

# 2831

## BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

Principal Bench, New Delhi

I.A. No. 813 of 2023

In

O.A No. 606 of 2022

**In the matter of**

Public Action Committee & Ors.

...Applicant(s)

Vs.

State of Punjab & Others

...Respondent(s)

### Index

S. No.	Particulars	Page No.
1.	<b>Reply Affidavit</b> on behalf of Central Pollution Control Board (CPCB) i.e. Respondent No. 5 in compliance to Hon'ble NGT order dated 08.11.2023.	
2.	<b>Annexure- 1</b> Copy of Directions dated 17.05.2023 issued u/s 18(1) (b) of Water Act by Central Pollution Control Board (CPCB) to Punjab Pollution Control Board (PPCB)	
3.	<b>Annexure- 2</b> Copy of Directions dated 02.06.2023 issued u/s 33-A of Water Act by Punjab Pollution Control Board to M/s Malbros International Pvt. Ltd.	
4.	<b>Annexure- 3</b> Copy of Directions dated 02.06.2023 issued u/s 33-A of Water Act by Punjab Pollution Control Board to Department of Water Supply and Sanitation.	
5.	<b>Annexure- 4</b> Copy of Directions dated 02.06.2023 issued u/s 33-A of Water Act by Punjab Pollution Control Board to Punjab Water Regulation and Development Authority.	
6.	<b>Annexure- 5</b> Copy of PPCB letter dated 21.06.2023 to CPCB.	
7.	<b>Annexure- 6 &amp; 7</b> Copy of Form I (Notice of Intention to have Sample Analysed) of CPCB	
8.	<b>Annexure- 8</b> Copy of Geotagged Photographs taken during the inspection.	
9.	<b>Annexure- 9</b> Copy of Hon'ble NGT order dated 08.11.2023	

  
(Kamlesh Singh)

Scientist-E,  
Central Pollution Control Board,  
Delhi-110032

Place: Delhi

Date: 23.11.2023.

2832

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

I.A.No. 813 of 2023

In

O.A No. 606 of 2022

Public Action Committee & Ors.

..... Applicants

VERSUS

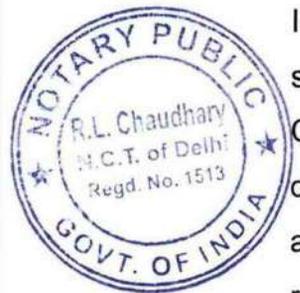
State of Punjab & Others

.....Respondents

**REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 5, i.e, CENTRAL  
POLLUTION CONTROL BOARD, (CPCB)**

I, Kamlesh Singh, S/o Ramesh Chandra Singh, aged 40 years, working as Scientist 'E' in the Central Pollution Control Board, 'Parivesh Bhawan', East Arjun Nagar, Delhi-110032, do hereby solemnly affirm and declare as under:

1. That I, in the capacity of Scientist 'E' of the Central Pollution Control Board (hereinafter referred as 'CPCB') am fully conversant with the facts of the case and hence, competent to swear this reply affidavit on behalf of the Respondent No. 5 (CPCB).
2. That the I.A No. 813/2023 has been filed by applicant industry i.e. M/s Malbros International Pvt. Ltd. seeking interim directions inter alia regarding no coercive steps to be taken against them by official respondents i.e., Punjab Pollution Control Board (hereinafter referred as PPCB) / CPCB based upon the report dated 13.04.2023 and directions dated 17.05.2023 both issued by CPCB and also for staying further proceedings in the prosecution case launched by respondent PPCB in the court of Ld. C.J.M., Firozpur and further for issuance of directions to the original applicants/District Magistrate, Firozpur to ensure that no obstruction is caused and all support provided to NEERI or any other



agency/organization appointed by this Tribunal or other statutory authorities for conducting inspection and independently take samples from the industry or the surrounding areas in question.

Following is para-wise reply by the respondent No. 5 (CPCB) in response to the said I.A No. 813/2023 filed by applicant industry i.e. M/s Malbros International Pvt. Ltd.:

**PARA-WISE REPLY OF IA No. 813/2023**

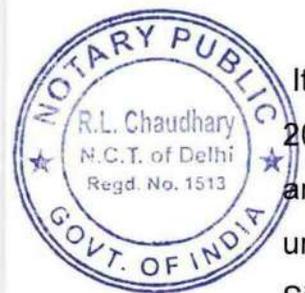
3. That the averment made in Para 1 of the IA is about declaring the CPCB Report dated 13.04.2023 as well as directions issued by CPCB under Section 18 (1) (b) Water (Prevention and Control of Pollution) Act, 1974 (Water Act) to Respondent No. 2- PPCB dated 17.05.2023 to be null and void with consequential relief including adverse actions taken by PPCB to be declared arbitrary and illegal etc.

In this regard it is humbly submitted that the inspection was carried out by a team of CPCB with technical support from the Central Ground Water Board (hereinafter referred to as CGWB). This inspection was initiated in response to a complaint dated 23.12.2022 received from the Hon'ble Member of Parliament, who alleged the following violations by the Industry:

- i) The distillery has drilled 25 deep tube-wells in their compound and dumping toxic water in them leading to high pollution in ground water in radius of 15 Kms, polluting drinking & irrigation water of over dozen villages.
- ii) This pollution has killed cows & other live stock.
- iii) The human population is suffering severely and suffering from serious diseases like cancer and suffering with pain and financial loss."

It is further submitted that CPCB also received Office Memorandum dated 20.12.2022 of Lok Sabha Secretariat through the Ministry of Environment, Forest and Climate Change (hereinafter referred to as MoEF&CC) regarding matter of urgent public importance raised during zero hour on 19.12.2022 by Shri Gurjeet Singh Aujla, Hon'ble M.P with respect to pollution caused by the industry i.e, M/s Malbros International Pvt Ltd.

In pursuant to above complaints, CPCB team visited M/s Malbros International Pvt. Ltd. (Malbros Distillery) located in Village-Mansoorwal, Tehsil-Zira, District-



Ferozpur, Punjab during 22.02.2023 to 24.02.2023 to investigate the matter in consultation with the experts deputed by the CGWB.

Based on the observations and violations observed during the inspection conducted in and around the industry, specifically concerning groundwater pollution; CPCB, in exercise of its powers conferred under Section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974, issued directions dated 17.05.2023 to the Punjab Pollution Control Board (PPCB) for ensuring compliance by the Industry. In response to the CPCB directions dated 17.05.2023, PPCB vide Endst. No. 1810 dated 07.06.2023, Endst. No. 1804 dated 07.06.2023, Endst. No. 1798 dated 07.06.2023 communicated the following action taken in compliance to the directions issued by CPCB. Copy of directions dated 17.05.2023 is annexed as-**Annexure-1**.

**The following Directions were issued by PPCB to the said Industry for strict compliance:**

- i. *The industry shall carry out necessary remedial measures for the decontamination of the affected site based on the detailed environmental site assessment report of the Board and shall ensure to comply with the violations observed in the inspection report of CPCB (copy attached).*
- ii. *The industry shall ensure to submit a DPR based on the detailed environmental site assessment report of the Board for remediation of groundwater contaminated area in around the premises and execute the work in the supervision of the Board in a time bound manner and shall bear all the remediation expenses.*
- iii. *The industry shall ensure safe drinking water from bore-wells installed in the affected villages complying with the drinking water quality standards on the basis of outcome of the analysis of Department of Water Supply & Sanitation.*



Copy of directions issued by PPCB to the said industry for strict compliance is annexed as - **Annexure-2**.

**The following Direction was issued by PPCB to the Department of Water Supply & Sanitation for strict compliance:**

*“That the department of Water Supply and Sanitation shall ensure to analyse the parameters for Drinking Water Quality Standards in water of bore-wells installed in the affected area. Depending upon the compliance with the Drinking Water Quality Standards, the use of water from the bore-wells may be prohibited/ permitted, as per the case and shall ensure that the industry (M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur) provides an alternative sources of safe drinking water to the affected villages”.*

Copy of directions issued by PPCB to the Department of Water Supply & Sanitation for strict compliance is annexed as - **Annexure-3.**

**The following Direction was issued by PPCB to the Punjab Water Regulation & Development Authority for strict compliance:**

*“To immediately seal the unauthorized bore-wells in the industrial premises of M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur.”*

Copy of directions issued by PPCB to the Punjab Water Regulation & Development Authority for strict compliance is annexed as - **Annexure-4.**

Subsequently, PPCB vide letter dated 21.06.2023 has also informed that they have filed a complaint before the Chief Judicial Magistrate, Ferozepur, Punjab under section 43, 44 read with section 47 of the Water (Prevention and Control of Pollution) Act, 1974 on 19.06.2023. Copy of letter dated 21.06.2023 is annexed as - **Annexure-5.**

4. That the averment made in Para 2 of the IA filed by the applicant industry is about criminal complaint filed by the PPCB against the industry; questioning the legality of the sample drawn by CPCB and its admissibility citing various reason. In this regard, it is humbly submitted that the PPCB has filed a Criminal Complaint against the industry which is pending in the court of Shri Ashok Kumar Chauhan, Ld. Chief Judicial Magistrate, Ferozepur and which is based upon the CPCB



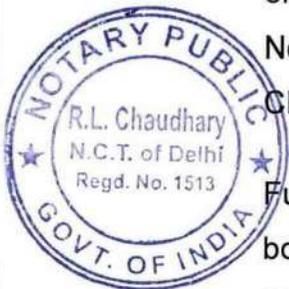
Report dated 13.04.2023 as well as the directions issued by CPCB to PPCB under Section 18 (1)(b) of the Water Act.

