Before the Hon'ble National Green Tribunal

Principal Bench, New Delhi

I.A. No. 813 of 2023

O.A. No. 606 of 2022

In the matter of:

Public Action Committee & Ors. ...Applicants

Versus

State of Punjab & Others ...Respondents

Index

Dated: 2.1.24, New Delhi

Filed by:

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Before the Hon'ble National Green Tribunal

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I.A. No. 813 of 2023

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In the matter of:

Public Action Committee & Ors. ...Applicants

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Reply Affidavit on behalf of R-8

1. This is the reply affidavit filed by the Sanja Morcha Zira, respondent no. 8. To the I.A. No. 813/2023 filed by the Respondent no. 7, Malbros Industry. This affidavit is being filed by Fateh Singh, S/o Rajbir Singh, Male, aged 37 years, resident of village- Ratol Rohi, Tehsil-Zira, District- Ferozepur, Punjab who is presently at New Delhi and is a representative of the respondent no. 8 herein, he does hereby solemnly affirm and state as under:
2. I have gone through the contents of the application filed by industry and the contents mentioned in the application are wrong and denied. Nothing in that application shall be deemed to be admitted by me unless specifically mentioned herein.

NOTARY Debajyoti Bekuria Advocate Regn. No. 19716 Period: 24/02/2020 to 24/02/2025 Central Delhi GOVT. OF INDIA

Industry sole source of pollution. CPCB report shows the epicenter of pollution is within industry.

Two borewells present inside the industry displayed highest amount of pollution

3. It is submitted that the IA preferred by the industry herein seeks declaring CPCB report as null and void, in addition prays for a fresh inspection be conducted in their industry. This prayer is vehemently contested by the respondent herein as the CPCB report has done an honest assessment of the area and has pointed to the cause of the pollution and its epicenter is in M/s Malbros International Pvt. Ltd.

4. In the report of CPCB, the 29 samples of water from borewells within and around the industry premises were checked. Out of the 29 samples, **two borewell samples at s. no. 26 and 27** in the table 3 on page 504 of the CPCB report are most important as these two borewells are present inside the industry. They are among the three borewells that show water which is of **blackish color** apart from unpleasant odour in the entire list of 29 borewells which were studied by the CPCB report.

5. Further, as per table 4 and table 5 on page 505 and 506 in terms of turbidity these two borewells show **turbidity levels of 1323 and 1191 respectively when the acceptable limit is 1**. When one compares this turbidity level with other samples collected from 27 other borewells the third worst is at 166 at S. No. 13 in the village Ratol Rohl and the rest of the others are at 12, two are at 5, one is at 4, nine are at 2, thirteen are at 1. Therefore, it can be seen clearly that these two borewells are not only far above the acceptable and permissible limits but also way ahead of all other samples which were taken in the 5 Km radius. What is clear is that these two borewells were present inside the industry and thus conclusively shows that the highest pollutant levels are present within industry premises.

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6. Further, as per table 6 and table 7 on pages 508 and 509 on analysis of heavy metals and toxic parameters, it is clearly seen that the **Chromium** - in these two particular borewells which were present inside the industry

is **6-7 times above limit**, in two other borewells it is found within permissible limit and in remaining 25 borewells it is not detected at all.

7. Similarly, when it comes to **iron it is found at 650 times and 800 times above permissible limit in these two borewells**. The values found in these two borewells are 243.53 and 206.62 whereas the third highest in the remaining is 10.69 and rest are below including 22 which are within permissible limit of 0.30.

8. In terms of **Manganese, the values in these two borewells are 32 and 37 times above permissible limit.** The values found in these two are 3.28 and 3.72. The third highest value in the remaining samples is 0.56 and 24 borewells are within limit. When it comes to **Nickel - 10 and 11 times above permissible limit** in these two specific borewells whereas BDL or not detected in all remaining 27 borewells. Whereas when it comes to **lead** it is **8 and 13 times above permissible limit** in these two specific borewells. Third highest is at 3 times the limit. In one borewell it is within permissible limit. Rest 25 borewells it is not detected at all.

