

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1295/2024
(I.A No 121/2025)**

In the matter of:

Munish Kumar

...Applicant

Versus

State of Punjab & Ors.

.... Respondents

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1.	Reply on behalf of Respondent No. 4, Central Pollution Control Board (CPCB) in compliance to Hon'ble NGT order dated 21.02.2025 in Original Application No. 1295/2024	
2.	Annexure – I A copy of Hon'ble NGT order dated 21.02.2025 in O.A No. 1295/2024.	

Filed by



Adv. Rajkumar

On behalf of Central Pollution Control Board

Dated: 27.03.2025

Place: Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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**REPLY ON BEHALF OF THE RESPONDENT NO. 4 CENTRAL
POLLUTION CONTROL BOARD (CPCB).**

1. That, the Hon'ble National Green Tribunal (Principal Bench) (hereinafter referred to as "Hon'ble NGT") vide order dated 21.02.2025 (**Annexure-I**) in Original Application (hereinafter referred to as "OA") No. 1295/2024 titled Munish Kumar versus State of Punjab & Ors. has sought the reply of Central Pollution Control Board (hereinafter referred to as "CPCB" or "Answering Respondent") in the instant matter. Thereby, the reply is made in succeeding paragraphs.
2. That at the outset, the Answering Respondent denies all claims, contentions, allegations and averments against Answering Respondent in the above OA contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the Answering Respondent for want of a specific denial.



3. That CPCB is a statutory Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as "Water Act, 1974"). It performs the functions under the Water Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as "Air Act, 1981") and The Environment (Protection) Act, 1986 (hereinafter referred to as "E (P) Act, 1986").

REPLY ON MERIT:

4. That, the applicant through letter petition dated 14.03.2024 to the Hon'ble NGT (PB) has complained about operation of M/s Super Tractor Industry, which is Red category industry, in residential area of Village: Jasdev Singh Nagar, District: Ludhiana, State of Punjab causing air and noise pollution due to operation of Nickel plant and heavy machines.
5. That, the Hon'ble NGT vide order dated 25.11.2024 constituted a Joint Committee comprising CPCB, Punjab Pollution Control Board (hereinafter referred to as "PPCB") and District Magistrate, Ludhiana for furnishing a factual report in the matter. CPCB was the Nodal Authority for co-ordination and compliance.
6. That, at the outset, it is submitted that in compliance of the Hon'ble NGT order dated 25.11.2024, the Joint Committee visited the site at Jasdev Singh Nagar Village, Ludhiana on 18.12.2024. The Joint Committee report was prepared based on the Joint inspection and the records provided by the Regional Office, Ludhiana, PPCB. The Joint Committee report has already been filed by CPCB



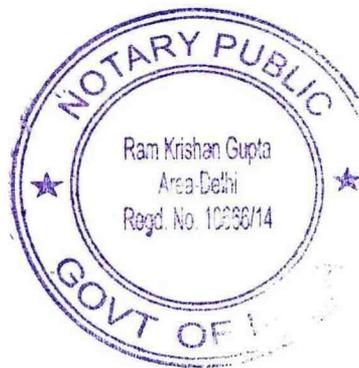
before the Hon'ble NGT on 02.01.2025 and the same is not repeated herein for the sake of brevity.

7. That, as reported in the Joint Committee report, the alleged unit i.e. M/s Super Tractor Industries, Location-I **was found to be non-complying with the following conditions of Consent to Operate** (hereinafter referred to as "CTO") granted earlier by PPCB:

- i. The unit has not planted minimum of three suitable varieties of trees at the density of not less than 1000 trees per hectare all along the boundary of the unit premises.
- ii. The unit is meeting all its water needs from a tube well. However, the industry has not obtained No Objection Certificate (NOC) from the Punjab Water Resources Development Authority (hereinafter referred to as "PWRDA") for extraction of ground water. Further, there is no water meter installed at the borewell to record the quantity of groundwater extraction.
- iii. The unit has not obtained the Authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and as amended from PPCB.
- iv. The unit has not installed a display board showing environmental data at the main entrance.
- v. The unit is yet to obtain a site suitability certificate from Department of Town & Country Planning (hereinafter referred to as "DTCP") and submitted an application for Consent renewal.



8. That, the recommendations made by the Joint Committee in the joint inspection report dated 31.12.2024 are as under:
- i. The unit be made operational only after meeting the siting criteria, obtaining site suitability certificate from DTCP and after obtaining CTO for the permitted activities only from PPCB. PPCB to ensure compliance of the above recommendation of the Joint Committee.
 - ii. PPCB to take action against the Unit for operating without valid CTO.
9. That, the Answering Respondent craves leave of the Hon'ble NGT for filing additional reply, if required, in future.
10. That, in light of the above submission, it is respectfully submitted that this Answering Respondent i.e. CPCB, shall abide by any order(s) or direction(s) passed by the Hon'ble NGT in the instant OA and render justice.




(Anamika Sagar)

Scientist 'E'
Central Pollution Control Board

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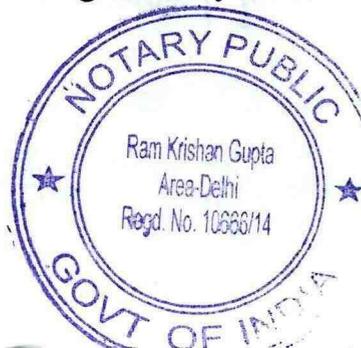
State of Punjab & Ors.

....Respondents

AFFIDAVIT

I, **Anamika Sagar**, working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 4, in the above matter, do hereby solemnly affirm, declare on oath and state as under:-

1. That I, the deponent herein is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the records maintained during ordinary course of business of CPCB and



available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.


DEPONENT

अनामिका सागर / Anamika Sagar
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

27 MAR 2025

Verified at Delhi on this day of _____ 2025 that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.



ATTESTED


NOTARY
DELHI (INDIA)
27 MAR 2025


DEPONENT

अनामिका सागर / Anamika Sagar
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Item No.07

Court No. 2

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

Original Application No. 1295/2024
(IA NO 121/2025)

Munish Kumar

Applicant

Versus

State of Punjab & Ors.

Respondents

Date of hearing: 21.02.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None for the applicant.

Applicant in
I.A. No. 121/2025: Mr. Lalit Sharma, Advocate for Applicant in IA No. 121 of
2025.

Respondents: Mr. Raj Kumar, Advocate for CPCB.

ORDER

1. Vide order dated 25.11.2024, this Tribunal constituted a Joint Committee with direction to collect relevant information and submit its report.

2. Report dated 31.12.2024 of the Joint Committee has been submitted by CPCB vide email dated 02.01.2025.

3. In view of the averments made in the original application and observations made by the joint committee, we consider it appropriate to have response of (1) State of Punjab through Secretary Environment, Government of Punjab (2) Principal Secretary, Housing and Urban

Development, Government of Punjab, (3) District Magistrate, Ludhiana, (4) Central Pollution Control Board through Member Secretary, (5) Punjab Pollution Control Board through Member Secretary and (6) Project Proponent- Super Tractor Industries Pvt Ltd, who are impleaded as respondents No. 1 to 6.

4. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 6 requiring them to file their replies/responses.

5. **I.A. No. 121/2025:** has been filed by Project Proponent- Super Tractor Industries Pvt Ltd. for impleadment which stands disposed of in terms of above order whereby the Project Proponent has been impleaded as respondent no.6.

6. Replies/responses be filed by the respondents at least three days before the next date of hearing fixed.

7. List on 28.03.2025 for further consideration.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 21st, 2025
Original Application No. 1295/2024
(IA NO 121/2025)
AB