

OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal in OA No.360 of 2018 in the matter of Shree Nath Sharma Vs Union of India & Ors. and in other Environment issues

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To

The Registrar,
Hon'ble National Green Tribunal,
Faridkot House, Copernicus Marg,
New Delhi, Delhi 110001.

No.CMC /2022/1345

Dated: 28.11.2022

Subject: Compliance to order dated 9.11.2022 of Hon'ble National Green Tribunal in OA no. 722 of 2022 in the matter of Beant Singh Bajwa Vs State of Punjab—Visit of the Monitoring Committee to M/s IOL Chemicals and pharmaceuticals Ltd., VPO Fatehgarh Chhanan near village Dhaula, Mansa Road, Barnala on 23.11.2022.

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It is submitted that the Hon'ble National Green Tribunal in its order dated 9.11.2022 in OA No. in OA no. 722 of 2022 in the matter of Beant Singh Bajwa Vs State of Punjab has mentioned in Para No. 1 and 2 as under:

1. Grievance in this application is against violation of environmental norms by IOL Chemicals and Pharmaceuticals Limited Factory, VTP Fatehgarh Chhanan, near village Dhaula, Mansa Road, District Barnala.

2. According to the applicant the unit in question is discharging effluents through underground bore, thereby contaminating the ground water and also emitting polluted air to the detriment of environment and public health. The State PCB failed to take any action as the owner of the unit is having political influence. The applicant has also annexed photographs to substantiate the allegation of discharge of effluents from the unit in question. The applicant has also filed a CD.

The Hon'ble National Green Tribunal has directed in para no. 3 of the said order as under:

3. In view of the above, let the District Magistrate, Barnala and State PCB look into the matter and take remedial action in accordance with law. We also request Monitoring Committee constituted by this Tribunal headed by Justice Jasbir Singh, former Judge of the Punjab and Haryana High Court (to monitor the compliance of environmental norms in pursuance of orders of this Tribunal) to oversee the verification process. A factual and action taken report may be filed by the State PCB within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. List for further consideration 20.12.2022.

Copy of the above order is enclosed herewith as per **Annexure-1**.

1.0 Visit of the Monitoring Committee to M/s IOL Chemicals and pharmaceuticals Ltd., VPO Fatehgarh Chhanan near village Dhaula, Mansa Road, Barnala on 23.11.2022 at 11:00 AM.

The following officers were present during the visit.

a) Members of the Monitoring Committee

Sr. No.	Name and Designation in the Deptt.	Name & Designation in the Monitoring Committee
1.	Justice Jasbir Singh, Former Judge, Punjab and Haryana High Court	Chairman
2.	Sh. S. C. Agrawal, IAS (Retd), Former Chief Secretary, Punjab	Senior Member
3.	Sant Balbir Singh Seechewal	Member
4.	Dr. Babu Ram, Former Member Secretary, PPCB	Technical Expert

b) The list of the officers, present during the visit, is as per Annexure-2.

The officers of Punjab Pollution Control Board, District Administration and officers of other departments in the presence of the Monitoring Committee visited the premises of M/s IOL Chemicals and pharmaceuticals Ltd., VPO Fatehgarh Chhanan near village Dhaula, Mansa Road, Barnala, drain passing nearby the industry and other adjoining areas on 23.11.2022. The officers of Punjab Pollution Control Board in the presence of Monitoring Committee, the complainant in the matter, representative of industry and residents of nearby villages collected the drain effluent samples, soil samples from the drain, groundwater of tubewells and effluent samples from inlet of ETP and outlet of secondary clarifier of the industry from the following locations.

i. Drain wastewater samples

- In Dhanaula drain, which is passing nearby the industry, mostly carries domestic wastewater, 01 outlet has been maintained by industry namely M/s Trident Ltd. (PCD division) and 2nd outlet maintained by industry namely M/s Trident Ltd. (HTD), village Dhaula has been plugged with cement concrete. Though, it was claimed by the representative of the industry [M/s Trident Ltd. (PCD division)] that no effluent is discharged by the industry in the drain but still the outlet was opening in the drain, therefore, officers of Punjab Pollution Control Board and other departments in the presence of the Monitoring Committee collected 03 wastewater sample of drain as under:

- ✓ **From the outlet maintained by M/s Trident Ltd. (PCD division)**
- ✓ **Upstream of outlet maintained by the Trident Ltd. (PCD division)**
- ✓ **Downstream of outlet maintained by the Trident Ltd. (PCD division)**

ii. Soil samples from the drain

- In order to check the contribution of effluent, if any, by the industry namely M/s IOL Chemicals and pharmaceuticals Ltd., in the drain, soil samples were collected

by the officers of Punjab Pollution Control Board in the presence of Monitoring Committee and 03 such soil samples were collected from the drain.

iii) Groundwater samples

- The officers of Punjab Pollution Control Board in the presence of Monitoring Committee collected the groundwater samples from the following locations.
 - ✓ **02 groundwater samples from the tubewells maintained by the industry.**
 - ✓ **03 groundwater samples from the tubewells maintained by the farmers.**
 - ✓ **01 groundwater sample from the house of village Saraba Kothe**

iv) Effluent samples of the industry M/s IOL Chemicals and pharmaceuticals Ltd.

