

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

ORIGINAL APPLICATION NO. 470 OF 2023

IN THE MATTER OF:

Public Action Committee & Ors.

...Applicants

Versus

State of Punjab & Ors.

...Respondents

INDEX

S. No.	PARTICULARS	PAGE No.
1.	Affidavit in Compliance of order dated 06.02.2024 and Rejoinder in Response to the Reply filed by the Respondent No. 5 – Amar Color Chem India, on behalf of the Applicant No. 6	3-15
2.	ANNEXURE A – 1 Photographs showing the expansion work carried out by the Respondent No. 5 from January 2020 till March 2021	16-22
3.	ANNEXURE A – 2 Photographs showing discharge of green colored water through the boundary walls of the Respondent No. 5 unit on 25.02.2021 and 26.02.2021	23-25
4.	ANNEXURE A – 3 True copy of the letter dated 18.01.2022 issued by the Punjab State Power Corporation Ltd. (PSPCL) to the PSPCB	26-27

5.	ANNEXURE A - 4 True copy of the order dated 22.04.2022 passed by the Health Officer, Municipal Corporation, Amritsar	28-29
6.	ANNEXURE A - 5 True copy of the Revocation of consent to operate dated 12.01.2024 issued by the Punjab Pollution Control Board	30-33
7.	ANNEXURE A - 6 True copies of the emails issued by the Applicant No. 6 regarding pollution being caused by the Respondent No. 5 industry	34-46
8.	Proof of Service	47

Through



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New Delhi
Dated: 09.04.2024

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

ORIGINAL APPLICATION NO. 470 OF 2023

IN THE MATTER OF:

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**AFFIDAVIT IN COMPLIANCE OF ORDER DATED 06.02.2024 AND
REJOINDER IN RESPONSE TO THE REPLY FILED BY THE
RESPONDENT NO. 5 – AMAR COLOR CHEM INDIA, ON BEHALF OF
THE APPLICANT NO. 6**

I, Davinder Pal Singh S/o Sh. S. Rajinder Singh R/o 249, Basant Avenue, Race Course Road, Amritsar, the Original Applicant No. 6 in the captioned matter do solemnly affirm and declare as under:



I am the Applicant No. 6 in the captioned Original Applicant and am therefore conversant with the facts of the present case and to depose the present Affidavit.

2. The present Affidavit is being filed on behalf of Applicant No. 6 to the Reply filed by the Respondent No. 5 – M/s Amar Color Chem

India and also in compliance of the order dated 06.02.2024 passed by this Hon'ble Tribunal.

3. The present Affidavit is not a detailed para-wise response to the contentions raised by the Respondent No. 5, however, the Applicant No. 6 seeks liberty to file a detailed parawise response to the Reply filed by the Respondent No. 5, if required at a later stage, with prior permission of this Hon'ble Tribunal.
4. At the outset, it is submitted that the objections raised by the Respondent No. 5 in its Reply are completely baseless, misleading and unsubstantiated, hence, the same are vehemently denied.
5. The present Rejoinder cum compliance Affidavit highlights the following aspects –
 - i. The industry operates even when it is directed not to operate through other electricity connections;
 - ii. The industry is using non-consented fuel;
 - iii. The industry does not have consent to extract ground water but is continuing to do so through a bore well;
 - iv. The Department has not calculated and imposed Environmental Compensation despite flagrant violations of environmental norms;



- v. The Industry has not taken Environmental Clearance despite having undergone expansion in 2021-2022;
 - vi. The Industry has kept various hazardous chemicals in their premises such as Acetic Acid, Sulphuric Acid, Oxalic Acid without obtaining valid registration or permission for trading these Chemicals at the adjacent textile units.
 - vii. Permission under the Hazardous and Other Wastes (Management, and Trans Boundary Movement) Rule, 2016 has not been obtained by the Industry;
 - viii. The Industry has not installed adequate firefighting arrangements;
 - ix. The capacity which the industry is permitted to operate is being violated since the industry itself claims that it has the capacity to manufacture 2500 MT annually, i.e. about 35 times more than has been stated in the Reply and infact has a turnover of INR 100 to 500 Crores;
 - x. Innumerable complaints made by the Applicant regarding the continuous illegal emissions and operations without consent and in violation of directions issued by the PCB;
 - xi. No Audit report from IIT Delhi as required by the last Consent to Operate;
 - xii. Health Officer, Municipal Corporation found discharge into sewage which is completely impermissible;
 - xiii. The overall hygiene in the Industry is not up to the mark; and
 - xiv. The Industry is not provided any protective gear to its employees.
6. The Respondent No. 5 has duly admitted in its Reply that the said unit was established in 1996 and was engaged in procuring dyes in



powder form from units manufacturing dyes for carrying out mixing and blending process of pure form of dyes to get standardized dyes of desirable purity which is needed by textile units. It is submitted that the Respondent No. 5 has not placed on record all requisite permissions and sanctions obtained by the said unit over the course of its operations to substantiate as to whether its operations were legal and in consonance with prescribed laws.

7. Further, the Respondent No. 5 has attempted to explain the process of working of its unit and has specifically stated that no evaporation of the material is being made in the environment. It is submitted that there are several images and videos showing emission of dark grey smoke through the chimney as well as fugitive fumes being released from various unspecified places in the unit of the Respondent No. 5, which clearly evince emission of polluted smoke into the environment without any and/or adequate treatment.



8. The Respondent No. 5 has also raised an objection qua the locus of the answering Applicant by stating that the captioned Original Application, as well as several false complaints have been made against the Respondent No. 5 unit, due to professional rivalry. However, the Reply dated 28.11.2023 and the documents annexed

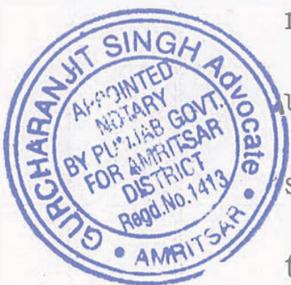
thereto, filed by the Punjab Pollution Control Board (PPCB) clearly evince that the unit of the Respondent No. 5 has been found violative of environmental norms on several occasions, which also resulted in numerous disconnection of electricity orders as well as revocation of the Consent to Operate of the said unit. Additionally, the unit of the Applicant No. 6 is also situated in neighboring area and the constant emissions from the unit of the Respondent No. 5 are causing severe breathing problems to the Applicants as well as all other persons coming in contact with the said emissions. Hence, the Applicants have locus to file the captioned Original Application seeking issuance of appropriate directions against the activities being carried out by the Respondent No. 5 unit in complete contravention to the environmental norms and prescribed standards.



9. Additionally, certain expansions have been carried out by the Respondent No. 5 unit without obtaining any permission for the same, which is in violation of the provisions of the Environment Protection Act, 1986. Reliance is placed on the order dated 07.05.2021 issued by the PPCB whereby the consent to operate was revoked which records that expansion work was observed during the earlier visits, and the same was being carried out without obtaining

any prior permission. However, till date, no action has been taken by the PPCB with regard to the said expansion carried out by the Respondent No. 5. It is now well settled that prior Environmental Clearance is also required to be taken for the industry in case there is a change in technology or expansion. Photographs showing the expansion work carried out by the Respondent No. 5 from January 2020 till March 2021 are annexed herewith and marked as **ANNEXURE A – 1**. Photographs showing discharge of green colored water through the boundary walls of the Respondent No. 5 unit on 25.02.2021 and 26.02.2021 are annexed herewith and marked as **ANNEXURE A – 2**.

10. Further, it is stated that the Authorities ought to inspect and gather information from the Goods and Service Tax (GST) department regarding the purchases and sale made by the Respondent No. 5 unit. The above shall be relevant since the Respondent No. 5 has stated in a written Representation made to the Chief Minister's office that it has a turnover of more than INR 100 Crores and employs about 160 workers, thus seeking a political favor for resumption of operations, while in reality they have declared that they manufacture about 100 kgs. of green as well as 100 kgs. of red color dyes, which in effect means that actual facts have been



misrepresented and concealed from appropriate authorities. This would further substantiate the quantum and types of products being purchased and sold by the said unit. Additionally, the PPCB may be directed to assess and impose environmental compensation after taking into consideration all invoices submitted by the polluting unit with the GST department which would give a clear picture of purchase as well as quantum of usage of hazardous chemicals which could be used to assess the pollutants being released and the extent of pollution being caused by the Respondent No. 5 unit. Additionally, the PPCB ought to take into account the material balance statement from the concerned authority, including certified copies of sale and purchase from the GST Department for the period 2019 to 2023 to correctly assess the quantum of material purchased/sold by the Respondent No. 5 unit. The Unit in question has been operating in excess of the permissible capacity which is evident from the turnover reflected in their own advertisement on internet and would further be fortified from the records of the GST Department.

