

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

M.A. No. 66/2024

In

Original Application No. 805/2022

**In the matter of**

S. Gurdev Singh

..... Applicant

V/s

State of Punjab and Others

..... Respondent

Submission of report on behalf of Punjab Pollution Control Board in compliance to order dated 26.09.2024 through Environmental Engineer, Regional Office, Mohali.

**RESPECTFULLY SHOWETH**

**Preliminary Submissions**

1. That briefly submitted that the Hon'ble National Green Tribunal was pleased to dispose of O.A. no. 805/2022 vide order dated 20.03.2023, with following directions to respondent no. 8 (M/s Banur Filling Station situated at Zirakpur-Rajpura National Highway):

*14. In view of the above, the application is disposed of with the direction to Respondent No. 8 to take within two months appropriate remedial measures for reduction of noise generated by CNG Compressors by replacing the same with compressors based on latest technology or modifying the compressors already used by adopting latest technology*

*and using other noise reduction devices/methods so as to bring the noise within permissible limits notified for the area and to file an Action Taken Report within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF, before the learned Registrar General, National Green Tribunal, Principal Bench, New Delhi who may, if necessary, put up the matter before the Bench for further directions.*

2. That in pursuant to the order dated 20.02.2023, the Punjab Pollution Control Board had submitted a status Report dated 14.03.2024 in the Hon'ble National Green Tribunal, which has been registered as MA 66/2024 by the Hon'ble Tribunal, without the issuance of notice to the Punjab Pollution Control Board. As per the order dated 01.07.2024 passed by the Hon'ble Tribunal, the Registry was directed to issue notice to respondent no. 8 by supplying a copy of report dated 14.03.2024 of the PPCB to file objections, if any, within one month after receipt of the notice. A copy of order dated 01.07.2024 is enclosed as Annexure-A for kind perusal and reference of this Hon'ble Tribunal.
3. That the matter was heard after the receipt of reply of respondent no. 8 and the Hon'ble Tribunal was please to pass an order dated 26.09.2024, the operative para no. 9 of which is reproduced:

*9. We accordingly, direct respondents 5 and 6 to verify facts stated by respondent 8 in its reply dated 23.09.2024 with regard to compliance with Noise Rules, 2000 and submit report.*

A copy of order dated 26.09.2024 is enclosed as Annexure-B.

4. That in compliance to the order dated 26.09.2024, it is submitted that the Punjab Pollution Control Board had issued notice to respondent no. 8 under the provisions of the Noise Pollution (Regulation and Control) Rules, 2000, alongwith an opportunity of personal hearing before the Environmental Engineer, Regional Office, SAS Nagar on 27.06.2024, to adopt remedial measures so that the noise levels are brought at par with the ambient noise levels prevalent in the area. However, no representative of the project proponent attended the said hearing. Accordingly, the project proponent was afforded another opportunity of personal hearing on 10.09.2024. The said personal hearing was attended by Sh. Gagandeep Gupta, representative and submitted written reply, which was taken on record. A copy of, the proceedings of the hearing held on 10.09.2024 is enclosed herewith as Annexure-C.

5. That in order to verify the submissions made by the project proponent during hearing held on 10.09.2024, the officers of the Board again carried out monitoring of the noise being generated by the CNG compressor, during visit on 11.10.2024 and the results of noise monitoring are mentioned herein below for kind perusal:

Sr. no.	Location of monitoring	Note level readings to dBLeq	
		Compressor off	Compressor on
1.	In front of compressor area on road	67.7	69.1
2.	In compressor area	59.6	74.7
3.	Behind compressor in premises of School & Gurudwara Sahib	51.9	58.5
4.	On stairs school building	55.5	58.4
5.	On first floor of school facing compressor area	59.2	60.2

A copy of visit report dated 11.10.2024 prepared by the visiting officers is enclosed as Annexure-D. It is pertinent to mention here that the representative of the applicant Gurdev Singh namely Sh. Pal Singh was present during the visit on 11.10.2024 and he signed the visit report in token of its correctness.

6. That during the said visit on 11.10.2024, it was also observed that the project proponent has carried out the following remedial measures:

- a. The CNG filling station has now increased the height of boundary wall (02 sides), which are abutting to the school premises from 7 feet to 13 feet.
- b. The CNG filling station has pasted sound-proofing sheets on one of the abutting boundary walls to the school premises and the representative informed that work of pasting of sound-proofing sheets shall be completed in next 5-7 days.
- c. The CNG filling station has replaced the insulating material, i.e. glass-wool in the doors of the compressor with new glass-wool.

The pictures clicked during the visit dated 11.10.2024 are enclosed herewith as Annexure-E.

