

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**OA No. 916/2018  
(Earliar OA. NO.101/2014)**

**IN THE MATTER OF:-**

**SOBHA SINGH**

**APPLICANT**

**VS.**

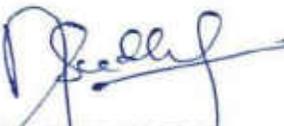
**STATE OF PUNJAB & ORS**

**RESPONDENTS**

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**A. SUDHAKAR**  
**SCIENTIST-E**

**CENTRAL POLLUTION CONTROL BOARD,**  
**PARIVESH BHAWAN, EAST ARJUN NAGAR,**  
**DELHI-110032.**

**DATE : 30.01.2019**

**PLACE :DELHI**

**Report of the Monitoring Committee  
constituted by Hon'ble National Green Tribunal**

*[(In Compliance to Hon'ble National Green Tribunal (NGT) Order dated 24.07.2018 in the matter of Original Application No.101/2014 (Sobha Singh & Ors. (Vs) State of Punjab & Ors), O.A No. 344 of 2018 and 345 of 2018 (Discharge of Molasses in River Beas) and Original Application No. 206/2016 (Capt. Hans Raj Singha Vs. Union of India & Ors)]*

**January 25, 2018**

# **Report of the Monitoring Committee**

## **constituted by Hon'ble National Green Tribunal**

**[(Compliance to Hon'ble NGT Order dated 24-07-2018 in the matter of OA No. 101/2014 – Sobha Singh Vs. State of Punjab & Ors., OA No. 344 of 2018 and 345 of 2018 (Discharge of Molasses in River Beas) and Original Application No. 206/2016 (Capt. Hans Raj Singha Vs. Union of India & Ors)]**

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### **1. Introduction**

The Original Application No. 101/2014 (Sobha Singh & Ors. Vs State of Punjab & Ors) was filed in 2014 by the resident of Village ChhaniBadi Tehsil Badra, District Hanumangarh, State of Rajasthan. According to the application, 8 Districts of Rajasthan are supplied water from Indira Gandhi Canal Project (IGNP) and people are suffering due to supply of contaminated water from Punjab.

Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi was of the opinion that the resume of the facts appearing in the inspection reports of CPCB and the steps taken by local bodies in Punjab State does not give a clear picture of the result achieved at the ground level with respect to control of pollution in River Sutlej and River Beas. Also, there is a need to upgrade STPs/CETPs in the catchment area of rivers Sutlej and Beas, apart from other challenges, therefore, Hon'ble National Green Tribunal (NGT) on 24.07.2018 passed directions which are reproduced as follows:-

- i) The Central Pollution Control Board may forthwith constitute a Monitoring Committee with the involvement of Mr. Balbir Singh Seechewal who has rendered remarkable voluntary service for creating awareness of checking pollution. The Representative of the CPCB will be the Nodal Officer and a representative of the Rajasthan Pollution Control Board may also be included in the Monitoring Committee. The Monitoring Committee must have one Engineer and one Scientist and also a Member of the Punjab Pollution Control Board and a Nominee of the Urban Development of the State of Punjab.
- ii) The Monitoring Committee must have first meeting latest by 10th August, 2018 and take stock of the action taken report so far. It may also prepare

time bound Action Plan for handling the situation. Short term action plan may be for three months and longer plan may have three monthly targets.

- iii) Action Plan may be put on the website of the PPCB/CPCB enabling suggestions from stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children
- iv) The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.

A Copy of the Hon'ble National Green Tribunal (NGT) order dated 24.07.2018 is enclosed as **Annexure –I.**

Further, the monitoring committee filed its interim report on 30.10.2018 and the interim report was considered by the Hon'ble NGT and further passed orders on 14.11.2018 and main directions passed by Hon'ble NGT are as detailed below:-

*"Time for furnishing further report is extended till 31.01.2019"*

A Copy of the Hon'ble National Green Tribunal (NGT) order dated 14.11.2018 is enclosed as **Annexure –II.**

Further, Hon'ble NGT passed an order on 04.09.2018 in the matter of Original Application No. 344 of 2018 filed by Sukhpal Singh Khaira, MLA, Punjab Assembly & Ors. V/s UOI & Ors and in the matter of Original Application No. 345 of 2018 (M. A. No. 934 of 2018) Amber Sachdeva Vs. UOI & Ors, and is reproduced as follows:-

*"Let this matter be also referred to the Committee constituted with the aforesaid directions passed in O. A. NO. 101 of 2014 and list the same. The report of the Committee may be filed by October 31, 2018 and registered as an independent application". Thereafter this case be also listed along with O. A. NO. 101 of 2014 on 14-11-2018."*

A copy of the Hon'ble NGT order dated 04.09.2018 passed in the afore-said matters are enclosed as **Annexure-III and Annexure –IV.**

Further, Hon'ble NGT passed an order on 05.10.2018 in the matter of Original Application No. 206 of 2016 filed by Capt. Hans Raj Singha Vs Union of India &Ors, which is reproduced as follows:-

*'The matter related to illegal mining activities in Sutluj Flood Plain/River Basin. The larger bench of this Tribunal in O.A.No. 101 of 2014 has constituted a Committee with detailed terms of reference which includes illegal mining activities of the said river on 24<sup>th</sup> July 2018 and the said order has been reiterated in O.A No. 344 of 2018. Therefore, the Applicant to appear before the Committee and participate in their meetings for his redressal.'*

*A copy of the Hon'ble NGT Order dated 05.10.2018 is annexed (**Annexure-V**).*

**2. Actions taken by CPCB for ensuring compliance to the Hon'ble NGT Order dated 24.07.2018**

**Organized four Monitoring Committee Meetings during August 10, 2018 to October 17, 2018**

Central Pollution Control Board (CPCB) being nodal agency in the matter subsequent to submission of interim report of the Committee on 30.10.2018, organized three meetings of the monitoring committee on 16.11.2018 at Shimla, 04 to 05.12.2018 at Jalandhar and 08.01.2019 at Chandigarh so as to review the actions taken by the concerned departments. Minutes of the meetings were also circulated to all the concerned departments of Punjab State Government to take necessary action at their end. Minutes of the meetings of the monitoring committee held on 16.11.2018, 04 to 05.12.2018 and 08.01.2019 are enclosed as **Annexure-VI to Annexure- IX**

**3. Visit of the Monitoring Committee to the sand mining site at Village Sataun in Himachal Pradesh in compliance to Hon'ble NGT order dated 05.10.2018 in the matter of Original Application No. 206/2016 filed by Capt. Hans Raj Singha Vs. Union of India & Ors.**

For ensuring compliance to the Hon'ble NGT order dated 05.10.2018 in the matter of Original Application No. 206/2016 filed by Capt. Hans Raj Singha Vs. Union of India & Ors, the monitoring committee held meeting with the concerned departments of Himachal Pradesh on 16.11.2018 followed by visit to the disputed site at Village Sataun in H.P. pertaining to Captain Hans Raj Singha on 17.11.2018. Report of the Monitoring Committee is enclosed as **Annexure-X**

**4. Visit to the site of molasses discharge from M/s. Chadha Sugar and Industries Pvt. Limited into river Beas**

The Monitoring Committee held meeting with concerned departments on 05.12.2018 and thereafter the committee members also visited the site of molasses discharge ( on 16.05.2018) from M/s. Chadha Sugar and Industries Pvt. Limited into river Beas on 05.12.2018.

Detailed report of the monitoring committee on the discharge of molasses into the river Beas and the recommendations of the committee is enclosed as **Annexure-XI**.

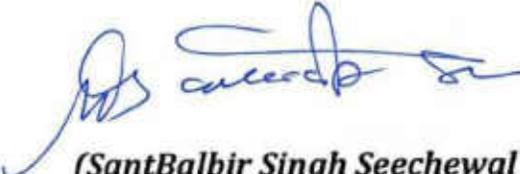
**5. Status of action plans for restoration of river Sutlej and Beas in compliance to the Hon'ble NGT Order dated 14.11.2018 in OA No. 101/2014 (Sobha Singh & Ors. Vs State of Punjab & Ors**

It is pertinent to mention here that the Monitoring Committee has guided concerned departments of Punjab State Government for preparation of the action plans for restoration of river Sutlej. All the concerned departments have finalized draft action plans and in light of the decisions taken in 7 th meeting of the Monitoring Committee held at Chandigarh, the Punjab Pollution Control Board has compiled the draft action plans prepared by all the departments and presently the draft action plans prepared by PPCB is under review of the Chief Secretary, Government of Punjab.

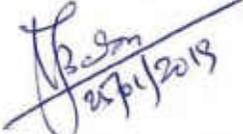
Further, it is to mention here that the Punjab Government is also required to submit the action plans for rejuvenation of river Sutlej and River Beas in compliance to the Hon'ble NGT order dated 19.12.2018 in the matter of OA No. 673 of 2018 (News item published in "The Hindu" authored by Shri Jacob Koshy Titled "More river stretches are now critically polluted: CPCB) by 31.01.2019, upon submission of the action plans for restoration of river Sutlej

and River Beas, the Monitoring Committee will examine and file its report thereafter prior to next date of hearing i.e., 22.02.2019.

In view of the afore-said reasons given in earlier paras, Hon'ble NGT may take this report on record and may please consider the above request of the Monitoring Committee for kind perusal.

  
**(Sant Balbir Singh Seechewal)**  
Member

  
**(Amardeep Dhaliwal)**  
Member, Department of Local Government  
20/5/2019

  
**(J. Chandra Babu)**  
Scientist 'D' and Nodal Officer, CPCB

  
**(Niraj Mathur)**  
Sr. Envi. Engineer, Representative of RSPCB  
25.01.2019

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 101/2014**

**Sobha Singh & Ors. vs. State of Punjab & Ors.**

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present:**

Applicant/Appellant(s)	: Mr. Divya Kumar Kaushik, Adv.
Respondent No.9 to 11	: Mr. A.R. Takkar with Amarjeet Kumar & Shriya Takkar, Advs.
CPCB	: Mr. Raj Kumar, Adv.
State of Punjab	: Mr. Sakya Sinha Chaudhuri, AAG and Mr. Akshay Shandilya, Adv.
State of Rajasthan	: Mr. S. S. Shamsbery AAG and Mr. Ankit Raj, adv. and Mr. R. K. Singla EE WRD.
Respondent no.5	Mr. Shubham Bhalla, Adv.
MoUD	: Mr. B.V. Niren, Adv.
RSPCB	: Mr. Naginder Benipal, Adv.
	: Mr. Shiv Mangal Sharma, AAG, Mr. Saurabh Rajpal, Mr. Adhiraj Singh and Mr. Vikramjeet Singh, advs.

Date and Remarks	Orders of the Tribunal
<b>Item No. 01</b>  <b>July 24, 2018</b>  <b>ag</b>	<p>1. This Original Application was filed on 19<sup>th</sup> May, 2014. The applicant is resident of Village Chhani Badi, Tehsil Badra, District Hanumangarh, State of Rajasthan. According to the application, 8 Districts of Rajasthan are supplied water from Indira Gandhi Canal Project (IGNP). River Satluj and Beas merge at Harike Barrage and Rajasthan Feeder (IGNP) emerges from Barrage along with the Firozpur feeder generating 55 RD Sirhind feeder. IGNP is about 650 Kms. During the passage of River Satluj, various industries dump untreated pollutants. <i>Buddha Nallah</i> is a tributary of River Satluj. Untreated sewage of Ludhiana city is discharged into <i>Buddha Nallah</i> as per report published in International Journal of Environmental Sciences in its Volume -2 published in November, 2011. People are forced to live in highly toxic environment along the <i>Chitti Bein</i> which also joins Satluj. Groundwater quality has been affected by Total Dissolved</p>

<p><b>Item No.</b> <b>01</b></p> <p><b>July 24,</b> <b>2018</b></p> <p><b>ag</b></p>	<p>Solid (TDS). Accumulation of Chromium, Nickel, Zinc and pesticides is high in the sediment of <i>Chitti Bein</i>. Traces of metals like Chromium, Nickel and Zinc were detected in soil samples of the fields irrigated by the waters of the Bein. There is high level of inorganic and organic pollution in both the east <i>Bein</i> and the <i>Kala Sanghia</i> drain, as per the Punjab Pollution Control Board (PPCB) reports. Further, the report by SERI on Buddha Stream is also relevant. A study was also carried out on the impact of pollutants on water quality of river Satluj in Nangal Area which has been published in 'Biological Forum' – an International Journal. Sant Seechewal led a movement for cleaning <i>Buddha Nallah</i> for which he was honoured. He has recorded his findings in his book Sikh Religion &amp; Environment Conservation especially depicting municipal sewage water contamination at Ludhiana. The Punjab Pollution Control Board (PPCB) prepared an action plan for critically polluted area of Ludhiana City stipulating ban on new industrial units for 8 months. There are 1332 hazardous waste generating industries engaged in dyeing, electroplating, induction furnaces etc. Presently, these industries are generating total hazardous waste of 5498 MT, out of which 275 MT is recyclable and incinerable. The Central Pollution Control Board issued a direction dated 5<sup>th</sup> February, 2014 to all Pollution Control Boards and Pollution Control Committees under Section 18 (1) of the Water (Prevention &amp; Control of Pollution) Act 1974 and 18 (1) B of the Air (Prevention &amp; Control of Pollution) Act 1981 to deal with the pollution by 17 categories of the highly polluting industries. The directions required</p>
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<p><b>Item No.</b> <b>01</b></p> <p><b>July 24,</b> <b>2018</b></p> <p><b>ag</b></p>	<p>installation of online monitoring systems, The Chief Minister of Rajasthan conveyed the magnitude of the problem and sufferings of the people to the Chief Minister of Punjab but it had no effect.</p> <p>3. The Punjab Pollution Control Board filed its status report as on 21<sup>st</sup> September, 2014 in terms of the direction of this Tribunal dated 22<sup>nd</sup> April, 2014. The report mentioned the sources of waste water being discharged in rivers Satluj and Beas and suggested that STP was required to treat the sewage of Kala Sanghian Drain which required a sum of Rs. 9 Crores and 8-9 months period for completion. Sewage of Jalandhar city has also been flowing in Kala Sanghian Drain. 3 STPs were under constructions which were to be commissioned by 30<sup>th</sup> September, 2014. One STP was under construction for Phagwara Drain. CETP was set up at Jalandhar to take care of electroplating units which was to be commissioned by 31<sup>st</sup> December, 2014. The dairies were also discharging the liquid waste into the drains. There are tanneries discharging pollutants but there are only 2 CETPs. The other details of discharge of pollutants have also been given.</p> <p>4. In its reply, the State of Rajasthan referred to a Joint Inspection conducted by the Central Pollution Control Board observing that water quality of River Satluj and Beas was deteriorating. It proposed that the Punjab Pollution Control Board should ensure treatment of pollutants through the STPs. In Joint Inspection on 1<sup>st</sup> - 3<sup>rd</sup> May, 2012, it was found that BOD are not meeting the</p>
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	<p><b>Item No. 01</b></p> <p><b>July 24, 2018</b></p> <p><b>ag</b></p>	<p>standards for discharging of environmental pollutants into the inland surface. With respect to COD and TSS, it was observed that STP are meeting the standard for inland surface, public sewers and land for irrigation marine coastal areas. With regard to CETP at Ludhiana and Jalandhar, it was observed that the CETP was not meeting the standards. The 35 Municipal Councils/Nagar Panchayats are discharging sewage into river Satluj and in discharge of <i>Buddha Nallaha</i> and <i>East Bein</i> heavy metals and large BoD load exists. Another inspection was done on 1<sup>st</sup> May, 2014 and it suggested no significant improvement in the situation. The Ludhiana Municipal Corporation stated that it has installed STPs for discharge of domestic sewage and mentions some other steps to check dumping of pollutants in the river Satluj.</p> <p>5. The Punjab Pollution Control Board has stated that 5 green bridges were proposed to be constructed at the cost of Rs. 15.28 crores funded by the Ministry of Environment, Forest and Climate Change. The effluent treatment plants are being monitored.</p> <p>6. The Punjab Water Supply and Sewerage Board stated that 5 STPs has been installed in Ludhiana at a cost of Rs. 233.33 crores.</p> <p>7. The matter came up for hearing before the Tribunal on 7<sup>th</sup> May, 2015 and this Tribunal considered the observation of the Central Pollution Control Board with respect to the water quality of the river Satluj at different regulations. The observations of the Central Pollution Control Board noted in the said order are as follows:</p> <p>1. "With respect to DO and BOD, water quality of river Sutlej before confluence of Buddha Nallah confirms to primary water quality criteria.</p>
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<p>Item No. 01</p> <p>July 24, 2018</p> <p>ag</p>	<ol style="list-style-type: none"> <li>2. Water quality of River Sutlej deteriorates after confluence of Buddha Nalla. Industrial units in small scale sector like Electroplating, Hosiery, Steel Rolling Mills etc mainly contribute to the wastewater in Buddha Nalla. The River water quality does not confirm to any of the designated use.</li> <li>3. Trace amount of Chromium, Arsenic was found in river Sutlej after confluence of Buddha Nallah.</li> <li>4. Some improvement in the water quality of river was observed before confluence of East Bein drain.</li> <li>5. The river water quality with respect to BOD, DO, Total coliform and Fecal coliform again deteriorates after confluence of the East Bein.</li> <li>6. It is observed from the analyzed result that the water quality of River Sutlej improves after confluence of river Beas and it lies in best use category A, except for coliforms.</li> <li>7. Water quality of River Beas meets the primary water quality criteria and lies in best use category A, except coliforms.</li> <li>8. Water quality of Rajasthan feeder does not meet the primary water quality criteria with respect to category A (Drinking Water Source without conventional treatment but after disinfection). However, water quality was within the prescribed limit with respect to category B and C.</li> <li>9. Water quality of Ferozpur/ Sirhind Feeder meets the prescribed standard and lies in best use category A (Drinking Water Source without conventional treatment but after disinfection), except for coliforms."</li> </ol> <p>8. Thereafter the recommendations of the Central Pollution Control Board were noted to be as follows:</p> <ol style="list-style-type: none"> <li>1. <i>"Punjab State Pollution Control Board (PSPCB) shall ensure that sewage of Ludhiana, Jalandher, Phagwara is conveyed to Sewage Treatment Plants (STPs)</i></li> <li>2. <i>STPs shall run with full capacity and optimum performance.</i></li> <li>3. <i>PSPCB and concerned Punjab Authorities shall explore the possibility to reuse the treated wastewater.</i></li> <li>4. <i>PSPCB shall issue directions under section 33 (A) of the Water (Prevention &amp; Control of Pollution ) Act, 1974 to Sewage Treatment plants installed at Ludhiana and Jalandhar and Common Effluent Treatment Plant installed at Leather complex, Jalandhar</i></li> </ol>
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<p><b>Item No.</b> <b>01</b></p> <p><b>July 24,</b> <b>2018</b></p> <p><b>ag</b></p>	<p>5. <i>PSPCB shall ensure that no industrial unit discharges its untreated/partially treated effluent either into Sutlej and Beas River or into drains.</i></p> <p>6. <i>Concerned Authorities of Punjab shall ensure that all the wastewater is conveyed to STPs and CETPs so that only treated wastewater is discharged into drains or river.</i></p> <p>7. <i>PSPCB with concerned authorities shall evolve an action plan for abatement and control of pollution of river Sutlej and Beas.</i></p> <p>8. <i>Concerned Authorities of Rajasthan shall ensure that water of Rajasthan feeder and other canal be given conventional treatment with disinfection for drinking purpose."</i></p> <p>9. It was noted that following directions were given by Central Pollution Control Board on 10<sup>th</sup> November, 2014:</p> <ol style="list-style-type: none"> <li>1. "Buddha Nallah and East Bein are major point sources discharging treated/untreated wastewater to river Sutlej. Buddha Nallah contributes about 16,672 kg/day of BOD load whereas East Bein contributes about 20,900 kg/day of BOD load.</li> <li>2. Buddha Nalla and East Bain deteriorate the water quality of river Sutlej as BOD level of river Sutlej after confluence of East Bein was observed as 10 mg/l whereas DO was 0.0 mg/l which does not confirm to any designated use during lean period of April, 2014.</li> <li>3. Water Quality of River Sutlej improves after confluence of river Beas as BOD level at d/s of Harike Barrage was 01 mg/l and DO was 7.2 mg/l.</li> <li>4. Total wastewater generation from major town of Ludhiana, Jalandhar and Phagwara is about 767 MLD (domestic + industrial).</li> <li>5. The water quality of river and canal does not confirm to the prescribed norms for total coliform. Total Coliform in Rajasthan feeder was in the range of 2000 to 1300000 MPMN.100ml whereas in Sirhind Feeder was in the range of 4000 to 92000 MPN/100ml.</li> </ol> <p>10. After noticing the above, the Tribunal directed the concerned Pollution Control Boards to prepare an action plan for remedial situation.</p> <p>11. On 9<sup>th</sup> October, 2015, the Tribunal considered the action plan of the Punjab Water Supply &amp; Sewage Board (PWSSB) for which the funds were to be released by the</p>
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<p><b>Item No.</b> <b>01</b></p> <p><b>July 24,</b> <b>2018</b></p> <p><b>ag</b></p>	<p>Ministry of Urban Development, Government of India as per details noted in the order of the Tribunal.</p> <p>12. On 18<sup>th</sup> December, 2015, the Tribunal directed a Joint Inspection of Central Pollution Control Board and Punjab Pollution Control Board. It was also directed that samples of the effluents be taken and a report furnished. The said report was considered on 13<sup>th</sup> January, 2016 and it was noticed that the effluent discharged from the outlets of Sultanpur Lodhi and Basti Peerdaad exceeded the prescribed norms for BoD, CoD, TSS and Phosphates.</p> <p>13. On 9<sup>th</sup> January, 2017, the Tribunal directed the PPCB to file an affidavit in support of the stand that the industries have achieved zero discharge. Again the matter was considered on 19<sup>th</sup> April, 2017 and also subsequently.</p> <p>14. As per status report filed by the Punjab Pollution Control Board as on 23<sup>rd</sup> July, 2018, out of 18 towns in Nangal-Ropar belt, 17 STPS have already been installed and eighteenth is likely to be commissioned by 30<sup>th</sup> September, 2018. The Board is monitoring the industrial discharge and they have installed ETPs based on Zero Liquid Discharge technology (ZLD). CETPs catered to the industries based on ZLD technology. This has resulted in reduction in pollution in terms of metal content. The dyeing industries have installed ETPs and there is a proposal to install 3 CETPs. M/s Bahadurke Textile and Knitwear Association is installing a CETPs which has been approved by the Government of India for 50 % funding. The Punjab Dyers Association (Focal Point Module and Tajpur-Rahon road Module) is installing CETPs. It is stated that out of these 5 STPs, 3 STPs of capacity 48</p>
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<p><b>Item No.</b> <b>01</b></p> <p><b>July 24,</b> <b>2018</b></p> <p><b>ag</b></p>	<p>MLD, 152 MLD and 111 MLD STPs are based on UASB technology and have become old and needs upgradation to achieve the stringent parameters prescribed by Punjab Pollution control Board. There is also need to enhance the overall capacity of STPs to 650 MLD against the existing capacity of 466 MLD. Furthermore, there are some outlets carrying sewage of Ludhiana city, which directly falls into Buddha Nallah without any treatment for which Municipal Corporation, Ludhiana has to connect these outlets with main sewerage system leading to STPs. For closing these outlets and enhancement of capacity of STPs, Municipal corporation, Ludhiana has engaged the services of Engineers India Ltd., (EIL), New Delhi and M/s Shah Technical Consultant, Chandigarh. The study of whole stretch of Buddha Nallah is being carried out to check the feasibility of interceptor sewer along the stretch of <i>Buddah Nallah</i>.</p> <p>With regard to <i>Kala Singhia Drain</i> and <i>Garha Drain</i> it is stated that there is a proposal for upgradation of the existing CETPs and to install third module of CETPs.</p> <p>15. Further, Status reports have also been filed indicating the status at Jalandhar and Ludhiana with regard to the setting up of the STPs.</p> <p>16. The above resume of the facts appearing in the inspection reports and the steps taken by local bodies, it does not give a clear picture of the result achieved at the ground level. Though, it is stated that there is need to upgrade STPs/CETPS and there are other challenges, time bound solution has not been suggested. The matter is pending for four years and almost 50 adjournments have</p>
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	<p><b>Item No.</b> <b>01</b></p> <p><b>July 24,</b> <b>2018</b></p> <p><b>ag</b></p>	<p>been granted. We are now satisfied that there is immediate need for a dedicated and qualified monitoring committee for constant monitoring so as to ensure improvement on the ground level. The untreated effluents cannot be allowed to be dumped into any river or water bodies as it will violate fundamental right to life of the inhabitants were entitled to pollution free and clean water.</p> <p>17. Accordingly, we direct as follows:</p> <p>i) The Central Pollution Control Board may forthwith constitute a Monitoring Committee with the involvement of Mr. Balbir Singh Seechewal who has rendered remarkable voluntary service for creating awareness of checking pollution. The Representative of the CPCB will be the Nodal Officer and a representative of the Rajasthan Pollution Control Board may also be included in the Monitoring Committee. The Monitoring Committee must have one Engineer and one Scientist and also a Member of the Punjab Pollution Control Board and a Nominee of the Urban Development of the State of Punjab.</p> <p>ii) The Monitoring Committee must have first meeting latest by 10<sup>th</sup> August, 2018 and take stock of the action taken report so far. It may also prepare time bound Action Plan for handling the situation. Short term action plan may be for three months and longer plan may have three monthly targets.</p> <p>iii) Action Plan may be put on the website of the</p>
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	<p><b>Item No.</b> <b>01</b></p> <p><b>July 24,</b> <b>2018</b></p> <p><b>ag</b></p>	<p>PPCB/CPCB enabling suggestions from stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children.</p> <p>18. With the above observation, the application is disposed off. The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.</p> <p>19. List for consideration of the report of the Committee on 14<sup>th</sup> November, 2018.</p> <p>....., CP (Adarsh Kumar Goel)</p> <p>.....JM (S.P. Wangdi)</p> <p>.....EM (Dr. Nagin Nanda)</p> <p>24.07.2018</p>
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Item No. 03

Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHIOriginal Application No. 916/2018  
(Earlier O.A. No. 101/2014)

Sobha Singh &amp; Ors.