11. As per the various inspection reports, electricity disconnection orders, and imposition of environmental compensation by the PPCB in the past, it is abundantly clear that the Respondent No. 5 unit is



certainly not a non-polluting unit and numerous violations have been found by the authorities in the past. It is also submitted that the unit of the Respondent No. 5 has multiple electricity connection(s), either in its own name or some other name, which were being used while one of the electricity connections were ordered to be disconnected by the PSPCL, and the said unit was operating using the said alternate electricity connection(s). The above fact has also been reported by the PPCB in its earlier observations and inspections reports, which form part of the record of the present case. The PPCB ought to be directed to obtain an electricity consumption report from the electricity department for all connections in the unit of the Respondent No. 5 to assess the consumption during the periods when the electricity connection was disconnected by the said department. This would reveal that the Respondent No. 5 unit was carrying out its operations even during disconnection of electricity orders were in effect against the said unit. Vide letter dated 18.01.2022 issued by the Punjab State Power Corporation Ltd. (PSPCL) to the PPCB, it has been specifically stated that the Respondent No. 5 unit was operating even when the electricity connection in the name of the said unit was disconnected. It also records that during an inspection on 14.01.2022, one more connection was found operational by the Respondent No. 5 on the



adjoining plot bearing No. 26-A, Focal Point, Amritsar and both the said plots were joint internally. True copy of the letter dated 18.01.2022 issued by the Punjab State Power Corporation Ltd. (PSPCL) to the PPCB is annexed herewith and marked as **ANNEXURE A - 3.**

12. Further, the Respondent No. 5 has stated in its Reply that the said industry is working on Zero Discharge, however, it is evident from the various inspection reports filed by the PPCB that yellow colored water was found spread on the floor of the industry on multiple occasions and therefore, the said unit is not working as a Zero Discharge industry. Additionally, the above fact is also fortified by the contract for sludge discharge placed on record by the Respondent No. 5 as Annexure R-16 alongwith its Reply. The above is further substantiated by the order dated 22.04.2022 passed by the Health Officer, Municipal Corporation, Amritsar, which records that as per the report of the Area Sanitary Inspector, colored water is being discharged in the sewerage by the Respondent No. 5 unit. True copy of the order dated 22.04.2022 passed by the Health Officer, Municipal Corporation, Amritsar is annexed herewith and marked as **ANNEXURE A - 4.**



13. Further, the last Consent to Operate granted to the Respondent No. 5 on 27.06.2023, contained Special Condition No. 1 that the industry shall get an environmental audit regarding adequacy of the effluent treatment plant, air pollution control devices installed for control of fugitive emissions from various processes, from IIT Delhi within three (3) months. It is stated that no evidence has come forth from the Respondent No.5 elaborating compliance of the said condition till date. The PPCB ought to be directed to take note of the same and take appropriate action against the Respondent No. 5 industry.

14. Even further, the PPCB has noted in its earlier inspection reports that the Respondent No. 5 unit has been extracting ground water without obtaining any permission from the ground water authorities. The PPCB ought to obtain a report from the Municipal Corporation with regard to consumption of water by the Respondent No. 5 unit, which would further highlight that the operations of the said unit could not be carried out with that amount of water and the shortfall was being met through illegal extraction of ground water. While calculating environmental compensation, the concerned authority must take into account the actual water consumption not of the permissible production capacity but the capacity at which the



unit operates to be able to fulfill the quantities indicated by the industry in its own advertisement and the conversely calculated production capacity on the basis of the GST returns filed.

15. The constant violation of the conditions of the consent to operate by the Respondent No. 5 has resulted in Revocation of the consent vide order dated 12.01.2024 issued by the Punjab Pollution Control Board which records multiple violations therein. The said revocation order also records that during a visit as recent as 08.12.2023, pungent odor was being released from the adjoining unit. Information was also sought by the PPCB from GSPL regarding consumption of PNG by the industry for the last 6 months, in response to which, an email dated 11.12.2023 was sent by GSPL stating that as per records maintained, consumption of PNG was zero from 24.09.2023 till 30.11.2023. It further notes that the industry is not using PNG in its boiler and is using non-consented fuel. This is another violation on the part of the Industry. True copy of the Revocation of consent to operate dated 12.01.2024 issued by the Punjab Pollution Control Board is annexed herewith and marked as **ANNEXURE A - 5**.



16. It would not be out of place to mention that despite issuance of the aforesaid revocation order dated 12.01.2024, the Respondent No. 5 unit has been operating its unit at odd hours and is continuously causing air pollution, in blatant abuse of the law and complete disregard to the present proceedings. There have been multiple occasions after 12.01.2024 that the Applicant was constrained to intimate the concerned authorities regarding operation of the Respondent No. 5 unit. True copies of the complainants/emails issued by the Applicant No. 6 regarding pollution being caused by the Respondent No. 5 industry are collectively annexed herewith and marked as **ANNEXURE A - 6 (Colly)**.

17. Hence, in view of the above, and a perusal of the multiple inspection reports of the PPCB, it is stated that the Respondent No. 5 industry is a highly polluting industry, and has complete disregard to environmental norms and parameters laid down by the Environment Protection Act, Air Act, Water Act, the Pollution Control Board as well as this Hon'ble Tribunal from time to time. Therefore, it is prayed that this Hon'ble Tribunal may be pleased to direct permanent closure of the Respondent No. 5 industry and further direct the Pollution Control Board to assess and impose environmental compensation, after taking into consideration all



relevant facts mentioned in the Original Complaint, the present Affidavit as well as the multiple inspection reports placed on record by the PSPCB.

18. The contents of the present Affidavit have been read by me and I have understood the same. No part of the Affidavit is false and nothing material has been concealed therefrom.

19. I state that the annexures filed alongwith the present Affidavit are true copies of their originals.



[Handwritten Signature]
DEPONENT

VERIFICATION

Verified at Amritsar on this the 08th day of April, 2024 that the contents of the foregoing affidavit are true and correct to the best of my knowledge and belief. Nothing stated therein is false and nothing material has been concealed therefrom.

Attested as Identified

[Handwritten Signature]
GURCHARANJIT SINGH, Advocate
Notary Dist. Courts, Amritsar Pb

[Handwritten Signature]
DEPONENT

X 8 APR 2024



26 th Feb 2020

Wednesday • 26-Feb-2020 [Adjust](#)
• 10:04 AM

IMG_8016

Apple iPhone 11 Pro Max

HEVC 

No lens information

1080p • 1080 x 1920 • 48.9 MB

29.97 FPS

00:50





Add a Caption

Sunday • 08-Mar-2020 •
2:06 PM

Adjust

IMG_8061

Apple iPhone 11 Pro Max

HEIF

Telephoto Camera — 52 mm *f*2

12 MP • 4032 × 3024 • 2.3 MB

ISO25

52mm

0ev

*f*2

1/4785s





Add a Caption

Saturday • 27-Jun-2020 •
11:28 AM

[Adjust](#)

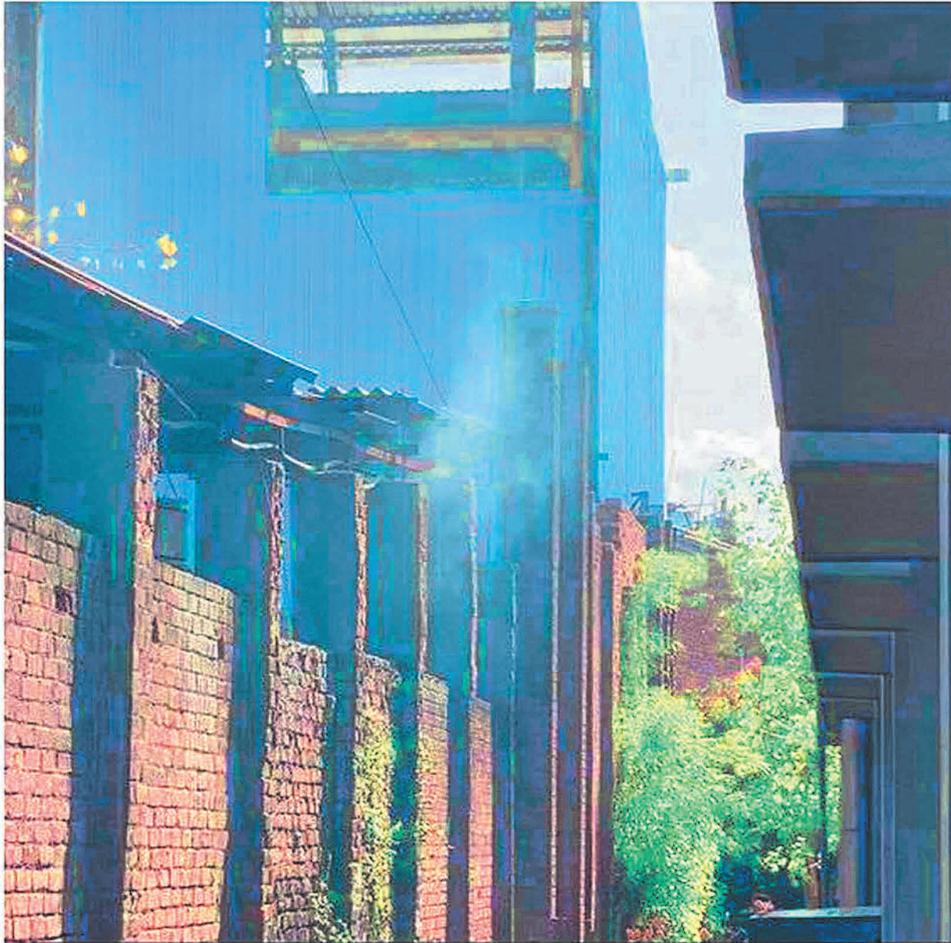
IMG_8381

Apple iPhone 11 Pro Max HEVC

No lens information
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29.98 FPS | 00:15