7. That as per the noise monitoring carried out on 22.11.2023, the ambient noise level was found to be above the ambient noise levels only in the compressor area (i.e. 9.7 dB (Leq), when compressor was on) and area in

front on compressor on road (i.e. 2.7 dB (Leq) when compressor was off and 4.1 dB (Leq) when compressor was on). Further, at various locations on which the noise monitoring was carried out outside the premises of the School & Gurudwara Sahib, the contribution of CNG compressor to the ambient noise levels was found to be less than 10 dB (Leq).

8. That as per the details mentioned in Para no. 7 & 8 above, the CNG filling station has now taken steps to adopt remedial measures, so that the contribution of CNG compressor towards the noise levels inside the premises of the School & Gurudwara Sahib is less than 10 dB (Leq) and are within the ambient noise levels prevalent in the area.
9. That the above facts are submitted for kind consideration of this Hon'ble National Green Tribunal.

### **Reply on merits**

- 1) That the contents of para no. 1 of the application may be considered as matter of record.
- 2) That the contents of para no. 2 of the application are wrong hence denied that the report of PPCB is erroneous and unreliable.
- 3) That in reply to the contents of para no. 3 of the application, the reply given in paragraph 6 and 7 under the heading preliminary submissions may kindly be read.
- 4) That the contents of para no. 4 of the application are a matter of record.
- 5) That the contents of para no. 5 of the application are a matter of record that the respondent no. 8 has taken remedial measures.
- 6) That no reply is needed to the contents of this para.
- 7) That in reply to the contents of para no. 7 of the application, it is submitted that commercial vehicles plying on the road do contribute to ambient noise level of the area.
- 8) That the contents of para no. 8 of the application are submissions made by the applicant relating to the operation of CNG Filling Station and need no reply from the answering respondent.

- 9) That the contents of para no. 9 of the application need no reply from the answering respondent.
- 10) That the contents of Para no. 10 of the reply of respondent no. 8 are a matter of record.
- 11) That the contents of para no. 11 of the application are a matter or record.
- 12) That in reply to the contents of this para, it is submitted that the ambient air quality standards in respect of noise in various category of Areas/zones have been mentioned in the scheduled appended to the Noise Pollution (Regulation and Control) Rules, 2000. The reply already given under the heading preliminary submission may kindly be read as part of reply to the contents of this para of the reply.

It is, therefore, prayed that the application may kindly be disposed of with appropriate orders in view of the submissions made herein above in the reply

Submitted by

Date: 23/10/2024

Place: SAS NAGAR



**Environmental Engineer,  
Punjab Pollution Control Board  
Regional Office, Mohali**

Item No.12

Court No. 2

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

MA No.66/2024

In

Original Application No. 805/2022

S Gurdev Singh

Applicant

Versus

State of Punjab &amp; Ors.

Respondent(s)

Date of hearing: 01.07.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

**ORDER**

1. Complaint entertained in the original application was that M/s Banur Filling Station located at Zirakpur-Rajpura National Highway near Electricity Board, National Highway, Mohali, Petrol-Pump/CNG Station (retailed outlet) is causing noise-pollution affecting the locality which included an school namely Sant Baba Waryam Singh Ji Memorial Public School, Banur and Gurudwara Sahib, etc.

2. Noise pollution is being caused due to operation of heavy machines/generator/compressor set. Complainant also initiated proceeding under Section 133 of Code of Criminal Procedure, 1973 wherein Sub-Divisional Magistrate, Mohali passed a conditional order directing the project proponent to bring noise level down within the prescribed limit but no action was taken by the project proponent.

3. Applicant, therefore has requested that said project proponent be directed to shift the said retail outlet from the place where it is operating presently.

4. Tribunal issued notices to the parties and after considering the replies submitted by respondents, disposed of the application vide order dated 20.02.2023. Findings, observations and directions of Tribunal are contained in para 8 to 14 of judgment which read as under:

“8. *Learned Counsel for the Applicant has submitted that the CNG Filling Station is situated within 50 metres from Sant Baba Waryam Singh Ji Memorial Public School and Gurudwara Sahib which is violative of guidelines issued by the CPCB regarding siting/location of Petrol Pump/CNG Filling Station and noise generated by the CNG Compressor, generator and other machineries installed there is beyond permissible limits. Therefore, the CNG Filling Station may be ordered to be shifted.*

9. *Learned Counsel for Respondent No. 8 has submitted that the Petrol Pump was established in the year 1973 and the Gurudwara Sahib and the school were established much after that time i.e. around in the year 2002. Old Generator has already been removed and new generator compliant with environmental norms will be installed. Necessary steps have already been taken for reduction of noise from CNG Compressor. Therefore, the application may be dismissed.*

