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BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

M.A. No. 103/2022

IN

Original Application No. 169/2021

H.C. Arora

Applicant

Versus

State of Punjab & Ors.

Respondents (s)

Status report/ reply of Punjab Pollution Control Board in compliance of order dated 05.12.2023

Respectfully Showeth

1. That briefly submitted, the Hon'ble National Green Tribunal has taken cognizance of the above-mentioned case / application filed by Sh. HC Arora with grievances against failure of the State Authorities to take remedial measures against contamination of ground water in village Aloarakh, Block Bhawanigarh, Tehsil Sangrur. The Hon'ble National Green Tribunal has issued directions in the case from time to time and the Board in compliance had filed status reports.
2. That it is relevant to mention here that in compliance to the order dated 05.09.2023, the Punjab Pollution Control Board (PPCB) has filed status report dated 03.12.2023 before the Hon'ble Tribunal. After consideration of the report filed by PPCB, the Hon'ble Tribunal was pleased to issue certain directions for compliance by the authorities vide order dated 05.12.2023. The relevant extract of paragraph 5,6,7 and 8 of the order dated 05.12.2023 is reproduced herein below for kind perusal and reference:

"5. Learned Counsel appearing for the Punjab Pollution Control Board has submitted that the hazardous waste is dumped at the factory site and the same will be removed by the PPCB within a period of two weeks from today. While doing so, the removed waste be properly handled at authorized treatment, storage and disposal facility (TSDF).

6. In view of above statement, we adjourn the matter for two weeks for filing the action taken report by the PPCB in respect of the removal of dump waste.

7. Meanwhile, we deem it proper to issue notice to the previous as well as the present owners of the unit in question, responsible for the dumping of hazardous waste and contamination of ground water. Hence, let the notice be issued to the following-

- i. Sh. Chander Sekhar Dhawan of M/s Mahalaxmi Orgochem Industries, (c/o Matharu Steel Pvt.Ltd), 110-A, Sarabha Nagar, Ludhiana
 - ii. Sh. Sunil Ahuja, s/o Sh. Surjit Singh Matharu, Director of M/s Mahalaxmi Orgochem Industries, # 435, Rajiv Gandhi Nagar, Kota (Rajasthan)
 - iii. Sh. Bhupinder Pal Singh, Owner of the contaminated land at village Alorakh, resident of village Aloarakh, Bhawanigarh, District Sangrur
8. Applicant is directed to serve the above project proponent and file affidavit of service on next date of hearing."

3. That it is pertinent to mention here that in compliance to the earlier directions of this Hon'ble Tribunal, the Board has taken the following actions which were mentioned in the report filed by the Board on 03.12.2023

- i. The Punjab Pollution Control Board has awarded the work for detailed Environmental Site Assessment i.e. for assessment and remediation of contaminated ground water and soil and control of further spread of contamination in and around contaminated site under question (5 Km radius) to M/s CSIR-National Environmental Engineering Research Institute (NEERI), Nagpur vide letter no. 19199 dated 18.08.2023. A copy of the letter is enclosed as **Annexure-A**. The scope of work includes sampling and analysis of

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groundwater & soil samples, geophysical investigations, assessment of extent, quantum and volume of soil and groundwater contamination, delineation of remedial action plan, draft RFP to enable Punjab Pollution Control Board to float tenders to engage the agency to get the remediation plan executed etc.