Add a Caption

Wednesday • 08-Jul-2020 • [Adjust](#)
4:22 PM

IMG_8419

Apple iPhone 11 Pro Max

HEVC

No lens information

1080p • 1080 x 1920 • 12.9 MB

29.98 FPS

00:13





Add a Caption

Thursday · 20-Aug-2020 · [Adjust](#)
6:23 PM

IMG_8638

Apple iPhone 11 Pro Max

HEVC 

No lens information

1080p · 1080 × 1920 · 47.1 MB

29.97 FPS

00:50





Add a Caption

Sunday · 20-Dec-2020 ·
10:28 AM

Adjust

IMG_9020

Apple iPhone 11 Pro Max

HEVC 

No lens information

1080p · 1080 × 1920 · 18.4 MB

29.97 FPS

00:19





Add a Caption

Thursday · 18-Feb-2021 ·
10:22 AM

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IMG_9385

Apple iPhone 11 Pro Max

HEVC

No lens information

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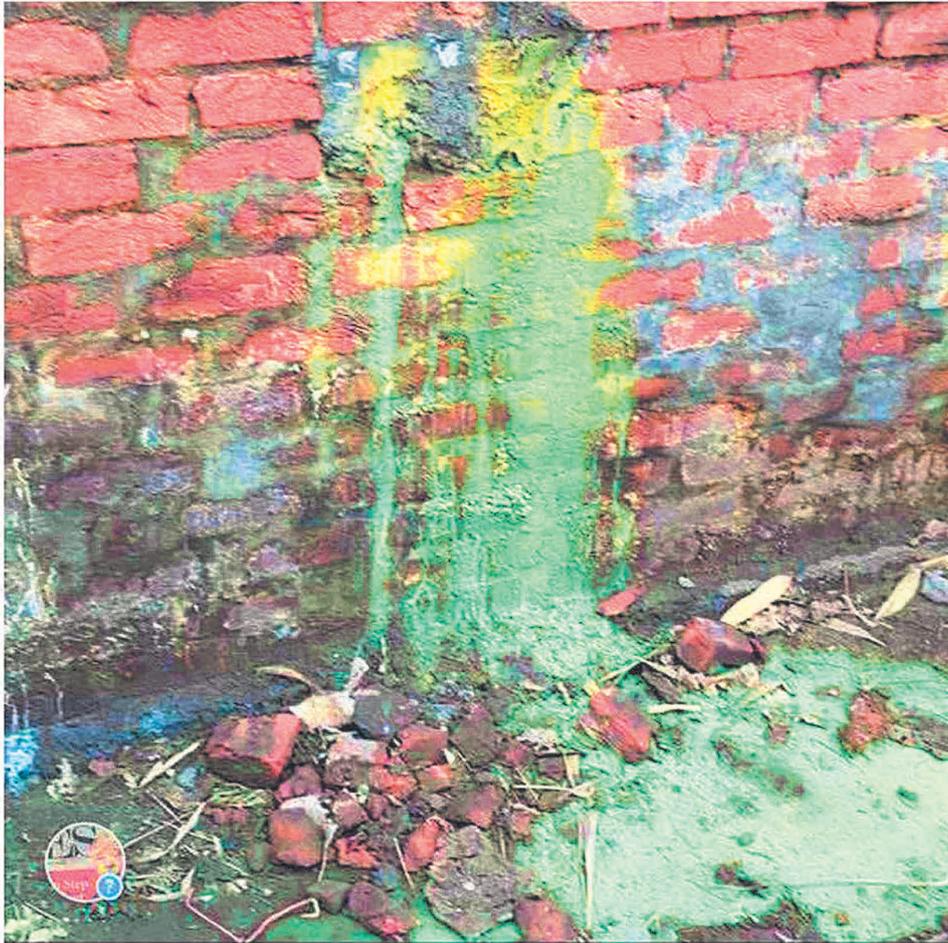
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Sunee Sodhi

(TRUE COPY)



Add a Caption

Thursday · 25-Feb-2021 ·
12:00PM

[Adjust](#)

IMG_9402

Apple iPhone 11 Pro Max

HEVC

No lens information

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29.97 FPS

00:31





Add a Caption

Friday • 26-Feb-2021 •
10:32 AM

[Adjust](#)

IMG_9425

Apple iPhone 11 Pro Max HEVC

No lens information

1080p • 1080 x 1920 • 49.7 MB

29.97 FPS

00:49





Add a Caption

Wednesday • 24-Jan-2024 [Adjust](#)
• 9:52 PM

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No camera information H.264

No lens information
1080p · 1080 × 1920 · 5.3 MB

29.86 FPS | 00:14



Sureer Soohi

(TRUE COPY)



Punjab State Power Corporation Limited

Regd. Office: PSEB Head Office, The Mall, Patiala - 147001 Corporate Identity Number: U40109PB2010SGC033813
Phone No. 0175-2301367 Email: cs@punjabpower@yahoo.com Website: www.pspcl.in
Office Sub Division Mall Mandi Technical, City Center Divn., City Circle Amritsar.
Email: sdomallmanditechnical@gmail.com Phone No. 0183-270167

ਦੇਖ:

ਪੰਜਾਬ ਪੁਲਿਊਸ਼ਨ ਕੰਟਰੋਲ ਬੋਰਡ,
ਜੇਨਲ ਦਫਤਰ 164 - ਫੋਕਲ ਪੁਆਇੰਟ
ਮਹਿੰਦਾ ਰੋਡ, ਅੰਮ੍ਰਿਤਸਰ।

ਮੀਮੋ ਨੰਬਰ: 93 ਮਿਤੀ: 18/1/22

ਵਿਸ਼ਾ: Directions u/s 33-A of the water (Prevention & Control of Pollution) Act 1974 and u/s 31-A of Air (Prevention & Control of Pollution) Act 1981- M/s Amar Colour Chem India, 26, Focal Point, Amritsar (17225439)

ਸ਼ਬਦਾ: ਆਪਣੀ ਦੇ ਦਫਤਰ ਦਾ ਪਤਰ ਨੰਬਰ 51/54 ਮਿਤੀ 10/01/2022

ਸਰਕਾਰੇ ਅਧੀਨ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿਚ ਕਿਸੇਮਾਤਾ ਤੋਂ ਜਾਣੀ ਕਿ ਆਪ ਦੇ ਦਫਤਰ ਵੱਲੋਂ ਅਹਾਤੇ M/s Amar Colour Chem India, 26, Focal Point, Amritsar ਨੂੰ ਸਪਲਾਈ ਪੁਰਵਿਯੋਗ ਵਾਲਾ ਪਾਵਰ ਕਨੈਕਸ਼ਨ (Medium Supply) MS ਖਾਤਾ ਨੰਬਰ 3002964297 ਮਨਸੂਰ ਲੱਭ (84KW/94KVA) ਜੋ ਕਿ M/s Amar Colour Chemical ਦੇ ਨਾਲ ਤੇ ਚਲਦਾ ਸੀ ਪਹਿਲਾਂ ਹੀ ਆਪ ਜੀ ਦੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਕੋਟਿਆ ਕੀਤਿਆ ਆ ਸਿਟੀ ਹੈ। ਹੁਣ ਹਵਾਲੇ ਅਧੀਨ ਪਤਰ ਰਾਹੀਂ ਆਪ ਵੱਲੋਂ ਉਕਤ ਅਹਾਤੇ ਦਾ ਪਾਵਰ ਕਨੈਕਸ਼ਨ ਚਾਲੂ ਨ ਕਰਨ ਸਬੰਧੀ ਹਦਾਇਤ ਦਿੱਤੀ ਗਈ ਹੈ ਅਤੇ ਨਾਲ ਹੀ ਇਸ ਅਹਾਤੇ ਵਿੱਚ ਸਿਰਫ ਘਰੇਲੂ ਵਰਤੋਂ ਲਈ ਸਿੰਗਲ ਫੇਜ਼ ਦੇਣ ਲਈ ਲਿਖਿਆ ਗਿਆ ਹੈ। ਇਸੇ ਸਿਰਫ ਵਾਲਾਨ ਸੋਧ ਨੀ ਕਿ PSCCL ਦੇ ਇੰਜੀਨੀਅਰਿੰਗ-3 ਵੱਲੋਂ ਮਿਤੀ 14-01-2022 ਨੂੰ 26, Focal Point, ਦੀ ਕੋਟਿੰਗ ਕੀਤੀ ਗਈ, ਇਸ ਪੁਰਵਿਯੋਗ ਇਸ ਅਹਾਤੇ ਵਿੱਚ ਇਕ ਹੋਰ ਪਾਵਰ ਕਨੈਕਸ਼ਨ (Small Power) SP ਖਾਤਾ ਨੰਬਰ 3005255633 ਪੰਕਜ ਲੱਭ (19.97KW/20KVA) ਜੋ ਕਿ M/s Amar Colour Chem(india) 26-A Focal Point, Amritsar ਦੇ ਨਾਲ ਤੇ ਜੋੜ ਕੀਤਾ ਹੈ। ਇਸਦੇ ਨੇੜੇ ਅਹਾਤੇ (26 ਅਤੇ 26-A) ਆਦਰ੍ਹੀ ਤੌਰ ਤੇ ਸਾਝੇ ਹਨ, ਅਤੇ ਉਕਤ ਕਨੈਕਸ਼ਨ ਦੀ ਸਪਲਾਈ ਦੀ ਵਰਤੋਂ ਸਬੰਧੀ ਇਸ ਸਦਕ ਨੂੰ ਕਿਸਾ ਕਿਸੇਮਾਤਾ ਦਿੱਤੇ ਜਾਣ ਕਿ ਉਕਤ (Small Power) SP ਕਨੈਕਸ਼ਨ ਖਾਤੀ ਚਲਾਏ ਜਾ ਰਹੀ ਸਪਲਾਈ ਦੁਆਰਾ ਕੋਈ (u/s 33-A of the water (Prevention & Control of Pollution) Act 1974 and u/s 31-A of Air (Prevention & Control of Pollution) Act 1981) ਕੋਈ ਪੁਲਿਊਸ਼ਨ ਨਿਯਮਾਂ ਦੀ ਉਲੰਘਣਾ ਨਹੀਂ ਕੀਤੀ ਜਾ ਰਹੀ। ਇਸ ਸਬੰਧੀ ਜਲਦੀ ਤੌਰ ਜਲਦੀ ਇਸ ਦੱਸਿਆ ਜਾਵੇ ਤਾਂ ਜੋ ਇਸ ਅਹਾਤੇ ਨੂੰ ਸਪਲਾਈ ਮੁਰਦਿਆ ਕਰਦੇ ਹੁੰਦੇ SP ਖਾਤਾ ਨੰਬਰ 3005255633 ਤੇ ਵੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾ ਸਕੇ।

ਉਪ ਮੰਡਲ ਅਫਸਰ/ਟੈਕਨੀਕਲ,
ਮਾਲ ਮੰਡੀ ਉਪ ਮੰਡਲ, ਅੰਮ੍ਰਿਤਸਰ।

ਪਿਠਅੰਕਣ ਨੰਬਰ: 94/95 ਮਿਤੀ: 18/1/22

- ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਸੂਚਨਾ ਅਤੇ ਯੋਗ ਕਾਰਵਾਈ ਪਿੱਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ:-
1. ਵਾਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀ/ਸੰਚਾਲਣ ਸਿਟੀ ਸੈਂਟਰ ਮੰਡਲ, ਅੰਮ੍ਰਿਤਸਰ।
2. ਉਪ ਮੰਡਲ ਅਫਸਰ/ਵਟਸ ਸਿਟੀ ਸੈਂਟਰ ਉਪ ਮੰਡਲ (ਮਾਲ ਮੰਡੀ), ਅੰਮ੍ਰਿਤਸਰ।

ਉਪ ਮੰਡਲ ਅਫਸਰ/ਟੈਕਨੀਕਲ
ਮਾਲ ਮੰਡੀ ਉਪ ਮੰਡਲ, ਅੰਮ੍ਰਿਤਸਰ

LETTER HEAD OF P.S.P.C.L.

