

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

Appeal No. 17 of 2025

(IA No. 565 of 2025)

In the matter of

M/s Eldeco Infrastructure and Properties Ltd.

..... Applicant

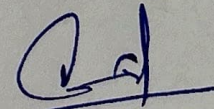
V/s

Punjab Pollution Control Board

..... Respondent

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(Er. Jaspal Singh)

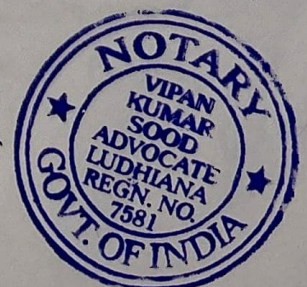
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-3, Ludhiana

(On behalf of Punjab Pollution Control Board)

Dated: 10.09.2025

Place: Ludhiana

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10/9/2025



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(PRINCIPAL BENCH)**

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In the matter of

M/s Eldeco Infrastructure and Properties Ltd.

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..... Respondent

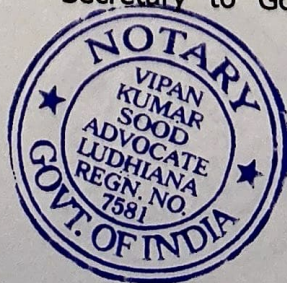
Reply to IA No 565 of 2025 by way of affidavit of Er. Jaspal Singh, Environmental Engineer, Regional Office-3, Ludhiana on behalf of respondent Punjab Pollution Control Board.

I, the above-named deponent, do hereby solemnly affirm and state as under:

RESPECTFULLY SHOWETH

- 1) That the Eldeco Infrastructure and Properties Ltd, village Rajpura, Hussainpura & Bhattian, Tehsil Ludhiana West, District Ludhiana has filed the above-mentioned appeal before the Hon'ble National Green Tribunal u/s 16 of the National Green Tribunal Act, 2010 against the order dated 01.10.2024 passed by the Appellate Authority-cum - Secretary to Government of Punjab,

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- Department of Science, Technology & Environment constituted under the Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 whereby order dated 25.07.2024 of the Punjab Pollution Control Board for imposition of Environmental Compensation of Rs. 1,30,50,000/- has been affirmed. A copy of the order of the Board dated 25.07.2024 is enclosed herewith as **Annexure-A**.
- 2) That the appellant has now filed an application u/s 19 (4)(G)&(I) of the National Green Tribunal Act, 2010 praying that subsequent events, documents be taken on record and appropriate directions be issued staying the operation of the impugned orders dated 01.10.2024 and 18.07.2025 and the consequential actions emanating therefrom. The application filed by the appellant has been registered as IA No. 565 of 2025. This Hon'ble Tribunal was pleased to pass an order dated 28.08.2025 thereby directing the Punjab Pollution Control Board to file reply to the IA.
 - 3) That it is pertinent to mention here that the respondent Punjab Pollution Control Board has filed reply to the above-mentioned appeal filed by the appellant by way of the affidavit dated 25.08.2025 of the deponent. The contents of the affidavit dated 25.08.2025 filed by the deponent may kindly be read as part of reply to IA no. 565 of 2025.
 - 4) That the respondent Punjab Pollution Control Board has imposed Environmental Compensation upon the appellant firm for the period of violation of 435 days from 17.09.2021 to 25.11.2022 in accordance with the methodology of the Central Pollution Control Board which has been mentioned and described in the order dated 25.07.2024 passed by the Punjab Pollution Control Board. The subsequent events if any cannot be taken into account. The reply to the IA no. 565 of 2025, however, may please be read in the following paragraphs.

Reply on merits

- 1) That the contents of para no.1 relating to the filing of present application are a matter of record.

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- 2) That the contents of para no.2 relating to the filing of the above-mentioned appeal challenging the order passed by the Appellate Authority are a matter of record.
- 3) That the contents of para no.3 of the application are a matter of record. The Punjab Pollution Control Board has filed reply to the appeal filed by the appellant and the contents of the said reply may kindly be read as part of reply to the application filed for staying the operation of the orders dated 01.10.2024 and 18.07.2025.
- 4) That the contents of para no.4 regarding the pendency of appeal before this Hon'ble Tribunal are a matter of record. The appeal case is now listed for hearing before this Hon'ble Tribunal on 16.09.2025.
- 5) That in reply to the contents of para no.5 of the application, it is submitted that no ground is made out to stay the operation of the orders passed by the Board.
- 6) That the contents of para no.6 of the application are wrong hence denied. No ground is made out to set aside the orders challenged by the appellant.
- 7) That the contents of para no.7 of the application are wrong hence denied that the imposition of Environmental Compensation by the Board is unjustified as alleged in the notice. It is further wrong hence denied that the case of the appellant / applicant has not been considered on merits in accordance with law. The reply to the grounds mentioned in this para may kindly be read as under.
 - 7.1) The contents of sub para 7.1 are denied being incorrect. The treated water from Sewage Treatment Plant was found discharged into plot adjacent to the STP which is reserved for school as per the layout plan approved by the Chief Town Planner, Punjab.
 - 7.2) The contents of sub para 7.2 are denied being incorrect.
 - 7.3) The contents of sub para 7.3 are denied being incorrect. The reply given in sub para 7.1 may kindly be read as reply to this para.
 - 7.4) The subsequent clearance of wild grass is not relevant.

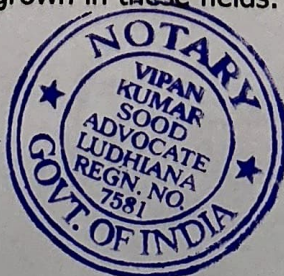
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- 7.5) The residential colony has two number bore-wells in its premises for extraction of ground water for domestic use. However, flow meter has been provided only on one bore-well.
- 7.6) During visit 03 rain water harvesting pits were found choked and rain water was found stagnated in low laying areas of the colony.
- 7.7) During visit, the residents have shown photographs of flexible pipes discharging water from distribution network into rain water harvesting pits.
- 7.8) The contents of sub para 7.8 are denied being incorrect. The project proponent was not maintaining the record of wastewater discharge / reused for flushing purposes and provided to the farmers.
- 7.9) The contents of sub para 7.9 may be considered as matter of record.
- 7.10) The contents of sub para 7.10 are denied being incorrect
- 7.11) During visit on 25.11.2022, the project proponent has failed to produce any latest copy of agreement made with the farmers for disposal of treated domestic effluent. No record in this regard has been maintained.
- 7.12) During visit on 25.11.2022, it was observed that the residential colony has still not developed 04 acres land reserved for plantation and the same land is even not made the part of residential colony. The residential colony has provided pipeline for discharge of treated water into the land of Malhi Farms located adjacent to the residential colony, however no record regarding amount of water discharged in this land has been maintained. Moreover, no crop is standing in 20-acre field and no plantation has been provided in this land, thus the residential colony has no alternative disposal during ongoing no demand period. During visit also treated water was not discharged into the above said land as no crop has grown in these fields. The residential colony

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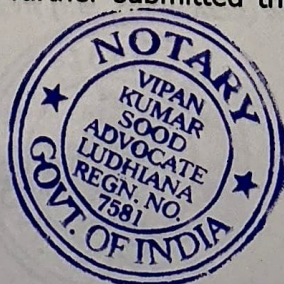
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failed to produce any latest copy of agreement made with farmers for disposal of treated domestic effluent.

The above reply shows that the project was in violation of law. Hence, the facts mentioned by the appellant / applicant in sub para 7.1 to 7.12 cannot be relied upon in view of the reply given above.

