

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

**Original Application No. 1295/2024**

**In the matter of:**

Munish Kumar

Applicant

Versus

State of Punjab


Respondent(s)

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Date:26.03.2025

Place: Ludhiana

  
Er. Amritpal Singh Chahal,  
Environmental Engineer,  
Punjab Pollution Control Board,  
Regional Office-4, Ludhiana  
M.no.: 8146662553  
Email ID: eero4ldh@gmail.com

(On behalf of Respondent no. 5)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI**

Original Application No. 1295 of 2024  
(IA NO 121/2025)

In the matter of:

Munish Kumar

Applicant

V/S

State of Punjab & Ors.

Respondent

Reply by way of affidavit of Er.Amritpal Singh Chahal, Environmental Engineer, Punjab Pollution Control Board, Regional Office-4, Ludhiana on behalf of respondent no.5 in compliance of order dated 21.02.2025.

I, the above-named deponent, do hereby solemnly affirm and state as under:

**Respectfully showeth**

1. That briefly submitted, in exercise of the suo moto powers, this Hon'ble Tribunal has taken cognizance of the above-mentioned case, wherein the applicants have alleged about the illegal operation of a red category unit Super Tractor Industry in residential area of Village Jasdev Singh Nagar, District Ludhiana, causing air and noise pollution due to operation of heavy machines and operation of Nickel Plants etc. thereby disturbing peace of people living in village.
2. That after consideration of the matter, this Hon'ble Tribunal was pleased to pass an order dated 25.11.2024 thereby constituting a Joint Committee comprising of the Central Pollution Control Board; Punjab Pollution Control Board and District Magistrate, Ludhiana with direction to visit the site, collect relevant information and submit a factual report to the Tribunal. In compliance, the Joint Committee report dated 31.12.2024 was filed before this Hon'ble Tribunal by the Central Pollution Control Board vide email dated 02.01.2025.
3. That in view of the averments made in the Original Application and the observations made by the Joint Committee, this Hon'ble Tribunal was pleased to pass an order dated 21.02.2025 thereby impleading the State of Punjab through Secretary, Environment; Principal Secretary, Housing and Urban Development,

Punjab; District Magistrate, Ludhiana; Central Pollution Control Board; Punjab Pollution Control Board and the Project Proponent Super Tractors Pvt Ltd, as party respondents with direction to file their response before the Tribunal.

4. That the deponent is presently working as Environmental Engineer in the Punjab Pollution Control Board and is posted at Ludhiana and as such is well conversant with the facts and circumstances of the present case. The deponent is competent and authorized to file and swear the present affidavit on behalf of respondent no.5 namely Punjab Pollution Control Board through Member Secretary. The present reply by way of the affidavit of the deponent is being filed in compliance to order dated 21.02.2025 of this Hon'ble Tribunal and the reply of the Board may kindly be read in the following paragraphs.
5. That briefly stated M/s Super Tractor Industries Private Limited, Ludhiana situated at village Gill Road, Ludhiana, is involved in the manufacturing of various tractor parts. The brief facts relating to industry are summarized herein below:
  - i) M/s Super Tractor Industries Private Limited comprises of four premises, designated as Location-I, Location-II, Location-III, and Location-IV.
  - ii) Each location is having its own electric connection and separate consent to operate obtained from the Punjab Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.
  - iii) The unit at Location-I is categorized as red category while the unit operating at Location-II, III, and IV has been categorized under the green category.
  - iv) The units of the industry operating at Location-II, III, and IV are having valid consents to operate of the Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 valid upto 10.04.2026.
  - v) The red category unit at Location-I of M/s Super Tractor Industries Private Limited, was established in the year 27.04.2004.
  - vi) The industry at Location-I was granted consent to operate on 09.08.2023 under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 with validity upto 30.08.2023 as upto the said date industries were allowed to operate in non-designated areas as per the policy of the State Government. The copies of consent to operate granted to the industry are enclosed as **Annexure R-5/A**.