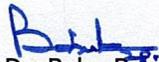
The industry namely M/s IOL Chemicals and pharmaceuticals Ltd. has provided effluent treatment plant consisting of physico-chemical treatment followed by components namely equalization tank, buffer tank, anaerobic biological treatment system, MBBR, aeration tank with diffused aeration system, secondary clarifier, activated carbon filter, sand filter and RO system. The representative of the industry claimed that no effluent is discharged into drain or any other mode of disposal. In order to check the quality of effluent of the industry, effluent samples from the following points were collected.

- ✓ **Inlet to effluent treatment plant**
- ✓ **Outlet of secondary clarifier**

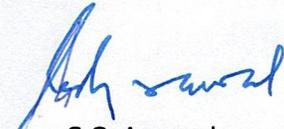
The Monitoring Committee in the presence of some of the officers of Punjab Pollution Control Board and officers of the other departments was busy in the work of visiting the other areas like existence of tubewells in the fields, collection of tubewell water samples of the area and about 3:00 PM, members of the Monitoring Committee in the presence of the complainant decided to have short break for lunch and moved towards PWD Rest House, whereas, the complainant moved towards the industry and on the way, he made telephonic call to the technical expert of the Monitoring Committee that some of the officers of Punjab Pollution Control Board are getting bread pieces and tea offered by the industry and he objected that no fair decision can be expected in such a situation when the officers of Punjab Pollution Control Board have accepted the hospitality of the industry and he informed that he has doubt regarding changing of samples collected by the team. He later on gave a written request mentioning that some officials (Sh. Avtar Singh ASO, Sh. Gurpreet Singh JSO, Jata Shankar FA and Jaswinder Singh driver) of Punjab Pollution Control Board under whose supervision, groundwater samples, soil samples, drain water samples and industrial effluent samples were kept, were found accepting the hospitality of the industry by way of getting some bread pieces alongwith tea offered by it and he has available with photographs of the said incident. He apprehended that in order to favour the industry, the said officials might have changed the said samples and in such circumstances, no fair decision in the matter can be expected. He requested that the said samples may be collected in the presence of officers of CPCB and disciplinary action may be taken against the defaulting officials of PPCB in the matter. Copy of the complaint, written in Punjabi language by the complainants, is enclosed herewith as per **Annexure-3**.

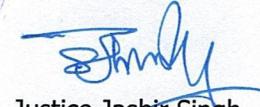
Regarding disposal/analysis of samples of groundwater, soil, drain water and industrial effluent collected by the officers of Punjab Pollution Control Board in the presence of Monitoring Committee, the matter was discussed with the members of the Monitoring Committee and it was decided that these samples may not be accepted as the complainant has raised his objections. Therefore, the Monitoring Committee destroyed all the said samples and came back and officers of other departments were also asked to go back in their respective departments and the matter remained un concluded.

In view of the above circumstances, the matter is submitted to the Hon'ble National Green Tribunal for further directions in the matter.


Dr. Babu Ram 28.11.2022

Sgt
Sant Balbir Singh Seechewal

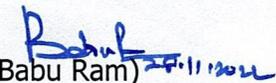

S.C. Agrawal


Justice Jasbir Singh
Former Judge, Punjab & Haryana
High Court now as Chairman of the
Monitoring Committee

Endst. No. CMC/2022/1346

Dated: 28.11.2022

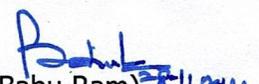
A copy of the above is forward to the Deputy Commissioner, Barnala for information and necessary action.


(Dr. Babu Ram) 28.11.2022
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/1347

Dated: 28.11.2022

A copy of the above is forward to the Member Secretary, Punjab Pollution Control Board, Patiala for information and necessary action.


(Dr. Babu Ram) 28.11.2022
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/1348

Dated: 28.11.2022

A copy of the above is forward to the Senior Environmental Engineer, Punjab Pollution Control Board, Zonal Office-2, Patiala for information and necessary action.