Versus

Applicant(s)

State of Punjab &amp; Ors.

Respondent(s)

Date of hearing: 14.11.2018

CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s):

For Respondent (s):

Mr. Rajkumar, Advocate for CPCB  
Mr. A. Raj, Advocate for State of Rajasthan**ORDER**

1. We have perused the interim report submitted by the Monitoring Committee, in compliance with the order of this Tribunal dated 24.07.2018 in *Original Application No. 101/2014, Sobha Singh & Ors. Vs. State of Punjab & Ors.*

2. The original application raised the issue of pollution of rivers Sutlej and Beas in Jalandhar and Ludhiana Districts on account of discharge of untreated pollutants - industrial as well as municipal. On testing the water samples, it was found that Total Dissolved Solid (TDS), Accumulation of Chromium, Nickel, Zinc and pesticides were high in the sediment of *Chitti Bein*. Traces of metals like Chromium, Nickel and Zinc were detected in soil samples of the fields irrigated by the waters of the Bein. There was high level of inorganic and organic pollution in both the east *Bein* and the *Kala Sanghia* drain, as per the Punjab Pollution Control Board (PPCB) reports. Further, the report by SERI on Buddha Stream was also to that effect.

3. In the last order dated 24.07.2018, we noted that there are 1332 hazardous waste generating industries as well as 17 categories of industries highly polluting. As a result of such pollution, eight districts of Rajasthan were found to be adversely affected, apart from Ludhiana and Jalandhar Districts of State of Punjab. We are informed that Mukhtar District is also affected by the pollution. The industries and local bodies failed to install and make functional the requisite treatment plants. 35 municipal Councils/Nagar Panchayats are discharging sewage with heavy metal and BOD loads in the said rivers.

4. We noted the stand of the Punjab Pollution Control Board and the Punjab Water Supply and Sewerage Board (PWSSB) with regard to installation of the STPs and taking of other steps. But in spite of the said steps, the water quality did not meet the laid down standards. Action plan of the PWSSB with the funds provided by the Ministry of Urban Development, Government of India were considered. It was noted that more STPs and CETPs were required to be set up.

5. After noting that the matter had been monitored by the Tribunal in the last four years on almost 50 dates, it was considered appropriate to have a closer monitoring at ground level.

6. Accordingly, a Monitoring Committee was directed to be constituted by the Central Pollution Control Board as Nodal Agency and having Mr. Balbir Singh Sicheval who had rendered voluntary service as a member, apart from representatives from the Rajasthan Pollution Control Board, PPCB and the Urban Development Department of the State of Punjab. The Committee was required to frame a shortterm action plan for three months and a longer plan with three monthly targets. The Committee

could also consider suggestion from stakeholders and involve volunteers as well as the educational institutions.

7. The Committee has conducted several proceedings and given its interim report, highlighting the issues noted and seeking three months more time up to 31.01.2019.

8. The Committee has taken stock of the situation and noted lack of sewage system, non-availability of STPs and lack of appropriate technology and capacity, lack of waste water treatment, lack of skilled man power, non-sustainable approach in designing of sewage management projects. The sources of industrial water pollution in the catchment of the river Sutlej include M/s National Fertilizers Limited, Nangal, M/s Punjab Alkali and Chemicals Ltd., Naya Nangal, M/s Guru Gobind Singh Super Thermal Plant (GGSSTP)/Ropar and M/s Gujrat Ambuja Ltd. Village Daburji, Ropar at stretch Nangal to Ropar and electroplating industries, dyeing industries, leather complex, Kapurthala Road, Jalandar, Effluent from industries located at Phagwara, effluent from industries located at Phillaur as well as M/s Pioneer Industries (Distilleries Division) and M/s Pioneer industries (Gluten Division), Pathankot, M/s Indian Sucrose, Mukerian and M/s Chadha Sugar Ltd. The committee also noted that solid waste is not properly handled and is dumped on open sites causing a serious threat to the environment and also choking the flow of the water bodies. Bio-medical waste as well as hazardous waste are not properly managed. There is also illegal mining in the flood plain/river basins.

9. The Committee held meetings on 10.08.2018, 06.09.2018, 26.09.2018 and 17.10.2018 and noted the issues to be addressed. It was noted that sludge generated from STPs was not being pre-treated, STPs were not having stand-by arrangement during

maintenance, STPs are by-passing the untreated sewage into drains and do not have adequate capacity, industrial effluents are mixed up with the domestic sewage resulting in damage to the STPs. All the STPs should be under one authority. Health camps are required to be conducted in the affected areas.

10. As a result of the testing of the samples from the STPs, it was found as follows:

*"a. Samples were collected from 34 out of 43 STPs inspected by the Committee.*

*b. 01 out of 43 STPs is having valid Consent.*

*c. 17 out of 43 STPs are by-passing the sewage without imparting any treatment.*

*d. 36 STPs have installed flow meters at the inlet and only 12 out of 43 STPs have installed flow meters at the outlet.*

*e. Out of 34 samples, 33 are not complying with the sewage discharge norms.*

*f. 39 STPs are discharging their effluent either in rivers or drains and 3 STPs are using for onland irrigation. 01 STP gate found locked during the visit.*

*g. Most of the STPs located at Bhattian, Jamalpur, Bastipirdadd, Phillaur, Ropar Waddi, MaujewalNangal, Makhueither lying defunct or the effluent was being by-passed (STPs at Jagraon, Balloki, NakodarPhillaur, Moga, Anandpur Sahib, Kapurthala, Phagwara etc.) without imparting any treatment for the generated sewage. At some STPs, operators were not present."*

11. With regard to CETPs, it was found that:

*"(i) CETP in leather complex was not in operation but under maintenance;*

*(ii) Chromium bearing sludge removed from the sludge drying beds is kept in open yard adjacent to the sludge drying bed which may lead to soil and ground water contamination;*

*(iii) Housekeeping in CETP was very poor;*

*(iv) Workers were found to be replacing the new aerators in place of old aerators without any safety precautions (without wearing any PPE);*

*(v) There is no provision of surface run off collection drain provision within the premises of CETP and thereby surface run off is leading towards preliminary storage tank;*

*(vi) OCEMS at the ETP outlet not yet provided for continuous monitoring of the treated effluent before its discharge, which is a serious violation of directions issued by Central Pollution Control Board;*

*(vii) Outlet of CETP is located close to the Kala Singhian drain and possibility of untreated industrial effluent into the drain cannot be ruled out.*

*(viii) Considering the likely impacts due to improper disposal of chromium bearing sludge in Open Yard, the Committee directed the CETP authorities to lift and dispose of the chromium bearing sludge immediately through a TSDF, Nimbua following the manifest as per Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016 as amended.*

*(ix) The CETP authorities could not show any documents relating to the CETP."*

12. Observations with regard to 50 MLD capacity STP adjacent to the leather complex at Jalandhar are as follow:

*"(i) There is no sign of proper operation of the STP;*

*(ii) Automatic skimming provision is not in working condition;*

*(iii) STP is having bye-pass arrangement without any electromagnetic flow measuring unit to record any discharge through bye-pass arrangement*

*(iv) The sludge generated from the press filter arrangement were surprised to find that the cake of sludge had long*

dried up and efforts had been made to drench it by throwing water on it.

(v) Sludge lying in the STP premises is not at par with the efficiency of the STP w.r.to removal of solids present in the raw sewage;

(vi) OCEMS installed in the STP outlet is not in working condition;

(vii) Authorities are not having thorough knowledge on operation aspects of STP due to lack of adequate training and skilled man power for proper operation of the STP;

(viii) Requisite records are not maintained properly."

13. With regard to CETP at Ludhiana, it was observed:

"(i) The CETP Operator is required to provide information on industry-wise information regarding quantity for which agreement has been made, quantity actually lifted on monthly basis for the last one year. PPCB shall also provide the list of all these electroplating industries along with consented quantity of trade effluent to be generated.

(ii) The transportation vehicles used for collection of industrial effluent should be lined with acid proof lining on sides and at bottom with a spill collection provision at the bottom for collection of spillages during the transportation or may also use closed type of tanker with all necessary provisions. Such collected spillages may be ensured further treatment.

(iii) The transportation vehicles should be provided with name and contact details of the CETP Operator on all the

*four sides so that the information can be provided in case of any eventuality/accident.*

*(iv) PPCB should direct all the member industries of CETP to provide only neutralized industrial effluent to the CETP Operator, considering the safety aspects during transportation and handling of such industrial waste water.*

*(v) Automatic dosage system in place of the manual dosage of lime be practiced by the CETP operator for neutralization of untreated effluent.*

*(vi) All the CETP areas should be properly earmarked by providing proper sign boards and also a layout of ETP at the entrance and also display board at the entrance indicating validity of consent and authorisation, wastewater treatment capacity and contact details of the CETP, should be provided by the Operator.*

*(vii) The CETP should provide acid proof lining in the collection tank and the trenches in which the effluent is collected from the tankers, with proper sealing to avoid soil contamination.*

*(viii) House keeping needs improvement.*

*(ix) Instead of sludge drying beds, drum filter or centrifuge may be used for sludge handling prior to the disposal through TSDF Operator.*

*(x) Proper records should be maintained by the CETP Operator and submitted."*

14. We have heard learned senior counsel Mr. H.S. Phoolka appearing in connected matter, counsel for CPCB, PPCB and State of Rajasthan.

15. There is no reason not to accept the findings in the report to the effect that huge damage has been caused to the environment particularly the water bodies as well to the inhabitants. The Committee has representatives from all concerned authorities. Even on a conservative estimate, learned counsel for the parties suggest and we find no reason to disagree that the damage in monetary terms will not be less than Rs. 50 crores. On "Polluter Pays" principle, the State of Punjab is directed to deposit a sum of Rs. 50 crores with the Central Pollution Control Board within one month from today for being spent on restoration of the environment as well for relief to the victims. The State of Punjab is at liberty to prepare an action plan to recover the amount from the erring industries, local bodies, individuals and also the erring officers.

16. We direct that the Secretary, Local Bodies, Punjab, the Municipal Commissioners of Ludhiana and Jalandhar, PWSSB to jointly take responsibility for taking further steps to prevent any further damage and to take remedial steps so that the quality of water in the affected areas of rivers Sutlej and Beas is brought within the prescribed standards within 6 months.

17. The nodal officer for coordinating all actions will be the Secretary, Local Bodies.

18. The Monitoring Committee constituted by this Tribunal may suggest a mechanism for spending the above amount in proper proportion for restoration of the environment and for public health or other issues in the area.

19. The authorities may initiate prosecution against violators of law in accordance of law and take such other steps may be found appropriate, including closure of polluting industries, disciplinary and penal action against erring officers, etc.

20. Time for furnishing further report is extended till 31.01.2019, as suggested.

21. Put up for further consideration on 22.02.2019.

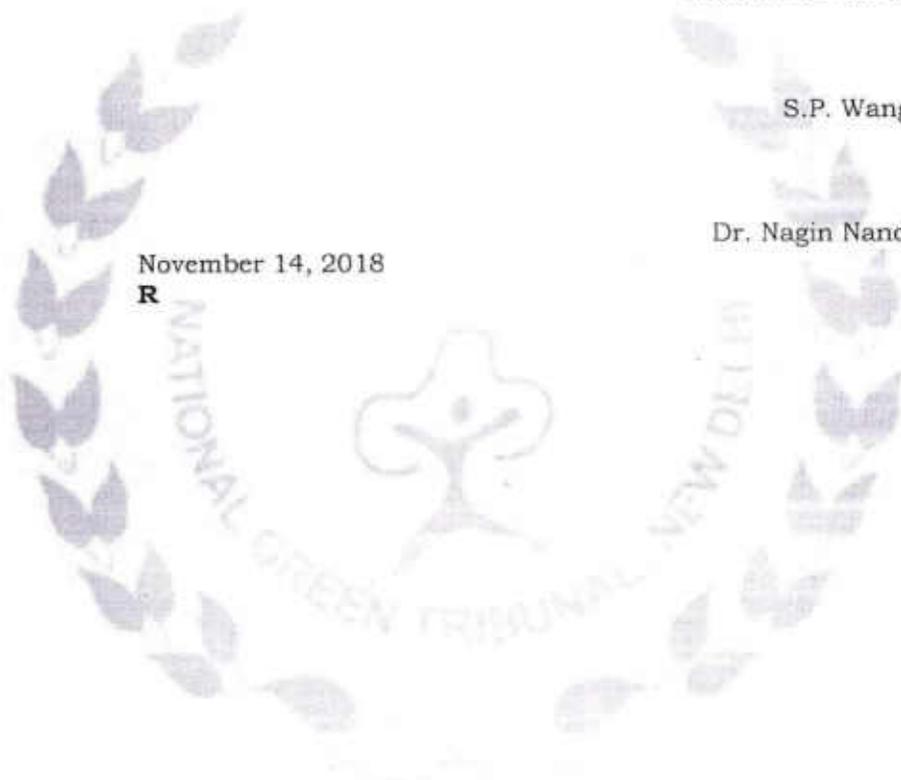
Adarsh Kumar Goel, CP

S.P. Wangdi, JM

Dr. Nagin Nanda, EM

November 14, 2018

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BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 344 of 2018

Sukhpal Singh Khaira, MLA, Punjab Assembly & Ors.  
V/s  
UOI & Ors.

CORAM : HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

**Present:**    **Applicant**                    : Mr. H. S. Phoolka, Sr. Adv and Ms. Shilpa Dewan, Adv.  
                  **PPCB**                                    : Mr. Karan Bharihoke, Adv  
                  **State of Rajasthan** : Mr. Shiv Mangal Sharma, AAG, Mr. Saurabh Rajpal, Mr. Adhiraj Singh, Adv.  
                  **MoEF**                                     : Mr. Rajesh K. Singh, Adv.  
                  **Respondent No. 11** : Mr. Rajinder Singh Bhatta and Mr. Misra, Adv  
                  **Respondent No. 10** : Mr. Sangram Singh Saron, Adv  
                  **CPCB:**                                     : Mr. Rajkumar, Adv.

Date and Remarks	Orders of the Tribunal
<p style="text-align: center;">Item No. 06</p> <p style="text-align: center;">September 04, 2018</p>	<p>As in a matter relating to the same subject (O. A. NO. 101 of 2014) an order has been passed on 24-07-2018 and the same has been ordered to be listed on 14-09-2018. In the order of 24-07-2018 a Committee has been constituted and following directions have been issued:</p> <p><b>17. Accordingly, we direct as follows:</b></p> <p style="margin-left: 2em;">i) <i>The Central Pollution Control Board may forthwith constitute a Monitoring Committee with the involvement of Mr. Balbir Singh Seechewal who has rendered remarkable voluntary service for creating awareness of checking pollution. The Representative of the CPCB will be the Nodal Officer and a representative of the Rajasthan Pollution Control Board may also be included in the Monitoring Committee. The Monitoring Committee must have one Engineer and one Scientist and also a Member of the Punjab Pollution Control Board and a Nominee of the Urban Development of the State of Punjab.</i></p> <p style="margin-left: 2em;">ii) <i>The Monitoring Committee must have first meeting latest by 10<sup>th</sup> August, 2018 and take stock of the action taken report so far. It may also prepare time bound Action Plan for handling the situation. Short term action plan may be for three months and longer plan may have three monthly targets.</i></p>

<p>Item No. 06</p> <p>September 04, 2018</p>	<p>iii) <i>Action Plan may be put on the website of the PPCB/CPCB enabling suggestions from stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children.</i></p> <p><b>18. With the above observation, the application is disposed off. The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.</b></p> <p>Therefore, let this matter be also referred to the Committee constituted with the aforesaid directions passed in O. A. NO. 101 of 2014 and list the same.</p> <p>Thereafter this case be also listed along with O. A. NO. 101 of 2014 on 14-09-2018. The office is directed to send a copy of this order to the Committee constituted in O. A. No. 101 of 2014.</p> <p>.....JM (Raghuvendra S. Rathore)</p> <p>.....EM (Dr. Satyawan Singh Garbyal)</p>
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<p>Item No. 07 September 04, 2018</p>	<p><i>stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children.</i></p> <p><b>18. With the above observation, the application is disposed off. The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.</b></p> <p>Therefore, let this matter be also referred to the Committee constituted with the aforesaid directions passed in O. A. NO. 101 of 2014 and list the same.</p> <p>Thereafter this case be also listed along with O. A. NO. 101 of 2014 on 14-09-2018. The office is directed to send a copy of this order to the Committee constituted in O. A. No. 101 of 2014.</p> <p>.....JM (Raghuvendra S. Rathore)</p> <p>.....EM (Dr. Satyawan Singh Garbyal)</p>
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BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 206/2016  
(M.A. No. 387/2016)

IN THE MATTERS OF :-

**Capt. Hans Raj Singha Vs. Union of India & Ors.**

**CORAM :** HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

**Present:** Applicant Mr. Akush Vashishtha, Adv. and Capt. Hans Raj Singha,  
Respondent Applicant in person  
HPPCB Mr. Vikas Mahajan, AAG for State of HP  
Mr. Divya Prakash Pande, Adv.

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 13</p> <p>October 05, 2018</p>	<p>This matter related to illegal mining activities in Satluj Flood Plain/River Basin. The larger Bench of this Tribunal in O.A. No. 101 of 2014 has constituted a Committee with detailed terms of reference which includes illegal mining activities of the said river on 24<sup>th</sup> July, 2018 and the said order has been reiterated in O.A. No. 344 of 2018. Therefore, we direct the Applicant to appear before the Committee and participate in their meeting for his redressal.</p> <p>Consequently, Original Application No. 206 of 2016 stands disposed of, with no order as to cost.</p> <p><b><u>M.A. No. 387 of 2016</u></b></p> <p>This Application does not survive for consideration as the main application itself stands disposed of.</p> <p>M.A. No. 387 of 2016 stands disposed of accordingly.</p> <p>.....JM (Raghuvendra S. Rathore)</p> <p>.....EM (Dr. Satyawan Singh Garbyal)</p>

**Minutes of V Meeting of the Monitoring Committee held with the concerned Departments of Himachal Pradesh State Government and HPPCB on 16.11.2018 at 'Hotel Holiday Home, Shimla' in compliance to Hon'ble NGT Order dated 5.10.2018 in the matter of OA No.206 of 2016- Capt. Hans Raj Singha Vs. Union of India & Ors.**

V Meeting of the Monitoring Committee was held on 16.11.2018 at 'Hotel Holiday Home, Shimla' with the concerned Departments of Himachal Pradesh State Government and Himachal State Pollution Control Board (HPSPCB) in compliance to Hon'ble NGT order dated 5.10.2018 in the matter of OA No.206 of 2016 titled Capt. Hans Raj Singha Vs. Union of India & Ors. The List of participants who attended the meeting is enclosed as **Annexure-I**.

At the outset, Er. A.K. Negi, Senior Environmental Engineer, Himachal Pradesh State Pollution Control Board (HPSPCB) welcomed the Members of the Committee and the Officials of Himachal Pradesh State Government.

After a brief introduction of all the participants, Sh. J.Chandra Babu, Scientist 'D' Nodal Officer, CPCB requested Shri Balbir Singh Seechewal, Member, Punjab Pollution Control Board to chair the todays meeting. Thereafter, he requested Chairman to address the officials. Sh. Balbir Singh Seechewal requested all the officials that the facts be provided to the monitoring committee so that a factual report can be presented before the Hon'ble NGT. Thereafter, he requested Shri J.C.Babu to take up the proceedings as per agenda.

Thereafter, Shri J.C.Babu, informed that the Monitoring Committee was originally constituted in the matter of OA No. 101/2014 filed by Sobha Singh Vs. State of Punjab, which is related to control of pollution of River Satluj and its tributaries. Sh. J.C. Babu also briefed about the Hon'ble NGT order dated 5.10.2018 in the matter of OA No.206/2016 filed by Captain Hans Raj Singha Vs Union of India & Ors. in connection with the illegal sand mining activity in private as well as forest land situated at village Sataun, PO Koil, Tehsil Nirmand, Distt. Kullu, Himachal Pradesh. He further briefed that vide afore-said order dated 5.10.2018, the Hon'ble NGT directed the applicant to approach the Monitoring Committee constituted vide order dated 24.7.2018 in the matter of OA No. 101 of 2014. He also stated that in pursuance to the Hon'ble Order dated 05.10.2018, the applicant - Capt. Hans Raj Singha had appeared before the Committee in the last meeting held on 17.10.2018 at CPCB, Delhi, and it was decided that a meeting be held at Shimla to discuss

with the officials of concerned departments of H.P. State Government and also to visit the disputed sand mining site in H.P.

Thereafter, he has requested Capt. Hans Raj Singha to brief regarding the illegal mining activity in his land. Capt. Hans Raj Singha apprised the monitoring committee that the illegal mining is being carried out on his land as well as on the adjoining government and forest land. Responding to the queries, Capt. Singha further added that initially himself was the partner in a company called M/s Jai Maa Bhima Kali Crushing Unit, H.O. NH-21, Pirdi Mohal, Kullu, District Kullu and leased out his land [(having bearing Khasara No. 1094/1 (6-19 bighas), 1096/2 (8-02 bighas), 1095/5 (5-08 bighas), 1096/1 (1-08 bighas), 1097/1 (0-18 bighas) and 1117 (3-06 bighas), total containing an area of 26-01 bighas)] for carrying out stone crushing activity which include extraction of sand, stone and bajri. with the approval of the Himachal Pradesh State Government. He also informed that in 2014, he leased out his land to the respondent Shri Bhagat Kaushal, Village Churag, PO Churag, Tehsil Karsog, District Mandi (hereafter referred as lessee) on 16.02.2015 with respect to 13-10 Bighas for the purpose of carrying out mining operation by the lessee subject to obtaining of prior approvals from the concerned departments. He continued to receive lease amount against the land for about 13 months in the form of cheques. Shri Bhagat Kaushal, Lessee had also applied for obtaining permission from mining department for carrying out mining at the afore-said site, which was never granted by the Mining Department, Himachal Pradesh State Government.

To the query of Monitoring Committee, to show copies of permission obtained or agreements made with the firms for carrying out mining activities or approvals obtained from Govt. Department in the past, Capt. Hans Raj Singha and his advocate agreed for providing a copy of the set of documents to the committee during the visit to the site by the committee.

