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

Original Application No. 1295/2024

Munish Kumar

Applicant

Versus

State of Punjab & Ors.

Respondents

Short reply by way of affidavit of Er. Amritpal Singh Chahal, Environmental Engineer, Regional Office-4, Ludhiana on behalf of Punjab Pollution Control Board i.e. respondent no.5 in compliance of order dated 18.11.2025.

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

RESPECTFULLY SHOWETH

1) That the deponent namely Er. Amritpal Singh Chahal is working as Environmental Engineer in the Punjab Pollution Control Board and is posted in the Regional Office-4 of the Board at Ludhiana. The deponent is well conversant with the facts and circumstances of the case and is competent and authorized to swear and file the present short reply by way of affidavit on behalf of respondent no. 5 i.e., Punjab Pollution Control Board.

2) That the above-mentioned case is pending before this Hon'ble Tribunal and the Punjab Pollution Control Board through the deponent has filed reply in the case dated 26.03.2025 in compliance to order dated 21.02.2025 of this Hon'ble Tribunal.

3) That during the hearing of the case on 18.11.2025, the applicant was verbally directed by this Hon'ble Tribunal to visit the site of the industrial unit namely Super Tractor Industries alongwith the officers of the Punjab Pollution Control Board to satisfy about the measures taken by the industry to contain pollution. In compliance to the directions of this Hon'ble Tribunal, the officers of the Punjab Pollution Control Board contacted the applicant Sh. Munish Kumar on multiple occasion on 20.11.2025, 21.11.2025, 22.11.2025 and 27.11.2025 to accompany

the officers of the Board for inspection of the industrial unit namely Super Tractor Industries but the applicant Sh. Munish Kumar has flatly refused and declined to visit the premises of Super Tractor Industries with the officers of the Board saying that the Hon'ble National Green Tribunal shall first take responsibility of any anticipated harm to the applicant. The applicant further stated that he will only accompany of the officers of the Board on written orders of the National Green Tribunal and will go to the premises of the industrial unit with 20-30 people of the area. In view of these facts of the case, the applicant has not visited the industrial unit with the officers of the Board.

4) That the reply given by the applicant in reference to order dated 22.07.2025 of this Hon'ble Tribunal has been examined and it is observed that the applicant is primarily aggrieved with the working of M/s Super Tractor Industries at four locations. The reply of the Punjab Pollution Control Board to the submissions of the applicant may kindly be read as under:

a) That the above noted proceedings pending before this Hon'ble forum.

Reply of the Board

The contents are correct hence admitted and the case is now listed for hearing before this Hon'ble Tribunal on 08.12.2025.

b) That from the date of filing the reference, the applicant has not received any restrained order against the respondent till date. M/s Super Tractor Industries is regularly doing the commercial activities day and night in the residential area and continuously creating noise pollution etc.

Reply of the Board

i) The Punjab Pollution Control Board had issued directions under section 31-A of the Air (Prevention and Control of Pollution) Act, 1981 dated 05.08.2024 for disconnection of electricity supply of M/s Super Tractor Industries Pvt Limited location-1, Ludhiana. The Punjab State Power Corporation Ltd has disconnected the electricity supply to the industry at location-1 on 20.08.2024.

ii) It is relevant to mention here that the industry has removed and dismantled the polluting machinery namely alkaline zinc plating, wire drawing with a pickling acid tank and 05 forging

furnaces, earlier installed in Unit no.1. The unit no.1 at present is lying closed.

c) **That the applicant also filed the complaint before the Punjab Pollution Board, but heard no response. The applicant also filed the application under Right to Information Act, the same was registered vide RTI Application ID (207219) but the said authority flatly refused to supply information on account of the matter pending before this Hon'ble Forum.**

Reply of the Board

i) The Punjab Pollution Control Board has taken action on the complaint on the applicant and directions dated 05.08.2024 were issued u/s 31-A of the Air (Prevention and Control of Pollution) Act, 1981 for disconnection of electricity supply of unit no.1 of M/s Super Tractor Industries Private limited.

