

Reply/Objection Submission to the Hon'ble National Green Tribunal

IN THE MATTER OF:

OA 628 of 2024

Cdr. Alok Mohan (Applicant)

Versus

Escorts Kubota P Ltd & Ors

SUBJECT: Objection Submission Regarding Analysis Reports of Groundwater Samples Dated 01 Jan 2025

To,
The Hon'ble National Green Tribunal,
Faridkot House,

New Delhi

Most Respectfully Submitted:

I, Cdr. Alok Mohan, Applicant in the above-referenced matter, wish to submit my humble objections to the analysis reports submitted by the Regional Officer, HPSCB, Faridabad. The report indicates that groundwater samples taken from Borewells No. 1 and No. 2 show all parameters as normal. However, I submit the following objections in continuation of my prayer:

1. Necessity of Buffer Zones for Red Category Industries

Establishing buffer zones and maintaining minimum distances between hazardous industrial facilities, especially "Red Category" (dangerously polluting) industries, and residential areas is critical for ensuring public safety and environmental protection. Both national and international standards emphasize the importance of such separations to minimize risks from pollution, accidents, and operational failures.

2. Impossibility of 100% Pollution Mitigation

I respectfully submit that achieving 100% mitigation of pollution by dangerously polluting industries, especially the tractor manufacturing industry, is inherently impossible due to the following reasons:

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A. Technological Limitations

- **Residual Pollution:** Even with advanced treatment systems such as reverse osmosis, chemical precipitation, and biological treatments, trace contaminants are inevitable.
- **Complex Waste Composition:** The diverse pollutants (e.g., heavy metals, oils, and greases) make zero discharge unattainable.
- **Equipment Efficiency:** Even the most efficient equipment has operational limits, resulting in minimal but unavoidable emissions.

B. Energy and Resource Use

- **Energy Use:** Tractor manufacturing is energy-intensive, leading to significant greenhouse gas emissions, even when cleaner energy sources are used.
- **Material Processing:** Steel and other materials used in tractors are inherently polluting during their extraction and processing.

C. Supply Chain and Waste Management Challenges

- **Supply Chain Pollution:** Pollution from raw material extraction, transportation, and end-of-life disposal contributes to the overall footprint and cannot be completely eliminated.
- **Hazardous Waste:** Oils, lubricants, and chemical solvents generate waste that cannot be fully neutralized.
- **Sludge Disposal:** Wastewater treatment generates sludge requiring safe disposal, often with residual environmental impacts.

D. Operational Variabilities and Human Error

- **Inconsistent Pollutant Loads:** Variability in production processes and pollutant loads challenges consistent mitigation.
- **Maintenance and Downtime:** Equipment breakdowns or inefficiencies can lead to temporary spikes in emissions.
- **Human Error:** Operational lapses and non-compliance, whether intentional or accidental, can prevent 100% mitigation.

3. Importance of Buffer Zones in Mitigating Risks

The impossibility of achieving complete mitigation underscores the importance of buffer zones to protect human lives and property. Policy makers worldwide have recognized this reality and mandated such buffer zones to address public health risks.

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- It is pertinent to note that accidents caused by operational errors have occurred in the past in similar industries, leading to catastrophic consequences.
- The use of hazardous substances like phosphorous acid, nitrous acid, and NO₂ in the tractor industry increases the risk of accidental discharges and emissions.

4. Prayer for Immediate Action

I humbly request the Hon'ble Tribunal to:

- Direct the appropriate authorities to shift this manufacturing facility to a safer location, ensuring adequate distance from residential areas.
- Take urgent steps to address public health and environmental safety concerns stemming from the operation of this dangerously polluting industry.

5. Request for Virtual Hearing

Considering my current health condition, I respectfully request permission to attend the hearing virtually. Kindly share the link for the same, for the next hearing.

- If, due to unforeseen reasons, I am unable to attend, I request the Hon'ble Tribunal to proceed with the hearing in my absence, taking into account the facts submitted herein.

Best Regards,
Cdr. Alok Mohan

Alok Mohan
08 Jun 2025

WA: 9871702724

EM- alokmohan1954@yahoo.com
[House No: 901/Sector 15-A Faridabad-121007]