Thereafter, Committee requested the officials of H.P. SPCB to brief about the matter. It was informed by the HPSPCB officials that HPSPCB vide letter dated 04.06.2008 granted Consent to Establishment for stone crusher of Capt. Hans Raj Singha for manufacture of aggregate at Village Sativan, P.O.Koil, Tehsil Nirmand, District Kullu, H.P and subsequent renewal and Consent to Operate (CTO) was granted by H.P.SPCB which was valid upto 31.03.2013 and thereafter no permission or consent was granted to Capt. Hans Raj Singha or any other company by the HP SPCB. It was further informed by the

HPSPCB that as per policy of the State, grant of consent to a stone crusher also implies that it has granted permission for carrying out intended mining also.

To the queries of the Committee, Shri Puneet Guleria, State Geologist, HP informed that he will check all the record from 2008 onward regarding this case and will provide all the documents to the Committee within ten days. He further briefed that to stop illegal mining activities in HP State, powers have been delegated to 39 Govt. Departments of HP State Government. He also informed that since 2014, no permission for mining activity has been granted in this instant case of Capt. H.R. Singha & Others.

Ms. Shailza Choudhary, Mining Officer, the representative of the Mining Department informed that Mining Officer of the concerned area was directed to inspect the site periodically and during the inspections, no illegal mining was found at the site. The representative of Mining Department also informed that the partnership firm of Capt. Hans Raj Singha a had applied for permission to carry out mining on the land, However, during inspection by a joint team of officers, illegal mining activities were observed at the site, so permission for mining was not granted to Capt. Hans Raj Singha or lessee.

To the query of any environmental clearance granted for carrying out sand mining in the land pertaining to Capt. Hans Raj Singha, the representative of the SEIAA informed to the Committee that no environmental clearance (EC) has been granted in the instant case.

Shri Anil Thakur, Chief Conservator of Forest, Rampur, Himachal Pradesh State informed that as per their observations there are small patch of forest area around the land of Capt. Hans Raj Singha and earlier there was no fencing around forest land as no defined boundaries. There are 3 exist points from the forest area which connects to the main road and it is not possible to keep a watch on the road all the time.

Shri Tejendir Verma, SDPO, Anni and representative of SP, Kullu informed that as per the earlier inspections by their officials, there was no mining activity in the area under reference.

Shri Chet Singh, SDM, Anni informed that as per their findings carried out in June 2018, there was no sand mining activity and accordingly, report was filed before the Hon'ble NGT for perusal.

Thereafter, the committee deliberated the issues to stop illegal sand mining activity in the area under reference with the applicant Capt. H.R. Singha as well as the officials attended the meeting and upon deliberations following decisions were taken as detailed below:-

- 1) As Capt. Hans Raj Singha or his representative could not provide any documentary evidence to the committee during the meeting, it was suggested to provide all the certified copies of the relevant documents (agreements made in the past, permissions obtained from the H.P. State Government Departments w.r.to the sand mining activity in the land under reference) to the Nodal Officer, CPCB, within a week from the date of issuance of the minutes of the meeting.
- 2) Shri Puneet Guleria, State Geologist, HP /Mining Department, H.P. State Government is suggested to check all the records from 2008 onwards regarding the Capt. Hans Raj Singha and to provide all the certified copies of the documents to the Nodal Officer, CPCB, within ten days.
- 3) H.P. State Geologist/ Mining Department, H.P. State Government shall obtain and submit the report on action taken by all the 39 Govt. Departments of HP State Government against the illegal mining activities in the State particularly w.r.to the illegal sand mining in the site of Capt. Hans Raj Singha along with a certified copy of the sand mining policy of the Govt. of Himachal Pradesh State, within 15 days.
- 4) Committee also made following suggestions to the concerned departments in H.P. State: -
  - a) Challans of transportation vehicle involved in illegal mining activity should be imposed by indicating details such as the Vehicle No, Name of the Driver, Name of the Owner of the Vehicle, Chassis No. so that owner of vehicle can be identified easily.
  - b) In case of absconding of driver of the transportation Vehicle indulged in illegal sand mining activity, in such a case action for impoundment of vehicle should be done with the police assistance by the inspecting team.

- c) Auctioning of the impounded Vehicle should be done by the concerned authority after reasonable time, in case of no claimant is found.
- d) Concerned authority should inform RTO for cancellation of registration of the vehicle involved in illegal sand mining activity.
- e) Barrier in the form of suitable size of trench or manned barrier at the salient exist points should be made wherever feasible by the concerned authorities
- f) A sub-committee under the Chairmanship of SDM, Anni comprising of following officers will inspect the site in Village Sataun pertaining to Capt. Hans Raj Singha once in fifteen days for next two months for physical verification of any illegal mining activity and will submit the report to the Monitoring Committee and Nodal Officer, CPCB through the Chairman of the Sub-Committee (i.e. SDM,Anni), as detailed below:-

- |    |  |        |            |
|----|--|--------|------------|
| 1) | SDM, Anni                                    | -      | Chairman   |
| 2) | DFO Ani                                      | -      | Member     |
| 3) | RO, HPSPCB, Rampur-                          | Member |            |
| 4) | District Mining Officer, Kullu               | -      | Member     |
| 5) | SHO Nirmand                                  | -      | Member     |
| 6) | SHO Ani                                      | -      | Member and |
| 7) | Capt. Hans Raj Singha or his Representative. |        |            |

- 5) As regards to the threat calls to Capt. Hans Raj Singha, it was suggested him to provide such details to SP, Kullu to find the culprits and for taking further necessary action.
- 6) To visit site of Capt. Hans Raj Singha at Village Sataun, Kullu District, H.P. on 17.11.2018 for physical observations and assessment of sand mining activity if any.

The Monitoring Committee members and Nodal Officer, CPCB thanked HPSPCB for making necessary arrangements and for organizing the meeting of the Monitoring Committee.

The meeting ended with vote of thanks to the Chair.

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**Annexure-I**

**List of Participants of Meeting held on 16.11.2018 at Hotel Holiday Home, Shimla of the Monitoring Committee with the concerned Departments of Himachal Pradesh State Government and HPSPCB in compliance to Hon'ble NGT order dated 5.10.2018 in the matter of OA No.206 of 2016-Capt. Hans Raj Singha Vs. Union of India & Ors.**

<b>S. No.</b>	<b>Name of the Official, Designation/Department</b>
1.	Sh.Sant Balbir Singh Seechewal, Member of Monitoring Committee
2.	Sh. J.C. Babu, Member of Monitoring Committee & Nodal Officer
3.	Sh. A.S. Dhaliwal, Chief Engineer , Department of local Government , Punjab Member of Monitoring Committee
4.	Sh. Niraj Mathur, SEE, Rajasthan State Pollution Control Board, Member of Monitoring Committee
5.	Sh. Neeraj Gupta, SDM Shimla(Rural).
6.	Sh. Chet Singh, SDM Anni
7.	Sh. Sunny Sharma, Assistant Commissioner Kullu & Officiating SDM, Kullu
8.	Sh. D.C. Rana, Director, EST.
9.	Sh. A.K. Kalsi, SEE, Punjab Pollution Control Board
10.	Sh. Anil Thakur, CCF Rampur
11.	Sh. Ajeet Kumar, SEE, HPSPCB
12.	Sh. Parveen Gupta, SEE, HPSPCB
13.	Sh. S.K. Shandil, EE, HPSPCB
14.	Sh. Tejender Verma SDPO Anni
15.	Sh. Puneet Guleria, State Geologist, HP
16.	Sh. Sunil Sharma, JEE, HPSPCB, Rampur
17.	Ms. Shailza Choudhary, Mining Officer, Shimla
18.	Capt. Hans Raj Singha, Applicant
19.	Sh. R.K. Kakar, Advocate of the Applicant



## Central Pollution Control Board

(Ministry of Environment, Forest & Climate Change, Govt. of India)  
Parivesh Bhawan, East Arjun Nagar,  
Delhi - 110032

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### **Minutes of 6<sup>th</sup> Meeting of the Monitoring Committee held on 04.12.2018 (First Day) at 'PPCB, Jalandhar' for ensuring compliance to Hon'ble NGT Order dated 24.07.2018 in the matter of O.A No 101/2014 titled Sobha Singh &Ors. Vs State of Punjab &Ors.**

Sixth meeting of the 'Monitoring Committee' constituted by Hon'ble National Green Tribunal (NGT) Principal Bench (PB), New Delhi Order dated 24.07.2018 was held on 04.12.2018 at 'PPCB, Jalandhar'. The list of officials attended the meeting is annexed **(Annexure-I)**.

At the outset, Shri Pawan Garg, Chief Environmental Engineer (CEE), Punjab Pollution Control Board (PPCB), Ludhiana welcomed Shri. Balbir Singh Seechewal, Member of Monitoring Committee, Shri. J Chandra Babu, Scientist-D (Nodal Officer), CPCB, Shri A.S. Dhaliwal, Member representing Local Government, Punjab State, the representative of Rajasthan State Pollution Control Board (RSPCB) as well as officials of Punjab State Government present in the meeting.

Thereafter, Shri J Chandra Babu, Scientist-D (Nodal Officer), CPCB requested Shri Balbir Singh Seechewal to chair today's meeting of the monitoring committee. Thereafter, he apprised that the Monitoring Committee that the interim report finalised and approved by the Committee was filed before Hon'ble NGT on 31.10.2018 after holding 5 meetings and sought additional time of three months ( up to 31.01.2019) for carrying out few inspections and monitoring of river Sutlej, Beas and drains falling in the catchment area of river Sutlej and Beas and also to visit sand mining site in Kullu District in Himachal Pradesh for ensuring compliance to the Hon'ble NGT order dated 05.10.2018 in the matter of OA No. 206 of 2016 filed by Capt. Hans Raj Singha Vs Union of India and Ors. Hon'ble NGT vide its order dated 14.11.2018 has extended the time for furnishing the report by 31.01.2019 as suggested by Monitoring Committee. Further, Shri J C. Babu, also informed that Hon'ble NGT while passing orders dated 14-11-2018 has gone through each and every line of interim report and has levied Rs. 50 crores due to non-functioning of STPs. Monitoring Committee is neither in favour of any individual/body nor against any individual/bodies. Thereafter, formal agenda of the meeting was taken up by the Monitoring Committee.

Submission of action taken reports on Hon'ble NGT order dated 14.11.2018 as apprised to the committee by the concerned departments is given in subsequent paras:-

**1) Punjab Pollution Control Board:-**

Shri Rajeev Sharma, Senior Environmental Engineer, Zonal Office-2, Ludhiana made a presentation of the Action Plan prepared by it, which was the same as already presented in the 4<sup>th</sup> meeting held on 17-10-2018 at CPCB, New Delhi. Action Plan submitted by PPCB for control of Industrial pollution in Catchment areas of river Sutlej and river Beas was discussed by the Monitoring Committee and following improvements were suggested: -

- a) *Abstract of present industrial pollution control status, gaps identified and proposed corrective measures with suggested timelines be tabulated and incorporated in the final action plan.*
- b) *A digital map pertaining to river Sutlej and river Beas showing area-wise major industry/sector-wise number of industries, total water consumption in MLD, total industrial effluent generated in MLD, Location of CETPs with capacity in MLD, total number of industries, total no. of industries causing water pollution, total no. of industries obtained consent under Water Act, 1974 and authorization under HW & OW ( M & TM) Rules, 2016 as amended, no. of industries having captive ETPs, total number of industries are members of CETPs, water quality of river Sutlej, river Beas and the drains contributing to pollution load in river Sutlej and river Beas.*
- c) *PPCB shall include action plans for management of hazardous waste and bio-Medical waste in the catchment area of river Sutlej and Beas. Action Plan should cover existing scenario, gaps identified and corrective actions to be taken with suggested timelines to achieve the targets.*
- d) *PPCB should collect details with regard to the flow measurement details of all the drains (at least for a period of last one year) contributing to pollution load in river Sutlej and its tributaries (River Beas) from the Drainage Department, within a week.*

**2) Municipal Corporation, Ludhiana:-**

Sh. Ravinder Garg, SEE, M.C. Ludhiana made a presentation of the Action Plan prepared by it, which was the same as already presented in the 4<sup>th</sup> meeting held on 17-10-2018 at CPCB, New Delhi. He said that certain amendments are being made and sought one-week time to finalize the same.

*The committee noticed that issue of actual quantity of industrial effluents being discharged into municipal sewers of Ludhiana leading to Budha Nallah needs to be settled by Municipal Corporation, Ludhiana in consultation with the PPCB. Committee suggested Municipal Corporation, Ludhiana (i) to arrange for characteristics of water being supplied to the public and to submit the status report of its quality; (ii) to get measure the actual discharge flowing into the River Sutlej from Buddha Nallah at the entrance and at the outfall of Buddha Nallah from drainage department and submit action plans if required*

accordingly; and (iii) for incorporation of all the action plans as suggested by the committee in its earlier meetings.

**3) Municipal Corporation, Jalandhar:-**

Sh. Kishore Bansak, SE, M.C. Jalandhar made a presentation of the Action Plan prepared by it, which was the same as already presented in the 4<sup>th</sup> meeting held on 17-10-2018 at CPCB, New Delhi. Regarding Jainsher Dairy Complex, Sh. Harbir Singh, SEE, PPCB, Jalandhar informed that Municipal Corporation, Jalandhar is required to provide an ETP of 50 MLD capacity to treat the liquid waste and also a Bio-Gas Plant for generated solid waste from the dairy complex. To this observation, the representation of Municipal Corporation, Jalandhar informed that proposal for Bio-Gas Plant has already been finalized and work has been allotted and same has already been included in the action plan. He also agreed regarding requirement of providing ETP and assured to include the same in the final Action Plan.

*The Committee felt that PPCB shall share the details and calculations etc. regarding 50 MLD capacity assessment of ETP for Dairy Complex. Also, the Municipal Corporation shall provide the time lines for completion of Bio-Gas Plant as per work order/allotment letter and shall try to complete it within 3 months. The Committee felt that Municipal Corporation (MC) Jalandhar shall share the details and calculation how the gap of 54 MLD shall be met by reducing the supply hours of water supply as proposed in the Action Plan. Committee suggested Municipal Corporation, Jalandhar (i) to arrange for characteristics of water being supplied to the public and to submit the status report of its quality; (ii) to get measure the actual discharge flowing into the River Sutlej from East Kall Bein and other drains from drainage department and submit action plans if required accordingly; and (iii) for incorporation of all the action plans as suggested by the committee in its earlier meetings.*

**4) Punjab Water Supply & Sewerage Board:-**

Ms. Lata Chauhan, Xen, PWSSB made a presentation of the Action Plan prepared by it, which was the same as already presented in the 4<sup>th</sup> meeting held on 17-10-2018 at CPCB, New Delhi. Action Plan submitted by PWSSB was discussed by the Monitoring Committee.

**5) Dept. Of Water Supply & Sanitation:-**

The Chief Engineer informed that their department is operating 5 STPs located at Bagha Purana, Shri Mukatsar Sahib and Anandpur Sahib. 1 STP at Bagha Purana and 3 at Shri Mukatsar Sahib are defunct/non-operational due to non-availability of funds. The STP at Anandpur Sahib is operational. Their Department has prepared a draft Action Plan and the same is under consideration of State Govt. for approval and same will be submitted upon approval.

**6) Department of Rural Development & Panchayats:-**

Sh. Balwinder Singh, Superintending Engineer informed that their department has identified villages discharging their domestic waste water into river Sutlej and river Beas and are in the process of finalizing action plan for treatment and disposal of waste water. The Committee suggested to adopt various well established technologies which include Septic Tanks followed by Constructed Wet land Treatment Technologies etc.,.

**7) Department of Local Bodies (Municipal Committees) & Department of Housing and Urban Development, Government of Punjab.**

The representative of the above both department informed the committee that the Action Plan prepared by them were the same as already presented in the 4<sup>th</sup> meeting held on 17-10-2018 at CPCB, New Delhi.

**8) CETP Jalandhar:-**

Sh. Harbir Singh, SEE, Zonal Office, PPCB, Jalandhar presented status report of CETP Leather Complex, Jalandhar. He informed that CETP Operator as well as PETS has been prosecuted by PPCB. Total capacity of CETP is 5 MLD and after sealing of 50% machine of leather industries, presently about 3 MLD trade effluent is being received in the CETP.

The Committee asked the representatives of operator and PETE of CETP who were present in the meeting that in case the inflow into the CETP is less than the installed capacity, then why it is not able to comply with the effluent discharge norms. CETP Operator as well as representatives of PETS had no answer to this observation. The Committee also noted that CETP has failed to install OCEMS till date. The Committee suggested the CETP Operator to make necessary improvements within the timelines and for ensuring compliance to the discharge norms.

**9) Health and Family Welfare Department, Punjab State Government:-**

The representative of Civil Surgeon, Jalandhar submitted a report regarding Health Survey prepared by their department. The committee observed that Health Deptt. Should carry out more survey in the villages falling along East Bein, Wet Bein on both sides of Kala Singhia drain, Jamsher drain and East Bein. The Health survey report shall include data of private as well as Govt. Hospitals/dispensaries. The Committee suggested the Health Department to submit the report within ten days and to prepare action plans with time lines without any further delay.

**Decisions and Recommendations of the Monitoring Committee:-** Upon deliberations on the course of actions to be taken by the concerned authorities, the following decisions were taken by the Monitoring Committee:-

- 1) The samples of sludge generated from the STPs where industrial effluents are mixed with domestic effluent, located in the catchment area of river Sutlej and river Beas should be collected and got analyzed by PPCB through a laboratory approved under Environment (Protection) Act, 1986 or NABL approved laboratory. The analysis results of STPs sludge for its use as manure shall be submitted to the Monitoring Committee by PPCB, by December 31, 2018.
- 2) Information regarding inspections of water polluting industries carried out by PPCB during the period 24.07.2018 to 30.11.2018 listing the details of industries visited, industries found not complying with the effluent discharge norms, nature of violations observed, action taken and present status thereof be prepared and submitted to the Monitoring Committee.
- 3) Out of 61 STPs located in the catchment area of river Sutlej and river Beas, 43 STPs have been visited by Sant Balbir Singh Seechewal along with PPCB Officials and remaining 18 STPs should also be monitored by PPCB and compliance verification reports on the format already finalized by the Monitoring Committee along with analysis results of STP outlet should be submitted to the Monitoring Committee by PPCB. The report shall cover aspects such as status of consents, name of the operator, STP capacity, unit operations in STP with flow diagram, technology adopted for treatment of sewage in the STP, total sewage treated based on electromagnetic flow meters at the outlet during the last one month, treated sewage final disposal mode, sludge generation quality and quantity, influent and out characteristics of sewage for relevant parameters and other observations made by the visiting officials. The report should also indicate names of PPCB Officials inspecting the STPs for further discussion, if required. PPCB officials should take sample at the outlet of STP as well as sludge sample in presence of the representative (s) of the O & M agency of the STP.
- 4) There is no PETP standards prescribed by PPCB for the industries discharging their effluent through CETP. Therefore, PPCB is required to prescribe PETS standards for all CETPs in Punjab, within three months' time.
- 5) Random inspection of 10% grossly polluting major industries located in the catchment area of river Sutlej and Beas should be carried by PPCB for verification of compliance to the notified norms and performance assessment reports should be prepared and submitted in original as per

the format circulated by the Monitoring Committee along with the analysis results of the ETP outlet as well as the ground water samples collected by the inspecting team. Monitoring Committee may also monitor certain industries surprisingly at its own.

- 6) A digital map pertaining to river Sutlej and river Beas showing location of STPs with capacity in MLD shall be submitted by Dept. of Local Govt. and Punjab Water Supply and Sewerage Board.
- 7) Treated waste water usage policy already proposed by State Govt. be mentioned and the action plans be amended by Urban Bodies/agencies accordingly.

The Monitoring Committee once again suggested all the concerned departments to prepare action plans with time lines by examining the existing scenario, existing infrastructure, gaps identified, data gaps in the form of pictorial and statistical form, action plans with time lines including the action taken report on the recommendations of the monitoring committee. A detailed report prepared covering the above aspects and duly approved by Competent Authority of the respective Department shall be submitted (both in hard copy and soft copy) by all the concerned departments/authorities to the Monitoring Committee members and Nodal Officer, CPCB (i.e., Shri J.Chandra Babu, Scientist 'D', Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110 032, M:9868278903, E.mail: [jcb.cpcb@nic.in](mailto:jcb.cpcb@nic.in)) latest by 26-12-2018.

The Monitoring Committee will review the Action plans and the Action taken reports submitted by all the concerned Departments on 1st Saturday of January, 2019, for finalisation of the draft report and for placing in CPCB website seeking comments or views from the public and for filing the finalised report of the committee before the Hon'ble NGT on or before 31.01.2019.

The meeting ended with vote of thanks to the Chair.

**Annexure-I****List of Participants**

**6<sup>th</sup> Meeting of the Monitoring Committee for Ensuring Compliance to Hon'ble NGT Order dated 24.07.2018 in the Matter of O.A No 101/2014 filed by Sobha Singh & Ors. Vs State of Punjab & Ors under the Chairmanship of Sant Balbir Singh Seechewal.**

**Date:** 04/12/2018 ; **Time:** 02:00 pm **Venue:** Committee Room, Punjab Pollution Control Board, Focal Point, Jalandhar.

<b>Sr No</b>	<b>Name of Official</b>	<b>Organization/ Division</b>	<b>Contact No (Telephone/Mob No</b>	<b>E-Mail</b>
1.	Shri Balbir Singh Seechewal	Member	9417319463	santseechewalji@gmail.com
2	Sghri A.S.Dhaliwal,	Chief Engineer and Member Representing Local Govt., Punjab	9988824055	amardeep.dhaliwal.mcj@gmail.com
3	Shri J.Chandra Babu	Scientist 'D' and Nodal Officer, CPCB	9868278903	jcb.cpcb@nic.in
4	Shri Niraj Mathur	Representative of RSPCB	9460049410	nirjrpcb@gmail.com
5	Shri Pawan Garg	CEE , PPCB	9872794400	
6.	Shri GS Majithia	CEE, PPCB, Jalandhar	9878950509	ceejalandhar@yahoo.com
7.	Dr. Rajesh Kumar Bagga	Civil Surgeon Jalandhar	9814694249	jalandharcsi@gmail.com
8.	Shri Sandeep Bahl	SEE,ZO Amritsar	9878950518	seeasr@gmail.com
9.	Shri Harbir Singh	SEE, PPCB , Jalandhar	9878950555	seezojal@gmail.com
10.	Shri Rajeev Sharma	SEE, PPCB, ZO2 Ludhiana	9779054005	seezo2ldh.ppcb@punjab.gov.in
11.	Shri Kishor Bansal	SE, MC, Jalandhar	9780042183	seom.mcj@gmail.com
12.	Shri Ravinder Garg	SE (O&M), MC, Jalandhar	9988820840	assistantcommissionzd@gmail.com
15.	Shri Rajinder Singh	SE (O&M), MC, Jalandhar	9788900123	xeno&m2b@gmail.com
16.	Shri Lata Chauhan	XEN, PWSSB, Div no 1, Patiala	9780448438	eep1.pwssb@punjab.gov.in
17.	Shri Ashish Rai	XEN, PWSSB, Hoshiarpur	9815985242	eeh.pwssb@punjab.gov.in
18.	Shri Avtar Singh	Municipal Council Sultanpur Lodhi	9855136977	mcspl73@yahoo.co.in
19.	Shri Shanti Sarup	M.C Kapurthala	9815272382	m.cmalerkotla@gmail.com
20.	Shri Ekjot Singh	SDO (O&M), MC, Jalandhar	9780013004	zoneadaresi@gmail.com
21.	Shri K.C Dogra	PETS	9814716229	p.pets@yahoo.in
22.	Shri Rajinder Singh	Water Supply and Sanitation Deppt	9872780121	ce_south@yahoo.com
23.	Shri Mukhtiyar Singh	PWSSB	9876534111	ceaw.pwssb@punjab.gov.in
24	Shri Balwinder Singh	GLADA Ludhiana	9417913061	balwindersingh1966@gmail.com



**Central Pollution Control Board**  
(Ministry of Environment, Forest & Climate Change, Govt. of India)  
Parivesh Bhawan, East Arjun Nagar,  
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**Minutes of Sixth Meeting of Monitoring Committee held on 05.12.2018 (Second Day) in Committee Room, Punjab Pollution Control Board, Focal Point, Jalandhar for Ensuring Compliance to Hon'ble NGT Order dated 04.09.2018 in the matter of O.A No 344 of 2018 and 345 of 2018 (Discharge of Molasses in River Beas)**

Sixth meeting of the Monitoring Committee constituted by Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi order dated 24.07.2018 was held with the concerned departments on 05.12.2018 (Second day) in 'Committee Room, Punjab Pollution Control Board, Focal Point, Jalandhar' under the Chairmanship of Shri Balbir Singh Seechewal to discuss the issue relating to the discharge of molasses into the river Beas and subsequent measures taken by all the concerned. The list of officials who attended the meeting is annexed (**Annexure I**).

