

## BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 47 of 2024

**IN THE MATTER OF:**Gen Secretary Industrial Focal Point Welfare Association .....Applicant  
VERSUS

State of Punjab &amp; Ors. ....Respondents

**INDEX**

<b>Sr. No.</b>	<b>Particulars</b>	<b>Page No.</b>
<b>1.</b>	SUBMISSIONS ON BEHLF OF THE AMICUS CURIAE APPOINTED BY THE HON'BLE TRIBUNAL	<b>1-8</b>

Date: 17.10.2024

Place: New Delhi

Drawn and filed by:

Abhishek Yadav

Advocate

A-10 SECTOR-61 NOIDA UP

M:9312342505

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 47 of 2024

**IN THE MATTER OF:**

Gen Secretary Industrial Focal Point Welfare Association ....Applicant

VERSUS

State of Punjab & Ors. ....Respondents

**SUBMISSIONS ON BEHLF OF THE AMICUS CURIAE APPOINTED BY  
THE HON'BLE TRIBUNAL**

1. That this Hon'ble Tribunal vide its order dated 10.07.2024 passed in the suo-moto captioned matter appointed the undersigned counsel as Amicus Curiae in the matter to assist the Hon'ble Tribunal on behalf of the Applicant.
2. That the present submissions are being made in pursuance of the abovementioned order dated 10.07.2024 and are being made based on the records/affidavit filed in the present matter.
3. That the present case has been taken up suo moto by this Hon'ble Tribunal on basis of an email letter dated 12.08.2023 sent to the Hon'ble Tribunal on behalf of the Industrial Focal Point Welfare Association. It would be pertinent to mention here that the said email letter categorically states that,

*“A new Sewerage line was laid in industrial focal point Khanna Distt Ludhiana (Punjab) in year 2016. **The industrial Sewerage effluents is sent to a man made big well erected in near water supply line & from this well effluent pumped with submersible motors to main Sewerage line of the city.**”* (made bold for emphasis).

4. A Joint Committee was constituted vide order dated 07.03.2024 by this Hon’ble Tribunal to visit the site, collect relevant information and submit factual report. The said Joint Committee submitted a report dated 27.06.2024 wherein, interalia, it stated that *“no trade effluent is being discharged from the Focal Point.”*, **(page 11)** contrary to the abovementioned submission made on behalf of the Industrial Focal Point Welfare Association itself that the industrial sewerage effluent was being sent to a man made big well from where it is pumped with submersible motors to main Sewerage line of city.
5. That it is further stated in the report dated 27.06.2024 that samples of effluent were collected by the pollution control board from stagnated water near the water supply line on 15.04.2024 and the analysis result of the samples were non-compliant/ in excess than the prescribed standards in terms of their total suspended solids, Chemical oxygen demand (COD), Bio-chemical Oxygen Demand (BOD), Feacal Coliform and Oil& Grease **(Page 11)**

6. That the abovementioned non-compliant parameters have also been taken cognizance of by this Hon'ble Tribunal in its order dated 10.07.2024 passed in the matter. It has further been recorded by this Hon'ble Tribunal that there are 49 industries that are contributing to the above non-compliant effluent and these industries were consequently impleaded as respondents in the captioned matter along with State of Punjab through Chief Secretary, PPCB through Member Secretary, Municipal Council Khanna through its Executive Officer and Punjab Small Industries Export Corporation, Chandigarh through its Executive Officer (the latter two were impleaded as parties as it was their responsibility to maintain the sewer line in question) and they were directed to file their replies.
7. That the State of Punjab has filed its reply dated 09.08.2024 in pursuance of this Hon'ble Tribunal's order dated 10.07.2024 and after reiterating the facts mentioned in the joint committee report dated 27.06.2024 has stated that the Government of Punjab, Department of Science, Technology and Environment has directed the Punjab Pollution Control Board to take appropriate action in the case. It further stated that a separate reply was being filed by the State Pollution Control Board which may kindly be read as reply on behalf of State of Punjab. **(page 22)**
8. That the Punjab Pollution Control Board filed its reply/status report dated 09.08.2024 in pursuance of the order of this Hon'ble Tribunal dated 10.07.2024. It states that the site in question was visited by the board's

