

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL AT
PRINCIPAL BENCH AT NEW DELHI**

O.A No. 1326 of 2024

IN THE MATTER OF:

PUBLIC ACTION COMMITTEE & ORS ...APPLICANTS

VERSUS

UNION OF INDIA & ORS ...RESPONDENTS

Rejoinder by Applicants against Reply dated 14-05-2025 by R-4



Place: Ludhiana

Date: 18.07.2025

Er. Kapil Dev

(Applicant in person)

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Place: Ludhiana

Date: 18.07.2025

Er. Kapil Dev
(Applicant in person)

**Consent to Establish & Grant-in-Aid taken on the basis of EC
of 2013 by 40MLD CETP**

3. That from the Annexure R-4/5 (kindly see running Page no. 196 of this O.A.), the respondent project proponent had produced one document No. 7726 dated 19-11-2015 sent to the MoEF&CC by PPCB pertaining to Consent to Establish as well as recommending the project proponent to avail Grant-in-Aid for installation of 40MLD CETP at Tajpur Road dated 20-05-2015 granted to the 40MLD CETP. **From the contents of documents, it is clear that the Consent to Establish (CTE) as well as Grant-in-aid has been given to 40MLD CETP based on EC of 2013 given to 117 MLD.** It is further pertinent to humbly submit here that as per EIA 2006 rules, if any category B industry (herein Dyeing Industry) is located within 5KM of Critically polluted area, the project is termed as Category A Project, thus prior EC is always mandatory to be taken prior to Consent to Establish and it is well known fact that Ludhiana has been declared critically polluted area before year 2013 and thus, prior EC is a binding document without which any CETP cannot be established even as on date too. Therefore, the project proponent is trying to mislead this Hon'ble Tribunal by deliberately mentioning the project as New Proposal whereas even in their Consent to Establish, the EC condition of 2013 is very clearly mentioned. **As a result, the Notification no. S.O.**

6250(E) dated 19.12.2018 is not applicable for the Polluting Project Proponent which includes dyeing industries and thus, the claim of applicability of this notification by Project Proponent may kindly be rejected and set aside.

4. That the claim of Project Proponent (Respondent No. 4) the Environmental Clearance (EC) dated 3rd May 2013 is no longer applicable because the original CETP project was 'abandoned' **is both legally untenable and factually contradicted by their own conduct.** No steps were ever taken by the Respondent to formally surrender, withdraw, or amend the said EC in accordance with the EIA Notification, 2006 and applicable MoEF&CC guidelines. A valid EC does not lapse merely on self-declared abandonment; it continues to bind the project proponent unless and until modified or withdrawn by the competent authority. In fact, the Respondent has repeatedly and unequivocally relied upon this very EC whenever it served their interests. **The EC was placed on record by the Respondent in OA No. 225/2022 at running page 353** during the site inspections conducted by the Hon'ble Tribunal-appointed Amicus Curiae; **the Respondent No. 4 presented the same EC as proof of compliance, which was annexed to the Amicus Report at running page 780.** The Respondent also used this EC to obtain financial grants from both the Central and State Governments for the CETP project which was primarily taken on

the basis of EC of 2013. **Moreover, the Consent to Establish (CTE) granted by the Punjab Pollution Control Board (PPCB) expressly refers to and relies upon this EC as a basis for approval. Given this consistent pattern of reliance, it is not open to the Respondent to now disown the same EC by claiming that it is no longer applicable.** Such contradictory conduct amounts to approbation and reprobation. The subsequent commissioning of a functionally similar CETP without obtaining a fresh EC—while continuing to serve Red Category textile dyeing units potentially covered under item 5(f) of the EIA Schedule—constitutes procedural non-compliance. The Respondent cannot evade current EC obligations or regulatory scrutiny based on informal assumptions about exemption, nor can it selectively invoke or disregard binding clearances to suit its convenience. **Once the EC has been relied upon for legal, financial, and regulatory purposes, the Respondent are liable to be estopped from denying its applicability in the present proceedings.**”

5. That the CPCB vide letter No. B-29016/04/06/IPC-I/580 dated 06-07-2018 has issued directions under section 5 of the Environment (Protection) Act, 1986 to one M/s RKH Handikraft (P) Ltd, Bath-N-Beyond, 188, Sector 25, Part-III, HUDA, Panipat (Haryana) vide which it has specifically mentioned as under:

WHEREAS, the Textile (Dyes & Dye intermediates) industries are identified as one of the Grossly Polluting Industries OR 17 categories of highly polluting industries which have been discharging effluents directly or Indirectly on land and into water, having potential threat to cause adverse effect on land and the ambient water quality; and

Xxx xxx xxx

NOW I THEREFORE, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the following directions are being issued to the unit **M/s RKH HANDICRAFT (P) Ltd, Bath-N-Beyond 1 188, Sector 25, Part-III, HUDA PANIPAT (HARYANA)**

1. **The unit shall remain closed for Dyeing Process**
2. The Unit Shall obtain permission from the Central Pollution Control Board before the resumption of dyeing plant operations.

From the above letter issued by CPCB, it is clear that the Textile Dyeing The copy of letter No. B-29016/04/06/IPC-I/580 dated 06-07-2018 issued by CPCB to M/s RKH HANDICRAFT (P) Ltd, Bath-N-Beyond 1 188, Sector 25, Part-III, HUDA PANIPAT (HARYANA) is produced herewith as **Annexure-G**.

6. That the Centre Pollution Control Board issued another letter No. B-29016/04/06/IPC-I/773 of 29-08-2018 to **M/s RKH HANDICRAFT (P) Ltd, Bath-N-Beyond 1 188, Sector 25, Part-III, HUDA PANIPAT (HARYANA)** by referring the letter dated **06-07-2018 with contents as under**

WHEREAS, a directions under section 5 of Environemnt (Protection) Act 1986 was issued vide letter no. B-

29016/04/06/IPC-I/580 dated July 06, 2018 to the unit to remain closed and not to restart the operations without permission of CPCB;

The copy of letter dated 29-08-2018 issued by CPCB to M/s RKH Handicraft (P) Ltd. is produced herewith as **Annexure-H**.

7. That from above two letters dated 06-07-2018 (Annexure-G) and dated 29-08-2018 (Annexure-H) respectively, it is clear that the Textile Dyeing Processing comes under the item No. 5(f) of Schedule as enshrined in EIA 2006. **Therefore, such denial by project proponent is contrary to it and Textile Dyeing Industries fall under the ambit of item 5(f) of Schedule of EIA 2006 which means, every individual Textile Dyeing Processing industry requires Environment Clearance separately too.**

40MLD & 50MLD CETP construction started in 2015

8. That the Respondent Association/Project Proponents of 40MLD & 50 MLD have deliberately claimed that the construction of CETP started in the year 2019. However the HISTORICAL IMAGERY option of **Google Earth Pro clearly** (Annexure B at running Page No. 527) shows a fairly advanced level of construction work completed on the site of CETP in October 2015 i.e. after getting the consent to establish from PPCB. Thus the Respondent Association have tried to mislead this Hon'ble Tribunal by providing incorrect information just to justify their wrong intentions of projecting the CETPs as fresh projects and even by mentioning that construction as brick line demarcation as the google earth

images as produced by petitioners are available in some inclination and not exactly 90 degrees to the earth surface and RCC walls with certain height of various structures along with shadow are visible too. It is further pertinent to humbly submit here that as per document with heading File No. Q-15017-17-2017-CPW (Computer No. 117631) **“Agenda for joint meeting to be held between Secretary, MoEF&CC and Chief Secretary, State of Punjab in compliance to NGT orders dated 24-07-2020”** received under RTI by Applicant Kuldeep Singh Khaira from MoEF&CC, it is clearly mentioned at Page Marked 865 regarding 40MLD CETP – Focal Point Module as under:

- ii. As per PPCB letter dated 19-11-2015 SPV has already spent Rs 10 Crores for installation of some components of CETP and about 50% civil work had been completed at site.
- iii. AS per clause 3.16 of CETP guidelines, there is no provision for retrospective funding.

The copy of document with heading File No. Q-15017-17-2017-CPW (Computer No. 117631) depicting 50% of Civil works of CETP of 40MLD Module completed as on 19-11-2015 is produced herewith as **Annexure-I. Therefore the claim by project proponent regarding demarcation of walls is again an act of trying to mislead this Hon'ble Tribunal whereas the 50% of civil work of impugned CETP was already completed at site.**

9. That keeping in view of directions of this Hon'ble Tribunal in O.A. 673 of 2018, Action Plan of River Satluj was prepared by Department of Environment & Climate Change, Department of Science, Technology and Environment, Government of Punjab, and according to Annexure-N1 of this action plan, 70% of construction of CETP Plant of 40MLD was complete as on 31-01-2019, which clearly depicts that the project proponent has deliberately submitted affidavit with wrong information regarding start of construction in 2019 with malafide intentions to get relief based on false facts which has already resulted major damage to the Environment due to continuous discharge of Effluent in Budha Dariya from impugned CETPs. The Copy of relevant pages of Action Plan of River Satluj depicting 70% of civil works completed as on 31-01-2019 is produced herewith as **Annexure-J**.