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Company doesn't deny the findings of CPCB report in respect to two borewells present inside its industry

9. As mentioned above, the CPCB report clearly demonstrates that the epicenter of toxicity and pollution in the ground water is in the very two borewells which are present inside the industry i.e. borewell 4 and 5 which are located within the factory and very close to each other. From this epicenter here the pollution flows outward to other areas in the region.

10. The company's attempt today to show that there are other sources of pollution such as fertilizers is a bald lie and falls flat as the epicenter of

the pollutants is inside the industry and the source of pollution is reverse boring. If the cause was fertilizer or other agro-chemicals then nothing explains the severity of pollution present inside these two borewells which are present inside the industry. These two borewells are orders of magnitude ahead of others in terms of levels of toxic parameters. It is pertinent to note that there is no other industry and factory present in that area except the Malbros International.

11. Further, it is not possible that in the pesticides there is high level of presence of iron, chromium, manganese and lead which were found present in some of the borewells of the villages which were present in the 5Km radius around the industry.

12. Moreover, the company has nowhere in its application preferred before this tribunal has denied the presence of the findings of the CPCB which were found inside its industry.

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Industry attempts to show that no notice was given misleading. Company representative was duly present during sampling.

13. The CPCB in its response to this IA to this Hon'ble Tribunal has stated that a team of members comprising of officials of CPCB and CGWB had visited the industry over a period of **three days between 22 and 24 Feb 2023** for site inspection and collecting samples specifically concerning ground water pollution.

14. The CPCB has followed every rule of the book as is evident from their response to this IA. This attempt by Respondent No. 7 is not only devoid of merit but they have also made statements which are factually incorrect and misleading. **They have also not presented the facts that their senior functionaries Mr. Nikhil Kumar, ZLD Manager and Mr.**

Arvind Maurya, WTP incharge were present during the entire duration of three days the inspection. This is evident from their signatures on notices signed by them. The photographs to show they were present inside are annexed herewith as Annexure A-1.

15. The visit of the CPCB/CGWB team lasted 3 days and not mere 2.5 hours has been clarified by CPCB. The geo-tagged and time-stamped photographs taken at the time of sampling provided by CPCB in its reply to this IA clearly show that this is also a false accusation by R7.

16. It is submitted that the Para No. 3 of the IA is about admissibility of the CPCB reports. As the allegations made by Respondent No. 7 about procedures and protocols themselves are factually incorrect, they cannot form the basis of nullifying the thorough and professional reports and hard work of the CPCB/CGWB joint team. Such nitpicking based on misleading and false facts cannot be allowed to derail the entire process.

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PPCB subsequently reverses its findings and takes criminal action against the Malbros Industry

17. The joint team of CPCB and CGWB conducted a thoroughly professional inspection and caught the industry red handed. This also blew the lid over this collusion between PPCB officials and Respondent No. 7. Thereafter PPCB was left with only two choices. They could go along with CPCB or challenge the CPCB reports. PPCB knew that its game was over so to save its skin they accepted CPCB report in toto without any demur and launched subsequent actions like criminal prosecution against Respondent R7 as per law.

18. The company has stated that the PPCB has completely ignored its own previous reports as well as the reports including one by the **office of the**

monitoring committee appointed by this Hon'ble Tribunal headed by a retired judge of Punjab and Haryana High Court and another one by Joint Action Committee again appointed by this Hon'ble Tribunal and has blindly followed CPCB directions. It is humbly submitted that in all of these three reports the actual sampling and testing on the ground was done by PPCB officials only. **PPCB is also the same agency that was monitoring this industry for a long time and turning blind eye to their brazen acts of pollution** and to the complaints of local residents for more than a decade. Any violation by the industry happening for a long time also implies culpability of the regulatory authority under whose immediate jurisdiction and watch such a violation happened.

19. In addition, the office of the monitoring committee was compromised by the company. The report though showed the presence of pollutants and contamination of water in the area but it wrongly gave a clean chit to the M/s Malbros Industry for this by blaming the domestic fecal instead.