- vii) Thereafter, the Consent to Operate (CTO) of the industry was not renewed by PPCB, because the unit did not obtain the revised suitability of site /continuity certificate from concerned authority namely Department of Town and Country Planning (DTP).
- viii) The red and orange category industries situated in Mix Land use Zone along the Road front can only be allowed beyond 4 Km from the municipal limits of Amritsar, Jalandhar and Ludhiana corporations, 3 Km from the limits of the other corporations and Class-A town limits and 2 Km from other towns as per letter no 5780-5812 CTP (PB)/SP-135 dated 24.09.2021 of Directorate of Town and country Planning. A copy of letter dated 24.09.2021 in English translation is enclosed as **Annexure R-5/B**.
- ix) The Industry at Location-1 is located in the mix land use zone along the road front and is situated at about 01 Km from the Municipal Corporation Ludhiana Limit and hence does not meet the siting criteria specified for the red category industries.
- x) In view of the above facts, the PPCB had issued directions under Section 31-A of the Air (Prevention & Control of Pollution) Act, 1981, as amended in 1987, to the Chief Engineer (DS-central) of the Punjab State Power Corporation Limited (PSPCL) on 05.08.2024, to disconnect the electricity supply to M/s Super Tractor Industries Private Limited, Ludhiana, Location-I, P.O. Gill Road, Ludhiana. A copy of the directions issued by the Board is enclosed as **Annexure R-5/C**.
- xi) Consequently, PSPCL has disconnected the electricity supply to the industry at Location-I on 20.08.2024.
- xii) The Joint Committee constituted by the Hon'ble National Green Tribunal had carried out site visit of the industry on 18.12.2024 and also interacted with the applicants in OA No.1295 of 2024 including the neighbors' and gathered the information about the unit.
- xiii) M/s Super Tractor Industries Pvt Ltd, Location-1 premise was earlier engaged in metal surface treatment process of various tractor parts with consented capacity of 10 MT/day through alkaline Zinc plating (02 Tanks) and wire drawing with pickling acid. However, as per details made available to the Joint Committee, the industry has not installed nickel plating and paint process as mentioned in the letter petition.
- xiv) It was observed by the Joint Committee that the industry (Location-I) has installed 04 forging machines and 10 power screw machines in location-01, which are used to shape metal of the tractor component parts. The industry

has installed 04 Forging machines and 10 Power screw machines in location-01 which are used to shape metal of the tractor component parts. It was observed that the industry has not provided any noise control system in the area where these machines are installed. However, at the time of visit, these machines were found non-operational.

- xv) It was observed by the Joint Committee that the unit has installed 16 computerized numeric-controlled machines (CNC) and 02 vertical machining controls (VMC), which are involved in various operations, such as cutting, drilling, and tapping, etc. These machines have been provided with an inbuilt acoustic enclosure, for noise pollution control. The Joint Committee observed that the machinery and equipment for alkaline zinc plating, wire drawing with a pickling acid tank, and five forging furnaces (furnace oil) have been removed and dismantled from the area. According to the unit representative, these machines have been sold. Additionally, the industry has replaced the oil-fired forging furnaces with an electric induction heater (with no fuel).
- xvi) As reported by the unit's representative, the 'Red category' process activities have been discontinued with effect from 20.08.2024.
- xvii) The Joint Committee also observed that the packaging area has been set up at the back of the complainant's house, and there is now no noise source in that section. The area next to the packaging section, which was previously used for alkaline zinc plating, no longer contains the machinery and equipment for this operation.
- xviii) The unit has installed 02 DG sets of 365 KVA, 35 KVA capacities with canopy and stack of adequate height.
6. That the industry at location I has now dismantled the polluting machinery which was earlier considered as red category. The machinery now available at location I is categorized as green category which according to the provisions of the Master Plan can be allowed to operate subject to the compliance of suitable conditions and the concurrence of the District Town Planner, Ludhiana.
7. That the report / reply is hereby submitted in compliance to order dated 21.02.2025.

It is, therefore, prayed that the Original Application filed by the applicant may kindly be disposed of with appropriate orders in view of the submissions made in the reply herein above.



Deponent

(Er. Amritpal Singh Chahal)  
Environmental Engineer,  
Punjab Pollution Control Board,  
Regional Office-4, Ludhiana

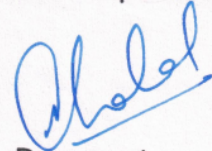
(On behalf of Respondent no. 5)

Date: 17.03.2025

Place: Ludhiana

#### Verification

Verified that the contents of paragraphs 1 to 7 of the above short reply by way of affidavit of the deponent are true and correct as derived from the official record. No part of the above short reply is false and nothing material has been kept concealed therein.



