

Item No. 01

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 169/2021

H. C. Arora

Applicant

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 20.07.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. H.C. Arora, Applicant in person

ORDER

1. Grievance in this application is against failure to take remedial measures against contamination of ground water in village Aloarakh, Block Bhiwanigarh, District Sangrur. The applicant has referred to the media report dated 08.07.2021 in Hindustan Times titled 'Sangrur tubewell spews out polluted water; PPCB blames dismantled factory'. It is stated that the ground water is contaminated and colored water is coming out of the tubewells which has potential for damage to the public health. The problem has been existing for more than 10 years. According to the State PCB, a private factory which was closed 15 years ago, is responsible for contamination. It is also reported that this Tribunal had imposed compensation of Rs. 2 Crore on the said factory for restoration of the environment but the amount was not recovered.

2. If the report is correct, polluted water has potential for adversely affecting the inhabitants. In such a situation, it is the responsibility of the State to take remedial measures to enforce the right of the citizens to clean water.

3. Accordingly, we direct a five-member joint Committee comprising CPCB, Regional Officer, MoEF&CC, Chandigarh, State PCB, a nominee of Secretary Environment Department, Punjab, and District Magistrate, Sangrur to visit the site, interact with the stake holders, assess the ground situation and recommend the measures required to be taken. The report may be furnished within two months 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. The Committee may ascertain the number of tube wells discharging coloured water, depth of such wells, aquifer status in terms of movement and extent of contamination, characteristics of contaminated water with reference to effluent sludge disposed by the industry in question - dyes and dye intermediate, effect on agricultural crops, bio- magnification in agro products. It may suggest short and long-term basis considering agronomy and public health, remediation plan, cost of such remediation. A copy of the report be forwarded to the Chief Secretary, Punjab for ensuring remedial measures, based on the facts found. The CPCB and State PCB will be the nodal agency for coordination and compliance. First meeting of the committee may be convened within two weeks.

A copy of this order be forwarded to the Chief Secretary, Punjab CPCB, State PCB, Secretary Environment Department, Punjab, Regional Officer, MoEF&CC, Chandigarh and District Magistrate, Sangrur by email for compliance.

The applicant may serve a set of papers on the CPCB, State PCB, Secretary Environment Department, Punjab, Regional Officer, MoEF&CC, Chandigarh and District Magistrate, Sangrur and file affidavit of service within one week.

List for further consideration on 12.11.2021.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

July 20, 2021
Original Application No. 169/2021
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