20. The reports of the CPCB etc. mentioned above demonstrate clearly that this was a collusive report made to whitewash the illegalities of the company and therefore it is requested that no reliance be placed on this report which is clearly a report manufactured and submitted in the NGT for and on behalf of the polluting company.

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21. Further the role of the PPCB over years has been in collusion with the company. Until this OA was filed and these proceedings started the PPCB and the company collusively covered up for the pollution. It is only when the CPCB and other agencies made genuine technical reports highlighting the pollution that it became clear that the PPCB was not doing its role of investigation in accordance with law. PPCB is also the same agency that was monitoring this industry for a long time and turning blind eye to their brazen acts of pollution and to the complaints of local

residents for more than a decade and a half. Any violation by the industry happening for a long time also implies culpability of the regulatory authority under whose immediate jurisdiction and watch such a violation happened, namely PPCB.

22. Having said that, the subsequent conduct of the PPCB in prosecuting the company and accepting the findings of the CPCB deserves to be recognised even though belatedly, the PPCB is attempting to perform its duties in accordance with law. Only time will tell as to whether the PPCB will genuinely and honestly come on the right track.

23. That PPCB acted on directions of CPCB based on the observations and violations observed during the inspection conducted in and around the industry, specifically concerning groundwater pollution. The 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. Subsequently, PPCB vide letter dated 21.06.2023 has also informed that they filed a complaint before the Chief Judicial Magistrate, Ferozepur, Punjab section 43, 44 read with section 47 of the Water (Prevention and Control / Pollution) Act, 1974 on 19.06.2023.

24. Subsequently, PPCB vide letter dated 21.06.2023 has also informed that they filed a complaint before the Chief Judicial Magistrate, Ferozepur, Punjab section 43, 44 read with section 47 of the Water (Prevention and Control / Pollution) Act, 1974 on 19.06.2023. The Morcha is also filing an intervention application in this criminal case representing the aggrieved villagers before the court. The criminal court case initiated by the PPCB against the Mabros International has been marked herein as **Annexure B.** The PPCB in its complaint before the Court of Chief Judicial Magistrate, Ferozepur stated:

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Advocate
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"That there are complaints against M/s Malbros International Pvt. Ltd. situated at Village Mansoorwal, Tehsil Zira, District Ferozpur for contaminating soil as well as ground water table and quality in the radius of 4 kilometers by dumping the effluent after excavating the top surface of its adjoining plot as well as by discharging the same into the eath by method of deep reverse boring."

Desperate attempt by company to mislead by citing water flow direction

25. It is submitted that the "Akshat report" being relied by the company acquired through a private company regarding the water flow direction is unreliable. These samples were taken in June 2023 which is the time when maximum pumping of water is happening in the farms of Punjab due to paddy cultivation season. The levels of ground water fluctuate in this season depending on pumping levels which in turn depend on electricity supply to the area which runs the pumps.

26. The CGWB has on the other hand taken water levels during the month of February 2023 when no such large-scale pumping is happening in farmlands. The data of CGWB are therefore not directly comparable to this report due to different seasons in which data was collected. Reliability of CGWB report is far higher as it was taken in non-pumping season for agriculture besides the fact that it is the most unbiased and authoritative agency on the subject unlike the private report acquired by the company. This NNW flow as shown in CGWG report is confirmed by the fact that polluted water emerged from the Gurdwara which is in the NNW direction and members of the Gurdwara and the persons attending the Gurdwara reported of pollution.

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27. It is also clear from the elevation levels of Malbros, Mansoorwal, Mahianwala Kalan are very near to each other being 171.57 - 172.13 meters above mean sea level which means the gradient in the area is very gentle.

28. Moreover, it is submitted that the sugar mill which existed at the place was closed down. The liquor plant of the company started in the area around 2007 while the ethanol plant started operating in February 2022 after which the level of pollution in the groundwater increased at an unprecedented rate.

I Identified the deponent who has signed in my presence.

