



LPA-1924-2014 (O&M) and connected cases

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

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**(I) LPA-1924-2014 (O&M)
Date of Decision : July 30, 2025**

**PUNJAB EFFLUENT TREATMENT SOCIETY FOR TANNERIES
AND ORS**

-APPELLANTS

V/S

PUNJAB LEATHER FEDERATION AND ANR

-RESPONDENTS

(II) CWP-23244-2012 (O&M)

PUNJAB DYERS ASSOCIATION

-PETITIONER

V/S

STATE OF PUNJAB AND ANR

-RESPONDENTS

(III) CWP-22715-2012

PUNJAB LEATHER FEDERATION

-PETITIONER

V/S

STATE OF PUNJAB AND ORS

-RESPONDENTS

(IV) CWP-9-2018

PUNJAB LEATHER FEDERATION AND ORS

-PETITIONER

V/S

NATIONAL GREEN TRIBUNAL AND ORS

-RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: None for the appellants.

**Mr. Akshay Bhan, Sr. Advocate with
Ms. Monica Chhibbar, Advocate
Mr. Samarth Sagar, Advocate and**

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Mr. Sankalp Sagar, Advocate
for the respondent No.1.

Mr. Amit Kumar Goyal, Addl. A.G., Punjab.

Ms. Monica Chhibber Sharma, Advocate
for the respondent No.3.

Mr. Vijay Kumar Chaudhary, Advocate
for the respondent No.4.

Mr. Mohit Saini, Advocate for
Mr. Manuj Nagrath, Advocate
for the applicants/intervener (in CM-4317-19-LPA-2019).

KULDEEP TIWARI, J. (ORAL)**CM-1930-LPA-2022 AND CM-1931-LPA-2022**

1. Through these applications, a prayer has been made to implead the applicant-M/s The Designer's, Plot No. 140, Leather Complex, Jalandhar, as respondent No. 4, and to allow it to surrender effluent discharge capacity of 272 KLD due to the termination of wet operations w.e.f. 05.10.2021. Moreover, a prayer has also been made to direct the appellant to desist from raising monthly bills on account of zero discharge by the applicant company.

2. Arguments have been heard on these applications and this Court finds that the applicant has an independent cause, which need not be adjudicated in the proceedings of the present appeal, which arises primarily out of an order passed by the learned Single Judge of this Court on 31.10.2014.

3. Consequently, these applications are **dismissed**, however, with liberty to the applicant to file an apt motion under the apt provisions of law for redressal of its grievance.

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MAIN CASES

4. All these cases are amenable to being decided together on accounts of theirs encompassing similar issues.

5. The respondent No.1- Punjab Leather Federation instituted CWP-20277-2011 before this Court seeking quashing of the minutes of meeting dated 19.09.2008, whereby amendment was brought into the bye-laws of the Punjab Effluent Treatment Society for Tanneries (hereinafter referred to as 'P.E.T.S. '), besides seeking quashing of the order dated 31.03.2011, whereby the State Government approved the amended bye-laws. The minutes of meeting (*supra*) were assailed on the ground that the amendment was not in consonance with the provisions of the bye-laws and the provisions of the Societies Registration Act.

6. The learned Single Judge found the grievance of the respondent No.1 to be well founded, and consequently granted the yearned for relief of quashing by drawing the order dated 31.10.2014. Moreover, it was directed that the process of election shall be held in the manner contemplated in the bye-laws, and the notice of election shall be carried through in the manner provided under the bye-laws by initiating such a process afresh. Also, all the actions done by the respondent therein in pursuance of the amendment of the bye-laws were annulled.

