

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

In the matter of:  
OA No. 628/2024  
Alok Mohan  
Applicant

Versus

Escorts Kubota P Ltd. & Ors

**Subject: Report of Respondent No.4, Central Pollution Control Board in compliance with the order dated 29.05.2024**

To

The Hon'ble National Green Tribunal,  
Principal Bench, New Delhi.

**Subject: Reply to Respondent No. 4's Submission - Notarized under Registration No. 1513**

Respected Sir/Madam,

**1. Preliminary Submissions:**

At the outset, the Applicant denies all contentions and averments made by the Respondent No. 4 (CPCB) in its reply, save for those expressly admitted hereinafter. The Applicant reiterates the allegations and grievances raised in the Original Application (OA) regarding the air, water, and noise pollution caused by M/s Escorts Kubota Pvt. Ltd.

**2. Response to Key Submissions by CPCB:**

**(a) Classification as Red Category:**

The classification of the unit under the "Red Category" of industries confirms the high potential of pollution associated with its operations. Despite the mandatory requirements for Consent to Establish (CTE) and Consent to Operate (CTO), the unit's activities have adversely affected the Applicant's right to a clean and healthy environment.

**(b) Compliance with Rules:**

While the Respondent claims compliance with various regulations, including **HOWM** Rules, 2016, the Applicant disputes the sufficiency of such compliance. The report provided by HSPCB fails to adequately address critical environmental parameters such as groundwater contamination, air quality monitoring, and hazardous waste management.

**(c) Environmental Monitoring Gaps:**

The joint inspection report acknowledges significant omissions, including:

Status of groundwater quality.

Monitoring of ambient air quality and noise levels.

Data on hazardous waste generation and disposal practices.

*Alok Mohan*  
18/11

These gaps raise serious concerns about the Respondent's ability to ensure comprehensive environmental compliance.

### 3. Specific Observations:

- (a) The proximity of Unit-1 to the Applicant's residence and the insufficiency of the common wall exacerbate the impact of noise pollution.
- (b) The Respondent has failed to provide evidence of mitigation measures for fumes generated from paint booths and emissions from generator sets.
- (c) The bore wells operated by both units pose a risk of groundwater depletion and potential contamination, which remains unaddressed.

4. The location of the unit, situated on an express highway, experiences frequent visits by approximately 100 vehicles daily to this company, leading to significant traffic congestion, thereby exacerbating air and noise pollution in the area. Furthermore, no pollution control measures, whether for air or water, can guarantee 100% efficiency, and it is well-established that mitigation of one pollutant often results in the creation of another environmental burden. Alarmingly, no comprehensive study has been conducted to assess the health impacts on residents living in the vicinity of this dangerously polluting industry, despite its substantial adverse effects. Moreover, the unit's proximity to a residential area flagrantly violates both national and international environmental standards, underscoring a grave disregard for public health and environmental safeguards.

6. It is understood that M/s Escorts Kubota Pvt. Ltd. commenced operations during the year 2016-17 and has since established an extensive manufacturing infrastructure valued at several thousand crores of rupees. While the economic investment and scale of operations may appear impressive, this development has undeniably escalated the environmental and health risks faced by residents in adjoining areas. The sheer magnitude of industrial activity, combined with the storage of hazardous chemicals and emissions from the facility, has resulted in a substantial increase in air, water, and noise pollution. This clearly demonstrates that the local population, which previously enjoyed a safer environment, now endures heightened risks to their health, safety, and quality of life due to the company's operations.

### 7. Prayer:

In light of the above, the Applicant humbly prays before the Hon'ble Tribunal to:

- (a) Direct CPCB and HSPCB to conduct comprehensive environmental monitoring, including groundwater testing, air quality assessment, and noise level evaluation.
- (b) Mandate stricter enforcement of environmental norms, including periodic inspections and public disclosure of compliance data.
- (c) Shift the manufacturing facilities/Infrastructure of Escorts Kubota to a safer place
- (d) Grant any other relief deemed just and proper in the interest of justice and environmental protection.

Sincerely,

Cdr Alok Mohan,

1-8-2025 January 2025

M: 9871702724

Res: House No901, Sector-15-A,

EM:alokmohan1954@yahoo.c

Faridabad – 121007