At the Outset, Shri Pawan Garg, Chief Environmental Engineer welcomed Shri Balbir Singh Seechewal, other members of the monitoring committee and all the officials of Punjab State Government who attended the meeting. Thereafter, Shri. J.Chandra Babu, Scientist 'D', WQM-I and Nodal Officer, CPCB requested Shri. Balbir Singh Seechewal, Member of Monitoring Committee and Member, Punjab Pollution Control Board to chair the todays meeting. The Monitoring Committee has taken a serious note as the officials of Cane Commissioner and Directorate of Factories, Punjab State Government were not present before the Committee.

Shri. J.Chandra Babu, Scientist 'D' and Nodal Officer, CPCB informed that Hon'ble NGT vide order dated 04.09.2018 referred the matter of O.A No. 344 of 2018 to the monitoring committee constituted vide order dated 24.07.2018 in the matter of O.A No. 101 of 2014. He further requested that the concerned Departments to clearly indicate about the molasses discharge incidence and the subsequent action taken by the individuals so that it would be helpful for the committee for finalisation of the action plans for restoration of ecology of river Beas including rejuvenation of aquatic life in the wake of spillage of molasses in the river Beas, if required. Thereafter, formal agenda of the meeting was taken up and the respective departments as well as representatives of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur as apprised to the monitoring committee are as detailed below: -

**Presentation by Punjab Pollution Control Board (PPCB): -**

Shri Ravinder Bhatti, Environmental Engineer, Regional Office, Batala informed that M/s Chadha Sugars and Industries Pvt. Ltd, Village-Kiri Afgana, Tehsil-Batala, District-Gurdaspur is an integrated project having Sugar Mill unit as well as Molasses Based Distillery and Grain Based Distillery in one complex at Village-Kiri Afgana, Tehsil-Batala, District-Gurdaspur. The officials of Punjab Pollution Control Board (PPCB) also informed that the Environmental Clearance No. F.No. J-11011/8/2010-1AII (1) dated 25/04/2011 was granted by the Ministry of Environment and Forest, Government of India for establishment of the integrated project a) M/s Chadha Sugars and Industries Pvt. Ltd,

Village-Kiri afgana, Tehsil-Batala, District-Gurdaspur; b) M/s Chadha Sugars and Industries Pvt. Ltd, (Grain Based Distillery), Village-Kiri Afgana, Tehsil-Batala, Distt-Gurdaspur; and c) M/s Chadha Sugars and Industries Pvt. Ltd, (Molasses Based Distillery), Village-Kiri Afgana, Tehsil-Batala, Distt-Gurdaspur. As per records of PPCB, the Unit has obtained Consent from PPCB for manufacture of refined sugar at 400 MTD, sugar mill capacity of 4500 Tonnes Crushing Per Day (TCD) which is having validity up to 31.03.2022. On 19.04.2018, the Cane Commissioner, Punjab State has ordered M/s Chadha Sugars and Industries Pvt. Ltd, for additional crushing of sugar cane than the cane crushing capacity permitted by the PPCB.

A telephonic message from the industry at around 8:00 AM on 16/05/2018 in the office of the RO, PPCB, Batala, that an accident has occurred from the molasses storage tanks (open) of the sugar mill and due to which the molasses (about 100 tonnes) had overflowed from the open storage tanks due to high temperature in the open storage tanks and the spillage of the molasses had entered into the Kahnuwan Swamp Drain which ultimately lead to River Beas. Soon after the information, the Officers of the PPCB, Batala immediately rushed to the site and it was observed that large amount of molasses stored in 2 no. of open storage tanks got self-ignited due to exothermic reaction, which results in unstoppable flow of molasses foam from both the tanks onto the premises of the industry and some part of it flowed into Kahnuwan swamp drain. As informed by the PPCB officials, the temperature of the molasses foam/molasses was high and it was not possible to stop the flow at that stage manually or mechanically. Over a period of few hours the molasses cooled down and on the morning of 17/05/2018, machinery was deployed on war footing to stop the flow of molasses foam into the Kahnuwan swamp drain. The flow/spillage of molasses into the Kahnuwan swamp drain was controlled around 2.00 PM on 17/05/2018. Due to spillage of molasses foam into Kahnuwan swamp drain and further into river Beas, the fishes in the river Beas had died and it is expected that it has also damaged other flora and fauna in the River Beas. When the incident of molasses spillage occurred the surface water samples were collected on 17/05/2018 from River Beas downstream of Bridge at River Beas, at confluence of Kahnuwan Swamp Drain and River Beas of Village Bhait Pattan near temporary Bridge & from Kahnuwan Swamp Drain downstream from industry located at about 55 m distance. As per the analysis report of sample collected from Kahnuwan Swamp Drain downstream shows the BOD level was observed to be 88 mg/l, which caused depletion of dissolved oxygen leading to fish kill in Beas River. PPCB officials also informed that they have also informed to the District Magistrate /Dy. Commissioner, SDM, Bhatala about the incident.

Further, on 17.05.2018, Er. Rantej Sharma AEE and Er. Harbir Singh, SEE who visited the site on 17.05.2018 apprised the committee members about the initiatives taken by PPCB to control the damage from the spillage of molasses and subsequent actions taken against M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur.

Considering the emergency situation, Directions under section 33-A of Water (Prevention & Control of Pollution) Act 1974 were issued to M/s Chadha Sugars and Industries Pvt. Ltd for sealing of plant and machinery of Sugar Mill and a Bank Guarantee of Rs. 25 lacs was ordered to be encashed and the consent to operate issued to M/s Chadha Sugars and Industries Pvt. Ltd was revoked with immediate effect, vide PPCB ZO letter No.1436 dated 17.05.2018. Later, Principal Secretary, Department of Science & Technology, Govt of Punjab vide order dated 18.05.2018 directed PPCB officials for making enquiry regarding accidental spillage of molasses from the open storage tanks of M/s Chadha Sugars and Industries Pvt. Ltd., Village Kiri Afghana, Tehsil

Batala, District Gurdaspur and for submission of the report within 3 days. Subsequently, a team comprising officers of the Punjab Pollution Control Board headed by Shri GS Majithia, Chief Environmental Engineer, PPCB, Jalandhar, Shri Harbir Singh, Senior Environmental Engineer of Zonal Office, Amritsar and Shri Kuldeep Singh, Environmental Engineer, Regional Office, Batala visited the site on 21/05/2018 and based on the report of the visiting team, the industry M/s Chadha Sugars and Industries Pvt. Ltd. was given hearing on 24.05.2018 by the Chairman, PPCB. Main decisions were taken during the hearing which include (i) The Mill shall undertake an endowment programme of Rs. 5.00 crore (five crore) to be deposited with Punjab Pollution Control Board as environmental compensation for causing degradation of ecology of Beas river due to spillage of its molasses in the river Beas, on the basis of polluter pays principal, so as to utilize deposited amount for restoration of ecology of river Beas including rejuvenation of aquatic life. (ii) An Action Plan in this regard shall be prepared by Department of Forest, Department of Wild Life Department of Water Resources, PPCB, Punjab Agricultural University (PAU) Ludhiana and GADVASU, Ludhiana, so that sustainable results of ecological rejuvenation could be achieved over a period of five years; iii) As the management of the mill had remained negligent in its approach to safe guard its installation which lead to pollution in River Beas, leading to large scale mortality of aquatic life therefore prosecution against the Mill and the responsible persons shall be filed in the Competent Court of Law under the provisions of the Water (Prevention & Control of Pollution) Act 1974 and a Criminal Complaint under section 44 read with 47 of the Water (Prevention & Control of Pollution) Act, 1974 has been filed against the industrial unit and persons responsible in the Court of Chief Judicial Magistrate, Gurdaspur and iv) A committee consisting of representative of Director of Factories, State Excise & Taxation Commissioner and Chairman, PPCB shall be constituted to suggest further safeguards required in the sugar mill with a view to ensure that such incidents do not re-occur in future.

PPCB officials also apprised the monitoring committee that the departments formed for submission of Action Plans for conservation and restoration of ecology of river 'Beas' including rejuvenation of aquatic life in river Beas, have met twice on 18.06.2018 and 26.06.2018 and prepared Action Plans and the same have been examined by Expert Committee in a meetings held on 24.08.2018, 12.10.2018 and same was finalized on 22.11.2018 at PPCB Head Office, Patiala. It has been decided by PPCB Expert Committee that Department of Fisheries, Govt. of Punjab shall be the supervising agency for the Rejuvenation Plan.

PPCB officials also apprised the monitoring committee that in compliance of the endowment programme, afore-said sugar mill has already deposited a sum of Rs. 2 Crore out of 5 Crores with the office of the PPCB. The Punjab Pollution Control Board has already released Rs. 25.0 lakhs to Department of Forest & Wildlife Preservation, Punjab for the rejuvenation and restoration of ecology of River Beas.

Also, PPCB officials informed that the criminal complaint has been filed in the Hon'ble Court of Chief Judicial Magistrate, Gurdaspur against M/s. Chadha Sugar and Industries Pvt Limited and against the persons who at the time of the offence was committed and was responsible to the company for the conduct and business of the company as mentioned in section 47 of the Water (Prevention & Control of Pollution) Act, 1974. The next date of hearing is fixed for 14/12/2018. Also it was informed that PPCB under NWMP is carrying out sampling of River Beas at 12 locations. The results were also furnished to the Monitoring Committee during meeting.

**Presentation by M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur**

The company representatives informed that their unit obtained Consents from PPCB, Sugar cane crushing license, Sugar cane purchasing license and also informed that sugar production during crushing season 2017-2018 was 50% higher than the same in the year before i.e., 2016-2017 on all India level. In compliance to the cane commissioner dated 19.04.2018, the company crushed 111 lac Tonnes of sugar cane during 2017-2018 as compared to 85 lac Tonnes during the year 2016-2017. The company could able to crush at higher capacity since there was inbuilt additional capacity in the plant and machinery and since the company reduced the steam consumption by improving the process of manufacturing.

It was mentioned by the company representatives that the molasses is generated at about 4.5 % of sugar cane crushed i.e., 202 TPD. There are two tanks for storage of molasses one is of SS Tank of capacity 7500 Tonnes and another is of MS Tank as a part of Distillery of capacity of 7500 Tonnes. In the year 2017-2018, there were no purchasers of molasses in the Punjab State since the molasses from UP was available at a basic price of Rs.1/- per quantal, which also lead to storage of molasses for extended period. The company also conveyed that they were under pressure from the grower's associations as well as from the Cane Commissioner, Punjab to keep the mill running till 30<sup>th</sup> April,2018. Under the such circumstances, there was excess milling and excess molasses production. During the meeting, the company representatives also conveyed that they had steel tanks for molasses storage and when the available steel storage capacity was full they stored accumulated molasses in underground open lined lagoons (2 Nos of size about 40 m X 20 m X 6 m) in view of the additional cane crushing. To the query of informing about additional cane crushing and the order imposed by cane commissioner, PPCB officials have informed that neither M/s. Chadha Sugars and Industries Limited nor cane commissioner have informed about additional cane crushing by the afore-said unit.

The reason for the unintentional accident as per the company was the higher ambient temperature during the month of May, 2018. In the 2<sup>nd</sup> week, the ambient temperature was very high (around 40-42<sup>o</sup>C) which caused auto ignition in the molasses stored in the open brick lined storage tanks leading to very high temperature of 90-95 <sup>o</sup>C. The high temperature led to expansion of molasses by 3-4 times causing over-flow of molasses foam within the complex till evening of 16th May,2018 and after evening, a part of it entered in nearby Kahnuwan Swamp Drain leading to Beas River. On 17.05.2018, machinery such as JCB and Excavator was deployed on war footing to control/avoid the spillage. Thereafter on 17<sup>th</sup> May, 2018 as per directions of PPCB the mills were sealed by the PPCB and directions were issued for revoking the Water Consent of sugar mill. The representatives of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur conveyed that the following actions: -

- 6500 Tonnes capacity of molasses storage tank already constructed and the Steel Storage Tank of 8000 MT is being constructed so as to be ready before end of season 2018-19.
- The company is operating the molasses-based distillery to its full capacity since 25th September,2018 so as to consume molasses and as per the directions of the safeguard committee.

- The retaining wall is constructed around ETP of Brewery and Sugar Mill to avoid any spillage outside.
- The molasses tanks were got approved from excise department as well as from directorate of factories.
- The site plan of sugar mill with all ETP's was got approved from Directorate of Factories.
- Submitted a proposal for expansion of sugar mill to 10,000 TCD and Distilleries from 30 KLD to 60 KLD, for which the Unit got TOR.
- The company has already deposited an amount of Rs.2.00 Crores out of 5 Crores towards endowment fund to PPCB.
- The company also informed that charred molasses left over after the accident is non-hazardous in nature as analysed by an approved lab.
- The company also indicated that as per the affidavit submitted jointly by CPCB & PPCB to Hon'ble NGT in the month of June 2018, the water quality of swamp drain as well as nearby Beas river was complying with the water quality criteria.

The company prayed to the committee that the accident was happened after 16 days of closure of the sugar mill, neither it was intentional nor related at all with the sugar mill. The company conveyed to Hon'ble NGT that multiple legal cases are going on against the company and its employees by various agencies and any new case will add to the multiplicity of case.

#### **Presentation by Department of Excise and Taxation, Punjab**

Sh. Rajindar Tanwar, ETO informed that their department is not concerned with the Sugar Unit however they are concerned with the Distillery units. He informed that regular permission is being granted by their department to the Distillery units to purchase Molasses from Sugar Division. He also informed that there is no time limit for storage of Molasses. He also stated that by M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur has obtained permission from their department under East Punjab Molasses Control Act, 1948.

#### **Presentation by Department of Forest**

Shri Satnam Singh, Conservator of Forest, Bist Jalandhar representative of Department of Forest informed the committee that their department has already filed FIR and also prosecuted M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur.

#### **Presentation by Department of GADVASU: -**

Dr. Meera D. Ansal explained that GADVASU in her presentation informed that a dedicated river health monitoring cell will be established for conducting Bio-diversity survey so as to arrive at pathogenicity index, plankton profile, Fish diversity as a part of the ecological health survey of the river Beas. She has given the modified budgetary requirement and 3 years study action plan for assessment of the ecology of River Beas.

#### **Presentation by Department of PAU, Ludhiana: -**

Dr. Tejdeep K.Kler from Punjab Agriculture University, Ludhiana informed that water, soil and plants sample will be collected from three sampling stations along the river Beas quarterly and will be analysed for physico-chemical and heavy metal parameters. She also give modified budgetary requirement and 3 years study action plan for assessment of ecology of River Beas.

**Presentation by Department of Fisheries, Punjab: -**

Dr. Madan Mohan, Director from Department of Fisheries, Punjab informed that the incident happened on 16.05.2018 and on 17.05.2018 which caused heavy habitat destruction. Due to high level of BOD, large scale fish mortality observed. From River Beas and Harike wildlife Sanctuary together support about 90 species of fishes, which belong to cyprinidae and bagridae family. WWF India has recorded only 18 fish species in Dec 2017 during their survey.

Lot of fishes died and were washed away to river shore, about 62Tonnes of fish loss has been estimated and fishing ban was enforced immediately. Huge quantity of water was released to minimise the molasses impact which washed away small fishes and their food items. He is also of the view that study relating Fish Germ Plasm Assessment should be carried out through National Bureau of Fish Genetic Resources (NBFGR), Lucknow.

**Presentation by Department of Wildlife: -**

Ms. Gitanjali Kanwar from WWF informed that it is the priority of Department of Forests and Wildlife Preservation to restock as many as possible native and indigenous fish species in the river Beas. Restocking cannot be undertaken on basis of threatened, vulnerable species as it is not easy to get wild populations of threatened, vulnerable fish species and most of the fish farms in Punjab and other neighbouring States are only rearing Indian Major Carp and Exotic Major Carp. She also informed that there is no standardized technique to rear cat fishes and Cat fishes are not reared anywhere in Punjab. The Fisheries Department should help in this regard and she suggested to focus on creating viable habitat for native and indigenous aquatic species. The Forest department will focus on rejuvenating ecology of Beas Conservation Reserve on a holistic basis focusing on mammals, birds, reptiles, amphibians, fishes, invertebrates, zooplanktons and phytoplankton's. She also informed that so far 3000 plants have been planted along the bank of river Beas. She informed that the Department has identified Critical areas in River Beas where the trees / shrub species will be planted mostly in the island areas and about 3000 plants have been planted along the bank of river Beas. The Department of Forests and Wildlife Preservation Punjab will explore more about fish availability, ranching in consultation with State Fisheries Department, Central Inland Fisheries Research Institute and National Bureau of Fish Genetic Resources, Lucknow. She further informed that Department of Forest and Wildlife Preservation, Punjab presently undertaken studies with regard to aquatic river species survey and the study is expected to complete by December 25, 2018 and can share the findings to the Committee by 03 January 2019.

**Upon deliberations on the issues, following decisions were taken by the monitoring committee for further necessary action by all the concerned Departments: -**

1. The committee directed M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur to submit various documents which include the following:- (i) A copy of the Consent and authorisation obtained from PPCB, Cane Crushing License, Sugar Cane Purchasing licence and a copy of the permission obtained from Excise Department for sale /purchase of molasses (ii) letters issued by Cane Commissioner to Sugar Mill to crush additional cane (both in Punjabi and Translated in English), (iii) details such as cane crushed, molasses generation,

molasses consumed for captive distillery and sale of molasses on monthly basis with effect from November 2016 to April,2018; (iv) Photographs and videos of ETP and molasses storage tanks before and after the incident, (v) procedure/approval for the movement of molasses from sugar unit to distillery unit, (vi) Practices being followed for storage of molasses and disaster management plans being followed in developed countries by the sugar industries, (vii) various action plans submitted and remedial activities carried out by the industry on 16.05.2018 and 17.05.2018 and at present to avoid/stoppage of spillage of molasses from open storage tanks within the industry premises with proofs.

2. The Committee felt that valuable time has been already lost and PPCB is still in the process of finalising the project proposals submitted by the PCCF, PAU and GADVASU. The study should have been awarded soon after the incident and such study would have given the trend in water quality of river Beas, therefore the Committee suggested PPCB to award a "short term activity" i.e., not more than 3 weeks time period to PAU and afore-said organisations to arrive at the present status of river Beas with regard to the Bio-diversity survey so as to arrive at pathogenicity index, plankton profile, Fish diversity as a part of the ecological health survey including water quality of the river Beas for physico-chemical and biological and heavy metals and these departments shall submit the study/outcome of the 3 week project by 3<sup>rd</sup> Jan 2019 to the Monitoring Committee indicating the present status of river Beas and a comparison with the findings with the historical data. PPCB shall take immediate action on the afore-said matter to enable the concerned departments to complete the studies and for submission of the reports by 03.01.2019.
3. Action plans for restoration of river Beas finalised in consultation through its departmental committees should be submitted to the Committee by PPCB on or before December 31, 2018.
4. The Department of Fisheries shall furnish the data relating the list of species observed by their department during the period May 2017 to November 2018.
5. Cane Commissioner, Punjab State Government is required to submit a brief note to the committee within fifteen days on the situation which lead to issue an order for additional cane crushing by the industry namely M/s Chadha Sugar and Industries Pvt. Ltd and what powers such an order was issued without ascertaining the safety and cane crushing capacity of the Unit and without consulting the regulatory authorities including PPCB.
6. The Wild Life Department was requested to submit their report with regard to the historical and present status of aquatic species data in river Beas by December 31, 2018 to the Committee.
7. The Committee also suggested M/s Chadha Sugar and Industries Pvt. Ltd to get the study conducted through any reputed organisation with regard to the present status of river Beas. Also, Committee suggested M/s Chadha Sugar and Industries Pvt. Ltd to submit detailed action plans to avoid future accidents of molasses discharges from their premises into the environment including the

measures taken during the discharge of molasses into river Beas on May 16, 2018

8. As Director of Factories will be fully responsible on aspects relating to safety aspects and will ensure all safety measures are in place by the sugar industry so as to ensure that spill over and molasses or any other miss-happening does not occur in future. The measures suggested by Director of Factories to the sugar industries to be submitted to the committee within fifteen days.
9. Department of Forest and Wildlife Preservation, Punjab shall share the information and findings of the studies with regard to aquatic river Beas species survey (including comparison with the historical data of river Beas during the last year, prior to and after incidence of molasses discharge in river Beas as well as the latest findings) to the Committee on or before 03 January 2019.
10. It was decided by the Committee members to visit the site of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur, after the meeting to know the present conditions with regard to the provision made for storage of molasses within the industry premises.

The Meeting ended with vote of thanks to the Chair.

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## List of Participants

**Sixth Meeting of Monitoring Committee for Ensuring Compliance to Hon'ble NGT order dated 24.07.2018 in the matter of O.A No 101 of 2014 344 of 2018 and 345 of 2018.**

Date: 05/12/2018 at 9.30 AM

Venue: Committee Room, PPCB, Jalandhar.

S. No.	Name of Official	Organization/ Division
1.	Shri Balbir Singh Seechewal	Member and Chairman of the Meeting
2.	Shri A.S Dhaliwal	Member and Chief Engineer, Deptt of Local Govt, Punjab
3.	Shri J.Chandra Babu	Scientist 'D' and Nodal Officer, CPCB
4.	Shri Niraj Mathur	Member and SEE,RPCB Jaipur
5.	Dr. Tejdeep K Kler	PAU Ludhiana
6.	Dr.Meera D Ansal	GADVASU Ludhiana
7.	Dr Shammi Kapoor	Head, Deptt of Microbiology, PAU Ludhiana
8.	Dr. S.N Datta	College of Fisheries, GADVASU, Ludhiana
9.	Shri Rajinder Tanwar,	ETO, Chadha Sugar (Excise and Taxation, Gurdaspur)
10.	Shri GS Majithia	CEE, PPCB, Jalandhar
11.	Dr. Madan Mohan	Director, Fisheries Deptt, Punjab
12.	Shri Jagjivan Lal	Forest Division, Jalandhar
13.	Ms. Kalpana K, IFS	Dept of Forest, Wildlife Preservation Division, Ferozpur Wildlife
14.	Ms. Gitanjali Kanwar	WWF India
15.	Ms. G.Geethanjali, IFS	Conservator of Forest (Wildlife), Parks and Protected Area
16.	Shri Sanjiv Kumar	B.O Jalandhar
17.	Shri Wilbart Samson	DFO Gurdaspur
18.	Shri Satnam Singh	CF Bist Jalandhar
19.	Shri Sandeep Bahl	SEE,ZO Amritsar
20.	Shri Devinder Pal Singh F.R Range Kapurthala Forest Division	Punjab Forest Deptt
21.	Er. Ravinder Bhatti	EE, RO, Batala.
22.	Er. Rantej Sharma	AEE,RO, Batala.
23.	Shri R.A Singh	Chadha Sugar & Industries Pvt Ltd
24.	Mrs. Jasdeep Kaur Chadha	Chadha Sugar & Industries Pvt Ltd
25.	Shri Pradeep Ahuja	Chadha Sugar & Industries Pvt Ltd



**Central Pollution Control Board**  
(Ministry of Environment, Forest & Climate Change, Govt. of India)  
Parivesh Bhawan, East Arjun Nagar,  
Delhi - 110032

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**Minutes of Seventh Meeting of Monitoring Committee held on 08.01.2019 in Committee Room of Punjab State Council for Science and Technology, Mahatma Gandhi Institute, Chandigarh for Ensuring Compliance to Hon'ble NGT Order dated 24.07.2018 in the matter of OA No. 101/2014 (Sobha Singh Vs. State of Punjab & Ors), O.A No 344 of 2018 and 345 of 2018 (Discharge of Molasses in River Beas) and Original Application No. 206/2016 (Capt. Hans Raj Singha Vs. Union of India & Ors)**

Seventh meeting of the Monitoring Committee constituted by Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi vide orders was held with the concerned departments on 08.01.2019 in 'the Committee Room of Punjab State Council for Science and Technology, Mahatma Gandhi Institute Chandigarh' to discuss and review the issues relating to action plan for restoration of Rivers Beas and Sutelj. Sh. J.Chandra Babu, Scientist 'D' Nodal Officer, CPCB requested Shri Balbir Singh Seechewal, Member, Punjab Pollution Control Board to chair the meeting. The list of officials who attended the meeting is annexed (**Annexure-I**).