Deponent

(Er. Amritpal Singh Chahal)  
Environmental Engineer,  
Punjab Pollution Control Board,  
Regional Office-4, Ludhiana

(On behalf of Respondent no. 5)

Date: 17.03.2025

Place: Ludhiana



## PUNJAB POLLUTION CONTROL BOARD

Zonal Office-II, E-648-B, Backside CICU Office, Phase-5, Focal Point, Ludhiana.

Website:- www.ppcb.gov.in



Office Dispatch No :	Registered/Speed Post	Date:
Industry Registration ID: R16LDH44087054		Application No : 21394284

To,  
**Ravinder Singh**  
 P.o. Gill, Gill Road, Ludhiana  
 Ludhiana, Ludhiana-141116

Subject: Renewal of consent no. CTOW/Renewal/LDH4/2022/19943495 dated 14.10.2022 granted under the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

### 1. Particulars of Consent to Operate under Water Act, 1974 granted to the industry

Consent to Operate Certificate No.	CTOW/Renewal/LDH4/2023/21394284
Date of issue :	09/08/2023
Date of expiry :	30/08/2023
Certificate Type :	Renewal
Previous CTO No. & Validity :	CTOW/Renewal/LDH4/2022/19943495 From:14/10/2022 To:13/04/2023

### 2. Particulars of the Industry

Name & Designation of the Applicant	Sharandeep Singh, (Director)
Address of Industrial premises	Super Tractor Industries Pvt Ltd, Location-i, P.o. Gill, Gill Road, Ludhiana -, Ludhiana East, Ludhiana Iv-141116
Capital Investment of the Industry	375.95 lakhs
Category of Industry	Red
Type of Industry	1044-Industry or process involving metal surface treatment or process such as pickling/electroplating/paint stripping/heat treatment using cyanide bath/ phosphating or finishing and anodizing / enamellings/ galvanizing
Scale of the Industry	Small
Office District	Ludhiana Iv

This is with reference to the request made by the industry for grant of consent of the Board under the Water (Prevention & Control of Pollution) Act, 1974.

The validity of consent to operate granted to the industry vide no. CTOW/Renewal/LDH4/2022/19943495 dated 14.10.2022 (Expiry on 13.04.2023) under the Water (Prevention & Control of Pollution) Act, 1974, is hereby renewed upto 30.08.2023 with the same conditions as mentioned therein and additional conditions that:-

1. The industry shall not operate between 10:00 pm to 06:00 am keeping in view of the grievance of the complainant.
2. The industry will comply with the zoning regulation as per Master Plan of Ludhiana and shall shift to designated place as and when asked by the Board.
3. The industry shall not carryout any industrial activity in the newly constructed shed and shall obtain necessary permissions from requisite departments.
4. If industry found violating the provision of Water Act, 1974 and Air Act, 1981 then the temporary restoration of electric connection will be withdrawn without giving any opportunity.

All other contents shall remain unchanged. This letter shall remain appended with the original consent issued to the industry under the Water (Prevention & Control of Pollution) Act, 1974.

Samita

09/08/2023

( Samita )  
Environmental Engineer

For & on behalf

of

(Punjab Pollution Control Board)

Endst. No.:

Dated:

A copy of the above is forwarded to the following for information and necessary action please:

The Environmental Engineer, Punjab Pollution Control Board, Regional Office-4, Ludhiana. He is requested to ensure the compliance of the conditions of consent granted under the Water (Prevention & Control of Pollution) Act, 1974.

Samita

09/08/2023

( Samita )  
Environmental Engineer

For & on behalf

of

(Punjab Pollution Control Board)



## PUNJAB POLLUTION CONTROL BOARD

Zonal Office-II, E-648-B, Backside CICU Office, Phase-5, Focal Point, Ludhiana.

Website:- www.ppcb.gov.in



Office Dispatch No :

Registered/Speed Post

Date:

Industry Registration ID: R16LDH44087054

Application No : 21394340

To,

Sharandeep Singh  
P.o. Gill, Gill Road, Ludhiana  
Ludhiana,Ludhiana-141116

Subject: Renewal of consent no. CTOA/Renewal/LDH4/2022/19943493 dated 14.10.2022 granted under the provisions of the Air (Prevention & Control of Pollution) Act, 1981.