- 8) That the contents of para no.8 are wrong hence denied. The competent authority of the Board has passed a detailed order bearing no.330 dated 25.07.2024 for imposition of Environmental Compensation upon the residential township of the appellant and the said order was conveyed to the appellant vide letter no. 4667 dated 26.07.2024. Appropriate reply to the grounds mentioned in sub para 8.1 to 8.2.3 in paragraph 8 of the application has already been given in the detailed order dated 25.07.2024 passed by the Board and also in the reply filed to the appeal by way of affidavit dated 25.08.2025 of the deponent. The same may kindly be read as reply to the contents of paragraph 08 and sub paragraph 8.1 to 8.2.3.
- 9) That the contents of para no.9 are wrong hence denied. No prejudice or financial hardship has been caused to the appellant / applicant.
- 10) That the contents of para no.10 of the application may be considered as matter of record.
- 11) That the contents of para no.11 are wrong hence denied.
- 12) That the contents of para no.12 may be considered as matter of record.
- 13) That the contents of para no.13 may be considered as matter of record.
- 14) That the contents of para no.14 are wrong hence denied. Multiple opportunities have been granted to the project proponent for making compliance of the provisions of the environmental laws, but the appellant has failed to comply with the directions of the Board. It is further submitted that the Board has

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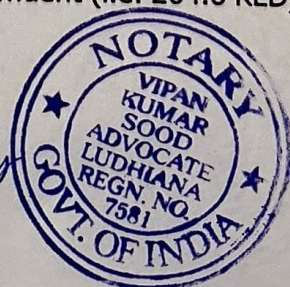


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imposed Environmental Compensation upon the appellant for the violations committed during the period 17.09.2021 to 25.11.2022. The project of the appellant was visited from time to time by the officers of the Board. Following observations have been reported by the visiting officer after the visit of the project site on 19.03.2025

- i) The STP provided by the residential colony was in operation. The residential colony is operating both modules of its STP and total capacity of STP is 1220 KLD. Effluent samples from outlet of STP installed by the residential colony were collected and as per analysis reports, the concentrations of various parameters (Outlet to STP) is pH = 7.32, TSS = 61 mg/l, TDS = 738 mg/l, COD = 117 mg/l, BOD = 27 mg/l, O&G = 6.2 mg/l and F. coli = 3,50,000. As per the analysis report, the concentration of F.coli is beyond the prescribed limits as prescribed by the Board.
- ii) The residential colony is discharging its treated water partially into 12 parks and 27 green areas (combined area 7.01 acres) developed within the residential colony and partially into 04 acres 06 kanals land taken by it on lease from Sh. Amandeep Singh Malhi S/o Sh. ukhjinder Singh Malhi. The residential colony has done registered land lease agreement with Sh. Amandeep Singh Malhi for 04 acres 06 kanals land from khasra no: 5//13,14,15/1,2,11,9,20/1, 21/12, 22,23, 24/1 and 11//4/1, 2/2, 2/3/2,3/1. Registered land lease agreement is valid upto 30.04.2028.
- iii) The residential colony has applied consent to operate for generation of domestic effluent @ 429 KLD for partial reuse into flushing system (168 KLD) and for partial discharge into plantation area (140) and horticulture (121 KLD). The residential colony has sufficient land for discharge of $140 + 121 = 261$ KLD. However, estimated discharge of colony at present is 620 KLD. Maximum 33% of treated effluent (i.e. 204.6 KLD) will be reused

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for flushing through dual plumbing system. Thus, remaining discharge will be $620 - 204.6 = 415.6$ KLD. The residential colony has 04 acres 06 kanals land as per Karnal technology and this land can handle $4.75 \text{ acre} \times 60 \text{ KLD/acre} = 285$ KLD discharge. The residential colony has 7.01 acres park and green area and this can handle 0.5 litre/m² of treated trade effluent i.e. $02 \text{ KL/Acre} \times 7.01 \text{ acre} = 14.02$ KLD discharge. Thus, residential colony have land to handle discharge @ 299.02 KLD only.

- iv) The residential colony had not developed 04 acres land reserved for plantation. This land is located at a distance of about 10 acres from the colony. As per Environmental Clearance, the project proponent had proposed this land for discharge of treated trade effluent.
- v) The residential colony had engaged private firm namely M/s Reddonatura India Private Limited, Bangalore for door to door collection and segregation of municipal solid waste. The project proponent has provided bio-composter for processing of degradable solid waste. Final disposal of inert / non-biodegradable municipal solid waste is done at dump site of the Municipal Corporation, Ludhiana.
- vi) The residential colony has installed 03 no. DG sets of capacities 380 KVA, 380 KVA and 250 KVA and all are equipped with canopies and stacks of adequate height.
- vii) The project proponent has started planning to connect its sewer with STP Bhattian after crossing under National Highway 44 which will result in violation of the conditions of Environmental Clearance obtained by it from SEIAA vide no. SEIAA/2016/3650 dated 23.11.2016.

The residential colony was found not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Conditions for Operation Phase and Entire Life of the Environmental Clearance obtained by it

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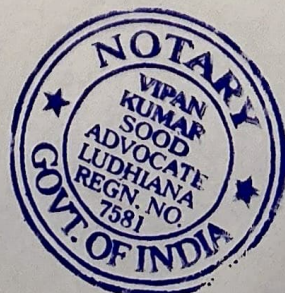
from the State Level Environment Impact Assessment Authority, Punjab under EIA notification dated 14.09.2006 vide no: SEIAA/2016/3650 dated 23.11.2016.

Considering the violations, a notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 and show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 was issued to the project proponent vide letter no. 4073 dated 26.06.2025 with an opportunity of personal hearing before the Chairperson of the Board on 08.07.2025.

Sh. M.D Kalam Uddian, Assistance General Manager alongwith other officials of the project attended the hearing before the Chairperson of the Board on 08.07.2025 and submitted a written reply which was taken on record. The representative stated that the STP is being operated with full efficiency, which is also evident from the analysis results. Only the F-Coli are beyond limit for which they have already initiated actions. He further informed that the present generation of sewage is 429 KLD and the generation of 620 KLD is not practically possible. In addition to this, they informed that they have developed the land to accommodate the treated sewage. Further, it was informed by the representatives of the project proponent that the proposition of connectivity to the STP Bhattian is in planning stage. It was confirmed that they would connect the sewer with the STP Bhattian after taking all the necessary approval from the Concerned Authorities.

It was observed by the Chair that despite of the fact that the Environmental Clearance was granted for an expected discharge of 1223 KLD with provisions for reuse in flushing, HVAC, horticulture, and irrigation, the reuse of treated effluent for flushing and HVAC was not being implemented in practice. Moreover, the practical consumption of treated effluent for horticulture and plantation is significantly limited during winter and rainy seasons. Furthermore, the project proponent had failed to arrange 20 acres of additional land for plantation as committed during the environmental impact assessment while obtaining environmental clearance. The non-implementation

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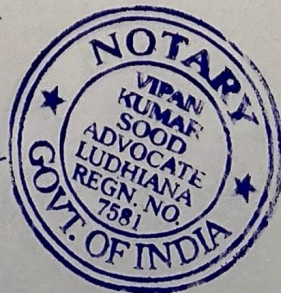
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of reuse of treated effluent for flushing and other purposes further exacerbates the situation. Additionally, the proposed disposal of treated effluent into the sewage network leading to the Bhattian STPs is not in line with the environmental clearance conditions, as the necessary permissions and amended clearance have not been obtained. Consequently, the current disposal arrangements are unsatisfactory. The project proponent has also failed to submit a complete compliance report for the environmental clearance conditions. Moreover, the project proponent had not deposited the environmental compensation previously imposed for violations.

The matter was deliberated in detail and the reply submitted by the project proponent was not found satisfactory. It was noticed by the Chair that the project proponent is a regular offender and is violating the environmental norms and EC conditions constantly. After hearing representatives of the project, officers of the Board and considering the material facts of the case, the Chairperson of the Board decided as under:

1. The consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 applied by the promoter company be refused due to violation of the provisions of the Environmental Clearance obtained by the project proponent from SEIAA, Punjab as well as other as due to other violations.
2. The bank guarantee of Rs. 20 lacs already submitted by the project proponent as an assurance to comply with the provisions of environmental laws be got en-cashed.
3. The project proponent shall deposit the Environmental Compensation of Rs. 1,30,50,000 /- earlier imposed by the Board already conveyed to the project proponent vide order no. 330 dated 25.07.2024, within 07 days, failing which the matter shall be referred to the Revenue Authorities for recovery of the same.
4. The project proponent shall not connect its effluent to the MC sewer and other mode of disposal which violates Environmental

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Clearance conditions till the revised Environmental Clearance and NOC of the Board is obtained.

5. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 be issued to the project proponent and concerned Departments:

a) The Revenue Authorities / Registrar of Land be directed not to register any sale deed related to any plot/flat/house/shop/any other component of this project with immediate effect and the entries to this effect shall also be made in the revenue record/jamabandi.