Deponent

Verification

02 JAN 2024

Verified at New Delhi on the 2nd day of December, 2024 that the contents of the affidavit are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

Deponent

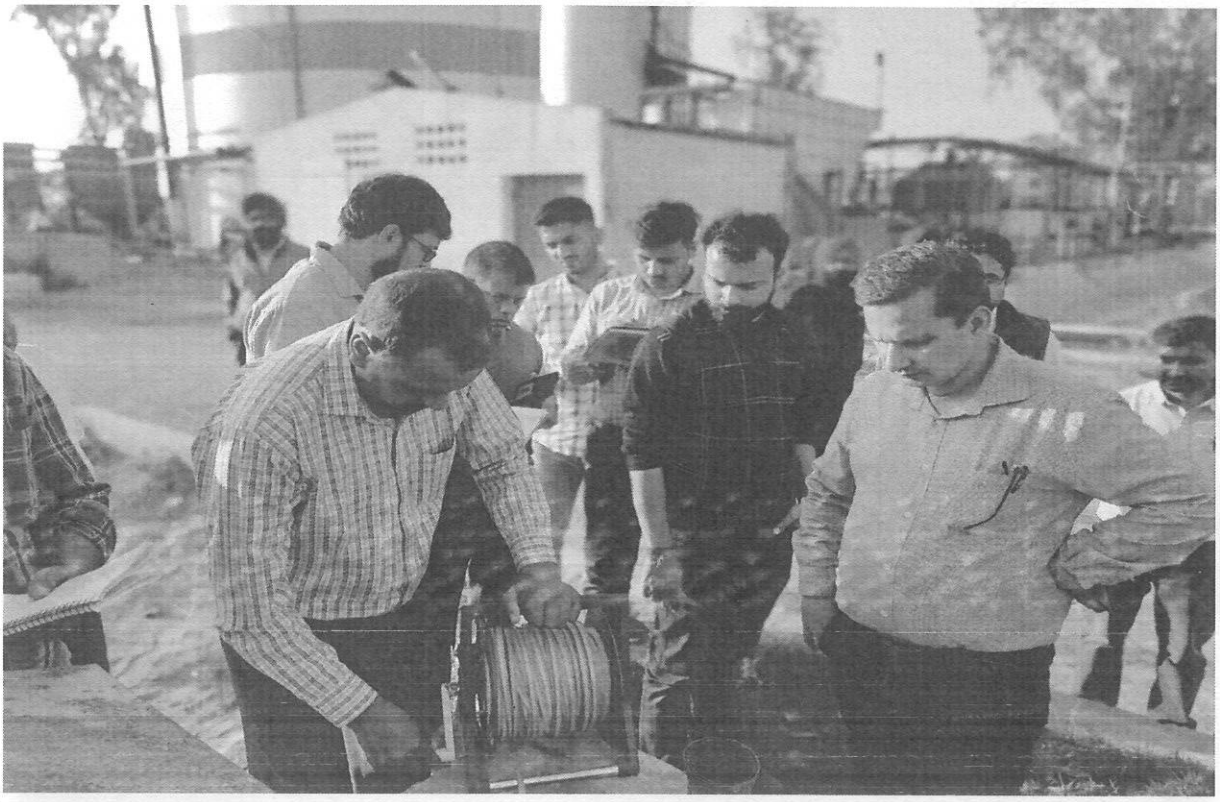
NOTARY Debajyoti Behuria Advocate Regn. No. 19716 Period: 24/02/2020 to 24/02/2025 Central Delhi GOVT. OF INDIA