### 1. Particulars of Consent to Operate under Air Act, 1981 granted to the industry

Consent to Operate Certificate No.	CTOA/Renewal/LDH4/2023/21394340
Date of issue :	09/08/2023
Date of expiry :	30/08/2023
Certificate Type :	Renewal
Previous CTO No. & Validity :	CTOA/Renewal/LDH4/2022/19943493 From:14/10/2022 To:13/04/2023

### 2. Particulars of the Industry

Name & Designation of the Applicant	Sharandeep Singh, (Director)
Address of Industrial premises	Super Tractor Industries Pvt Ltd, Location-i, P.o. Gill, Gill Road, Ludhiana -, Ludhiana East,Ludhiana Iv-141116
Capital Investment of the Industry	375.95 lakhs
Category of Industry	Red
Type of Industry	1044-Industry or process involving metal surface treatment or process such as pickling/electroplating/paint stripping/heat treatment using cyanide bath/ phosphating or finishing and anodizing / enamellings/ galvanizing
Scale of the Industry	Small
Office District	Ludhiana Iv

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Super Tractor Industries Pvt Ltd, Location-i,P.o. Gill, Gill Road, Ludhiana -,Ludhiana East,Ludhiana Iv,141116

Page1

This is with reference to the request made by the industry for grant of consent of the Board under the Air (Prevention & Control of Pollution) Act, 1981.

The validity of consent to operate granted to the industry vide no. CTOA/Renewal/LDH4/2022/19943493 dated 14.10.2022 (Expiry on 13.04.2023) under the Air (Prevention & Control of Pollution) Act, 1981, is hereby renewed upto 30.08.2023 with the same conditions as mentioned therein and additional conditions that:-

1. The industry shall not operate between 10:00 pm to 06:00 am keeping in view of the grievance of the complainant.
2. The industry will comply with the zoning regulation as per Master Plan of Ludhiana and shall shift to designated place as and when asked by the Board.
3. The industry shall not carryout any industrial activity in the newly constructed shed and shall obtain necessary permissions from requisite departments.
4. If industry found violating the provision of Water Act, 1974 and Air Act, 1981 then the temporary restoration of electric connection will be withdrawn without giving any opportunity.

All other contents shall remain unchanged. This letter shall remain appended with the original consent issued to the industry under the Air (Prevention & Control of Pollution) Act, 1981.

Samita

09/08/2023

( Samita )  
Environmental Engineer

For & on behalf

of

(Punjab Pollution Control Board)

Endst. No.:

Dated:

A copy of the above is forwarded to the following for information and necessary action please:

The Environmental Engineer, Punjab Pollution Control Board, Regional Office-4, Ludhiana. He is requested to ensure the compliance of the conditions of consent granted under the Air (Prevention & Control of Pollution) Act, 1981.

Samita

09/08/2023

( Samita )  
Environmental Engineer

For & on behalf

of

(Punjab Pollution Control Board)

# Annexure R5/B

# 101

Directorate of Town and Country Planning Punjab  
Notification

10

## Amendment in Unified Zoning Regulations of Master Plans

No.

Dated:

In pursuance to the decision of 40<sup>th</sup> meeting of Punjab Regional and Town Planning and Development Board held on 23.10.2020, a public notice was published on 20.11.2020 for inviting objections/suggestions from the general public to allow Red, Orange and Green Category Industry with certain conditions to be setup beyond Master Plans and in Agriculture zones, within Master Plans except SAS Nagar & New Chandigarh Master Plans and GMADA Regional Plan.

29 Objections/suggestions were received along with comments of PPCB, the issue was deliberated in the 41<sup>st</sup> meeting of the Board held on 01.04.2021 and the Board constituted the committee to review this issue.