It is further humbly submitted that inspection of borewells within the Industry and nearby areas were carried out by CPCB officials, who are authorized to take samples under section 10 and 11 of the Environment (Protection) Act, 1986. The samples have been collected by CPCB Team in compliance with the provisions of sub-sections (3) and (4) of Section 11 of the Environment (Protection) Act, 1986. Notice in Form 1 (as prescribed under Rule 7 of the Environment (Protection) Rules, 1986) i.e Notice of intention to have sample analysed by CPCB was issued by CPCB to representative of M/s Malbros International Pvt Ltd. on both days i.e 23rd-24th February, 2023 which were duly accepted and received by the industry representatives viz. Mr. Nikhil Kumar, ZLD Manager on 23/2/2023 and Mr. Arvind Maurya, WTP Incharge on 24/2/2023, under the seal of the Company In view of the above, the samples were sealed, marked & signed by both CPCB Officer & the Industry representative and sent to CPCB Head Office Laboratory as per the provisions of the Environment (Protection) Act, 1986. Copy of the said Notices is annexed as **-Annexure-6 and Annexure-7.**

It is humbly submitted that the applicant industry has not presented the fact in the IA that two representatives of the industry namely Mr. Nikhil Kumar, ZLD Manager and Mr. Arvind Maurya, WTP Incharge, were present with CPCB team on all three days (22-24 February, 2023), which is evident from the fact that the Notice in Form 1 (Notice of intention to have sample analysed) was issued by CPCB and accepted and signed by the representatives of the industry.

Further, it is humbly submitted that CPCB team did not collect samples from 10 bore-wells from the industry's premises, as mentioned in the IA. CPCB Team collected 8 samples from the Industry's premises (05 bore-wells, 02 piezometers and 01 soil sample with sludge dumping on it).

In reply to the applicant (industry) submission that the CPCB team conducted inspection and sampling in just 2.5 hours on 24/2/2023, it is humbly submitted that CPCB team conducted inspection and sampling in 3 days i.e from 22<sup>nd</sup> February, 2023 to 24<sup>th</sup> February, 2023. While 22<sup>nd</sup> February, 2023 was



dedicated for survey of the industry and nearby villages, to identify the groundwater table, slope and sampling locations, the sampling was conducted on 23rd and 24th February, 2023. With regard to the sampling conducted by CPCB inside the Industry's premises, it is submitted that 04 samples (03 bore-wells and 01 sludge/Soil sample) were collected on 23rd February, 2023 and 04 Samples (02 bore-wells, and 02 piezometer) on 24<sup>th</sup> February, 2023. The geo-tagged photographs taken at the time of inspection and sampling also show the time of sample collection by CPCB team, which are annexed as- **Annexure-8**.

5. That the averment made in Para 3 of the IA filed by the applicant industry is about the analysis report of the CPCB and its non-admissibility. In this regard, it is humbly submitted that this answering respondent reiterate the same as stated in Para 5 of this reply Affidavit. Further, the IA submitted by the applicant industry is misleading and denied by this answering Respondent.

6. That the averment made in Para 4 of the IA filed by the applicant industry is about the heavy metal and chemical impurities found in the groundwater of the concerned area/industry. In reply to this averment, following is submitted:

➤ That during the visit of CPCB, the CPCB team physically verified 10 borewells and 06 piezometers installed within in the premises of the Unit, however no details of the permission for abstraction of Ground Water were provided by the industry representative. It indicates that the Unit is abstracting ground water illegally without any NOC/permission from the CGWB, therefore is liable for payment of compensation in accordance with the guidelines issued by the Authorities concerned.

➤ That CPCB monitored 29 bore-wells within and outside the industrial premises. Out of 29 borewells monitored, 12 bore-wells were yielding water with unpleasant odour, whereas 05 Bore-wells were yielding water with unpleasant odour and Grey/blackish colour (as observed by the team), which was confirmed from the high value in lab analysis report for colour and turbidity.

The two bore wells monitored within the premises of the industry were found to be having the highest concentration of COD, colour, turbidity and, heavy metals amongst all the bore well monitored by the team (COD- 101 to 105



mg/l, Colour-18 to 145 colour units, Turbidity – 1191 to 1323 NTU, Arsenic - 0.10 to 0.14 mg/l, Chromium – 0.28 to 0.36 mg/l, Copper-0.15 to 0.18mg/l, Iron-206.6 to 243.53 mg/l, Manganese – 3.28 to 3.72 mg/l, Nickle-0.21 to 0.22 mg/l, Lead-0.08 to 0.13 mg/l) besides having odour. Despite the fact that these two borewells were in operational condition, motor, electrical and mechanical connections of one borewells was disconnected, while the other bore-well was sealed and buried in the soil

It has also been mentioned in the CPCB report that "Since, the samples drawn from the piezometers and 03 borewells located in the premises of the Industry were found to be free from heavy metal contamination and whereas two bore-wells installed in the same premises are contaminated with high concentration of heavy metals, COD and Colour; it indicates injection of contaminated waste water through reverse boring/pumping into a particular zone tapped in these two bore-wells. However, further investigation is required in this regard, to establish the contaminated zone and take remedial action."

- That the Hon'ble Supreme court of India in its judgment delivered in Vellore Citizens' Welfare Forum Vs Union of India and Ors, the Precautionary Principles and Polluter pays Principle were held to be part of the environmental law of the land. It was held that the Polluter pays Principle means that the absolute liability for harm to the environment extends not only to compensate the victims of pollution but also the cost of restoring the environmental degradation. Remediation of the damaged environment is part of the process of sustainable development. In Vellore Citizens' Welfare Forum case, the Hon'ble Court explained the principle ('precautionary principle') in the following manner:

".....We are, however, of the view that "The Precautionary Principle" and "The Polluter Pays Principle" are essential features of "Sustainable Development". The "Precautionary Principle" — in the context of the municipal law—means:

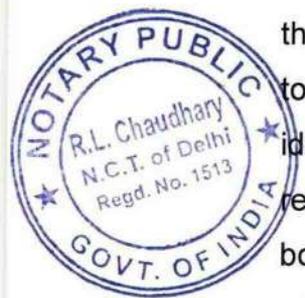


- i. Environmental measures — by the State Government and the statutory authorities — must anticipate, prevent and attack the causes of environmental degradation.
- ii. Where there are threats of serious and irreversible damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- iii. The “onus of proof” is on the actor or the developer/industrialist to show that his action is environmentally benign.”

Further, concerning the industry's claim that the CPCB Report dated 13.04.2023 overlooks the existence of the former Zira Sugar mill in the area, which operated for approximately 30 years before its closure around 15 years ago, in this regard it is humbly submitted that details of Sugar Mills with regard to violations and action taken by PPCB during its operation may be provided by PPCB who grants consent to establish and consent to operate to the industry in the State of Punjab

7. That the averment made in Para 5 of the IA filed by the applicant industry is about the slope of the underground water and conflict with the slope stated in CPCB report. That in reply to the averment made by the industry, it is humbly submitted that CPCB sought technical assistance of Central Ground Water Board (CGWB) in determining the water table and slop, which was provided by physically visiting the area after conducting scientific survey by the CGWB Experts. It is also worth to add that Industry has not provided even the date of installation of bore-wells identified by CPCB team and assembly drawing of the same, till date despite reminders. It is further stated that the industry has installed such large number of borewells (physically verified ten borewells and six piezometers) within the premises despite being a zero liquid discharge plant and without the permission of the concerned authority.

8. That the averment made in Para 6 and 7 of the IA filed by the applicant industry is about operation of the industry with valid consent orders /NOC/EC by the concerned authority, effluent treatment plant, Hon'ble High Court directions to State Govt. and National Environmental Engineering Research Institute (hereinafter referred as NEERI) study of the industry/surrounding area by the



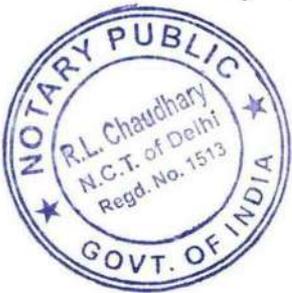
State Govt. The same are matter of records and need no comments from this answering Respondent.

Furthermore, IA No. 262 filed by the original applicants, states that the State Government of Punjab had previously formed four Committees to investigate the factual position related water pollution & public health, increasing case of cancer, Hepatitis-B etc, in the villages surrounding the factory, damage to soil & crops and loss of animals.

