

हरियाणा HARYANA

56AA 202345

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

Original Application No. 628/2024  
IN THE MATTER OF:

Alok Mohan  
...Applicant

VERSUS

Haryana State Pollution Control Board & Others

...Respondents



AFFIDAVIT - SUBMISSION REGARDING HSPCB INSPECTION REPORT ON ESCORTS  
KUBOTA LTD. (EKL), FARIDABAD

I, Cdr Alok Mohan, the petitioner, respectfully submit my following comments and observations in compliance with the order of the Hon'ble Tribunal dated 21.01.2025, pursuant to the inspection report dated 01.05.2025 submitted by the Haryana State Pollution Control Board (HSPCB) concerning the operations of Escorts Kubota Ltd. (EKL), located at Faridabad, Haryana.

03 MAY 2025

## 1. RED CATEGORY INDUSTRY – HIGH POLLUTION POTENTIAL

Escorts Kubota Ltd. (EKL) qualifies as a **Red Category industry**, as per Central Pollution Control Board (CPCB) classification, due to the following reasons:

- Use of **water- and oil-based coolants, degreasing chemicals, and detergents** in machining and cleaning processes.
- Operation of **electrostatic painting booths**, generating chemical-laden vapors and volatile organic compounds (VOCs).
- Use of **PNG-fired ovens and multiple diesel/gas power generators**, contributing to air and noise pollution through **12 stack emissions**.
- Generation of **hazardous and chemical effluents**, necessitating treatment via Effluent Treatment Plant (ETP) and Sewage Treatment Plant (STP).

Despite partial mitigation efforts such as stack filters and scrubbers, the intensity and scale of operations clearly justify its Red Category status.

## 2. INCOMPATIBILITY WITH RESIDENTIAL PROXIMITY

It is submitted that **Red Category industries should not be allowed in or near residential zones**, for the following compelling reasons:

### A. Chemical and Industrial Hazards

- The plant uses chemicals such as Castrol HOYSOL-3505, Hiclean/L507, phosphating agents, and other substances with pollution potential.
- Any mishandling, leakage, or fire accident may cause irreparable harm to human health and property.

### B. Air and Noise Pollution

- Despite air scrubbers and stack filters, multiple emission points and generator sets ensure continuous noise and air emissions, which are detrimental to human habitation.

### C. Heavy Vehicular Traffic

- Frequent movement of raw materials, finished tractors, and fuel logistics leads to increased risk of road accidents and noise exposure for local residents.

### D. Risk of Accidents and Emergency Response Delays

- Fires, chemical spills, and mechanical hazards could impact surrounding residential populations, especially with limited emergency access.

### E. Urban Planning Norms and Zoning Violations

- Allowing such operations near residences contravenes planning laws and creates future liabilities.

## 3. LACK OF TRANSPARENCY IN OUTSOURCED PROCESSES – NEED FOR CLARIFICATION



*Anand Kumar*  
31/5/2025

03 MAY 2025

The inspection report claims there is *no electroplating or pickling process onsite*. However, given the nature of machining, painting, and surface treatment:

It is respectfully prayed that Escorts Kubota Ltd. be directed to furnish the following **under affidavit**:

**A. Location and Entity Performing Electroplating (If Outsourced):**

- Name and address of any third-party vendor carrying out electroplating or pickling.
- Copy of Consent to Operate (CTO) and Consent to Establish (CTE) of such vendors.
- Environmental clearance status of such vendors.

**B. Documentary Evidence of Outsourcing Arrangements:**

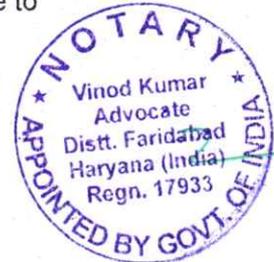
- Copies of contracts or agreements made with vendors.
- Payment records, bills, or invoices for surface treatment services.
- Details of material transport, handling of electroplated parts, and any waste generated during such processes.

Without this information, the assertion that the unit does not conduct or contribute to electroplating-related pollution remains unverified and incomplete.

**4. CONCLUDING SUBMISSIONS AND PRAYER**

Given the observations above, I respectfully submit that:

1. Escorts Kubota Ltd. must be **affirmatively recognized as a Red Category industry**, with all regulatory scrutiny and zoning restrictions applicable.
2. The **location of its operations near residential areas is environmentally and legally unsafe**, and should be reviewed in light of applicable urban development norms.
3. **Electroplating and other chemical-intensive processes**, if outsourced, must be transparently disclosed and monitored.
4. **Comprehensive third-party environmental and safety audits** should be ordered to verify fugitive emissions, noise levels, waste disposal practices, and emergency preparedness.



*Ameham  
5/5/2025*

**PRAYER:**

In light of the above, it is prayed that this Hon'ble Tribunal may kindly consider directing the concerned authorities:

03 MAY 2025

- To **relocate** Escorts Kubota Ltd. away from residential areas.
- To **compel full disclosure and verification** of all outsourced chemical treatment processes.
- To **enforce strict compliance** with HWM, Air, Water, and Noise Pollution Rules under the Environment (Protection) Act, 1986.

**DEPONENT**

*A. Mohan*

(Signature)

Name: [Cdr Alok Mohan]

Date: [03 May 2025]

Place: [Faridabad]



**VERIFICATION**

I, Cdr Alok Mohan, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified at Faridabad, on this, 03<sup>rd</sup> day of May , 2025.

I know the Deponent and He/She  
Signed Print. His./Her Thumb  
Impression in My presence

*A. Mohan*

**DEPONENT**

(Signature)

**ATTESTED AS IDENTIFIED**

*l4*  
**Notary Faridabad (Haryana)**

**03 MAY 2025**