The recommendations of the committee were placed before the Board in its 42<sup>nd</sup> meeting held on 2.08.2021 and after deliberations Board approved the following: -

### A. Industry in Rural and Agriculture Zone:

- (i) Setting up of Green and Orange industries shall be permitted in the Rural and Agricultural Zone of all Master Plans and Proposed Land Use Plan Lalru, except SAS Nagar & New Chandigarh Master Plan and GMADA Regional Plan (excluding Proposed Land Use Plan Lalru), subject to the following conditions:
1. Area should not have been marked as no industry zone by the Department of Town and Country Planning.
  2. Site area must be half acre or more.
  3. Green category units must be at least 100 meters from abadi (15 pucca houses or more). Orange category units must be at least 250 meters away from abadi (50 pucca houses or more), but there should be no cluster of 15 pucca houses or more within 100 meters of such units.
  4. Industry must be zero discharge or must have consent of potential user for use of treated water.
  5. Right of way must be at least 6 Karam.
  6. Adequate space to widen rural link road to be 60 feet must be left in front of the plot i.e. boundary wall will be constructed at 30 feet measured from the center of abutting road. Area outside will be transferred free of cost to Govt./such public authority which will construct the road.
  7. Similarly, in case of state highways scope for widening will be kept 150 feet or as per Master Plan. Area outside will be transferred free of cost to Government/such public authority as in para 6 above.
- (ii) Abadi/ residential area would be defined as a designated residential area notified/ approved by a Competent Authority (PUDA/ Municipal Corporation/ Municipal Council/ Improvement trust or any other authority or agency of the Government) or a cluster of pucca houses.

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- 11
- (iii) Wherever specific siting guidelines are prescribed by State Govt./ PPCB, etc. for industries vis-à-vis residential areas/ other establishments, the liability to adhere to these guidelines shall lie with the activity which comes later on vice-versa principles.
- (iv) Wherever green buffer zone is required as per the PPCB norms, the activity which will comes later shall be liable to adhere to the norms of reserving minimum green buffer as per requirements from their own land.

**B. Industry in the Mix Land Use Zone:**

- (i) All Orange and Red category of industries along with other activities permissible in Mix Land Use Zone shall be allowed along the highway/ major roads beyond 4 kilometers from the municipal limits of Amritsar, Jalandhar and Ludhiana Corporation, 3 kilometers from the limits of other Corporation and Class-A town limits, and 2 kilometers from other towns.
- (ii) No new residential development shall be permitted in the Mixed Land Use Zone, wherein Red and Orange industries are being permitted.
- (iii) Wherever specific siting guidelines are prescribed by State Govt./ PPCB, etc. for industries vis-à-vis residential areas/ other establishments, the liability to adhere to these guidelines shall lie with the activity which comes later on vice-versa principles.
- (v) Wherever green buffer zone is required as per the PPCB norms, the activity which will comes later shall be liable to adhere to the norms of reserving minimum green buffer as per requirement from their own land.

**C. Industries in Industrial Mixed Zone within the Municipal Limits:**

- (i) No new industrial units shall be allowed to be set up in the Industrial Mixed Zone within the municipal limits.
- (ii) All modernization/expansion within the existing industrial premises shall be permitted with no increase in pollution load on environment.
- (iii) All expansion beyond the limits of existing industrial premises shall only be permitted for Green category industries, and shall be subject to fulfilling of the following conditions:
- (a) Use of Rice husk, Coal, wood and Pet coke as fuels shall not be permitted.
- (b) Use of ZLD effluent treatment technology by the individual unit or treatment through CETP based on ZLD technology.
- (c) Wherever specific siting guidelines are prescribed by State Govt./ PPCB, etc. for industries vis-à-vis residential areas/ other establishments, the liability to adhere to these guidelines shall lie with the activity which comes later on vice-versa principles.
- (d) Wherever green buffer zone is required as per the PPCB norms, the activity which will comes later shall be liable to adhere to the norms of reserving minimum green buffer as per requirement from their own land.

Board also decided to amend the condition of minimum approach road for industries as specified in the unified zoning regulations from 16'-6" to 6 karam in the state of Punjab. Moreover, land for road widening shall be transferred free of cost to the Government / Public Authority.

Accordingly, the amendments in the provisions of Unified Zoning regulations to this extent is hereby notified u/s 70(5) of the Punjab Regional and Town Planning and Development Act, 1995.

It shall come into operation from the date of its notification

This issues with the approval from the Government Dated 17.09.2021

Chief Town Planner Punjab  
PUDA Bhawan, 6<sup>th</sup> Floor,  
Sector-62, SAS Nagar

Endst. No.