It is humbly submitted that NEERI has been engaged by PPCB for detailed environmental site assessment and suggesting remedial measures. PPCB may provide the aforesaid reports of the four Committees to NEERI who may take into account necessary observations/findings of the reports and incorporate necessary remedial measures thereto in their on-going study.

It is also humbly submitted that Hon'ble National Green Tribunal may also like to consider engaging other subject matter expert Institutes such as CSIR - National Geophysical Research Institute (NGRI) and Central Ground Water Board (CGWB) for associating in the site assessment & remedial measures study being conducted by NEERI who has been engaged by PPCB.

9. It is prayed that since the IA submitted by the applicant Industry is misleading as elaborated in previous paras by this answering Respondent and hence the IA No. 813/2023 filed by the applicant industry may be dismissed.
10. That in view of above, it is submitted that this answering Respondent shall abide by any/all orders or directions passed by this Hon'ble Tribunal.



### VERIFICATION

Verified that the content of this reply affidavit is based on official record and information available in the office are true and correct. Nothing has been concealed therein.

Signed and verified on 23<sup>rd</sup> November, 2023.

**ATTESTED**  
  
 NOTARY PUBLIC  
 GOVT. OF INDIA  
 23 NOV 2023 23 NOV 2023

  
 कमलेश सिंह / Kamlesh Singh  
 वैज्ञानिक 'ई' / Scientist 'E'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
 M/o Env. Forest & Climate Change, Govt. of India  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110 032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

  
 कमलेश सिंह / Kamlesh Singh  
 वैज्ञानिक 'ई' / Scientist 'E'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
 M/o Env. Forest & Climate Change, Govt. of India  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110 032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032



Speed Post

May 17, 2023

PI-20/50/2022-IPC-III-HO-CPCB-HO

1246

To,

**The Chairman,**  
Punjab Pollution Control Board,  
Head Office, Vatavaran Bhawan,  
Nabha Road, Patiala-147 001,  
Punjab

**Directions under section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 in the matter of complaint against acute pollution of groundwater caused by M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil - Zira, District - Ferozepur, Punjab**

**WHEREAS**, among others, under section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB)/Pollution Control Committee (PCC), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams, wells and air pollution in the State/UT and to secure the execution thereof; and

**WHEREAS**, under section 16 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 16 of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB), constituted under Water (Prevention & Control of Pollution) Act, 1974 is to coordinate activities of the State Pollution Control Boards and Pollution Control Committees and to provide technical assistance and guidance to SPCBs/PCCs; and

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollution from various categories of industries under the Environment (Protection) Act, 1986 and the Rule framed there under; and

**WHEREAS**, the CPCB and SPCBs have been pursuing the polluting industries to install effluent treatment plants (ETPs) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the Rules framed there under; and

**WHEREAS**, the SPCBs/PCCs can stipulate more stringent standards for discharge of environmental pollutant from various categories of industries, depending upon the quality of the recipient system, than those notified by the Central Government, under the Environment (Protection) Act, 1986 and Rules framed there under; and

**WHEREAS**, CPCB received a VIP reference (KS-MOEF-22-1 dated 23.12.2022) of Sh. Jasbir Singh Gill, Hon'ble MP (Lok Sabha) forwarded by the Ministry of Environment, Forest & Climate Change (MoEF&CC) regarding complaint against acute pollution of groundwater caused by M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil-Zira, District-Ferozepur, Punjab (*hereinafter referred to as "the Unit"*); and

**WHEREAS**, CPCB also received a VIP reference forwarded by MoEF&CC vide its letter dated 18.01.2023 enclosing therewith a copy of Office Memorandum No. ZH/XVII/X/2022/LSS/TO/302 dated 20.12.2022 received from Lok Sabha Secretariat along with a copy of the matter raised during zero hour by Hon'ble MP, Shri Gurjeet Singh Aujla, regarding pollution caused by M/s Malkos Private International Liquor company located at Tehsil-Jira, Ferozepur district at Mansoorwal and contamination of water in the villages of Mansoorwal, Rotalrohi, Malyaa, Sodhiwala, Sekwan; and

**'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032**

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in

2842

**WHEREAS**, a team of CPCB visited the Unit on 28.12.2022 to investigate the matter, however the team could not conduct the inspection due to the protest held by the local villagers and farmers Association in front of the main gate of the Unit (M/s Malbros International Pvt. Ltd., Village-Mansoorwal, Jira, Ferozepur) and entry to the Unit premises without adequate police protection was not possible; and

**WHEREAS**, in pursuant to the above complaint, CPCB team revisited M/s Malbros International Pvt. Ltd. (Malbros Distillery) located at Village - Mansoorwal, Tehsil-Zira, District - Ferozepur, Punjab during 22.02.2023 to 24.02.2023 to investigate the matter in consultation with the expert deputed by Central Ground Water Board (CGWB). The Unit is presently closed. Following are the observations of the inspection team:

- i. Ground water level ranges from 28.44 to 32.07 m bgl (below ground level) in the study area and the slope of water table is towards NNW from the factory area.
- ii. It was alleged that "The distillery has drilled 25 deep tube-wells in their compound and dumping toxic water in them leading to high pollution in groundwater in radius of 15 Kms, polluting drinking & irrigation water of over dozen villages". CPCB Team physically verified 10 Bore-wells and 06 piezometers installed in the premises of the Unit. The representatives of the Unit informed that they have obtained permission only for 04 bore-wells and 02 piezometers from CGWB/PWRDA, however no details of the permission was provided by the Unit to the inspection team. The inspection team also asked to provide the date of installation and the assembly drawing of the bore-wells and piezometers installed in the premises, but the details are not provided by the Unit.
- iii. The existence of such a large number of bore-wells without obtaining permission of CGWB and/or PWRDA in the premises of an industry, claiming to Zero Liquid Discharge is an area of further investigation.
- iv. Further, two bore-well inside the premises were found to be installed at a distance of few meter from each other, sealed and buried in the soil, despite the fact the 200 meter distance between two bore-wells is required as per guidelines.
- v. In view of the fact that most of ground water structures identified by CPCB team have been installed by the Industry without obtaining permission from CGWB/PWRDA, the possibility of having more such structures installed illegally without obtaining permission as apprehended in the letter of Hon'ble Member of Parliament (Sh. Jasbir Singh Gill) cannot be ruled out and thus needs further investigation by involving local revenue department to know the details of the bore-wells existing the time of acquiring the land from the local farmers, by the Industry.
- vi. Out of 29 bore-wells monitored, 12 bore-wells were yielding water with unpleasant odour, whereas 05 Bore-wells were yielding water with unpleasant odour and Grey/blackish colour, which is also evident and confirmed from the high lab analysis result for colour and turbidity.
- vii. The evaluation of data with regard to analysis results of ground water samples for general parameters, revealed that water from none of the 29 bore-wells monitored by CPCB team comply with the acceptable and permissible limits for one or more parameters, thereby rendering the water unfit for drinking. TDS, Boron and Sulphate were found be present in very high concentration and beyond acceptable and permissible limits in many samples. While high TDS and sulphate concentration may be an outcome of the industrial activity, however, the exceedance of Boron may not be attributed to the industry under reference.
- viii. The groundwater was found to be affected with high concentration of metals and heavy metals (toxic elements) in three villages namely Mansoorwal, Mahianwala Kalan and Ratol Rohi and this finding is in line with the slope of water table in the area, as determined by the CGWB team.

OK

- ix. The presence of cyanide in the bore-well located at village Ratol Rohi at a concentration of 0.2 mg/l, which is four times higher than the acceptable limit of 0.05 mg/l, as specified in IS 10500:2012 is an area of concern. Further investigation to pin points the source of this contamination is required in the interest of public health. The same bore-well was also found to be having high concentration of Arsenic and high concentration of lead, as well.
- x. One bore-well with 250 ft depth monitored at Village Mahianwala was found be having high concentration of Selenium, Manganese and Iron exceeding the acceptable & Permissible limits, while the other borewell with approx. 500 ft depth was found to be having high concentration of iron and manganese exceeding both acceptable and permissible limits.
- xi. The evaluation of the analysis reports w.r.t. monitoring of 02 bore-wells located in the premises of the Unit revealed that metals and toxic metals namely Arsenic, Chromium, copper, Iron, Manganese, Nickel, Lead and Selenium, are present in very high concentration along with high concentration of COD and Colour. The water from both the bore-well was having black colour and foul odour, as observed during sampling. In these bore-wells concentration of Arsenic was found to be 2-3 time higher than permissible limits. Similarly, concentration of chromium, Iron, Manganese, Nickel and Lead were found to be higher by 6-7 times, 650-500 times, 32-37 times, 10-11 times and 08-11 times respectively in comparison to permissible limits specified in IS 10500:2012
- xii. Despite the fact that these two bore-wells were in operational condition, motor, electrical and mechanical connection of one bore-wells was disconnected, while the other bore-well was sealed and buried in the soil.
- xiii. Since, the samples drawn from the piezometers and 03 bore-wells located in the premises of the Industry were found to be free from heavy metal contamination and whereas two bore-wells installed in the same premises are contaminated with high concentration of heavy metals, COD and colour; it indicates injection of contaminated wastewater through reveve boring/pumping into a particular zone tapped in these two bore-wells. However, further investigation is required in this regard, to establish the contaminated zone and take remedial action.
- xiv. The sample of the soil contaminated with the sludge was found to be exceeding the soil Criteria of CCME Canadian Environmental Quality Guidelines for the Protection of Environment and Human Health, for Soil Type (Industry) with regard to Zinc (396.84 > 361 mg/Kg), while other elements were within limits.