To,

Punjab Pollution Control Board,
Zonal Office 164 – Focal Point
Mehta Road, Amritsar.

Memo Number 93Dated: 18/1/22

Subject: **Directions u/s. 33-A of the water (Prevention & Control of Pollution) Act, 1974 and u/s. 31-A of Air (Prevention & Control of Pollution) Act, 1981 – M/s. Amar Colour Chem India, 26, Focal Point, Amritsar (17225439)**

Reference: **Letter Number 51/54 dated 10/01/2022 of your office.**

It is hereby written down in respect of the above mentioned subject under reference that the power connection (Medium Supply) MS Account Number 3002964297 approved load (84KW/94KVA) providing the supply to the premises M/s. Amar Colour Chem India, 26, Focal Point, Amritsar by your office which was running in the name of **M/s. Amar Colour Chemical**, is already being kept on disconnection as per your instructions. Now, vide letter under reference, instruction has been given regarding disconnecting power connection of above premises and also it has been written for giving single phase for domestic use only. It is worth mentioned here that checking of **26, Focal Point** was done on date 14.01.2022 by Enforcement Wing-4 of PSPCL, as per which in this premises, one other power connection (Small Power) SP Account Number 3005255633 approved load (19.97KW/20KVA), which was running by **M/s. Amar Colour Chem. (India) 26-A, Focal Point, Amritsar**. The above both the premises (26 and 26-A) are joint internally and regarding use of supply of above connection, directions may be given to this office that whether the violation of any pollution rules (u/s. 33-A of the water (Prevention & Control of Pollution) Act 1974 and u/s. 31-A of Air (Prevention & Control of Pollution) Act 1981) is not being done by the machinery being run with above (Small Power) SP connection. In this respect, information may be provided as soon as possible so that the required action may be able to be taken on second SP Account Number 3005255633 as well while providing supply to this premises.

Sd/-

Sub-Divisional Officer/Technical,
Mall Mandi, Sub-Division, Amritsar.

.Verification Number: 94/95Dated 18/1/22

Copy of the above mentioned is hereby sent to the under mentioned for information and appropriate action:-

1. Additional Superintendent Engineer/Conduct City Centre Division, Amritsar.
2. Sub Divisional Officer / Trading City Centre Sub-Division (Mall Mandi), Amritsar.

Sd/-

Sub-Divisional Officer/Technical,
Mall Mandi, Sub-Division, Amritsar.

(TRUE COPY)

ਡਤਰ ਲਾਇਸੈਂਸ ਬ੍ਰਾਂਚ, ਸਿਹਤ ਵਿਭਾਗ, ਨਗਰ ਨਿਗਮ, ਅੰਮ੍ਰਿਤਸਰ।

680

ਮਿਤੀ: 22/4/22

ਸ਼ਾ: ਮੈਸਰਜ਼ ਅਮਰ ਕਲਰ ਕੈਮੀਕਲ, 26 ਇੰਡਸਟਰੀ ਏਰੀਆ, ਫੋਕਲ ਪੁਆਇੰਟ, ਅੰਮ੍ਰਿਤਸਰ ਵੱਲੋਂ Water Pollution & Air pollution ਫੈਲਾਉਣ ਸਬੰਧੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਤੁਹਾਨੂੰ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਸ਼੍ਰੀ ਦਵਿੰਦਰ ਪਾਲ ਸਿੰਘ, ਪਲਾਟ ਨੰ: 24, 25, ਪੁਰਾਣਾ ਇੰਡਸਟਰੀਅਲ, ਫੋਕਲ ਪੁਆਇੰਟ, ਅੰਮ੍ਰਿਤਸਰ ਵੱਲੋਂ ਲਿਖਿਤ ਸ਼ਿਕਾਇਤ ਕੀਤੀ ਹੈ ਕਿ ਮੈਸਰਜ਼ ਅਮਰ ਕਲਰ ਕੈਮੀਕਲ, 26 ਇੰਡਸਟਰੀ ਏਰੀਆ, ਫੋਕਲ ਪੁਆਇੰਟ, ਅੰਮ੍ਰਿਤਸਰ ਵੱਲੋਂ ਆਪਣੀ ਫੈਕਟਰੀ ਵਿੱਚ Water Pollution & Air pollution ਫੈਲਾਇਆ ਜਾ ਰਿਹਾ ਹੈ ਅਤੇ ਇਹ ਚੰਗਦਾਰ ਪਾਣੀ ਸੀਵਰੇਜ ਵਿੱਚ ਸੁੱਟਿਆ ਜਾ ਰਿਹਾ ਹੈ। Air pollution ਫੈਲਣ ਨਾਲ ਨਾਲ ਗੁਆਂਢ ਦੇ ਲੋਕਾਂ ਦੀ ਸਿਹਤ 'ਤੇ ਮਾੜਾ ਅਸਰ ਪੈ ਰਿਹਾ ਹੈ।

ਇਸ ਸਬੰਧ ਵਿੱਚ ਏਰੀਆ ਸੈਨਟਰੀ ਇੰਸਪੈਕਟਰ ਵੱਲੋਂ ਮੌਕਾ ਵੇਖ ਕੇ ਰਿਪੋਰਟ ਕੀਤੀ ਹੈ ਕਿ ਮੌਕੇ 'ਤੇ ਫੈਕਟਰੀ ਦੇ ਮਾਲਕ ਨੂੰ ਲਾਇਸੈਂਸ ਦਿਖਾਉਣ ਲਈ ਕਿਹਾ ਗਿਆ, ਪਰ ਉਸ ਵਲੋਂ ਮੌਕੇ 'ਤੇ ਕੋਈ ਵੀ ਲਾਇਸੈਂਸ ਜੋ ਨਗਰ ਨਿਗਮ (ਨੰ: 2076) ਦੀ ਧਾਰਾ 343 ਅਧੀਨ ਜਾਰੀ ਹੋਇਆ ਹੈ ਨਹੀਂ ਦਿਖਾਇਆ ਗਿਆ। ਇਸ ਸਬੰਧ ਵਿੱਚ ਕਾਰਵਾਈ ਕਰਦੇ ਹੋਏ ਫੈਕਟਰੀ ਦੇ ਮਾਲਕ ਨੂੰ ਦਫਤਰੀ ਨੋਟਿਸ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਹੈ। ਏਰੀਆ ਸੈਨਟਰੀ ਇੰਸਪੈਕਟਰ ਵੱਲੋਂ ਆਪਣੀ ਰਿਪੋਰਟ ਵਿੱਚ ਲਿਖਿਆ ਹੈ ਕਿ ਇਹ ਸ਼ਿਕਾਇਤ 'ਚ ਐਂਡ ਐਮ ਵਿਭਾਗ ਨਾਲ ਸਬੰਧਤ ਹੈ ਕਿਉਂ ਜੋ ਇੰਡਸਟਰੀ ਦੇ ਮਾਲਕ ਵੱਲੋਂ ਆਪਣਾ ਚੰਗਦਾਰ ਪਾਣੀ ਸੀਵਰੇਜ ਵਿੱਚ ਸੁੱਟਿਆ ਜਾ ਰਿਹਾ ਹੈ। ਇਸ ਲਈ ਨਾਲ ਨੱਥੀ ਸ਼ਿਕਾਇਤ ਆਪ ਜੀ ਨੂੰ ਦਿੱਤੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।

ਐਸ.ਈ.(ਓ ਐਂਡ ਐਮ)

ਸਿਹਤ ਅਫਸਰ,
ਨਗਰ ਨਿਗਮ, ਅੰਮ੍ਰਿਤਸਰ।
ਲੁ ਖ

2021

OFFICE OF : LICENSE cBRANCH, HEALTH DEPARTMENT, MUNICIPAL CORPORATION,
AMRITSAR.

No. 660

Date : 22/4/22

Subject;- Regarding causing Water Pollution & Air pollution by Messrs
Amar Colour Chemical, 26 Industry Area, Focal Point, Amritsar

It is informed to you under the above mentioned subject matter that the written complaint has been filed by Sh. Davinder Pal Singh, Plot No.: 24, 25, Old Industrial, Focal Point, Amritsar that Water Pollution & Air pollution is being caused by Messrs Amar Colour Chemical, 26 Industry Area, Focal Point, Amritsar in his factory. Due to increasing Air pollution, bad influence is caused to the health of the people in neighborhood.

In this respect, report has been given after watching the spot by the Area Sanitary Inspector that the owner of factory was asked to show license, but neither any license has been issued nor shown under section 343 of Municipal Corporation Act, 1976. In this respect, while taking action, official notice has been issued to the owner of the factory. It has been written by the Area Sanitary Inspector in its report that the complaint is related with O&M Department because colored water is being put in the sewerage by the owner of industry. Hence, the enclosed complaint is hereby sent to you for necessary action.

S.E.(O&M)

Signed
Health Officer
Municipal Corporation, Amritsar.



(TRUE COPY)

ANNEXURE A-5

Dir. Rel. Rev. 20

No. 164
To

Regd.

Date: 12/01/2024

M/s Amar Colour Chem India,
 26 Focal Point,
 Amritsar.

Sub: Revoking of consent to operate under Air (Prevention & Control of Pollution) Act, 1981 (24296762).

Whereas, it is obligatory on the part of the industry to obtain consent to operate an outlet under the Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act 1974 for operation of the industry.

And whereas, it is mandatory on the part of industry to install proper and adequate pollution control devices so as to ensure that the concentration of various pollutants in emissions/effluent being discharged by industry, conforms to the emission/effluent standards as prescribed by the Board.

And whereas, Regional Office, Amritsar reported that the industry was granted consent to operate under Air (Prevention & Control of Pollution) Act, 1981 valid upto 31-12-2023, subject to the suitable conditions mentioned there under.

