

Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(BY VIDEO CONFERENCE)

Original Application No. 470/2023

Public Action Committee & Ors.

Applicant(s)

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 10.08.2023

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Sunaina, Advocate

ORDER

1. While disposing the O.A. No. 938/2019 vide order dated 05.03.2021, the respondent no. 5 in present OA was found violating environmental norms in the following manner:-

“xxx.....xxx.....xxx

i) *One number of industry namely M/s Amar Color Chem (India), Plot No. 26, Focal Point, Amritsar against whom regular complaints were being received was found violating the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981. Accordingly, directions were issued for closure of the unit.”*

2. The contention of the Learned Counsel for the applicant is that though the industry is running on ZLD but has been damaging the environment by releasing toxic gages, fugitive fumes in ambient air as well as discharging harmful effluents in the domestic sewer illegally and

in a very unscientific way, resulting in serious health related problems for residents, for workers of factory and public at large.

3. The inspection team found following deficiencies:-

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- (i) *Whole factory was spilled with yellow colour.*
- (ii) *Some of the chemicals used during manufacturing have ill effects on human health, such as genotoxic, teratogenic and carcinogenic in nature.*
- (iii) *Mill owner was not cooperative.*
- (iv) *Mill owner informed about zero discharge but actually discharging some polluted liquor.*
- (v) *Despite prior information about the visit, the industry was not functioning fully, not allowing the team to evaluate to the maximum extent.”*

4. A substantial issue of environment has been raised.

5. Issue notice to the respondent nos. 2, 4 and 5, returnable within four weeks. Respondents are directed to submit their reply within four weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

6. Applicant is directed to take necessary steps for service to the respondent nos. 2, 4 and 5 by both ways and also on available email.

7. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-

- i. One representative from State Pollution Control Board, Punjab
- ii. One representative from the CPCB.
- iii. One representative from Collector/DM, Amritsar.

8. The Committee is directed to visit the place and submit the factual and action taken report on extent of violation and reasons for not taking

action under Water Act, 1974 and Air Act, 1981 within four weeks. The State PCB will be the nodal agency for coordination and compliance.

9. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).

10. The report in the matter be filed by the Committee by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

11. List for further consideration on 01.12.2023.

12. A copy of this order be forwarded to SPCB, CPCB and Collector/DM, Amritsar by e-mail for compliance.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 10, 2023
Original Application No. 470/2023
SN