

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

Original Application No. 805/2022

In the matter of

S. Gurdev Singh

..... Applicant

V/s

State of Punjab and Others

..... Respondent

Submission of report in compliance to order dated 20.02.2023 through Environmental Engineer, Punjab Pollution Control Board, Regional Office, Mohali.

RESPECTFULLY SHOWETH

1. That the matter is related to application of S. Gurdev Singh resident of Gurudwara Ishar Prakash, near ITI Banur, Tehsil & Distt. SAS Nagar has filed the present application under the provisions of the National Green Tribunal Act, 2010 seeking the issuance of appropriate directions to the Respondents no. 6 and 7 to shift the CNG filling station namely M/s Banur Filling Station situated at Zirakpur-Rajpura National Highway.
2. 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.

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 taking 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 & 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

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	Noise 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 & Gurudwara 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 (Leg) 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 maximum at about 18.5 dB (Leq) above the ambient noise level in the compressor area and at various other locations the contribution was found to be between 3.9 dB (Leq) to 5.8 dB (Leq), which is less than 10 dB (Leq).
8. That- it is relevant to mention here that according to Rule 7 of the Noise Pollution (Regulation and Control) Rules, 2000. Complaints are to be made to the authority if the noise level exceeds the ambient noise standards by 10 dB (Leq) or more given in the corresponding columns against any area/zone. Rule 7 of the Noise & Pollution (Regulation and Control) Rules, 2000 is 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 any 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.
10. That the action taken report is hereby submitted for kind perusal and consideration of the Hon'ble Tribunal.

Date: 14.03.2024

Place: SAS Nagar



14.03.2024

(Er. Gursharan Dass)
Environmental Engineer
Punjab Pollution Control Board
Regional Office, Mohali



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



PPCB/RO/No. ...842.....

Dated: 20/2/24

To

M/s Banur Filling Station,
Banur,
SAS Nagar

Subject: Regarding compliance of the provisions of the Noise Pollution (Regulation & Control) Rules, 2000.

It is intimated 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. a copy of the said guidelines are attached herewith as **Annexure-A**.

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 of 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 is further intimated that 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. However, the project proponent has not filed any action taken report either before the Hon'ble National Green Tribunal or with the Punjab Pollution Control Board.

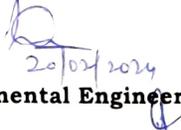
f. To

Now, 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	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 & 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.

As such, you are requested to adopt 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. You are also requested to submit the compliance report in this office within 15 days from the receipt of this letter.


20/04/2024
Environmental Engineer

Endst. No. _____

Dated: _____

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

-sd -
Environmental Engineer