**NOW, THEREFORE,** in view of above observations and in exercise of the powers conferred under section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974, the following directions are issued to Punjab Pollution Control Board (PPCB) for its compliance:

1. Punjab Pollution Control Board (PPCB) considering the violations reported in the CPCB inspection report (Annexure-1) shall issue appropriate direction to the Unit [M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Zira, Ferozepur, Punjab] with respect to necessary remedial measures for the decontamination of the affected site and compliance with the violations observed in the inspection report.
2. PPCB shall undertake detailed environmental site assessment, as per the CPCB guidelines, by engaging a professional agency/institute having expertise in assessment and remediation of contaminated groundwater & soil and submit the report within 60 days.
3. Based on the detailed site assessment, PPCB shall ensure that the Unit submit a DPR for remediation of groundwater contaminated area in around the premises, and

2844

execute the work in the supervision of PPCB in a time bound manner. The Unit shall bear all the remediation expenses.

4. PPCB shall impose EC (environmental compensation) or initiate legal action for causing injury to the surrounding environment and contamination of groundwater as may be applicable.
5. PPCB shall issue appropriate direction to the water supply department to analyze the parameters for Drinking Water Quality Standards in water of bore-wells installed in the affected area. Depending upon the compliance with the Drinking Water Quality Standards, the use of water from the bore-wells may be prohibited/permitted, as per the case and shall ensure that the Unit provide alternative sources of safe drinking water to the affected villages.
6. PPCB shall issue direction to local authorities & groundwater Department to seal the unauthorized bore-wells.
7. PPCB shall ensure regular monitoring of the groundwater quality in the area and shall ensure no further spread of contamination.

The action taken report shall be sent to the CPCB within 45 days from the date of receipt of this direction. Punjab Pollution Control Board (PPCB) shall also acknowledge the receipt of this direction to CPCB within 15 days from the date of the receipt.

(PRASHANT GARGAVA)  
MEMBER SECRETARY

Enc. As above

Copy To:

1. **The Member Secretary,**  
Punjab Pollution Control Board,  
Head Office, Vatavaran Bhawan, Nabha Road,  
Patiala, Punjab  
*With a request to ensure compliance of the said direction issued u/s 18(1)(b) of the Water Act, 1974, please.*
2. **The Regional Director,**  
Regional Directorate,  
Central Pollution Control Board,  
Second Floor, Telephone Exchange,  
Sector 49, Chandigarh 160047  
*For further follow-up to ensure compliance of the direction, please.*
3. **The Director, (CP Division),**  
Ministry of Environment, Forest & Climate Change,  
Prithvi Block, Indira Paryavaran Bhawan, Jorbagh  
Road, New Delhi – 110 003  
*For information, please.*
4. **The District Collector,**  
District Collector Office,  
Block A, District Administrative Complex,  
Ferozpur Cantt, Punjab 152001  
*For information, please.*
5. The Divisional Head - IT, CPCB, Delhi  
*With a request to upload the direction at CPCB website, please.*

JIC

(PRASHANT GARGAVA)  
MEMBER SECRETARY

OC

	<b>PUNJAB POLLUTION CONTROL BOARD</b> Zonal Office, Street No. 12, Power House Road, Bathinda	
---	--	--

No.

Registered

Dated

To

M/s Malbros International Pvt. Ltd.,  
Village Mansoorwal, Tehsil Zira,  
District Ferozepur.

**Subject: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 in the matter of complaint against acute pollution of ground water caused by M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur.**

Whereas, under section 17 of the Water (Prevention & Control of Pollution) Act, 1974, one of the function of the State Pollution Control Board (SPCB) is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams & wells in the State and to secure the execution thereof;

And whereas, the Central Government has notified the standards for discharge of environmental pollution from various categories of industries under the Environment (Protection) Act, 1986 and the rule framed there under;

And whereas, the SPCB has been pursuing the polluting industries to install effluent treatment plants (ETPs) and to comply with effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the rules framed there under;

And whereas, the SPCB can stipulate more stringent standards for discharge of environmental pollutant from various categories of industries, depending upon the quality of the recipient system, than those notified by the Central Government, under the Environment (Protection) Act, 1986 and Rules framed there under;

And whereas, CPCB received a VIP reference (KS-MOEF-22-1 dated 23.12.2022) of Sh. Jasbir Singh Gill, Hon'ble MP (Lok Sabha) forwarded by the Ministry of Environment, Forest & Climate Change (MoEF&CC) regarding complaint against acute pollution of groundwater caused by M/S Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil-Zira, District-Ferozepur, Punjab (hereinafter referred to as the industry);

And whereas, CPCB has also received a VIP reference forwarded by MoEF&CC vide its letter dated 18.01.2023 received from Lok Sabha Secretariat regarding the matter raised during zero hour by Hon'ble MP, Shri Gurjeet Singh Aujla, regarding pollution caused by the industry and contamination of water in the villages of Mansoorwal, Rotalrohi, Malyaa, Sodhiwala and Sekwan;

And whereas, in pursuant to the above complaint, a team of CPCB visited the industry during 22.02.2023 to 24.02.2023 to investigate the matter in consultation with the expert deputed by the Central Ground Water Board (CGWB). The unit is presently closed. Following are the observations of the inspection team:-

1. Ground water level ranges from 28.44 to 32.07 mbgl (below ground level) in the study area and the slope of water table is towards NNW from the factory area.
2. It was alleged that "The distillery has drilled 25 deep tube-wells in their compound and dumping toxic water in them leading to high pollution in groundwater in radius of 15Kms, polluting drinking & irrigation water of over

2846

dozen villages". CPCB Team physically verified 10 Bore-wells and 06 piezometers installed in the premises of the Unit. The representatives of the Unit informed that they have obtained permission only for 04 bore-wells and 02 piezometers from CGWB/PWRDA, however no details of the permission was provided by the Unit to the inspection team. The inspection team also asked to provide the date of installation and the assembly drawing of the bore-wells and piezometers installed in the premises, but the details are not provided by the Unit.

3. The existence of such a large number of bore-wells without obtaining permission of CGWB and/or PWRDA in the premises of an industry, claiming to Zero Liquid Discharge is an area of further investigation.
4. Further, two bore-well inside the premises were found to be installed at a distance of few meter from each other, sealed and buried in the soil, despite the fact that 200 meter distance between two bore-wells is required as per guidelines.
5. In view of the fact that most of ground water structures identified by CPCB team have been installed by the Industry without obtaining permission from CGWB/PWRDA, the possibility of having more such structures installed illegally without obtaining permission as apprehended in the letter of Hon'ble Member of Parliament (Sh. Jasbir Singh Gill) cannot be ruled out and thus needs further investigation by involving local revenue department to know the details of the bore-wells existing at the time of acquiring the land from the local farmers, by the Industry.
6. Out of 29 bore-wells monitored, 12 bore-wells were yielding water with unpleasant odor, whereas 05 Bore-wells were yielding water with unpleasant odour and Grey/blackish colour, which is also evident and confirmed from the high lab analysis result for colour and turbidity.
7. The evaluation of data with regard to analysis results of ground water samples for general parameters, revealed that water from none of the 29 bore-wells monitored by CPCB team comply with the acceptable and permissible limits for one or more parameters, thereby rendering the water unfit for drinking. TDS, Boron and Sulphate were found be present in very high concentration and beyond acceptable and permissible limits in many samples. While high TDS and sulphate concentration may be an outcome of the industrial activity, however, the exceedance of Boron may not be attributed to the industry under reference.
8. The groundwater was found to be affected with high concentration of metals and heavy metals (toxic elements) in three villages namely Mansoorwal, Mahianwala Kalan and Ratol Rohi and this finding is in line with the slope of water table in the area, as determined by the CGWB team.
9. The presence of cyanide in the bore-well located at village Ratol Rohi at a concentration of 0.2 mg/l, which is four times higher than the acceptable limit of 0.05 mg/l, as specified in IS 10500:2012 is an area of concern. Further investigation to pin points the source of this contamination is required in the

✍

*interest of public health. The same bore-well was also found to be having high concentration of Arsenic and high concentration of lead, as well.*