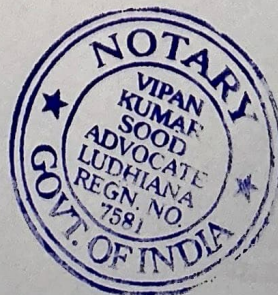
b) The GLADA Authorities shall be directed to not issue partial completion / completion certificate to the project and shall not sanction any new building plans in the residential colony for any plot/flat/house/shop/any other component of this project.

c) The Punjab State Power Corporation Limited Authorities be directed not to issue any new electric connection related to any plot/flat/house/shop/any other component of this project with immediate effect.

6. The Environmental Engineer, Regional Office-3, Ludhiana shall submit the compliance report w.r.t decision of the personal hearing as per time schedule. EE, RO shall provide the current status of legal action to be taken against the project proponent and its directors for violation of conditions of environmental clearance and provisions of Water Act, 1974 as already approved during hearing dated 07.07.2022.

The proceedings of the hearing held on 08.07.2025 were conveyed to the Project Proponent / appellant herein vide letter no. 4448 dated 18.07.2025

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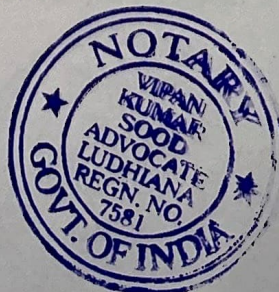
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for compliance. A copy of letter no. 4448 dated 18.07.2025 is enclosed as **Annexure-B.**

In view of the facts mentioned herein above no ground is made out to set aside the proceedings of hearing held on 08.07.2025 as conveyed to the appellant vide letter dated 18.07.2025. The appellant cannot challenge the proceedings of hearing conveyed vide letter dated 18.07.2025 in the present appeal.

- 15) That in reply to the contents of para no.15 of the application, it is submitted that the above-mentioned appeal has been filed by the appellant against the order dated 01.10.2024 passed by the Appellate Authority whereby the order dated 25.07.2024 passed by Punjab Pollution Control Board for imposition of Environmental Compensation amounting to Rs. 1,30,50,000/- has been affirmed. The appellant cannot make challenge to the proceedings of hearing held on 08.07.2025 which were conveyed vide letter no.4448 dated 18.07.2025 in the present appeal case.
- 16) That no prejudice has been caused to the appellant as alleged.
- 17) That in reply to the contents of para no.17 of the application, it is submitted that the no ground is made out to grant stay against the operation of order dated 01.10.2024 and the actions emanating therefrom.
- 18) That the contents of para no.18 are wrong hence denied. No prima facie case is made in favour of the applicant / appellant.
- 19) That the contents of para no.19 of the application are wrong hence denied. No irreparable loss or injury will be caused to the appellant as alleged. The violations which continued for long period of time in-spite of notices, reminders and opportunities of hearing afforded by the Board to the project proponent cannot be treated in a causal manner rather such continued violations having wider ramifications in terms of environmental pollution must be treated as grave and perilous in nature for the sake of protection and preservations of environment. The project proponent cannot only indulge in earning of financial profits from the project but it also owes duty towards the protection, preservation and improvement of the environment.

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- 20) That the contents of para no.20 of the application are wrong hence denied. No balance of convenience lies in favour of the appellant applicant and against the respondent.
- 21) That the contents of para no.21 are wrong hence denied.

Prayer

It is, therefore, prayed that:

- 1) The application filed for staying the operation of order dated 01.10.2024 and 18.07.2025 alongwith the appeal case filed by the appellant may kindly be dismissed.
- 2) The appellant may kindly be directed to deposit the Environmental Compensation to Rs. 1,30,50,000/- for the period of violation from 17.09.2021 to 25.11.2022.

Dated: 10.09.2025

Place: Ludhiana

Deponent

(Er. Jaspal Singh)

Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-3, Ludhiana

(On behalf of Punjab Pollution Control Board)

VERIFICATION:

Certified that the affidavit/SPA/GPA has been readover & explained to the deponent/executant who seemed directly to understand the same at the making thereof

Verified that the contents of the above reply by way of affidavit are true and correct to my knowledge as derived from the official record. No part of the above reply is false and nothing material has been kept concealed therein.

Dated: 10.09.2025

Place: Ludhiana.

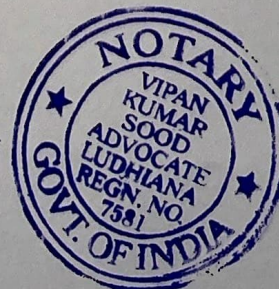
Deponent

(Er. Jaspal Singh)

Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-3, Ludhiana

(On behalf of Punjab Pollution Control Board)

ATTESTED AS IDENTIFIED
NOTARY PUBLIC
LUDHIANA (PB.) India





ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD

No. 330

Dated. 25/7/24

Subject: Imposition of Environmental Compensation upon M/s Eldeco Infrastructure and Properties Limited, Residential Township namely Eldeco Estate One, At Village-Rajpura, Hussainpura and Bhatian, Ludhiana for violation of the provisions of Environmental Laws.

Order

The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules made there under in the State of Punjab. The main objective of the Board is maintaining or restoring the wholesomeness of water, the preservation of the quality of air and the protection and improvement of the environment.

2) The Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India has declared various clusters in the Country as Critically Polluted Areas (CPA), Severely Polluted Area (SPA) based on Cumulative Environmental Pollution Index (CEPI) score. Due to increased industrialization, activities of the Industrial units and some other identical reasons, Ludhiana city has been declared as Critically Polluted Area by the Central Pollution Control Board.

3) Briefly stated that the residential colony was granted 'Consent to Operate' under the Water Act, 1974 and the Air Act, 1981 vide no. CTOW/Renewal/LDH3/2019/9364225 & CTOA/Renewal/LDH3/2019/9364378, valid upto 31.03.2022 with conditions mentioned therein.

4) A complaint was received through e-mail from the residents of the colony regarding untreated domestic water discharged into rain water harvesting pits through flexible pipes and onto land for stagnation in the area reserved for school. The complainants had complained about poor handling of Municipal Solid Waste and discharge of untreated /

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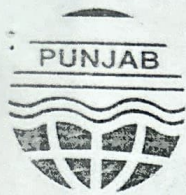
partially treated domestic water into parks of the residential colony resulting in foul smell in the residential colony. The complainants had also complained about partially treated water supplied for re-use into flushing purpose.

5) Accordingly, the residential colony was visited by officer of the Board on 17.09.2021 and the colony was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974. The project proponent was given an opportunity of personal hearing before the Chairman of the Board on 12.01.2022, wherein, it was decided as under:

- Consent to Operate granted to the project proponent under the Water (Prevention & Control of Pollution) Act, 1974 be revoked.
- The project proponent shall maintain and operate its sewage treatment plant regularly & efficiently, so as to achieve the effluent standards, consistently as prescribed by the Board.
- The project proponent shall discharge its treated domestic effluent only as per mode of disposal in the consent granted and also comply with the Municipal Solid Waste Rules, 2016.
- The project proponent shall not discharge any kind of its wastewater into rainwater harvesting pits under any circumstances and shall discharge only roof top rainwater into the same.
- Environmental Engineer, Regional Office - 3, Ludhiana shall calculate the Environmental Compensation on the project proponent for no. of days in violations as per above and get it approved from the EC verification committee and send the report, within 15 days. A separate order for imposition of Environmental Compensation will be passed.

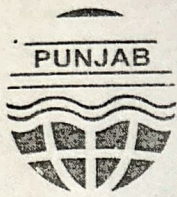
6) In compliance of the decision no. 1 of the personal hearing, 'Consent to Operate' granted under the Water (Prevention & Control of Pollution) Act, 1974 to the residential colony was revoked vide Board's letter no. 608 dated 24.01.2022.

7) The project proponent applied for obtaining 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 on 17.02.2022.



