

BEFORE THE HONORABLE PRINCIPAL BENCH,
NATIONAL GREEN TRIBUNAL,
NEW DELHI.

In the matter of: OA No. 628/2024

Alok Mohan ----- Applicant

Versus

Respondent No.1, The Member Secretary, Haryana State Pollution Control Board.

Subject: Report of Respondent No.1, Member Secretary, Haryana State Pollution Control Board in compliance of order dated 29.05.2024:

Dear Sir,

1. At the outset, I express my gratitude to the Member Secretary, Haryana State Pollution Control Board, for the sincere efforts to address my concerns & for thorough investigation and providing me, detailed information regarding the management of fumes, trade effluent discharge, and water usage by the management of M/S Escorts Kubota facility.
2. I do appreciate receiving the test results for ETP and STP samples, with the parameters found to be within the prescribed limits. It is essential to ensure that these parameters continue to meet the regulatory standards and environmental safeguards through out the year, which appears to be a herculean task. I do agree that the heavy monsoon, this year, may have improved AQI as well as various other environmental parameters, especially related to the quality of air & ground water, for a short period.
2. While I acknowledge, with thanks the installation of water sprinklers inside the paint booth to suppress fumes and the subsequent treatment of effluents through the Effluent Treatment Plant (ETP) and Sewage Treatment Plant (STP). and the fact that bore wells are being used with the necessary permissions, I need clarifications of several doubts, which have arisen consequent to deterioration of my health, due Operations of the Red Category industry in the vicinity of my residence.
3. I further wish to make a general statement that a large tractor manufacturing industry, such as Kubota, may generate a variety of pollutants during different stages of it's production processes. For example:-

A. Mohan

A. Air Pollutants:

- Particulate Matter: Generated during metal working processes, including welding, cutting, and grinding, as well as from combustion in machinery.

- Volatile Organic Compounds (VOCs): Emitted from painting, coating, and solvent use in cleaning and degreasing.

- Carbon Monoxide (CO), Nitrogen Oxides (NO₂), and Sulfur Dioxide (SO₂): Emitted during combustion processes in furnaces, boilers, and from on-site generators.

- Greenhouse Gases (GHGs): Including carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O), primarily from energy consumption and fuel use.

B. Water Pollutants:

- Heavy Metals: Such as lead, chromium, and zinc from metal finishing, cleaning, and painting processes.

- Oil and Grease: From machinery and vehicle maintenance activities, potentially contaminating wastewater.

- Chemical Residues: From surface treatment processes, including acids and alkalis used in cleaning and etching.

- Suspended Solids: Resulting from manufacturing processes that involve raw material handling and wastewater treatment operations.

C. Solid and Hazardous Waste:

- Metal Scraps: From cutting and forming processes.

- Sludge: From wastewater treatment processes, which may contain hazardous chemicals or heavy metals.

- Used Oils and Solvents: From machinery maintenance and cleaning operations.

- Paint Waste: Containing solvents and pigments that can be toxic if not properly managed.

D. Noise Pollution:

- Large manufacturing plants often generate significant noise from heavy machinery, welding, stamping, and assembly operations, potentially contributing to workplace and surrounding area noise pollution.

E. Energy Consumption-Related Emissions:

- High energy consumption in manufacturing can lead to indirect emissions of pollutants, including GHGs, if the energy is sourced from fossil fuels.

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Therefore, the efforts of the Red Category industry to address this issue and the compliance report of Respondent no: 1, appear to be a red herring, especially in the light of Honorable High Court Order CWP 11226 dated 2013,(O &M) titled as Progress Industries vs State of Haryana and Haryana Government, Urban Local Bodies notification dated 20th July 2016. (Page 68 of OA)

4. In view of the above, I humbly state that the report/recommendations of the team constituted by the District Magistrate, to ascertain factual ground position, do not address my grievances, as I fear that this red category industry shall continue to get permissions to operate beyond 2024-2025, near my residential area by the civic authorities, in-spite of clear directives from honorable high court & Haryana government..

5. In view of above, I shall be grateful, if the Respondent No:1, is asked to clarify my following doubts:-

A. Understand vide paragraph 11 of Haryana government notification dated 20th July 2016 (P-72 of OA 628)

All permissions, certifications, manufacturing licenses etc were cancelled, during 2016. Then how Escorts and Kubota signed a joint venture and how the new company established massive infrastructure adjoining my residential area, at a time when all permissions for manufacturing Operations were revoked.

B.Haryana government notification dated 20th July 2016 Para 8.6 (page 71) the state government was committed to facilitate shifting of the red category industry, before January 2017, to a safer place. on what basis the Escorts Kubota plants were given permission to operate up-to 30 September 2024/2025, near residential area. (High court order 22116 dated 2013 as regards relocation of industry also refers on this regard)

C. As the Haryana government was committed to shift dangerously polluting industry to a safer place (P-69) Why the civic authorities of Faridabad, gave permission to Escorts Kubota to build a huge manufacturing infrastructure adjoining residential area during the year 2016-2017, at a time when the unit was required to be shifted.

D. What was the basis of this industry to seek certification from internationally reputed certification bodies like DNV etc, and get various compliance certifications, while it was universally known that the Red category industry had no permission to operate near residential areas in haryana. (Reference: Pages 71& 72 paras 8.5.1 & 11)

In view of the above, I am constrained to submit that the recommendations made by the Respondent no 1, do not address my genuine grievances.

Best Regards,

A. Mohan

Cdr Alok Mohan

Date: 14 Sept. 2024.

Place: Faridabad