10. *One bore well with 250 ft. depth monitored at Village Mahianwala was found to be having high concentration of Selenium, Manganese and iron exceeding the acceptable & Permissible limits, while the other borewell with approx. 500 ft. depth was found to be having high concentration of iron and manganese exceeding both acceptable and permissible limits.*
11. *The evaluation of the analysis reports w.r.t. monitoring of 02 bore-wells located in the premises of the Unit revealed that metals and toxic metals namely Arsenic, Chromium copper, Iron, Manganese, Nickel, lead & Selenium are present in very high concentration along with high concentration of COD & colour. The water from both the bore-well was having black colour and foul odour, as observed during sampling. In these bore-wells concentration of arsenic was found to be 2-3 time higher than permissible limits. Similarly, concentration of chromium, Iron, Manganese, Nickel and Lead were found to be higher by 6-7 times, 650-500 times, 32-37 times, 10-11 times and 08-11 times respectively in comparison to permissible limits specified in IS10500:2012.*
12. *Despite the fact that these two bore-wells were in operational condition, motor, electrical and mechanical connection of one bore-well was disconnected, while the other bore-well was sealed and buried in the soil.*
13. *Since, the samples drawn from the piezometers and 03 bore-wells located in the premises of the Industry were found to be free from heavy metal contamination and whereas two bore-wells installed in the same premises are contaminated with high concentration of heavy metals, COD and colour; it indicates injection of contaminated wastewater through reverse boring/pumping into a particular zone tapped in these two bore-wells. However, further investigation is required in this regard, to establish the contaminated zone and take remedial action.*
14. *The sample of the soil contaminated with the sludge was found to be exceeding the soil Criteria of CCME Canadian Environmental Quality Guidelines for the Protection of Environment and Human Health, for Soil Type (Industry) with regard to Zinc (396.84 > 361 mg/Kg), while other elements were within limits.*

And whereas, the Central Pollution Control Board vide letter circular no. PI-20/50/2022-IPC-III-HO-CPCB-HO/1246 dated 17.05.2023 amongst other directions has issued following directions to the Punjab Pollution Control Board u/s 18 (1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 for compliance:-

1. Punjab Pollution Control Board (PPCB) considering the violations reported in the CPCB inspection report shall issue appropriate direction to the unit (M/s Malbros International Pvt. Ltd., Village-Mansoorwal, Zira, Ferozepur, Punjab) with respect to necessary remedial measures for the decontamination of the affected site and compliance with the violations observed in the inspection report.
2. Based on the detailed site assessment, PPCB shall ensure that the Unit submit a DPR for remediation of groundwater contaminated area in around the premises, and execute the

work in the supervision of PPCB in a time bound manner. The industry shall bear all the remediation expenses.

And whereas, the State Pollution Control Board is bound to make compliance of the directions issued by the Central Pollution Control Board u/s 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974;

Therefore, in compliance of the directions dated 17.05.2022 issued by the Central Pollution Control Board u/s 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and in exercise of the powers conferred u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974, Punjab Pollution Control Board hereby issue the following directions to the industry for strict compliance:-

1. **The industry shall carry out necessary remedial measures for the decontamination of the affected site based on the detailed environmental site assessment report of the Board and shall ensure to comply with the violations observed in the inspection report of CPCB (copy attached).**
2. **The industry shall ensure to submit a DPR based on the detailed environmental site assessment report of the Board for remediation of groundwater contaminated area in around the premises and execute the work in the supervision of the Board in a time bound manner and shall bear all the remediation expenses.**
3. **The industry shall ensure safe drinking water from borewells installed in the affected villages complying with the drinking water quality standards on the basis of outcome of the analysis of Department of Water Supply & Sanitation.**

In case of any violation of the above directions, the matter shall be viewed seriously and the industry will be liable for action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988.

**DA/As Above**

Endst No 1810

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi in reference to CPCB letter no. PI-20/50/2022-IPC-III-HO-CPCB-HO/1246 dated 17.05.2023 please.

**Sr. Environmental Engineer (ZB)  
For Chairman, PPCB**

Dated 26/2023

Endst. No \_\_\_\_\_

A copy of the above is forwarded to the Deputy Commissioner, Ferozepur for information and further necessary action please.

**Sr. Environmental Engineer (ZB)  
For Chairman, PPCB**

Dated \_\_\_\_\_

Endst. No \_\_\_\_\_

A copy of the above is forwarded to the Chief Environmental Engineer (B), Punjab Pollution Control Board, Head Office, Patiala for information and further necessary action please.

**Sr. Environmental Engineer (ZB)  
For Chairman, PPCB**

Dated \_\_\_\_\_

**Sr. Environmental Engineer (ZB)  
For Chairman, PPCB**

# 2849

Directione u/s 33-A of the Water Act, 1974  
in the matter of compliance against  
suba pollution of ground water caused by  
M/s Malores International Pvt. Ltd., Zirsa, District Ferozepur

Endst. No \_\_\_\_\_

Dated \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Regional Office, Faridkot for ensuring compliance of the above directions and submission of report. Environmental Engineer will move the case through Zonal Office, Bathinda for implementation of other directions of CPCB, which are required to be complied by the PPCB as under:-

1. PPCB shall undertake detail environmental site assessment as per the CPCB guidelines by engaging a professional agency / institute having expertise in assessment and remediation of contaminated ground water and soil.
2. PPCB shall impose EC (Environment Compensation) or initiate legal action for causing injury to the surrounding environment and contamination of ground water as may be applicable.
3. PPCB shall ensure regular monitoring of ground water quality in the area and shall ensure no further spread of contamination.

← d →  
**Sr. Environmental Engineer (ZB)**  
**For Chairman, PPCB**



**No.** \_\_\_\_\_ **Registered** \_\_\_\_\_ **Dated** \_\_\_\_\_

**To**

The Principal Secretary to Govt. of Punjab,  
Department of Water Supply & Sanitation,  
Chandigarh.

**Subject:** **Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 in the matter of complaint against acute pollution of ground water caused by M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur.**

Whereas, under section 17 of the Water (Prevention & Control of Pollution) Act, 1974, one of the function of the State Pollution Control Board (SPCB) is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams & wells in the State and to secure the execution thereof;

And whereas, the Central Government has notified the standards for discharge of environmental pollution from various categories of industries under the Environment (Protection) Act, 1986 and the rule framed there under;

And whereas, the SPCB has been pursuing the polluting industries to install effluent treatment plants (ETPs) and to comply with effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the rules framed there under;

And whereas, the SPCB can stipulate more stringent standards for discharge of environmental pollutant from various categories of industries, depending upon the quality of the recipient system, than those notified by the Central Government, under the Environment (Protection) Act, 1986 and Rules framed there under;

And whereas, CPCB received a VIP reference (KS-MOEF-22-1 dated 23.12.2022) of Sh. Jasbir Singh Gill, Hon'ble MP (Lok Sabha) forwarded by the Ministry of Environment, Forest & Climate Change (MoEF&CC) regarding complaint against acute pollution of groundwater caused by M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil-Zira, District-Ferozepur, Punjab;

And whereas, CPCB has also received a VIP reference forwarded by MoEF&CC vide its letter dated 18.01.2023 received from Lok Sabha Secretariat regarding the matter raised during zero hour by Hon'ble MP, Shri Gurjeet Singh Aujla, regarding pollution caused by the M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil-Zira, District-Ferozepur, Punjab and contamination of water in the villages of Mansoorwal, Rotalrohi, Malyaa, Sodhiwala and Sekwan;

And whereas, in pursuant to the above complaint, a team of CPCB visited the M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil-Zira, District-Ferozepur during 22.02.2023 to 24.02.2023 to investigate the matter in consultation with the expert deputed by the Central Ground Water Board (CGWB). The unit is presently closed. Following are the observations of the inspection team:-

1. Ground water level ranges from 28.44 to 32.07 mbgl (below ground level) in the study area and the slope of water table is towards NNW from the factory area.
2. It was alleged that "The distillery has drilled 25 deep tube-wells in their compound and dumping toxic water in them leading to high pollution in groundwater in radius of 15