- ii. Additional work of study on the bio-magnification in agro-products and detailed ingestion and human health risk assessment was also allocated to NEERI, Nagpur vide PPCB letter no. 21136 dated 13.09.2023. A copy of letter is enclosed as **Annexure-B**.
 - iii. The institute vide its email dated 18.09.2023 has requested Punjab Pollution Control Board to clear soil which has accumulated at the site upto height of 3-4 mtr, as so to carry out Geo-Physical survey of the contaminated site.
 - iv. The Punjab Pollution Control Board has issued directions under section 5 of the Environment (Protection) Act, 1986 to Sh. Bhupinder Pal Singh (Owner of the contaminated land site) vide letter no. 29917 dated 24.11.2023 to remove layer of soil from the contaminated site in question so that the site is levelled properly and proper soil sampling and Geophysical imaging is carried out by the NEERI for remediation of the said site. A copy of letter no.29917 dated 24.11.2023 is enclosed as **Annexure-C**.
4. That in order to make compliance of order dated 05.12.2023 of this Hon'ble Tribunal to remove soil from the contaminated site, a meeting with the representatives of Brick kiln Association, Sangrur and partners of M/s A.R. Brick Co., Village Turi, Tehsil Bhawanigarh, Sangrur, who has taken the site on lease to store soil was convened for 15.12.2023 before the Chief Environmental Engineer, Patiala of the Board. The meeting was accordingly attended by the Officers of the Board, President, Secretary and other members of Brick Kiln Association,

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Sangrur as well as the partners of M/s A.R. Brick Co., Village Turi, Tehsil Bhawanigarh, Sangrur.

5. That during the meeting held before the Chief Environmental Engineer of the Board on 15.12.2023, the representatives of M/s A.R. Brick Co. informed that the brick kiln has taken the site on lease from Sh. Bhupinder Singh for accumulating soil at the site to be used as raw material in making bricks. It was further informed by representatives that approximately 11,50,000 cubic feet of soil is accumulated at site and huge expenditure to the tune of approximately Rs. 23,00,000/- may incur in shifting the soil. They expressed their inability in incurring whole expenditure in shifting the soil considering financially bad condition of brick kiln industry in the State and availability of cheap bricks from neighbouring states like Haryana proving double whammy for their business. M/s A.R. Brick Co. Village Turi, Tehsil Bhawanigarh, Sangrur has therefore requested Sangrur Brick Kiln Association and Punjab Pollution Control Board to offer financial assistance in shifting the soil from site under question. The members of the Brick Kiln Association, Sangrur endorsed the request of M/s A.R. Brick Co. for providing financial assistance.
6. That after detailed deliberations and consideration of the submissions made by the representatives of M/s A.R. Brick Co. Village Turi, Tehsil Bhawanigarh, Sangrur and Sangrur Brick Kiln Association, it was proposed by the Chief Environmental Engineer, Punjab Pollution Control Board that proposal will be placed for consideration and approval of Chairman of the Board for shifting soil from the site under question, as under:
 - a. *M/s A.R. Brick Co., Sangrur Brick Kiln Association and Punjab Pollution Control Board shall jointly bear the expenditure to be incurred in shifting the soil.*
 - b. *An Escrow agreement be made between M/s A.R. Brick Co., Sangrur Brick Kiln Association and Punjab Pollution Control Board with the executing agency for implementing the execution of work for shifting the soil from the site of M/s Matharu Chemical Industries*

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- c. *The financial contribution of M/s A.R. Brick Co., Sangrur Brick Kiln Association and Punjab Pollution Control Board shall be 40%, 30% and 30% respectively, in shifting the soil.*
- d. *The funds available under Environmental Compensation head shall be utilised for contribution to be made by Punjab Pollution Control Board.*
- e. *M/s A.R. Brick Co. shall submit a written estimate through Sangrur Brick Kiln association regarding expenditure to be incurred in shifting the soil, within a day.*
- f. *The work regarding shifting of soil from the site of M/s Matharu Chemical Industries, shall be commenced without any further delay.*
7. That the proposal for incurring 30% cost out of total expenditure amounting Rs. 23,00,000 was approved by Chairman, PPCB vide office order no. 454 dated 26.12.2023 for bearing financial contribution to the tune of Rs. 6,90,000 by Punjab Pollution Control Board for lifting the soil from site under question. A copy of English translation of Punjabi language of letter no. 454 dated 26.12.2023 is enclosed as **Annexure- D**.
8. That the work for lifting the soil from site under question has commenced and as on date (30.12.2023) approximately 2,50,000 cubic feet of soil has got lifted from site and work for shifting the remaining soil and levelling of site will be completed in due course of time (12-15 days) as huge volume of soil is lying at site.
9. That it is pertinent to mention here that NEERI, Nagpur vide email dated 27.12.2023 has apprised the Board that purpose of Geophysical survey is to delineate the contaminated region in the premises, which will lead to targeted sampling. Further, it has been informed by NEERI that the remedial action plan will be suggested based on Geo-physical survey and analysis of soil and ground water quality data. A copy of NEERI, Nagpur email dated 27.12.2023 is enclosed as **Annexure-E**.

