Road, Ludhiana.

S.No.	Observations of the visiting officer during visit on 05.06.2024	Compliances reported and verified by the officer during visit on 10.10.2024.
1	The industry was engaged in the process of dyeing of fabric as well as yarn	The process engagement is same but the industry was not in operation due to disconnection of its electricity supply.
2	The industry has installed 07 soft flow machines of total capacity 2100 i.e. (1 x 150 Kg), (5 x 300 Kg), (1 x 450 Kg) and 18 cabinet Machines of total capacity 1140 i.e. (2 x 30 Kg), (14 x 60 Kg) & (2 x 120 Kg) inside the premises.	The machinery installed was same but the recommendation was sent to the competent authority for the sealing of additional machinery before issuing electric supply restoration order.
3	The industry has installed an ETP for the treatment of effluent generated from the dyeing process. During the visit ETP was in operation and effluent sample was collected from the outlet of ETP and the same was sent to the Boards lab for analysis. As per analysis report, the concentration of various parameters outlet are pH= 8.3, TSS =96 mg/l, TDS = 1319 mg/l, COD = 102 mg/l, BOD =20 mg/l, O&G = 5.6 mg/l, Sulphide = 5.8, Phenolic Compound = BDL, Ammonical Nitrogen = 6.2, Total Chromium= BDL & Sodium Absorption Ratio= 6.5, As per the report the results of one parameter i.e. Sulphide (5.8) is found to be beyond the prescribed limit of 2.0.	All the component of Effluent Treatment Plant were found inline but Effluent Treatment Plant was not in operation due to disconnection of electric supply of the industry. In order to verify the effective operation and efficiency of the Effluent Treatment Plant, the restoration of electric supply was required. As such, it was recommended to the competent authority to restore electric connection of the industry temporary for the period of 06 month so that the functioning of the ETP could be verified after collection of effluent samples from the Effluent Treatment Plant within this period.
4	Treated effluent was being discharged onto land for plantation provided in 03 pockets having total area of about 1.5 acres. The plantation area was not maintained as per the Karnal technology as effluent was found stagnated in the entire plantation area in the shape of pond and most of the trees were fell down due to water logging. Wild growth of grass were also grown in the plantation area, plantation area was inadequate to manage	The industry has removed the stagnation, wild growth of grass and maintained plantation area as per the karnal technology. The industry had also increased its plantation area upto 1.7 acres after providing fresh sapling in vacant lying land inside the premises of the unit.

	the quantum of discharge.	
5	The industry has installed one boiler of capacity 7 TPH with water scrubber followed by dust collector as APCD and having stack of adequate height. During the visit industry was found using agro waste as fuel in its boiler and was emitting thick emissions from the stack. Air emission sample was also collected and as per the analysis report, concentration of SPM was found to be 751 mg/Nm ³ against the limit of 500 mg/ Nm ³ , hence was found beyond the prescribed limits.	The boiler and APCD was same, but the functioning of APCD could not be verified due to the disconnection of the electric connection of the industry. In order to verify the effective operation and efficiency of the APCD, the restoration of electric supply was required. As such, it was recommended to the competent authority to restore electric connection of the industry temporary for a period of 06 month so that the functioning of the APCD could be verified and adjudged after collecting air emission sample from the stack after APCD within this period.
6	The estimate generation of effluent from the installed machinery is much more than the discharge for which the industry had obtained consent to operate of the Board, therefore the plantation area developed by the industry was not adequate to manage the quantum of discharge.	The industry has removed stagnation and maintained the plantation area as per karnal technology. The industry has also increased the plantation area upto 1.7 acres by providing saplings in the vacant area within the industrial premises. In view of these facts, the recommendation was made to the competent authority to reduce the allowed discharge of the industry from 200 KLD (previously granted consent) to 120 KLD which was found adequate for the plantation area maintained by the industry. It was further recommended to seal the additional machinery installed by the industry, which is responsible for the surplus discharge before restoration of electricity connection.
7	From the above facts, it is clear that the industry has installed much more machinery than the required and is having not adequate arrangements for the disposal of its entire waste water, as such, the industry is violating the provisions of the Water Act, 1974 and Air Act, 1981.	Recommendation was made to the competent authority to allow 120 KLD discharge of the industrial unit in view of the plantation area being maintained by the industry as explained above.

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ਨਵੀਂ ਡਾਕ ਜੂ. ਵਾਤਾ ਇੰਜੀ

Annexure-B



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ ਤਾਇਰੀ ਨੰ 263/16
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, E-648-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana
E-mail: seezo2ldhppcb@yahoo.com Ph No. 0161-2670141

No. PPCB/SEE/ZO-2/LDH/2024/.....

Regd.

Dated

To

M/s Bharti Scientific Dyers,
Rahon Road, Meharban,
Ludhiana.



Sub: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.

Whereas, it is mandatory on part of the industry to obtain 'consent to establish' (NOC) u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, it is also mandatory on part of the industry to obtain consent to operate an outlet u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 for discharge of effluent from its premises.

And whereas, it is also mandatory on the part of the industry to provide adequate & appropriate pollution control arrangements to bring down the concentration of various pollutants within the permissible limits prescribed by the Board.

