

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

(By Video Conferencing)

Execution Application No. 10/2020

IN

Original Application No. 492/2019

(With report dated 01.09.2020)

Gurmail Singh

Applicant(s)

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 11.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

ORDER

1. These proceedings are for execution of order dated 05.08.2019 in 492/2019. Vide order dated 04.03.2020, a factual and action taken report was sought from the State PCB with reference to the allegation of non-removal of dirty sludge and sewage water from the residential area at Village Kot Khurd, Jalandhar, Punjab.

2. Accordingly, the State PCB has filed its report dated 01.09.2020 to the effect that the Panchayati Raj Department was heard and a decision taken. Extract from the report is as follows:

*“During the hearing, it was submitted by officer of Panchayati Raj Department that the pond located near the complainant house is quite old & Sh. Gurmail Singh (Complainant) has constructed his house thereafter in existence of old pond. He further submitted that their department will prepare **the plan of connecting the sewage line for flow of entire effluent***

of the village to the pond situated on outskirts of the village & will also implement the same with request to grant some time to complete the work. Block Development & Panchayat officer (BDPO) Jalandhar (East) submitted during the hearing that their department will approve the plan submitted by the Panchayati Raj Department and will get the work done for **diverting waste water flow of the village to the pond** situated on outskirts of village. Officer from Department of Soil & Water Conservation assured that they will carry out the work for **utilization of waste water of the village Kot Khurd onto land for irrigation through pond situated on outskirts of the village.**

After hearing officers of the Board and representatives of concerned authorities, the Chairman of the Board decided that-

1. The Department of Rural Development & Panchayat shall make arrangements to increase/ augment **the capacity of pond situated on outskirts of village Kot Khurd to accommodate/treat entire waste water/effluent** of the village and to stop discharge of waste water/ effluent into pond adjacent to Sh. Gurmail Singh (Complainant) house, within 3 months.
2. The Soil & Water Conservation Department shall prepare & implement the irrigation scheme for utilization of entire waste water/effluent of village Kot Khurd. through pond situated on outskirts of village within 03 months.
3. The District Development Panchayat Officer (DDPO), Jalandhar shall co-ordinate with all the concerned departments & Sarpanch of Village Kot Khurd to complete works well within scheduled time.

... .. ”

3. We are of the opinion that the decision of the State PCB permitting discharge of waste water/effluent in a pond from the outskirts of the village is not in terms of the mandate of the Water (Prevention and Control of Pollution) Act, 1974. Discharge of waste water in pond cannot be without treatment, to avoid contamination of ground water which needs to be ensured by the State PCB. We also request the Committee headed by Justice Jasbir Singh, former Judge of Punjab and Haryana High Court who has been appointed to look into certain environmental issues in the State of Punjab¹ to oversee this aspect.

¹ Vide order dated 01.10.2019, O.A. No. 138/2016 (TNHRC), *Stench Grips Mansa's Sacred Ghaggar River* and subsequent orders.

The application is disposed of.

A copy of this order be forwarded to the State PCB and Justice Jasbir Singh, former Judge of Punjab and Haryana High Court by e-mail for compliance.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 11, 2020
Execution Application No. 10/2020
IN Original Application No. 492/2019
DV