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10. That the team of NEERI, Nagpur has started Geo-Physical surveys of the site in question with effect from 30.12.2023. The Geo-Physical surveys of NEERI, Nagpur will probably be completed within a month. Further course of action for remediation of contaminated bore-wells shall be taken on the receipt of Geo-Physical imaging report and remedial action plan from NEERI, Nagpur.

11. That the status report / reply of the Board is hereby submitted in compliance to order dated 05.12.2023 for kind perusal and consideration of the Hon'ble Tribunal.

Submitted by



(Er. Guneet Sethi)

Environmental Engineer,
Punjab Pollution Control Board,
Regional Office Sangrur

Date: 31.12.2023

Place: Sangrur

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ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



No. 19199

Dated. 18/8/23

To

Dr. Atul Naryan Vaidya (Director),
National Environmental Engineering Research Institute,
Nehru Marg, Nagpur-440020
Maharashtra

Subject Letter of award (LoA) for detailed Environmental Site Assessment i.e. for assessment and remediation of contaminated ground water & soil and control the further spread of the contamination – M/s Matharu Chemical Industries, Vill. Aloarakh Tehsil Bhawanigarh, District-Sangrur.

Ref: NEERI's proposal received on 14/08/2023

On the subject cited matter and above referred letter, it is intimated that Punjab Pollution Control Board is pleased to award a work order to M/s CSIR-National Environmental Engineering Research Institute, Nehru Marg, Nagpur-440020, India for Detailed Environmental Site Assessment i.e for assessment and remediation of contaminated ground water & soil and control the further spread of the contamination in and around the contaminated site of M/s Matharu Chemical Industries, Bhawanigarh, District- Sangrur, Punjab.(5Km radius).

General Terms and Conditions of the Work

1. **Scope of Work:** M/s CSIR-National Environmental Engineering Research Institute (NEERI) shall carry out the activity as per the following conditions: -
 - a) Reconnaissance visits to the Plant and its buffer zone.
 - b) Collection and review of all the reports pertaining to the Plant operations, characteristics of waste water and waste management practice.
 - c) Detailed LULC of the study area.
 - d) Inventorisation of well network (existing wells within the plant premises) and wells within 5 km of the study area. The well network will include shallow wells (open wells) and deep wells (bore wells).
 - e) Deciphering the groundwater flow directions, Sampling and analysis of the effluent generated from the Plant.

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Vatavaran Bhawan, Nabha Road, Patiala - 147001

Phone : Chairman. : 0175-2215793, Member Secretary : 0175-2215802 (O), 2215636 (FAX)

Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com



- f) Sampling and analysis of groundwater samples from the well network for different parameters (major cations, anions, heavy metal, Organics, 800, COD and colour) pre-monsoon / post-monsoon seasons.
- g) Study with regard to spread of contamination of ground water at the site including measures to control the same.
- h) Geophysical investigations (GPR, ERT) in the plant premises for near sub surface characterization (spread of plumes / buried drums) and aquifer geometry.
- i) Sampling of soil samples (at different depth from pit up to 2-3 m depth) and analysis for different parameters for relevant contaminants of concern (cations, anions, heavy metals, organics etc.) in pre-monsoon and post-monsoon seasons.
- j) Assessment of extent, quantum and volume of soil and groundwater contamination.
- k) Delineation of remedial action plan and the total tentative cost involved to implement the plan.
- l) Draft RFP to enable the PPCB to float tenders to engage the agency to get the remediation plan executed.