10. *Further in the present case the learned counsel for the applicant is relying on siting criteria of retail outlets laid down in CPCB guidelines dated 07.01.2020, which reads as under:-*

**“H. Siting criteria of Retail Outlets:**

*In case of siting criteria for petrol pumps new Retail Outlets shall not be located within a radial distance of 50 meters (from fill point/ dispensing units/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per local laws. In case of constraints in providing 50 meters distance, the retail outlet shall implement additional safety measures as prescribed by PESO. In no case the distance between new retail outlet from schools, hospitals (10 beds and above) and residential area designated as per local laws shall be less than 30 meters No high tension line shall pass over the retail outlet*

*These guide/Ines are supplementary to all existing relevant Rules. Guidelines. Orders etc.”*

11. *Clarification with regard to cut-off date for applicability of siting criteria referred in Guidelines for Setting Up of New Petrol Pumps dated 07.01.2020 was issued by the CPCB vide O.M. dated 29.01.2021 the relevant part of which reads as under:-*

*“In this regard, it is clarified that the siting criteria for new Retail Outlets is to be complied with in cases where construction of Retail Outlets by Oil Marketing Companies commenced on or after 07.01.2020. In other words, the siting criteria will not apply to those cases where PESO prior clearance/ initial approval has been obtained and subsequently construction has been started by the OMC before 07.01.2020.”*

12. *In its reply Respondent No. 5 PSPCB has mentioned that as per the observations of the visiting officer the petrol pump is located adjoining the boundary of Gurudwara Sahib, which is at a distance of 80 feet from the boundary. However, in the present case, it is not disputed that the Petrol Pump was established in the year 1973 and the Gurudwara Sahib and the school were established much later in the year 2002. As per the material on record, the permission regarding CNG Retail Outlet was received from the District Magistrate and Indian Oil re-confirmed its validity in January, 2020 and the Petrol Pump and even the CNG Retail Outlet were set up before issuance of the CPCB Guidelines on 07.01.2020 and the CPCB Guidelines dated 07.01.2020 regarding the siting/location criteria are not applicable to the same. The applicant did not raise any objections against the running of the petrol pump before creation of the CNG Facility. After creation of the CNG Facility, the objection of the applicant is against the noise pollution beyond permissible limits by the generator as well as the CNG Compressor.*
  
13. *The Respondent No. 8 has already removed the old generator and has taken steps to install new generator compliant with the environmental norms. The grievance of the applicant is also against Noise Pollution caused by CNG Compressors installed by the Project Proponent. Natural Gas Compressors work by mechanically increasing gas pressure in stages (or steps) until it reaches the desired delivery point but the same also generate noise in the process. Noise pollution can cause health ailments/issues, such as hypertension and heart disease, hearing impairment, communication problems, sleep disturbance, cognitive effects such as memory problems, reduced performance, behavioural symptoms, and more. Therefore, remedial measures have to be taken to bring the noise within permissible limits. Noise transmitted from CNG Compressors to the adjoining premises may be controlled by installing the CNG Compressors at suitable farthest place from the adjoining premises. The compressor's noise may also be reduced by using appropriate sound blankets/barriers, constructing wall enclosure or using custom engineered steel enclosures which are considered to provide a workable solution to noisy industrial/mechanical equipments. Remedial measure are, therefore, required to be taken by Respondent No. 8 to reduce the noise from the CNG Compressors.*
  
14. *In view of the above, the application is disposed of with the direction to Respondent No. 8 to take within two months appropriate remedial measures for reduction of noise generated by CNG Compressors by replacing the same with compressors based on latest technology or modifying the compressors already used by adopting latest technology and using other noise reduction devices/methods so as to bring the noise within permissible limits notified for the area and to file an Action Taken Report **within three months** by e-mail*

at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF, before the learned Registrar General, National Green Tribunal, Principal Bench, New Delhi who may, if necessary, put up the matter before the Bench for further directions.”

5. Pursuant to the order dated 20.02.2023, Status Report dated 14.03.2024 has been submitted by Environmental Engineer, Punjab Pollution Control Board, Regional Office, Mohali which has been registered as MA 66/2024. Relevant observations made in the Report read as under:

- “3. That in compliance to order dated 20.02.2023, the respondent no. 8 has to file the compliance report before the Hon'ble National Green Tribunal after talking appropriate remedial measure in accordance with the mandate of order dated 20.02.2023. However, as per the knowledge of the Punjab Pollution Control Board, the project proponent i.e. respondent no. 8 has not filed any action taken report either before the Hon'ble National Green Tribunal or with the Punjab Pollution Control Board.
4. That - however in order to check the compliance status of respondent no. 8 (M/s Banur Filling Station, Zirakpur.- Rajpura National Highway) the site was visited by the officers of the Board on 23.11.2023. It was observed that respondent no. 8 has not taken any remedial measures for reduction of noise generated by CNG compressors. The representative of the respondent no. 8 when confronted with the order dated 20.03.2023 of the Hon'ble NGT has failed to give any satisfactory reply and stated that the Filling Station is making compliance of the Noise Pollution Control Norms.
5. That the officers of the Board has carried-out monitoring of the noise being generated by the CNG compressor, during visit on 22.11.2023 and the results of noise monitoring are mentioned herein below for kind perusal:

Sr. No.	Location of monitoring	Note level readings to dBLeq	
		Compressor off	Compressor on
1	In front of compressor area on road	79.5	75.7
2	In compressor area	71.3	83.5
3	Behind compressor in premises of school and gurdwara sahib	66.4	69.5
4	On stairs adjoining school building	66	68.9

5	On first floor (about 15-16 ft above GL) of Gurudwara Sahib facing compressor area	68.5	70.8
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6. That it is relevant to mention here that no improvement was observed in the noise level by the officers of the Board during visit on 22.11.2023 in comparison to the noise level noticed by the Board officer during earlier visit. The noise levels earlier noticed by the officers of the Board during Visit on 31.01.2023 (10 months before the date of present visit on 22.11.2023) are reproduced herein below for kind perusal.

Sr.No	Location of monitoring	Note level readings to dBLeq	
		Compressor off	Compressor on
1	In front of compressor area on road	68.6	74.8
2	In compressor area	60.2	78.7
3	Behind compressor in premises of school and gurdwara sahib	65.6* due to rusting of tree leaves	65
4	On stairs adjoining school building	62.5	67.4
5	On first floor (about 15-16 ft above GL) of Gurudwara Sahib facing compressor area	60.7	66.8

7. That- as per the noise monitoring carried out on 22.11.2023, the noise level was found to be about 18.5 dB (Leq) in the compressor area above the ambient noise level, about 4.5 dB (Leq) behind compressor in premises of School and Gurudawar Sahib, 3.9 dB (Leq) on Stairs adjoining school/building and about 5.8 dB (Leq) on first floor (about 15-16 ft. above ground level) of Gurudwara Sahib facing compressor area. The noise level was found to be Inaximum at about 18.5 dB(Leq) above the ambient noise level in the compressor area and at various other location the contribution was found to be between 3.9 dB (Leq) to 5.8 dB (Leg), which is less than 10 dB(Leq).
8. That Pollution it is relevant to mention here that according to Rule 7 of the Noise made to (Regulation and Control) Rules, 2000.

*Complaints are to be the authority if the noise level exceeds standards the ambient noise by 10 dB (Le) or more against any given in the corresponding columns Control) Rules, area/zone. 2000 is Rule 7 of the Noise & Pollution (Regulation and reproduced herein below for kind perusal.*

*Rule 7: Complaints to be made to the authority.*

*(1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone, make a complaint to the authority.*

*(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and other law in force.*

9. *That in view of the above facts of the case the Punjab Pollution Control Board has issued notice to respondent no. 8 under the provisions of the Noise Pollution (Regulation and Control) Rules. 2000 to adopt remedial measures so that the noise levels are brought al per with the ambient noise levels prevalent in the area. Copy of notice is enclosed herewith as Annexure-A."*

6. Since no further action has been taken by project proponent in the matter and noise pollution is beyond the prescribed limit, we find that appropriate remedial and preventive action is necessary in the matter which may include closer of Petrol-Pump/CNG Station. However, before taking such action, we find it appropriate to issue notice to respondent no.8-M/s. Banur Filling Station, giving it opportunity of filing reply/objections to the Report dated 14.03.2024 filed by Punjab Pollution Control Board.

7. Registry is directed to issue notice to respondent 8, supplying copy of Report dated 14.03.2024 and respondent 8 may file its objections, if any, within one month after receipts of the above notice.

8. List on 22.08.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

July 01, 2024  
MA No.66/2024  
JG

Item No. 05

Court No. 2

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

M.A. No. 66/2024

In

Original Application No. 805/2022

S. Gurdev Singh

Applicant

Versus

State of Punjab &amp; Ors.

Respondent(s)

Date of hearing: 26.09.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

Respondents: Ms. Priya Puri and Ms. Ritim Mangla, Advocates for Respondent No. 7  
Mr. Sumit Agarwal, Advocate for respondent No. 8**ORDER**

1. Learned Counsel appearing for respondent 8 stated that description of respondent no. 8 may be corrected and instead of M/s Banur Filling Station it should be M/s Banur Service Station through its proprietor Gagandeep Gupta. We accordingly direct correction of description of respondent no. 8 and Registry shall put an amended memo of parties by the next date.