*[Handwritten signature]*

# 2851

- Kms, polluting drinking & irrigation water of over dozen villages". CPCB Team physically verified 10 Bore-wells and 06 piezometers installed in the premises of the Unit. The representatives of the Unit informed that they have obtained permission only for 04 bore-wells and 02 piezometers from CGWB/PWRDA, however no details of the permission was provided by the Unit to the inspection team. The inspection team also asked to provide the date of installation and the assembly drawing of the bore-wells and piezometers installed in the premises, but the details are not provided by the Unit.*
- 3. The existence of such a large number of bore-wells without obtaining permission of CGWB and/or PWRDA in the premises of an industry, claiming to Zero Liquid Discharge is an area of further investigation.*
  - 4. Further, two bore-well inside the premises were found to be installed at a distance of few meter from each other, sealed and buried in the soil, despite the fact that 200 meter distance between two bore-wells is required as per guidelines.*
  - 5. In view of the fact that most of ground water structures identified by CPCB team have been installed by the Industry without obtaining permission from CGWB/PWRDA, the possibility of having more such structures installed illegally without obtaining permission as apprehended in the letter of Hon'ble Member of Parliament (Sh. Jasbir Singh Gill) cannot be ruled out and thus needs further investigation by involving local revenue department to know the details of the bore-wells existing at the time of acquiring the land from the local farmers, by the Industry.*
  - 6. Out of 29 bore-wells monitored, 12 bore-wells were yielding water with unpleasant odor, whereas 05 Bore-wells were yielding water with unpleasant odour and Grey/blackish colour, which is also evident and confirmed from the high lab analysis result for colour and turbidity.*
  - 7. The evaluation of data with regard to analysis results of ground water samples for general parameters, revealed that water from none of the 29 bore-wells monitored by CPCB team comply with the acceptable and permissible limits for one or more parameters, thereby rendering the water unfit for drinking. TDS, Boron and Sulphate were found be present in very high concentration and beyond acceptable and permissible limits in many samples. While high TDS and sulphate concentration may be an outcome of the industrial activity, however, the exceedance of Boron may not be attributed to the industry under reference.*
  - 8. The groundwater was found to be affected with high concentration of metals and heavy metals (toxic elements) in three villages namely Mansoorwal, Mahianwala Kalan and Ratol Rohl and this finding is in line with the slope of water table in the area, as determined by the CGWB team.*
  - 9. The presence of cyanide in the bore-well located at village Ratol Rohl at a concentration of 0.2 mg/l, which is four times higher than the acceptable limit of 0.05 mg/l, as specified in IS 10500:2012 is an area of concern. Further investigation to pin points the source of this contamination is required in the interest of public health. The same bore-well was also found to be having high concentration of Arsenic and high concentration of lead, as well.*
  - 10. One bore well with 250 ft. depth monitored at Village Mahianwala was found be having high concentration of Selenium, Manganese and iron exceeding the acceptable &*

*Permissible limits, while the other borewell with approx. 500 ft. depth was found to be having high concentration of iron and manganese exceeding both acceptable and permissible limits.*

11. *The evaluation of the analysis reports w.r.t. monitoring of 02 bore-wells located in the premises of the Unit revealed that metals and toxic metals namely Arsenic, Chromium copper, Iron, Manganese, Nickel, lead & Selenium are present in very high concentration along with high concentration of COD & colour. The water from both the bore-well was having black colour and foul odour, as observed during sampling. In these bore-wells concentration of arsenic was found to be 2-3 time higher than permissible limits. Similarly, concentration of chromium, Iron, Manganese, Nickel and Lead were found to be higher by 6-7 times, 650-500 times, 32-37 times, 10-11 times and 08-11 times respectively in comparison to permissible limits specified in IS 10500:2012.*
12. *Despite the fact that these two bore-wells were in operational condition, motor, electrical and mechanical connection of one bore-well was disconnected, while the other bore-well was sealed and buried in the soil.*
13. *Since, the samples drawn from the piezometers and 03 bore-wells located in the premises of the Industry were found to be free from heavy metal contamination and whereas two bore-wells installed in the same premises are contaminated with high concentration of heavy metals, COD and colour; it indicates injection of contaminated wastewater through reverse boring/pumping into a particular zone tapped in these two bore-wells. However, further investigation is required in this regard, to establish the contaminated zone and take remedial action.*
14. *The sample of the soil contaminated with the sludge was found to be exceeding the soil Criteria of CCME Canadian Environmental Quality Guidelines for the Protection of Environment and Human Health, for Soil Type (Industry) with regard to Zinc (396.84 > 351 mg/Kg), while other elements were within limits.*

And whereas, the Central Pollution Control Board vide letter circular no. PI-20/50/2022-IPC-III-HO-CPCB-HO/1246 dated 17.05.2023 amongst other directions has issued following directions to the Punjab Pollution Control Board u/s 18 (1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 for compliance:-

*"That PPCB shall issue appropriate direction to the water supply department to analyze the parameters for Drinking Water Quality Standards in water of bore-wells installed in the affected area. Depending upon the compliance with the Drinking Water Quality Standards, the use of water from the bore-wells may be prohibited/permitted, as per the case and shall ensure that the industry provide an alternative sources of safe drinking water to the affected villages."*

And whereas, the State Pollution Control Board is bound to make compliance of the directions issued by the Central Pollution Control Board u/s 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974;

Therefore, in compliance of the directions dated 17.05.2022 issued by the Central Pollution Control Board u/s 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and in exercise of the powers conferred u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974, Punjab Pollution Control Board hereby issue the following directions for strict compliance:-

***"That the department of Water Supply and Sanitation shall ensure to analyze the parameters for Drinking Water Quality Standards in water of bore-wells***

2853

*installed in the affected area. Depending upon the compliance with the Drinking Water Quality Standards, the use of water from the bore-wells may be prohibited/permited, as per the case and shall ensure that the industry (M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur) provides an alternative sources of safe drinking water to the affected villages."*

In case of failure to comply with the above said direction, action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988 will be taken.

Endst. No. 184

sd  
Sr. Environmental Engineer (ZB)  
For Chairman, PPCB  
Dated 2/6/2023

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi in reference to CPCB letter no. no. PI-20/50/2022-IPC-III-HO-CPCB-HO/1246 dated 17.05.2023 please.

Endst. No. \_\_\_\_\_

sd  
Sr. Environmental Engineer (ZB)  
For Chairman, PPCB  
Dated \_\_\_\_\_

A copy of the above is forwarded to the Deputy Commissioner, Ferozepur for information and further necessary action please.

Endst. No. \_\_\_\_\_

sd  
Sr. Environmental Engineer (ZB)  
For Chairman, PPCB  
Dated \_\_\_\_\_

A copy of the above is forwarded to the Chief Environmental Engineer (B), Punjab Pollution Control Board, Head Office, Patiala for information and further necessary action please

Endst. No. \_\_\_\_\_

sd  
Sr. Environmental Engineer (ZB)  
For Chairman, PPCB  
Dated \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Faridkot for ensuring compliance of the directions and submission of report.

Endst. No. \_\_\_\_\_

sd  
Sr. Environmental Engineer (ZB)  
For Chairman, PPCB  
Dated \_\_\_\_\_

A copy of the above is forwarded to M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur with a direction to co-operate with the Department of Water Supply and Sanitation for effective implementation of the direction given by the Board.

sd  
Sr. Environmental Engineer (ZB)  
For Chairman, PPCB



**PUNJAB POLLUTION CONTROL BOARD**

Zonal Office, Street No. 12, Power House Road, Bathinda



**LIFE**  
Lifestyle for  
Environment

No.

Registered

Dated

To

The Chairperson,  
Punjab Water Regulation & Development Authority,  
Sector-17-C, Chandigarh.

**Subject: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 in the matter of complaint against acute pollution of ground water caused by M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur.**

Whereas, under section 17 of the Water (Prevention & Control of Pollution) Act, 1974, one of the function of the State Pollution Control Board (SPCB) is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams & wells in the State and to secure the execution thereof;

And whereas, the Central Government has notified the standards for discharge of environmental pollution from various categories of industries under the Environment (Protection) Act, 1986 and the rule framed there under;

And whereas, the SPCB has been pursuing the polluting industries to install effluent treatment plants (ETPs) and to comply with effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the rules framed there under;

And whereas, the SPCB can stipulate more stringent standards for discharge of environmental pollutant from various categories of industries, depending upon the quality of the recipient system, than those notified by the Central Government, under the Environment (Protection) Act, 1986 and Rules framed there under;

And whereas, CPCB received a VIP reference (KS-MOEF-22-1 dated 23.12.2022) of Sh. Jasbir Singh Gill, Hon'ble MP (Lok Sabha) forwarded by the Ministry of Environment, Forest & Climate Change (MoEF&CC) regarding complaint against acute pollution of groundwater caused by M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil-Zira, District-Ferozepur, Punjab;

And whereas, CPCB has also received a VIP reference forwarded by MoEF&CC vide its letter dated 18.01.2023 received from Lok Sabha Secretariat regarding the matter raised during zero hour by Hon'ble MP, Shri Gurjeet Singh Aujla, regarding pollution caused by the M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil-Zira, District-Ferozepur, Punjab and contamination of water in the villages of Mansoorwal, Rotalohi, Malyaa, Sodhiwala and Sekwan;

And whereas, in pursuant to the above complaint, a team of CPCB visited the M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil-Zira, District-Ferozepur during 22.02.2023 to 24.02.2023 to investigate the matter in consultation with the expert deputed by the Central Ground Water Board (CGWB). The unit is presently closed. Following are the observations of the inspection team:-

1. Ground water level ranges from 28.44 to 32.07 mbgl (below ground level) in the study area and the slope of water table is towards NNW from the factory area.