10. That after receipt of request letter for Grant-in-aid from the Project Proponent, and document No. 7726 dated 19-11-2015 sent to the MoEF&CC by PPCB pertaining to Consent to Establish as well as recommending the project proponent to avail Grant-in-Aid for installation of 40MLD CETP at Tajpur Road dated 20-05-2015 granted to the 40MLD CETP (at Point No. G, Page No. 749) the PPCB vide orders dated 12-07-2017 laid down the procedure to be adopted for the utilisation of Grant in Aid to be received from the Government of India and government of Punjab for setting up

of impugned CETPs which clearly depicts that the Grant-in-aid was based upon documentations/correspondences done years before 18-12-2018. As already submitted, earlier, the projects proponents were going to construct one common CETP of capacity 117 MLD but due to upper cap of Grant-in-aid for CETPs by the Government, to get maximum benefit of the scheme, the project proponents went for construction of three different CETPs of capacity 15MLD, 40MLD and 50MLD. **Overall, the construction work of impugned CETP was started well before 19-11-2015 and thus, EC was always mandatory for the CETPs of all three clusters.**

11. That the project proponent has relied upon the contents of the Notification of 19-12-2018 but has **deliberately concealed** the important line part of mandatory condition **“General Condition shall Apply”** in the paragraph number H of impugned reply and similar act was done by the project proponent in their Appeal No. 41 of 2024 regarding the notification dated 19-12-2018 as the General Conditions clearly depicts that the prior EC is mandatory to be taken by the project proponent before even consent to Establish. The General Conditions of EIA Notification 2006 (Annexure-F), being very important aspect in this case, is once again produced as under for consideration of this Hon’ble Tribunal:

“General Condition (GC):

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, **(ii) Critically Polluted areas as identified by the Central Pollution Control Board from time to time,** (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

12. That the project proponent has produced Point iii of Clause 4 of EIA Notification as under:

*(iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, **but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule,** will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or*

SEAC, a Category 'B' project shall be treated as a Category 'A' project;

It is pertinent to humbly submit here that the project proponent has wrongly mentioned in last line as "*In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a **Category 'A' project;***" whereas the correct sentence is *In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a **Category 'B' project;***

Further above 4(iii) clause of EIA notification of 2006 is applicable on projects excluding those who fulfill the general conditions stipulated in the schedule and as already submitted above, the project proponent has deliberated omitted the line :General Conditions shall apply" from its impugned reply submitted before this Hon'ble Tribunal with intent to get relief on misleading grounds.

13. That **all three Polluting Project Proponents i.e. CETPs of 40MLD, 50MLD & 15MLD are located within Municipal Limits of Ludhiana and Ludhiana has been declared Critically Polluted City by CPCB** as well as PPCB from time to time & information regarding same is also available on website of CPCB. Further each and every member unit of respective CETP is also located within the MC Limits of Ludhiana, which is a critically polluted area. Thus, the activities of member units i.e. Dyeing Industries as well as CETPs of all three Polluting Project

Proponent comes under Category A, therefore the requirement of EC for such project/ activities is indispensable and project proponent cannot be termed as outside the purview of EC regime. The shield of Notification no. S.O. 6250(E) dated 19-12-2018 was never applicable on impugned CETPs of all three Project proponents including of 40MLD based on mandatory General Conditions of item 7(h) of Schedule which has been deliberately produced incomplete by the project proponent before this Hon'ble Tribunal.

14. That regarding calculation of Environment Compensation to be imposed upon the project proponent, the Petitioners have relied upon the judgment dated 06-10-2009 passed by the Hon'ble Supreme Court in Civil Appeal No. 6776 of 2009 @ Special Leave Petition (Civil) No. 6963 of 2007 case titled Tirupur Dyeing Factory Owners Association vs. Noyyal River Ayacutdars Protection Association and others with Civil Appeal No. 6777 of 2009 @ SLP (Civil) No. 28296 of 2008 wherein the Hon'ble Supreme Court has upheld the environment compensation imposed by the Hon'ble High Court. It is pertinent to humbly submit here that as per the news published on 12-06-2025 in Dainik Bhaskar, liver of 40% of Children in villages along Budha Dariya is not normal – reason: ground water has got contaminated. It is further submitted that regular discharge of effluent in Budha Dariya by the Project Proponents has resulted into major health issues not only for

villages along Budha Dariya but for citizens as well as wildlife/aquatic life relying upon water from Satluj after crossing Ludhiana & mainly affected areas are South West Punjab as well as District Ganganagar in Rajasthan. Keeping in view of the huge impact over health of Public at large, the project proponents are liable to pay Environment compensation as prayed by Applicants in their original application. The copy of judgment dated 06-10-2009 passed by the Hon'ble Apex Court is produced herewith as **Annexure-K**. The copy of news published on 12-06-2025 in Dainik Bhaskar depicting liver of 40% of Children in villages along Budha Dariya is not normal – reason: ground water has got contaminated is produced herewith as **Annexure-L**.

15. That as already submitted in additional submission cum rejoinder dated 08-04-2025, the project proponent is a habitual offender and despite knowing the facts that this Hon'ble Tribunal has already issued orders to PPCB to ensure compliance of mandatory EC conditions, the project proponent has continued to damage the environment not only by discharging effluent from impugned CETP but through domestic sewer lines & in open areas by its members. A copy of news published on 20-05-2025 in Punjab Kesari depicting discharge of effluent in open plots by a renowned dyeing Industry of Focal Point is produced herewith as **Annexure-M**.

16. That as already held by the Hon'ble Supreme Court in the case of Electrosteel Steels Ltd. v. Union of India and Ors as under thus;

“72. There can be no doubt that the need to comply with the requirement to obtain environment clearance is non-negotiable. A project can be set up or allowed to expand subject to compliance of the requisite norms. Environmental clearance is granted on condition of the suitability of the site to set up the project from the environmental angle, and existence of necessary infrastructural facilities and equipment for compliance of environmental norms. To protect future generations, it is imperative that pollution laws be strictly enforced. Under no circumstances, can industries which pollute be allowed to operate unchecked and degrade the environment.”

17. That keeping in view of the facts produced above, It is a matter of question that how long people of Punjab and Rajasthan be forced to live on mercy of habitual Polluter Project proponent as well as corrupt Punjab Pollution Control Board who never performed lawful duty as enshrined under various Environment Laws and is again seen standing beside the Polluters as the Regulatory Authority has even intentionally and deliberately not complied with the repeated directions of this Hon'ble Tribunal. **Further, the PPCB in Appeal no. 48 of 2024 too has**

deliberately not produced the complete item 7(h) of amended EIA Notification 2006, thus the active connivance of PPCB is crystal clear and therefore, the PPCB officials are liable to be punished accordingly for producing incomplete contents of statute (EIA 2006) before this Hon'ble Tribunal.

18. That save and except what has been specifically admitted in this rejoinder, all other statements in the impugned reply dated 14-05-2025 by Respondent Association shall be deemed to have been denied. The Applicant has also submitted important facts in additional submission dated 17-02-2025 (running Page No. 78-164) as well as Additional Submission cum Rejoinder dated 08-04-2025 (running Page 481-743) with facts against the claim/statement of project proponent in the counter. The Applicants do not admit any statements, contentions, or Submissions simply if the Applicants do not deal with them and deny them para-wise. It is further submitted that the Applicants are not filing the para-wise rejoinder to the counter affidavit of the Respondent Association however, the Applicants seeks leave of this Hon'ble Tribunal to file the same as and when required by this Hon'ble Tribunal.



Dated: 18-07-2025
Place: Ludhiana

Er. Kapil Dev
(Applicant No. 2)



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

BY REGISTERED AD

B-29016/04/06/IPC-I/580

July 06, 2018

To

M/s RKH HANDICRAFT (P) Ltd,
Bath-N-Beyond, 188, Sector 25, Part-III,
HUDA PANIPAT (HARYANA)

Directions under Section 5 of the Environment (Protection) Act, 1986 -reg.

WHEREAS, the Textile (Dyes & Dye intermediates) industries are identified as one of the Grossly Polluting Industries OR 17 categories of highly polluting industries which have been discharging effluents directly or indirectly on land and into water, having potential threat to cause adverse effect on land and the ambient water quality; and

WHEREAS, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed thereunder; and

WHEREAS, it is obligatory on the part of industries to install and operate Effluent Treatment plant (ETP) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the Rules framed thereunder and also to meet the consent conditions granted by State Pollution Control Board (SPCB)/ Pollution Control Committees (PCCs); and

WHEREAS, Hon'ble Supreme Court of India in the matter of Paryavaran Suraksha Samiti Vs Union of India & Others dated 22/02/2017 directed that no industry which requires "consent to operate" from the concerned Pollution Control Board, is permitted to function, unless it has a functional effluent treatment plant, which is capable to meet the prescribed norms for removing the pollutants from the effluent, before it is discharged; and

WHEREAS, a team of officers from the Central Pollution Control Board (CPCB), Delhi on inspected M/s RKH HANDICRAFT (P) Ltd, Bath-N-Beyond, 188, Sector 25, Part-III, HUDA PANIPAT (HARYANA) (herein after referred as the Unit) on May 17, 2018 to assess the adequacy of the existing pollution control measures; and

WHEREAS, the inspecting team found the Unit Closed.