A copy with a spare copy is forwarded to the Controller, Printing & Stationary, Punjab, Ajitgarh with a request to publish this notification in the Punjab Government Gazette and 100 copies thereof may be supplied to this Department for official use, at office of Chief Town Planner Punjab 6<sup>th</sup> Floor PUDA Bhawan, SAS Nagar.

Chief Town Planner,  
Punjab.

Endst. No.

A copy is forwarded to Principal Secretary, Housing & Urban Development Department Punjab, Chandigarh w.r.t. approval of the Government dated 17.09.2021 for information.

Chief Town Planner,  
Punjab.

Endst. No.

A copy is forwarded to Principal Secretary, Department of Industries Punjab, Chandigarh for information and necessary action.

Chief Town Planner,  
Punjab.

Endst. No.

A copy is forwarded to Principal Secretary, Department of Local Government Punjab, Chandigarh for information and necessary action.

Chief Town Planner,  
Punjab.

Endst. No.

A copy is forwarded to C.E.O Punjab, Bureau of Investment Promotion, Chandigarh for information and necessary action.

Chief Town Planner,  
Punjab.

Endst No.

CTP(PB)/

Dated

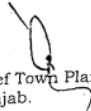
A Copy is forwarded to Chief Administrator, GMADA, SAS Nagar, GLADA, Ludhiana, JDA Jalandhar, BDA Bathinda, ADA Amritsar. PDA Patiala for information and necessary action.

Chief Town Planner,  
Punjab.

Endst No. 5780-5816 CTP(PB)/SP-135 Dated 24-09-2024

A Copy is Forwarded to the following for information: -

1. Chairman, Punjab State Power Corporation Ltd. (PSPCL), Patiala.
2. Chairman, Punjab State Tea & Coffee Corporation Ltd. (PSTCL), Patiala.
3. Chairman, Punjab Pollution Control Board, Patiala.
4. Chief Conservator of Forests, Punjab, Chandigarh.
5. Managing Director, PIDB, Punjab, Chandigarh.
6. Managing Director, Punjab INFOTECH, Chandigarh.
7. Managing Director, Punjab Water Supply & Sewerage Board, Chandigarh
8. Director, Local Govt. Punjab, Chandigarh.
9. Chief Town Planner, PUDA
10. All the Senior Town Planners.
11. All the District Town Planners.
12. General Manager (IT), PUDA (along with the copy of notification with a request to upload it on web site [www.puda.gov.in](http://www.puda.gov.in) and [www.pbhousing.gov.in](http://www.pbhousing.gov.in))

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Chief Town Planner,  
Punjab.



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, E-648-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana  
E-mail: seezo2ldhppcb@yahoo.com

Ph No. 0161-2670141

No. PPCB/SEE/ZO-2/LDH/2024/.....

Regd.

Dated .....

To

M/s Super Tractor Industries Pvt. Ltd,  
Location-I, P.O. Gill, Gill Road,  
Ludhiana.

Subject:

Directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987.



Whereas, it is obligatory on part of the industry to obtain 'consent to establish' (NOC) u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, it is also mandatory on part of the industry to obtain consent to operate an outlet u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 for discharge of emissions from its industrial premises.

And whereas, it is also mandatory on part of the industry to provide adequate & appropriate pollution control arrangements to bring down the concentration of various pollutants within the permissible limits prescribed by the Board.

And whereas, the industry has not obtained Consent to Establish (NOC) from the Board and was identified by the officers of the Board. The industry had obtained fresh CTO under Air Act, 1981 and Water Act, 1974 on dated 03.06.2016. The industry was given continuity certificate u/s 79 of PRPA Act at that time.

And whereas, the industry was lastly granted Consent to operate under the Water Act, 1974 vide no. CTOW/Renewal/LDH4/2023/21394284 and under the Air Act, 1981 vide no. CTOA/Renewal/LDH4/2023/21394340 dated 09.08.2023 both were valid up to 30.08.2023 as the industry was allowed to operate at the site up to 10.09.2023.

