

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

M.A. No. 122/2023

IN

Original Application No. 487/2022

Jagjeevan Singh

....Applicant

Versus

Punjab Pollution Control Board & Ors.

....Respondents

Short reply of Additional Secretary to Government of Punjab, Department of Science, Technology & Environment, Chandigarh on behalf of the Government of Punjab in compliance of order dated 18.12.2023 passed by Hon'ble National Green Tribunal.

RESPECTFULLY SHOWETH

- 1) That the answering respondent is presently working as Additional Secretary, Department of Science, Technology & Environment, Government of Punjab and as such is conversant with the facts of the present case and is duly authorized and competent to file reply in his official capacity on behalf of the State Government.
- 2) That in the facts and circumstance of the case, the State of Punjab and concerned authorities were directed vide order dated 06.04.2023 by the Hon'ble NGT to inspect all mixed land use areas on various parameters of environment; to enquire total number of residences, commercial establishments and industries existing/operating in such areas, compliance status regarding Consent to Establish / Consent to Operate from Punjab State Pollution Control Board and the consent conditions specified therein and declare ambient noise standards for mixed land use areas including Partap Nagar Ludhiana by categorizing the same as one of the four categories i.e. (A) Industrial Area, (B) Commercial Area, (C) Residential Area or (D) Silence Zone within three months and file Action Taken Report.
- 3) That in compliance to orders dated 06.04.2023 of the Hon'ble NGT, the Government of Punjab, Department of Science, Technology and Environment had asked the concerned

Departments of Local Government Punjab, Department of Housing & Urban Development Punjab and Punjab Pollution Control Board to carry out the survey of the Mixed Land Use Areas of the State of Punjab and submit report thereof. The Departments have furnished the reports accordingly.

- 4) That the Department of Science, Technology and Environment vide order dated 29.09.2023 has constituted a Committee comprising of the following members headed by Member Secretary, Punjab Pollution Control Board to examine the data collected by Department of Housing and Urban Development, Local Government, Punjab and Punjab Pollution Control Board and make recommendations regarding ambient air quality standards in respect of noise to the Government of Punjab, Department of Science, Technology and Environment for further necessary action.

Sr. No.	Designation	Status
1.	Member Secretary, Punjab Pollution Control Board, Patiala	Chairman
2.	Chief Town Planner, Punjab	Member
3.	Chief Town Planner, Local Government	Member
4.	Sh. Vishal Gandhi, Scientist E, Central Pollution Control Board	Member
5.	Sh. Paramjeet Singh, Senior Environmental Engineer, PPCB	Member
6.	Sh. Vicky Bansal, Environmental Engineer, PPCB	Member

- 5) That after examination of all aspects of the case and orders issued by Hon'ble National Green Tribunal on 06.04.2023 in OA No. 487 of 2022 titled as Jagjeevan Singh Vs Punjab Pollution Control Board & Ors, the Committee of officers aforementioned has recommended Ambient Air Noise Standards in Mixed Land Use Areas of the State of Punjab.
- 6) That after consideration of the matter, the State Government has accepted the recommendations of the Committee of officers in respect of ambient noise standards of mixed land use areas including Partap Nagar Ludhiana as mentioned above.
- 7) That in exercise of the powers Conferred under Rule 3 Sub Rule 2 read with Note 4 appended in the Schedule to the Noise Pollution (Regulation and Control) Rules, 2000

and in compliance to the orders dated 06.04.2023 passed by the Hon'ble National Green Tribunal in Original Application no. 487 of 2022 tilted as Jagjeevan Singh v/s Punjab Pollution Control Board and Others, the Government of Punjab, Department of Science, Technology and Environment vide Notification no 03/48/2022-STE(4)/12 dated 03.01.2024 has declared the Ambient Air Noise Standards in Mixed Land Use Areas of the State of Punjab. A copy of notification dated 03.01.2024 is enclosed herewith as **Annexure-A** for kind perusal of this Hon'ble Tribunal.

- 8) That the reply is hereby submitted on behalf of the State of Punjab in compliance to the order dated 06.04.2023 (passed in O.A. No. 487 of 2022) and order dated 18.12.2023 (passed in M.A. No. 122 of 2023 in O.A. No. 487 of 2022) for kind consideration and appropriate orders of the Hon'ble National Green Tribunal.

Submitted by

Date: 09-01-2024
Place: Chandigarh



**Additional Secretary to Government of Punjab
Department of Science, Technology & Environment**



Government of Punjab
Department of Science, Technology & Environment
(STE Branch)

NOTIFICATION

No. 03/48/2022-STE(4)/12

Dated, Chandigarh: 03.01.2024

Whereas, the Ambient Noise Standards in respect of mixed land use areas in the State of Punjab have not been determined earlier;

And whereas, in compliance to orders dated 06.04.2023 of the Hon'ble NGT, Government of Punjab, Department of Science, Technology and Environment asked the concerned Departments of Local Government Punjab, Department of Housing & Urban Development Punjab and Punjab Pollution Control Board to do survey of the Mixed Land Use Areas of the State of Punjab and submit report thereof;