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- 8) The residential colony was visited by officer of the Board on 02.03.2022 in the presence of Er. S.K. Gupta, Member of SEIAA, Punjab and it was observed that the residential colony was not complying with the provisions of MSW Rules, 2016, Water (Prevention & Control of Pollution) Act, 1974 and various conditions of the Environmental Clearance. Accordingly, the project proponent was again given an opportunity of personal hearing before Chairman of the Board on 07.07.2022, wherein it was decided as under:
- The project proponent shall submit copy of agreements made with the farmers for disposal of treated domestic effluent onto land for irrigation, in the office of Environmental Engineer, Regional Office-3, Ludhiana, within 07 days.
 - The project proponent shall furnish a bank guarantee amounting to Rs. 10 Lac in the office of Environmental Engineer, Regional Office-3, Ludhiana, within 07 days as an assurance to comply with the provisions of Water Act, 1974, Air Act, 1981 and MSW Rules, 2016 and conditions of Environmental Clearance granted under the EIA notification dated 14.09.2006.
 - The project proponent shall comply with the provisions of MSW Rules, 2016 at all the times.
 - The project proponent shall comply with the conditions of Environmental Clearance granted to it under the EIA notification dated 14.09.2006 in true letter and spirit.
 - Consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 be renewed for one year, subject to same conditions.
 - Environmental Engineer, Regional Office-3, Ludhiana shall visit the project, verify the compliances made and send the report, within 15 days.
- 9) The Project Proponent was also granted 'Consent to Operate' under the Water Act, 1974, vide no CTOW/Renewal/LDH3/2022/18019165 dated 24.06.2022 valid upto 30.09.2022 and under the Air Act, 1981, vide no. CTOA/Renewal/LDH3/2022/18019167 dated 22.07.2022, both valid upto 21.07.2023.
- 10) Thereafter, again a complaint was received in the Board on 02.08.2022 against the residential colony regarding stagnation of treated water from STP in the land reserved for school. Accordingly, the residential colony was visited by officer of the Board on 03.08.2022 and it was observed as under:



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- The STP provided by the residential colony for treatment of domestic waste water was in operation (one module of 610 KLD only). The residential colony was in process of starting the second module of capacity 610 KLD and work related to mechanical fittings was going on.
- The residential colony is maintaining the record regarding operation of STP. However, sludge filter press was not in operation. Moreover, sludge settling in the STP was not proper. Effluent samples from outlet to STP were collected during visit and sent to Zonal Lab, Ludhiana for analysis of the same. Also, the analysis report of effluent sampling carried out on 03.08.2022 has been received and as per the report, the concentration of parameters is pH = 7.06, TSS = 19 mg/l, TDS=39419 mg/l, COD=46 mg/l, BOD=1419 mg/l & O&G= BDL, which is within the prescribed limits of the Board.
- The residential colony was discharging its treated water partially onto land for stagnation in the land reserved for school and partially into the parks developed within the residential colony. Wild growth was observed in the land reserved for school and this wild growth has overcome the tree saplings earlier planted by the residential colony.
- The residential colony has still not developed 04 acres land reserved for plantation and the same land is even not made the part of residential colony. The residential colony has provided pipeline for discharge of treated water into the land of Malhi Farms located adjacent to the residential colony, however no record regarding amount of water discharged in this land has been maintained. Moreover, paddy crop was standing in 20-acre field and no plantation has been provided in this land, thus the residential colony has no alternative disposal during no demand period. During visit, also treated water was not discharged into the above said land as fields were already irrigated with rainwater.
- The residential colony failed to produce any latest copy of agreement made with farmers for disposal of treated domestic effluent.
- The project proponent has engaged private firm namely M/s Reddonatura India Private Limited, Bangalore for door-to-door collection and segregation of municipal solid waste. The project proponent has provided bio-composter for processing of de-



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gradable solid waste. However, the residential colony failed to produce any agreement regarding final disposal of inert / non-biodegradable municipal solid waste.

11) The project proponent was not complying with the provisions of MSW Rules, 2016, Water (Prevention & Control of Pollution) Act, 1974 and conditions of the Environmental Clearance and decisions of the personal hearing dated 07.07.2022. The matter was pursued by the Competent Authority of the Board and it was decided that:

- Consents to operate granted to the project proponent both under Water Act, 1974 and Air Act, 1981 may be revoked.
- GLADA authorities may be directed not to grant completion certificate to the colonizer till it makes adequate arrangements for control of environmental pollution to the satisfaction of PPCB.
- Suitable amount of EC may be imposed for its failure to provide adequate disposal arrangements.
- RO may be requested to file prosecution case against the project proponent and its directors for violation of conditions of environmental clearance and provisions of Water Act, 1974.
- The project proponent may be given one more opportunity of personal hearing to stress upon it to comply with conditions of environmental clearance, operate STP properly and make adequate disposal arrangements at the earliest.

12) Accordingly, Consents to Operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 were revoked Board's letter nos. 5982 & 5984 respectively, both dated 23.09.2022. The Chief Administrator, Greater Ludhiana Area Development Authority, Ludhiana was also directed vide Board's letter no. 5987 dated 23.09.2022 as under:

"GLADA Authorities may be directed not to grant completion certificate to the colonizer till it makes adequate arrangements for control of environmental pollution to the satisfaction of PPCB."

13) In compliance to the decision no. 4 of the Competent Authority and in light of Board's office order no. 213 dated 15.04.2021 regarding formation of oversight committee for de-criminalization of Environmental laws.

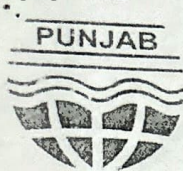


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14) Thereafter, the project proponent applied for renewal of 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 on 17.02.2022.

15) The residential colony was visited by officer of the Board on 25.11.2022 and it was observed as under:

- The STP provided by the residential colony for treatment of domestic waste water was in operation (one module of 610 KLD only). The residential colony is in process of starting the second module of capacity 610 KLD and work related to mechanical fittings has been completed.
- The residential colony is maintaining the record regarding operation of STP. However, sludge filter press was not in operation. Moreover, sludge settling in the STP was not proper.
- The residential colony was discharging its treated water partially onto land for stagnation in the land reserved for school and partially into the parks developed within the residential colony. Wild growth was observed in the land reserved for school and this wild growth has overcome the tree saplings earlier planted by the residential colony.
- The residential colony has still not developed 04 acres land reserved for plantation and the same land is even not made the part of residential colony. The residential colony has provided pipeline for discharge of treated water into the land of Malhi Farms located adjacent to the residential colony, however no record regarding amount of water discharged in this land has been maintained. Moreover, no crop is standing in 20-acre field and no plantation has been provided in this land, thus the residential colony has no alternative disposal during ongoing no demand period. During visit also treated water was not discharged into the above said land as no crop has grown in these fields.
- The residential colony failed to produce any latest copy of agreement made with farmers for disposal of treated domestic effluent.
- The project proponent has engaged private firm namely M/s Reddonatura India Private Limited, Bangalore for door-to-door collection and segregation of municipal



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solid waste. The project proponent has provided bio-composter for processing of degradable solid waste. However, the residential colony failed to produce any agreement regarding final disposal of inert / non-biodegradable municipal solid waste.

- The project proponent has installed 03 no. DG sets of capacities 380 KVA, 380 KVA and 250 KVA and all are equipped with canopies and stacks of adequate height

16) The project proponent is violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and condition no. iii, vi, viii of the part IV i.e. Conditions for Operation Phase and Entire Life of the Environmental Clearance obtained by it from the State Level Environment Impact Assessment Authority, Punjab under EIA notification dated 14.09.2006 vide no: SEIAA/2016/3650 dated 23.11.2016.

17) Accordingly, notice u/s 33-A of the Water Act, 1974 alongwith show cause notice for refusal of consent to operate under the Water Act, 1974 and Air Act, 1981 was issued to the project proponent with opportunity of personal hearing before Hon'ble Chairman of the Board on 17.01.2023 rescheduled on 25.01.2023, wherein it was decided as under:

- The Environmental Compensation be imposed to the project proponent for above said violation under the Water (Prevention & Control of Pollution) Act, 1974 and for violation of Environmental Clearance granted to the project. The Environmental Engineer, Regional Office-3, Ludhiana shall calculate Environmental Compensation (EC) for the no. of days of violations, get it verified from EC Committee constituted by the Board within 07 days. A separate order for the imposition of EC shall be passed, accordingly.
- The project proponent shall not connect its effluent to the sewer till obtain revised Environmental Clearance and NOC of the Board.
- The GLADA authorities shall be written not to connect the effluent of any project / establishment with the Municipal sewer of Ludhiana till the commissioning of new STP's of Ludhiana and having Municipal Corporation, Ludhiana had adequate treatment capacity for domestic effluent. The existing STP's are already under capacity



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and untreated effluent is being discharged into Buddha Nallah and ultimately into River Satluj.

