

Item No.3

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No. 487/2022

Jagjeevan Singh

Applicant

Versus

Punjab Pollution Control Board & Ors.

Respondents

Date of hearing: 07.07.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Application under the provisions of the National Green Tribunal Act, 2010.

ORDER

1. The grievance in the present application is that there is one industry in the name of M/s Mahindra Industrial Corporation opposite to residence of the applicant in which six numbers of header machines have been installed which act like hammer to cut the thick steel wires with a blow. The said machines cause noise pollution beyond permissible limits and vibrations in the area. On complaint made by the applicant, respondent no. 2 visited the industry on 15.02.2021 and 31.05.2021 and on the basis of reports showing noise pollution to be in violation of the environmental norms directed Respondent No.3 to disconnect the electricity connection of the above said industry. Subsequently on the basis of report dated 31.07.2021 of private lab namely M/s Sima Lab which visited the industry during lunch time, Respondent No.2 directed restoration of the electricity connection of the above said industry. The Lab report was accepted by Respondent No. 2 without giving opportunity of being heard to the

applicant. The industry is causing noise pollution beyond permissible limits.

2. In view of the averments made in the application, we are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof by the concerned Statutory Authorities. Accordingly, we constitute a Joint Committee comprising of State PCB and Deputy Commissioner, Ludhiana and direct the same to undertake site visits, look into the grievances of the applicant, verify the factual position and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order. The State PCB will be the Nodal agency for coordination and compliance.

3. Factual and action taken 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.

List the matter for further consideration on 23.09.2022.

A copy of this order, along with a copy of the application, be forwarded to State PCB and Deputy Commissioner, Ludhiana by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

July 07, 2022
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