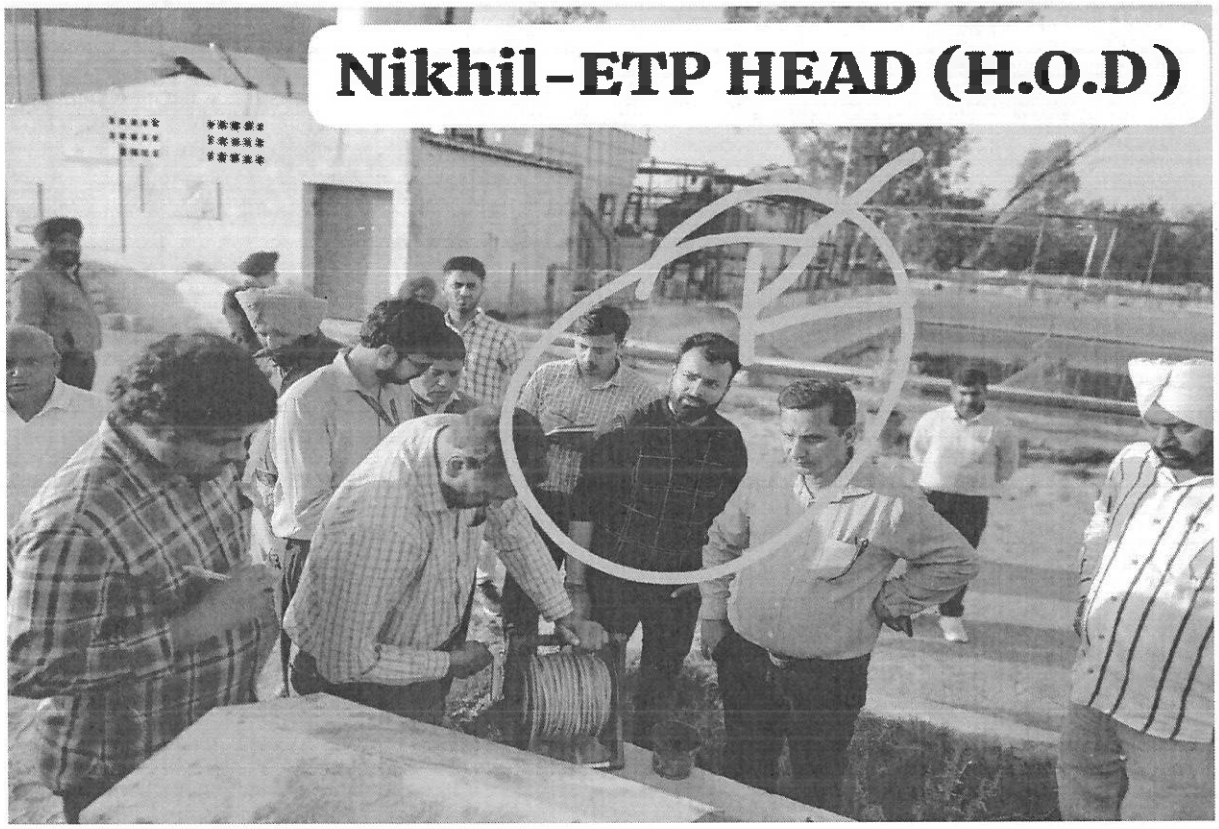
CERTIFIED THAT THE DEPONENT Sri/Smt./Km. Pritpal Singh S/o, W/o, D/o Pritpal Singh R/o Kanwaljeet Kaur, Delhi Identified by has Solemnly affirmed at New Delhi on 02 JAN 2024 65 That the Contents of the affidavit which have been read & explained to him are true and Correct to this knowledge.

Notary Public

Photos

Annexure A1




Nikhil-ETP HEAD (H.O.D)

Annexure A-2

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, FEROZEPUR.

Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala through its Environment Engineer, Sadik Chowk, Ferozepur Road, Near Grain Market, Faridkot.

Versus

1. M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur through its President
2. Dr. Sapan Kumar, President Cooperate Affairs of M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur.
3. Sh. Rohit Sethi S/o Sh. Ashok Kumar Sethi, Director of M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur resident no. # 25, Adarsh Nagar, Old Cantt. Road, Faridkot-151203
4. Sh. Gautam Malhotra, Director of M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur resident no. # 40, North Avenue, Punjabi Bagh, Delhi-110026

Complaint u/s 43, 44 read with Section 47 of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 for violation of section 24, 25, 26 of the said Act.