Thereafter, the representatives of different departments/ organizations of Punjab State were requested to apprise about the action plans prepared for restoration of river Sutlej, issue relating to the discharge of molasses in river Beas. It was observed that different agencies responsible have prepared individual action plans in respect of their respective jurisdiction. Therefore, the Monitoring Committee directed that the action plans with timelines and financial estimates prepared by the concerned departments of Punjab State should be compiled by the PPCB and Member of Monitoring Committee representing from the local government and only after approval of the Punjab State

Government the action plans should be submitted to the Monitoring Committee by 15.01.2019 for filing before the Hon'ble NGT for consideration.

The Monitoring Committee also reviewed the issues relating to rejuvenation of the Rivers Beas proposed by Faculty of Punjab Agriculture University (PAU) Ludhiana, Faculty of Guru Angad Dev Veterinary and Animal Sciences University (GADVASU) Ludhiana, Fisheries Department and Forest Department/ Wildlife Department (WWF) were also discussed. The submissions made by the stakeholders is detailed below:-

- (1) The representatives of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur submitted documents in compliance of the sixth meeting of the Monitoring Committee. They submitted proposals to avoid accidents in future. The steps taken by the proponent include construction of additional storage tank, provision of new cooling system for molasses improvements in storage tanks and provision of warning system in case of temperature rise. The industry also proposes to keep the molasses based distillery continuously operational in future.
- (2) Fisheries Department – Director Fisheries Department informed that fishing in River Beas from Talwara head works to Harike Wetlands had been banned by the Forest & Wildlife Department with effect from 17.05.2018. Committee requested Fisheries department to submit a status report based on the available information.
- (3) Forest Department (Wildlife Division) Punjab Government informed that they filed an FIR and challan under the Wildlife Protection Act against the sugar industry. They also submitted limited data with regard to the historical and present status of wildlife and aquatic species in river Beas.
- (4) Director of Factories sought more time to submit information to the Monitoring Committee.
- (5) PPCB informed that the PPCB Expert Committee in its meeting held on 22.11.2018 has allocated funds to PCCF Mohali, GADVASU Ludhiana, PAU Ludhiana for carrying out studies.

- (6) The committee also requested the Chairman PPCB to intervene in the matter of fund allocation to GADVASU, PAU and PCCF for completing the task as these institutes had raised this issue before the Monitoring Committee.

News appeared in the local newspaper with regard to the discharge of effluent by M/s. Chadha Sugar and Industries Pvt. Limited in to the adjacent drain was also discussed and PPCB was requested to examine the issue and to report to the Committee within two days.

Thereafter, the Monitoring Committee directed all the concerned institutes/ organizations and the PPCB and the other concerned State Departments to incorporate suggestions given in the earlier meetings and to submit the assessment reports by all the concerned departments to the Monitoring Committee by 15.01.2019 positively.

The Meeting ended with vote of thanks to the Chair.

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## ATTENDANCE SHEET

(VII Meeting of the Monitoring Committee held on 08-01-2019 at PSCST, Sector-26, Chandigarh for ensuring compliance to Hon'ble NGT Order dated 24-07-2018 in the matter of O.A. No. 101/2014 titled as Sobha Singh & Ors. Vs State of Punjab & Ors.)

Sr. No.	Name of the Official	Designation and Organization	Tel./ Mobile No.	Email ID
1.	Shri Balbir Singh Seechewal	Member and Chairman of the Meeting	9417319463	<a href="mailto:santseechewalji@gmail.com">santseechewalji@gmail.com</a>
2.	Shri A.S. Dhaliwal	Chief Engineer, DoLG	9988824055	<a href="mailto:amandeep.dhaliwal.mcj@gmail.com">amandeep.dhaliwal.mcj@gmail.com</a>
3.	Shri J.ChandraBabu	Scientist 'D' and Nodal Officer, CPCB	9868278903	<a href="mailto:jcb.cpcb@nic.in">jcb.cpcb@nic.in</a>
4.	Shri Niraj Mathur	SEE RPCB	9460049410	<a href="mailto:nirjrpcb@gmail.com">nirjrpcb@gmail.com</a>
5.	Shri S. S. Marwaha	Chairman, PPCB		<a href="mailto:chairmanppcb@yahoo.co.in">chairmanppcb@yahoo.co.in</a>
6.	Shri Pawan Garg	Member Secretary, PPCB		<a href="mailto:msppcb@gmail.com">msppcb@gmail.com</a>
7.	Shri Rajeev Sharma	SEE, PPCB	9779054005	<a href="mailto:seezo2idhppcb@yahoo.com">seezo2idhppcb@yahoo.com</a>
8.	Shri Vidhyasagari IFS	DFO (M & E) Deptt. of Forest	9412927063	<a href="mailto:pccfcomplex@gmail.com">pccfcomplex@gmail.com</a>
9.	Shri Neeraj Kumar	DFO (W C) o/o CGLW Pb	9463596843	<a href="mailto:cglwpunjab@gmail.com">cglwpunjab@gmail.com</a>
10.	Shri G.S. Majithia	CEE (Jal), PPCB	9878950509	<a href="mailto:ceejalandhar@yahoo.com">ceejalandhar@yahoo.com</a>
11.	Dr. Madan Mohan	Director, Fishery Deptt. Punjab	9582898981	<a href="mailto:dirfishervpb@gmail.com">dirfishervpb@gmail.com</a>
12.	Shri Rakesh Hans	Scientist-D, CGWB NWRC, Chandigarh	01725021960	<a href="mailto:rdnwr-cgwb@nic.in">rdnwr-cgwb@nic.in</a>
13.	Shri Sandeep Bahl	SEE, PPCB, Zonal Office, Amritsar	9878950518	<a href="mailto:seezoasr@yahoo.com">seezoasr@yahoo.com</a>
14.	Shri Parmal Singh	JDP (Pb)	9888045801	<a href="mailto:dofofficework@gmail.com">dofofficework@gmail.com</a>
15.	Ms. Ishy Sanjhm	ADF, Batala	8198084514	<a href="mailto:dofofficework@gmail.com">dofofficework@gmail.com</a> <a href="mailto:adf.labbatala@punjab.gov.in">adf.labbatala@punjab.gov.in</a>
16.	Dr. G.B. Singh	Asstt. Director Health & Family Welfare	9855105496	<a href="mailto:dhspunjab@gmail.com">dhspunjab@gmail.com</a>
17.	Dr. Tejdeep Kaur Kler	Senior Ornithologist PAU, Ludhiana	9855965904	<a href="mailto:tejdeepkler@pau.edu">tejdeepkler@pau.edu</a>
18.	Dr. Priya Katyai	Assistant Microbiologist	9888507787	<a href="mailto:drpkatyai@pau.edu">drpkatyai@pau.edu</a>
19.	Dr. Syed Shabih	Assistant Scientist (Fisheries), College of Fisheries, GADVASU, Ludhiana	9780764402	<a href="mailto:fish_ab@rediffmail.com">fish_ab@rediffmail.com</a>
20.	Dr. Meera D. Ansal	Head Department of Aquaculture, College of Fisheries, GADVASU	9417109667 9592087100	<a href="mailto:ansalmd@gmail.com">ansalmd@gmail.com</a>
21.	Ms. Gitanjali Kanwar	Coordinator- Aquatic Biodiversity, WWF-India	9465882746	<a href="mailto:gifanjalikanwar@gmail.com">gifanjalikanwar@gmail.com</a>
22.	Shri Sukhjeet Singh	Seechewal	9417044263	<a href="mailto:sukhijet@gmail.com">sukhijet@gmail.com</a>
23.	Dr. Gurjit Kaur	Member DHS, Punjab	9815900869	-

**Report of the Monitoring Committee  
constituted by Hon'ble National Green Tribunal**

(In Compliance to Hon'ble National Green Tribunal (NGT) Order dated 05.10.2018 in the matter of Original Application No. 206/2016 - Capt. Hans Raj Singha Vs. Union of India & Ors)

**January 25, 2018**

**Report of The Monitoring Committee In Compliance to the Hon'ble National Green Tribunal (NGT) Order dated October 05, 2018 In OA No.206 of 2016 in the matter of Capt. Hans Raj Singha Vs. Union Of India & Ors.**

**1. Introduction**

The Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi order dated 5.10.2018 in Original Application No. 206/2016 filed by Captain Hans Raj Singha Vs Union of India & Ors. in connection with the mining activity in and around Village- Sataun, PO- Koil, Tehsil-Nirmand, Distt-Kullu, Himachal Pradesh directed the applicant to appear before the Committee constituted vide order dated 24.7.2018 in the matter of OA No. 101 of 2014 and participate in their meeting for the redressal. The relevant portion of the Order of Hon'ble NGT is reproduced as follows:-

*'This matter related to illegal mining activities in Satluj Flood Plain/River Basin. The larger Bench of this Tribunal in O.A. No. 101 of 2014 has constituted a Committee with detailed terms of reference which includes illegal mining activities of the said river on 24th July, 2018 and the said order has been reiterated in O.A. No. 344 of 2018. Therefore, we direct the Applicant to appear before the Committee and participate in their meeting for his redressal. Consequently, Original Application No. 206 of 2016 stands disposed of, with no order as to cost'.*

A copy of the Hon'ble NGT order dated October 05, 2018 is enclosed as **Annexure-I**.

The Monitoring Committee was originally constituted by Hon'ble NGT in the matter of OA No.101 of 2014 filed by Sobha Singh Vs State of Punjab which is related to control of pollution of River Satluj and its tributaries. The committee has been directed to submit its report within three months and later order vide order dated 14.11.2018 extended the date for submission of its report by 31.01.2019.

A copy of the Hon'ble NGT order dated 14.11.2018 is annexed  
**(Annexure-II)**

**2. Initiatives taken by the Monitoring Committee for ensuring compliance to the Hon'ble NGT order dated October 05, 2018:-**

Follow-up actions taken by the monitoring committee for ensuring compliance to the Hon'ble NGT order dated 05.10.2018 are detailed in subsequent paras:-

**2.1 Opportunity given to the applicant to apprise the committee about his problems:-**

Captain Hans Raj Singha, who is an applicant of OA No. 206/2016 titled Capt Hans Raj Singha Vs Union of India & Ors, with his legal counsel Shri Akash Vashishtha approached the Monitoring Committee in its 4<sup>th</sup> meeting and apprised the Monitoring Committee members that the matter pertains to massive illegal and unscientific mining on the private lands of Capt Hans Raj Singha as well as adjoining forest lands in Village Sataun under Nirmaund Sub-division of Kullu district in HP, without obtaining Environment Clearance from the SEIAA, permission from the Mining Department, Consents to Establish and Operate under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and sanctions from the Central Government under Forest Conservation Act 1980.

Shri Vashishtha also informed that though the State Government and its agencies have been claiming that they have caused the mining to stop, illegal mining continues to take place unabated. The petitioner, Capt Hans Raj Singha also informed that there is a threat to his life from the mining agencies operating in the area and also been physically assaulted. Legal Counsel of the applicant also requested the Committee to ask the state government to evict the illegal miners from the private lands of Capt. Hans Raj Singh after thorough demarcation, ascertain the quantification of damage caused to

environment in the private and forest lands in the area, determine the number of trees felled in the area and pay compensation/damages to the petitioner for the loss he has suffered in last four years, along with other reliefs sought by him in the Original Application before the NGT. In this connection, the Committee assured the applicant and his legal counsel that a meeting with the concerned H.P. State Government officials will be held at an early date.

## **2.2 Meeting held with the concerned department of Himachal Pradesh**

In pursuance to the Hon'ble NGT order dated 05.10.2018, monitoring committee held a meeting with the concerned departments of Himachal Pradesh on 16.11.2018 at Shimla and discussed the issue with the concerned departments in detail. Outcome of the meeting are as follows:-

As per records of mining department, H.P., during the year 2008 Capt. Hans Raj Singha was also involved in mining activities along with Respondent No.11 Shri. Bhagat Kaushal. He was partner in a company named M/s Jai Maa Bhima Kali Crushing Unit, H.O NH-21, Pirdi Mohal, Kullu, Distt-Kullu and leased out his land containing an area of 26-01 Bighas for carryout out stone crushing activity which include extraction of Sand, Stone and Bajri.

Further in 2014 he leased out his land to respondent Shri Bhagat Kaushal with respect to 13-10- Bighas for the purpose of carryout mining operation by the lessee. Capt. Hans Raj Singha apprised the monitoring committee that the illegal mining is being carried out on his land as well as on the adjoining government and forest land. Responding to the queries, Capt. Singha further added that initially himself was the partner in a company called M/s Jai Maa Bhima Kali Crushing Unit, H.O. NH-21, Pirdi Mohal, Kullu, District Kullu and

leased out his land [(having bearing Khasara No. 1094/1 (6-19 bighas), 1096/2 (8-02 bighas), 1095/5 (5-08 bighas). 1096/1 (1-08 bighas), 1097/1 ( 0-18 bighas) and 1117 (3-06 bighas), total containing an area of 26-01 bighas)] for carrying out stone crushing activity which include extraction of sand, stone and bajri. with the approval of the Himachal Pradesh State Government. He also informed that in 2014, he leased out his land to the respondent Shri Bhagat Kaushal, Village Churag, PO Churag, Tehsil Karsog, District Mandi (hereafter referred as lessee) on 16.02.2015 with respect to 13-10 Bighas for the purpose of carryingout mining operation by the lessee subject to obtaining of prior approvals from the concerned departments. He continued to receive lease amount against the land for about 13 months in the form of cheques. Shri Bhagat Kaushal, Lessee had also applied for obtaining permission from mining department for carrying out mining at the afore-said site, which was never granted by the Mining Department, Himachal Pradesh State Government.

The State Geologist briefed during the discussion that he will check all the record from 2008 onward regarding this case and provide the same to the Committee. He further briefed that to stop illegal mining activities in HP and in this particular area powers have been delegated to 39 Govt. Department of HP. He also told that after 2014 no permission for mining has been granted in this instant case.

The HPSPCB granted Consent to Establish to the Stone Crusher including mining on 4.6.2008 and subsequent Renewal and CTO was valid only upto 31.3.2013 and after the no permission or consent granted in this instant case.

The Mining Department informed in the meeting that Mining Officer of the concerned area was directed to inspect the site, but during the inspection no illegal mining found.

The representative of the SEIAA informed to the Committee that no EC has been granted in the instant case.

Chief Conservator of Forest Rampur informed in the meeting that there are small patch of forest area around this mining area and there is no defined boundaries. There are 3 exist points from the forest area which connects to the main road and it is not possible to watch the road all the time.

Shri Chet Singh, SDM Anni informed that as per their findings carried out in June,2018, there was no sand mining activities and accordingly report was filed to Hon'ble NGT for perusal.

The Monitoring Committee also constituted a Sub-committee under the Chairmanship of SMD Anni and comprising other members (i) DFO Ani ( II) Environmental Engineer,HPSPCB; (iii) RO Rampur (iv) SDO HPPWD, Nirmand (v) District Mining Officer, Kullu; (vi) District Mining Officer Shimla (vii) SHO Nirmand, (viii) SHO Ani to inspect the disputed site once in fifteen and for submission of the report to the Committee constituted by Hon'ble NGT through the Chairman of the Sub Committee (SDM Anni).

The minutes of the meeting of the monitoring committee held on 16.11.2018 is annexed ( **Annexure-III**)

### **2.3 Visit to the Sand Mining Area of the applicant by the Monitoring Committee made on 17.11.2018**

The Monitoring Committee members also conducted the site visit on 17-11-2018 and made following observations:-

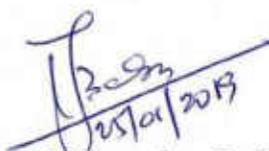
- (i) On the day of visit, the committee observed that there was no sign of mining activity at present as there is a presence of grass and plants. Photographs taken are enclosed as **Annexure-IV**.
- (ii) The local resident living nearby the disputed site informed the committee that there was a mining activity in the site of Captain

Hans Raj Singha (location map given by the surveyor is enclosed as **Annexure-V**) about four years before.

- (iii) Shri Harish Goswami, Vice-President, Gram Panchayat, Gadej, District Kullu, H.P. informed the committee that there is no sand mining activity during the last 4 to 5 years in the site of Capt. Hans Raj Singha. Statement given by the Vice-President, Gram Panchayat, Gadej, District Kullu, H.P is given as **Annexure-VI**.
- (iv) The Chairman of the Sub-committee (SMD Anni) vide letters dated 07.12.2018 and 26.12.2018 informed Nodal Officer, CPCB that there is no sand mining activity at the site of Capt. Hans Raj Singha.
- (v) It may be concluded that the mining activity used to happen in the land of the applicant with his concurrence and at present there is no such activity in the afore-said land and as such no approvals were granted by the concerned departments of Himachal Pradesh for carrying out mining activity.
- (vi) CPCB vide letter dated 20.11.2018 requested H.P. State Pollution Control Board as well as Punjab State Pollution Control Board for ensuring compliance to the sand mining policies notified if any in the respective State.

  
**(Sant Balbir Singh Seechewal)**  
Member  
Government

  
**(Amardeep Dhaliwal)**  
Member, Department of Local

  
**(J. Chandra Babu)**  
Scientist 'D' and Nodal Officer, CPCB

  
**(Niraj Mathur)**  
Sr. Envi. Engineer, Representative of RSPCB

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 206/2016  
(M.A. No. 387/2016)

IN THE MATTERS OF : -

Capt. Hans Raj Singha Vs. Union of India & Ors.

**CORAM :** HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

**Present:** Applicant Mr. Akash Vashishtha, Adv. and Capt. Hans Raj Singha,  
Applicant in person  
Respondent Mr. Vikas Mahajan, AAG for State of HP  
HPPCB Mr. Divya Prakash Pande, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 13  October 05, 2018	<p>This matter related to illegal mining activities in Satluj Flood Plain/River Basin. The larger Bench of this Tribunal in O.A. No. 101 of 2014 has constituted a Committee with detailed terms of reference which includes illegal mining activities of the said river on 24<sup>th</sup> July, 2018 and the said order has been reiterated in O.A. No. 344 of 2018. Therefore, we direct the Applicant to appear before the Committee and participate in their meeting for his redressal.</p> <p>Consequently, Original Application No. 206 of 2016 stands disposed of, with no order as to cost.</p> <p><b><u>M.A. No. 387 of 2016</u></b></p> <p>This Application does not survive for consideration as the main application itself stands disposed of.</p> <p>M.A. No. 387 of 2016 stands disposed of accordingly.</p> <p>.....JM (Raghuvendra S. Rathore)</p> <p>.....EM (Dr. Satyawan Singh Garbyal)</p>

Item No. 03

Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 916/2018  
(Earlier O.A. No. 101/2014)

Sobha Singh & Ors.

Applicant(s)

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 14.11.2018

CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s):

For Respondent (s): Mr. Rajkumar, Advocate for CPCB  
Mr. A. Raj, Advocate for State of Rajasthan

**ORDER**

1. We have perused the interim report submitted by the Monitoring Committee, in compliance with the order of this Tribunal dated 24.07.2018 in *Original Application No. 101/2014, Sobha Singh & Ors. Vs. State of Punjab & Ors.*

2. The original application raised the issue of pollution of rivers Sutlej and Beas in Jalandhar and Ludhiana Districts on account of discharge of untreated pollutants - industrial as well as municipal. On testing the water samples, it was found that Total Dissolved Solid (TDS), Accumulation of Chromium, Nickel, Zinc and pesticides were high in the sediment of *Chitti Bein*. Traces of metals like Chromium, Nickel and Zinc were detected in soil samples of the fields irrigated by the waters of the Bein. There was high level of inorganic and organic pollution in both the east *Bein* and the *Kala Sanghia* drain, as per the Punjab Pollution Control Board (PPCB) reports. Further, the report by SERI on Buddha Stream was also to that effect.

3. In the last order dated 24.07.2018, we noted that there are 1332 hazardous waste generating industries as well as 17 categories of industries highly polluting. As a result of such pollution, eight districts of Rajasthan were found to be adversely affected, apart from Ludhiana and Jalandhar Districts of State of Punjab. We are informed that Mukhtar District is also affected by the pollution. The industries and local bodies failed to install and make functional the requisite treatment plants. 35 municipal Councils/Nagar Panchayats are discharging sewage with heavy metal and BOD loads in the said rivers.

4. We noted the stand of the Punjab Pollution Control Board and the Punjab Water Supply and Sewerage Board (PWSSB) with regard to installation of the STPs and taking of other steps. But in spite of the said steps, the water quality did not meet the laid down standards. Action plan of the PWSSB with the funds provided by the Ministry of Urban Development, Government of India were considered. It was noted that more STPs and CETPs were required to be set up.

5. After noting that the matter had been monitored by the Tribunal in the last four years on almost 50 dates, it was considered appropriate to have a closer monitoring at ground level.

6. Accordingly, a Monitoring Committee was directed to be constituted by the Central Pollution Control Board as Nodal Agency and having Mr. Balbir Singh Sicheval who had rendered voluntary service as a member, apart from representatives from the Rajasthan Pollution Control Board, PPCB and the Urban Development Department of the State of Punjab. The Committee was required to frame a shortterm action plan for three months and a longer plan with three monthly targets. The Committee

could also consider suggestion from stakeholders and involve volunteers as well as the educational institutions.

7. The Committee has conducted several proceedings and given its interim report, highlighting the issues noted and seeking three months more time up to 31.01.2019.

8. The Committee has taken stock of the situation and noted lack of sewage system, non-availability of STPs and lack of appropriate technology and capacity, lack of waste water treatment, lack of skilled man power, non-sustainable approach in designing of sewage management projects. The sources of industrial water pollution in the catchment of the river Sutlej include M/s National Fertilizers Limited, Nangal, M/s Punjab Alkali and Chemicals Ltd., Naya Nangal, M/s Guru Gobind Singh Super Thermal Plant (GGSSTP)/Ropar and M/s Gujrat Ambuja Ltd. Village Daburji, Ropar at stretch Nangal to Ropar and electroplating industries, dyeing industries, leather complex, Kapurthala Road, Jalandar, Effluent from industries located at Phagwara, effluent from industries located at Phillaur as well as M/s Pioneer Industries (Distilleries Division) and M/s Pioneer industries (Gluten Division), Pathankot, M/s Indian Sucrose, Mukerian and M/s Chadha Sugar Ltd. The committee also noted that solid waste is not properly handled and is dumped on open sites causing a serious threat to the environment and also choking the flow of the water bodies. Bio-medical waste as well as hazardous waste are not properly managed. There is also illegal mining in the flood plain/river basins.

9. The Committee held meetings on 10.08.2018, 06.09.2018, 26.09.2018 and 17.10.2018 and noted the issues to be addressed. It was noted that sludge generated from STPs was not being pre-treated, STPs were not having stand-by arrangement during

maintenance. STPs are by-passing the untreated sewage into drains and do not have adequate capacity, industrial effluents are mixed up with the domestic sewage resulting in damage to the STPs. All the STPs should be under one authority. Health camps are required to be conducted in the affected areas.