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

NOW, THEREFORE, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the following directions are being issued to the unit M/s RKH HANDICRAFT (P) Ltd, Bath-N-Beyond, 188, Sector 25, Part-III, HUDA PANIPAT (HARYANA)

1. The Unit shall remain closed for dyeing process
2. The Unit shall obtain permission from the Central Pollution Control Board before the resumption of dyeing plant operations.

In case of failure to comply with the said directions necessary action as deemed fit under the provision of the Environment (Protection) Act, 1986 will be taken by Central Pollution Control Board.


26/11/18
(S.P. Singh Parihar)
Chairman

Control

Copy to:

1. **Chairman** : For information please
Haryana State Pollution Control Board
C-11, Sector - 6
Panchkula, Haryana
2. **Advisor (CP Division)** : For information please
Ministry of Environment, Forests and
Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan
Atiganj, Jor Bagh Road
New Delhi - 110003
3. **Regional Director (North),** : For information please.
Regional Directorate
Central Pollution Control Board
Ground & First Floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow - 226 020
4. **I/c, IT Division, CPCB** : For uploading the direction at
CPCB website
5. **DH,IPC-I** : For information please.


(A. Sudhakar)
Member Secretary

o/c



SPEED POST

August 29, 2018

B-29016/04/06/IPC-I/ 

To

M/s. RKH Handicraft (P) Ltd,
Bath-N-Beyond, Plot No. 188,
Sector 25, Part-II, Huda Industrial Estate,
Panipat-132103, Haryana

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 -reg.

WHEREAS, the textile dyeing processing industries are identified as one of the Grossly Polluting Industries which have been discharging effluents directly or indirectly on land and into water, having potential threat to cause adverse effect on land and the ambient water quality; and

WHEREAS, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed thereunder; and

WHEREAS, it is obligatory on the part of industries to install and operate Effluent Treatment plant (ETP) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the Rules framed thereunder and also to meet the consent conditions granted by State Pollution Control Board (SPCB)/ Pollution Control Committees (PCCs); and

WHEREAS, Hon'ble Supreme Court of India in the matter of Paryavaran Suraksha Samiti Vs Union of India & Others dated 22/02/2017 directed that no industry which requires "consent to operate" from the concerned Pollution Control Board, is permitted to function, unless it has a functional effluent treatment plant, which is capable to meet the prescribed norms for removing the pollutants from the effluent, before it is discharged; and

WHEREAS, a team of officers from the Central Pollution Control Board (CPCB), Delhi inspected M/s. RKH Handicraft (P) Ltd., Panipat (herein after referred as the Unit) on May 17, 2018 to assess the adequacy of the existing pollution control measures; and

WHEREAS, the inspecting team observed that the Unit was non-operational during visit; and

WHEREAS, a direction under section 5 of Environment (Protection) Act 1986 was issued vide letter no. B-29016/04/06/IPC-I/520 dated July 06, 2018 to the Unit to remain closed and not to restart the operations without permission of CPCB; and

WHEREAS, a reply from the Unit received on July 30, 2018 that the Unit has complied with all the direction dated July 06, 2018 issued by CPCB, the plant operations has already been closed down w.e.f. May 12, 2018 even before receipt of CPCB direction and requested to revoke the closure direction; and

WHEREAS, CPCB constituted a Three-member committee vide office order dated 03.10.2017 having representative(s) from CPCB and MoEF&CC for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the three-member committee in its meeting held on 13.08.2018 examined the compliance report submitted by the Unit and recommended that the Unit shall submit adequacy report of ETP from any expert Government Institution; and

WHEREAS, the Unit submitted an adequacy report dated August 22, 2018 from Institute of Environment & Sustainable development, BHU Varanasi; and

WHEREAS, the three-member committee in its meeting held on 23.08.2018 examined the compliance report submitted by the Unit and recommended that the Unit may be allowed to resume its operations with conditions that:

1. The Unit shall submit performance audit report from same institute i.e. Institute of Environment & Sustainable development, BHU Varanasi within 60 days of start of operation.
2. The Unit shall submit monthly log book data of ETP for one year to CPCB.

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

NOW, THEREFORE, in exercise of powers vested to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, and in view of compliance with relevant direction under reference, the direction issued under the Section 5 of the Environment (Protection) Act, 1986 to the Unit (M/s. RKH Handicraft (P) Ltd., Panipat) vide letter dated July 06, 2018 is hereby revoked with condition that:

1. The Unit shall submit performance audit report from same institute i.e. Institute of Environment & Sustainable development, BHU Varanasi within 60 days of start of operation.
2. The Unit shall submit monthly log book data of ETP for one year.

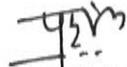
In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986 shall be taken.

(S.P. Singh Parihar)
Chairman

20/8/18

Copy to:

1. The Chairman
Haryana State Pollution Control Board
C-11, Sector - 6
Panchkula- 134109, Haryana
2. The Advisor (CP Division)
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi - 110003
3. The Managing Director,
Uttar Haryana Bijli Vitran Nigam Ltd.
(UHBVNL) Vidyut Sadan,
Plot No: C16, Sector-6,
Panchkula-134109, Haryana : With request to restore the
electricity supply of the Unit.
4. The Incharge, Regional Directorate
Central Pollution Control Board
Ground & First Floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow - 226 020
5. Divisional Head, IPC-I, CPCB : For re-verification of compliance
within three months.
6. Divisional Head, IT, CPCB


(Prashant Gargava)
Member Secretary

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ANNEXURE-I

Agenda for joint meeting to be held between Secretary, MoEF&CC and Chief Secretary, State of Punjab in compliance to NGT order dt. 24.07.2020

Date: _____ Venue: Through Video Conference

Agenda

1. Physical and Financial progress made as on date and expected time for completion
2. Constitution of committee with members of MoEF&CC, CPCB, Technical Institution, which appraised the CETP project and SPCB to fix **(a) cost over-run from the project proponent delay (b) the milestones on the basis of outcome vis-à-vis payment schedule of central share.**
3. Physical progress on Pipe line for discharge of treated wastewater to STP for Focal Point CETP
4. Physical progress on reuse condition of treated wastewater to STP for 50 MLD CETP
5. As per para 8.6 of CETP guidelines, there is provision of post commissioning evaluation before release of last installment, Accordingly, release of last installment of Central support fund will be after verification of compliance of discharge norms and utilisation as per project approval
6. The present status of compliance of the dyeing units and wastewater management and its monitoring mechanism of PPCB
7. Any other matter with permission of Chair

Background:

- There are 268 dyeing industries in Ludhiana and discharging about 117 MLD effluent into Budha Nallah and ultimately River Satluj.
- Govt of Punjab submitted proposals to install three CETPs
 - i. 40 MLD: Focal Point Module
 - ii. 50 MLD: Tajpur Road & Rohan Road Module
 - iii. 15 MLD: Bahadurke Textile & Knitwear Association
- MoEF&CC has sanctioned all the three CETP projects under 'Pollution Abatement' scheme as per extant CETP guidelines.
- Hon'ble NGT has directed that Punjab PCB may ensure that all dyeing units and other members of CETP comply with the norms and do not discharge

untreated effluents. If they do so, they be made liable for environmental compensation.

A. 40 MLD CETP – Focal Point Module

- i. 40 MLD CETP of overall project cost Rs. 55.40 Crore sanctioned on **03.03.2016** with Rs. 15 crore and Rs. 7.5 crore as Central and State Government share respectively.
- ii. As per PPCB letter dated 19.11.2015, SPV has already spent Rs. 10 Crore for installation of some components of CETP and about 50% civil work had been completed at site.
- iii. As per clause 3.1.6 of CETP guideline, there is no provision for retrospective funding.
- iv. The project **completion time was 18 months** fixed by technical committee of CETP and the CETP had to meet the CETP norms stipulated vide notification dated 01.01.2016.
- v. The 1st instalment of central share Rs. 2.88 crore was released on **19.05.2018** due to delay in disbursement of state share Rs. 1.44 crore on **08.05.2018** only.
- vi. Based on the 1st release of central share, the project completion period was **08.11.2019**.