And whereas, the Department of Housing and Urban Development vide its notification no. 08/05/2023-441/2208 dated 06.10.2023 has allowed the existing industries lying in residential zone (within & outside MC) of Master Plan, Ludhiana for further 03 years i.e. from 11.09.2023 to 10.09.2026 and as per Regional Office-2, Punjab Pollution Control Board, Ludhiana's letter no. 610-12 dated 31.08.2023, the Competent Authority of the Board has decided to grant further consents as per policy of the Board to the industries falls in industrial mix zone.

And whereas, as per DTP letter no. 168/DTP(L)/M2A dated 27.01.2023, the site of the said industry falls in Mix Land Use Zone along the Road Front and the industry is required to obtain CLU from concerned authorities to operate/expansion at the site as per said DTP certificate. Further, there is no mention to grant CTO to such industries which falls in Mix Land Use Zone along the Road Front in above said orders. Further, the industries in Mix Land Use Zone along the Road Front can only be allowed beyond 4 kilometers from the municipal limits of Amritsar, Jalandhar and Ludhiana Corporations, 3 Kilometers from the limits of other corporations and Class-A town limits and 2 kilometers from other towns as per letter no 5780-5816 CTP(PB)/SP-135 dated 24.09.2021 of Directorate of Town and Country Planning. The said industry is about 01 KM from the MCL limit.

And whereas, earlier, the industry was given personal hearing before the Chief Environmental Engineer, Ludhiana on 04.10.2023, wherein it was decided as under: -

1. The industry shall submit revised DTP certificate regarding classification of area/suitability of site, within 15 days.

Ensure compliance of hearing decisions. 08/08/24

2. *The industry shall submit Action Plan regarding shifting of its unit in the designated industrial area, within 15 days.*
3. *Environmental Engineer, Regional Office-4, Ludhiana shall visit the industry, verify its contentions, comments on genuine of the complaint and submit report along with conclusive recommendations within 7 days accordingly.*

And whereas, thereafter the industry applied for consent to operate under the Water Act, 1974 and Air Act, 1981, which were refused vide no. CTOW/Renewal/LDH4/2023/23784401 dated 21.11.2023 and vide no. CTOA/Renewal/LDH4/2023/23784402 dated 21.11.2023 due to reason that the industry has failed to obtained site suitability/continuity certificate from the concerned authority.

And whereas, the industry again applied for renewal of consent to operate again and again without obtaining any continuity certificate/CLU from the concerned authority and the applications are being returned due to the same reason.

And whereas, further, a complaint was also received against the said industry regarding noise pollution caused by it in the vicinity. The noise monitoring of the said industry cannot be carried out as the site of the industrial falls in mix land zone along the road front and no standards are prescribed for such zones.

And whereas, the said industry is operating without valid consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. Also, the industry is also required to get continuity /site suitability certificate from concerned authority for further operations at the site, but, the industry has not submitted the revised DTP certificate, till date.

And whereas, notice u/s 31-A of Air Act, 1981 was issued to the industry with an opportunity of personal hearing before Chief Environmental Engineer, Ludhiana on 29.01.2024.

And whereas, Sh. Ravinder Singh, Managing Director & Sh. Gurdev Singh, Accountant of the industry attended the hearing and submitted a written reply which was taken on record. He stated that they have sent a request letter to Department of Housing & Town Planning regarding considering their running of these units in the residential area and along with main roads to allow them 3 years' time also to run their units without hassles. He further stated that they have already applied for continuity certificate from the DTP, however, same is under process. He informed that furnace emissions may be a little more in the beginning when the furnace is started with furnace oil. It will be 15 to 20 minutes initially. Thereafter, no smoke from the stack is visible. He also informed that the matter is pending in the PBIP. The industry informed that they will shift their unit from the present site within one year.

And whereas, Sh. Gurpreet Singh Sandhu, ATP (R), GLADA attended the hearing and submitted a written reply which was taken on record. He stated that accordingly to their office letter no. 4502 dated 07.07.2022 and 7494 dated 02.11.2022, the industry has been illegally made construction and as per record of their office no NOC was granted to the industry under Section 79 of the PRTPD Act.

And whereas, Sh. Munish Kumar, Complainant attended the hearing and submitted that the industry is emitting black smoke and running without necessary permissions from the Government. He complained about pollution by industry and regular expansions by the industry at site.