2. AWARD PRICE :

The total award price for the entire scope of work as detailed in 1.0 above shall be for Rs. 70,80,000/- including taxes as per the following break up

Sr. No.	Description	Total cost (Rs)
1	Total cost of financial proposal	60,00,000/-
2	GST (18%)	10,80,000/-
3	Total	70,80,000/-

In addition to above, PPCB, shall pay all the taxes including the surcharges of central government and state government as applicable on the date of payment. All such taxes are subjected to change as per the directives of the Government of India/State Government.)

3. SCHEDULE FOR COMPLETION OF TASK

The study will be completed in a period of 03 months (90 days) from the day of issuance of the LoA as per the following schedule:



Phases of the Study	Activities to be completed	Time Line
Phase 1	Interim report detailing the initial data	Within 21 days of Issuance of LoA
Phase II	<ul style="list-style-type: none"> Final report having detailed environmental site assessment and delineation of remediation action plan alongwith its total tentative cost. Draft RFP. 	Within 90 days from issuance of LoA.

4. SUPPORT OR INPUTS TO BE PROVIDED BY PPCB

- To provide all documents / records /reports of past pertaining to the matter.
- To provide access to NEERI personnel and the sampling and analytical material carried by them to project site for field studies.
- If additional bore wells are necessary in the premises, PPCB will facilitate the construction of well.
- For coordinating with NEERI personnel during field studies, Er. Harinder Singh, Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur may be contacted telephonically (+91-8146662532) or through e-mail (eerosangrur@gmail.com).

5. METHOD OF PAYMENT

- The payment shall be made as per the following details :

Sr. no.	Installment	Amount (Rs.)	Schedule
1.	1 st Installment	Rs. 30,00,000/- + GST (@ 18 %)	To be paid along with work order
2.	2 nd Installment	Rs. 10,00,000/- + GST (@ 18 %)	After submission of Interim Report
3.	3 rd Installment	Rs. 10,00,000/- + GST (@ 18 %)	After submission of Draft Final Report
4.	4 th Installment	Rs. 10,00,000/- + GST (@ 18 %)	After submission of Final Report



All the payments to be made through a NEFT/RTGS in the name of "**Director, CSIR- NEERI, Nagpur**". The Payment Details are as follows:

b. The payment details are as below:

Name as Per Bank Records	Director CSIR-NEERI
Bank Name	State Bank of India
Branch	NEERI, Nagpur
Branch Code	04224
Account Number	30266513766
Account Type	Savings
MICR Code	40002031
IFSC Code	SBIN0004224
PAN Number	AAATC2716R

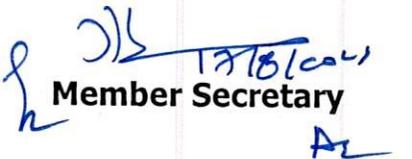

Member Secretary

Endst. No.../19200-01

Dated...18/8/23

A copy of the above is forwarded to the following for information & necessary action please: -

1. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur.
2. The Deputy Controller (F & A), Punjab Pollution Control Board, Patiala for information. He is also requested to make a payment of Rs. 30,00,000/- + 18% GST to the Director, CSIR-NEERI, Nagpur as per the account details mentioned at 5(b) above.


Member Secretary



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PUNJAB POLLUTION CONTROL BOARD

Annexure-
B

No. 21136

Dated. 13/9/23

To

Dr. Atul Naryan Vaidya (Director),
National Environmental Engineering Research Institute,
Nehru Marg, Nagpur-440020
Maharashtra

Subject Addendum to Letter of Award (LoA) for detailed Environmental Site Assessment i.e. for assessment and remediation of contaminated ground water & soil and control the further spread of the contamination – M/s Matharu Chemical Industries, Vill. Aloarakh, Tehsil Bhawanigarh, District- Sangrur.