And whereas, a complaint titled as Public Action Committee & Other V/S State of Punjab & Ors. before the Hon'ble National Green Tribunal, New Delhi in the matter of pollution being raised by M/s Amar Color Chem, Plot No. 26, Focal Point, Mehta Road, Amritsar. The Hon'ble National Green Tribunal (NGT), in O.A No. 470/2023 vide order August 10, 2023 constituted a joint committee of three members comprising of one representative from State Pollution Control Board, Punjab, one representative from the CPCB and one representative from Collector/DM, Amritsar. The Committee is directed to visit the industry and submit the factual action taken report on extent of violation and reasons for not taking action under Water Act, 1974 and Air Act, 1981 within four weeks. The State PCB will be the nodal agency for coordination and compliance. It has directed by the Hon'ble NGT in the order dated 10/08/2023, as follows: -

"We deem it just and proper to call a report on the matter in issue in present original application, from a Joint Committee constituted on the above cited matter. In compliance to Hon'ble NGT order committee comprising of the following members was composed 1. Sh. Nikas Kumar, IAS, SDM, Amritsar-II (Nominated by District Magistrate, Amritsar) 2. Sh. J P Meena, Scientist-D, CPCB (Nominated by CPCB, RD, Chandigarh) 3. Er. Sukhdev Singh, EE, PPCB, RO, Amritsar (Nodal Officer, nominated by PPCB)

And whereas, the Joint Committee comprising of above said officers visited the industry on 20.10.2023 and has placed action taken report before Hon'ble National Green Tribunal, New Delhi through e-mail on 22.11.2023 for consideration. As per factual action taken report the observations made by the committee are as under: -

1. The unit is involved in batch wise standardization operation of dyes for further processors application needs. However, the unit reportedly manufacturing the basic Dyes Oil Yellow @100 kg/day, Oil Green @ 100 kg/day using glycerine, benzaldehyde and dyes methyl aniline and other chemicals such as Ortho toluidine, Mono chlorobenzene & acids as raw material.
2. The unit meets its water requirement through one bore well for industrial and domestic purpose. Mechanical type water meter installed at bore well and log book of the same was not maintained.
3. The unit has not obtained permission from Central Ground Water Authority (CGWA)/ PWRIDA for ground water abstraction.
4. The unit has provided separate two reactor vessels for processing of the oil yellow & Oil Green dyes standardization.

5. Committee observed that work zone area of green dye stuff has not provided adequate ventilation arrangement as well as fugitive emission control system.
6. On the day of visit, the unit was found operational however, other treatment units of the ETP were found empty and dried which indicated that the flowing of stream from process is not produced since long times. Only Aeration tanks of ETP were found operational for maintaining the biomass.
7. As informed by the unit representatives, no effluent is generated from this process although, a small quantity effluent generated infrequently in floor washing of the work area, cleaning and washing of reactor vessel and its floor, that effluent is enrouted to existing ETP for treatment. However, logbook of the same was not maintaining.
8. Committee observed the unit is not adopting closed loop system for feeding of the raw material into the reaction vessel along with carry out the semi-finished product through open channel.
9. The unit has installed an ETP which is based on physico-chemical followed by Biological process. The ETP comprises of Bar Screen > Oil & Grease Chamber > Equalization Tank > Chemical Dozing > Flocculation Tank > Primary Tube Settler > MBBR-1 > MBBR-2 > Secondary Tube Settler > Pre-filtrations tank > Pressure Sand filter > Dual Media filter > Activated Carbon Filter > Final Outlet.
10. On the day of visit, there was no discharge of the effluent from the ETP.
11. At the time of visit of the team the ETP was not in operation only aeration in MBBR-1 and MBBR-2 (Aeration Tank-I, Aeration Tank-II 2) were operational. Effluent samples were collected from MBBR-1 and MBBR-2 (Aeration Tank-I & Aeration Tank-II). Sample were sealed in the presence of Sh. Rohit Handa, Partner and sample were sent to the Board's Lab at Head Office, Patiala for analysis MLSS and MLVSS.
12. On the day of visit, committee observed that all treatment components of ETP were found empty and dry except aeration tank of ETP. The committee had taken samples from aeration tank (MBBR Tank-1 & MBBR Tank-II) of ETP to assess stabilized of the bio-mass. Sampling Location MLSS MLVSS aeration tank-I 2280 1710 aeration tank-II 960 680 all values are in mg/l.
13. The unit has installed OCEMS at final outlet of ETP for measuring meter pH, TSS, COD, BOD, flow meter. The OCEMS were not showing on line value due to not generation of the effluent.
14. The unit has not maintained any records of the quantity of effluent generation, treated effluent discharged and quantity of ETP sludge generated.
15. Committee observed that the unit kept various hazardous chemical in their premise namely Acetic acid, Sulphuric acid, Oxalic acid without valid registration/permission for trading these chemicals at the adjacent textile units.
16. The unit has installed 02 no. reaction vessels from manufacturing of Oil Yellow at second floor of its production area. The reaction vessels are attached with wet alkaline scrubber provided as APCD at second floor for scrubbing gases being generated from the process during reactions. Wet scrubber installed by the unit was in operation at the time of visit.
17. The unit has also installed storage vessels at the second floor of production area for the purpose of storage of raw material as well as intermediate products. All storage vessels are also connected with wet alkaline scrubber provided at Second floor.
18. The unit has installed storage vessels at first floor of the production area. All storage vessels are connected with wet alkaline scrubber provided at second floor.
19. The unit has installed 01 grinder at ground floor for grinding of intermediate product. The unit has also installed 01 centrifuge machine for extraction of crystalline material from its process. As informed by the unit representative, liquid (mother liquor) being generated from the centrifuge process is being reuse in the process.
20. The unit has installed one filter press and same was found in non-operational condition.
21. The unit has not put up proper display board at the entrance gate as per the Hon'ble supreme court order in WP 657/1995.

Dir Ref Rev 20

22. It was observed that workers are not using personal protective equipments (PPEs) for their Health & Safety i.e. Gum Boot, Mask Safety belt etc.
23. The unit has not installed adequate firefighting arrangements in their plant premise i.e. Hose Reel system, Fire Hydrant system, Sand buckets, Portable Fire Extinguishers, Electrical/manual siren for emergency/ accident situation.
24. The unit had been kept used drums and barrels as well as various raw chemical of MS drums/plastic containers in open area of the unit premise.
25. The unit possesses consolidated consents valid upto 31.12.2023 under the Water Act-1974 and the Air Act-1981 whereas Authorization has not obtained under the Hazardous and Other Wastes (Management, & Trans boundary Movement) Rules, 2016 from PPCB.
26. Committee observed that the unit has not provided separate system for discharge of the storm water.
27. The unit has not taken public liability insurance policy.
28. The unit has not prepared on-site /off-site emergency plan of the plant area.
29. Over all housekeeping of the plant process area was found poor.

And whereas, the committee has also given suggestion in its report which are given as under:-

1. The committee suggests that local administration /PPCB should keep stringent surveillance to discharge of the effluent in addition to releasing toxic gases and fugitive fumes in ambient air as well as discharging harmful effluents in the domestic sewer illegally.
2. The unit should obtain permission from Central Ground Water Authority (CGWA)/ PWRDA for ground water abstraction.
3. The unit should install electromagnetic flow meter in place of. Mechanical type water meter at tube well and log book of the same was maintained.
4. Emergency preparedness plan based on the hazard identification and risk assessment and disaster management plan should be implemented in the unit.
5. The unit should obtain valid registration/NOC permission from concerned SPCB for trading of hazardous chemical in their premise namely Acetic acid, sulphuric acid, oxalic acid etc.
6. The unit should obtain authorization under the Hazardous and Other Wastes (Management, & Trans boundary Movement) Rules, 2016 from PPCB for disposal of Used drums/containers, ETP sludge, process residue and expired chemicals.
7. The unit should be taken public liability insurance policy.
8. The unit should prepare on site /off site emergency plan of the plant area.
9. Over all housekeeping of the plant process area should be improved.
10. Leakage and spillage in the process needs to be improved.
11. The unit should install adequate firefighting arrangements in their plant i.e. Hose Reel system, Fire Hydrant system, Sand buckets, Portable Fire Extinguishers, Electrical/manual siren for emergency/ accident situation.
12. The unit should carry out regularly occupational health checkup of engaged workers and records of the same was maintained.
13. The unit should maintain proper ventilation system in the work Zone by providing proper exhaust along with filter and duct in the process area of green dye stuff.
14. The unit should put up proper display board at the entrance gate as per the Hon'ble supreme court order in WP 657/1995.

And whereas, said report has been submitted before the Hon'ble National Green Tribunal, New Delhi along with a separate report on the behalf of the Board. The case before Hon'ble National Green Tribunal, New Delhi was listed on 01.12.2023 and Hon'ble tribunal has passed orders which are attached herewith for your kind perusal. The abstract of the said orders are as follow: -

"Joint Committee has submitted the report dated 21.11.2023 which reflects various non-compliance and violations by the project proponent-respondent no.5 and objections to the report of the committee has also been filed by the applicant. A separate reply dated 28.11.2023 has been filed by the PPCB."

The said case has now fixed on 06.02.2024 for which report has already been submitted by the Board.

And whereas, a complaint regarding pungent odor and emitting black smoke was received telephonically from the prop. of adjoining unit. Accordingly, area under complaint was visited on 08.12.2023 and pungent odor being released from the industry observed from the roof of the adjoining unit. It is further intimated that this office asked GSPL through e-mail dated 09.12.2023 to submit consumption of PNG by the industry from last 06 months. Accordingly, GSPL has submitted record vide e-mail dated 11.12.2023 and as per record submitted consumption of PNG by the industry is zero from 24.09.2023 to upto 30.11.2023. It reveals from the record submitted by GSPL that the industry is not using PNG as fuel in its boiler and is using non-consented fuel.

And whereas, in light of the observations/violations observed by the Joint Committee as well as complaint received from the adjoining industry and record submitted by GSPL regarding non-consumption of PNG (consented fuel), the industry has failed to comply with the conditions of consent granted to it and is violating various provisions of the Air (Prevention & Control of Pollution) Act, 1981, as such the Competent Authority has decided to revoke the consent to operate granted to the industry under the said Act.