- The following directions be issued to the project proponent and concerned Departments:
 - The Revenue Authorities / Registrar of Land be directed not to register any sale deed related to any plot/flat/house/shop/any other component of this project with immediate effect.
 - The GLADA Authorities shall be directed not to sanction any new building plans in the residential colony for any plot/flat/house/shop/any other component of this project.
 - The Punjab State Power Corporation Limited Authorities be directed not to issue any new electric connection in the premises of project proponent

16) It is pertinent to mention here that the Hon'ble Supreme Court of India has considered the concept of Polluter Pay's Principle in Indian Council for Enviro Legal Action and Others v/s Union of India and Others (1996) 3SCC 212, Vellore Citizens Welfare Forum v/s Union of India (1996) 5 SCC 647 and held that Polluter Pay's Principle is accepted principle and part of environmental law of the country even without specific statute.

13) Thus, in view of the above recorded facts, the matter was considered for imposition of Environmental Compensation for the period of violation from 17.09.2021 to 25.11.2022 in accordance with the formula and methodology evolved by the Central Pollution Control Board and adopted by the Punjab Pollution Control Board. The amount of Environmental Compensation for the period of violation from 17.09.2021 to 25.11.2022 (435 days) was calculated to be Rs. 1,30,50,000/- as per following details:

EC	=	PI x N x R x S x LF
PI	=	Pollution Index = 32 (Violation under Water Act, 1974)
N	=	Number of days = 435 (From 17.09.2021 to 25.11.2022)
R	=	A factor in Rupees (Large Scale Red category project) = 500
S	=	Factor based on scale of the industry (Large Scale project)= 1.5
LF	=	Population Factor = 1.25
EC	=	32 x 435 x 500 x 1.5 x 1.25= Rs. 1,30,50,000/- (Rs. One Crore Thirty Lacs Fifty Thousand Only)



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14) Therefore, the project proponent is hereby directed to deposit an amount of Rs. 1,30,50,000/- (Rs. One Crore Thirty Lacs Fifty Thousand Only) as Environmental compensation for the period of violation from 17.09.2021 to 25.11.2022 with the office of the Punjab Pollution Control Board within 15 days, from the date of receipt of this order, failing which, the Board shall be constrained to initiate necessary action for recovery of the amount of Environmental Compensation by adopting coercive measures, thereafter.

15) Take notice that no further intimation or reminder will be issued by the Board in this regard. Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana is directed to ensure compliance of directions issued in the case. A copy of this order be supplied to all the concerned for compliance.

Adarsh Pal Vig
(Prof. (Dr.) Adarsh Pal Vig)
Chairman

Annexure-B



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, E-648-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana

E-mail: seezo2ldhppch@yahoo.com

Ph No. 0161-2670141

No. PPCB/SEE/ZO-2/LDH/2025/..... Regd Dated

To

M/s Eldeco Infrastructure and Properties Limited,
Residential Township namely Eldeco Estate One,
At Village-Rajpura, Hussainpura and Bhatian,
Ludhiana.

Subject: Proceedings of the personal hearing given by Chairperson of the Board on 08.07.2025 w.r.t 1. Notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988. 2. Show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

The following were present:

On behalf of PPCB

Er. Lavneet Kumar Dubey, Member Secretary

Er. R.K. Ratra, CEE, Ludhiana

Er. Kuideep Singh, SEE, ZO-2, Ludhiana

On behalf of project

Sh. M.D Kalam Uddian, Assistance General Manager

Sh. Baljinder Singh, Executive

Sh. Gagandeep Singh, AVP

ਸ਼ਾਨੀਅਰ ਸਹਾਇਕ ਕਲਰਕ/ਜੀ.ਓ.ਓ/ਸਹਾ ਵਾਤਾ ਇੰਜੀ
ਨਵੀ ਡਾਕ ਜੂ. ਵਾਤਾ ਇੰਜੀ

ਵਾਤਾ ਇੰਜੀ
ਡਾਇਰੀ ਨੰ. 2015. ਡਿ-ਤੀ 24/7/25

22/07/25 24/7/25

ASG-3/SA
urgent

Senior Environmental Engineer, Zonal Office-2, Ludhiana brought out that the residential colony was earlier granted 'Consent to Operate' under the Water Act, 1974 and the Air Act, 1981 vide no. CTOW/Renewal/LDH3/2019/9364225 & CTOA/Renewal/LDH3/2019/9364378 dated 01.05.2019, both of which expired on 31.03.2022 with conditions mentioned therein.

Thereafter, a complaint was received through e-mail from the residents of the colony regarding untreated domestic water discharged into rain water harvesting pits through flexible pipes and onto land for stagnation in the area reserved for school. The complainants had complained about poor handling of Municipal Solid Waste and discharge of untreated / partially treated domestic water into parks of the residential colony resulting in foul smell in the residential colony. The complainants had also complained about partially treated water supplied for re-use into flushing purpose.

Accordingly, the residential colony was visited by officer of the Board on 17.09.2021 and the colony was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974. The project proponent was afforded an opportunity of personal hearing before the Chairman of the Board on 12.01.2022, wherein, it was decided as under:

1. Consent to Operate granted to the project proponent under the Water (Prevention & Control of Pollution) Act, 1974 be revoked.
2. The project proponent shall maintain and operate its sewage treatment plant regularly & efficiently, so as to achieve the effluent standards, consistently as prescribed by the Board.
3. The project proponent shall discharge its treated domestic effluent only as per mode of disposal in the consent granted and also comply with the Municipal Solid Waste Rules, 2016.

4. *The project proponent shall not discharge any kind of its wastewater into rainwater harvesting pits under any circumstances and shall discharge only roof top rainwater into the same.*
5. *Environmental Engineer, Regional Office – 3, Ludhiana shall calculate the Environmental Compensation on the project proponent for no. of days in violations as per above and get it approved from the EC verification committee and send the report, within 15 days. A separate order for imposition of Environmental Compensation will be passed.*

In compliance of the decision no. 1 of the personal hearing, 'Consent to Operate' granted under the Water (Prevention & Control of Pollution) Act, 1974 to the residential colony was revoked vide Board's letter no. 608 dated 24.01.2022.

Thereafter, the project proponent applied for obtaining 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 on 17.02.2022.

The residential colony was visited by officer of the Board on 02.03.2022 in the presence of Er. S.K. Gupta, Member of SEIAA, Punjab and it was observed that the residential colony was not complying with the provisions of SWM Rules, 2016, Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and various conditions of the Environmental Clearance granted to it.

Thereafter, the project proponent was issued show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 vide letter no. 2898 dated 16.05.2022 to submit reply, within 07 days. The project proponent submitted reply w.r.t show cause notice issued to it and was granted 'Consent to Operate' under the Water Act, 1974, vide no CTOW/Renewal/LDH3/2022/18019165 dated 24.06.2022, which had expired on 30.09.2022.

The project proponent was issued show cause notice for refusal of consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 vide letter no. 4206 dated 23.06.2022 and was again afforded an opportunity of personal hearing before Chairman of the Board on 07.07.2022, wherein it was decided as under:-

1. *The project proponent shall submit copy of agreements made with the farmers for disposal of treated domestic effluent onto land for irrigation, in the office of Environmental Engineer, Regional Office-3, Ludhiana, within 07 days.*
2. *The project proponent shall furnish a bank guarantee amounting to Rs. 10 Lac in the office of Environmental Engineer, Regional Office-3, Ludhiana, within 07 days as an assurance to comply with the provisions of Water Act, 1974, Air Act, 1981 and MSW Rules, 2016 and conditions of Environmental Clearance granted under the EIA notification dated 14.09.2006.*
3. *The project proponent shall comply with the provisions of MSW Rules, 2016 at all the times.*
4. *The project proponent shall comply with the conditions of Environmental Clearance granted to it under the EIA notification dated 14.09.2006 in true letter and spirit.*
5. *Consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 be renewed for one year, subject to same conditions.*
6. *Environmental Engineer, Regional Office-3, Ludhiana shall visit the project, verify the compliances made and send the report, within 15 days.*

The proceedings of aforesaid personal hearing were conveyed to the project proponent vide letter no. 4810 dated 22.07.2022.

In compliance of decision no. 05, the project proponent was granted consent to operate under the Air Act, 1981, vide no. CTOA/Renewal/LDH3/2022/18019167 dated 22.07.2022, which had expired on 21.07.2023.

