

CWP No.7036 of 2005.

Present:- Mr.AR Takkar,Advocate with
Mr.Navdeep Sukhna,Advocate for Punjab Pollution Control
Board.

Mr.Amarjit Singh,Advocate for
Municipal Corporation, Ludhiana.

Mr.Sanjeev Sharma,Additional Advocate General,Punjab.

The Punjab Pollution Control Board had earlier filed the status report as is indicative from the order dated December 16,2005 and copy thereof had been supplied to the learned counsel for the Municipal Corporation, who had taken time for seeking instructions thereon, particularly on the condition of the trucks being used by the Corporation for lifting solid waste from the city. The Board had also been directed to file a report with regard to the final status of the show cause notices issued to various industrial units. Again the report had been submitted, as is indicative from the order dated July 20,2006, which had been taken on record. On December 18,2006, we had examined the report and were not satisfied as the status in regard to the show cause notices issued to some of the industries had not been indicated with final result. The Chairman of the Punjab Pollution Control Board had been directed to come present in Court. Pursuant to our direction, the Chairman, Punjab Pollution Control Board is present. The status report as on December 19,2006 has been submitted by the Executive Engineer of the Board and we have perused the same and is taken on record.

The problem of pollution in Ludhiana city is multi-dimensional

and that the same has occurred on account of unplanned industrialization of the said town. We have been informed that no proper sewerage treatment plant has come into existence and that effluents are being discharged in the sewer or the aforesaid inclusive of industrial waste are being discharged in Budha Nala as the solid waste treatment plants commensurate to the waste received, have not been set up. We have been apprised that four bio-medical treatment facilities have been established which are in working order but the same cover only nursing homes/hospitals which have set up about 1000 OPDs. It is obvious that no comprehensive report has been submitted by the Board. It is essential that the waste and the effluents should be looked into in its totality and that the corrective measures in this regard should be provided so that they do not become environmental hazard for the residents of the city. The pollution should not be allowed to pollute the air, water and be the cause of soil erosion. We are not at all satisfied as no report has been submitted by the Corporation indicating the condition of the trucks being used by the Corporation for lifting the solid waste from the city and that what is the methodology adopted by the Corporation. Thus, it is absolutely necessary to call for comprehensive report from the Punjab Pollution Control Board, as well as from the Deputy Commissioner, Ludhiana and also the Municipal Corporation as to what measures and steps have been taken for cleansing the city of the waste and effluents. The institutions are set up for looking after the interests of the citizens and not that the institutions are set up for posting the officials for ruling and availing the facilities and receiving salaries.

It is directed that the Punjab Pollution Control Board, The

Corporation and the Deputy Commissioner, Ludhiana shall submit their respective reports in detail keeping in view the earlier status reports submitted by the Board and also any other organisation. The emphasis shall be made in explaining the measures provided and adopted in actual practice and also the end result achieved vis-a-vis the measures spelt out. This shall be in relation to every kind of waste inclusive of the garbage collection from the city by the Corporation or the State authorities (Health Department), as the case may be. It shall be appreciated if all the aforesaid authorities would indicate the requirements or improvements to be made for cleansing the city in its entirety.

The report shall be submitted by the aforesaid authorities to the learned District and Sessions Judge, Ludhiana, who shall call for verification of such reports from the concerned authorities and in this regard he shall exercise its jurisdiction to call for any record from any concerned quarters and shall be at liberty to summon the concerned officials, if so required. Copies of the status reports submitted earlier and taken on file be sent by the Registry to the learned District and Sessions Judge, Ludhiana, through a special messenger with a copy of the instant order passed by us. We may clarify that the learned District Judge, Ludhiana shall be at liberty to engage or hire any agency for verifying/re-verifying the status reports submitted by the various authorities and in this regard, if any expenditure is incurred, the same shall be disbursed by the Punjab Pollution Control Board.

The Board is directed to submit the latest status report of industries situated on Tajpur Road, after the same has been verified by the learned District and Sessions Judge, Ludhiana, in which regard he shall be

at liberty to adopt the procedure as indicated above. Since the status report presented today is stated to have been prepared by one Joginder Singh, Assistant Environment Engineer. Learned District and Sessions Judge, Ludhiana shall be at liberty to call for the presence of the aforesaid official and also the Member Secretary, if so required, for examining the record in regard to the status report submitted. It shall also be appreciated if the status of the greenery existing in Ludhiana city be also indicated i.e. as to whether sufficient number of trees are in existence and have been planted for the purpose of providing lungs to the city.

The presence of the Chairman, Punjab Pollution Control Board, is exempted till further orders.

Be notified on 29.1.2007.

Copy of this order be given to all concerned under the signatures of the Court Secretary and that copies be also sent to the Member Secretary, Punjab Pollution Control Board, Deputy Commissioner, Ludhiana, Commissioner, Municipal Corporation, Ludhiana and learned District and Sessions Judge, Ludhiana, under the signatures of the Court Secretary.

(Vijender Jain)
Chief Justice

19.12.2006.
rpj

(J.S.Narang)
Judge