UC, Expenditure, Progress Report, cost over-run & milestones fixation:

- vii. 1st UC upto 09.10.2019 submitted indicating expenditure of Rs. 2.71 crore only.
 - viii. The 1st progress report was submitted on 09.10.2019 indicating completion of 87% civil work and 67% overall progress of the project. (**only 37% civil work completed in 17 months time**).
 - ix. 2nd UC upto 08.01.2020 submitted indicating expenditure of Rs. 2.88 crore.
 - x. The 2nd progress report was submitted on 08.01.2020 indicating completion of 90% civil work and 70% overall progress of the project. (**only 40% civil work completed in 20 months time exceeding the project completion time**).
 - xi. The status of pipeline for discharge of treated sewage at the outfall of Ludhiana Sewage Treatment Plant is not known.
 - xii. The project is delayed by **9 months** as on date.
 - xiii. As per para 8.6 of CETP guidelines, there is provision of post commissioning evaluation before release of last instalment.
 - xiv. A committee with the members of MoEF&CC/CPCB, the Technical Institution which appraised the CETP project and SPCB should be formed to fix (a) **cost over-run from the project proponent delay** (b) **the milestones on the basis of outcome vis-à-vis payment schedule of central share**.
- #### B. 50 MLD CETP – Tajpur Road & Rohan Road Module
- i. 50 MLD CETP of overall project cost Rs. 55.52 Crore sanctioned on **11.10.2019** with Rs. 15 crore and Rs. 7.5 crore as Central and State Government share respectively.
 - ii. The CETP is sanctioned by Ministry on the following conditions:

File No. Q-15017-17-2017-CPW (Computer No. 117631)

- PDA will operate the CETP to comply with the parameters as purposed in the DPR and as per the undertaking submitted to Punjab Pollution Control Board.
 - PDA will install suitable tertiary treatment unit with the CETP to achieve effluent discharge standards of BOD 10 mg/l and COD 50 mg/l at their own cost within six months' time of commissioning and not later than December, 2020.
 - The CETP will not discharge its effluent into Budhha Nullah and it will reuse either into the back process or irrigation by laying their own network at their own cost.
- iii. As per PPCB letter dated 19.12.2016, SPV has already spent Rs. 10 Crore for the work already executed at site against Rs. 25.93 crore as civil work. **(about 38% civil work has already completed)**
- iv. The project completion time is 18 months as per DPR.
- v. The 1st installment of central share Rs. 3.00 crore (Rs. 2.35 crore + Rs. 0.65 crore) was released to PPCB on 20.12.2019 and 06.02.2020 respectively and after the disbursement of state share Rs. 3.00 crore on 05.06.2018.
- UC, Expenditure & Progress Report & milestones fixation:**
- vi. UC upto 30.04.2020 submitted indicating expenditure of Rs. 3.00 crore only.
- vii. The progress report was submitted on 25.06.2020 indicating starting of project on April, 2019 and completion of 85% civil work as on 15.05.2020. **No mention about overall progress of the project is made.**
- viii. **No status given on installation of tertiary treatment unit with the CETP as the same was to be completed by April, 2020 or not later than Dec, 2020.**
- ix. **No status given on arrangement made for effluent discharge by using either back at member industry's process or irrigation by laying their own network at their own cost as per the condition.**

Action Plan for Clean River Sutlej

31st January 2019

**Directorate of Environment and Climate Change
Department of Science, Technology and Environment,
Government of Punjab**

Annexure-N1- Timelines for installation of CETPs of Dyeing units

1) Name of the Project: 15 MLD CETP Bahadurke Road Cluster, Ludhiana.			
Brief Scope of Work		Scope : 1 No. CETP of 15 MLD	
Sr.No	Stage	Start Date	Completion Date
1	Preparation of DPR	Already Prepared	Approved
2	Financial Closure	Already done.	
3	Tendering of the work including allotment	Already done.	
4	Commencement of work	Already done.	
5	Quarterly milestones during the construction stage	80% completed.	
6	Completion and commissioning	31.03.2019	
2) Name of the Project: 40 MLD CETP Focal Point Cluster, Ludhiana.			
Brief Scope of Work		Scope : 1 No. CETP of 40 MLD	
Sr.No	Stage	Start Date	Completion Date
1	Preparation of DPR	Already Prepared	Approved
2	Financial Closure	Already done.	
3	Tendering of the work including allotment	Already done.	
4	Commencement of work	Already done.	
5	Quarterly milestones during the construction stage	70 % completed.	
6	Completion and commissioning	31.08.2019	
3) Name of the Project: 50 MLD CETP Tajpur-Rahon Road Cluster, Ludhiana.			
Brief Scope of Work		Scope : 1 No. CETP of 50 MLD	
Sr.No	Stage	Start Date	Completion Date
1	Preparation of DPR	Already Prepared	Approved
2	Financial Closure	Already done.	
3	Tendering of the work including allotment	Already done.	
4	Commencement of work	Already done.	
5	Quarterly milestones during the construction	30% completed.	

	stage	
6	Completion and commissioning	31.01.2020

Tirupur Dyeing Factory Owners Ass vs Noyyal River A.Protection Ass. & Ors on 6 October, 2009

Equivalent citations: AIR 2010 SUPREME COURT 3645, 2010 AIR SCW 288, (2009) 8 MAD LJ 1164, (2010) 1 MAD LW 1, (2009) 84 ALLINDCAS 244 (SC), (2009) 4 RECCIVR 719, 2009 (9) SCC 737, 2009 (13) SCALE 132, (2009) 4 RECCRIR 552, 2009 (77) ALR SOC 76 (SC)

Author: B.S. Chauhan

Bench: K.G. Balakrishnan, B.S. Chauhan

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6776 OF 2009
@ SPECIAL LEAVE PETITION (CIVIL) NO. 6963 OF 2007

Tirupur Dyeing Factory Owners Association Appellants

Versus

Noyyal River Ayacutdars Protection Association and others Respondents

WITH

CIVIL APPEAL NO. 6777 OF 2009
@ SPECIAL LEAVE PETITION (CIVIL) NO. 28296 OF 2008

JUDGMENT

Dr. B.S. Chauhan, J.

1. Leave granted.

2. These appeals have been filed against the Judgment and Order dated 22.12.2006 of the Madras High Court in writ petition no. 29791 of 2003 and order dated 27.2.2007 dismissing the Review Application No.14 of 2007 in the said case.

3. The facts and circumstances giving rise to this case are that a Public Interest Litigation was filed by the Noyyal River Ayacutdars Protection Association, a registered Association (Respondent No. 1),

for seeking directions for preservation of ecology and for keeping the Noyyal river in Tamil Nadu free from pollution. According to the said Association, a large number of industries, some of them respondents before the writ court and appellants herein had indulged in dyeing and bleaching works at Tirupur area and discharging the industrial effluents into the Noyyal river which created water pollution to the extent, that the water of the river was neither fit for irrigation nor potable. The pollution also adversely affected the Orthapalayam reservoir and other tanks and channels of the said river. A similar issue i.e. menace of pollution had also earlier been raised by another association namely Karur Taluk Noyyal Canal Agriculturists Association by filing writ petition(c) no. 1649 of 1996 before the Madras High Court. The High Court disposed of the said petition vide judgment and order dated 26.2.1998 on the basis of joint Memo of Understanding filed by all the contesting parties, which contained the terms, to implement the pollution control measures and to pay the damages etc. The High Court directed the Tamil Nadu Pollution Control Board (hereinafter called as "Board") to implement the pollution control and environmental laws and also granted liberty to decide the amount for which dyeing units were liable to reimburse for the loss caused by pollution. The dyeing and bleaching units were directed to contribute an amount to meet the expenses of cleaning of the Orathapalayam dam. For compliance of the said order, a period of three months was given.

4. The dyeing and bleaching units' Association filed an application for extension of time for compliance of the aforesaid directions issued by the High Court but the said application was rejected by the Court vide Order dated 29.4.1998. Being aggrieved, the Association of the unit owners approached this Court by filing the Special Leave Petition (Civil) Nos. 8601, 8641, 8747 and 9150 of 1998. This Court issued some directions in respect of 53 units in Tirupur and 97 units in Karur. As these directions were complied with, the said petitions were disposed of vide order dated 8.1.1999 as nothing survived.

5. The Government of Tamil Nadu issued order dated 14.12.2000 to carry out a study on the restoration of Orthapalayam Dam with the help of the department of Environmental Sciences of Tamil Nadu, environmental NGOs, entrepreneurs together with Department of Forests. The study was completed and a report was prepared, according to which, there had been no improvement in the quality of water. Thereafter, the present respondent no.1 (Noyyal River Ayacutdars Protection Association) filed Writ Petition no. 29791 of 2003 before the Madras High Court and sought directions that respondent nos. 1-3 therein, would clean the river water stored at Orathapalayam dam within a stipulated time with its own expenses, or to recover the expenses which could be recovered from the dyeing and bleaching Units Associations and thereby preventing the pollution of the Noyyal river in future by the said units i.e. members of the Association. An interim relief was sought to restrain the private respondents from discharging their industrial effluents into Noyyal river.

6. The case was contested by the present appellant as well as by the State Government and other State instrumentalities. It was pointed out to the High Court that recommendations made by various committees to prevent further pollution were being given effect to and a huge amount of Rs. 1,95,00,000/- (rupees one crore and ninety five lacs) would be required for the project of cleaning and a sum of Rs.23 crores was required for installation of treatment plants. The Association of Units

owners had to establish R.O. (Reverse Osmosis) system and to attain Zero Liquid Discharge (hereinafter called ZLD) of the trade effluents. Thus, the said Association was required to deposit a sum equivalent of 25% of the R.O. cost and 50% of the project cost etc. and it was also pointed out that 150 pre-treatment plants were also likely to be established. The Court passed the order dated 26.12.2006, as an interim measure keeping the petition pending, issuing the following directions :

"(a) The CETPs are given time upto the 31 st of July, 2007 to achieve the Zero Liquid Discharge(ZLD) of trade effluents subject to the following conditions :

(i) The concerned CETPs are directed to pay a fine on pro rata basis at the rate of six paise per litre from 1st January, 2007 to 31st March, 2007; at the rate of eight paise per litre from 1st April, 2007 to 31st May, 2007; and at the rate of ten paise per litre from 1st June, 2007 to 31st July, 2007. The fine amount payable by the respective CETPs shall be arrived at by multiplying the fine amount i.e. six, eight or ten paise, as the case may be, by the total quantity of discharge of each Member Units of CETP as per the consent certificate or as the quantity found in the application for consent and also by the total number of working days in a month. The fine amount thus calculated shall be paid by the respective CETPs on the last date of every month. In case the CETPs or any of them commit any default in payment of fine, the Pollution Control Board shall direct closure of such defaulting CETP and the Member Units and also disconnect the power supply to such defaulting CETP and the Member Units.