As such, in exercise of the powers conferred upon u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, the consents to operate granted under the above said Act is hereby **revoked** due to the reasons mentioned above.

sw - 12/01/24
 Senior Environmental Engineer
 Zonal Office, Amritsar

Endst. No. 165

Dated. 12/01/2024

A copy of the above is forwarded to the Environmental Engineer, Regional Office, Punjab Pollution Control Board, Amritsar for information and further necessary action..

sw - 12/11/24
 Senior Environmental Engineer
 Zonal Office, Amritsar

Suresh Sodhi

(TRUE COPY)

From: Davinder Pal Singh <davinder@tkrindia.com>

Date: 2 August 2021 at 7:04:44 PM IST

To: chairmanppcb@yahoo.co.in

Cc: cmo@punjab.gov.in, chiefpscmpunjab@gmail.com, cs@punjab.gov.in, pste.pb@gmail.com, msppcb@gmail.com, rg.ngt@nic.in, ngt.admn@gmail.com

Subject: Request For comprehensive Audit Of M/S Amar Color Chem, 26, Old Focal Point, Amritsar

To,
Dr Adarsh Pal Vig Ji,
Chairman,
Punjab Pollution Control Board,
Vatavaran Bhawan, Nabha Road,
Patiala.

Reg: Request For comprehensive Audit Of M/S Amar Color Chem, 26, Old Focal Point, Amritsar.

Respected Sir,

We wish apprise you about the above captioned unit. That this unit was operating in contravention of various environmental laws. Its manufacturing activities and ensuing acid reactions entailed release of highly polluting acidic gases in open air as well as release of coloured acidic water in domestic sewer. Both these activities were highly dangerous and harmful to human health and was destroying our precious eco system as well as affecting health and lives of nearby inhabitants.

Law has taken its course and honourable past Chairman PPCB after receiving a number of complaints and evaluating the gravity of situation ordered disconnection of electricity to this unit dated 10-05-21 (Copy Attached) and subsequent sealing of the unit due to continued violations.

The matter was also in notice of NGT principal bench, Delhi, Orders regarding closure of Amar Color Chem, 26, Old Focal Point, Amritsar, Dated 05-03-2021 (Attached herewith)

In spite of various reports of polluting activities of this unit and directives issued by various officers of PPCB during inspections over a long period (Copy Of Proceedings of personal hearing before the Chairman PPCB dated 13-08-2020 Attached Herewith) this unit had been flouting norms and using chemicals in manufacturing which have ill effects on human health, such as genotoxic, teratogenic and carcinogenic in nature (Report of team constituted by chairman PPCB Attached dated 29-09-20).

Since this is a highly polluting unit its owners partners are habitual offenders which is proven by various reports of officials of PPCB which have indicted them in the past for all wrongdoings (Closure and disconnection of electricity connection dated 27-11-2020 Attached Herewith). In past so many years they have been issued directions for compliance of environmental laws which were ignored by the management.

We presume that nature of products being manufactured (**Azo Dyes**) had been concealed before taking various permissions under environmental laws to operate this unit. PPCB has been misled in declaration regarding nature of product being manufactured because of the fact that this product (Azo Dyes) are not permitted to be manufactured by units not having requisite infrastructure to control resultant process pollution.

Since the above noted facts have presumably been concealed by the management of the captioned unit so as to evade law and adoption of various pollution control measures as well as installation of equipments which are mandatory under various environmental laws.

We are approaching you with the request to kindly issue directions for complete audit of the unit by an organisation of impeccable integrity like GNDU (Amritsar)/ IIT (Ropar)/ IIT (Delhi), so as to get verified the nature of product which were being manufactured in this unit for the past so many years.

It may also be put on record that political influence and other methods are being pursued to get this unit restarted without implementing recommendations/Directives of the Punjab Pollution Control Board in totality.

It may further be mentioned again that the owners/partners of this unit are habitual offenders and have been given a no of opportunities to implement measures for controlling pollution but have ignored directives rather they have been using various methods to evade law by using political connections and/or building false narratives.

Hoping you will accept this request with urgency and order an independent audit so that the captioned unit is not given permission to restart their polluting activities again without taking proper measures mandated by law and also that people like us living in close vicinity don't face any life threatening polluting activities in future and we may be able to give our coming generations a good and healthy Environment to live in.

Thanking You

With Highest Regards

D P Singh

Jt Mg Director

T K Rubber Industries (P) Ltd
24-25, Old Focal Point,
Amritsar.

Copy Of The Above Being Forwarded To

1. Capt. Amarinder Singh Ji,

Chief Minister Of Punjab
Room No.1, 2nd Floor, Punjab Civil Secretariat, Sector – 1, Chandigarh

2. Shri Suresh Kumar Ji, IAS (Retd)

Chief Principal Secretary to Chief Minister, Punjab
2nd Floor, Punjab Civil Secretariat, Chandigarh.

3. Sh. Anurag Verma Ji, IAS, Principal Secretary,

Department of Science, Technology & Environment

4. The Member Secretary, Punjab Pollution Control Board,

Vatavaran Bhawan, Nabha Road
Patiala-147001.

5. Govt Of India,

Ministry Of Environment, Forest And Climate Change
1st Floor Agni Wing, Paaryavaran Bhawan, Jorbagh Road, New Delhi.

6. Chairman, Central Pollution Control Board,

Parivesh bhawan, East Arjun Nagar,
Delhi-110032

7. The Member Secretary
Central Pollution Control Board,
Parivesh bhawan, East Arjun Nagar,
Delhi-110032

8. National Green Tribunal (Principal Bench)

Faridkot House, Copernicus Marg,
New Delhi- 110001.

On 26-Sep-2021, at 4:35 PM, Davinder Pal Singh <davinder@tkrindia.com> wrote:

To,
S.Charanjit Singh Channi Ji,
Chief Minister Of Punjab
Chandigarh

Respected Sir,

I am writing to inform you that we and many residents living in close proximity of an industrial unit namely M/S Amar Colour Chem (India) 26,Focal Point, Amritsar (manufacturing synthetic dyes/colours) are facing unprecedented health hazards, Due to highly polluting activities viz; release of acidic fumes in open air from process chemical reactions of M/S Amar Colour Chem (India) 26,Focal Point, Amritsar. Resulting in very poor quality of Breathable air, They discharge untreated/polluted water in domestic sewer along with sludge which often chokes the sewerage system resultantly polluted water spills on roadsides.

Both of these activities are not allowed under environmental laws, are very harmful for ecology besides denying us fundamental right of clean air to breathe provided under the constitution to every citizen of this country.

Being an aware citizen and knowing long term ill effects on human health of all these activities especially for people living in close proximity I have raised this issue a number of times in the past at various platforms with written representations to NGT, CPCB and ministry of Environment, forest and climate change, besides bringing all these wrongdoings in the knowledge of senior officials of PPCB, Chief Ministers Office ,Chief secretary, Principal secretary Environment besides other officials at local level. Residents living in close proximity have also protested repeatedly in the past and registered their written complaints against all these activities.

A number of opportunities were given to the erring unit in the past but on finding no improvement in its working and non-compliance of Environment laws Punjab pollution control board (PPCB) under chairmanship of Prof SS Marwaha (Past chairman) had ordered for disconnection of electric connection and subsequently sealed the above captioned unit the same was notified to National Green Tribunal, principal bench,New Delhi by PPCB.

Unfortunately and surprisingly the incumbent Chairman took a biased approach ignoring my repeated pleas/requests to not allow resumption of operations of the captioned unit without PPCB conducting an audit so as to verify products actually being manufactured besides evaluating process reactions, gases produced and equipment installed for controlling and monitoring air and water pollution and whether all these things are in conformity with environmental laws and various consents to operate given to this unit.

The present Chairman has handpicked a committee for audit of this unit which is pending as of now. My contention that the constituted committee which consists of Asstt professors of chemistry besides others might not be able to do justice to the job because of the fact that they don't have prior experience in conducting such kind of audit.

Suitably senior faculty from chemistry, environmental sciences and an expert in dye making would have been better skilled to verify process and raw materials used for making colours/dyes, verify the nature of gases produced during process reactions and also equipments installed to control and monitor air and water pollution by the captioned unit.

It would be pertinent to mention that there are certain qualifications as prescribed by PPCB for conducting such audits which have also been ignored in this case.

Owners of erring unit have used all methods of coercion including muscle power to silence the hapless residents besides threatening me with false complaints/narratives they have also used political and religious affiliations and cooked false stories to continue these illegal activities.

I have repeatedly demanded an honest and free probe to look into this matter and deliver justice which has repeatedly been denied, I have all the material evidence which can be presented as and when required to support the above contentions and claims.

I would humbly request you to kindly seek an explanation from PPCB to the following questions answers to which will itself be self explanatory to verify the truth as stated above.

1. Are synthetic colours being made in this unit ? if no has PPCB investigated the truth behind allegations that synthetic dyes/colours like basic yellow and melachite green are being made in this unit.
2. What is the reason as to all big/reputed manufacturers of synthetic colours in india have discontinued manufacturing these products viz basic yellow and malachite green and who are their

3. Has their ever been an evaluation of manufacturing process before giving consents to operate about chemical reactions which allegedly are harmful for human health and whether this unit has the required equipments to control and monitor fugitive fumes released during process reactions?

4. Is water treatment plant operational if not what action in the past has been taken if yes what was the mode of sludge disposal any data available with PPCB since past so many years ?

5. Has PPCB conducted an exercise as to evaluate how much water is consumed and how many deep bore wells are their in the premises?

6. Samples of the raw material and finished product were collected a no of times on directions of the previous chairman of PPCB for verification of its nature are results of the same available with PPCB now ?

7. Are their any harmful cancerous chemicals used in manufacturing? why were teams of PPCB denied inspections on a number of occasions in the past which is on record and why was an alarming report of committee constituted by past chairman regarding various lapse and presence of cancerous materials in the premises of captioned unit ignored in which an SDM, professors from GNDU (Amritsar), NIIT (Jalandhar), GM industries and XEN PPCB were present.(Report Attached)

8. Since various inspection reports of PPCB have indeed found violations in working of this unit what are the reasons that no environmental compensation been slapped on this unit in the past.