(Dr. Babu Ram) 28.11.2022
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/1349

Dated: 28.11.2022

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


(Dr. Babu Ram) 28.11.2022
Technical Expert,
Monitoring Committee

Item No. 31

Court No. 1

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

(By Video Conferencing)

Original Application No. 722/2022

Beant Singh Bajwa

Applicant

Versus

State of Punjab

Respondent

Date of hearing: 09.11.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a complaint received by post

ORDER

1. Grievance in this application is against violation of environmental norms by IOL Chemicals and Pharmaceuticals Limited Factory, VTP Fatehgarh Chhanan, near village Dhaula, Mansa Road, District Barnala.
2. According to the applicant the unit in question is discharging effluents through underground bore, thereby contaminating the ground water and also emitting polluted air to the detriment of environment and public health. The State PCB failed to take any action as the owner of the unit is having political influence. The applicant has also annexed photographs to substantiate the allegation of discharge of effluents from the unit in question. The applicant has also filed a CD.
3. In view of the above, let the District Magistrate, Barnala and State PCB look into the matter and take remedial action in accordance with

law. We also request Monitoring Committee constituted by this Tribunal headed by Justice Jasbir Singh, former Judge of the Punjab and Haryana High Court (to monitor the compliance of environmental norms in pursuance of orders of this Tribunal) to oversee the verification process. A factual and action taken report may be filed by the State PCB within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration 20.12.2022.

A copy of this order, along with complaint, be sent to the District Magistrate, Barnala, State PCB and Justice Jasbir Singh, former Judge of the Punjab and Haryana High Court by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

November 09, 2022
O.A. No. 722/2022
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Officers present during visit to the industry M/s IOL Chemical & Pharmaceuticals Ltd., Barnala on 23/11/2022

1. Dr. Harish Nayyar, IAS, DC, Barnala
2. Smt. Lovejit Kalsi, PCS, ADC, Barnala
3. Sh. Gopal Singh, SDM, Barnala
4. Sh. Vijay Kumar, Environmental Engineer, PPCB, Regional Office, Sangrur
5. Sh. Varinder Kumar, Chief Agriculture Officer, Barnala
6. Sh. Gagandeep Singh Gill, Xen, Department of Drainage, Barnala
7. Sh. Vipin Kumar, Assistant Environmental Engineer, PPCB, Regional Office, Sangrur
8. Sh. Inderjit Singh, District Forest Range Officer, Barnala
9. Sh. Ravinder Singh PPS, DSP, Tapa
10. Sh. Pankaj, JE, Department of Rural Development & Panchayat, Barnala

Complainant

1. Sh. Beant Singh Bajwa, President, National Anti Corruption Council

ਭਾਰਤੀ ਪੁਲਿਸ ਦੀ ਖਰਚੇ ਵਿੱਚ 201 ਅਧਿਕਾਰੀਆਂ
ਅਤੇ ਮੁੱਖ ਮੰਤਰੀ ਦੀ ਸੇਵਾਵਾਂ ਵੱਲੋਂ ਖਰਚੇ ਤੇ ਸਹੀ ਹੋ
ਏ ਕਿਸੇ ਕਰੋ ਕਿਸੇ ਵੱਲੋਂ ਸੰਪਤੀ C.P.C.B
ਦੀ ਸਿਰਫ਼ੀ ਹੋ ਕੇ ਸਾਫ਼। ਕੁਝੀ ਕਰ ਖਰਚੇ ਅਧਿਕਾਰੀਆਂ
ਅਤੇ ਕਮਰਵਾਲੀਆਂ ਵਿਚਕਾਰ ਕਰ ਤੇ ਸਖਤ ਕਰਕੇ ਕਰਕੇ
ਅਸਲ ਵਿੱਚ ਦਿਸਾਉਣਾ ਸਾਫ਼ ਤਾਂ ਵਿਛਾਰ ਦੇ ਖੇਤਰਾਂ ਵਿੱਚ
ਪਾਈ, ਹੁਣ ਅਤੇ ਕੁਝ ਕਰ ਸਿੱਧ ਹੋਏ। ਮੰ. ਮੁ. ਸੀ
ਦਾ ਅਧਿਕਾਰੀ ਹੋਵੇਗਾ। ਮਿਤੀ: 23-11-2022

ਮੁ. ਸੀ. ਆ. ਸ਼. ਭ. ਭ. ਭ.,
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ਦੇਸ਼ੀ ਸਿੰਘ ਖਾਨਦਾ
ਪੁਸ਼ਪ ਕੰਠਕਰ ਮੰ. ਸੀ
ਕੁੰਘਾਨ ਕੰਠਕਰ ਭ. ਭ.
ਸਿੰਘ ਖਾਨਦਾ।
ਫੋ. 94781-47507