(ii) The CETPs or any of them on achieving Zero Liquid Discharge shall satisfy the Pollution Control Board about their ZLD status and the Pollution Control Board upon verification shall issue appropriate certificate from which date, such CETP shall not be liable to pay the fine. In any event, if the CETPs or any of them fail to achieve the ZLD on or before 31st July, 2007, the Pollution Control Board shall forthwith direct closure of such CETPs and the Member Units and also disconnect the power supply to such defaulting CETP and the Member Units.

(b) The respondents 4 to 7 herein are directed to deposit the balance sum of Rs.8.50 Crores out of Rs.12.50 Crores estimated by the P.W.D. towards the cleaning and desilting operations of the Orathapalayam dam to be carried out by the Public Works Department in two equal instalments, the first of such instalments being payable on or before 28th of February, 2007 and the second instalment to be paid on or before the 30th April, 2007.

(c) The respondents 4 to 7 are directed to deposit a sum of Rs.22,99,98,548/- being the remaining of the total compensation of Rs.24,79,98,548/- awarded by the Loss of Ecology Authority in its Award dated 17.12.2004. This amount shall also be payable in two equal instalments, the first of such instalments being payable on or before the 28th of February, 2007 and the second instalment to be paid on or before the 30th of April, 2007.

(d) The respondents 4 to 7 are further directed to deposit a sum of Rs.12 crores as an ad-hoc compensation towards the estimated loss for the years 2005, 2006 and 2007.

This amount shall be payable in two equal instalments, the first of such instalments being payable on or before 15th June, 2007, and the second instalment to be paid on or before 31st July, 2007.

.....

(q) The Public Works Department is directed to continue with the cleaning and desilting operations of the Orathapalayam Dam and the cleaning of the Noyyal river shall be carried out through the petitioner association as per the orders of this Court. The District Collector, Coimbatore is directed to release a sum of Rs.25 lakhs directly to the petitioner-Agriculturists Association towards the charges for cleaning of the Noyyal river and the works to be carried out upto the confluence point of the river with river Cauvery.

(r) The respondents 1 to 3 are directed to finalise the site for dumping the solid waste from the Orathapalayam dam as well as from the Noyyal river which has been kept in bags and in open spaces. The Pollution Control Board is directed to provide the infrastructure and technical expertise for removal of the solid waste from the units as well as the dam to the notified site. The above exercise shall be done within a period of three months.

(s) Both the Expert Committee as well as the Monitoring Committee shall submit periodical reports before this Court every two months.

(t) The Monitoring Committee shall be paid a sum of Rs.15,000/- per day/per visit as charges."

7. The present appellant filed a Review Petition which was dismissed vide Order dated 27.12.2007. Hence, these appeals.

8. Shri Soli J. Sorabjee & Shri Mukul Rohtagi, learned senior counsel appearing for the appellant have submitted that the High Court while entertaining the Public Interest Litigation passed the impugned order imposing a very heavy fine on the basis of pro rata @ 6 paise, 8 paise and 10 paise per litre for the period of two months, as mentioned therein, for water discharge from each unit amounting to several crores of rupees without any report of the expert committee. There was no material on record on the basis of which such a liability could be fastened on the unit owners. The calculation of fine/compensatory expenses at such a higher rate was not based on any scientific data and, therefore, such imposition of fines etc. cannot be held justifiable. More so, the High Court ought to have allowed the Review Petition filed by the appellant. The appellant has always been willing to safeguard the environment and to prevent pollution and discharge of effluents into Noyyal river or Orathapalayam dam. In view of the fact that the industrial units had undertaken to fix the R.O. plant and to achieve ZLD and it had set up 17 CETPs investing a huge amount of about 700 crores, such onerous liability should not have been imposed. The industrial units have already installed a pre-treatment plant to prevent the untreated effluents to be discharged either into the river or dam. The High Court failed to appreciate that there are more than 40 thousand families to

earn their livelihood on dyeing and bleaching industry. Several lakh persons are employed in its ancillary industries who directly depend on this business and most of them are basically the erstwhile agriculturists who could not earn their livelihood because of the barren nature of their land and for want of proper rain over several years. A large number of people have indulged in transport activities because of such heavy industries in Tirupur area. Therefore, the order impugned is liable to be set aside and appeals deserved to be allowed.

9. On the other hand, Dr. Rajeev Dhawan, learned senior counsel appearing for respondent no. 1 has submitted that in spite of several orders passed by the High Court, there could have been no improvement in the ecological set up of the area. The "precautionary principle" and principle of "polluter-pays" are the integral part and parcel of national environmental law. The appellant is bound to compensate the persons who have suffered the loss because of the activity of its members, as water of the river is neither worth for irrigation purpose nor potable. The members of the appellant association being responsible for the pollution, cannot escape the responsibility of not meeting the expenses of removing the sludge from the river and cleaning the dam and treating the water to make it pollution free. The cost so imposed by the High Court by the impugned order, is based on the report of the Expert Committee. In spite of the fact that the High Court had passed several orders and extended the period from time to time to take all possible measures to establish the RO system and achieve ZLD, no improvement could be made. In case the said members of the Association are not willing to achieve the pollution free atmosphere, they do not have any right to continue with their industrial activities. The appeals lack merit and are liable to be dismissed.

10. Shri Abhishek Gupta, learned senior counsel appearing for the Pollution Control Board has submitted that Pollution Control Board had taken all measures to prevent the pollution and also inspected CETPs established by the appellant and found that there is much improvement but has not been cured fully. Certain steps are still required to be taken by the Association to prevent the menace of pollution.

11. We have considered the rival contentions made by learned counsel for the parties and perused the record. As per the pleadings of the case, Tirupur is the place exporting the finest garments like T-shirts, inner wears to all foreign countries. The competitors are Bangladesh and China. Tirupur is an industrial hub providing employment to 5 lakh persons. The State Government has granted Sales Tax exemption to the units indulged in bleaching and dyeing units, considering the importance of the place and taking into account the nature of the industries. The country earns about 10,000/- crores in foreign exchange annually. The industries have provided the means of livelihood to a large number of persons indulged in transport of passengers and goods in the area to the extent of 80 kilometers radius for the purpose of fetching labourers residing away from the city and to deal with the export business.

12. Undoubtedly, in the earlier writ petition filed by another association for similar relief, the High Court as well as this Court dealt with the case and disposed of the same after compliance of directions issued by the courts. In the instant case, it is evident from the record that the High Court issued directions from time to time but the members of the appellant Association had complied with such orders partly. The High Court constituted an Expert Committee and also the Monitoring

Committee to assess the damage caused to the dam and the river and to find out the modalities to remove the effect of pollution. It also got the assessment of the amount required for removing the sludge from the river and for the treatment of the water, making it worth for irrigation and human consumption. So far as imposition of fine @ 6 paise per litre and then enhancing to 8 paise and subsequently to 10 paise per litre periodically is concerned, High Court imposed it on the basis of Award/Report dated 17.12.2004 by the Expert Committee under the heading "Loss of Ecology (Prevention and payments of compensation) by the Authority". The Expert Committee consisted of Hon'ble Mr. Justice P. Bhaskaran, a retired judge of Madras High Court, the Secretary of the Department of Environment, Government of Tamil Nadu and Member Secretary, Central Pollution Control Board, New Delhi as its Member and Dr. K.R. Ranganathan, former Member Secretary of the Central Pollution Control Board. The Committee had taken note of all previous developments and assessed the loss to ecology and environment in the affected area. It also identified the individuals and families who suffered because of pollution and further determined the amount of compensation to be paid to each affected individual or family. It also fixed the liability for making the payment of compensation. The award mainly provided as under :

(a) The Authority assessed loss to the ecology and environment in terms of use value of the groundwater resources polluted with excessive total dissolved solids (inorganic) utilized for irrigation as a result of the pollutional impact of effluents discharged by textile industries located in and around Tirupur and its vicinity falling in the Noyyal river basin. Extent of the so irrigated land is arrived at 28,449.816 hectares in 68 villages comprised in Seven Taluks or Coimbatore, Erode and Karur Districts.

(b) The Authority identifies 28,596 individuals, affected because of the pollution as eligible for compensation.

(c) The authority assesses the compensation to be paid to the aforesaid individuals as in (b) supra, at a total sum of Rs.24,79,98,548 for the period from 28.8.1996 to 31.12.2004.