Sir,

Respectfully, it is submitted as under: -

1. That the Punjab Pollution Control Board was constituted on 30.07.1975 under section 4 (1) of the Water (Prevention & Control of Pollution) Act, 1974 with an objective for the prevention & control of water pollution and maintaining or restoring of wholesomeness of water in the State of Punjab. The Board is deemed to be the State Board for the prevention and control of Air pollution as constituted u/s Air (Prevention & Control of Pollution) Act, 1981. The Board is having its Head Office / branch office on the above said address for achieving the objectives of the said Acts. The Board is a body corporate with the name aforesaid having perpetual succession and a common seal with the power to sue and be sued in its own name.

2. That the complainant Board has been constituted with an objective of Prevention & Control of Pollution of both Air & Water. The Board thus has paramount duty of restoring the wholesomeness of both air and water in the territory under its control i.e. the State of Punjab.

3. That vide its Resolution dated 30/09/1985 the Board has authorized its Environmental Engineer's and Assistant Environmental Engineer's to sign, verify and to file the complaints in the Competent Court of Law against the defaulter industries through its Directors, Managers, Partners, Officials, who are responsible for the conduct/ functioning and day to day business of the industry. A notification to this effect has also been issued by the State Government and the present complaint is filed by the Environmental Engineer of the Punjab Pollution Control Board, Regional Office, Faridkot **(Attested Photocopy of resolution is annexed as Annexure-C – 1).**

4. That Accused No. 1 is a company as defined under section 47 of the Water (Prevention & Control of Pollution) Act, 1974 and has been established under the name and style of M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur. Accused no.2 namely Dr. Sapan Kumar is the President Cooperate Affairs of accused no.1, Accused no. 3 namely Sh. Rohit Sethi is the Director and Accused no.4 Sh. Gautam Malhotra is the Director of accused no.1 M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepur and as such are incharge of and responsible for the conduct, day to day business / functioning of accused no.1. Thus accused no. 2, 3 and 4 are liable to be proceeded against for the offences committed by accused no.1 under the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

5. That it is mandatory on the part of the accused industrial unit to operate the industrial unit after obtaining the requisite consent to operate of the complainant Board under the provisions of the Water (Prevention and Control of Pollution) Act, 1974, but accused no.1 has failed to obtain the consent to operate of the Board under the said Water (Prevention and Control of Pollution) Act, 1974.

6. That there are complaints against M/s Malbros International Pvt. Ltd. situated at Village Mansoorwal, Tehsil Zira, District Ferozepur for contaminating soil as well as ground water table and quality in the radius of about 4 kilometers by dumping the effluent after excavating the top

earth surface of its adjoining plot as well as by discharging the same into earth by method of deep reverse boring. In this regard, the nearby villagers have constituted a Public Action Committee and an Original Application No. 606 of 2022 has also been filed before the Hon'ble National Green Tribunal at New Delhi.

7. That the accused M/s Malbros International Pvt. Ltd. was earlier granted varied consent to operate by the complainant Punjab Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 vide letter dated 12.11.2021 having validity upto 13.12.2022 for operation of the unit for production of Grain Based Anhydrous Denatured Ethanol/ ENS/RS/Industrial Alcohol Plant @ 280 KLD, Animal feed Supplement / Cattle Feed / Poultry Feed @ 140 MTD, Co-generation Plant @ 12 MW alongwith CO2 @ 125 MTD by using Nakku (Grain Unfit for human consumption) / Bajra / Maize / Sorghum @ 650 MTD as raw material. However, the consent to operate as applied by the industry under the Water (Prevention and Control of Pollution) Act, 1974 has been refused by the Board vide order dated 3.2.2023 due to certain reasons as mentioned therein. Copy of order dated 3.2.2023 of the Board is enclosed herewith as **Annexure C-2**.

