

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

**Original Application No. 27 (T_{HC}) of 2013
And
Original Application No. 43 (T_{HC}) of 2013
And
Original Application No. 44 (T_{HC}) of 2013
And
Original Application No. 54 (T_{HC}) of 2013
And
Original Application No. 19(T_{HC}) of 2013
(M.A. NO. 692 OF 2013)**

IN THE MATTER OF:

**Baldev Singh & Anr. Vs. State of Punjab & Ors.
And
Brig. H.S. Brar Vs. State of Punjab & Ors.
And
Dr. Sher Singh & Ors. Vs. State of Punjab & Ors.
And
Sampuram Singh Vs. State of Punjab & Ors.
And
Court on its own motion Vs. State of Punjab**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present:

O.A. No. 19(T_{HC})/2013

**Amicus Curiae : Mr. Raj Panjwani, Sr. Adv. and Mr. Aagney Sail, Adv.
Respondent No. 1 : Mr. Anil Soni and Mr. Naginder Beniwal, Advs.
Respondent No. 2 : Mr. Ardhendymauli Kumar Prasad Mr. Jidgal G. Chankapa Ms. Priyanka Swami, Advs.
Respondent No. 3 : Ms. Richa Kapoor Mr. Rohit and Mr. Ashish Negi, Advs.
Respondent No. 4 : Mr. Ardhendymauli Kumar Prasad , Adv.
Respondent Nos. 9 : Mr. A.R. Takkar and Mr. Ankur S., Advs.**

O.A. No. 27(T_{HC})/2013

**Applicant : Mr. A. D. N. Rao, Mr. Sudipto Sircar
Respondent No. 1 : Mr. Anil Soni and Mr. Naginder Beniwal, Advs.
Respondent No. 8 : Mr. Sukhwinder Singh, Adv.
Respondent No. 10 : Mr. Shubham Bhalla, Adv.
Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv. for the State of Haryana and HSPECB**

O.A. No. 43(T_{HC})/2013

**Applicant / Appellant : Appearance not marked
Respondent No. 1 : Mr. Anil Soni and Mr. Naginder Beniwal, Advs.
Respondent No. 4: : Mr. T. S. Joseph, Adv.**

O.A. No. 44(T_{HC})/2013

**Applicant / Appellant : Appearance not marked
Respondent No. 1 : Mr. Anil Soni and Mr. Naginder Beniwal, Advs.
Respondent No. 5 : Mr. Shubham Bhalla, Adv.**

O.A. No. 54(T_{HC})/2013

**Applicant / Appellant : Appearance not marked
Respondent No. 1 : Mr. Anil Soni and Mr. Naginder Beniwal, Advs.**

	Date and Remarks	Orders of the Tribunal
	<p>Item Nos. 20-24</p> <p>October 30, 2015</p> <p>ss</p>	<p>The Municipal Corporation, Amritsar and the Sewerage Board and even the State of Punjab had informed the Tribunal and even filed a written report that the plant would become operative on 31st March, 2016. Today some excuses are being put that the sewer work is going on and laying down of pipelines which has been delayed and now the project is likely to be completed in April, 2016. The Learned Counsel appearing for Corporation upon instruction from the officer including the Board submit that the plant would be operational positively by 31st March, 2016. Let the undertaking be filed within one week from today.</p> <p>The Learned Counsel appearing for the State of Punjab and Punjab Pollution Control Board submit that they need further time to bring out the correct position and analysis report in relation to the groundwater contamination. According to her the present state has improved and out of 76 samples which were collected from Ludhiana, Amritsar, Bhatinda, Mohali, Jalandhar and Gurdaspur, nearly 56 samples have been found to be contaminated, while the remaining were more or less meeting the prescribed levels. Statement filed before us shows that the contamination was not only simply pollutants but even metallic pollutants which are direct source of hazards to human health. Two contention advanced on behalf of the Respondent are that it is Geogenic and corrosion of hand-pumps which have resulted in high parameters and furthermore depth of the</p>

places from where the samples have been collected was also less. We find all these submissions are without substance and merits. We are shocked that such pleas are raised on behalf of State as it is a matter of common knowledge that hand-pumps do operate even at the depth of 100 to 150 feet and it is not necessary to analyse samples beyond 200 feet depth from the ground level. Furthermore, the ground water contamination even at levels lower than 100 feet would also show contamination and it is not disputed that hydrologically speaking the groundwater travels and contaminates section beyond their actual source of contamination there. The officers present are unable to show us as to what is the real source of contamination of ground water particularly metallic.

At this stage we will like to refer to the affidavit filed by the Member Secretary, Punjab Pollution Control Board on 03rd October 2013 which reads as under:

“It is unfortunate but true that large number of persons have suffered from serious diseases in District of Amritsar and Ludhiana and the underground water is totally contaminated even as of today as is exhibited from the samples that were taken under the orders of the Tribunal.

Based on the scientific evidence and data from reports of health department of Amritsar and Ludhiana, following the conclusions of possible adverse health effects due to effluent and ground water pollution.

- a) The observed morbidities among children, adults and pregnant women are more than expected in exposes populations of Ludhiana and Amritsar which are ecologically attributed to the polluted water and affected food chain by the effluents from various industries of these areas.*
- b) Evidence of geno-toxicity and mutations observed in these populations are serious which may lead to adverse pregnancy outcomes, congenital malformation and cancer cases in these areas.”*

From the above paragraphs it is clear that there are serious issues in relation to ground water contamination in most of the districts of the State of Punjab. In the State of Punjab ground water is the main source of water supply either for agricultural or even for domestic consumption. If contaminated water is used as a source of irrigation for the crop, Punjab being basically an agricultural state it would enter into the food chain causing again serious environmental and human health hazards.

In view of the above we direct that samples will be collected and analysed by a team consisting of the followings:

1. Senior officer from the Central Pollution Control Board.
2. Senior officer from the Central Ground Water Authority.
3. Professor from I.I.T, Chandigarh
4. Professor from Punjab Engineering College, Chandigarh.
5. Professor nominated by College of Agriculture, Solan, State of Himachal Pradesh
6. Medical Superintendent, PGI, Chandigarh
7. Officers of the Punjab Pollution Control Board.
8. Chief Engineer, Irrigation.
9. Superintendent Engineer from the Department of Water Supply and Sanitation
10. Officer from the Geological Survey of India.

This team shall personally collect samples from all the above districts nearby to the industrial areas, residential areas and the water body falling in that

districts. Samples would be analysed in 3 different laboratories that is Central Pollution Control Board, Punjab Pollution Control Board and Sriram Testing Laboratory at Delhi. The Status report shall deal with the collection of samples and analyse the report with reference to any basic data available in the previous orders, the impact of contaminated water on the human health and environment. The Member Secretary, Punjab Pollution Control Board shall be the Nodal Officer and shall ensure the compliance of this order within the specific time. The report shall be submitted before the Tribunal within 8 weeks from today without default.

Liberty to the State and Punjab State Pollution Control to move the Tribunal or even to mention the matter, if any, further directions in this regard are required or if they have any difficulty. The committee shall also identify the source of pollutants or contamination of Hand-pumps, Taps, ground water and water bodies in the state of Punjab with reference to the district aforesaid.

List these matters on 06th January, 2015.

.....,CP
(Swatanter Kumar)

.....,JM
(M.S. Nambiar)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(B. S. Sajwan)