Thereafter, a complaint was again received by the Board on 02.08.2022 against the residential colony regarding stagnation of treated water from STP in the land reserved for

school. Accordingly, the residential colony was visited by officer of the Board on 03.08.2022 and it was observed as under:

1. The STP provided by the residential colony for treatment of domestic waste water was in operation (one module of 610 KLD only). The residential colony was in process of starting the second module of capacity 610 KLD and work related to mechanical fittings was going on.
2. The residential colony was maintaining the record regarding operation of STP. However, sludge filter press was not in operation. Moreover, sludge settling in the STP was not proper. Effluent samples from outlet to STP were collected during visit. As per the analysis report, the concentration of various parameters are pH = 7.06, TSS = 19 mg/l, TDS=39419 mg/l, COD=46 mg/l, BOD=1419 mg/l & O&G= BDL, which are within the prescribed limits of the Board.
3. The residential colony was discharging its treated water partially onto land for stagnation in the land reserved for school and partially into the parks developed within the residential colony. Wild growth was observed in the land reserved for school and this wild growth has overcome the tree saplings earlier planted by the residential colony.
4. The residential colony had still not developed 04 acres land reserved for plantation and the same land is even not made the part of residential colony. The residential colony had provided pipeline for discharge of treated water into the land of Malhi Farms located adjacent to the residential colony, however no record regarding amount of water discharged in this land has been maintained. Moreover, paddy crop was standing in 20 acre field and no plantation had been provided in this land, thus the residential colony had no alternative disposal during no demand period. During visit, also treated water was not discharged into the above said land as fields were already irrigated with rainwater.
5. The residential colony failed to produce any latest copy of agreement made with farmers for disposal of treated domestic effluent.
6. The project proponent had engaged private firm namely M/s Reddonatura India Private Limited, Bangalore for door to door collection and segregation of municipal solid waste. The project proponent had provided bio-composter for processing of de-gradable solid waste. However, the residential colony failed to produce any agreement regarding final disposal of inert / non-biodegradable municipal solid waste.

The project proponent was not complying with the provisions of SWM Rules, 2016, Water (Prevention & Control of Pollution) Act, 1974 and conditions of the Environmental Clearance and decisions of the personal hearing dated 07.07.2022. The matter was pursued by the Competent Authority of the Board and it was decided that:

1. Consents to operate granted to the project proponent both under Water Act, 1974 and Air Act, 1981 may be revoked.
2. GLADA authorities may be directed not to grant completion certificate to the colonizer till it makes adequate arrangements for control of environmental pollution to the satisfaction of PPCB.
3. Suitable amount of EC may be imposed for its failure to provide adequate disposal arrangements.
4. RO may be requested to file prosecution case against the project proponent and its directors for violation of conditions of environmental clearance and provisions of Water Act, 1974.
5. The project proponent may be given one more opportunity of personal hearing to stress upon it to comply with conditions of environmental clearance, operate STP properly and make adequate disposal arrangements at the earliest.

Accordingly, in compliance to the decision no. 01, the Consents to Operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 were revoked/cancelled vide letter nos. 5981 & 5983 dated 23.09.2022.

In compliance to the decision no. 02, The Chief Administrator, Greater Ludhiana Area Development Authority, Ludhiana was also directed vide Board's letter no. 5985 dated 23.09.2022 as under:

"GLADA Authorities may be directed not to grant completion certificate to the colonizer till it makes adequate arrangements for control of environmental pollution to the satisfaction of PPCB."

In compliance to the decision no. 4 of the Competent Authority and in light of Board's office order no. 213 dated 15.04.2021 regarding formation of oversight committee for de-criminalization of Environmental laws.

The project proponent applied for renewal of 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

The residential colony was visited by officer of the Board on 25.11.2022 and it was observed as under:

1. The STP provided by the residential colony for treatment of domestic waste water was in operation (one module of 610 KLD only). The residential colony was in process of starting the second module of capacity 610 KLD and work related to mechanical fittings had been completed.
2. The residential colony was maintaining the record regarding operation of STP. However, sludge filter press was not in operation. Moreover, sludge settling in the STP was not proper.
3. The residential colony was discharging its treated water partially onto land for stagnation in the land reserved for school and partially into the parks developed within the residential colony. Wild growth was observed in the land reserved for school and this wild growth has overcome the tree saplings earlier planted by the residential colony.
4. The residential colony had still not developed 04 acres land reserved for plantation and the same land is even not made the part of residential colony. The residential colony had provided pipeline for discharge of treated water into the land of Malhi Farms located adjacent to the residential colony, however no record regarding amount of water discharged in this land had been maintained. Moreover, no crop was standing in 20 acre field and no plantation had been provided in this land, thus the residential colony had no alternative disposal during on-going no demand period. During visit also treated water was not discharged into the above said land as no crop had grown in these fields.
5. The residential colony failed to produce any latest copy of agreement made with farmers for disposal of treated domestic effluent.
6. The project proponent had engaged private firm namely M/s Reddonatura India Private Limited, Bangalore for door to door collection and segregation of municipal solid waste. The project proponent had provided bio-composter for processing of de-gradable solid waste. However, the residential colony failed to produce any agreement regarding final disposal of inert / non-biodegradable municipal solid waste.
7. The project proponent had installed 03 no. DG sets of capacities 380 KVA, 380 KVA and 250 KVA and all are equipped with canopies and stacks of adequate height.

The project proponent was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and condition no. iii, vi, viii of the part IV i.e. Conditions for Operation Phase and Entire Life of the Environmental Clearance obtained by it from the State

Level Environment Impact Assessment Authority, Punjab under EIA notification dated 14.09.2006 vide no: SEIAA/2016/3650 dated 23.11.2016.

Accordingly, notice u/s 33-A of the Water Act, 1974 alongwith show cause notice for refusal of consent to operate under the Water Act, 1974 and Air Act, 1981 was issued to the project proponent, with opportunity of personal hearing before Chairman of the Board on 25.01.2023, wherein it was decided as under:

1. *The Environmental Compensation be imposed to the project proponent for above said violation under the Water (Prevention & Control of Pollution) Act, 1974 and for violation of Environmental Clearance granted to the project. The Environmental Engineer, Regional Office-3, Ludhiana shall calculate Environmental Compensation (EC) for the no. of days of violations, get it verified from EC Committee constituted by the Board within 07 days. A separate order for the imposition of EC shall be passed, accordingly.*
2. *The project proponent shall not connect its effluent to the sewer till obtain revised Environmental Clearance and NOC of the Board.*
3. *The GLADA authorities shall be written not to connect the effluent of any project / establishment with the Municipal sewer of Ludhiana till the commissioning of new STP's of Ludhiana and having Municipal Corporation, Ludhiana had adequate treatment capacity for domestic effluent. The existing STP's are already under capacity and untreated effluent is being discharged into Buddha Nallah and ultimately into River Satluj.*
4. *The following directions be issued to the project proponent and concerned Departments:*
 - a) *The Revenue Authorities / Registrar of Land be directed not to register any sale deed related to any plot/flat/house/shop/any other component of this project with immediate effect.*
 - b) *The GLADA Authorities shall be directed not to sanction any new building plans in the residential colony for any plot/flat/house/shop/any other component of this project.*
 - c) *The Punjab State Power Corporation Limited Authorities be directed not to issue any new electric connection in the premises of project proponent.*

In compliance of decision no. 03 and 04(b), directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 directions were issued to the GLADA Authorities vide no 2397 dated 26.05.2023 as under:

"1. That Authorities concerned shall not connect the effluent of any project/ establishment with the Municipal Sewer of Ludhiana till the commissioning of New STP's of Ludhiana and having Municipal Corporation, Ludhiana had adequate treatment capacity for domestic effluent. The existing STP's are already under capacity and untreated effluent is being discharged into Buddha Nallah and ultimately into River Sutlej with immediate effect.

2. That Authorities concerned shall not sanction any new building plans in the residential colony for any plot/flat/house/shop/any other component of this project with immediate effect."

In compliance of decision no. 04(c), directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 were issued to the PSPCL Authorities vide no 2400-01 dated 26.05.2023 as under:

"That Authorities concerned shall not issue any new electric connection to any plot/flat/house/shop/any other component of this project with immediate effect."

In compliance of decision no. 04(a), directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 were issued to the Revenue Authorities vide no 2404 dated 26.05.2023 as under:

"That Authorities concerned shall not register any sale deed related to any plot/flat/house/shop/any other component of this project with immediate effect."