8. That in reference to the matter of Urgent Public Importance raised during Zero Hour on 19.12.2022 by Shri Gurjeet Singh Aujla, Hon'ble MP and VIP reference of Shri Jasbir Singh Gill, Hon'ble M.P. Lok Sabha, Khadoor Sahib, Punjab regarding Ground Water contamination by M/s Malbros International Pvt. Ltd, Zira, District Ferozepur, the Central Pollution Control Board (CPCB) has conducted field visit in and around M/s Malbros International Pvt. Ltd, alongwith Central Ground Water Board (CGWB) from 22.02.2023 to 24.02.2023 and thereafter submitted inspection report dated 12.04.2023 alongwith conclusion and further course of action to the Punjab Pollution Control Board. That the conclusion drawn in the case and further course recommended by the Central Pollution Control Board in its report is reproduced herein below:

   i. Ground water level ranges from 28.44 to 32.07 m BGL (below ground level) in the study area in the monitored tube-wells 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 ground water in radius of 15 Kms, polluting drinking & irrigation water of over dozen villages". In

this regard, CPCB Team physically verified 10 Bore-wells and 06 Piezometers installed in the premises of the Industry. The representatives of the industry informed that they have obtained permission for 04 bore-wells and 02 piezometers from CGWB/PWRDA, however no details were provided. The industry was also asked to provide the date of installation and the assembly drawing of the bore-wells / piezometers installed in the premises, to know the depth of the bore-well and the zone tapped, but the details are still awaited despite follow up with PPCB and the Industry.

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-wells 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 mtr 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 (Lok Sabha), cannot be ruled out and thus needs further investigation by involving local revenue department, to know the details of the borewell Is existing at the time of acquiring the land from the local fanners, by the Industry.

vi. Out of 29 bore-well 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 instrumental analysis values fir 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 Teams 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 ground water was found to be affected with high concentration of metals and heavy metals (Toxic Elements) in three villages namely Mansoorwal, MahianwalaKaIan and &

Ratol Rohi and this finding is in line with the slop of water table in the area, as determined by the CGWB team.

ix. The presence of cyanide in the borewell located at Village & Ratol Rohi at a concentration of 0.2 mg, which is four times higher than the acceptable limit of 0.05 mg/1, as specified in IS 10500: 20.12 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 borewell was also found to be having high concentration of Arsenic and very high concentration of lead, as well.

x. One borewell 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 borewells located in the premises revealed that metals and toxic metals namely Arsenic, Chromium, Copper, Iron, Manganese, Nickel, Lead and Selenium, are present in very high concentration.

xii. The concentration of COD and Colour was also very high in these two bore-wells located in the premises of the Industry. The water from both the borewell was having black colour and foul odour, as observed during sampling. In these borewells, 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, 650-800 times, 32-37 times, 10-11 times and 8-13 times respectively in comparison to permissible limits specified in IS 10500:2012.

xiii. 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.

xiv. 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 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.

xv. 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 mg > 361 mg/Kg), while other elements were within limits. However, further investigation is required to find the contamination at deeper levels and also outside the premises, where photographic and videographic evidences are available, in the interest of public.

xvi. Local administration is required to take necessary action to red mark the contaminated bore-wells, to avoid use of contaminated ground water as drinking water, irrespective of the source of contamination, in the interest of public health.

xvii. Bio-magnification studies are required to know the effect of contaminated water on the crops and accumulation of contaminants in the agro crops and the health risk associated with it, so as to ensure corrective action on the basis of the outcome of the study, if required.

A copy of inspection report of Central Pollution Control Board is enclosed herewith as **Annexure C-3**.

9. That on the basis of the conclusions drawn in the inspection report, a Central Pollution Control Board has issued directions vide letter no.1246 dated 17.5.2022 u/s 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 to the Punjab Pollution Control Board for compliance. One of the directions is to take legal against the accused industry M/s Malbros International Pvt. Ltd. A copy of the directions dated 17.5.2022 issued by the Central Pollution Control Board to Punjab Pollution Control Board is enclosed herewith as **Annexure C-4**.

10. That the inspection report of the Central Pollution Control Board confirms the facts that the accused industry M/s Malbros International Pvt. Ltd. is causing pollution in an around the area of the industrial unit. The Punjab State Pollution Control Board is bound by the directions issued by the Central Pollution Control Board u/s 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974. Hence, the present complaint is being filed by the Punjab Pollution Control Board in compliance to the direction issued by the Central Pollution Control Board u/s 18 (1)(b) of the Water (Prevention and Control of Pollution) Act, 1974.