Since the present Chairman PPCB has not taken into account all these arguements into consideration before ordering resumption of operations of the captioned unit.

We fervently request you to kindly intervene and stop this travesty of justice immediately by ordering closure of the captioned unit pending outcome of audit ascertaining the above facts.

Thanking You

Best Regards

Davinder Pal Singh
Jt Mg Director

T K Rubber Ind (P) Ltd
24-25, Focal Point, Amritsar

<Report Of Team Constituted By Chairman PPCB.pdf>

On 27-Sep-2021, at 12:37 PM, Davinder Pal Singh <davinder@tkrindia.com> wrote:

To,
S.Charanjit Singh Channi Ji,
Chief Minister Of Punjab
Chandigarh.

Respected Sir,

kindly refer to the trailing mail in furtherance of the issues raised by me I am elaborating on the subject as follows.

1. Kindly find attached flow chart along with detailed process and chemicals used for making basic yellow dye. In case PPCB has the will and inclination to find the truth it has a wide range of process and chemicals used for making basic yellow dye as attached may be got verified immediately by experts in dye making, Besides expert in chemical reactions can conclude as to whether an environmental engineer can verify whether M/S Amar Colour Chem, 26, focal point, Amritsar has the required infrastructure to monitor and control fugitive fumes generated during these reactions.
2. PPCB could easily seek details from M/S Amar Colour Chem, 26, focal point, Amritsar regarding sale and purchase of all raw materials duly certified by an chartered accountant for last a year. PPCB should take into account different firms or companies operating from the same premises and seek a reply from M/S Amar Colour Chem, 26, focal point, Amritsar so as to ensure they have info that owners of the erring unit have made more than one firm or company in the same premises to misguide the investigation.
3. That M/S Amar Colour Chem, 26, focal point, Amritsar have two electric connections in the same premises by different name and were operational even during the period of closure/disconnection by the chairman and that is the reason past chairman PPCB had to order sealing of its machinery.
2. Please find attached herewith a letter written to Chief minister office with diary No 164 Dated 18-05-21 wherein owners of the erring unit have tried to influence and misguide the system by claiming 150-160 people hence a large no of families will suffer if this unit is closed. While in reality they have only 12-13 people registered with labour,ESI and PF departments.
3. Attached are photos of unhygienic conditions and coloured water spilled inside the factory premises which shows lack of care for Environment and polluted water being discharged without treatment.
4. While the owner of this unit has admitted to all the wrongdoing on camera in front of the protesting nearby residents still the officials of PPCB have given them special privilege and ignore the manufacturing.

I have been updating senior officials of PPCB by way of emails, whatsapp messages etc but they have ignored the same. This undoubtedly raises suspicion that a deep rooted nexus exists between the owners of the erring unit and PPCB including its Chairman. These facts need to be investigated with complete transparency and honesty by someone outside PPCB because of the obvious reasons as stated above.

The process reactions are continuing unabatedly and owners design their manufacturing activities to release gases at odd hours including weekends. Suffocation in normal breathe is felt the



Complaint Regarding Polluting/Illegal Activities Of M/S AMAR COLOUR CHEM (INDIA) 26,FOCAL POINT, AMRITSAR

1 message

From: Davinder Pal Singh <davinder@tkrindia.com>
Date: 5 October 2021 at 1:53:28 PM IST
To: cmo@punjab.gov.in
Cc: cs@punjab.gov.in, pste.pb@gmail.com
Subject: Complaint Regarding Polluting/Illegal Activities Of M/S AMAR COLOUR CHEM (INDIA) 26,FOCAL POINT, AMRITSAR

5th October 2021

To,
S. Charanjit Singh Channi Ji,
Chief Minister Of Punjab,
Chandigarh.

Respected Sir,

BY WAY OF THIS LETTER IT IS TO BRING TO YOUR KIND NOTICE THAT, LABOURERS/OWNERS/MANAGEMENT, EMPLOYEES OF OWN FACTORY PREMISES AS WELL AS NEAR BY INHABITANTS ARE SLOWLY BEING MURDERED IN BROAD DAYLIGHT AND WHOLE ADMINISTRATION IS SLEEPING INCLUDING OFFICIALS OF PUNJAB POLLUTION CONTROL BOARD AND ITS PRESENT CHAIRMAN (MR ADARSH PAL VIG).

It is to bring in your kind notice that Inhabitants living in close proximity of an industrial unit namely M/S AMAR COLOUR CHEM (INDIA) 26,FOCAL POINT AMRITSAR, (manufacturing synthetic dyes/colours) are facing unprecedented health hazards, Due to highly polluting activities viz; release of acidic fumes in open air from their process chemical reactions . Resulting in very poor quality of Breathable air.

They discharge untreated/polluted water in domestic sewer along with sludge which often chokes the sewerage system resultantly polluted water spills on roadsides.

Both of these activities are not allowed under environmental laws, are very harmful for ecology besides denying us fundamental right of clean air to breathe provided under the constitution to every citizen of this country.

Being an aware citizen and knowing long term ill effects on human health of all these activities especially for people living in close proximity I have raised this issue a number of times in the past at various platforms with written representations to NGT, CPCB and ministry of Environment, forest and climate change, besides bringing all these wrongdoings in the knowledge of senior officials of PPCB, Chief Ministers Office ,Chief secretary, Principal secretary Environment besides other officials at local level. Residents living in close proximity have also protested repeatedly in the past and registered their complaints against all these activities.(COPY OF COMPLAINT AND MAJORNAMA ATTACHED)

A number of opportunities were given to the erring unit in the past but on finding no improvement in its working and non-compliance of Environment laws Punjab pollution control board (PPCB) under chairmanship of Prof SS Marwaha (Past chairman) had ordered for disconnection of electric connection and subsequently sealed the above captioned unit the same was notified to National Green Tribunal, principal bench, New Delhi by PPCB. (COPY OF NGT ORDER ATTACHED)

Unfortunately and surprisingly the incumbent Present Chairman (MR ADARSH PAL VIG) has favoured Amar Colour Chem, 26, Focal Point, Amritsar by taking a biased approach, Ignoring facts on ground besides repeated pleas/requests to not allow resumption of operations of the captioned unit without PPCB conducting an audit so as to verify products actually being manufactured besides evaluating process reactions, gases produced and equipment installed for controlling and monitoring air and water pollution and whether all these things are in conformity with environmental laws and consents to operate given to this unit.

The present Chairman has handpicked a committee for audit of this unit which is pending as of now. My contention that the constituted committee which consists of Asstt professors of chemistry besides others might not be able to do justice to the job because of the fact that they don't have prior experience in conducting such kind of audit have been ignored.

Suitably senior faculty from chemistry, environmental sciences and an expert in dye making would have been better skilled to verify process and raw materials used for making colours/dyes, verify the nature of gases produced during process reactions and also equipments installed to control and monitor air and water pollution by the captioned unit.

It would be pertinent to mention that there are certain qualifications as prescribed by PPCB for conducting such audits which have also been ignored in this case to favour the erring unit by the present Chairman which points a finger of doubt about his intentions to conduct a free and fair audit.

Owners of erring unit have used all methods of coercion including money/muscle power to silence the hapless residents besides threatening me with false complaints/narratives they have also used political and religious affiliations and cooked false stories to continue these illegal/harmful activities.

Repeated requests for an honest and free probe to look into this matter and deliver justice has been denied by the present Chairman PPCB.

I would humbly request you to kindly seek an explanation from PPCB to the following questions answers to which will be self explanatory to verify the truth as stated above.

1. Synthetic colours being made in this unit. PPCB not investigated/concluded the truth behind allegations that synthetic dyes/colours like basic yellow and melachite green are being made in this unit.
2. As per info gathered by us all big/reputed manufacturers of synthetic colours in india have discontinued manufacturing these products viz basic yellow and malachite green due to Environment hazards these have also been banned by developed countries and most of the developing world for the same reasons. Amar Colour Chem 26, focal point, Amritsar don't have much competition left they are making big profits by making these products while slowly killing inhabitants living nearby and spoiling the Environment of this area.
3. There has not been any evaluation regarding manufacturing process before giving consents to Amar Colour Chem, 26, Focal Point, Amritsar. To evaluate chemical reactions which are harmful for human health and whether this unit has the required equipments to control and monitor fugitive fumes released during process reactions.
4. Water treatment plant is not operational, no action has been taken in the past. Data regarding sludge disposal is missing for the past so many years of operations how this unit was operating without any water treatment plant is questionable.
5. PPCB has not conducted an exercise as to evaluate how much water is consumed and how many deep bore wells are there in the premises of Amar Colour Chem, 26, Focal Point, Amritsar.
6. Samples of the raw material and finished product were collected a no of times on directions of the previous chairman of PPCB for verification regarding nature of products being manufactured but results of the same are missing.
7. Harmful cancerous chemicals are used in manufacturing of products at Amar Colour Chem, 26, Focal Point, Amritsar. Teams of PPCB were denied inspections on a number of occasions which is on record. An alarming report of committee regarding all these facts constituted by past chairman regarding various lapse and presence of cancerous materials in the premises of captioned unit has been ignored in which an SDM, professors from GNDU (Amritsar), NIIT (Jalandhar), GM industries and XEN PPCB were present. (Report Attached)
8. Since various inspection reports of PPCB have indeed found violations in working of this unit what are the reasons that no environmental compensation been slapped on this unit in the past.

9. We are attaching a Flow chart along with detailed process and chemicals used for making basic yellow dye (Attached Herewith). In case PPCB has the will and inclination to find the truth it has a wide range of resources at its disposal, Without wasting much time the process and chemicals used for making basic yellow dye as attached may be got verified immediately by experts in dye making, Besides expert in chemical reactions can conclude as to what kind of gases are produces in process reactions and an environmental engineer can verify whether M/S Amar Colour Chem, 26, focal point, Amritsar has the required infrastructure to monitor and control fugitive fumes generated during these reactions. (Chart Attached)

10. PPCB could easily seek details from M/S Amar Colour Chem, 26, focal point, Amritsar regarding sale and purchase of all raw materials duly certified by an chartered accountant for last at least 5(FIVE) years including GST returns for the same period duly certified by an chartered accountant to find out what kind of chemical besides other raw materials have been procured its usage and quantum of final product to ascertain the nature of final products being manufactured.

