



ਦਫ਼ਤਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ – ਕਮ - ਜ਼ਿਲ੍ਹਾ ਮੈਜਿਸਟਰੇਟ, ਲੁਧਿਆਣਾ
OFFICE OF THE DEPUTY COMMISSIONER – CUM -
DISTRICT MAGISTRATE, LUDHIANA

To

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

No:- 17990 /M.A Dated 21/9/2022

Subject:- Order passed by Hon'ble National Green Tribunal dated 07.07.2022 in O.A No 487/2022 titled as Jagjeevan Singh v/s Punjab Pollution Control Board and others.

It is humbly submitted that in compliance of subject cited order, the grievance of the petitioner has been heard and has been inquired. The copy of inquiry report is attached herewith for kind perusal and approval.


Deputy Commissioner,
Ludhiana

Order

Subject :- Order passed by Hon'ble National Green Tribunal dated 07.07.2022 in O.A no 487/2022 titled as Jagjeewan Singh Vs Punjab Pollution Control Board and Others.

Sh. Jagjeewan Singh (Complainant) had filed the subject cited application in Hon'ble National Green Tribunal against M/s Mohindra Industrial Corporation, Sant Longowal Street, 11584, Partap Nagar, Ludhiana regarding the noise pollution caused by the above industry.

"The grievance in the application is that there is one industry in the name of M/s Mahindra Industrial Corporation opposite to residence of the applicant in which six numbers of header machines have been installed which act like hammer to cut the thick steel wires with a blow. The said machines cause noise pollution beyond permissible limits and vibration is the are. On complaint made by the applicant, respondent no 2 visited the industry on 15.02.2021 and 31.05.2021 and on the basis of reports showing noise pollution to be in violation of the environmental norms directed Respondent No. 3 to disconnect the electricity connection of the above said industry. Subsequently on the basis of report dated 31.07.2021 of private lab namely M/s Sima Lab which visited the industry during lunch time, Respondent No. 2 directed restoration of the electricity connection of the above said industry. The Lab report was accepted by Respondent No. 2 without giving opportunity of being heard to the applicant. The industry is causing noise pollution beyond permissible limits."

Hon'ble NGT has passed orders dated 07.07.2022 in the above original application, the relevant abstract of which is as under:-

2. In view of the averments made in the application, we are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof by the concerned Statutory Authorities. Accordingly, we constitute a Joint Committee comprising of State PCB and Deputy Commissioner, Ludhiana and direct the same to undertake site visits, look into the grievances of the applicant, verify the factual position and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order. The State PCB will be the Nodal agency for coordination and compliance.




3. Factual and action taken report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

In compliance of above order, Worthy Deputy Commissioner, Ludhiana directed Additional Deputy Commissioner, Khanna (Ludhiana) to conduct an enquiry as directed by Hon'ble National Green Tribunal and take remedial actions in accordance with law by following due process.

Punjab Pollution Control Board appointed Er. Atul Kaushal, AEE Regional Office -2 , PPCB Ludhiana to appear on behalf of PPCB. Both the parties complainant Jagjeevan Singh and Respondent M/s Mahindra Industrial Corporation was called for personal hearing in the case and both parties have recorded their statements. Er. Atul Kaushal, AEE Regional Office -2 , PPCB Ludhiana produced the relevant record pertaining to the complaint. After perusal of statements of the parties and the record produced by the department it was decided that a sub committee be formed for site inspection so that the allegations made by the complainant could be verified , Accordingly a committee was formed vide this office letter no 16638 dated 29/8/2022 for further inspection as under :

- 1) S.D.O Pollution Control Board Ludhiana
- 2) SDO PWD(B&R) Ludhiana
- 3) Concerned SHO ,Ludhiana

The Committee was instructed to make a surprise visit of the premises so that the allegations may be verified. It was also directed that both the parties should be present during the measurement of noise levels.

Meanwhile the complainant again appeared before the under signed and made a written complaint that the respondent firm has moved some of the machines out of the factory premises and placing some temporary wooden/thermocool partitions . It was alleged in this complaint that this is being done to ensure that noise of the machines is reduced before the checking by the Sub Committee. The Complainant claimed that he has video recording of the illegal activities done by the respondent firm. Upon receipt of the above complaint Environmental Engineer, Punjab Pollution Control Board was directed to verify the allegations and start proceedings as per law.

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A report has been received from the Sub Committee on 7/9/2022. As per the report, the inspection was done on 30.08.2022 at around 3.00 PM and report as under:-

- 1 The industry was In operation during the visit.
- 2 The industry has installed 7 no.s Header Machines for manufacturing of rivets and other cycle parts.
- 3 Five Header machines are located in one room and two Headers machines are located in adjoining room separated by a partition in the same premises of the industry.
- 4 The noise monitoring of the industry was carried out at the gate of the complainant in the presence of the complainant as well as the representative of the industry and the details of the monitoring as under:-

S.No.	When all the header machines were in operation and all the gates and industry were closed and all the preventive measures i.e. insulation/thermocool sheet were in place	When all the headers machines were in operation and all the gates and internal doors were opened	When the industry and all the machines were not in operation
1.	70.8 dB(A)	79.2 dB(A)	68.7 dB(A)

The site of the industry is located in mixed land use area as per Master Plan (2007-31). There are residential houses, commercial shops and industries located in the vicinity of the above mentioned industry. No noise standards have been prescribed for the mixed land use area in the Noise Rules, 2000. The noise levels prescribed for other areas as per the Noise Rules, 2000 are as under:-

Area Code	Category of Area/zone	Limit in dB(A)leq	
		Day Time	Night time
(A)	Industrial Area	75	70

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(B)	Commercial Area	65	55
(C)	Residential Area	55	45
(D)	Silence Zone	50	40

Since, no noise standards have been prescribed for mix land use area, it would be appropriate to consider stringent noise standards for residential area i.e. 55 dB(A) in above case. As per the noise monitoring done by the committee, the noise levels of the industry even when all the measures to control the noise are adopted have been observed to be 70.8 dB(A) which are more than the prescribed standards for residential area i.e. 55 dB(A).

Findings :- It is clear from the above report, that noise levels of the industry has been observed to be 70.8 dB(A) even when all the measures to control the noise were adopted. The above recorded noise levels of 70.8 dB(A) are more than the prescribed standards for residential area i.e. 55 dB(A). In view of the above finding, Punjab Pollution Control Board is directed to initiate remedial actions as per provisions of Air Act, 1981 and Noise Rules, 2000.



**Environmental Engineer
PPCB, Ludhiana**



**Additional Deputy Commissioner,
Khanna.**

A Copy is forwarded to

1. Hon'ble Chairman, The National Green Tribunal, Faridkot House, Copernicus Marg, New Delhi-110001
2. The Chief Environmental Engineer, Punjab Pollution Control Board, Ludhiana
3. Jagjeevan Singh S/o Baldev Singh R/o 11583, Street no 1, Partap Nagar, Ludhiana
4. M/s Mahindra Industrial Corporation, #11581, Sant Longowal Street no 1, Partap nagar, Ludhiana



**Environmental Engineer
PPCB, Ludhiana**



**Additional Deputy Commissioner,
Khanna.**