Ref: Board's letter no. 19199 dated 18/08/2023 and CPCB letter no. 3775 dated 04/09/2023

In continuation to the above referred letter of the Board and in compliance of Hon'ble NGT order dated 31/03/2022 in OA no. 169/2021 and Central Pollution Control Board letter dated 04/09/2023 (copy attached), it has been decided by the Competent Authority of the Board that CSIR-NEERI shall carryout the following two activities in addition to the Scope of Work already allotted to your institution vide Board's letter no. 19199 dated 18/08/2023 :-

1. Detailed ingestion and human health risk assessment.
2. Study on the bio-magnification in agro-products.

DA/ as above.

Endst. No. 21137

Dated. 13/9/23


13/9/23
Member Secretary
AZ

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


13/9/23
Member Secretary
AZ

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Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | mspccb@gmail.com |



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA
NGT-Matter

CP-26/15/2022-WM-I-HO-CPCB-HQ

September 04, 2023

To

The Member Secretary
Punjab Pollution Control Board
Vatavaran Bhawan, Nabha Road
Patiala – 147 001

Sub: Detailed investigation and remediation of contaminated site at "M/s Mahaluxmi Organo Chemical Industries, Nabha Road, Bhawanigarh, Sangrur" - reg.

Ref (i) PPCB letter dated 28.07.2023 reg. request for nomination from CPCB
(ii) PPCB letter dated 13.04.2023 reg. Joint committee report of Hon'ble NGT (PB)

Sir,

This has reference to the PPCB letter dated 28.07.2023. It is to inform that the site at "M/s Mahaluxmi Organo Chemical Industries, Nabha Road, Bhawanigarh, Sangrur (Presently, M/s Matharu Chemical Industries, District Sangrur, Punjab)" has been confirmed as contaminated site and CPCB has already suggested to carry out detailed investigation followed by execution of remediation works in its 5th review meeting with SPCBs held on 13.10.2022.

Further in compliance of Hon'ble NGT order dated 31.03.2023 in OA No. 169 of 2021, the Joint committee in its report also recommended to carry out the following:

- (i) Detailed Investigation and Human Health Risk Assessment
- (ii) Periodical Monitoring of the groundwater in the affected area
- (iii) Study on the Bio-magnification in agro-products

In view of the above, it is suggested that detailed investigation of the site may be carried out by engaging reputed institutes/consultants to ascertain the extent and level of contamination within 3-4 months and submit the progress status to this Office from time to time.

Yours faithfully,

(V. P. Yadav)

Director & Head,
Waste Management Division-I

Copy to:

1. The Regional Director
Central Pollution Control Board – Chandigarh
BSNL Telephone Exchange, 2nd Floor,
Sector -49 C, Chandigarh – 160047
- : For kind information and with request to follow-up
with PPCB, please

(V. P. Yadav)

'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

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Punjab Pollution Control Board

Vatavaran Bhawan, Nabha Road, Patiala

Phone no.2215793

No. 29117

Dated: 24/11/23

To

Sh. Bhupinder Pal Singh,
Owner of the contaminated land at Village Aloarakh
Resident of Village Aloarakh, Block Bhawanigarh,
District Sangrur.

Subject: Directions u/s 5 of the Environment (Protection) Act, 1986 for removal of soil from the contaminated land at Village Aloarakh.

The Hon'ble National Green Tribunal has taken cognizance of an application filed by Sh. H.C Arora with the grievance against the failure to take remedial measures in respect of contamination of groundwater in Village Aloarakh, Block Bhawanigarh, District Sangrur. The application was registered as Original Application No. 169 of 2021 titled as H.C Arora v/s State of Punjab and Others;

Whereas, vide order dated 20.7.2021 passed in O.A No. 169 of 2021, the Hon'ble National Green Tribunal has constituted a five-member Joint Committee comprising of the Central Pollution Control Board; Regional Office; Ministry of Environment, Forest and Climate Change, Chandigarh; State Pollution Control Board, a nominee of Secretary Environment Department, Punjab and District Magistrate, Sangrur to visit the site, interact with the stakeholders, assess the ground situation and recommend the measures required to be taken and report was called by Hon'ble National Green Tribunal;