ii) The reply given in para no.2 above may kindly be read as part of reply to the contents of this para.

d) **That the applicant also approached other authorities i.e GLADA and Directors of factory, but nothing was heard till date.**

Reply of the Board

The contents of this para do not relate to the Punjab Pollution Control Board.

e) **That M/s Super Tractor Industries in order to run their business and raise the construction of shed in residential area, the heights of those shed is about 50. The said shed also produce heat in the summer days. Even due to heavy rain in Punjab the condition of those shed also become deteriorated and there is probable chances of fallen down those shed if heavy wind goes through them and in that eventuality there is also probable of chances of loss of human being and damages of properties of nearby localities.**

Reply of the Board

It is not in the knowledge of the Board about which shed the applicant is referring to. The applicant has refused to accompany the officers of the Punjab Pollution Control Board to the premises of the industrial unit. If there is any

illegal construction of any shed by the industrial unit, the applicant may approach the office of Municipal Corporation, Ludhiana for the redressal of his grievance.

f) **That the applicant went pillar to post but till date nothing fruitful was received.**

Reply of the Board

The contents of this para are wrong hence denied. The Punjab Pollution Control Board has taken appropriate action against the industrial unit and the industry has removed and dismantled the machinery which was earlier causing pollution. In this regard, the reply given in para no.2 above may kindly be read as part of reply to the contents of this para.

g) **That the applicant received one TDCO No.02/2009 vide which the applicant was apprised regarding disconnection of electricity connection of M/s Super Tractor Industries, but till date the same is only paper work, and nothing was one practically. M/s Super Tractor Industries is working in 4 locations and all are still continuously working day and night.**

Reply of the Board

i) In reply, it is submitted that M/s Super Tractor Industries Private Limited is involved in the manufacturing of various tractor parts at 4 premises designated as Location-1, Location-2, Location-3 and Locatoin-4.

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 10.09.2026.

v) The red category unit at Location-1 of M/s Super Tractor Industries Private Limited, was established in the year 27.04.2004.

vi) The Industry at Location-1 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 is non-designated areas as per the policy of the State Government.

vii) 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 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.

ix) Considering the facts and continuous complaints against the industry, 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.

x) Consequently, PSPCL has disconnected the electricity supply to the industry at Location-I on 20.08.2024.

xi) The Joint Committee constituted by this Hon'ble Tribunal has 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 induction heater.

xii) As reported by the unit's representative, the 'Red category' process activities have been discontinued with effect from 20.08.2024.

xiii) 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.

xiv) The unit has installed 02 DG sets of 365 KVA, 35 KVA capacities with canopy and stack of adequate height.

h) That the general public at large including applicant and nearby locality are suffering heard on account of continuously working M/s Super Tractor Industries

Reply of the Board

i. The contents of this para are denied being incorrect.

ii. The Joint Committee constituted by this Hon'ble Tribunal has 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 induction heater.

iii. 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.

i) That proprietor/partner of M/s Super Tractor Industries by using their influence with the police is continuously harassing the applicant to withdraw the above said reference and other proceedings and illegally detaining number of hours and sometime of the day.

Reply of the Board

The contents of this para are denied for want of knowledge.

5) That the Punjab Pollution Control Board has earlier filed a reply dated 26.03.2025 in compliance to order dated 21.02.2025 of this Hon'ble Tribunal and the said reply may kindly be read as part of reply to the submissions of the applicant made in reference to order dated 22.07.2025.

6) That the deponent may kindly be allowed to place on record the present short reply by way of affidavit in compliance to order dated 18.11.2025.

Deponent

(Er. Amritpal Singh Chahal)
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-4, Ludhiana
(On behalf of Respondent no. 5)

Date: 02.12.2025
Place: Ludhiana

Verification

Verified that the contents of paragraphs 1 to 6 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: 02.12.2025
Place: Ludhiana