10. As a result of the testing of the samples from the STPs, it was found as follows:

*"a. Samples were collected from 34 out of 43 STPs inspected by the Committee.*

*b. 01 out of 43 STPs is having valid Consent.*

*c. 17 out of 43 STPs are by-passing the sewage without imparting any treatment.*

*d. 36 STPs have installed flow meters at the inlet and only 12 out of 43 STPs have installed flow meters at the outlet.*

*e. Out of 34 samples, 33 are not complying with the sewage discharge norms.*

*f. 39 STPs are discharging their effluent either in rivers or drains and 3 STPs are using for onland irrigation. 01 STP gate found locked during the visit.*

*g. Most of the STPs located at Bhattian, Jamalpur, Bastipirdadd, Phillaur, Ropar Waddi, MaujewalNangal, Makhueither lying defunct or the effluent was being by-passed (STPs at Jagraon, Balloki, NakodarPhillaur, Moga, Anandpur Sahib, Kapurthala, Phagwara etc.) without imparting any treatment for the generated sewage. At some STPs, operators were not present."*

11. With regard to CETPs, it was found that:

*"(i) CETP in leather complex was not in operation but under maintenance;*

*(ii) Chromium bearing sludge removed from the sludge drying beds is kept in open yard adjacent to the sludge drying bed which may lead to soil and ground water contamination;*

*(iii) Housekeeping in CETP was very poor;*

*(iv) Workers were found to be replacing the new aerators in place of old aerators without any safety precautions (without wearing any PPE);*

*(v) There is no provision of surface run off collection drain provision within the premises of CETP and thereby surface run off is leading towards preliminary storage tank;*

*(vi) OCEMS at the ETP outlet not yet provided for continuous monitoring of the treated effluent before its discharge, which is a serious violation of directions issued by Central Pollution Control Board;*

*(vii) Outlet of CETP is located close to the Kala Singhian drain and possibility of untreated industrial effluent into the drain cannot be ruled out.*

*(viii) Considering the likely impacts due to improper disposal of chromium bearing sludge in Open Yard, the Committee directed the CETP authorities to lift and dispose of the chromium bearing sludge immediately through a TSDF, Nimbua following the manifest as per Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016 as amended.*

*(ix) The CETP authorities could not show any documents relating to the CETP."*

12. Observations with regard to 50 MLD capacity STP adjacent to the leather complex at Jalandhar are as follow:

*"(i) There is no sign of proper operation of the STP;*

*(ii) Automatic skimming provision is not in working condition;*

*(iii) STP is having bye-pass arrangement without any electromagnetic flow measuring unit to record any discharge through bye-pass arrangement*

*(iv) The sludge generated from the press filter arrangement were surprised to find that the cake of sludge had long*

dried up and efforts had been made to drench it by throwing water on it.

(v) Sludge lying in the STP premises is not at par with the efficiency of the STP w.r.to removal of solids present in the raw sewage;

(vi) OCEMS installed in the STP outlet is not in working condition;

(vii) Authorities are not having thorough knowledge on operation aspects of STP due to lack of adequate training and skilled man power for proper operation of the STP;

(viii) Requisite records are not maintained properly."

13. With regard to CETP at Ludhiana, it was observed:

"(i) The CETP Operator is required to provide information on industry-wise information regarding quantity for which agreement has been made, quantity actually lifted on monthly basis for the last one year. PPCB shall also provide the list of all these electroplating industries along with consented quantity of trade effluent to be generated.

(ii) The transportation vehicles used for collection of industrial effluent should be lined with acid proof lining on sides and at bottom with a spill collection provision at the bottom for collection of spillages during the transportation or may also use closed type of tanker with all necessary provisions. Such collected spillages may be ensured further treatment.

(iii) The transportation vehicles should be provided with name and contact details of the CETP Operator on all the

*four sides so that the information can be provided in case of any eventuality/accident.*

*(iv) PPCB should direct all the member industries of CETP to provide only neutralized industrial effluent to the CETP Operator, considering the safety aspects during transportation and handling of such industrial waste water.*

*(v) Automatic dosage system in place of the manual dosage of lime be practiced by the CETP operator for neutralization of untreated effluent.*

*(vi) All the CETP areas should be properly earmarked by providing proper sign boards and also a layout of ETP at the entrance and also display board at the entrance indicating validity of consent and authorisation, wastewater treatment capacity and contact details of the CETP, should be provided by the Operator.*

*(vii) The CETP should provide acid proof lining in the collection tank and the trenches in which the effluent is collected from the tankers, with proper sealing to avoid soil contamination.*

*(viii) House keeping needs improvement.*

*(ix) Instead of sludge drying beds, drum filter or centrifuge may be used for sludge handling prior to the disposal through TSDF Operator.*

*(x) Proper records should be maintained by the CETP Operator and submitted."*

14. We have heard learned senior counsel Mr. H.S. Phoolka appearing in connected matter, counsel for CPCB, PPCB and State of Rajasthan.

15. There is no reason not to accept the findings in the report to the effect that huge damage has been caused to the environment particularly the water bodies as well to the inhabitants. The Committee has representatives from all concerned authorities. Even on a conservative estimate, learned counsel for the parties suggest and we find no reason to disagree that the damage in monetary terms will not be less than Rs. 50 crores. On "Polluter Pays" principle, the State of Punjab is directed to deposit a sum of Rs. 50 crores with the Central Pollution Control Board within one month from today for being spent on restoration of the environment as well for relief to the victims. The State of Punjab is at liberty to prepare an action plan to recover the amount from the erring industries, local bodies, individuals and also the erring officers.

16. We direct that the Secretary, Local Bodies, Punjab, the Municipal Commissioners of Ludhiana and Jalandhar, PWSSB to jointly take responsibility for taking further steps to prevent any further damage and to take remedial steps so that the quality of water in the affected areas of rivers Sutlej and Beas is brought within the prescribed standards within 6 months.

17. The nodal officer for coordinating all actions will be the Secretary, Local Bodies.

18. The Monitoring Committee constituted by this Tribunal may suggest a mechanism for spending the above amount in proper proportion for restoration of the environment and for public health or other issues in the area.

19. The authorities may initiate prosecution against violators of law in accordance of law and take such other steps may be found appropriate, including closure of polluting industries, disciplinary and penal action against erring officers, etc.

20. Time for furnishing further report is extended till 31.01.2019, as suggested.

21. Put up for further consideration on 22.02.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

Dr. Nagin Nanda, EM

November 14, 2018

**R**



**Minutes of V Meeting of the Monitoring Committee held with the concerned Departments of Himachal Pradesh State Government and HPPCB on 16.11.2018 at 'Hotel Holiday Home, Shimla' in compliance to Hon'ble NGT Order dated 5.10.2018 in the matter of OA No.206 of 2016- Capt. Hans Raj Singha Vs. Union of India & Ors.**

V Meeting of the Monitoring Committee was held on 16.11.2018 at 'Hotel Holiday Home, Shimla' with the concerned Departments of Himachal Pradesh State Government and Himachal State Pollution Control Board (HPSPCB) in compliance to Hon'ble NGT order dated 5.10.2018 in the matter of OA No.206 of 2016 titled Capt. Hans Raj Singha Vs. Union of India & Ors. The List of participants who attended the meeting is enclosed as **Annexure-I**.

At the outset, Er. A.K. Negi, Senior Environmental Engineer, Himachal Pradesh State Pollution Control Board (HPSPCB) welcomed the Members of the Committee and the Officials of Himachal Pradesh State Government.

After a brief introduction of all the participants, Sh. J.Chandra Babu, Scientist 'D' Nodal Officer, CPCB requested Shri Balbir Singh Seechewal, Member, Punjab Pollution Control Board to chair the today's meeting. Thereafter, he requested Chairman to address the officials. Sh. Balbir Singh Seechewal requested all the officials that the facts be provided to the monitoring committee so that a factual report can be presented before the Hon'ble NGT. Thereafter, he requested Shri J.C.Babu to take up the proceedings as per agenda.

Thereafter, Shri J.C.Babu, informed that the Monitoring Committee was originally constituted in the matter of OA No. 101/2014 filed by Sobha Singh Vs. State of Punjab, which is related to control of pollution of River Satluj and its tributaries. Sh. J.C. Babu also briefed about the Hon'ble NGT order dated 5.10.2018 in the matter of OA No.206/2016 filed by Captain Hans Raj Singha Vs Union of India & Ors. in connection with the illegal sand mining activity in private as well as forest land situated at village Sataun, PO Koil, Tehsil Nirmand, Distt. Kullu, Himachal Pradesh. He further briefed that vide afore-said order dated 5.10.2018, the Hon'ble NGT directed the applicant to approach the Monitoring Committee constituted vide order dated 24.7.2018 in the matter of OA No. 101 of 2014. He also stated that in pursuance to the Hon'ble Order dated 05.10.2018, the applicant - Capt. Hans Raj Singha had appeared before the Committee in the last meeting held on 17.10.2018 at CPCB, Delhi, and it was decided that a meeting be held at Shimla to discuss

with the officials of concerned departments of H.P. State Government and also to visit the disputed sand mining site in H.P.

Thereafter, he has requested Capt. Hans Raj Singha to brief regarding the illegal mining activity in his land. Capt. Hans Raj Singha apprised the monitoring committee that the illegal mining is being carried out on his land as well as on the adjoining government and forest land. Responding to the queries, Capt. Singha further added that initially himself was the partner in a company called M/s Jai Maa Bhima Kali Crushing Unit, H.O. NH-21, Pirdi Mohal, Kullu, District Kullu and leased out his land [(having bearing Khasara No. 1094/1 (6-19 bighas), 1096/2 (8-02 bighas), 1095/5 (5-08 bighas), 1096/1 (1-08 bighas), 1097/1 (0-18 bighas) and 1117 (3-06 bighas), total containing an area of 26-01 bighas)] for carrying out stone crushing activity which include extraction of sand, stone and bajri. with the approval of the Himachal Pradesh State Government. He also informed that in 2014, he leased out his land to the respondent Shri Bhagat Kaushal, Village Churag, PO Churag, Tehsil Karsog, District Mandi (hereafter referred as lessee) on 16.02.2015 with respect to 13-10 Bighas for the purpose of carrying out mining operation by the lessee subject to obtaining of prior approvals from the concerned departments. He continued to receive lease amount against the land for about 13 months in the form of cheques. Shri Bhagat Kaushal, Lessee had also applied for obtaining permission from mining department for carrying out mining at the afore-said site, which was never granted by the Mining Department, Himachal Pradesh State Government.

To the query of Monitoring Committee, to show copies of permission obtained or agreements made with the firms for carrying out mining activities or approvals obtained from Govt. Department in the past, Capt. Hans Raj Singha and his advocate agreed for providing a copy of the set of documents to the committee during the visit to the site by the committee.

Thereafter, Committee requested the officials of H.P. SPCB to brief about the matter. It was informed by the HPSPCB officials that HPSPCB vide letter dated 04.06.2008 granted Consent to Establishment for stone crusher of Capt. Hans Raj Singha for manufacture of aggregate at Village Sativan, P.O.Koil, Tehsil Nirmand, District Kullu, H.P and subsequent renewal and Consent to Operate (CTO) was granted by H.P.SPCB which was valid upto 31.03.2013 and thereafter no permission or consent was granted to Capt. Hans Raj Singha or any other company by the HP SPCB. It was further informed by the

HPSPCB that as per policy of the State, grant of consent to a stone crusher also implies that it has granted permission for carrying out intended mining also.

To the queries of the Committee, Shri Puneet Guleria, State Geologist, HP informed that he will check all the record from 2008 onward regarding this case and will provide all the documents to the Committee within ten days. He further briefed that to stop illegal mining activities in HP State, powers have been delegated to 39 Govt. Departments of HP State Government. He also informed that since 2014, no permission for mining activity has been granted in this instant case of Capt. H.R. Singha & Others.

Ms. Shailza Choudhary, Mining Officer, the representative of the Mining Department informed that Mining Officer of the concerned area was directed to inspect the site periodically and during the inspections, no illegal mining was found at the site. The representative of Mining Department also informed that the partnership firm of Capt. Hans Raj Singha a had applied for permission to carry out mining on the land, However, during inspection by a joint team of officers, illegal mining activities were observed at the site, so permission for mining was not granted to Capt. Hans Raj Singha or lessee.

To the query of any environmental clearance granted for carrying out sand mining in the land pertaining to Capt. Hans Raj Singha, the representative of the SEIAA informed to the Committee that no environmental clearance (EC) has been granted in the instant case.

Shri Anil Thakur, Chief Conservator of Forest, Rampur, Himachal Pradesh State informed that as per their observations there are small patch of forest area around the land of Capt. Hans Raj Singha and earlier there was no fencing around forest land as no defined boundaries. There are 3 exist points from the forest area which connects to the main road and it is not possible to keep a watch on the road all the time.

Shri Tejendir Verma, SDPO, Anni and representative of SP, Kullu informed that as per the earlier inspections by their officials, there was no mining activity in the area under reference.

Shri Chet Singh, SDM, Anni informed that as per their findings carried out in June 2018, there was no sand mining activity and accordingly, report was filed before the Hon'ble NGT for perusal.

**Thereafter, the committee deliberated the issues to stop illegal sand mining activity in the area under reference with the applicant Capt. H.R. Singha as well as the officials attended the meeting and upon deliberations following decisions were taken as detailed below:-**

- 1) As Capt. Hans Raj Singha or his representative could not provide any documentary evidence to the committee during the meeting, it was suggested to provide all the certified copies of the relevant documents (agreements made in the past, permissions obtained from the H.P. State Government Departments w.r.to the sand mining activity in the land under reference) to the Nodal Officer, CPCB, within a week from the date of issuance of the minutes of the meeting.
- 2) Shri Puneet Guleria, State Geologist, HP /Mining Department, H.P. State Government is suggested to check all the records from 2008 onwards regarding the Capt. Hans Raj Singha and to provide all the certified copies of the documents to the Nodal Officer, CPCB, within ten days.
- 3) H.P. State Geologist/ Mining Department, H.P. State Government shall obtain and submit the report on action taken by all the 39 Govt. Departments of HP State Government against the illegal mining activities in the State particularly w.r.to the illegal sand mining in the site of Capt. Hans Raj Singha along with a certified copy of the sand mining policy of the Govt. of Himachal Pradesh State, within 15 days.
- 4) Committee also made following suggestions to the concerned departments in H.P. State: -
  - a) Challans of transportation vehicle involved in illegal mining activity should be imposed by indicating details such as the Vehicle No, Name of the Driver, Name of the Owner of the Vehicle, Chassis No. so that owner of vehicle can be identified easily.
  - b) In case of absconding of driver of the transportation Vehicle indulged in illegal sand mining activity, in such a case action for impoundment of vehicle should be done with the police assistance by the inspecting team.

- c) Auctioning of the impounded Vehicle should be done by the concerned authority after reasonable time, in case of no claimant is found.
- d) Concerned authority should inform RTO for cancellation of registration of the vehicle involved in illegal sand mining activity.
- e) Barrier in the form of suitable size of trench or manned barrier at the salient exist points should be made wherever feasible by the concerned authorities
- f) A sub-committee under the Chairmanship of SDM, Anni comprising of following officers will inspect the site in Village Sataun pertaining to Capt. Hans Raj Singha once in fifteen days for next two months for physical verification of any illegal mining activity and will submit the report to the Monitoring Committee and Nodal Officer, CPCB through the Chairman of the Sub-Committee (i.e. SDM,Anni), as detailed below:-

- 1) SDM, Anni - Chairman
- 2) DFO Ani - Member
- 3) RO, HPSPCB, Rampur- Member
- 4) District Mining Officer, Kullu - Member
- 5) SHO Nirmand - Member
- 6) SHO Ani - Member and
- 7) Capt. Hans Raj Singha or his Representative.

- 5) As regards to the threat calls to Capt. Hans Raj Singha, it was suggested him to provide such details to SP, Kullu to find the culprits and for taking further necessary action.
- 6) To visit site of Capt. Hans Raj Singha at Village Sataun, Kullu District, H.P. on 17.11.2018 for physical observations and assessment of sand mining activity if any.

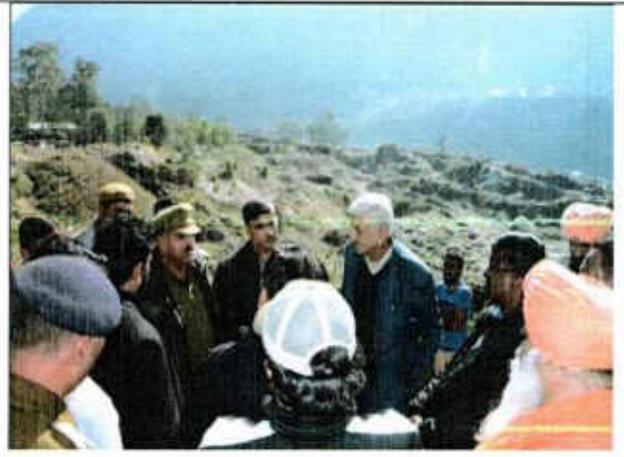
The Monitoring Committee members and Nodal Officer, CPCB thanked HPSPCB for making necessary arrangements and for organizing the meeting of the Monitoring Committee.

The meeting ended with vote of thanks to the Chair.

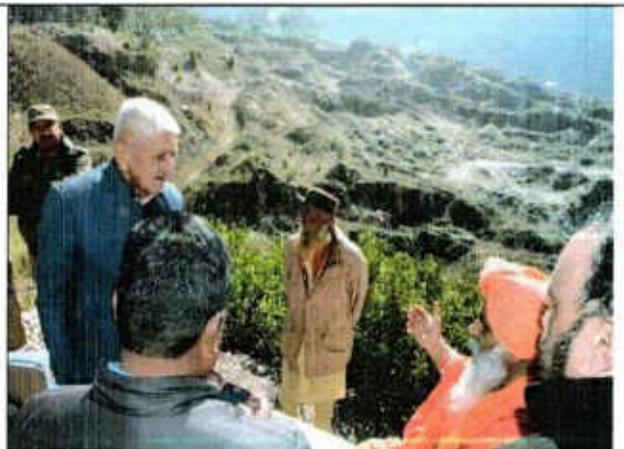
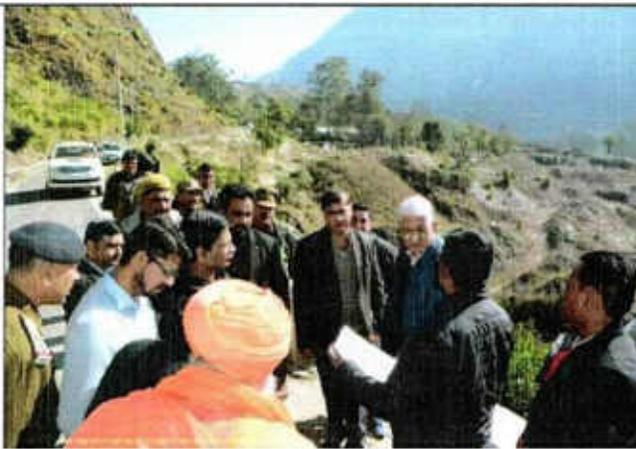
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**List of Participants of Meeting held on 16.11.2018 at Hotel Holiday Home, Shimla of the Monitoring Committee with the concerned Departments of Himachal Pradesh State Government and HPSPCB in compliance to Hon'ble NGT order dated 5.10.2018 in the matter of OA No.206 of 2016-Capt. Hans Raj Singha Vs. Union of India & Ors.**

<b>S. No.</b>	<b>Name of the Official, Designation/Department</b>
1.	Sh.Sant Balbir Singh Seechewal, Member of Monitoring Committee
2.	Sh. J.C. Babu, Member of Monitoring Committee & Nodal Officer
3.	Sh. A.S. Dhaliwal, Chief Engineer , Department of local Government , Punjab Member of Monitoring Committee
4.	Sh. Niraj Mathur, SEE, Rajasthan State Pollution Control Board, Member of Monitoring Committee
5.	Sh. Neeraj Gupta, SDM Shimla(Rural).
6.	Sh. Chet Singh, SDM Anni
7.	Sh. Sunny Sharma, Assistant Commissioner Kullu & Officiating SDM, Kullu
8.	Sh. D.C. Rana, Director, EST.
9.	Sh. A.K. Kalsi, SEE, Punjab Pollution Control Board
10.	Sh. Anil Thakur, CCF Rampur
11.	Sh. Ajeet Kumar, SEE, HPSPCB
12.	Sh. Parveen Gupta, SEE, HPSPCB
13.	Sh. S.K. Shandil, EE, HPSPCB
14.	Sh. Tejender Verma SDPO Anni
15.	Sh. Puneet Guleria, State Geologist, HP
16.	Sh. Sunil Sharma, JEE, HPSPCB, Rampur
17.	Ms. Shailza Choudhary, Mining Officer, Shimla
18.	Capt. Hans Raj Singha, Applicant
19.	Sh. R.K. Kakar, Advocate of the Applicant



**MEETING HELD ON 16-11-2018 WITH THE CONCERNED DEPARTMENTS OF HIMACHAL PRADESH STATE GOVT. AT SHIMLA ON SAND MINING ISSUE**



**VISIT MADE BY MONITORING COMMITTEE ON 17-11-2018 TO THE SAND MINNING SITE OF CAPTAIN HANS RAI SINGHA AT SATAUN IN HIMACHAL PRADESH**



हरीश गोस्वामी  
उप-प्रधान  
ग्राम पंचायत, गड़ज



821-915-6547  
88946-94856  
मोबाईल:- 94188-13329

गांव व डाकघर कोयल,  
तहसील निरमण्ड जिला कुल्लू (हि.प्र.)

क्रमांक... 18/11/2018

दिनांक 17.11.2018

Today honourable N.G.T. Committee and all the concerned departments presided over the said disputed land, wherein Mr. H.R. Singha had stated earlier that illegal mining was happening. wherein all the physical proofs pertaining to the allegations of illegal mining pressed by Mr. H.R. Singha were found to be dubious and without on any solid evidence.

I, Harish Goswami V.P. Gram Panchayat Golej, fully agrees that there is no illegal mining activities going on and there are other village dwellers who had been taken into consideration and have made statements pertaining to the same. In my and the other people who had made their statements in front of the honourable N.G.T. Committee sticks to the statements made. We again would like to state that no illegal mining is and has not taken place for last many years (approx 4 years) present.

Harish Goswami  
17.11.2018

**Report of the Monitoring Committee  
constituted by Hon'ble National Green Tribunal**

(In Compliance to Hon'ble National Green Tribunal (NGT) Order dated 04.09.2018 in the matter of Original Application No. 344 of 2018 - Sukhpal Singh Khaira, MLA, Punjab Assembly & Ors. Vs Union of India & Ors. and Original Application No. 345 of 218 (M. A. No. 934 of 2018) filed by Amber Sachdeva Vs. Union of India & Ors)

**January 25, 2018**

**Report of the Monitoring Committee in compliance to Hon'ble NGT Order dated 04.09.2018 and modified vide order dated 14.09.2018 in Original Application No. 344 of 2018 Sukhpal Singh Khaira, MLA, Punjab Assembly & Ors. VS Union of India & Ors.**

**1. Introduction**

M/s Chadha Sugars and Industries Pvt. Ltd, Village-Kiri Afgana, Tehsil-Batala, District Gurdaspur is an integrated project having Sugar Mill unit as well as Molasses Based Distillery and Grain Based Distillery within one complex at Village-Kiri Afgana, Tehsil-Batala, District-Gurdaspur. On 16/05/2018 an accident has occurred from the molasses storage tanks (open) of the sugar mill due to which the molasses (about 100 Tonnes) reported to be over flowed from the open storage tanks due to high ambient temperature in the open storage tanks and the spillage of the molasses entered into the Kahnuwan Swamp Drain which ultimately lead to River Beas. The company representatives informed that their unit obtained Consents from PPCB, Sugar cane crushing license, Sugar cane purchasing license and also informed that sugar production during crushing season 2017-2018 was 50% higher than the same in the year before i.e., 2016-2017 on all India level. In compliance to the cane commissioner dated 19.04.2018, the company crushed 111 lac Tonnes of sugar cane during 2017-2018 as compared to 85 lac Tonnes during the year 2016-2017.

It was mentioned by the company representatives that the molasses is generated at about 4.5 % of sugar cane crushed i.e., 202 TPD. There are two tanks for storage of molasses one is of SS Tank of capacity 7500 Tonnes and another is of MS Tank as a part of Distillery of capacity of 7500 Tonnes. In the year 2017-2018, there were no purchasers of molasses in the Punjab State since the molasses from UP was available at a basic price of Rs.1/- per quantal, which also lead to storage of molasses for extended period.

Further, the Unit had gone additional cane crushing in view of the pressure from the grower's associations as well as from the Cane

Commissioner, Punjab to keep the mill running till 30th April, 2018. Under the such circumstances, there was excess milling and excess molasses production. As per PPCB officials, the Unit had steel tanks for molasses storage and when the available steel storage capacity was full they stored accumulated molasses in underground open lined lagoons (2 Nos of size about 40 m X 20 m X 6 m) in view of the additional cane crushing. However, PPCB officials have informed that neither M/s. Chadha Sugars and Industries Limited nor Cane Commissioner have informed about additional cane crushing by the afore-said unit.