7. The order dated 31.10.2014 has been challenged by the aggrieved therefrom by filing an intra court appeal (LPA-1924-2014). This Court, vide order dated 25.11.2014, while finding an unfortunate tussle between the Chief Engineer of the P.E.T.S., who was stated to be brother of a sitting M.L.A., and Colonel J.S. Paul, was the then President of Punjab

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Leather Federation, to take over the management of P.E.T.S., which was constituted under the directions and intervention of this Court in PIL jurisdiction for setting up and to run the Common Effluent Treatment Plant for Leather Industries at Jalandhar, and as a result whereof, a part of the Effluent Treatment Plant became defunct, extended the scope of the intra court appeal and treated it as PIL also, thereby ensuring that both the groups are ousted and Effluent Treatment Plant is entrusted to some person/institute of proven integrity, competence and capability.

8. During the course of hearing on 09.12.2014, when the representatives of the appellant and the first respondent agreed to the hereinafter extracted aspects, this Court constituted an Interim Committee to run the affairs of Common Effluent Treatment Plant. This Interim Committee was directed to be chaired by Deputy Commissioner, Jalandhar, and to be comprised of (i) Superintending Engineer, Public Health, Punjab, posted at Jalandhar, (ii) Superintending Engineer, Punjab Water Supply and Sewerage Board at Jalandhar, (iii) Senior Scientist, Central Leather Research Institute at Jalandhar; (iv) an Officer not below the rank of Accounts Officer to be nominated by the Principal Secretary, Finance Department, Government of Punjab, as its members.

“(i) as an interim measure, there shall be a Committee of Officers of the State Government and/or the Governmental agencies to be nominated by this Court to immediately take over the management and control of the Common Effluent Treatment Plant;

(ii) the present Chief Executive Officer and the Governing Body of the appellant-Society shall hand over the complete record and charge forthwith to the Interim Committee to be constituted vide this very order.

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(iii) the Interim Committee shall submit a proposal for conducting election of the Members of the appellant-Society to be held in such a manner that except bona fide Tanneries, the persons running allied business are not allowed to take control over the affairs of Common Effluent Treatment Plant;

(iv) the Interim Committee in due course of time shall identify the genuine and bona fide Tanners who are running Effluent Generating Tanner industries in the Leather Complex at Jalandhar. The list so prepared shall be subject to the objections/cross-objections by the parties to whom it shall be circulated;

(v) the Interim Committee shall be entitled to recover the lawful dues from the industries towards the recurring expenditure to be incurred on the functioning, maintenance, upkeep and upgradation of the Common Effluent Treatment Plant so that it can meet with the requisite parameters;

(vi) All the Tanner members of the Society or the other effluent discharging industries shall be obligated to contribute their share to the Interim Committee for the purpose of running and upkeep of the Common Effluent Treatment Plant.

(vii) the Interim Committee shall also hold a fact-finding enquiry into the accounts and other affairs of the appellant Society for the period during which certain irregularities are alleged to have been committed. The fact-finding enquiry shall be conducted after associating both the parties.”

9. Pursuant to the interim directions issued by this Court on 09.12.2024, the Interim Committee assumed charge of the administration of the Common Effluent Treatment Plant. Thereafter, various status reports were filed by the Deputy Commissioner, Jalandhar-cum-Chairman, Interim Committee, P.E.T.S. Certain deficiencies were also pointed out by the Punjab Pollution Control Board, Jalandhar, which were directed by this Court to be addressed by the Interim Committee.

10. This Court has been monitoring the functioning of the Effluent

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Treatment Plant, inasmuch as it has a significant impact on the public at large living in the vicinity. Moreover, it also affects the groundwater and the water channel into which the discharge is released. Various status reports and affidavits continued to be filed before this Court, and various interim orders were passed to address day-to-day issues and to achieve the underlying objective of operating the Effluent Treatment Plant.

11. On 21.01.2019, this Court directed the Chairman, Pollution Control Board, to suggest names of the best reputed operators to take over the functioning of the Common Effluent Treatment Plant at the expense of the cluster of the industries, as the quality of discharge from the Plant was not meeting the required norms. Consequently, various measures were taken by the Pollution Control Board to make compliance of all the norms set up under the Water (Prevention & Control of Pollution) Act, 1974 (hereinafter referred to as 'Act of 1974'), and Air (Prevention & Control of Pollution) Act, 1981.

