

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

CWP No.14932 of 2018 (O&M)

Date of Decision: 01.06.2018

Hakam Singh

... Petitioner

Versus

Union of India and others

... Respondents

**CORAM:-HON'BLE MR. JUSTICE AJAY KUMAR MITTAL, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

Present:- Mr. Hakam Singh, petitioner in person.

TEJINDER SINGH DHINDSA, J.

Petitioner has filed the present petition by way of Public Interest Litigation seeking issuance of directions for closure of various units/ factories/ industries on the ground that such establishments are discharging hazardous effluent in the rivers of Beas, Sutlej, Yamuna and Ghaggar in the State of Punjab.

It is the case of the petitioner that on account of discharge of effluent in different rivers across the State of Punjab, havoc is being created and large scale damage is being caused to the ecology as also to certain species in the nature of fishes, crocodiles etc.

It is further contended that on account of such pollution even the ground water of the adjoining areas is getting adversely affected and which is leading to serious diseases such as cancer, hepatitis, heart disease etc. amongst the inhabitants of the area.

We have heard Mr. Hakam Singh, petitioner who has

appeared in person.

We find that even though the public cause sought to be espoused in the instant petition deserves due attention yet we are not inclined to interfere in the present petition.

The specific instances/names of the factories/ units/ industrial concerns who are allegedly discharging effluents in the rivers of Punjab have not been furnished. Needless to observe that such industrial concerns have not been impleaded as party respondent. There is only a mention of one Chadha Sugars and Industries Private Limited situated in Village Keeri Afgana of District Gurdaspur and in relation thereto also petitioner has averred that he has gained knowledge via newspaper reports.

We are of the view that the petitioner should have made earnest efforts to collect the requisite information and details and thereafter to have approached the concerned authorities like the Punjab State Pollution Control Board etc. for remedial action. To the contrary, petitioner has chosen to rush to this Court by filing the instant PIL.

That apart, the Maintainability of Public Interest Litigation Rules, 2010 have been framed and under Clause 6 thereof, any person invoking the PIL jurisdiction of this Court has to specifically disclose his credentials. The expression “specifically disclose his credentials” has been examined by a Division Bench of this Court in ***Ajaib Singh and another Vs. State of Punjab and others 2013 (4) PLR 367*** and it was observed that the petitioner in a PIL must set forth what he does for a living and

what public interest he has been espousing, the work done by him in such behalf and the particulars of any matter preferred by him as PIL and on which the Court has passed orders.

The instant petition is completely silent on such aspect. Petitioner has merely averred that he has concern for public interest as also for the life and health of residents of Punjab.

We are of the considered opinion that the petitioner has no locus standi to file the present petition in the nature of PIL.

Under such circumstances, the present petition is held to be not maintainable at the behest of the petitioner and the same is, accordingly, dismissed.

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

01.06.2018

vandana

Whether speaking/reasoned
Whether Reportable

Yes
No