2. Complaint entertained in original application was that M/s Banur Service Station located at Zirakpur-Rajpura National Highway near Electricity Board, National Highway, Mohali, Petrol-Pump/CNG Station (retailed outlet) is causing noise-pollution affecting the locality which included an school namely Sant Baba Waryam Singh Ji Memorial Public School, Banur and Gurudwara Sahib, etc.

3. Noise pollution is being caused due to operation of heavy machines/generator/compressor set. Complainant also initiated proceeding under Section 133 of Code of Criminal Procedure, 1973 wherein Sub-Divisional Magistrate, Mohali passed a conditional order directing the project proponent to bring noise level down within the prescribed limit but no action was taken by the project proponent.

4. Applicant, therefore has requested that said project proponent be directed to shift the said retail outlet from the place where it is operating presently.

5. Tribunal issued notices to the parties and after considering the replies submitted by respondents, disposed of the application vide order dated 20.02.2023. Findings, observations and directions of Tribunal are contained in para 8 to 14 of judgment which read as under:

*“8. Learned Counsel for the Applicant has submitted that the CNG Filling Station is situated within 50 metres from Sant Baba Waryam Singh Ji Memorial Public School and Gurudwara Sahib which is violative of guidelines issued by the CPCB regarding siting/location of Petrol Pump/CNG Filling Station and noise generated by the CNG Compressor, generator and other machineries installed there is beyond permissible limits. Therefore, the CNG Filling Station may be ordered to be shifted.*

*9. Learned Counsel for Respondent No. 8 has submitted that the Petrol Pump was established in the year 1973 and the Gurudwara Sahib and the school were established much after that time i.e. around in the year 2002. Old Generator has already been removed and new generator compliant with environmental norms will be installed. Necessary steps have already been taken for reduction of noise from CNG Compressor. Therefore, the application may be dismissed.*

*10. Further in the present case the learned counsel for the applicant is relying on siting criteria of retail outlets laid down in CPCB guidelines dated 07.01.2020, which reads as under:-*

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*In case of siting criteria for petrol pumps new Retail Outlets shall not be located within a radial distance of 50 meters (from fill point/ dispensing units/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per local laws. In case of constraints in providing 50 meters distance,*

*the retail outlet shall implement additional safety measures as prescribed by PESO. In no case the distance between new retail outlet from schools, hospitals (10 beds and above) and residential area designated as per local laws shall be less than 30 meters No high tension line shall pass over the retail outlet*

*These guide/Ines are supplementary to all existing relevant Rules. Guidelines. Orders etc.”*

11. *Clarification with regard to cut-off date for applicability of siting criteria referred in Guidelines for Setting Up of New Petrol Pumps dated 07.01.2020 was issued by the CPCB vide O.M. dated 29.01.2021 the relevant part of which reads as under:-*

*“In this regard, it is clarified that the siting criteria for new Retail Outlets is to be complied with in cases where construction of Retail Outlets by Oil Marketing Companies commenced on or after 07.01.2020. In other words, the siting criteria will not apply to those cases where PESO prior clearance/ initial approval has been obtained and subsequently construction has been started by the OMC before 07.01.2020.”*

12. *In its reply Respondent No. 5 PSPCB has mentioned that as per the observations of the visiting officer the petrol pump is located adjoining the boundary of Gurudwara Sahib, which is at a distance of 80 feet from the boundary. However, in the present case, it is not disputed that the Petrol Pump was established in the year 1973 and the Gurudwara Sahib and the school were established much later in the year 2002. As per the material on record, the permission regarding CNG Retail Outlet was received from the District Magistrate and Indian Oil re-confirmed its validity in January, 2020 and the Petrol Pump and even the CNG Retail Outlet were set up before issuance of the CPCB Guidelines on 07.01.2020 and the CPCB Guidelines dated 07.01.2020 regarding the siting/location criteria are not applicable to the same. The applicant did not raise any objections against the running of the petrol pump before creation of the CNG Facility. After creation of the CNG Facility, the objection of the applicant is against the noise pollution beyond permissible limits by the generator as well as the CNG Compressor.*
13. *The Respondent No. 8 has already removed the old generator and has taken steps to install new generator compliant with the environmental norms. The grievance of the applicant is also against Noise Pollution caused by CNG Compressors installed by the Project Proponent. Natural Gas Compressors work by mechanically increasing gas pressure in stages (or steps) until it reaches the desired delivery point but the same also generate noise in the process. Noise pollution can cause health ailments/issues, such as hypertension and heart disease, hearing impairment, communication problems, sleep disturbance, cognitive effects such as memory problems, reduced performance, behavioural symptoms, and more. Therefore, remedial measures have to be taken to bring the noise within permissible limits. Noise transmitted from CNG Compressors to the adjoining premises may be controlled by installing the CNG Compressors at suitable farthest place from the adjoining premises. The compressor's noise may also be reduced by using appropriate sound blankets/barriers, constructing wall enclosure or using*

