

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:106624-DB



Civil Writ Petition No. 35581 of 2019 (O&M)

Date of Decision: 20.08.2024

Amandeep Singh and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL, JUDGE

Present : Mr. Arjunveer Sharma, Advocate, for the petitioner.
Mr. Salil Sabhlok, Sr. Deputy Advocate General, Punjab,
(through video conferencing).
Mr. Sanjeev Soni, Advocate and
Mr. Sarthak Soni, Advocate, for respondent No.3.
Mr. Vaibhav Narang, Advocate, for respondent No.7.
Mr. Jagdeep Singh Rana, Advocate, for PSPCL.
Mr. Parunjeet Singh, Advocate, for respondent No.8.

* * * *

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioners have filed this petition alleging a public cause of noise pollution being caused by private respondent No.8 by way of operation of timber saw mill situated at close proximity to their residences.

2. The timber saw mill of respondent No.8 was inspected by Punjab Pollution Control Board and a report dated 15.02.2019 (Annexure P-3) was given whereby noise pollution was found to be 62.1 dB(A) when machines were operational and 50.1 dB(A) when machines were not operational. The Board did not restrict private respondent No.8 from operating the said timber saw mill but passed an order that private respondent No.8 will not operate paint process and close the same immediately because the area was residential and also ordered for re-monitoring of noise level after every 10 days.

3. Subsequent inspections were also carried out by Punjab Pollution Control Board and vide Annexures P-5 and P-6 the Board had found the noise pollution level to be beyond the permissible limit in the residential area. Ultimately, an order dated 24.09.2019 (Annexure P-7) was passed by Punjab Pollution Control Board directing the electricity authorities to disconnect electric supply to the timber saw mill of private respondent No.8.
4. It is informed by learned counsel for the petitioners that though the electricity disconnection was made, the same was later on restored and the timber saw mill is functional since thereafter causing continuous noise pollution.
5. Considering the issue being raised by the petitioners and the fact that noise pollution is one of the ingredients of “air pollution” as defined in Section 2(a) of the Air (Prevention and Control of Pollution) Act, 1981, it would be appropriate that the State Government or the National Green Tribunal, as the case may be, is approached by the petitioners with regard to their grievances.
6. With the aforesaid liberty, the petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

20.08.2024

ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√