And whereas, the Joint Committee constituted by the Hon'ble National Green Tribunal had submitted the report on 30.03.2022 which was taken note of by the Hon'ble Tribunal in order dated 31.03.2022. The detailed report revealed the contamination of ground water and also remedial actions. As per the report, five tubewells in the area were found having Total Organic Carbon (TOC). Two out of five tubewells were found having significant concentration of Chemical Oxygen Demand (COD) and Biochemical Oxygen Demand (BOD)

and rest three tubewells were found having high nitrate concentrates, confirming contamination of ground water in these five tubewells;

And whereas, the Hon'ble National Green Tribunal had disposed of Original Application No. 169/2021 by an order dated 31.03.2022 by issuing the following directions:

"5. Having regard to the composition of the Committee and the material considered in the report and also in absence of any opposition by the State inspite of copy of report having been served on it, we accept the report of the Committee and issue directions in terms thereof. The Chief Secretary, Punjab, in coordination with the concerned authorities may ensure remedial action speedily to effectuate the guaranteed right of the citizens to clean potable water. The Chief Secretary may also take into account the suggestions in the additional report referred to above. The cost of remediation has to be borne by the State in the first instance without prejudice to the recovery of the amount later from the violators/erring officers. Area in question be treated as 'contaminated site' and remediation plan as per the Report of the Joint Committee may be executed within six months. If it becomes necessary, the Plan may be suitably modified in consultation with CPCB and any other Institution. Chief Secretary may constitute a credible executing/ monitoring Committee to get the remediation plan executed and to monitor its timely and proper execution. Status report of compliance as on 31.8.2022 may be forwarded to Registrar General, NGT on or before September 30, 2022 by email. District Magistrate, Sangrur may place the information in public domain and appropriately caution the inhabitants about contaminated water in the interest of public health. PPCB and State GWB may regularly monitor the quality of contaminated water."

And whereas, in compliance to the directions of the Hon'ble National Green Tribunal, status report was filed by the Punjab Pollution Control Board on the basis of which M.A. no. 103/2022 was registered. The Hon'ble Tribunal had considered the further report in the proceeding dated 06.02.2023 and had found that the issue relating to remediation of

contamination of soil and supply of potable drinking water in the area required further consideration and had accordingly, issued the following directions vide order dated 6.2.2023:

"5. From the above, it is seen that the issue of remediation of the contaminated site and supply of potable drinking water in the area requires further consideration. It needs to be verified whether the contamination is confined to five wells or has further migrated to other wells. Since the issue has been pending for more than ten months, it is necessary to have personal interaction on the issue with nominees of the CPCB, District Magistrate, Sangrur, Chief Engineer, Public Health Engineering Department, Punjab and Member Secretary, State PCB after they deliberate upon the same. They may hold a joint meeting within one week and furnish a report to this Tribunal within two weeks by email."

Whereas, in compliance to the directions dated 6.2.2023 of the Hon'ble National Green Tribunal, the Joint Committee has filed a fresh report dated 13.04.2023, which reveals that fresh ground water sampling from 18 borewells from the area in question was taken and it was found that the contamination had spread significantly. The conclusion of the committee in respect of human health risk assessment is reproduced below:

"The site under reference has been declared contaminated site in the year 2016-17 by Ministry of Environment, Forests and Climate Change (MoEF&CC) and therefore needs to be remediated by following the procedure specified by MoEF&CC and CPCB in the Guidelines. In view of this and the fact that this contaminated site is currently being used for agriculture purpose, an immediate action in a time bound manner, is required by State Pollution Control Board to undertake detailed investigation by involving reputed institute/consultant having experience in the field. This investigation may take 04-05 months. The concentration levels in the samples collected during investigation must be compared with Canadian Screening Criteria for Soil/Sediment/ Ground Water/Surface-Water. Once the above exercise is done; Human Health Risk Assessment may be required to find out remediation target level."