12. Thereafter, based on a report by the Chief Environmental Engineer, Punjab Pollution Control Board, indicating that neither the leather tanneries nor the outlet of the Common Effluent Treatment Plant was conforming to the prescribed norms and both were polluting the water stream known as Kala Sanghian, this Court, vide order dated 29.10.2019, directed that all tanneries operating in the Leather Complex, Jalandhar, be shut down until further orders.

13. During the pendency of this matter, directions were even passed for upgradation of infrastructure of existing Common Effluent Treatment Plant with a capacity of 5 MLD from 3 MLD. The Member

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Secretary, Punjab Pollution Control Board, also brought to the notice of this Court the minutes of meeting held under the Chairman of the Board at Patiala on 03.09.2019 laying emphasis on setting up of pre-treatment plant and also for providing desalting mechanism for removal of salt from the raw hides at the initial stage. Thereupon, this Court, vide order dated 10.12.2019, directed the Member Secretary to give a comprehensive suggestion/report based on scientific backing as to what all is required to be done by the owners of the wet unit/dry unit to ensure that these units conform to the norms prescribed under the Environment (Protection) Act, 1986, Act of 1974 and other ancillary laws.

14. The above directions were duly complied with by the Member Secretary through the filing of an affidavit dated 13.12.2019, wherein various steps required to be taken by the units, including wet and dry units, were enumerated. Consequently, vide order dated 13.12.2019, all unit owners were directed to file undertakings before this Court, within two days, to the effect that they would abide by the steps enumerated in the affidavit. Thereafter, specific directions were issued that dry units, which use no water, re-used water, or minimal water, shall submit applications seeking permission to operate to the Punjab Pollution Control Board. In case the Board finds them in compliance with all parameters prescribed under the Environment Protection Act, it shall decide their applications within one week. It was also directed that, in case such units were permitted to operate under the supervision of the Punjab Pollution Control Board, their cases for re-connection of water and electricity shall be considered. Subsequently, vide order dated 03.03.2020, the respondent No.3 was permitted to run the

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unit subject to compliance of all the terms and conditions mentioned in the NOC dated 02.03.2020 issued by the Punjab Pollution Control Board.

15. Thereafter, various steps were taken to improve the capacity of the Common Effluent Treatment Plant and also to strengthen its infrastructure. During the course of hearing on 12.07.2022, the Deputy Commissioner, Jalandhar-cum-Chairman, Interim Committee, filed an affidavit stating that the Common Effluent Treatment Plant is functioning smoothly and meeting with the prescribed norms, as is evident from the Lab Report of Punjab Pollution Control Board. On 01.05.2025, this Court directed the Punjab Pollution Control Board to file a fresh status report disclosing whether the tanneries were still polluting Kala Sanghian Drain.

16. In deference to the above directions, an affidavit dated 14.07.2025 has been filed before this Court. This affidavit clearly states that the functioning of the Common Effluent Treatment Plant is regularly monitored by the Punjab Pollution Control Board, which collects treated effluent samples on a monthly basis and analyzes them in its laboratory. As per the lab reports, the effluent samples meet the requisite standards. Moreover, the treated effluent of Leather Complex, Jalandhar Tanneries, is discharged into Kala Sanghian Drain after dilution of the treated effluent with the treated sewage of Municipal Corporation, Jalandhar STP of 50 MLD at Basti Peer Dad, Jalandhar, in compliance of the directions contained in the Consent to Operate granted by the Punjab Pollution Control Board.

