

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-518-2012 (O&M)
Date of decision: 05.12.2016

GRAM PANCHAYAT BISHANPURA AND ANR

...Petitioner(s)

Versus

STATE OF PUNJAB AND ANR

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Kapil Aggarwal, Advocate
for the petitioner (s).

Mr. Luvinder Sofat, AAG, Punjab

Mr. K.S. Chahal, Advocate
for respondent No.2.

Mr. Shekhar Kumar, Advocate for
Mr. Nitin Kaushal, Advocate
for Punjab Pollution Control Board.

Jitendra Chauhan, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for setting aside the impugned order dated 12.09.2011, passed by learned Addl. Sessions Judge, Sangrur and for confirming the order dated 18.06.2007, passed by learned Addl. District Magistrate, Sangrur in File No.2/Misc/ADC instituted on 08.06.2007.

On 07.04.2015, this Court had directed the State of Punjab to submit a report regarding the industry being complaint of the provisions of

the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974. Report dated 28.01.2014 has been filed by the Punjab Pollution Control Board and the relevant part of the same reads as under:-

*“It is pertinent to mention here that as per the present policy of the Board **“The PPCB will continue to grant its consent to operate/authorization to all industries not having any hazardous process, existing and operating in non-designated industrial areas prior to the date of notification of Master Plan provided the industry complies with the prescribed norms for the discharge of effluent/emissions.”***

Therefore, no action is required to be taken against the industry in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 by the Board.”

The learned counsel for the petitioners has failed to refer to any contrary record to contend that the grouse raised by him in the petition still persists.

In this view of the matter, no further action is warranted.

Accordingly, the present petition is dismissed.

05.12.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No