Thereafter, the residential colony had again applied for renewal of 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

The residential colony had proposed to discharge its treated water partially into 12 parks and 27 green areas (combined area 7.01 acres) developed within the residential colony and partially into 04 acres 06 kanals land taken by it on lease from Sh. Amandeep Singh Malhi S/o Sh. Sukhjinder Singh Malhi. The residential colony had done registered land lease agreement with Sh. Amandeep Singh Malhi for 04 acres 06 kanals land from khasra no: 5//13,14,15/1,2,11,9,20/1, 21/12, 22,23, 24/1 and 11//4/1, 2/2, 2/3/2,3/1. The land taken on lease was located near the STP and project proponent had laid underground PVC pipeline system for discharge of treated water into 04 acres 06 kanals land. The project proponent had provided eucalyptus saplings as per karnal technology in this 04 acres 06 kanals land and condition of plantation was good.

The project proponent had also laid two pipelines into remaining 13 acres land of "Malhi Farms" to discharge treated water (one pipeline for 07 acres land and second for 06 acres land). During visit, rice crop was planted in 13 acres land and treated water was discharged into this land. Registered land lease agreement is valid upto 30.04.2028.

The residential colony was granted 'Consent to Operate' under the Water Act, 1974 vide no: CTOW/Renewal/LDH3/2023/22168180 and under the Air Act, 1981 vide no. CTOA/Renewal/LDH3/2023/22168945 dated 02.08.2023, both of which had 31.01.2024 for operation of residential colony (Residential Colony - 300 plots, 01 club, 01 dispensary and 10 shops and total land area of 47465 square meters) along with Domestic effluent @ 429.0 KLD (out of which 160 KLD shall be utilized for flushing and remaining 261 KLD shall be utilized onto land for plantation / horticulture after treatment in STP) subject to suitable condition along with special conditions as mentioned therein.

The said Directions were dropped after approval from the Competent Authority in light of compliances as submitted by the Regional Office in the consent application.

Thereafter, a CWP no: 29160 of 2023 filed before the Hon'ble Punjab & Haryana High Court by Sh. Naval Tapar in year 2023. The Hon'ble Punjab & Haryana High Court had disposed of the case vide its order dated 22.12.2023 with directions as under:

My **"At the outset, learned State counsel submits that since the competent authority is already in seisin of the matter, it would be expedient if the petition is disposed of, at this stage, to enable it to address the concerns/grievances of the petitioner, as sought to be raised in the petition. And take necessary measures, if required, in accordance with law. He submits that if necessary, the petitioner shall also be afforded a hearing. Learned counsel for the petitioner is in agreement with the course suggested by the learned State counsel, and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time. In response, learned State counsel, on instructions from Mr. Rajesh Mahajan, SDE (Public Health) and Mr. Devinder Goel, Law Officer, GLADA, submits that the necessary measures, as indicated above, shall be resorted to, within a period of eight weeks from today. The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties. Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law."**

The GLADA was asked PPCB vide letter no: 30 dated 11.01.2024 to collect effluent samples from outlet and inlet to STP installed by the residential colony.

Accordingly, the residential colony was visited by officers of the Board along with GLADA officials on 27.03.2024 and effluent samples from outlet to STP installed by the residential colony and from the rain water harvesting pits were collected. As per analysis reports, the concentrations of various parameters (Outlet to STP) is pH = 7.2, TSS = 78 mg/l, COD = 228 mg/l, BOD = 65 mg/l, O&G = 11.2 mg/l and F. coli = 2700 and concentration of various parameters (Rain Water Harvesting pits) is pH = 6.6, TSS = 140 mg/l, COD = 884 mg/l, BOD = 290 mg/l, O&G = 11.4 mg/l and F. coli = 54,000. Thus, from the above results, it was clear that the STP was not achieving the prescribed standards and residential colony was discharged its untreated effluent into rain water harvesting pit.

The residential colony had again applied for renewal of 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

The residential colony was visited by undersigned on 20.05.2024 and it was observed as under:

1. The STP provided by the residential colony was in operation. The residential colony was operating both modules of its STP and total capacity of STP is 1220 KLD.
2. The residential colony was discharging its treated water partially into 12 parks and 27 green areas (combined area 7.01 acres) developed within the residential colony and partially into 04 acres 06 kanals land taken by it on lease from Sh. Amandeep Singh Malhi S/o Sh. Sukhjinder Singh Malhi. The residential colony had done registered land lease agreement with Sh. Amandeep Singh Malhi for 04 acres 06 kanals land from khasra no: 5//13,14,15/1,2,11,9,20/1, 21/12, 22,23, 24/1 and 11//4/1, 2/2, 2/3/2,3/1. The land taken on lease is located near the STP and project proponent had laid underground PVC pipeline system for discharge of treated water into 04 acres 06 kanals land. The project proponent had provided eucalyptus saplings as per karnal technology in this 04 acres 06 kanals land and condition of plantation is good. The project proponent had also laid two pipelines into remaining 13 acres land of "Malhi Farms" to discharge treated water (one pipeline for 07 acres land and second for 06 acres land). Registered land lease agreement is valid upto 30.04.2028.
3. The residential colony applied CTO for generation of domestic effluent @ 429 KLD for partial reuse into flushing system (168 KLD) and for partial discharge into plantation area (140) and horticulture (121 KLD). The residential colony had sufficient land for discharge of 140 + 121 = 261 KLD. However, estimated discharge of colony at present is 620 KLD. Maximum 33% of treated effluent (i.e. 204.6 KLD) would be reused for flushing through dual plumbing system. Thus, remaining discharge will be 620-204.6 = 415.6 KLD. The residential colony had 04 acres 06 kanals land as per Karnal technology and this land can handle 4.75 acre x 60 KLD/acre = 285 KLD discharge. The residential colony had 7.01 acres park and green area and this can handle 0.5 litre/m² of treated trade effluent i.e. 02 KL/Acre x 7.01 acre = 14.02 KLD discharge. Thus, residential colony was land to handle discharge @ 299.02 KLD only.
4. The residential colony had not developed 04 acres land reserved for plantation. This land was located at a distance of about 10 acres from the colony. As per Environmental Clearance, the Project proponent had proposed this land for discharge of treated trade effluent.
5. The residential colony had engaged private firm namely M/s Reddonatura India Private Limited, Bangalore for door-to-door collection and segregation of municipal solid waste. The project proponent had provided bio-composter for processing of de-gradable solid waste. Final disposal of inert / non-biodegradable municipal solid waste was done at dump site of the Municipal Corporation, Ludhiana. The residential colony obtained

necessary permission from MCL vide no: 942/MOH/D dated 03.02.2010 regarding disposal of MSW at dump site of MCL.

6. The residential colony had installed 03 no. DG sets of capacities 380 KVA, 380 KVA and 250 KVA and all are equipped with canopies and stacks of adequate height.

The residential colony was not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and conditions for Operation Phase and Entire Life of the Environmental Clearance obtained by it from the State Level Environment Impact Assessment Authority, Punjab under EIA notification dated 14.09.2006 vide no: SEIAA/2016/3650 dated 23.11.2016 and had discharged untreated effluent into rain water harvesting pits.

Accordingly, show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 was issued to project proponent with an opportunity of personal hearing before Chairman of the Board on 23.07.2024, wherein it was decided that:

1. The consents under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 applied by the promoter company be refused.
2. The Environmental Compensation (EC) for the previous violations be imposed immediately and order be issued in this regard without any further delay.
3. Environmental Engineer, Regional Office-3, Ludhiana shall calculate the amount of Environmental Compensation for the continued period of violation, up to date and send to the EC verification committee for verification of amount of EC.
4. Notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 be issued to the promoter company along with an opportunity of personal hearing.
5. Environmental Engineer, Regional Office-3, Ludhiana shall launch prosecution against the project proponent and its responsible persons for violation of provisions of Water (Prevention & Control of Pollution) Act, 1974.

In compliance of decision no. 1 of the personal hearing, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 were refused vide no. CTOW/Renewal/LDH3/2024/25152659 & CTOA/Renewal/LDH3/2024/25152384 dated 07.08.2024.

In compliance of decision no. 2 of the personal hearing, the project proponent was imposed Environmental Compensation (EC) amounting to Rs. 1,30,50,000 /- for the previous violations for the period 17.09.2021 to 25.11.2022.

lf Notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to the project proponent with an opportunity of personal hearing before the Chairman of the Board on 18.09.2024, wherein it was decided as under:

1. The project proponent shall submit within 07 days a Bank Guarantee of Rs. 20 Lacs as an assurance to comply with the provisions of environmental laws.
2. The project proponent shall apply within 07 days for consents under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, immediately.
3. Environmental Engineer, Regional Office-3, Ludhiana shall visit the project to verify its contentions / compliances and process the consent applications on merits.