*custom engineered steel enclosures which are considered to provide a workable solution to noisy industrial/mechanical equipments. Remedial measure are, therefore, required to be taken by Respondent No. 8 to reduce the noise from the CNG Compressors.*

14. *In view of the above, the application is disposed of with the direction to Respondent No. 8 to take within two months appropriate remedial measures for reduction of noise generated by CNG Compressors by replacing the same with compressors based on latest technology or modifying the compressors already used by adopting latest technology and using other noise reduction devices/methods so as to bring the noise within permissible limits notified for the area and to file an Action Taken Report **within three months** by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF, before the learned Registrar General, National Green Tribunal, Principal Bench, New Delhi who may, if necessary, put up the matter before the Bench for further directions."*
6. Pursuant to the order dated 20.02.2023, Status Report dated 14.03.2024 has been submitted by Environmental Engineer, Punjab Pollution Control Board, Regional Office, Mohali which has been registered as MA 66/2024. Relevant observations made in the Report read as under:
- “3. *That in compliance to order dated 20.02.2023, the respondent no. 8 has to file the compliance report before the Hon'ble National Green Tribunal after talking appropriate remedial measure in accordance with the mandate of order dated 20.02.2023. However, as per the knowledge of the Punjab Pollution Control Board, the project proponent i.e. respondent no. 8 has not filed any action taken report either before the Hon'ble National Green Tribunal or with the Punjab Pollution Control Board.*
4. *That - however in order to check the compliance status of respondent no. 8 (M/s Banur Filling Station, Zirakpur.- Rajpura National Highway) the site was visited by the officers of the Board on 23.11.2023. It was observed that respondent no. 8 has not taken any remedial measures for reduction of noise generated by CNG compressors. The representative of the respondent no. 8 when confronted with the order dated 20.03.2023 of the Hon'ble NGT has failed to give any satisfactory reply and stated that the Filling Station is making compliance of the Noise Pollution Control Norms.*
5. *That the officers of the Board has carried-out monitoring of the noise being generated by the CNG compressor, during visit on 22.11.2023 and the results of noise monitoring are mentioned herein below for kind perusal:*

Sr. No.	Location of monitoring	Note level readings to dBLeq	
		Compressor off	Compressor on
1	In front of compressor area on road	79.5	75.7
2	In compressor area	71.3	83.5
3	Behind compressor in premises of school and gurdwara sahib	66.4	69.5
4	On stairs adjoining school building	66	68.9
5	On first floor (about 15-16 ft above GL) of Gurudwara Sahib facing compressor area	68.5	70.8

6. That it is relevant to mention here that no improvement was observed in the noise level by the officers of the Board during visit on 22.11.2023 in comparison to the noise level noticed by the Board officer during earlier visit. The noise levels earlier noticed by the officers of the Board during Visit on 31.01.2023 (10 months before the date of present visit on 22.11.2023) are reproduced herein below for kind perusal.

Sr.No	Location of monitoring	Note level readings to dBLeq	
		Compressor off	Compressor on
1	In front of compressor area on road	68.6	74.8
2	In compressor area	60.2	78.7
3	Behind compressor in premises of school and gurdwara sahib	65.6* due to rusting of tree leaves	65
4	On stairs adjoining school building	62.5	67.4
5	On first floor (about 15-16 ft above GL) of Gurudwara Sahib facing compressor area	60.7	66.8

7. That- as per the noise monitoring carried out on 22.11.2023, the noise level was found to be about 18.5 dB (Leq) in the compressor area above the ambient noise level, about 4.5 dB (Leq) behind compressor in premises of School and Gurudawar Sahib, 3.9 dB (Leq) on Stairs adjoining school/building and about 5.8 dB (Leq) on first floor (about 15-16 ft. above ground level) of Gurudwara Sahib facing compressor area. The noise level was found to be 1maximum at about 18.5 dB(Leq) above the ambient noise level in the compressor area and at various other location the contribution was found to be between 3.9 dB (Leq) to 5.8 dB (Leg), which is less than 10 dB(Leq).
8. That Pollution it is relevant to mention here that according to Rule 7 of the Noise made to (Regulation and Control) Rules, 2000. Complaints are to be the authority if the noise level exceeds standards the ambient noise by 10 dB (Le) or more against any given in the corresponding columns Control) Rules, area/zone. 2000 is Rule 7 of the Noise & Pollution (Regulation and reproduced herein below for kind perusal.