In respect of bio-magnification in agro-products, the conclusion of the Committee is reproduced below:

"The joint committee constituted earlier in the matter of OA No. 169/2021 conducted study on "the effect on agriculture crops and Biomagnification of contaminants in agro products" under the directions of Hon'ble National Green Tribunal. In view of the fact that now the contamination has been found to be migrating further, it is recommended that Biomagnification study with all the crops grown in the area, is conducted by SPCB in the entire catchment area of 18 borewells monitored by the Joint Committee, so that timely corrective action with regard to public health is taken based on the outcome of the study."

And whereas, the Hon'ble National Green Tribunal has considered the Joint Committee report and observed that the problem is aggravating with the passage of time and it is a serious problem which needs to be considered and appropriate remedial measures are required to be taken by the competent authorities without any delay. The Hon'ble National Green Tribunal vide order dated 5.9.2023 had directed that contaminated ground water sources may be declared 'unfit' for human consumption and agriculture and interim measures be adopted and commissioned to remediate contaminated well water/borewell. Also, proper arrangement of potable water supply be increased in effected villages;

And whereas, in order to conduct geo physical survey of the contaminated site the National Environmental Engineering Institute has requested the Board to get the site clear of the soil layer which has been laid over the hazardous waste at Village Aloarakh, Block Bhawanigarh, District Sangrur;

And whereas, in exercise of its powers and performance of its functions under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, the Chairman, Punjab Pollution Control Board has been delegated powers by the Central Government to issue directions u/s 5 of the Environment (Protection) Act, 1986 to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions;

And whereas, the layer of soil laid over the hazardous waste dumped at the contaminated site is required to be removed from the property to ensure that the site is levelled properly and proper soil sampling and Geophysical imaging is carried out by National Environmental Engineering Research Institute, Nagpur.

And whereas, it is pertinent to mention here that M/s Maha Laxmi Orgochem Industries (Proprietor M/s Matharu Steel Pvt. Ltd., (Bhawanigarh, Nabha Road, Bhawanigarh, District Sangrur during the operation of the industrial unit has dumped industrial / hazardous waste in the land which has now been sold to Sh. Bhupinder Pal Singh;

And whereas, the case has been considered by the undersigned Chairman of Punjab Pollution Control Board and I am satisfied that the objective of the Board in carrying out the said action for removal of the layer of the soil for the protection and preservation of the environment, which has been damaged by the industrial unit in question, cannot be carried out except with the issuances of directions u/s 5 of Environment (Protection) Act, 1986;

And whereas, there is likelihood of grave injury to the environment in view of the prevailing facts and circumstances as has been explained above and as such it is not expedient to provide an opportunity either for personal hearing to the owner of the land or to file objections against the directions being issued;

Therefore, considering all the facts and circumstances of the case, I, Prof. Adarsh Pal Vig, Chairman, Punjab Pollution Control Board in exercise of the delegated powers and performance of functions of the Board under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 hereby issue the following directions u/s 5 of the Environment (Protection) Act, 1986:

"That Sh. Bhupinder Pal Singh owner of the contaminated site at Village Aloarakh, Block Bhawanigarh, District Sangrur is hereby directed to remove the layer of soil from the site in question so that the site is levelled properly and proper soil sampling and Geophysical imaging is carried out by National Environmental Engineering Research Institute, Nagpur for remediation of the said site."

Any violation of the above direction shall be viewed seriously and action will be taken under the provisions of the Environment (Protection) Act, 1986.

ਮੜਦਨ ਪਲ ਵਿਗ
(Prof. Adarsh Pal Vig)
@ Chairman

Endst. No.....

Date:.....

A copy of the above is forwarded to the Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032 for information please.

sd/-
(Prof. Adarsh Pal Vig)
Chairman

Endst. No.....

Date:.....