.....

It is pertinent to point out that thrust of the work for reversal is preventing further pollution of the ground water which requires a number of cleaning technology and treatment measures to be undertaken by the industries with their own funds.

13. It is evident that the High Court constituted the Monitoring Committee consisting of technocrats and the terms of Reference had been as under :

i) To inspect the cluster of industrial units in and around Tirupur discharging trade effluents either directly and indirectly into the Noyyal river and verify the volume of the polluted water discharged into the river every day.

- ii) To inspect and quantify the polluted water stored at the Orathapalayam dam with details as to the present condition of the sluices.
- iii) To suggest ways and means for desilting or removing the sludge that has formed in the dam area without delay, taking advantage of the summer months.
- iv) To explore and suggest ways and means to clean the stored water and then release the treated water in the river, by adopting any technical industrial process, its estimated cost and the likely time, the process might take its feasibility.
- v) To suggest an immediate action plan for remediation of Noyyal river and in particular the Orathapalayam dam and the canals.
- vi) To suggest ways and means for preventing the discharge of polluted trade effluents either directly or indirectly into the Noyyal river by the cluster of industrial units in and around Tirupur during the process of cleaning the dam area and later.
- vii) To hold discussions with the agriculturists in the area, farmers association, Industrialists, PWD and PCB officials and the Loss of Ecology Authority, Chennai to arrive at a solution relating to the problem as a whole.
- viii) To submit interim and final reports within the stipulated time to be fixed by this Hon'ble Court.
- ix) To direct the Collectors of Coimbatore and Erode Districts the Pollution Control Board and PWD officials to coordinate with the Committee and provide them necessary transport and other logistic requirements for carrying out their work.
- x) To meet specialists having knowledge on public health relating to pollution, their cause and effect and possible preventive measures.

It was, in fact, the Monitoring Committee in its memo dated 12th July, 2005 made various suggestions before the High Court regarding establishment of CETPs and gave costs for various operations and one of the recommendations read as under:

"Apart from the earlier recommendation of the Committee that no CETP which had not achieved financial closure and deposited monies should be permitted to reopen till financial closure is achieved and monies deposited, the Committee further recommends that all CETPs deposit the entire project cost within a period of 2 weeks (after adjusting the money spent by them towards the works in progress). If the units do not so deposit, the Committee recommends that they be shut down. The Committee reiterates the fact that all CETPs ought to have commissioned their RO system by today, if not much earlier, if their earlier undertakings were taken into account.

Apart from the condition on deposit of the entire project cost (minus the monies actually spent), the member units of all CETPs should be subject to a fine of at least 10 paise per litre of effluent generated (subjected to a minimum of Rs.10,000 per lakh litres of effluent as reflected in the consent) at least from the 1st of August, 2006." (emphasis added)

14. The Monitoring Committee vide its memo dated 19th July 2006, submitted the Report before the High Court. It also appears from the record that for the purpose of inspection of CETPs the High Court vide order dated 1st August, 2005 constituted a Committee consisting of three lawyers namely Mr. T. Mohan, Mr. S. Thangavel and Mr. M.M. Sundaresh, making the terms of reference as under :

(1) To arrive at time frame within which R.O. plants are commenced and completed in consultation with industries, their consultants and suppliers.

(2) To consult with the expert committee constituted by this court earlier or any member thereof on what measurable required to achieve zero discharge and eliminate pollutants in the effluent through adoption of clean production measures.

(3) To monitor the implementation of reverse osmosis plants and related facilities to deal with R.O. rejects.

(4) To inspect the industries, IETPs and CETPs at periodic intervals with or without prior notice and report to this court on the progress made.

The said Committee also submitted the reports from time to time. The High Court has passed the impugned order after considering the aforesaid reports also.

15. In *Indian Council for Enviro-Legal Action vs. Union of India* (1996) 3 SCC 212, this Court ruled that once the industrial activities carried out are found to be hazardous or inherently dangerous, the person carrying on such activities are liable to make good the loss caused to any other person by his activity irrespective of the fact whether he took reasonable care while carrying out his industrial or commercial activities. Therefore, the polluting industries are absolutely liable to compensate for the harm caused by it to villagers or other affected persons of the area, to the soil and to the underground water and hence, the industry is bound to take all necessary measures to prevent degradation of environment and also to remove sludge and other pollutants lying in the affected area. As the liability of the polluter is absolute for harm to the environment it extends not only to the victims of pollution but also to meet the cost of restoring the pollution free environment.

16. In *Vellore Citizens Welfare Forum v. Union of India* AIR 1996 SC 2715; this Court considered various constitutional provisions including Articles 47, 48-A, 51-A(g) and came to the conclusion that it is the duty of the State to protect and preserve the ecology, as Article 21 of the Constitution guarantees protection of life and personal liberty and every person has a right to pollution free atmosphere. Therefore, the "precautionary principle" and the "polluter-pays" principle have been accepted as a part of the law of the land being the part of environmental law of the country.

17. Similar view has been reiterated in *People's Union for Civil Liberties vs. Union of India and Another* (1997) 3 SCC 433; *AP Pollution Control Board vs. Prof. M.V. Nayudu* AIR 1999 SC 812; and *M.C. Mehta vs. Union of India* (2001) 9 SCC 142, observing that environment and ecology are national assets. They are subject to inter-generational equity. The sustainable development principle is a part of Articles 21, 48-A and 51-A(g) of the Constitution of India.

18. In *M.C. Mehta vs. Union of India* (2004) 12 SCC 118, this Court explained the scope of "precautionary principle"

observing that it requires anticipatory action to be taken to prevent harm. The harm can be prevented even on a reasonable suspicion. It is not always necessary that there should be direct evidence of harm to the environment. The concept of "sustainable development" has been explained that it covers the development that meets the needs of the person without compromising the ability of the future generation to meet their own needs. It means the development, that can take place and which can be sustained by nature/ecology with or without mitigation. Therefore, in such matters, the required standard is that the risk of harm to the environment or to human health is to be decided in public interest, according to a "reasonable person's" test. The development of the industries, irrigation resources and power projects are necessary to improve employment opportunities and generations of revenue; therefore, cannot be ignored. In such eventuality, a balance has to be struck, for the reason that if the activity is allowed to go, there may be irreparable damage to the environment and there may be irreparable damage to the economic interest.

A Similar view has been reiterated by this Court in *T.N. Godavaram Thirumulpad* (104) vs. *U.O.I. & Ors.* (2008) 2 SCC 222; and *M.C. Mehta vs. Union of India & Ors.* (2009) 6 SCC

142.

19. In case in spite of stringent conditions, degradation of environment continues and reaches a stage of no return, the court may consider the closure of industrial activities in areas where there is such a risk. The authorities also have to take into consideration the macro effect of wide scale land and environmental degradation caused by absence of remedial measures. The right to information and community participation for protection of environment and human health is also a right which flows from Article 21 (vide *Bombay Dyeing & Mfg. Co. Ltd. Vs. Bombay Environmental Action Group and Others*; AIR 2006 SC 1489; *T.N. Godavaram Thirumulpad vs. UOI and Others* (2002) 10 SCC 606; *Research Foundation for Science Technology Natural Resource Policy vs. UOI & Ors* (2005) 10 SCC 510; *N.D. Jayal & Anr. vs. UOI & Ors.* AIR 2004 SC 867; *M.C. Mehta vs. Kamal Nath* AIR 2002 SC 1515; *Mrs. Susetha vs. State of Tamil Nadu & Ors.* AIR 2006 SC 2893).

20. The correctness of the impugned order is to be tested on the basis of the aforesaid settled legal propositions. This Court vide order dated 18.5.2007 stayed the impugned order of the High Court only to the extent that the directions to close down the industries would not be given effect to from

31.7.2007. This Order has been extended from time to time. On 10 th August, 2007, this Court directed the members of the petitioners' association to deposit a sum of Rs.25 crores within a period of six weeks before the High Court and further to file an affidavit as what progress has been made in respect of the CETPs and treatment plants. This Court vide order dated 12.5.09, directed the Board to inspect the Noyyal River and find out whether any pollution is caused by the factories owned by the members of the appellant Association and file a report on or before 27.7.09.

21. The Inspection Committee constituted by the Board made following observations during inspections on 8.7.2009 and 9.7.2009:

(A) There is no flow of surface water in the upstream side of Agrahara Puthur road bridge (S1) across the Noyyal River and it was found dry during inspection on 8.7.2009 and 9.7.2009 with isolated ponding of small quantity of water.

(B) Flow of water was observed in Noyyal River at the stretch of Tiruppur Town where Bleaching and Dyeing units are located and downstream at Orathupalayam Dam.

(C) Along with the primary treated effluent from existing bleaching and dyeing units, domestic effluent from Tiruppur Corporation [Formerly Tiruppur Municipality], Nallur Municipality and other villages located along the banks of Noyyal River is discharged into Noyyal River, which also contributes to the flow in the River and organic pollution load.

(D) In the entire stretch of Noyyal River falling in the jurisdiction of Tiruppur Corporation and Nallur Municipality, Municipal Solid wastes are being dumped along the River itself, which also contributes to the pollution load in Noyyal.