*Rule 7: Complaints to be made to the authority.*

*(1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone, make a complaint to the authority.*

*(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and other law in force.*

9. That in view of the above facts of the case the Punjab Pollution Control Board has issued notice to respondent no. 8 under the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 to adopt remedial measures so that the noise levels are brought al per with the ambient noise levels prevalent in the area. Copy of notice is enclosed herewith as Annexure-A.”

7. Tribunal after considering the report, impleaded M/s Banur Service Station as respondent 8 and granted opportunity to file response. Pursuant thereto, reply/objections dated 23.09.2024 has been filed by respondent 8 stating that it has taken several steps for bringing noise within the permissible limit under Noise Pollution (Regulation and Control) Rules, 2000 (hereinafter referred to as '**Noise Rules, 2000**').

8. None has appeared on behalf of respondents 1 to 6. This is very strange that notices were issued to all respondents and served but respondent 1 to 6 have not cared to ensure their presence before Tribunal either through any official or Counsel.

9. We accordingly, direct respondents 5 and 6 to verify facts stated by respondent 8 in its reply dated 23.09.2024 with regard to compliance with Noise Rules, 2000 and submit report.

10. On the next date, Member Secretary, Punjab Pollution Control Board and District Magistrate/Deputy Commissioner, SAS Nagar, Mohali shall appear before Tribunal.

11. Compliance report shall be submitted within three weeks.

12. List on 25.10.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

September 26, 2024  
M.A. No. 66/2024 In  
Original Application No. 805/2022  
SN



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD



PPCB/RO/No. ....5170

Dated: .....18/9/24

To

M/s Banur Filling Station,  
Banur,  
SAS Nagar

**Subject:** Proceeding of the personal hearing regarding violation of various provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 on 10.09.2024

The following were present:

**From the Board:**

Er. Arshdeep Singh, Assistant Environmental Engineer

**From the Industry:**

Sh. Gagandeep Gupta, representative

The officer of the Board inform that the Ministry of Environment, Forest & Climate Change (MoEF&CC) vide notification dated 14.02.2000 has laid down the Noise Pollution (Regulation & Control) Rules, 2000. Further, Govt. of Punjab Department of Science Technology & Environment vide notification no. 145 dated 26.02.2014 has laid down comprehensive guidelines for regulation of Noise/Sound/Pollution cause by use of Loud Speakers, Public Address system etc

Further, the Ambient Air Quality Standards in Respect of Noise for different zones have been prescribed under Rule 3 (1) & 4 (1) of the Noise Pollution (Regulation & Control) Rules, 2000, which are also tabulated as under:

Area Code	Category Area/Zone	Limits in dB(A) Leq*	
		Day time	Night time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

It was informed that the vide order dated 20.02.2023 passed in OA no. 805/2022, the Hon'ble National Green Tribunal in paragraph 14 of the orders had directed Respondent no. 8 (M/s Banur Filling Station situated at Zirakpur-Rajpura National Highway) to take appropriate remedial measures for reduction of noise generated by CNG compressors by replacing the same with compressors based on latest technology and using other noise reducing devices/methods so as to bring the noise within permissible limits notified for the area and to file an 'Action Taken Report' within three months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in). However, the project proponent had not filed any action taken

report either before the Hon'ble National Green Tribunal or with the Punjab Pollution Control Board.

Accordingly, the site of the CNG Filling Station was visited by officers of the Board on 22.11.2023. During visit, the officers of the Board carried out monitoring of the noise being generated by the CNG compressor and the results of noise monitoring are mentioned as under:

Sr. no.	Location of monitoring	Noise level readings to dBLeq	
		Compressor off	Compressor on
1.	In front of compressor area on road	79.5	75.7
2.	In compressor area	71.3	83.5
3.	Behind compressor in premises of School & Gurudwara Sahib	66.4	69.5
4.	On stairs adjoining school building	66	68.9
5.	On first floor (about 15-16 ft above GL) of Gurudwara Sahib facing compressor area	68.5	70.8

From above monitoring carried out in the premises and vicinity of CNG Filling Station, it is clear that there was no improvement in the noise level during visit on 22.11.2023 in comparison to the noise levels earlier notice by the Board during visit on 31.01.2023. The levels of the ambient noise limits are more than the standards prescribed in the Noise Pollution (Regulation & Control) Rules, 2000 for commercial/residential areas.