A copy of the above is forwarded to following information and necessary action with instructions to implement the directions aforementioned:

- 1) The Chief Environmental Engineer, Punjab Pollution Control Board, Bathinda
- 2) The Senior Environmental Engineer, Punjab Pollution Control Board, Zonal Office-2, Patiala.
- 3) The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur.

sd/-
Chairman

ਅੰਮ੍ਰਿਤਸਰ

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PUNJAB POLLUTION CONTROL BOARD

VATAWARAN BHAWAN, NABHA ROAD, PATIALA

No. 454Dated 26/12/2023

Office Order

An application relating ground water pollution is under consideration of Hon'ble National Green Tribunal vide no. M.A No. 103 of 2022 (O.A No. 169 of 2021), titled as H.C Arora Vs. State of Punjab & Ors., M/s Mahalakshmi Orgochem Industries Pvt. Ltd., (M/s Matharu Chemical Industries), Village Alorakh, Tehsil Bhawanigarh, District Sangrur.

The National Environmental Engineering Research Institute (NEERI), Nagpur has been engaged by the Punjab Pollution Control Board for assessment, prevention and controlling the spread of water and land pollution caused by the industry. M/s A.R. Brick Company, Sangrur has piled up soil on industrial contaminated site for making bricks, which is hampering NEERI's investigation of pollution caused at the site. M/s AR Brick Company, Sangrur was directed to remove soil from the industrial site, however, the brick kiln has requested the Brick Kiln Association, Sangrur and the Competent Authorities of the Board to offer financial assistance as its financial condition is not good. In view of the importance of early completion of the study on the assessment and prevention of water and land pollution spreading in the said area and the importance of early implementation of remedial measures & after adopting the correct procedure, the soil should be lifted from the industrial site to M/s A.R. Brick Company, Sangrur incurring an expenditure of Rs.23,00,000/-. Out of the total expenditure, 40% share is to be contributed by M/s A.R. Brick Kiln, 30% share by Brick Kiln Association, Sangrur and the remaining 30 % has been decided to be contributed by the Punjab Pollution Control Board.

Therefore, Punjab Pollution Control Board's share of 30% of Rs. 23,00,000/- amounting Rs. 6,90,000/- is agreed to be paid to Environmental Engineer, Regional Office, Sangrur with condition that he will utilize the entire amount in coordination with the Deputy Controller (Finance & Accounts), PPCB and shall ensure supervision of work of lifting of soil to be carried out by M/s Harpreet Singh, Village Chakoria, District Mansa and submit timely report in this regard.

These orders are issued after the approval of the competent authority.

-Sd-

Prof. (Dr.) Adarsh Pal Vig
Chairman

Endst. No.

Dated

A copy of the above is forwarded to the following for information:

1. Deputy Commissioner, Sangrur
2. Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur
3. President, Brick Kiln Association, Sangrur
4. Deputy Controller (Finance & Accounts), Punjab Pollution Control Board, Head Office, Patiala.

-Sd-

Administrative Officer

Endst. No. 32435-36

Dated 26.12.2023

A copy of the above is forwarded to the following for information:

1. Chief Environmental Engineer (Bathinda), Punjab Pollution Control Board, Patiala.
2. Senior Environmental Engineer, Punjab Pollution Control Board, Zonal Office-II, Patiala.

-Sd-

Administrative Officer

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Environmental Engineer <eerosangrur@gmail.com>

Site visit of NEERI team

Paras Pujari <pr_pujari@neeri.res.in>
To: eerosangrur@gmail.com
Cc: ceebtippcb@gmail.com, ppcbzop2@ymail.com

Wed, Dec 27, 2023 at 3:22 PM

Dear Mr.Sethi,

The purpose of the Geophysical survey is to delineate the contaminated region in the premises, which will lead to targeted sampling. Based on the Geophysical survey and the analysis of the soil and groundwater quality data, the action plan will be suggested.

Regards

Dr.Paras R Pujari
Senior Principal Scientist
Critical Zone Research
Water Technology and Management Division
CSIR-NEERI, Nehru Marg, Nagpur-20, India

Mobile No: +91-7774014201
Skype ID:paras.pujari

From: eerosangrur@gmail.com
To: "Paras Pujari" <pr_pujari@neeri.res.in>
Cc: ceebtippcb@gmail.com, ppcbzop2@ymail.com
Sent: Tuesday, December 26, 2023 1:21:57 PM
Subject: Re: Site visit of NEERI team

[Quoted text hidden]