

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)
Original Application No.606/2022

Public Action Committee & Ors.

...Applicants

Versus

State of Punjab & Ors.

...Respondents

Date of hearing: 30.08.2022

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

Applicant: Mr. Kapil Dev, Applicant in person.

**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. The applicants-the above named NGO and its seven Members have filed the present application under section 14 of the National Green Tribunal Act, 2010 read with Article 51A and Article 21 of the Constitution of India, the Environment (Protection) Act 1986 and the Water (Prevention and Control of Pollution) Act 1974 seeking *inter alia* the reliefs of sealing the industry, namely- M/s Malbros International Pvt. Ltd. (Distillery), situated at Zira (Punjab) for their illegal acts of contaminating soil as well as Ground Water Table and quality in radius of around 4 Km by dumping the effluent after excavating the top earth surface of its adjoining plot as well as by discharging the same into Earth by method of deep reverse boring. Prayer has also been made for imposition of environmental compensation of Rs. 100/- crore on the Project Proponent.

2. *Prima facie*, the allegations made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the allegations made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of representative of CPCB, State PCB, State Ground Water Board and Deputy Commissioner, Firozpur and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and submit its report within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.

3. In case, the Joint Committee observes any violation of consent conditions/environmental norms then it shall forward a copy of its report to:-

(i) the Project Proponent to enable it to comply with the recommendations contained in its report or file objections against the observations/recommendations in the report of the Joint Committee and file its response before this Tribunal as desired within one month from the date of receipt of a copy of the report of the Joint Committee; and

(ii) the State PCB, State Ground Water Board and Deputy Commissioner, Firozpur to enable them to take appropriate remedial action by giving notice to/hearing the project proponent and following due process of law in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and protection and improvement

of environment and they shall separately submit their action taken report within one month from the date of receipt of a copy of the report of the Joint Committee.

The response/reports be submitted within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

4. List for further consideration on 08.12.2022.

5. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the CPCB, State PCB, State Ground Water Board and Deputy Commissioner, Firozpur by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 30, 2022
AG