2855

2. It was alleged that "The distillery has drilled 25 deep tube-wells in their compound and dumping toxic water in them leading to high pollution in groundwater in radius of 15 Kms, polluting drinking & irrigation water of over dozen villages". CPCB Team physically verified 10 Bore-wells and 06 piezometers installed in the premises of the Unit. The representatives of the Unit informed that they have obtained permission only for 04 bore-wells and 02 piezometers from CGWB/PWRDA, however no details of the permission was provided by the Unit to the inspection team. The inspection team also asked to provide the date of installation and the assembly drawing of the bore-wells and piezometers installed in the premises, but the details are not provided by the Unit.
3. The existence of such a large number of bore-wells without obtaining permission of CGWB and/or PWRDA in the premises of an industry, claiming to Zero Liquid Discharge is an area of further investigation.
4. Further, two bore-well inside the premises were found to be installed at a distance of few meter from each other, sealed and buried in the soil, despite the fact that 200 meter distance between two bore-wells is required as per guidelines.
5. In view of the fact that most of ground water structures identified by CPCB team have been installed by the Industry without obtaining permission from CGWB/PWRDA, the possibility of having more such structures installed illegally without obtaining permission as apprehended in the letter of Hon'ble Member of Parliament (Sh. Jasbir Singh Gill) cannot be ruled out and thus needs further investigation by involving local revenue department to know the details of the bore-wells existing at the time of acquiring the land from the local farmers, by the Industry.
6. Out of 29 bore-wells monitored, 12 bore-wells were yielding water with unpleasant odor, whereas 05 Bore-wells were yielding water with unpleasant odour and Grey/blackish colour, which is also evident and confirmed from the high lab analysis result for colour and turbidity.
7. The evaluation of data with regard to analysis results of ground water samples for general parameters, revealed that water from none of the 29 bore-wells monitored by CPCB team comply with the acceptable and permissible limits for one or more parameters, thereby rendering the water unfit for drinking. TDS, Boron and Sulphate were found be present in very high concentration and beyond acceptable and permissible limits in many samples. While high TDS and sulphate concentration may be an outcome of the industrial activity, however, the exceedance of Boron may not be attributed to the industry under reference.
8. The groundwater was found to be affected with high concentration of metals and heavy metals (toxic elements) in three villages namely Mansoorwal, Mahianwala Kalan and Ratol Rohi and this finding is in line with the slope of water table in the area, as determined by the CGWB team.
9. The presence of cyanide in the bore-well located at village Ratol Rohi at a concentration of 0.2 mg/l, which is four times higher than the acceptable limit of

*[Handwritten signature]*

- 0.05 mg/l, as specified in IS 10500:2012 is an area of concern. Further investigation to pin points the source of this contamination is required in the interest of public health. The same bore-well was also found to be having high concentration of Arsenic and high concentration of lead, as well.
10. One bore well with 250 ft. depth monitored at Village Mahianwala was found be having high concentration of Selenium, Manganese and iron exceeding the acceptable & Permissible limits, while the other borewell with approx. 500 ft. depth was found to be having high concentration of iron and manganese exceeding both acceptable and permissible limits.
  11. The evaluation of the analysis reports w.r.t. monitoring of 02 bore-wells located in the premises of the Unit revealed that metals and toxic metals namely Arsenic, Chromium copper, Iron, Manganese, Nickel, lead & Selenium are present in very high concentration along with high concentration of COD & colour. The water from both the bore-well was having black colour and foul odour, as observed during sampling. In these bore-wells concentration of arsenic was found to be 2-3 time higher than permissible limits. Similarly, concentration of chromium, Iron, Manganese, Nickel and Lead were found to be higher by 6-7 times, 650-500 times, 32-37 times, 10-11 times and 08-11 times respectively in comparison to permissible limits specified in IS 10500:2012.
  12. Despite the fact that these two bore-wells were in operational condition, motor, electrical and mechanical connection of one bore-well was disconnected, while the other bore-well was sealed and buried in the soil.
  13. Since, the samples drawn from the piezometers and 03 bore-wells located in the premises of the Industry were found to be free from heavy metal contamination and whereas two bore-wells installed in the same premises are contaminated with high concentration of heavy metals, COD and colour; it indicates injection of contaminated wastewater through reverse boring/pumping into a particular zone tapped in these two bore-wells. However, further investigation is required in this regard, to establish the contaminated zone and take remedial action.
  14. The sample of the soil contaminated with the sludge was found to be exceeding the soil Criteria of CCME Canadian Environmental Quality Guidelines for the Protection of Environment and Human Health, for Soil Type (Industry) with regard to Zinc (396.84 > 361 mg/Kg), while other elements were within limits.

And whereas, the Central Pollution Control Board vide letter circular no. PI-20/50/2022-IPC-III-HO-CPCB-HO/1246 dated 17.05.2023 amongst other directions has directed the Punjab Pollution Control Board u/s 18 (1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 to issue direction to Local Authorities & Groundwater Department to seal the unauthorized bore-wells;

And whereas, the State Pollution Control Board is bound to make compliance of the directions issued by the Central Pollution Control Board u/s 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974;

# 2857

Therefore, in compliance of the directions dated 17.05.2022 issued by the Central Pollution Control Board u/s 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and in exercise of the powers conferred u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974, Punjab Pollution Control Board hereby issue the following directions to the Punjab Water Regulation and Development Authority for strict compliance:-

**"To immediately seal the unauthorized bore-wells in the industrial premises of M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur."**

In case of failure to comply with the above said direction, action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988 will be taken.

Endst. No 1798

*sd*  
**Sr. Environmental Engineer (ZB)**  
**For Chairman, PPCB**  
Dated 02/06/2023

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi in reference to CPCB letter no. PI-20/50/2022-IPC-III-HO-CPCB-HO/1246 dated 17.05.2023 please.

*sd*  
**Sr. Environmental Engineer (ZB)**  
**For Chairman, PPCB**  
Dated 21/6/2023

Endst. No \_\_\_\_\_

A copy of the above is forwarded to the Deputy Commissioner, Ferozepur for information and further necessary action please.

*sd*  
**Sr. Environmental Engineer (ZB)**  
**For Chairman, PPCB**  
Dated \_\_\_\_\_

Endst. No \_\_\_\_\_

A copy of the above is forwarded to the Chief Environmental Engineer (B), Punjab Pollution Control Board, Head Office, Patiala for information and further necessary action please.

*sd*  
**Sr. Environmental Engineer (ZB)**  
**For Chairman, PPCB**  
Dated \_\_\_\_\_

Endst. No \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Faridkot for ensuring compliance of the directions and submission of report.

*sd*  
**Sr. Environmental Engineer (ZB)**  
**For Chairman, PPCB**  
Dated \_\_\_\_\_

Endst. No \_\_\_\_\_

A copy of the above is forwarded to M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur with a direction to co-operate with the Punjab Water Regulation and Development Authority for effective implementation of the direction given by the PPCB.

*sd*  
**Sr. Environmental Engineer (ZB)**  
**For Chairman, PPCB**



Annexure-5  
ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. 14336  
To

Dated. 21/6/23

The Member Secretary  
Central Pollution Control Board  
Parivesh Bhawan, East Arjun Nagar,  
Delhi-110032.

**Subject:** Directions under section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 in the matter of complaint against acute pollution of groundwater caused by M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Tehsil - Zira, District - Ferozepur, Punjab

**Reference:** CPCB letter no. PI-20/50/2022-IPC-III-HO-CPCB-HO/1246 dated 17.05.2023.

It is submitted that the pointwise compliance of the directions issued vide above referred letter is as under:

Sr. No.	Directions issued by CPCB	Compliance w.r.t. directions
1.	Punjab Pollution Control Board (PPCB) considering the violations reported in the CPCB inspection report (Annexure-1) shall issue appropriate direction to the Unit (M/s Malbros International Pvt. Ltd., (Malbros Distillery), Village-Mansoorwal, Zira, Ferozepur, Punjab) with respect to necessary remedial measures for the decontamination of the affected site and compliance with the violations observed in the inspection report.	The industry has been directed vide letter no. 1809 dated 2.6.2023 to carry out necessary remedial measures for the decontamination of the affected site based on the detailed environmental site assessment report of the Board and shall ensure to comply with the violations observed in the inspection report of CPCB.
2.	PPCB shall undertake detailed environmental site assessment, as per the CPCB guidelines, by engaging a professional agency/institute having expertise in assessment and remediation of contaminated groundwater & soil and submit the report within 60 days.	M/s National Environmental Engineering Research Institute, Nagpur has been approved by the Board as agency to undertake detailed environmental site assessment, as per the CPCB guidelines. Formal letter in the matter is being issued.
3.	Based on the detailed site assessment, PPCB shall ensure that the Unit submit a DPR for remediation of groundwater contaminated area in around the premises, and execute the work in the supervision of PPCB in a time bound manner. The Unit shall bear all the remediation expenses.	The industry has been directed vide letter no. 1809 dated 2.6.2023 to submit a DPR based on the detailed environmental site assessment report of the Board for remediation of groundwater contaminated area in around the premises and execute the work in the supervision of the Board in a time bound manner and shall bear all the remediation expenses.
4.	PPCB shall impose EC (environmental compensation) or initiate legal action for	The Board has filed a complaint before Hon'ble CJM Ferozepur u/s 43, 44 read

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001

Vatavaran Bhawan, Nabha Road, Patiala -147001

Phone : Chairman. : 0175-2215793, Member Secretary : 0175-2215802 (O)

Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com |



	causing injury to the surrounding environment and contamination of groundwater as may be applicable.	with section 47 of Water (Prevention & Control of Pollution) Act, 1974 on 19.06.2023. The matter is further listed for consideration of summoning on 06.07.2023.
5.	PPCB shall issue appropriate direction to the water supply department to analyze the parameters for Drinking Water Quality Standards in water of bore-wells installed in the affected area. Depending upon the compliance with the Drinking Water Quality Standards, the use of water from the bore-wells may be prohibited/permitted, as per the case and shall ensure that the Unit provide alternative sources of safe drinking water to the affected villages.	a. Punjab Water Supply and Sanitation vide letter no. 1803-1808 dated 2.6.2023 has been issued directions to analyze the parameters for Drinking Water Quality Standards in water of bore-wells installed in the affected area. b. The industry has been directed vide letter no. 1809 dated 2.6.2023 to ensure safe drinking water from bore-wells installed in the affected villages complying with the drinking water quality standards on the basis of outcome of the analysis of Department of Water Supply and Sanitation.
6.	PPCB shall issue direction to local authorities & groundwater Department to seal the unauthorized bore-wells.	Punjab Water Regulation and Development Authority vide letter no. 1797-1802 dated 2.6.2023 has been issued directions to immediately seal the unauthorized bore-wells in the industrial premises of M/s Malbors International Pvt. Ltd., District Ferozepur.
7.	PPCB shall ensure regular monitoring of the groundwater quality in the area and shall ensure no further spread of contamination	Punjab Biotechnology Incubator (PBTI), Mohali has been approved by the Board to undertake quarterly monitoring of groundwater quality within 5 KM radius of the industry. Formal letter in the matter is being issued.

This is for your information and further necessary action, please.

Endst. No. 14337

A copy of the above is forwarded to the Regional Director, Central pollution Control Board, Chandigarh for information and necessary action please.

  
Member Secretary  
Dated: 21/6/23

  
Member Secretary

ENVIRONMENT PROTECTION RULES 1986

FORM I  
(See rule 7)

NOTICE OF INTENTION TO HAVE SAMPLE ANALYSED

To M/S Malbros International Pvt. Ltd, Vill. Mansoorwal, Zira, Ferozepur

Take notice that it is intended to have analysed the sample of ① Ground water from the premises of the Factory which has been taken today, the 23rd day of Feb, 2023 for the dumping area near Digra 20 from near main tank

- i) Borewell No. 1: Lat: 30.92093, long 74.9624 (05 Samples for different near main tank)
- ii) Borewell No. 2: Lat: 30.92078, long: 74.96076 (do -)
- iii) Borewell No. 3: Lat: 30.92033, long: 74.95981 (do -)
- iv) Sludge Sample: Lat: 30.92071, long: 74.95915 (01 Sample)

Dr Harinder Sharma, AD, CRB, RD, Chd  
(Name and designation of the person who takes the sample)

23/02/2023  
Dr Harinder Sharma

\*Specify the place where the sample is taken.

(SEAL)

DATE 23/02/2023

Nishi Kumar  
23/02/2023

(Nishi Kumar)

ZLD Manager  
Malbros International Pvt. Ltd.  
VIII. Mansoorwal, Teh. Zira, Distt, Fzr.

ENVIRONMENT PROTECTION RULES 1986

FORM I  
(See rule 7)

NOTICE OF INTENTION TO HAVE SAMPLE ANALYSED

To M/S Malbros International Pvt. Ltd, vill. Mansoorwal, Zira,

Take notice that it is intended to have analysed the sample of Ground water for the premises of the industry which has been taken today, the 24<sup>th</sup> day of Feb, 2023

- 1. Borewell No. 3 (Yielding blackish water), L/Lng: 20.91687/74.95583 (05 Samples)
- 2. Borewell No. 4 (Yielding blackish water), L/Lng: 20.91973/74.95973 -do- for different parameters
- 3. Borewell No. 5 L/Lng: 20.9212/74.96245 -do-
- 4. Borewell No. 3 L/Lng: 20.92072/74.95955 -do-

(Name and designation of the person who takes the sample)

\*Specify the place where the sample is taken.

Dr. Narendra Sharma  
AD, CP CB, RD, Chandigarh

[Signature]  
24/2/23

Malbros International Pvt. Ltd.  
VIII. Mansoorwal, Teh. Zira, Distt, Fzr.

(SEAL)

DATE 24/2/2023

Arvind Mawrya  
WTP Incharge  
9417653461

Borewell 5 mentioned it in No. 3 is perigo metu. However, since  
it was granted as Borewell, the Representatives of the Industry  
insisted to write it here then for putting his signature.

File 21/2/23

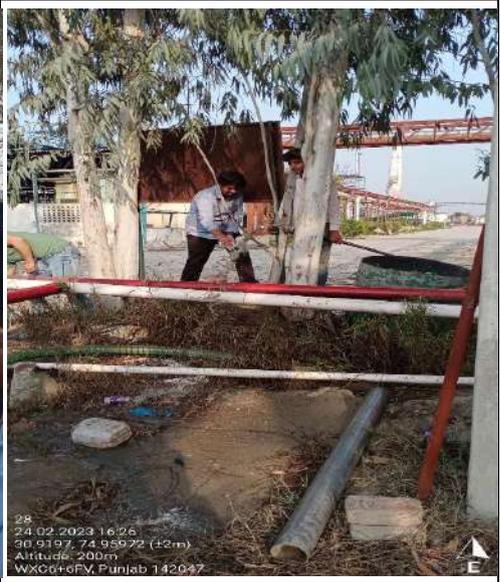
## Annexure- 8

Photographs of the sampling location in the premises of the Industry.

 <p>03.02.2023 15:56 30.92033, 74.9634 (±m) Altitude: 140m WX06+6FV, Punjab 142047</p>	 <p>10 29.02.2023 11:23 30.92059, 74.96075 (±3m) Altitude: 210m WX06+6FV, Punjab 142047</p>
<p>Inside industry; Borewell 1</p>	<p>Inside industry; Borewell 2</p>
 <p>11 23.02.2023 10:30 30.92001, 74.96066 (±3m) Altitude: 205m WX06+6FV, Punjab 142047</p>	 <p>Sludge 23.02.2023 10:51 30.92069, 74.96914 (±3m) Altitude: 212m WX06+6FV, Punjab 142047</p>
<p>Inside industry; Borewell 3</p>	<p>Sludge</p>



Near Gate in Industry's land Borewell No. 3 as demarcated by the Industry



Inside industry; Borewell 4



Inside Industry, Peizometer-5 (Demarcated as Bore-well No. 5 by the Industry)



Inside Industry, Peizometer-3

Item No.2

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

**I.A. No. 813/2023**

IN

Original Application No. 606/2022

Public Action Committee &amp; Ors.

...Applicants

Versus

State of Punjab &amp; Ors.

...Respondents

Date of hearing: 08.11.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None for the applicant.

Intervener/ : Mr. A.R. Takkar and Ms. Shriya Takkar, Advocates for Applicant in I.A. NO. 813 of 2023.

Respondents: Mr. Naginder Benipal, Ms. Harithi Kambiri and Mr. Ankit Siwach Advocates for respondent no. 2-PPCB. Ms. Tanisha Samantha, Advocate for respondent no. 5-CPCB (Through VC)

**Application under Section 14 of the National Green Tribunal Act 2010,  
Article 51A and Article 21 of Constitution of India, Environment  
(Protection) Act, 1974.**

**ORDER**

1. I.A No. 813/2023 has been filed by M/s Malbros International Pvt. Ltd. seeking interim directions inter alia regarding no coercive steps to be taken against the industry by official respondents i.e., PPCB/CPCB based upon the report dated 13.04.2023 and directions dated 17.05.2023 both issued by CPCB and also for staying further proceedings in the prosecution case

launched by respondent PPCB in the court of Ld. C.J.M., Ferozepur and further for issuance of directions to the original applicants/District Magistrate, Ferozepur to ensure that no obstruction is caused and all support provided to NEERI or any other agency/organization appointed by this Tribunal or other statutory authorities for conducting inspection and independently take samples from the industry or the surrounding areas in question.

2. Notices of I.A No. 813/2023 alongwith documents attached with the same be issued to the respondents requiring them to file their reply/response, if any, to the same on or before 20.11.2023 by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

3. Learned Counsel for the PPCB and CPCB have appeared and accepted notices on their behalf and submitted that copies of the interim application have not been supplied to them.

4. Copy of the interim application along with document attached therewith be supplied to them by email.

5. List for further consideration on the date fixed for hearing i.e. 24.11.2023.

6. In view of the facts and circumstance of the case, we also consider personal appearance of the Principal Secretary, Environment, Government of Punjab, Member Secretary, CPCB and Member Secretary Punjab PCB through VC or physically on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are directed to remain present before this Tribunal on that date.

7. A copy of this order be sent to Principal Secretary, Environment, Government of Punjab, Member Secretary, CPCB and Member Secretary Punjab PCB by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 08, 2023  
AG