The project proponent submitted Bank Guarantee amounting to Rs. 20 Lakh as an assurance to comply with the provisions of Environmental Laws, which is valid for period upto 02.10.2025.

The project proponent filed an appeal No. 17 of 2025 (I.A. Nos. 148/2025 & 140/2025) before the Hon'ble NGT against the Environmental Compensation imposed by the

Board. The matter was listed on 04.03.2025 for the first time and the Hon'ble NGT has asked respondents to file the reply. The matter is now listed for hearing on 28.08.2025.

The residential colony applied for renewal of 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

The residential colony was visited by officer of the Board on 19.03.2025 and it has been reported as under:

1. The STP provided by the residential colony was in operation. The residential colony is operating both modules of its STP and total capacity of STP is 1220 KLD. Effluent samples from outlet of STP installed by the residential colony were collected and as per analysis reports, the concentrations of various parameters (Outlet to STP) is pH = 7.32, TSS = 61 mg/l, TDS = 738 mg/l, COD = 117 mg/l, BOD = 27 mg/l, O&G = 6.2 mg/l and F. coli = 3,50,000. As per the analysis report, the concentration of F.coli is beyond the prescribed limits as prescribed by the Board.
2. The residential colony is discharging its treated water partially into 12 parks and 27 green areas (combined area 7.01 acres) developed within the residential colony and partially into 04 acres 06 kanals land taken by it on lease from Sh. Amandeep Singh Malhi S/o Sh. ukhjinder Singh Malhi. The residential colony has done registered land lease agreement with Sh. Amandeep Singh Malhi for 04 acres 06 kanals land from khasra no: 5//13,14,15/1,2,11,9,20/1, 21/12, 22,23, 24/1 and 11//4/1, 2/2, 2/3/2,3/1. Registered land lease agreement is valid upto 30.04.2028.
3. The residential colony has applied consent to operate for generation of domestic effluent @ 429 KLD for partial reuse into flushing system (168 KLD) and for partial discharge into plantation area (140) and horticulture (121 KLD). The residential colony has sufficient land for discharge of 140 + 121 = 261 KLD. However, estimated discharge of colony at present is 620 KLD. Maximum 33% of treated effluent (i.e. 204.6 KLD) will be reused for flushing through dual plumbing system. Thus, remaining discharge will be 620-204.6 = 415.6 KLD. The residential colony has 04 acres 06 kanals land as per Karnal technology and this land can handle 4.75 acre x 60 KLD/acre = 285 KLD discharge. The residential colony has 7.01 acres park and green area and this can handle 0.5 litre/m² of treated trade effluent i.e. 02 KL/Acre x 7.01 acre = 14.02 KLD discharge. Thus, residential colony have land to handle discharge @ 299.02 KLD only.
4. The residential colony had not developed 04 acres land reserved for plantation. This land is located at a distance of about 10 acres from the colony. As per Environmental Clearance, the project proponent had proposed this land for discharge of treated trade effluent.
5. The residential colony had engaged private firm namely M/s Reddonatura India Private Limited, Bangalore for door to door collection and segregation of municipal solid waste. The project proponent has provided bio-composter for processing of de-gradable solid waste. Final disposal of inert / non-biodegradable municipal solid waste is done at dump site of the Municipal Corporation, Ludhiana.
6. The residential colony has installed 03 no. DG sets of capacities 380 KVA, 380 KVA and 250 KVA and all are equipped with canopies and stacks of adequate height.
7. The project proponent has started planning to connect its sewer with STP Bhattian after crossing under National Highway 44 which will result in violation of the conditions of Environmental Clearance obtained by it from SEIAA vide no. SEIAA/2016/3650 dated 23.11.2016.

The residential colony was not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Conditions for Operation Phase and Entire Life of the Environmental Clearance obtained by it from the State Level Environment Impact

Assessment Authority, Punjab under EIA notification dated 14.09.2006 vide no SEIAA/2016/3650 dated 23.11.2016.

The matter was considered by the Competent Authority of the Board and it was decided to issue notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.

It has also decided to refuse the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 applied by the industry with an opportunity of personal hearing before the Chairperson of the Board.

Accordingly, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 and show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 was issued to the project proponent with an opportunity of personal hearing before the Chairperson of the Board on 08.07.2025.

Sh. M.D Kalam Uddian, Assistance General Manager alongwith other officials of the project attended the hearing and submitted a written reply which was taken on record. He stated that the STP is being operated with full efficiency, which is also evident from the analysis results. Only the F-Coli are beyond limit for which they have already initiated actions. He further informed that the present generation of sewage is 429 KLD and the generation of 620 KLD is not practically possible. In addition to this, they informed that they have developed the land to accommodate the treated sewage. Further, it was informed by the project proponent that the proposition of connectivity to the STP Bhattian is in planning stage. It was confirmed by the project proponent that they would connect the sewer with the STP Bhattian after taking all the necessary approval from the Concerned Authorities.

It was observed by the Chair that despite of the fact that the Environmental Clearance was granted for an expected discharge of 1223 KLD with provisions for reuse in flushing, HVAC, horticulture, and irrigation, the reuse of treated effluent for flushing and HVAC was not being implemented in practice. Moreover, the practical consumption of treated effluent for horticulture and plantation is significantly limited during winter and rainy seasons. Furthermore, the project proponent had failed to arrange 20 acres of additional land for plantation as committed during the environmental impact assessment while obtaining environmental clearance. The non-implementation of reuse of treated effluent for flushing and other purposes further exacerbates the situation. Additionally, the proposed disposal of treated effluent into the sewage network leading to the Bhattian STPs is not in line with the environmental clearance conditions, as the necessary permissions and amended clearance have not been obtained. Consequently, the current disposal arrangements are unsatisfactory. The project proponent has also failed to submit a complete compliance report for the environmental clearance conditions. Moreover, the project proponent had not deposited the environmental compensation previously imposed for violations.

The matter was deliberated in detail and the reply submitted by the project proponent was not found satisfactory. It was noticed by the Chair that the project proponent is a regular offender and is violating the environmental norms and EC conditions constantly.

After hearing representatives of the project, officers of the Board and considering the material facts of the case, the Chairperson of the Board decided as under:-

1. The consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 applied by the promoter company be refused due to violation of the provisions of the Environmental Clearance obtained by the project proponent from SEIAA, Punjab as well as other as due to other violations.
2. The bank guarantee of Rs. 20 lacs already submitted by the project proponent as an assurance to comply with the provisions of environmental laws be got en-cashed.

3. The project proponent shall deposit the Environmental Compensation of Rs. 1,30,50,000 /- earlier imposed by the Board already conveyed to the project proponent vide order no. 330 dated 25.07.2024, within 07 days, failing which the matter shall be referred to the Revenue Authorities for recovery of the same.
4. The project proponent shall not connect its effluent to the MC sewer and other mode of disposal which violates Environmental Clearance conditions till the revised Environmental Clearance and NOC of the Board is obtained.
5. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 be issued to the project proponent and concerned Departments:
 - a) The Revenue Authorities / Registrar of Land be directed not to register any sale deed related to any plot/flat/house/shop/any other component of this project with immediate effect and the entries to this effect shall also be made in the revenue record/jamabandi.
 - b) The GLADA Authorities shall be directed to not issue partial completion / completion certificate to the project and shall not sanction any new building plans in the residential colony for any plot/flat/house/shop/any other component of this project.
 - c) The Punjab State Power Corporation Limited Authorities be directed not to issue any new electric connection related to any plot/flat/house/shop/any other component of this project with immediate effect.
6. The Environmental Engineer, Regional Office-3, Ludhiana shall submit the compliance report w.r.t decision of the personal hearing as per time schedule. EE, RO shall provide the current status of legal action to be taken against the project proponent and its directors for violation of conditions of environmental clearance and provisions of Water Act, 1974 as already approved during hearing dated 07.07.2022.

You are, therefore, requested to comply with the decisions of the personal hearing within stipulated period and submit compliance report to the Board.

Endst. No. 4449

SA
For and on behalf of
Punjab Pollution Control Board
Dated 18/07/2025

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information & compliance, please.

NAIY 18/7/25
For and on behalf of
Punjab Pollution Control Board