

Item No.2

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

I.A. No. 813/2023
IN
Original Application No. 606/2022

Public Action Committee & Ors.

...Applicants

Versus

State of Punjab & Ors.

...Respondents

Date of hearing: 08.11.2023

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

Applicant: None for the applicant.

Intervener/ : Mr. A.R. Takkar and Ms. Shriya Takkar, Advocates for
Applicant Applicant in I.A. NO. 813 of 2023.

Respondents: Mr. Naginder Benipal, Ms. Harithi Kambiri and Mr.
Ankit Siwach Advocates for respondent no. 2-PPCB.
Ms. Tanisha Samantha, Advocate for respondent no.
5-CPCB (Through VC)

**Application under Section 14 of the National Green Tribunal Act 2010,
Article 51A and Article 21 of Constitution of India, Environment
(Protection) Act, 1974.**

ORDER

1. I.A No. 813/2023 has been filed by M/s Malbros International Pvt. Ltd. seeking interim directions inter alia regarding no coercive steps to be taken against the industry by official respondents i.e., PPCB/CPCB based upon the report dated 13.04.2023 and directions dated 17.05.2023 both issued by CPCB and also for staying further proceedings in the prosecution case

launched by respondent PPCB in the court of Ld. C.J.M., Firozpur and further for issuance of directions to the original applicants/District Magistrate, Firozpur to ensure that no obstruction is caused and all support provided to NEERI or any other agency/organization appointed by this Tribunal or other statutory authorities for conducting inspection and independently take samples from the industry or the surrounding areas in question.

2. Notices of I.A No. 813/2023 alongwith documents attached with the same be issued to the respondents requiring them to file their reply/response, if any, to the same on or before 20.11.2023 by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

3. Learned Counsel for the PPCB and CPCB have appeared and accepted notices on their behalf and submitted that copies of the interim application have not been supplied to them.

4. Copy of the interim application along with document attached therewith be supplied to them by email.

5. List for further consideration on the date fixed for hearing i.e. 24.11.2023.

6. In view of the facts and circumstance of the case, we also consider personal appearance of the Principal Secretary, Environment, Government of Punjab, Member Secretary, CPCB and Member Secretary Punjab PCB through VC or physically on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are directed to remain present before this Tribunal on that date.

7. A copy of this order be sent to Principal Secretary, Environment, Government of Punjab, Member Secretary, CPCB and Member Secretary Punjab PCB by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 08, 2023
AG