

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

Original Application No. 632/2023

In re : News item appearing in Hindu dated 06.10.2023 titled **“Pollution takes a front seat as stubble fires spike in Punjab”**

Date of hearing: 20.10.2023

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Dr. Abhishek Atrey & Mr. Vaibhav Kandpal, Advs. for Commission for Air Quality Management (CAQM)
Mr. Gurindar Singh Majithia, Member Secretary (Through VC) with Ms. Ricka Kapoor & Ms. Eesha Sharma, Advs. for Punjab PCB

ORDER

1. This original application has been registered in *suo-motu* exercise of power on the basis of the newspaper report dated 06.10.2023 published in ‘The Hindu’ titled **“Pollution takes a front seat as stubble fires spike in Punjab”**.

2. As per the said report, the stubble burning is aggravating the air pollution and that till the publication of the newspaper report, the State had witnessed 656 farm fire incidents and the same were up by around 63% against the corresponding period for the previous year. The previous year’s figures upto that period are disclosed to be 415. Hence, the report says there is a rise of 241 cases. As per the report, District Amritsar was the worst hit district with 429 farm fire cases and Tarn Taran Sahib district stands second with 88 such incidents. Such stubble burning around autumn is stated to be one of the biggest contributing factors to the air pollution across the northern region specially the national capital and surrounding areas.

3. The opinion of the farmer outfits in Punjab has been record in the report by mentioning that the farmer outfits have made it clear to the State

Government that although they are against the burning of stubble, but without a viable alternative or financial incentive, they would have no option but to continue with the status quo.

4. On advance notice, the Punjab Pollution Control Board (PPCB) has filed the report. The learned Counsel appearing for the PPCB has referred to the following chart in the report and has stated that the number of fire burning incidents have been reduced over a period of three years. The said chart reads as under:

S. No.	Strategy	Paddy Straw Management (Million Tonns)					
		2021-22		2022-23		2023-24	
		Target	Achievement	Target	Achievement	Target	Expected Achievement
1	Crop Diversification	3.57	0.00	4.57	0.00	5.22	0.00
2	In-situ Management	8.13	8.13	9.44	9.99	10.7	11.5
3	Ex-situ Management	1.217	3.92 (Including Fodder 2.57)	1.514	4.8 (Including Fodder 3.00)	4.669	5.96 (Including Fodder)
Total		12.917	12.05	15.524	14.79	20.589	17.46

5. The report though makes a mention of various steps which have been taken by the PPCB and the State authorities but, the effective implementation of various measures is the key for controlling the stubble burning in the State. In Annexure 3 of the report, list of hotspots district based on number of fire incidents reported are disclosed as under:

List of Hotspots District based on number of fire incidents reported		
Sr. No.	District	No. of fire instances reported in 2022
1	Sangrur	5239
2	Bathinda	4592
3	Firozpur	4295
4	Muktsar	3884
5	Moga	3609
6	Patiala	3336
7	Tarn Taran	3184

8	<i>Barnala</i>	2910
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6. The State authorities as also Officers of the PPCB are required to identify the worst affected areas within the hotspot districts and focus in those areas for proper remedial measures. Learned Counsel appearing for the PPCB has submitted that above exercise will be done and a chart of such areas so identified will also be enclosed with the next report.

7. The period when the stubble burning takes place is mainly between 15 September to 30 November. Hence, during this period, the concerned authorities are required to be vigilant in identifying the violators and in taking remedial measures including imposition of penalty.

8. The report on behalf of the Commission for Air Quality Management in NCR and Adjoining Areas has also been placed on record. The said report discloses the comparative figures of cumulative fire counts between the period from 15 September to 30 November in the years 2020, 2021 and 2022 as under:

<i>State</i>	<i>Cumulative Fire Counts for the period of 15th September to 30th November</i>		
	<i>2020</i>	<i>2021</i>	<i>2022</i>
<i>Punjab</i>	83,002	71,304	49,922
<i>Haryana</i>	4,202	6,987	3,661
<i>Uttar Pradesh (NCR)</i>	407	252	198
<i>Total (including fire counts of Delhi and area of NCR in the Rajasthan)</i>	87,632	78,550 <i>Reduction of 10.36% over 2020</i>	53,792 <i>Reduction of 32% over 2021</i>

9. The report also tabulates the actual counts of incidents of stubble burning in the year 2022 and the targets for reducing them in the year 2023 as under:

<i>Area</i>	<i>Actual counts in 2022</i>	<i>Target for 2023</i>
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<i>Punjab</i>	49,922	<i>Zero stubble burning events in 6 districts viz. Hoshiarpur, Malerkotla, Pathankot, Rup Nagar, SAS Nagar and SBS Nagar.</i> <i>At least 50% reduction in remaining 17 districts</i> Total counts: 24,202
<i>Haryana</i>	3,661	<i>Near elimination of stubble burning in the State.</i>
<i>UP NCR</i>	198	<i>Near elimination of stubble burning in the State.</i>

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10. For achieving the above targets effective on ground action is required by the responsible authorities. Hence, we direct PPCB to prepare and place on record the area-wise Crop Residue Management Plan.

11. In the circumstances of the case, we also deem it proper to also issue notice to the following:

- i. Chief Secretary, State of Punjab
- ii. Member Secretary, Central Pollution Control Board (CPCB)

12. The Registry is directed to serve notice to the above authorities.

13. Let further action taken report be filed by the PPCB as also by the Commission for Air Quality Management in NCR & Adjoining Areas on or before the next date of hearing 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.

14. List on 08.11.2023.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

October 20, 2023
Original Application No. 632/2023
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