And whereas, the industry is a dyeing unit and was granted consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOA/Renewal/LDH3/2021/14307668 dated 25.07.2021 and Air Act, 1981 vide no. CTOA/Renewal/LDH3/2021/14307652 dated 10.02.2021 for the dyeing of yarn @ 1000 kgs/day & dyeing of cloth @ 1500 kg/day with disposal of trade effluent @ 200 KLD onto land for plantation after treatment through ETP and domestic effluent @ 2.0 KLD onto land for plantation after treatment through septic tank, which are valid upto 30.06.2025.

And whereas, now, the industry has applied for varied consent to operate under the Water Act, 1974 & Air Act, 1981 for dyeing of yarn @ 1000 kgs/day & dyeing of cloth @ 1500 kgs/day with disposal of trade effluent @ 120 KLD onto land for plantation after treatment through ETP and domestic effluent @ 2.0 KLD onto land for plantation after treatment through septic tank

And whereas, the industry was visited by officer of the Board on 10.10.2024 and it was observed that the industry had installed 07 soft flow machines of total capacity 2100 i.e. (1 x 150 Kg), (5 x 300 Kg), (1 x 450 Kg) and 18 cabinet Machines of total capacity 1140 i.e. (2 x 30 Kg), (14 x 60 Kg) & (2 x 120 Kg) inside the premises.

And whereas, the estimate generation of effluent from the installed machinery for the operation of unit has been calculated and it has been observed that the industry is generating 40 KLD additional effluent which can be utilized onto land for plantation as per the established

hydraulic loading. Thus, the machinery responsible for generating additional effluent is required to be sealed.

And whereas, the matter was considered by the Competent Authority of the Board and it has been decided to issue directions u/s 33- A of Water (Prevention & Control of Pollution) Act, 1974 to seal soft flow machines of total capacity 250 Kg and cabinet machines of total capacity 300 kg installed by the industry

Now, therefore, the Competent Authority of the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988, issues the following directions:

"That, the soft flow machines of total capacity 250 Kg and cabinet machines of total capacity 300 kg installed by the industry be sealed, with immediate effect"

In case of failure to comply with the above said directions, you are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.

Endst. No. 6388

sd/-
For and on behalf of
Punjab Pollution Control Board
Dated 06/11/94.

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information and necessary action. He is directed to seal soft flow machines of capacity 250 Kg and cabinet machines of capacity 300 kg installed by the industry. He is also directed to submit report regarding effective compliance of above said directions, within 3 days positively.

[Signature]
For and on behalf of
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, E-648-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana
E-mail: seezo2ldhppcb@yahoo.com Ph No. 0161-26701-11

No. PPCB/SEE/ZO-2/LDH/2024/..... Regd. Dated



- 1) The Chief Engineer (DS-Central)
Punjab State Power Corporation Limited,
Opp. PAU, Ferozpur Road, Sarabha Nagar, Ludhiana- 141001.
- 2) The Superintending Engineer (DS-West Circle),
Punjab State Power Corporation Limited,
Opp. PAU, Ferozpur Road, Sarabha Nagar, Ludhiana-141001.

ਸ਼ਾਹੀਅਰ ਸਰਾ/ਸਸ ਕਲਰਕ/ਡੀ.ਓ.ਓ.ਸਰਾ ਵਾਤਾ ਇੰਜੀ
ਨਵੀ ਡਾਕ ਜੂ. ਵਾਤਾ ਇੰਜੀ
ਵਾਤਾ ਇੰਜੀ
ਤਾਇਰੀ ਨ 2738 ਮਿਤੀ :12/11/24

Subject: Directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987 - M/s Bharti Scientific Dyers, Rahon Road, Meharban, Ludhiana.

Reference: This office letter no. 5148-49 dated 16.08.2024.

It is intimated that vide above referred letter, earlier, directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 were issued for disconnection of supply of the electricity available to the premises of the subject cited industry.

Now, the Competent Authority of the Board has decided to restore the electric supply of the subject cited industry temporarily for six months i.e. upto 06.05.2025 with immediate effect.

As such, you are, hereby directed u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987 to comply with the following directions:

"That authorities concerned shall restore the electric supply of the subject cited industry temporarily for six months i.e. upto 06.05.2025, with immediate effect."

Failure to comply with the above said directions, shall make the PSPCL authorities and officers concerned liable for action u/s 37 of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987.

Sd/-
For and on behalf of
Punjab Pollution Control Board
Dated _____

Endst.No. _____

A copy of the above is forwarded to M/s Bharti Scientific Dyers, Rahon Road, Meharban, Ludhiana. This restoration is subject to special conditions mentioned in the consent granted under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CIOA/Fresh/LDH3/2024/27101443 dated 07.11.2024.

Sd/-
For and on behalf of
Punjab Pollution Control Board
Dated 07/11/24

Endst.No. 6399

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information and compliance. He is directed to ensure the effective compliance of above said directions and submit report within 3 days positively.

Sd/-
For and on behalf of
Punjab Pollution Control Board