11. That the complaint is being made in writing by a Public Servant, acting or purporting to Act in the discharge of his official duties and as such, examination upon oath of the complainant and his witnesses may please be dispensed with in view of the 1st provision of section 200 of the Criminal Procedure Code, 1973 and the accused may please be summoned under section 204 of the criminal procedure code.

It is, therefore, respectfully prayed that accused no. 1, 2, 3 and 4 may kindly be summoned, be tried and punished in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988.

Submitted by

Note– List of witness sought to be produced and examined on behalf of the complainant Board is attached. Additional / supplementary list of witnesses shall be submitted shortly.

( )
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Faridkot
On behalf of
Punjab Pollution Control Board

Through Counsel

Date:

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, FEROZEPUR.

Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala through its Environment Engineer, Sadik Chowk, Ferozepur Road, Near Grain Market, Faridkot.

Versus

M/s Malbros International Pvt. Ltd., Village Mansoorwal, Tehsil Zira, District Ferozepu through its president and others.

Complaint u/s 43, 44 read with Section 47 of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 for violation of section 24, 25, 26 of the said Act.

LIST OF WITNESSES

Sir,

The complainant Board sought to produce and examine the following witness to prove the case.

1	Sh. Guneet Sethi, Environmental Engineer, Regional Office, Faridkot	Complainant
2	Dr. Narender Sharma Scientist 'E' Central Pollution Control Board, Regional Directorate, Chandigarh	(Site Inspection for Planning of Monitoring and Investigation and Investigation, Monitoring Sample Collection, Preservation and Transportation to CPCB, Head Office, Delhi
3	Sh. Amit Kumar Sagar JLA, Central Pollution Control Board	
4	Sh. Shubham, CA (S), Central Pollution Control Board	
5	Sh. Suraj Guleria, OA, Central Pollution Control Board	
6	Sh. K.G Bhartariya, Sc. B, CGWB	
7	Sh. Manish Shrivastav, Assistant Hydro geologist, CGWB	
8	Sample Analyst of Central Pollution Control Board, Head Office Laboratory, Delhi	Sample Testing

9	Assistant / Clerk, Punjab Pollution Control Board, Head Office, Patiala.	Resolution
10	Dispatch Clerk Regional Office, Faridkot	To prove the dispatch of notices.

Supplementary list of witnesses shall be submitted shortly.

Submitted by:

(Guneet Sethi)
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Faridkot

Date: 19-06-2023

SLIC
Socio-Legal Information Centre

Deepak Singh <deepak.singh@hrln.org>

O.A. No. 606 of 2022: Reply affidavit in I.A. no. 813 of 2023 on behalf of R-8

1 message

Deepak Singh <deepak.singh@hrln.org> Tue, Jan 2, 2024 at 10:11 PM
To: chairman.ptl.ppcb@punjab.gov.in, chairmanppcb@yahoo.co.in, zldmalbros@oasisgrp.in, seezobti@gmail.com, mattewarasutlejpac@gmail.com, msppcb@punjab.gov.in, rdchandigarh.cpcb@gov.in, ppcbfdk@yahoo.com, gurnamsingh.cpcb@nic.in, ccb.cpcb@nic.in, narendersharma.cpcb@gov.in, mscb.cpcb@nic.in

Dear Sir/Madam,
Please find the Reply affidavit in I.A. no. 813 of 2023 on behalf of R-8 (Sanjha Morcha Zira) in O.A. 606 of 2022 before the Hon'ble NGT, Principal Bench, Delhi. Please consider it as proof of advance service of the Reply affidavit in I.A. no. 813 of 2023 on behalf of R-8.
Thank you,
Regards,

Deepak Kumar Singh (Advocate)
Socio Legal Information Centre
576, Masjid Road, Jungpura,
New Delhi-110014

Reply affdavit in I.A. 813 of 2023 in O.A. 606 of 2022 dated 02.01.2024.pdf
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