Large amount of molasses stored in one of the two open storage tanks got self-ignited due to exothermic reaction, which results in unstoppable flow of molasses foam from both the tanks onto the premises of the industry and some part of it flowed into Kahnuwan swamp drain. The temperature of the molasses foam/ molasses was high (about 90 to 95 ° C) and its flow at that could not be stopped at that stage manually or mechanically. By the time the molasses cooled down and its flow into the Kahnuwan swamp drain could be stopped huge quantity of molasses foam / molasses had flown into Kahnuwan swamp drain and further into river Beas. As a result huge no. of fishes in the river Beas had died, large scale mortality of aquatic life occurred and other flora and fauna in the River Beas were also reported to be severely damaged. Thereafter on 17<sup>th</sup> May, 2018, directions were issued by PPCB for revoking the Water Consent of sugar mill. Photographs relating to the molasses discharge incident provided by PPCB is annexed ( **Annexure-I**)

Subsequently, the Hon'ble National Green Tribunal (NGT) in its order dated 04.09.2018 in the matter of Original Application No. 344 of 2018 - Sukhpal Singh Khaira, MLA, Punjab Assembly & Ors. Vs Union of India & Ors. and Original Application No. 345 of 218 (M. A. No. 934 of 2018) filed by Amber Sachdeva Vs. Union of India & Ors. cited its earlier order dated 24.07.2018 in the matter of OA No. 101/2014 – Sobha Singh Vs. State of Punjab & Ors. vide which a Monitoring Committee had been constituted with representative of the CPCB as the Nodal Officer along with Shri Balbir Singh Seechewal, a representative of the Rajasthan Pollution Control Board, a Member of the Punjab Pollution Control Board and a Nominee of the Urban Development of the State of Punjab. The Hon'ble NGT, in each of the two matters, further passed following directions:-

**“Therefore, let this matter be also referred to the Committee constituted with the aforesaid directions passed in O. A. No. 101 of 2014 and list the same. Thereafter this case be also listed along with O. A. No. 101 of 2014 on 14-09-2018. The office is directed to send a copy of this order to the Committee constituted in O. A. No. 101 of 2014.”**

The aforesaid orders of the Hon'ble NGT were modified on 14.09.2018, vide separate orders in each case as mentioned above is as under:-

**“This matter was considered on 04-09-2018. There is a typographical error in the operative part, by inadvertence, and paragraph 19 be substituted and it would read as under:**

- 18. With the above observation, the application is disposed off, the report of the Monitoring Committee may be filed by October, 31, 2018 and registered as an independent application.**
- 19. List for consideration of the report of the Committee on 14<sup>th</sup> November, 2018.”**

Copies of the Hon'ble NGT orders dated 04.09.2018 and 14.09.2018 are at **Annexure – II to Annexure-IV**

## **2. Action taken by the Monitoring Committee**

In compliance of directions of the Hon'ble NGT, the matter involving incident of molasses spillage in River Beas from M/s Chadha Sugar & Industries (P) Ltd., Village Kiri Afgana, Tehsil Batala District Gurdaspur, the Monitoring Committee discussed the matter in its meetings held on 17.10.2018 and 05.12.2018 followed by visit to the site of molasses accident at M/s. Chadha Sugars and Industries Pvt. Ltd., Village Kiri Afgana, Tehsil Batala District Gurdaspur.

Monitoring Committee also had dialogue with the concerned stakeholders including the representatives of industry, government authorities, educational/research institutions, Punjab Pollution Control Board and sought suggestions or feedback for restoration or rejuvenation of ecology

of river 'Beas' including rejuvenation of aquatic life in the river and to avoid such incidences in future. For ensuring compliance to the Hon'ble NGT Order dated 04.09.2018 and 14.09.2018, the issue was first discussed in the fourth meeting of the Monitoring Committee, which was held on 17.10.2018 at CPCB, Delhi. In the afore-said meeting, Punjab Pollution Control Board presented a brief about M/s. Chadha Sugars and Industries Pvt. Ltd, which is a sugar mill, the accident of molasses spillage on 16.05.2018 and initiatives taken by the PPCB subsequent to the accident. It was informed by officers of PPCB that an Expert Committee had been constituted for submission of Action Plans for conservation and restoration of ecology of river 'Beas' including rejuvenation of aquatic life in river Beas. The Action Plans have been examined by Expert Committee in meetings held on 24.08.2018 & 12.10.2018 at Head Office, Patiala. In compliance of the endowment programme, the sugar mill has already deposited a sum of Rs. 1.25 crore with the office of the PPCB, out of which, the PPCB has released Rs. 25.0 lakhs to Department of Forest & Wildlife Preservation, Punjab for the rejuvenation and restoration of ecology of River Beas. The recommendations of the Expert Committee constituted by PPCB are under review and the action plans would be submitted within a month. The Monitoring Committee decided to have a visit to the industry and also decided to have discussions with other concerned authorities related to the issues of discharge of molasses in its subsequent meetings and finalization of action plans for restoration of the River Beas, if required.

Further, the issue of discharge of Molasses in River Beas was again taken up in sixth meeting of the Monitoring Committee which was held on 05.12.2018 in the Punjab Pollution Control Board (PPCB) at Jalandhar. In this meeting, the representatives of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur,, officials of PPCB, Faculty of Punjab Agriculture University (PAU) Ludhiana, Faculty of Guru Angad Dev Veterinary and Animal Sciences University (GADVASU) Ludhiana, Fisheries Department, Forest Department/ Wildlife Department with representatives of WWF and officials of Excise and Taxation Gurdaspur were also present. However, the officials of cane commissioner The Monitoring Committee took a serious note of the absence of officials of Cane Commissioner and Directorate of Factories, Government of Punjab in the meeting.

During the meeting representatives/ officers of all the aforesaid departments/ authorities/ stakeholders made presentations before the Monitoring Committee regarding accident of discharge of molasses into the River Beas, its impact on the river and action taken by them or proposed to be taken now for restoration of ecology of river 'Beas' including rejuvenation of aquatic life in the river and to avoid such instances in future.

The representatives of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur apprised the Monitoring Committee about circumstances leading to the accidental spillage of molasses and its discharge into River Beas. The Unit informed that the Cane Commissioner had directed them to crush cane at higher capacity (in excess of permitted installed capacity) resulting in generation of molasses the available storage capacity as their molasses based distillery, which is located in the same premises, was non-operational and buyers of molasses were not available at that time. The crushing of cane had been stopped around the end of April, 2018. The molasses, which under normal circumstances is stored in closed steel tanks equipped with cooling system, had to be stored in open tanks (lined ponds). The high atmospheric temperatures in May, 2018 led to expansion of molasses causing its over-flow from open tanks first within the complex and thereafter, in nearby Kahnuwan Swamp Drain leading to Beas River. As molasses has self-ignition properties, a massive fire of molasses broke out immediately after spillage of molasses, which was beyond their control. They also explained the steps taken to control and action taken subsequently to avoid repetition of such instance in future which include (i) 6500 Tonnes capacity of molasses storage tank already constructed and the Steel Storage Tank of 8000 MT is being constructed so as to be ready before end of season 2018-19; (ii) The company is operating the molasses-based distillery to its full capacity since 25th September, 2018 so as to consume molasses and as per the directions of the safeguard committee; (iii) The retaining wall is constructed around ETP of Brewery and Sugar Mill to avoid any spillage outside; (iv) The molasses tanks were got approved from excise department as well as from directorate of factories; (v) The site plan of sugar mill with all ETP's was got approved from Directorate of Factories; (vi) Submitted a proposal for expansion of sugar mill to 10,000 TCD and Distilleries from 30 KLD to 60

KLD, for which the Unit got TOR; (vii) The company has already deposited an amount of Rs.2.00 Crores out of 5 Crores towards endowment fund to PPCB;

ETO Department of Excise and Taxation, Punjab informed that their department is not concerned with the Sugar Unit however, they are concerned with the Distillery units. He informed that regular permission is granted by their department to the Distillery units to purchase molasses from Sugar Division. He also apprised that there is no time limit for storage of molasses and stated that the industry had obtained permission from their department under East Punjab Molasses Control Act, 1948.

Conservator of Forest, Department of Forest, Bist Jalandhar informed the committee that their department had filed FIR and also prosecuted the Sugar Industry.

Director, Department of Fisheries, Punjab informed that the incident caused heavy habitat destruction including large scale fish mortality due to high level of BOD. He also briefed the Monitoring Committee about reduction in species of fishes in River Beas and Harike wildlife Sanctuary together. Subsequently complete ban on fishing was enforced and huge quantity of water was released to minimise the molasses impact which washed away small fishes and their food items. He was of the view that study relating Fish Germ Plasm Assessment should be carried out through National Bureau of Fish Genetic Resources (NBFGR), Lucknow.

Faculty, GADVASU informed that a dedicated river health monitoring cell will be established for conducting Bio-diversity survey so as to arrive at pathogenicity index, plankton profile, Fish diversity as a part of the ecological health survey of the river Beas and that they has submitted budgetary requirement with three years study action plan for assessment of the ecology of River Beas.

Faculty, PAU Ludhiana informed that water, soil and plants sample will be collected from three sampling stations along the river Beas quarterly and will be analysed for physico-chemical and heavy metal parameters. They gave modified budgetary requirement alongwith 3 years study action plan for assessment of ecology of River Beas.

The officers of the PPCB apprised the Monitoring Committee about the visit of their officers to the site of the industry immediately soon after receiving information regarding overflowing of molasses and briefed about action taken by the Board, which included issue of directions to the industry under section 33 A of the Water (Prevention and Control of Pollution) Act, 1974, encashing of Bank Guarantee of Rs. 25 lacs, filing criminal complaint under section 44 and 47 of the Water (Prevention and Control of Pollution) Act, 1974 and constitution of an Expert Committee.

Following decisions were taken by the Monitoring Committee for further necessary action by the concerned Departments: -

- (1) The committee directed M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur to submit various documents which include (i) A copy of the Consent and authorisation obtained from PPCB, Cane Crushing License, Sugar Cane Purchasing license and a copy of the permission obtained from Excise Department for sale /purchase of molasses (ii) letters issued by Cane Commissioner to Sugar Mill to crush additional cane (both in Punjabi and Translated in English), (iii) details such as cane crushed, molasses generation, molasses consumed for captive distillery and sale of molasses on monthly basis with effect from November 2016 to April,2018; (iv) Photographs and videos of ETP and molasses storage tanks before and after the incident, (v) procedure/approval for the movement of molasses from sugar unit to distillery unit, (vi) Practices being followed for storage of molasses and disaster management plans being followed in developed countries by the sugar industries, (vii) various action plans submitted and remedial activities carried out by the industry on 16.05.2018 and 17.05.2018 and at present to avoid/stoppage of spillage of molasses from open storage tanks within the industry premises with proofs.
- (2) The Committee felt that valuable time has been already lost in evaluation of the proposals and PPCB is still in the process of finalising the project proposals submitted by the PCCF, PAU and GADVASU. The study should have been awarded soon after the incident and such study would have given the trend in water quality

of river Beas, therefore the Committee suggested PPCB to award a "short term activity" i.e., not more than 3 weeks time period to PAU and afore-said organisations to arrive at the present status of river Beas with regard to the Bio-diversity survey so as to arrive at pathogenicity index, plankton profile, Fish diversity as a part of the ecological health survey including water quality of the river Beas for physico-chemical and biological and heavy metals and these departments shall submit the study/outcome of the 3 week project by 3<sup>rd</sup> January 2019 to the Monitoring Committee indicating the present status of river Beas and a comparison with the findings with the historical data. PPCB shall take immediate action on the afore-said matter to enable the concerned departments to complete the studies and for submission of the reports by 03.01.2019.

- (3) Action plans for restoration of river Beas finalised in consultation through its departmental committees should be submitted to the Committee by PPCB on or before December 31, 2018.
- (4) The Department of Fisheries shall furnish the data relating the list of species observed by their department during the period May 2017 to November 2018.
- (5) Cane Commissioner, Punjab State Government is required to submit a brief note to the committee within fifteen days on the situation which lead to issue an order for additional cane crushing by the industry namely M/s Chadha Sugar and Industries Pvt. Ltd and what powers such an order was issued without ascertaining the safety and cane crushing capacity of the Unit and without consulting the regulatory authorities including PPCB.
- (6) The Wild Life Department was requested to submit their report with regard to the historical and present status of aquatic species data in river Beas by December 31, 2018 to the Committee.
- (7) The Committee also suggested M/s Chadha Sugar and Industries Pvt. Ltd to get the study conducted through any reputed organisation with regard to the present status of river Beas. Also, Committee suggested M/s Chadha Sugar and Industries Pvt. Ltd to submit

detailed action plans to avoid future accidents of molasses discharges from their premises into the environment including the measures taken during the discharge of molasses into river Beas on May 16, 2018.

- (8) As Director of Factories will be fully responsible on aspects relating to safety aspects and will ensure all safety measures are in place by the sugar industry so as to ensure that spill over and molasses or any other miss-happening does not occur in future. The measures suggested by Director of Factories to the sugar industries to be submitted to the committee within fifteen days.
- (9) Department of Forest and Wildlife Preservation, Punjab shall share the information and findings of the studies with regard to aquatic river Beas species survey (including comparison with the historical data of river Beas during the last year, prior to and after incidence of molasses discharge in river Beas as well as the latest findings) to the Committee on or before 03.01.2019.
- (10) It was decided by the Committee members to visit the incident site of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur, after the meeting to know the present conditions with regard to the provision made for storage of molasses within the industry premises.

A copy of the minutes of the 6 th meeting of the Monitoring Committee held on 05.12.2018 is annexed ( **Annexure-V**)

After meeting, the members of the Monitoring Committee visited the site of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur. Photographs taken during the visit is annexed (**Annexure-VI**). During the visit following observations were made by the Monitoring Committee as detailed below:-

1. The industry was closed in compliance of closure directions issued by the PPCB under section 33A of Water Act, 1974 and 31A of the Air Act, 1981 vide letter dated 24.05.2018 and observed that the unit was not in operation during the visit of the Monitoring Committee.

2. The molasses open storage tanks (breached) are located adjacent to the Swamp Drain at about 50 m distance and at an higher elevation than the Swamp Drain (difference of elevation is about 12-15 m). There is no protection on the drain side and in case of any spillages, the molasses would naturally flow in the Swamp Drain directly by gravity.
3. One new molasses storage tank of capacity 6500 Tonnes already constructed and the Steel Storage Tank of 8000 MT is under construction stage.
4. The open tanks of molasses had been constructed on ground with LDPE and brick lining. The LDPE liner could not have bear high temperature (approx. 90 to 95 °C) due to exothermic reaction and expansion in volume of molasses and would have got breached ultimately into the Swamp Drain, by means of gravity.
5. The industry has completed restoration of effluent treatment plant as well as boundary around ETP.
6. The coal ash generated from Captive Power Plant is stored close to molasses open storage tanks and was not covered with soil cover to avoid blown off.

In seventh meeting of the Monitoring Committee which was held with the concerned departments on 08.01.2019 in the Committee Room of Punjab State Council for Science and Technology, Mahatma Gandhi Institute Chandigarh to discuss and review the issues relating to action plan for restoration of Rivers Beas and Sutlej. A copy of the minutes of the meeting held on 08.01.2019 is enclosed as **Annexure-VII**.

- 3 **Assessment carried out by the Monitoring Committee, Guru Angad Dev Veterinary & Animal Sciences University (GADVASU), Ludhiana, Assessment of Fisheries Department, Initiatives of Directorate of Factories Department:-**

### 3.1 Assessment of water quality of river Beas carried out by the Monitoring Committee members during 07-08.10.2018

Analysis results of the river Beas water samples carried out by the Monitoring Committee during October 07-08, 2018 reveal that the samples are complying with the river Water Quality Criteria for bathing with respect to the parameters i.e., pH, DO and BOD except for Fecal Coliform. Also, the samples of river Beas is not having concentration of pesticides for analysed parameters and however, samples are having traces of iron and zinc content. The analysis results of the samples collected from river Beas and swamp drain are enclosed as **Annexure-VIII**.

### 3.2 Assessment of river Beas carried out by GADVASU:-

Guru Angad Dev Veterinary & Animal Sciences University (GADVASU) Ludhiana, Punjab carried out study/ sampling of the river Beas during four week period from 20.12.2018 to 16.01.2019 (**Annexure-IX**). Sampling was carried out at four locations between Kiri Afgana (Spot of molasses spillage in Batala, District Gurdaspur) and Harike Pattan to assess water quality downstream from site of molasses spillage. The water quality river Beas carried out by GADVASU reveals the following:-

1. All the Physico-chemical parameters of water at all the four locations were within the permissible limits as per BIS Norms. However, Relative water quality reveals higher levels of TDS, total alkalinity, total hardness, BOD and ammonia levels at spot-1 Kiri Afgana.
2. Although the nitrates and phosphates concentrations were within the permissible levels as per BIS standards, but relative values indicate higher concentration at Kiri Afgana and Beas Bridge.
3. Although total phytoplankton population was recorded highest at beas bridge site (Spot-2), but population of **Cynophyceae group of phytoplankton (pollution indicators)** were recorded highest at **spot- 1 (Kiri afgana near Chaddha sugar Mill)** followed by **Site 4 (Harike Pattan)**

4. Although highest total zooplankton population was recorded at Spot-4 (Harike Pattan) followed by Spot-3 (Karmuwala), Spot-1 (Kiri Aggana and Spot -2 (Beas Bridge), **but highest number of copepod population (pollution indicator) was recorded at site-1 (Kiri Afgana) followed by Spot-4 (Harike Pattan) as in case of Cynophyceae group of phytoplankton population.**
5. **Fish Diversity Estimation:-** Fish diversity studies could not be taken up due to ban on fishing in river Beas, owing to its declaration as a 'Conservation Reserve' under wildlife Protection Act (1972). The said studies will be conducted only after obtaining permission from the Chief Wildlife Warden, Department of Forests and Wildlife Preservation, Punjab.
6. No pesticide residues were found in any of the water samples collected from the 4 selected spots on River Beas. However, the samples could not be analyzed for heavy metal residues due to break down of Atomic Absorption Spectrophotometer (AAS) in School of Public Health and Zoonoses, GADVASU. **Hence, the heavy metal estimation services have been outsourced and the results will be submitted as soon as they are received.**
7. Microbial load in water samples was estimated in terms of Total Plate Count (TPC), Total Coliforms and Fecal Coliforms, in the '**Aquatic Health Management Lab**' of Department of Aquatic Environment of College of Fisheries (GADVASU) and the results reveal that among all the spots highest TPC and Fecal Coli form count was reported at spot 3 (Karmuwala), however the values were within the permissible limits at all the spots, as per CPCB guidelines.

**3.3 Assessment of Fisheries Department:-** Director Fisheries Department informed that fishing in River Beas from Talwara head works to Harke Wetlands had been banned by the Forest & Wildlife Department with effect from 17.05.2018. After getting the information of the incident, the District Fisheries officials of concerned district formed the teams and visited the sites. They observed that colour of Beas River water has become dark brown. The dead fishes in size ranging from few grams to about 150 kg

were found washed ashore. Report of the Fisheries Department is enclosed as **Annexure-X**.

**3.4 Initiatives of Director of Factories Department:-** Director of Factories vide letter dated 15.01.2019 informed PPCB that inspection of M/s Chadha Sugar and Industries Pvt. Ltd. was carried out on 24.09.2018 under Factories Act, 1948 and notice has been issued on 26.09.2018 for several non-compliances observed during inspection. The non-compliances mentioned in the notice inter-alia include on-site emergency plan is not approved by the Director of Factories, health and Safety Policy is not displayed, Record of Fire Fighting Drill is not maintained, Personal Protective Equipments are not provided to workers, Plant and machinery used at pressure more than atmospheric pressure are not examined by competent person. Director, Factories Department further informed that all the sugar mills in the State will be inspected. The observations/suggestions noted by the inspecting officers will be forwarded to the concerned employer for compliance to ensure safety of plant and industrial worker within premises as per Factories Act, 1948 and Punjab Factory Rules 1952. Regarding M/s Chadha Sugar & Industries Private Limited, Village Kiri Afgana, Tehsil Batala, Gurdaspur, it has already been informed that mock drill has already been conducted by the field officer. A copy of letter received from Director, Factories Department is at **Annexure – XI**.

**3.5 Assessment of World Wild Life Fund-India (WWF-India):** Reports have been published by WWF-India on the issues including molasses discharge into river Beas. However, same not received by the Committee officially.

#### **4 Recommendations of the Committee:-**

- a. M/s Chadha Sugar and Industries Pvt. Ltd. should develop additional molasses storage tanks of adequate capacity as per IS Specification i.e., IS:5521-1980 with state of art provisions, sufficiently away from the water bodies, for storage of molasses to enable to handle or store the molasses during the additional cane crushing in future.
- b. Around the storage tanks should be provided with a provision of drain for collection any flow of molasses spillages.

- c. M/s Chadha Sugar and Industries Pvt. Ltd should close its old molasses storage tanks (open) immediately and the ash storage area should be covered with native soil and develop this area as a garden and no more ash should be permitted to store in the vicinity of the ETP area. The Unit also should take alternate measures for disposal of ash in accordance with the ash management provisions notified under E (P) act, 1986 and for which the Unit should submit ash management plan to PPCB.
- d. Existing entire ash storage area should be covered with native soil and the side slopes also be levelled properly so as to have no gullies and also a peripheral garland drain ( 1 m X 2 m) all along the boundary of the Unit should be made so as to control and collect any spillages in future. A pumping provision of adequate capacity with hose pipe connected to the HDPE lined holding tanks should be provided at suitable locations.
- e. Molasses storage tank areas should also be provision with a leak collection drain as well as automatic alarm system with fire protection provision ( such as automatic fire sprinkling system) surrounding the storage tanks.
- f. The system for cooling molasses storage provision should be reviewed and made more robust by the Unit. The molasses storage tanks should have a provision of temperature sensors linked with alarm system and automatic cooling system in case the temperature of exceeds the prescribed limit as per safety norms.
- g. A boundary wall of adequate height should be constructed all along the industry premises specially along the swamp drain.
- h. Firefighting arrangement of the industry should be strengthened in consultation with the fire safety department and NOC also be obtained from fire safety department by the Unit after fulfilling the fire safety requirements
- i. The storage of molasses in the premises of the Unit at any event should not exceed the capacity of existing steel storage tanks.

- j. Cane crushing department in the States shall direct the sugar industries for additional crushing only after ensuring adequacy of the requirements and only in concurrence with the Pollution Control Board of the respective State. In case cane crushing has to be done in excess of capacity and production of molasses crosses the storage capacity, then there should be a plan for safe disposal of molasses outside the premises and such management plan has to be strictly followed by the sugar industries.
- k. The Sugar Industry should get done safety audit and environmental audit time to time and take action on recommendations of the auditors. Also, sugar industry should have an on-site emergency plan to deal with any accidental hazard in compliance to the conditions prescribed in Environmental Clearance.
- l. The location of ETP, effluent carrying drains, disposal system, solid waste storage facilities etc. should be reviewed and all these structures should be away from adjacent drain or water body. All these facilities/ structures should be regularly inspected and maintained properly all the time by the environmental cell of the Sugar industry. Special maintenance should be carried out before onset of crushing season
- m. Industry also should install real time water quality monitoring station for monitoring of relevant parameters (at least for bathing parameters) with a provision of CC cameras on the downstream of swamp drain at a suitable location in consultation with PPCB and measures be taken for transfer of data to the PPCB. One camera should be installed specifically to cover the river bank adjacent to/ by the side of industry premises.
- n. The industry should have its captive plant for manufacturing cattle-feed from molasses or tie up with other such plants to dispose excessive molasses.

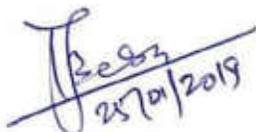
- o. All concerned authorities should carry out an inspection of such seasonal industries every year before start and during crushing season for assessing adequacy of measures.
- p. As far as possible, the State Governments should not allow setting up of highly water polluting industries on the banks of any river, rather there should be a safe distance between the industry premises and the water bodies to avoid spillages in the event of any accidents.
- q. Training to all the workers should be provided on fire safety as well as safety measures and periodic mock drills should be organized and records maintained and informed to all the concerned departments.