Accordingly, the project proponent was issued notice for violation of the provisions of the Noise Pollution (Regulation & Control) Rules, 2000, by this office vide letter no. 842 dated 20.02.2024 for adopting remedial measures so that the Noise Levels are brought at par with the Ambient Noise Levels prevalent in the area as per the Noise Pollution (Regulation & Control) Rules, 2000, within 15 days. However, the project proponent had not yet submitted any written reply in this regard.

Thereafter, the project proponent was given an opportunity of personal hearing before the **Environmental Engineer on 27.06.2024 at 11:00 am in this office at Punjab Pollution Control Board, Plot No.-55, Phase-2, Opposite bassi theater, Mohali.** However, the project proponent did not attend the said hearing on mentioned date and time.

Now, the project proponent has been afforded another opportunity of personal hearing w.r.t notice already issued for violation of the provisions of the Noise Pollution (Regulation & Control) Rules, 2000, by this office.

During hearing, the representative of the project proponent submitted a written reply to the said notice, which was taken on record and the same is reproduced as under:

"This is reference to your letter notice no. 4969 dated 04.09.2024 to submit the extra remedial taken to control the noise.

In this regard, we hereby submit that the sound proofing work of compressor CNG has been completed. Old material of soundproofing is replaced with heavy thickness glasswood and perforated sheet. Hang with soundproofing the height of boundary wall along all the sides of compressor area has been extended from 7 ft. In height to 145 feet in height. Additionally we have also pasted soundproof sheet/blanket along the wall around the compressor which is currently in progress and will be completed by 18 of sept.

The photographs of glasswood work of CNG compressor and boundary wall height are attached for ready reference.


Request you to kindly visit the retail outlet and conduct sound level test to confirm the same"

After hearing the officer of the Board and the representative of the project proponent, the Environmental Engineer of the Board decided as under:


1. The project proponent shall ensure that the ambient noise levels inside and in this surroundings of the CNG Filling Station adhere to the Ambient Air Quality Standards in Respect of Noise for different zones have been prescribed under Rule 3 (1) & 4 (1) of the Noise Pollution (Regulation & Control) Rules, 2000, at all times.
2. Noise monitoring in and around the CNG Filling Station shall be again carried out by this office, after 15 days.
3. The representative of the project proponent was clearly informed that in case of non-compliance of the above decisions, action u/s 5 of the Environment Protection Act, 1986, shall be initiated against the project proponent without any further opportunity of further personal hearing.

You are, therefore, requested to comply with the aforesaid decisions of the personal hearing.

Endst. No. 5171

  
Environmental Engineer  
Dated: 18/9/24

A copy of the above is forwarded to Senior Environmental Engineer, Zonal Office-1, Patiala for information please.

  
Environmental Engineer

Visit report

Date- 11/10/2024 ; 11:30 am - 12:30 pm

Address of site - (1) M/s Baner Filling Station, Baner  
 (2) Sant Baba Weeram Singh Ji Memorial Public School and Gurudwara Ishar Parkash, Baner

Persons present - Arudeep Singh, AEE  
 Dr. Sonam, JSO  
 Sh. Pal Singh, rep. of school (#98784-94198)  
 Sh. Gurjant Singh, rep. of CNG filling station (#7837851789)  
 Sh. Gagandeep, Dealer of CNG filling station (#73887-0000)

① → During visit, noise monitoring at following locations is carried out (while compressor is on & off):

<u>Point</u>	<u>Noise in dB</u>	
	<u>Compressor off</u>	<u>Compressor on</u>
① On road in front of compressor area	67.7	69.1
② Near compressor (inside area)	59.6	74.7
③ Behind compressor (in school premises)	51.9	58.5
④ On stairs of school premises	55.5	58.4
⑤ On first floor of school	59.2	60.2

Arudeep Singh  
11/10/24

Pal Singh  
11/10/24

Gurjant Singh  
11/10/24

Sh. Arudeep  
11/10/24

Arudeep Singh  
11/10/24

- (ii) The project proponent, i.e. CNG filling station has now increased the height of boundary wall (on sides), which are abutting to the school premises to 13 feet.
- (iii) The CNG filling station has pasted sound proofing sheets on one of the abutting walls & the rep. informed that on second wall, soundproofing sheet shall be pasted in next 5-7 days.
- (iv) The CNG filling station has replaced the glasswool at doors of compressor with new glasswool. The rep. has been advised to change the same at frequent intervals.

pal Singh  
11/10/24  
pal Singh

Gurjot Singh  
11/10/24  
Gurjot Singh

Dr Sonam Doga, JSO  
11/10/24

Ashdeep  
11/10/24  
Ashdeep Singh, JSO

eeegyan  
11/10/24  
GAGANDEEP GUPTA