The impact of industrial pollution on river is revealed by the presence of high pH (alkalinity), very high Total Dissolved solids (TDS), excess chloride (C1) and percent sodium (%Na). Also Biochemical Oxygen Demand (BOD) and Chemical Oxygen Demand (COD) are not at an acceptable level. Moreover, the dark red colour of the water in the River Noyyal, was seen during inspection.

22. In pursuance of the order of this Court dated 27.07.09, the said Inspection Committee again inspected the 17 CETPs in Tirupur during 3.8.2009 and 4.8.2009 and submitted the Report. The 17 CETPs had paid only Rs. 17,22,46,031/- (Rupees seventeen crores twenty two lacs forty six thousands and thirty one only) as against Rs.55,60,96,848/- (Rupees fifty five crores sixty lacs ninty six thousands eight hundred and forty eight only). This total sum has been arrived at on the basis of number of working days multiplied by the daily consented quantity/applied quantity of effluent of member units, leaving a balance to be remitted as Rs.38,38,50,817/- (Rupees thirty eight crores thirty eight lacs fifty thousands eight hundred and seventeen only). The appellant has deposited a sum of Rs.25 crores in the High Court of Madras as per the direction of this Court dated 10.8.2007.

23. Some of the member units of the CETPs have obtained the consent of the Board in accordance with law. Some of them have applied to the Tamilnadu Pollution Control Board for consent, but consent was not issued to them in view of the provisions of the G.O.Ms.No.213 Environment and Forests (EC-1) Department dated 30.3.1989 and G.O.Ms. No.127.

24. With regard to the technical aspect, Inspection Committee submitted that among the 17 CETPs, 11 CETPs have completed 90% to 97% works relating to the ZLD system. The remaining minor works to be completed related to the establishment of an adequate Solar Evaporation Pan area, considering the evaporation rate as 4.5 mm per sq.m. per day. The other 3 CETPs have completed above 90% of the works relating to the ZLD system. The remaining works to be completed related to the establishment of adequate Solar Evaporation Pan area and loading of the membranes into the RO module, etc.

25. The remaining 3 CETPs have completed below 80% of work relating to the ZLD systems. The remaining percentage of works to be completed relates to the establishment of adequate Solar Evaporation Pan area, Boiler, Crystallizer, loading of the membranes into the RO module, etc.

26. In view of the above fact that this matter is pending before this Court for more than two and a half years and the members of the appellant Association had been permitted to continue their business, it is desirable that the members of the appellant Association should ensure the compliance of all the directions including the payment of dues etc. issued by the Court within a period of three months from today. They shall ensure that no pollution is caused to the river or dam and if cleaning operation has not yet been completed, it shall be completed within the said stipulated period.

27. Undoubtedly, there has been unabated pollution by the members of the appellant Association. They cannot escape the responsibility to meet out the expenses of reversing the ecology. They are bound to meet the expenses of removing the sludge of the river and also for cleaning the dam. The principles of "polluters-pay" and "precautionary principle" have to be read with the doctrine of "sustainable development". It becomes the responsibility of the members of the appellant Association that they have to carry out their industrial activities without polluting the water. A large number of farmers have suffered because of the pollution caused by them. They could not cultivate any crop in the said land. The committee had made a complete survey and assessed the loss and identified the families which are entitled to compensation. This Court only stayed the operation of the direction of the High Court to the extent that the units of the members of the appellant Association would be closed on 31st July, 2007. The said interim order has been extended from time to time. None of the other directions have been interfered with. A period of more than two and a half year has been passed. Many steps have been taken but the Association has to ensure the compliance of the orders passed by the High Court fully and in order to do, it is desirable that the Association be giving three months time to ensure compliance of directions to make the CETPs functional and pay the balance amount for cleaning the dam and river and meet the compensation to the adversely affected persons within a period of three months from today. The Pollution Control Board is directed to ensure that no pollution is caused, giving strict adherence, to the statutory provisions.

28. The appeals stand disposed of accordingly.

.....CJI. (K.G. Balakrishnan)

....J. (Dr. B.S. Chauhan) New Delhi;

October 6, 2009.

लुधियाना भास्कर

लुधियाना, वीरवार 12 जून, 2025

भास्कर इन्वेस्टिगेशन

पीने के पानी में घातक तत्वों का स्तर 1100 तक, यह 2.2 से कम होना चाहिए

बुढ़ा दरिया किनारे गांवों में 40% बच्चों के लीवर नॉर्मल नहीं, वजह- ग्राउंड वॉटर जहरीला हो चुका

राश्री कौर | लुधियाना

बुढ़ा दरिया की सफाई के नाम पर एक हजार करोड़ रुपए खर्च हो चुके हैं। दरिया तो साफ हुआ नहीं, इसके आसपास के गांव गंभीर बीमारियों की चपेट में आ गए हैं। दरिया में बहता जहर लोगों की नसों में उतरने लगा है। अब यह बच्चों के लीवर बिगाड़ रहा है। खेलों को जहरीला बना रहा है। फैक्ट्रियों का जहरीला पानी, डेयरियों की गंदगी और सीवरेज का पानी आज भी बुढ़ा दरिया में गिर रहा है। इस वजह से ग्राउंड वॉटर तक में जहर घुल चुका है। वलीपुर कलां, गौसपुर और खहरा बेट गांवों में पीने और खेती में इस्तेमाल हो रहे सबमर्सिबल पानी की जांच में जहरीले तत्व 500 गुना ज्यादा पाए गए।

भास्कर ने यहां खुद सैपल लिए और सीएम्सी हॉस्पिटल के डॉक्टरों के साथ 21 साल तक के 40 बच्चों-युवाओं की लीवर जांच करवाई। परिणाम डरावने हैं- इनमें से 16 बच्चों (40%) के लीवर असामान्य पाए गए। जबकि सामान्य परिस्थितियों में यह आंकड़ा 1-2% से अधिक नहीं होता। मिट्टी एवं जल संरक्षण मंत्री बरिंदर कुमार गोयल भी जांच के इन नतीजों से चौंक गए। उन्होंने दावा किया- 'सरकार बुढ़ा दरिया की सफाई को प्रमुख एजेंडा बना चुकी है। हम यहां स्वास्थ्य सुविधाएं तो बढ़ाएंगे ही, एक संपूर्ण योजना भी बनाएंगे। संत बलबीर सिंह सोचवाल इस पर फ्लेक्सिबल बर्किंग कर रहे हैं।'

लोग बोले- बीमारियां छिपाना मजबूरी, क्योंकि शादियों के लिए रिश्ते नहीं मिल रहे



यह कहानी उस बेबसी की है, जो पीढ़ियों को बर्बाद कर रही है। एलर्जी, पीलिया, हेपेटाइटिस, कैंसर... हर घर में कोई न कोई बीमार है, लेकिन कोई शिकायत नहीं करता। लोग बीमारियां छिपाने लगे हैं। क्योंकि, शादियों के लिए लड़के-लड़कियां नहीं मिलते। हस्तात इतने बदतर हैं कि दो महीने के बच्चों तक को काला पीलिया हो रहा है। गौसपुर गांव में जब पानी का सैपल लेने टीम पहुंची तो दुकानदार ने बोलत में पानी भरकर दिया और कहा- 'ये पानी यहां का नहीं है, हम 5-6 किलोमीटर दूर से लाते हैं।' गांव के सतनाम सिंह बताते हैं कि सरकारी सप्लाई

पर भरोसा नहीं है। हर घर में वॉटर फिल्टर लगे है। फिर भी डर है कि कहीं बीमारी न पकड़ ले। वलीपुर कलां के दविंदर डेसी की बात सुनकर कोई भी कांप उठे- '50 फीट पर बोर करते हैं तो झाग निकलती है। यही पानी लोग पी रहे हैं।' एक 12 साल की बच्ची को एलर्जी है और दवाईयों पर जिंदा है। घमणवाला गांव के सरपंच तेजी ने बताया कि यहां कैंसर व काला पीलिया के मरीज आम हैं, कोई पछुने वाला नहीं। यहां हर 10वां मरीज हेपेटाइटिस-सी पॉजिटिव है। वो बच्चा जिसकी उम्र सिर्फ दो महीने थी, वह भी इस गंदगी का शिकार हो चुका है।

हेल्थ रिपोर्ट: 13 साल के बच्चे में एसजीओटी स्तर 100, यह 32 से ज्यादा नहीं होना चाहिए

स्थान: वलीपुर कलां गांव (आबादी 900) डॉक्टरों की टीम ने 21 साल तक के 40 बच्चों और युवाओं की लीवर जांच की। इसके लिए सैम ग्लूटामिक फायरलिक ट्रांसएमिनेस (एसजीपीटी) और सैम ग्लूटामिक ऑक्सालोएसिटिक ट्रांसएमिनेस (एसजीओटी) नाम के दो परीक्षण किए जाते हैं। जांच में सामने आया कि 16 बच्चों के दोनों या इनमें से एक टेस्ट में लीवर की सेहत बताने वाले तत्व सामान्य से अधिक पाए गए। कुछ उदाहरण बेहद चौंकाने वाले थे। 4 साल की बच्ची का एसजीओटी स्तर 47 था, जबकि सामान्य सीमा 32 तक होनी चाहिए। 13 साल के लड़के में एसजीओटी 100 और एसजीपीटी 110 तक पाया गया। इसी तरह 8 साल, 7 साल और 16 साल के बच्चों में भी ये स्तर तय सीमा से ऊपर मिले। युवाओं की स्थिति भी ठीक नहीं थी। 19 साल के युवक के एसजीओटी 44 और एसजीपीटी

