

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

Original Application No. 327/2023

News item published in India Today dated 30.04.2023 titled "**3 minors among 11 dead in Ludhiana Gas Leak Punjab Govt. announce Rs 2 lakh ex - gratia**"

Date of hearing: 05.03.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent: Ms. Richa Kapoor, Mr. Kunal Anand, Ms. Eesha Sharma & Mr. Atika Singh, Advs. for Punjab PCB
Mr. Naginder Benipal & Mr. Ankit Siwach, Advs. for MC, Ludhiana
Ms. Soni Singh, Adv. for CPCB (Through VC)

ORDER

1. This original application was registered *suo moto* by Tribunal on the basis of the newspaper report disclosing death of 11 persons in Ludhiana on account of gas leak in Giaspura area of the city on April 30, 2023.
2. Tribunal by order dated 02.05.2023 had formed a Joint Committee which had submitted the report confirming the incident of gas leak resulting in death of 11 persons and disclosing the reason for the alleged gas leak to be the escape of gases from sewer line.
3. Tribunal had constituted a fresh Joint Committee by order dated 13.10.2023 with a direction to the committee to visit the site ascertain the cause of gas leak and also the persons responsible for the same and submit a comprehensive report. Joint Committee has submitted the report dated 04.03.2023 stating that the gas leak happened due to

leakage/emission of sewer gas resulting into the accident and that high levels of H₂S were detected. Joint Committee at one place states that as per the report of FFJC including the opinion of the expert, the H₂S gas was generated due to anaerobic conditions. Report further states that there are many small slaughter houses and dhabas in the close vicinity of affected site which could have led to release of huge amount of organic content in the sewer line which prove to be feeder to anaerobic digestion which ultimately led to formation of H₂S.

4. The above two reports themselves contain the observation that possibility of discharge of acidic effluent into sewer at the time of the accident is not ruled out.

5. In the first report, the Joint Committee had expressed as under:-

“The chloride content in the main sewer water near the accident was found higher in comparison to distant points (both upstream, and downstream) which may be due to use of hydrochloric acid in the area. These facts also indicate that industrial discharge is a key factor in releasing of H₂S in high concentrations.”

6. In the second report it was found that:-

“7.2 POSSIBLE REASONS FOR LOW pH (2.51 TO 5.74) MONITORED IN THE SAMPLES COLLECTED ON 30.04.2023 AFTER THE INCIDENT

- *Some hydrogen sulfide gas diffuses into the headspace environment above the wastewater. Moisture evaporated from warm sewage may condense on unsubmerged walls of sewers, and is likely to hang in partially formed droplets from the horizontal crown of the sewer. As a portion of the hydrogen sulfide gas and oxygen gas from the air above the sewage dissolves into these stationary droplets, they become a habitat for sulfur oxidizing bacteria (SOB), of the genus Acidithiobacillus. Colonies of these aerobic bacteria metabolize the hydrogen sulfide gas to sulfuric acid. Favorable conditions for Sulfur Oxidizing bacteria (SOBs) and acid regression may be the cause for reducing the pH to 2-3.*

➤ ***Sudden acidification in the short stretch under consideration by accidental/illegal discharge of acidic effluent into the sewer around the sampling time at 11.30 A.M to 01.40 P.M on 30.04.2023 may not be ruled out.”***

7. Tribunal has also received a letter by one of the complainant disclosing that a common treatment plant is at phase-II focal point Ludhiana which is run by M/s JBR Company, which brings effluent discharge from all electroplating factories all over Punjab at its plant at Ludhiana and the treatment capacity of its CETP is 5,00,000 liter per day but the said project proponent has made agreement with the electroplating industries all over the Punjab for more than 10,00,000 liter per day and it throws about 5,00,000 litres untreated effluents into sewers. In the complaint it has been expressed that since the pH was found less than two, therefore, it proves that there was huge quantity of acid in the sewer. The said letter has been kept in the seal cover in this original application.

8. Considering the above circumstances, we dispose of the original application directing the Member Secretary, Punjab PCB to furnish a report before Registrar General of the Tribunal disclosing installed capacity of the CEPT run by M/s JBR company and the details of the agreements which have been entered into by the JBR Company with the unit for collection of their effluent discharge and also the correctness of the allegations that about 5,00,000 litres of effluent discharge collected by the said proponent is thrown in the sewer. The Member Secretary, Punjab PCB will also submit the report explaining the issue relating to the pH being less and the quantity of acid being thrown in sewer.

9. Let this report be submitted by the Member Secretary, Punjab PCB 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. If found necessary, the matter will be listed for consideration before the Tribunal.

10. A copy of this order be sent to Member Secretary, Punjab PCB by email for compliance.

11. The original application is accordingly disposed of.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

March 05, 2024
Original Application No. 327/2023
JG.