officer on 20.07.2024, 03.08.2024, 05.08.2024 and 07.08.2024 during which all the 49 industrial units located in Industrial Focal Point, Khanna were visited and inspected by the PPCB. It specifically states that out of 49 industrial units, 9 industrial units are generating effluent during their operations as 6 industries are engaged in business of electroplating and pickling, 2 industrial units are solvex plants and 1 unit is manufacturing vegetable oil. It further states that the 6 units engaged in the business of electroplating and pickling get their trade effluent lifted by a common effluent treatment facility based at Ludhiana namely M/s JBR Technology Private Limited, the other 3 units have their own treatment plants to treat the wastewater of their industrial process. The treated wastewater of 2 units are used for plants by way of recirculation and that of 1 unit is used for plantation. 2 industrial units are permanently closed and 1 is temporary closed and the remaining 37 industries generate no wastewater except domestic waste which is discharged into the sewer line laid in the focal point. **(Para 4 of the report on page 34,35)**

9. That though the report dated 09.08.2024 of PPCB states that trade effluent/wastewater of 9 industrial units are being treated, 6 by a third party CETP and 3 are treating it themselves and reusing the treated water, whether the same is being actually done has not been ascertained by the PPCB. This question becomes germane in view of the fact that the analysis results of the samples of stagnated water near water supply line collected

on 15.04.2024 were way beyond the permissible standards and non-compliant. Further, no reasoning has yet been provided by the PPCB for the abovementioned excessive parameters, which, in absence of any contrary fact or alternative source, suggests that trade effluent is being discharged from the focal point, contrary to the finding of the joint committee report dated 27.06.2024. It is respectfully submitted that the source of non-complaint effluent needs to be ascertained to check/prevent pollution.

10. That the report dated 09.08.2024 of PPCB has also annexed water analysis report of STP 29 MLD Khanna of sample collected on 01.07.2024. The analysis results were found within prescribed parameters (**page 54**). However, it may be pointed out that when compared with the non-compliant parameters of the stagnated water sample near water supply line, the inlet parameters vary and do not add up. It assumes significance because it has been stated in the report that stagnation caused earlier has been removed and desilting work is under progress in the Focal Point Area of Khanna City, meaning thereby the water which was non-compliant must be flowing to the STP now.
11. That this Hon'ble Tribunal vide its order dated 27.08.2024 had inter alia directed State PCB to file a current status report by next date. In compliance thereof, a status report dated 30.09.2024 has been filed by the PPCB. It has annexed water analysis report dated 13.08.2024 of sample

collected on 02.08.2024 of STP 29 MLD Khanna. The analysis results were found within standards (**page 74**). However, again when compared with the non-compliant excessive parameters of the stagnated water sample near water supply line, the inlet parameters vary and do not add up. It assumes significance because it has been reiterated in the report that stagnation caused earlier has been removed and desilting work is under progress in the Focal Point Area of Khanna City.

12. That till the filing of the present submissions, only one industrial unit namely Markfed Vanaspati & Allied Industries (Respondent no. 36) has sent its reply to the undersigned. The website of the Hon'ble Tribunal does not make it clear if the same has been filed on record or not. It is one of the 9 units identified by PPCB in its report which generate trade effluent/waste water which has its own treatment facility and which reuses its treated waste water. The said unit also states in its reply affidavit dated 23.09.2024 that it is in the business of manufacturing edible oil and has its own effluent treatment plant (ETP) inside the plant premises which operates 24x7 and all its effluents/waste water is processed in the said ETP and the treated water is used in the Green Belt Area maintained in plant's premises. It also categorically states that it does not have any sewerage connection with the Municipal Council Khanna, nor discharges any kind of effluent in the sewerage line of Municipal Council, Khanna which is subject matter of the

present case. The said fact may be ascertained/verified by the Municipal Council, Khanna.

13. That the present submissions are made in the capacity of Amicus Curiae for the kind consideration of this Hon'ble Tribunal.

Dated: 17.10.2024

Place: New Delhi



Abhishek Yadav  
Advocate