And whereas the Department of Science, Technology and Environment vide order dated 29.09.2023 has constituted a Committee comprising of the following members headed by Member Secretary, Punjab Pollution Control Board to examine the data collected by Department of Housing and Urban Development, Local Government, Punjab and Punjab Pollution Control Board and make recommendations regarding ambient air quality standards in respect of noise to the Government of Punjab, Department of Science, Technology and Environment for further necessary action;

Sr. No.	Designation	Status
•	Member Secretary, Punjab Pollution Control Board, Patiala	Chairman
•	Chief Town Planner, Punjab	Member
•	Chief Town Planner, Local Government	Member
•	Sh. Vishal Gandhi, Scientist E, Central Pollution Control Board	Member
•	Sh. Paramjeet Singh, Senior Environmental Engineer, PPCB	Member
•	Sh. Vicky Bansal, Environmental Engineer, PPCB	Member

And whereas, the above Committee has held 03 meetings on 12.10.2023, 01.11.2023 & 08.12.2023 for the purpose aforementioned and after examination of the data of mixed land areas of Punjab and detailed deliberations, concluded that three different types of mix land areas namely Industrial mix, Commercial mix and Mix land use along road front have been defined according to the master plan of different cities;

And whereas, after examination of all aspects of the case and orders issued by Hon'ble National Green Tribunal on 06.04.2023 in OA No. 487 of 2022 titled as Jagjeevan Singh

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Vs Punjab Pollution Control Board & Ors, the Committee of officers aforementioned has recommended Ambient Air Noise Standards in Mixed Land Use Areas of the State of Punjab;

And whereas, after consideration of the matter, the State Government has accepted the recommendations of the Committee of officers in respect of ambient noise standards of mixed land use areas including Partap Nagar Ludhiana as mentioned and discussed herein above;

Therefore, in exercise of the powers Conferred under Rule 3 Sub Rule 2 read with Note 4 appended in the Schedule to the Noise Pollution (Regulation and Control) Rules, 2000 and in compliance to the orders dated 06.04.2023 passed by the Hon'ble National Green Tribunal in Original Application no. 487 of 2022 titled as Jagjeevan Singh v/s Punjab Pollution Control Board and Others, the Governor of Punjab is pleased to declare the Ambient Air Noise Standards in Mixed Land Use Areas of the State of Punjab as under:

- **Industrial Mix**, the ambient noise standards shall be of Industrial Area i.e. 75 dB(A) in Leq during day time and 70 dB(A) in Leq during night time.
- **Commercial Mix**, the ambient noise standards shall be of Commercial Area i.e. 65dB(A) in Leq during day time and 55 dB(A) in Leq during night time.
- **Mix Land Use Along Road Front**, the ambient noise standards shall be of Commercial Area i.e. 65 dB(A) in Leq during day time and 55 dB(A) in Leq during night time.
- **Partap Nagar Ludhiana**: as Partap Nagar area of Ludhiana District falls in industrial mix zone, the ambient air noise standard of industrial area as prescribed in the Noise Pollution (Regulation and Control) Rules, 2000 may be applicable i.e. 75 dB(A) during day time and 70 dB(A) during night time.

Dated...02-01-2024

Chandigarh

Rahul Tewari, IAS
Secretary to Government of Punjab,
Department of Science, Technology & Environment

Endst.No...03/48/2022-STE(4)/13

Dated...03-01-2024

A copy of the above is forwarded to the Chief Principal Secretary to the Chief Minister, Punjab for information.


Additional Secretary

Endst.No...03/48/2022-STE(4)/14-20

Dated...03-01-2024

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

- The Chief Secretary, Punjab.
- The Principal Secretary, Department of Housing and Urban Development, Government of Punjab, Chandigarh.

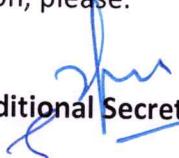
- The Principal Secretary, Department of Local Government, Punjab, Chandigarh.
- The Principal Secretary, Department of Industries & Commerce, Government of Punjab, Chandigarh.
- The Chairman, Punjab Pollution Control Board, Patiala.
- The Chief Executive Officer, Punjab Bureau of Investment Promotion, Chandigarh.
- The Director, Directorate of Environment & Climate Change, Punjab.


Additional Secretary

Endst.No. 03/48/2022-STE(4)/21

Dated. 03.01.2024

A copy of the above is forwarded to the Administrative Secretaries of all the Departments of the Government of Punjab for information and necessary action, please.


Additional Secretary

Endst.No. 03/48/2022-STE(4)/22

Dated. 03.01.2024

A copy of the above is forwarded to the Controller, Department of Printing & Stationary, Punjab to print the 100 copies of this notification.


Additional Secretary

Endst.No. 03/48/2022-STE(4)/23

Dated. 03.01.2024

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, New Delhi for information and necessary action.


Additional Secretary

Endst.No. 03/48/2022-STE(4)/24

Dated. 03.01.2024

A copy of the above is forwarded to all the Deputy Commissioners of the State of Punjab for information and necessary action.


Additional Secretary