And whereas, after hearing, the representative of the industry, officials of GLADA, complainant and officers of the Board, the Chief Environmental Engineer of the Board observed that the matter is pending with Government as per representation given by the industry. However, the industry is operating at site without any permissions by GLADA/HUD Department. There are also continuous public complaints against pollution caused by operations of the industry, as such, matter requires legal scrutiny whether in such a situation, Punjab Pollution Control Board (PPCB) may take any punitive action against the industry or not. It was decided that the matter be referred to Competent Authority for taking legal opinion in the matter.

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And whereas, as per legal opinion obtained from the legal cell of the Board, is reproduce as below:-

*" The industry is bound to obtain continuity certificate from the competent authority / CLU i.e. the Department of Town and Country Planning, Punjab as per the directions of the Board.*

*In view of the complaints against the industrial unit, the Board may write a letter directly to the Department of Town and Country Planning, Punjab as to whether in the given circumstances the industry is allowed to operate at the present site and take further action accordingly.*

*The Board may take action against the industry for operating the unit without consents of the Board, causing environmental pollution and for making expansions without permission. An opportunity of hearing may be afforded to the industry for imposition of environmental compensation in accordance with the available guidelines, if the violations are on record."*

And whereas, accordingly, a letter was written to Department of Town and Country Planning, Punjab, vide Board's letter no. 3371-72 dated 16.05.2024.

And whereas, the industry is operating the unit without consents of the Board, causing environmental pollution and making expansions without permission. Thus, deliberately violating the provisions of the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, notice to issue directions u/s 31-A of Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987 was issued to the industry with an opportunity of personal hearing before Chairman of the Board on 14.06.2024. However, no one from the industry attend the hearing.

And whereas, the matter was considered by the Competent Authority of the Board and it was decided to afford another opportunity of personal hearing be given to the industry.

And whereas, notice to issue directions u/s 31-A of Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987 was issued to the industry with an opportunity of personal hearing before Chairman of the Board on 23.07.2024.

And whereas, sh. Ravinder Singh, Director of the industry attended the hearing and submitted a written reply which was taken on record. He stated that the industry have submitted the action plan to shift their all the units at Doburji industrial area. We have plots measuring 4 acres approximately. The Registration of the plots no. 1 was done in Oct, 2023 and for rest of the two plots, the registration was done recently. Their Intkal is yet to be done by the Government of Punjab. Without this, we cannot start the construction work of the factory units to be shifted there. He further informed that we have prepared rough drawing of their entire project, it can only be finalized when the markings of the plots is done by the concerned Patwari of the concerned department. He stated that after approval of the drawing by the Director of Industries, we will start the construction of the industrial unit, but before that we will not get the NOC from the Board. He further informed that they have sent a request letter to Department of Housing & Town Planning regarding considering their running of these units in the mixed residential area and along with main roads to allow them 3 years' time also to run their units. He requested to allow one year time for shifting their all units as per their action plan submitted to the Board and requested to allow 03 months time for obtaining and submitting the continuity certificate from the DTP.

And whereas, after hearing, the director of the industry, officers of the Board and considering the material facts of the case, the Chairman of the Board decided as under:

1. Directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 be confirmed against the industry for its closure and disconnection of its electric supply.
2. Environment Engineer, Regional Office-4, Ludhiana to visit and identify all similar industries in nearby area and recommend action in respective cases and submit conclusive report, within 15 days.

And whereas, the proceedings were conveyed to the industry vide Board's letter no. 4782 dated 01.08.2024.

*Handwritten signature/initials*

Now, therefore, the Competent Authority of the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987, issues the following directions:

- 1) That the industry will dismantle and remove all outlets and stop forthwith discharging emissions into atmosphere.
- 2) That the industry will not restart any process unless all necessary air pollution control measures are taken and concentration of various emissions conforms to the emissions standards laid down by the Board.
- 3) That, the industry will not restart until it obtains the consent of the Board u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.
- 4) That, the Punjab State Power Corporation Limited authorities shall disconnect the supply of electricity available to the industry.

In case of failure to comply with the above said directions, you are liable for action u/s 37 of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987.

Endst. No. 4838

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For and on behalf of  
Punjab Pollution Control Board  
Dated 05/08/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-4, Ludhiana for information and necessary action. He is also directed to submit report regarding effective compliance of above said directions, within 3 days positively.

[Signature]  
For and on behalf of  
Punjab Pollution Control Board