17. Through the affidavit (supra), it has also been informed that the Interim Committee had prepared a proposal for upgradation of the Common

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Effluent Treatment Plant, which was forwarded to the Central Government for grant of financial assistance. The Central Government sanctioned financial assistance and approved the upgradation project at a total cost of ₹ 2526 lacs. The said work has commenced and is likely to be completed within one year. The relevant paragraph of the affidavit (supra) are extracted hereunder:-

“2. That with regard to sub para 1 of the orders cited above, Hon'ble High Court's kind attention is invited to sub para 3 page 2 of the Status Report Affidavit dated 29.07.2022, filed by the Deputy Commissioner, Jalandhar and this Hon'ble High Court taken on record:

"that true copies of the test reports of treated effluent of CETP received from Sai Lab, Patiala dated 14.06.2022 and from Punjab Pollution Control Board lab dated 28.06.2022 Annexed at RA-1 and RA-2. The CETP is smoothly functioning and meeting with prescribed norms as is evident from PPCB lab report".

3. That in compliance of this Hon'ble High Court's orders dated 01.05.2025, it is submitted that the existing CETP of capacity 5 MLD at Leather Complex, Jalandhar is continuously functioning smoothly and at present on an average 2 MLD effluent is coming from the tannery member units. The functioning of the CETP is regularly monitored by the Punjab Pollution Control Board by collecting treated effluent samples on monthly basis and the samples of the treated effluent drawn by the Punjab Pollution Control Board are analyzed in their lab. The copies of test reports of Board's lab are annexed at RA-1, RA-2, RA-3 & RA-4 for the months of March, April, May & June of 2025 respectively. The treated effluent of Leather Complex, Jalandhar Tanneries, is discharged into Kalasinghia drain after the dilution of the treated effluent with the treated sewage of Municipal Corporation, Jalandhar STP of 50 MLD at Basti Peer Dad, Jalandhar in compliance of the directions contained in Consent to Operate (CTO) granted by the Punjab

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Pollution Control Board. The copy of Consent to Operate (CTO) to CETP is annexed at RA-5.

4. That the upgradation project works of the CETP are in progress and as per the guidelines of Govt. of India, DPIT, New Delhi, the upgradation project shall be completed by or before 31st March, 2026.”

18. It is important to note here that, during the pendency of this matter, fresh elections were held in the P.E.T.S., and the inter se dispute between the appellant(s) and respondent No.1 has ceased to exist. It has been informed that no dispute survives inter se the appellant(s) and respondent No.1 which requires adjudication by this Court. It has also been prayed that the operation of the Common Effluent Treatment Plant be handed over to the P.E.T.S.

19. This Court has heard the submissions made by the learned counsel for the parties and is of the view that this matter warrants being disposed of with the following directions:-

(i) Since the upgradation project of the Common Effluent Treatment Plant is in progress and, as per the guidelines of the Government of India (DPIIT, New Delhi), is scheduled to be completed on or before 31.03.2026, the Interim Committee shall continue to manage the operation of the Plant until the completion of the upgradation project.

(ii) The Interim Committee shall ensure the timely completion of the upgradation project and ensure that the funds granted are utilized solely for their intended purposes. Upon completion of the project, the Interim Committee shall



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hand over the management and charge of the Common Effluent Treatment Plant to the P.E.T.S.

(iii) All units that have submitted the requisite affidavits/undertakings in compliance of the directions issued by this Court on 13.12.2019 shall continue to adhere to the undertaking given to this Court, besides adhering to the order/instructions issued by the Punjab Pollution Control Board in future.

(iv) The Punjab Pollution Control Board shall continue to regularly monitor the functioning of the Common Effluent Treatment Plant by collecting treated effluent samples monthly and analyzing them in its laboratory. In case, any lapse or error is found qua management of the P.E.T.S., appropriate action shall be taken as per law.

20. Disposed of accordingly.

21. Pending applications also stand disposed of accordingly.

22. A photocopy of this order be placed on file of each connected case.

**(ASHWANI KUMAR MISHRA)
JUDGE**

**(KULDEEP TIWARI)
JUDGE**

**July 30, 2025
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No