49 था। 21 साल के युवक के एसजीओटी 45 और एसजीपीटी 59 पाए गए। जबकि 18 साल की उम्र के बाद एसजीओटी का सामान्य स्तर 40 और एसजीपीटी का 41 होता है। विशेषज्ञों के मुताबिक बढ़े हुए स्तर हेपेटाइटिस या काला पीलिया जैसी बीमारियों की तरफ इशारा करते हैं। मेडिसिन स्पेशलिस्ट डॉ. नखजोत सिंह कहते हैं कि प्रदूषित पानी आंतों और लीवर पर असर डालता है। हेपेटाइटिस ए, बी, सी और ई जैसे संक्रमण लीवर की बीमारियों का कारण बनते हैं। गंदा पानी स्किन एलर्जी, कैंसर आदि बीमारियों का कारण भी बन सकता है। इन गांवों में हुए एक सर्वेक्षण में कई बच्चों और किसानों में लीवर एंजाइम्स की मात्रा बढ़ी हुई पाई गई है। **जांच टीम: सीएम्सी लुधियाना के डॉ. मुकुल गुरु (पीडियाट्रिस) > प्रभजोत सिंह (सीनियर लैब टेक्नीशियन) > सुनीता (मेडिकल लैब टेक्नीशियन) व अन्य।**

पानी की रिपोर्ट: वलीपुर कलां के पानी में फीकल कोलीफॉर्म 500 गुना ज्यादा मिला

स्थान: वलीपुर कलां, खहरा बेट गांव पानी का सैपल: सबमर्सिबल (इसी से पीने और खेती के लिए पानी लिया जाता है) जांच मानक: डब्ल्यूएचओ के अनुसार, 100 मिली. पानी में कोलीफॉर्म बैक्टीरिया की मात्रा 2.2 से अधिक नहीं होनी चाहिए।



जांच टीम ने कोलीफॉर्म स्तर मापा। यह स्तर पानी में पाए जाने वाले बैक्टीरिया की एक श्रेणी को दर्शाता है। जो यह संकेत देती है कि उस पानी में अन्य हानिकारक सूक्ष्मजीव कितने हैं। वलीपुर कलां में कोलीफॉर्म स्तर 1100 मिला। यह मानक से 500 गुना अधिक है। गौसपुर व खहरा बेट गांवों में कोलीफॉर्म स्तर 150 पाया गया। यह 68 गुना अधिक है। इन तीनों गांवों के पानी में फोकल कोलीफॉर्म और ई-कोली बैक्टीरिया पाया गया, जो मानव और पशु मल से आते हैं और दस्त व पेशाब संक्रमण जैसे रोगों का कारण बनते हैं। वलीपुर कलां

में टीडीएस स्तर 790 और पीएच स्तर 7.50 पाया गया। टीडीएस स्तर और पीएच स्तर दोनों पानी की गुणवत्ता के महत्वपूर्ण मापदंड होते हैं, जो पानी की शुद्धता दर्शाते हैं। गौसपुर में टीडीएस 347 और पीएच 5.66, खहरा बेट में टीडीएस 434 और पीएच 6.04 पाया गया, ये भी संतुलित पानी की श्रेणी में नहीं आते। वलीपुर कलां में जिस जगह से पानी लिया गया, वहां की मिट्टी लाल रंग की पाई गई, जो रासायनिक दुष्प्रभाव की निशानी है। तीनों गांवों का पानी असुरक्षित है और इसका सेवन गंभीर बीमारियों को जन्म देता है।

खुले में कैमिकल युक्त पानी छोड़ने वाली फोकल प्वाइंट की नामी इंडस्ट्री के खिलाफ कार्रवाई करने को तैयार नहीं नगर निगम



■ प्रदूषण नियंत्रण बोर्ड के अधिकारियों ने भी चुप्पी साधी

लुधियाना, 19 मई (हितेश): खुड़े नाले को प्रदूषण मुक्त बनाने की मुहिम के तहत नगर निगम व प्रदूषण नियंत्रण बोर्ड (पी.पी.सी.बी.) द्वारा आए दिन सीवरेंज या खुले में कैमिकल युक्त पानी छोड़ने वाली डाइंग इंडस्ट्री को पकड़ने का दावा

किया जाता है लेकिन इस तरह के यूनिटों के खिलाफ पुख्ता कार्रवाई करने का दोनों विभागों के पास कोई जवाब नहीं है

इससे जुड़ा ताजा मामला 2 दिन पहले फोकल प्वाइंट में सामने आया है जहां एक नामी इंडस्ट्री द्वारा खुले में कैमिकल युक्त पानी छोड़ने की वीडियो जमकर वायरल हो रही है। यह वीडियो नगर निगम व



पी.पी.सी.बी. के उच्चाधिकारियों के पास भी पहुंच गई है जिसके बाद दोनों विभागों के अधिकारियों द्वारा साइट विजिट की गई लेकिन इस मामले में कार्रवाई करने के मुद्दे पर दोनों विभागों के अधिकारी कन्नी काट रहे हैं।

इसके संकेत लंबे समय से जोन-सी में काबिज ओ. एंड एम. सैल के एस.डी.ओ. द्वारा पहले ही दिन

मामले पर पर्दा डालने की कोशिश से मिल गए थे।

अब एडीशनल कमिश्नर ने साफ कह दिया है कि इस मामले में अगली कार्रवाई पी.पी.सी.बी. द्वारा की जाएगी।

जहां तक पी.पी.सी.बी. के सीनियर अधिकारियों का सवाल है, वे इस मामले में कुछ बोलने के लिए तैयार नहीं हैं।

रोक के बावजूद डिस्चार्ज करने का हुआ खुलासा

इस मामले में नगर निगम द्वारा पी.पी.सी.बी. को जो रिपोर्ट भेजी गई है, उसमें यह



खुलासा हुआ है कि फोकल प्वाइंट में एक सीवरेंज लाइन धंसने के बाद चल रहे रिपेयर के कामों के चलते इस नामी इंडस्ट्री को डिस्चार्ज न करने के लिए सूचित किया गया था जिसके बावजूद इस इंडस्ट्री द्वारा डिस्चार्ज बंद नहीं किया गया और लाइन बंद होने कारण कैमिकल युक्त पानी सड़कों पर जमा हो गया।

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

(O.A No. 1326 of 2024)

IN THE MATTER OF:

PUBLIC ACTION COMMITTEE & ORS

-APPLICANTS

VERSUS

UNION OF INDIA & ORS

RESPONDENTS

AFFIDAVIT

I, Kapil Dev (aged 49 years) s/o Sh. Jagdish Chander, r/o 186-E, B.R.S. Nagar, Ludhiana do hereby Solemnly affirm and declare as under:

1. That I am a member of the Applicant Organization and duly authorized by the organisation to file this affidavit.
2. That I am fully conversant with the present case and competent to swear to this affidavit.
3. That I have read the accompanying rejoinder from paragraphs 1 to 18 from pages 1 to 18 and have understood the contents thereof. The facts stated there in are true and correct to the best of my knowledge and nothing has been concealed there from.
4. That the Annexures are true copy of it' originals.

1190
18-07-2025



Certified that the affidavit S.P.A.C.P.A. has been readover & explained to the deponent executant who seemed duly **VERIFICATION** same at the time of signing the affidavit

[Signature]
DEPONENT

Verified at Ludhiana on this 18th day of July 2025, I the above-named deponent, do hereby verify that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

[Signature]
DEPONENT

know the Deponent/Executants personally and he/she has Signed/Thumb impression in my presence

ATTESTED AS IDENTIFIED

[Signature]
**NOTARY PUBLIC
LUDHIANA (PB)**

18 JUL 2025

978



PAC MattewaraSutlej <mattewarasutlejpac@gmail.com>

Service of documents - Rejoinder in O.A. 1326 of 2024

PAC MattewaraSutlej <mattewarasutlejpac@gmail.com>

Fri, Jul 18, 2025 at 3:12 PM

To: secy-moef@nic.in, mscb.cpcb@nic.in, msppcb@punjab.gov.in, ppcbzo1ldh@gmail.com, secy.te@punjab.gov.in, Xen SidhwanCanal <xensidhwancanal@gmail.com>, pdafoalpoint@gmail.com, prince@artlo.in, artakkar@artlo.in

Dear sir

Please find attached advance copy of Rejoinder by Applicants in O.A. 1326 of 2024

Please acknowledge receipt.

Regards

Public Action Committee through Er. Kapil Dev
Applicant in O.A. 1326 of 2024
M: 9872007872

**Rejoinder dated 18-07-2025 in OA 1326 of 2024.pdf**

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