11. PPCB should take into account different firms or companies operating from the same premises and seek a reply from M/S Amar Colour Chem, 26, focal point, Amritsar so as to ensure that the information given is authentic because we believe and have info that owners of the erring unit have made more than one firm or company in the same premises to misguide the investigation and they have made godowns in nearby areas to house workers as well as stock chemicals and raw materials to evade detection.

12. That M/S Amar Colour Chem, 26, focal point, Amritsar have two electric connections in the same premises by different name and were operational even during the period of closure/disconnection of electric supply of the unit as ordered by past chairman and that is the reason past chairman PPCB had to order sealing of its machinery.

13. Attached herewith a letter written to Chief minister office with diary No 164 Dated 18-05-21 wherein owners of the erring unit have tried to influence and misguide the system by false narratives besides mentioning that they have around 150-160 people implying that a large no of families will suffer if this unit is closed. While in reality they have only 12-13 people registered with labour,ESI and PF departments at the time of this declaration (Copy Attached).

14. While the owner of this unit has admitted to all the wrongdoing on camera in front of the protesting nearby residents still the officials of PPCB have given them special privilege and ignored the fact of allegations of polluted activities in their manufacturing.

I have been updating senior officials of PPCB by way of emails, whatsapp messages etc but hey have ignored the same. This undoubtedly raises suspicion that a deep rooted nexus exists between owners of the erring unit and some officials of the PPCB including its Chairman. These facts need to be investigated with complete transparency and honesty by someone outside PPCB because of the obvious reasons as stated above.

Since the unit has been in operation now the process reactions are continuing unabatedly and owners design their manufacturing activities to release gases at odd hours including weekends. Suffocation in normal breathe is felt the most in whichever direction the wind blows.

The quality of air deteriorates to the level that it becomes difficult to breathe and a burning sensation can be felt on skin and eyes which undoubtedly is very harmful for lungs and mental health and can lead to cancer and other diseases.

Because of these ongoing corrupt practices and a blind eye turned by officials of PPCB including its Chairman will ultimately lead to closure of our unit or shifting some where else and entail financial losses besides loss of employment and will have detrimental effect on confidence of an honest and law abiding Enterprise.

Kindly treat this email as an SOS call to a Chief Minister who has promised to help honest people of punjab and usher in a new era of development and truthfulness.

We fervently request you to kindly intervene and stop this travesty of justice immediately by ordering closure of the captioned unit pending outcome of audit ascertaining the above facts.

Thanking You

Best Regards

Davinder Pal Singh

Jt Mg Director

T K Rubber Ind (P) Ltd
24-25, Focal Point,
Amritsar. Mobile 9872610809

FLOW CHART Basic Yellow Dye

DMA (Dimethyl Amine) analine

Then formaldehyde is added

Then sulphuric Acid is added

Then sulphonic acid is added

All the above added in a tank

Then steam from boiler is introduced in this tank

Temp achieved 70 Celsius

After this it starts churning and reaction starts

The gas produced is released in the air

After that for 12 hour this reaction takes place fumes escape in open air

Then lid is opened and fumes are released in open air

Then water is introduced manually in this reaction tank to reduce effect of gas and thus it becomes a semi liquid chemical

Material flows and water is drained out from bottom of the vessel

This material is called base now base is carried to another tank and is now in granular form

It is now packed in sacks

Then in two tanks urea is added

Again steam is introduced and temp is achieved around 100-120 Celsius

Then in those tanks sulphuric acid is introduced

Then sulphur is added

Then temp is raised to 170-180 Celsius (gases released as by product of reactions are released in open air)

Then this mixture is rotated in the vessel

Then this material is transferred in lower portion tanks

Then it is again rotated and Acidic acid is introduced so that viscosity of the material is reduced

One hour this material is churned

Material of both the tanks is put into lower vessels

Then it is rotated for 8 hours

Then salt is added then hydropowder is introduced.
Then this material is introduced in centrifuge through pipeline

4 attachments

Image 05-10-21 at 1.38 PM.jpg
602K



SDM, Amritsar-I,.pdf
2798K



Report Of Team Constituted By Chairman PPCB.pdf
1105K



NGT ORDER.pdf
2601K

From: Bhagwant Mann CM Punjab cmo@punjab.gov.in
Subject: Fwd: Dangerous/Polluting activities Of M/s Amar Colour Chem, 26, Old Focal Point, Amritsar.
Date: 21 February 2024 at 10:31 AM
To: Principal Secretary TE secy.te@punjab.gov.in
Cc: Superintendent Follow Up Section supdl.fup.cmo@punjab.gov.in, davinder@tkrindia.com

MP

From: davinder@tkrindia.com
To: chairmanppcb@yahoo.co.in, ppcbroamritsar@gmail.com, seezoasr@yahoo.com, "Ghanshyam Thori" sdc.asr@punjab.gov.in
Cc: "Bhagwant Mann CM Punjab" cmo@punjab.gov.in, "Principal Secretary TE" secy.te@punjab.gov.in
Sent: Tuesday, February 20, 2024 5:23:12 PM
Subject: Re: Dangerous/Polluting activities Of M/s Amar Colour Chem, 26, Old Focal Point, Amritsar.

Respected Sir,

Kindly refer to our repeated mails regarding dangerously polluting activities of M/S Amar Colour Chem, 26, Old Focal Point, Amritsar.

In ref and regards we are once again attaching video clip dated 20-02-2024 showing release of fugitive fumes by the captioned unit.

For record we would like to inform these fumes make the air poisonous and affects normal breathing.

You are requested to kindly act immediately to stop these illegal and highly polluting activities.

Best regards

Davinder Pal Singh
24, Old Focal Point,
Amritsar
Mobile-9872610809

From: Davinder Pal Singh davinder@ikrindia.com 
Subject: Dangerous/Polluting activities Of M/s Amar Colour Chem, 26, Old Focal Point, Amritsar.
Date: 10 February 2024 at 4:13 PM
To: chairmanppcb@yahoo.co.in, ppcbroamritsar@gmail.com, seezoasr@yahoo.com, Ghanshyam Thori
dc.asr@punjab.gov.in
Cc: Chief Minister Punjab cmo@punjab.gov.in, Principal Secretary TE secy.te@punjab.gov.in

To,

The Chairman,
Punjab Pollution Control Board,
Vatavaran Bhawan,
Patiala.

Sub: Dangerous/Polluting activities Of M/s Amar Colour Chem, 26, Old Focal Point, Amritsar.

Respected Sir,

We would like to bring in your kind notice about continuous Dangerous/polluting activities of M/S Amar Colour Chem, 26, Old Focal Point, Amritsar. The undersigned has also filed a petition with Honb'le NGT for addressing this issue.

We once again would like to inform you that as on date the captioned unit is flouting environmental laws/norms with complete impunity and releasing acidic/fugitive fumes in open air (which vitiates the whole environment and spoils the quality of air in which we breathe).

Black smoke can be seen emanating from stack/chimney of the captioned unit (video clip dated 6th Feb 2024 showing black smoke coming out of chimney of M/S Amar Colour Chem, 26, Focal Point, Amritsar).

We once again request you to kindly take a serious note of these ongoing activities/violations and issue orders for immediate stoppage of these highly/dangerously polluting activities.

Best Regards,

Davinder Pal Singh
24, Old Focal Point,
Amritsar.
Mobile- 9872610809



From: Davinder Pal Singh davinder@krindia.com
Subject: Re: Dangerous/Polluting activities Of M/s Amar Colour Chem, 26, Old Focal Point, Amritsar.
Date: 23 February 2024 at 12:50 PM
To: chairmanppcb@yahoo.co.in, ppcbroamritsar@gmail.com, seezoasr@yahoo.com, Ghanshyam Thori
dc.asr@punjab.gov.in
Cc: Chief Minister Punjab cmo@punjab.gov.in, Principal Secretary TE secy.te@punjab.gov.in

D

Respected Sir,

Kindly refer to our trailing mails and previous correspondence regarding dangerously polluting activities of M/S Amar Colour Chem, 26, Old Focal Point, Amritsar.

In ref and regards we are once again attaching two video clips dated 22-02-2024 of the captioned unit wherein it can clearly be seen that fugitive fumes are being released with full impunity.

The fact being that we have already filed a petition before Honourable NGT which has taken note of these activities and instructed PPCB to stop these activities.

It is pertinent to mention that the PPCB has already issued instructions for revocation of consent to operate of the captioned unit.

Still we are breathing poisonous air everyday.

You are requested once again to kindly act immediately to stop these illegal and highly polluting activities.

Best regards

Davinder Pal Singh
24, Old Focal Point,
Amritsar
Mobile-9872610809



Sunee Sodhi

(TRUE COPY)

507

47



Office Vsalegal <office@vsalegal.in>

Proof of Service

**Service of Compliance Affidavit on behalf of the Applicant No. 6
in case titled 'Public Action Committee & Ors. v. State of Punjab
& Ors. [OA No. 470 of 2023]'**

1 message

Office Vsalegal <office@vsalegal.in>

Mon, Apr 8, 2024 at 8:16 PM

To: cs@punjab.gov.in, dcamritsar@gmail.com, deputysechousing@gmail.com,
seezoasr@yahoo.com, cmd-pspcl@pspcl.in

Cc: Arjun Nanda <arjun@vsalegal.in>

Dear Sir/ Ma'am,

Please find attached herewith a Compliance Affidavit on behalf of the Applicant No. 6 in the above captioned matter.

Kindly treat this Email as due service and acknowledge receipt of the same.

Thank You.

Office of VSA Legal
Address - 32, Ground Floor,
Uday Park, South Ex-II,
New Delhi-110049
Phn : +91-11-43541022, +91-11-43514961
Website: www.vsalegal.in

CONFIDENTIALITY NOTE:

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Please consider the environment before printing this email.



Compliance Affidavit in Public Action Committee.pdf
9816K