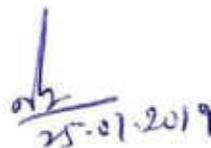
**(Sant Balbir Singh Sechewal)**  
Member



**(Amardeep Dhalwal)**  
Member, Department of Local Government



**(J. Chandra Babu)**  
Scientist 'D' and Nodal Officer, CPCB



**(Niraj Mathur)**  
Sr. Envi. Engineer, Representative of RSPCB



**BREACHING OF MOLASSES FROM OPEN STORAGE TANKS ON 16-05-2018  
FROM M/S CHADHA SUGAR & INDUSTRIES (P) LTD., VILLAGE KIRI AFGANA,  
TEHSIL BATALA, DISTRICT GURDASPUR**



**MOLASSES DISCHARGED INTO KAHNUWAN DRAIN LEADING TO RIVER BEAS**

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 345 of 2018  
(M. A. No. 934 of 2018)

Amber Sachdeva Vs. UOI & Ors.

CORAM : HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

Present: Applicant: Mr. Narender Pal Singh, Adv. and Mr. Amber Sachdeva,  
Applicant in person  
MoEF Mr. Rajesh K. Singh, Adv  
PPCB Mr. Karan Bharihoke, Adv  
Respondent No. 6 Mr. Sangram Singh Saron, Adv with Mr. Shubham  
Bhalla, Adv.  
Respondent No. 2 :Mr. B.V. Niren, Adv. for CGSC  
CPCB Mr. Raj Kumar, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 07 September 04, 2018	<p>As in a matter relating to the same subject (O. A. NO. 101 of 2014) an order has been passed on 24-07-2018 and the same has been ordered to be listed on 14-09-2018. In the order of 24-07-2018 a Committee has been constituted and following directions have been issued:</p> <p><b>17. Accordingly, we direct as follows:</b></p> <p>i) <i>The Central Pollution Control Board may forthwith constitute a Monitoring Committee with the involvement of Mr. Balbir Singh Seechewal who has rendered remarkable voluntary service for creating awareness of checking pollution. The Representative of the CPCB will be the Nodal Officer and a representative of the Rajasthan Pollution Control Board may also be included in the Monitoring Committee. The Monitoring Committee must have one Engineer and one Scientist and also a Member of the Punjab Pollution Control Board and a Nominee of the Urban Development of the State of Punjab.</i></p> <p>ii) <i>The Monitoring Committee must have first meeting latest by 10<sup>th</sup> August, 2018 and take stock of the action taken report so far. It may also prepare time bound Action Plan for handling the situation. Short term action plan may be for three months and longer plan may have three monthly targets.</i></p> <p>iii) <i>Action Plan may be put on the website of the PPCB/CPCB enabling suggestions from</i></p>

<p>Item No. 07 September 04, 2018</p>	<p><i>stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children.</i></p> <p><b>18. With the above observation, the application is disposed off. The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.</b></p> <p>Therefore, let this matter be also referred to the Committee constituted with the aforesaid directions passed in O. A. NO. 101 of 2014 and list the same.</p> <p>Thereafter this case be also listed along with O. A. NO. 101 of 2014 on 14-09-2018. The office is directed to send a copy of this order to the Committee constituted in O. A. No. 101 of 2014.</p> <p>.....JM (Raghuvendra S. Rathore)</p> <p>.....EM (Dr. Satyawan Singh Garbyal)</p>
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BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 345 of 2018  
(M. A. No. 934 of 2018)

Amber Sachdeva Vs. UOI & Ors.

CORAM : HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

Present: Applicant: Mr. Karan Bharihoke, Adv  
PPCB  
Respondent No. 2 :Mr. B.V. Niren, Adv. and Mr. K. Mudgal, Adv. for CGSC  
CPCB Mr. Raj Kumar, Adv.  
MoEF : Mr. Rajesh K. Singh, and Mr. Rovins Verma,  
Adv.  
Respondent No. 6 : Mr. Sangram Singh Saron, and Mr. Ajay Pal  
Singh Adv

Date and Remarks	Orders of the Tribunal
Item No. 15 September 14, 2018	<p>This matter was considered on 04-09-2018. There is a typographical error in the operative part, by inadvertence, and paragraph 19 be substituted and it would read as under :</p> <p>18. <i>With the above observation, the application is disposed off, the report of the Monitoring Committee may be filed by October, 31, 2018 and registered as an independent application.</i></p> <p>19. <i>List for consideration of the report of the Committee on 14<sup>th</sup> November, 2018.</i></p> <p>Let this matter be also referred to the Committee constituted under the aforesaid directions, passed in O. A. NO. 101 of 2014.</p> <p>Thereafter this case be also listed along with O. A. NO. 101 of 2014 on 14-11-2018.</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Dr. Satyawan Singh Garbyal)</p>



<p>Item No. 06 September 04, 2018</p>	<p>iii) <i>Action Plan may be put on the website of the PPCB/CPCB enabling suggestions from stake holders and involvement of such volunteers as are considered relevant and genuine. Educational institutions may be encouraged to create awareness among children.</i></p> <p><b>18. With the above observation, the application is disposed off. The report of the Monitoring Committee may be filed by October 31, 2018 and registered as an independent application.</b></p> <p>Therefore, let this matter be also referred to the Committee constituted with the aforesaid directions passed in O. A. NO. 101 of 2014 and list the same.</p> <p>Thereafter this case be also listed along with O. A. NO. 101 of 2014 on 14-09-2018. The office is directed to send a copy of this order to the Committee constituted in O. A. No. 101 of 2014.</p> <p>.....JM (Raghuvendra S. Rathore)</p> <p>.....EM (Dr. Satyawan Singh Garbyal)</p>
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**Central Pollution Control Board**  
(Ministry of Environment, Forest & Climate Change, Govt. of India)  
Parivesh Bhawan, East Arjun Nagar,  
Delhi – 110032

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**Minutes of Sixth Meeting of Monitoring Committee held on 05.12.2018 (Second Day) in Committee Room, Punjab Pollution Control Board, Focal Point, Jalandhar for Ensuring Compliance to Hon'ble NGT Order dated 04.09.2018 in the matter of O.A No 344 of 2018 and 345 of 2018 (Discharge of Molasses in River Beas)**

Sixth meeting of the Monitoring Committee constituted by Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi order dated 24.07.2018 was held with the concerned departments on 05.12.2018 (Second day) in 'Committee Room, Punjab Pollution Control Board, Focal Point, Jalandhar' under the Chairmanship of Shri Balbir Singh Seechewal to discuss the issue relating to the discharge of molasses into the river Beas and subsequent measures taken by all the concerned. The list of officials who attended the meeting is annexed **(Annexure I)**.

At the Outset, Shri Pawan Garg, Chief Environmental Engineer welcomed Shri Balbir Singh Seechewal, other members of the monitoring committee and all the officials of Punjab State Government who attended the meeting. Thereafter, Shri. J.Chandra Babu, Scientist 'D', WQM-I and Nodal Officer, CPCB requested Shri. Balbir Singh Seechewal, Member of Monitoring Committee and Member, Punjab Pollution Control Board to chair the todays meeting. The Monitoring Committee has taken a serious note as the officials of Cane Commissioner and Directorate of Factories, Punjab State Government were not present before the Committee.

Shri. J.Chandra Babu, Scientist 'D' and Nodal Officer, CPCB informed that Hon'ble NGT vide order dated 04.09.2018 referred the matter of O.A No. 344 of 2018 to the monitoring committee constituted vide order dated 24.07.2018 in the matter of O.A No. 101 of 2014. He further requested that the concerned Departments to clearly indicate about the molasses discharge incidence and the subsequent action taken by the individuals so that it would be helpful for the committee for finalisation of the action plans for restoration of ecology of river Beas including rejuvenation of aquatic life in the wake of spillage of molasses in the river Beas, if required. Thereafter, formal agenda of the meeting was taken up and the respective departments as well as representatives of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur as apprised to the monitoring committee are as detailed below: -

**Presentation by Punjab Pollution Control Board (PPCB): -**

Shri Ravinder Bhatti, Environmental Engineer, Regional Office, Batala informed that M/s Chadha Sugars and Industries Pvt. Ltd, Village-Kiri Afgana, Tehsil-Batala, District-Gurdaspur is an integrated project having Sugar Mill unit as well as Molasses Based Distillery and Grain Based Distillery in one complex at Village-Kiri Afgana, Tehsil-Batala, District-Gurdaspur. The officials of Punjab Pollution Control Board (PPCB) also informed that the Environmental Clearance No. F.No. J-11011/8/2010-1AII (1) dated 25/04/2011 was granted by the Ministry of Environment and Forest, Government of India for establishment of the integrated project a) M/s Chadha Sugars and Industries Pvt. Ltd,

Village-Kiri afgana, Tehsil-Batala, District-Gurdaspur; b) M/s Chadha Sugars and Industries Pvt. Ltd, (Grain Based Distillery), Village-Kiri Afgana, Tehsil-Batala, Distt-Gurdaspur; and c) M/s Chadha Sugars and Industries Pvt. Ltd, (Molasses Based Distillery), Village-Kiri Afgana, Tehsil-Batala, Distt-Gurdaspur. As per records of PPCB, the Unit has obtained Consent from PPCB for manufacture of refined sugar at 400 MTD, sugar mill capacity of 4500 Tonnes Crushing Per Day (TCD) which is having validity up to 31.03.2022. On 19.04.2018, the Cane Commissioner, Punjab State has ordered M/s Chadha Sugars and Industries Pvt. Ltd, for additional crushing of sugar cane than the cane crushing capacity permitted by the PPCB.

A telephonic message from the industry at around 8:00 AM on 16/05/2018 in the office of the RO, PPCB, Batala, that an accident has occurred from the molasses storage tanks (open) of the sugar mill and due to which the molasses (about 100 tonnes) had over flowed from the open storage tanks due to high temperature in the open storage tanks and the spillage of the molasses had entered into the Kahnuwan Swamp Drain which ultimately lead to River Beas. Soon after the information, the Officers of the PPCB, Batala immediately rushed to the site and it was observed that large amount of molasses stored in 2 no. of open storage tanks got self-ignited due to exothermic reaction, which results in unstoppable flow of molasses foam from both the tanks onto the premises of the industry and some part of it flowed into Kahnuwan swamp drain. As informed by the PPCB officials, the temperature of the molasses foam/molasses was high and it was not possible to stop the flow at that stage manually or mechanically. Over a period of few hours the molasses cooled down and on the morning of 17/05/2018, machinery was deployed on war footing to stop the flow of molasses foam into the Kahnuwan swamp drain. The flow/spillage of molasses into the Kahnuwan swamp drain was controlled around 2.00 PM on 17/05/2018. Due to spillage of molasses foam into Kahnuwan swamp drain and further into river Beas, the fishes in the river Beas had died and it is expected that it has also damaged other flora and fauna in the River Beas. When the incident of molasses spillage occurred the surface water samples were collected on 17/05/2018 from River Beas downstream of Bridge at River Beas, at confluence of Kahnuwan Swamp Drain and River Beas of Village Bhait Pattan near temporary Bridge & from Kahnuwan Swamp Drain downstream from industry located at about 55 m distance. As per the analysis report of sample collected from Kahnuwan Swamp Drain downstream shows the BOD level was observed to be 88 mg/l, which caused depletion of dissolved oxygen leading to fish kill in Beas River. PPCB officials also informed that they have also informed to the District Magistrate /Dy. Commissioner, SDM, Bhatala about the incident.

Further, on 17.05.2018, Er. Rantej Sharma AEE and Er. Harbir Singh, SEE who visited the site on 17.05.2018 apprised the committee members about the initiatives taken by PPCB to control the damage from the spillage of molasses and subsequent actions taken against M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur.

Considering the emergency situation, Directions under section 33-A of Water (Prevention & Control of Pollution) Act 1974 were issued to M/s Chadha Sugars and Industries Pvt. Ltd for sealing of plant and machinery of Sugar Mill and a Bank Guarantee of Rs. 25 lacs was ordered to be encashed and the consent to operate issued to M/s Chadha Sugars and Industries Pvt. Ltd was revoked with immediate effect, vide PPCB ZO letter No.1436 dated 17.05.2018. Later, Principal Secretary, Department of Science & Technology, Govt of Punjab vide order dated 18.05.2018 directed PPCB officials for making enquiry regarding accidental spillage of molasses from the open storage tanks of M/s Chadha Sugars and Industries Pvt. Ltd., Village Kiri Afghana, Tehsil

Batala, District Gurdaspur and for submission of the report within 3 days. Subsequently, a team comprising officers of the Punjab Pollution Control Board headed by Shri GS Majithia, Chief Environmental Engineer, PPCB, Jalandhar, Shri Harbir Singh, Senior Environmental Engineer of Zonal Office, Amritsar and Shri Kuldeep Singh, Environmental Engineer, Regional Office, Batala visited the site on 21/05/2018 and based on the report of the visiting team, the industry M/s Chadha Sugars and Industries Pvt. Ltd. was given hearing on 24.05.2018 by the Chairman, PPCB. Main decisions were taken during the hearing which include (i) The Mill shall undertake an endowment programme of Rs. 5.00 crore (five crore) to be deposited with Punjab Pollution Control Board as environmental compensation for causing degradation of ecology of Beas river due to spillage of its molasses in the river Beas, on the basis of polluter pays principal, so as to utilize deposited amount for restoration of ecology of river Beas including rejuvenation of aquatic life. (ii) An Action Plan in this regard shall be prepared by Department of Forest, Department of Wild Life Department of Water Resources, PPCB, Punjab Agricultural University (PAU) Ludhiana and GADVASU, Ludhiana, so that sustainable results of ecological rejuvenation could be achieved over a period of five years; iii) As the management of the mill had remained negligent in its approach to safe guard its installation which lead to pollution in River Beas, leading to large scale mortality of aquatic life therefore prosecution against the Mill and the responsible persons shall be filed in the Competent Court of Law under the provisions of the Water (Prevention & Control of Pollution) Act 1974 and a Criminal Complaint under section 44 read with 47 of the Water (Prevention & Control of Pollution) Act, 1974 has been filed against the industrial unit and persons responsible in the Court of Chief Judicial Magistrate, Gurdaspur and iv) A committee consisting of representative of Director of Factories, State Excise & Taxation Commissioner and Chairman, PPCB shall be constituted to suggest further safeguards required in the sugar mill with a view to ensure that such incidents do not re-occur in future.

PPCB officials also apprised the monitoring committee that the departments formed for submission of Action Plans for conservation and restoration of ecology of river 'Beas' including rejuvenation of aquatic life in river Beas, have met twice on 18.06.2018 and 26.06.2018 and prepared Action Plans and the same have been examined by Expert Committee in a meetings held on 24.08.2018, 12.10.2018 and same was finalized on 22.11.2018 at PPCB Head Office, Patiala. It has been decided by PPCB Expert Committee that Department of Fisheries, Govt. of Punjab shall be the supervising agency for the Rejuvenation Plan.

PPCB officials also apprised the monitoring committee that in compliance of the endowment programme, afore-said sugar mill has already deposited a sum of Rs. 2 Crore out of 5 Crores with the office of the PPCB. The Punjab Pollution Control Board has already released Rs. 25.0 lakhs to Department of Forest & Wildlife Preservation, Punjab for the rejuvenation and restoration of ecology of River Beas.

Also, PPCB officials informed that the criminal complaint has been filed in the Hon'ble Court of Chief Judicial Magistrate, Gurdaspur against M/s. Chadha Sugar and Industries Pvt Limited and against the persons who at the time of the offence was committed and was responsible to the company for the conduct and business of the company as mentioned in section 47 of the Water (Prevention & Control of Pollution) Act, 1974. The next date of hearing is fixed for 14/12/2018. Also it was informed that PPCB under NWMP is carrying out sampling of River Beas at 12 locations. The results were also furnished to the Monitoring Committee during meeting.

**Presentation by M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur**

The company representatives informed that their unit obtained Consents from PPCB, Sugar cane crushing license, Sugar cane purchasing license and also informed that sugar production during crushing season 2017-2018 was 50% higher than the same in the year before i.e., 2016-2017 on all India level. In compliance to the cane commissioner dated 19.04.2018, the company crushed 111 lac Tonnes of sugar cane during 2017-2018 as compared to 85 lac Tonnes during the year 2016-2017. The company could able to crush at higher capacity since there was inbuilt additional capacity in the plant and machinery and since the company reduced the steam consumption by improving the process of manufacturing.

It was mentioned by the company representatives that the molasses is generated at about 4.5 % of sugar cane crushed i.e., 202 TPD. There are two tanks for storage of molasses one is of SS Tank of capacity 7500 Tonnes and another is of MS Tank as a part of Distillery of capacity of 7500 Tonnes. In the year 2017-2018, there were no purchasers of molasses in the Punjab State since the molasses from UP was available at a basic price of Rs.1/- per quantal, which also lead to storage of molasses for extended period. The company also conveyed that they were under pressure from the grower's associations as well as from the Cane Commissioner, Punjab to keep the mill running till 30<sup>th</sup> April,2018. Under the such circumstances, there was excess milling and excess molasses production. During the meeting, the company representatives also conveyed that they had steel tanks for molasses storage and when the available steel storage capacity was full they stored accumulated molasses in underground open lined lagoons (2 Nos of size about 40 m X 20 m X 6 m) in view of the additional cane crushing. To the query of informing about additional cane crushing and the order imposed by cane commissioner, PPCB officials have informed that neither M/s. Chadha Sugars and Industries Limited nor cane commissioner have informed about additional cane crushing by the afore-said unit.

The reason for the unintentional accident as per the company was the higher ambient temperature during the month of May, 2018. In the 2<sup>nd</sup> week, the ambient temperature was very high (around 40-42°C) which caused auto ignition in the molasses stored in the open brick lined storage tanks leading to very high temperature of 90-95 °C. The high temperature led to expansion of molasses by 3-4 times causing over-flow of molasses foam within the complex till evening of 16th May,2018 and after evening, a part of it entered in nearby Kahnuwan Swamp Drain leading to Beas River. On 17.05.2018, machinery such as JCB and Excavator was deployed on war footing to control/avoid the spillage. Thereafter on 17<sup>th</sup> May, 2018 as per directions of PPCB the mills were sealed by the PPCB and directions were issued for revoking the Water Consent of sugar mill. The representatives of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur conveyed that the following actions: -

- 6500 Tonnes capacity of molasses storage tank already constructed and the Steel Storage Tank of 8000 MT is being constructed so as to be ready before end of season 2018-19.
- The company is operating the molasses-based distillery to its full capacity since 25th September,2018 so as to consume molasses and as per the directions of the safeguard committee.

- The retaining wall is constructed around ETP of Brewery and Sugar Mill to avoid any spillage outside.
- The molasses tanks were got approved from excise department as well as from directorate of factories.
- The site plan of sugar mill with all ETP's was got approved from Directorate of Factories.
- Submitted a proposal for expansion of sugar mill to 10,000 TCD and Distilleries from 30 KLD to 60 KLD, for which the Unit got TOR.
- The company has already deposited an amount of Rs.2.00 Crores out of 5 Crores towards endowment fund to PPCB.
- The company also informed that charred molasses left over after the accident is non-hazardous in nature as analysed by an approved lab.
- The company also indicated that as per the affidavit submitted jointly by CPCB & PPCB to Hon'ble NGT in the month of June 2018, the water quality of swamp drain as well as nearby Beas river was complying with the water quality criteria.

The company prayed to the committee that the accident was happened after 16 days of closure of the sugar mill, neither it was intentional nor related at all with the sugar mill. The company conveyed to Hon'ble NGT that multiple legal cases are going on against the company and its employees by various agencies and any new case will add to the multiplicity of case.

#### **Presentation by Department of Excise and Taxation, Punjab**

Sh. Rajindar Tanwar, ETO informed that their department is not concerned with the Sugar Unit however they are concerned with the Distillery units. He informed that regular permission is being granted by their department to the Distillery units to purchase Molasses from Sugar Division. He also informed that there is no time limit for storage of Molasses. He also stated that by M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur has obtained permission from their department under East Punjab Molasses Control Act, 1948.

#### **Presentation by Department of Forest**

Shri Satnam Singh, Conservator of Forest, Bist Jalandhar representative of Department of Forest informed the committee that their department has already filed FIR and also prosecuted M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur.

#### **Presentation by Department of GADVASU: -**

Dr. Meera D. Ansal explained that GADVASU in her presentation informed that a dedicated river health monitoring cell will be established for conducting Bio-diversity survey so as to arrive at pathogenicity index, plankton profile, Fish diversity as a part of the ecological health survey of the river Beas. She has given the modified budgetary requirement and 3 years study action plan for assessment of the ecology of River Beas.

#### **Presentation by Department of PAU, Ludhiana: -**

Dr. Tejdeep K.Kler from Punjab Agriculture University, Ludhiana informed that water, soil and plants sample will be collected from three sampling stations along the river Beas quarterly and will be analysed for physico-chemical and heavy metal parameters. She also give modified budgetary requirement and 3 years study action plan for assessment of ecology of River Beas.

### **Presentation by Department of Fisheries, Punjab: -**

Dr. Madan Mohan, Director from Department of Fisheries, Punjab informed that the incident happened on 16.05.2018 and on 17.05.2018 which caused heavy habitat destruction. Due to high level of BOD, large scale fish mortality observed. From River Beas and Harike wildlife Sanctuary together support about 90 species of fishes, which belong to cyprinidae and bagridae family. WWF India has recorded only 18 fish species in Dec 2017 during their survey.

Lot of fishes died and were washed away to river shore, about 62Tonnes of fish loss has been estimated and fishing ban was enforced immediately. Huge quantity of water was released to minimise the molasses impact which washed away small fishes and their food items. He is also of the view that study relating Fish Germ Plasm Assessment should be carried out through National Bureau of Fish Genetic Resources (NBFGR), Lucknow.

### **Presentation by Department of Wildlife: -**

Ms. Gitanjali Kanwar from WWF informed that it is the priority of Department of Forests and Wildlife Preservation to restock as many as possible native and indigenous fish species in the river Beas. Restocking cannot be undertaken on basis of threatened, vulnerable species as it is not easy to get wild populations of threatened, vulnerable fish species and most of the fish farms in Punjab and other neighbouring States are only rearing Indian Major Carp and Exotic Major Carp. She also informed that there is no standardized technique to rear cat fishes and Cat fishes are not reared anywhere in Punjab. The Fisheries Department should help in this regard and she suggested to focus on creating viable habitat for native and indigenous aquatic species. The Forest department will focus on rejuvenating ecology of Beas Conservation Reserve on a holistic basis focusing on mammals, birds, reptiles, amphibians, fishes, invertebrates, zooplanktons and phytoplankton's. She also informed that so far 3000 plants have been planted along the bank of river Beas. She informed that the Department has identified Critical areas in River Beas where the trees / shrub species will be planted mostly in the island areas and about 3000 plants have been planted along the bank of river Beas. The Department of Forests and Wildlife Preservation Punjab will explore more about fish availability, ranching in consultation with State Fisheries Department, Central Inland Fisheries Research Institute and National Bureau of Fish Genetic Resources, Lucknow. She further informed that Department of Forest and Wildlife Preservation, Punjab presently undertaken studies with regard to aquatic river species survey and the study is expected to complete by December 25, 2018 and can share the findings to the Committee by 03 January 2019.

### **Upon deliberations on the issues, following decisions were taken by the monitoring committee for further necessary action by all the concerned Departments: -**

1. The committee directed M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur to submit various documents which include the following:- (i) A copy of the Consent and authorisation obtained from PPCB, Cane Crushing License, Sugar Cane Purchasing licence and a copy of the permission obtained from Excise Department for sale /purchase of molasses (ii) letters issued by Cane Commissioner to Sugar Mill to crush additional cane (both in Punjabi and Translated in English), (iii) details such as cane crushed, molasses generation,

molasses consumed for captive distillery and sale of molasses on monthly basis with effect from November 2016 to April,2018; (iv) Photographs and videos of ETP and molasses storage tanks before and after the incident, (v) procedure/approval for the movement of molasses from sugar unit to distillery unit, (vi) Practices being followed for storage of molasses and disaster management plans being followed in developed countries by the sugar industries, (vii) various action plans submitted and remedial activities carried out by the industry on 16.05.2018 and 17.05.2018 and at present to avoid/stoppage of spillage of molasses from open storage tanks within the industry premises with proofs.

2. The Committee felt that valuable time has been already lost and PPCB is still in the process of finalising the project proposals submitted by the PCCF, PAU and GADVASU. The study should have been awarded soon after the incident and such study would have given the trend in water quality of river Beas, therefore the Committee suggested PPCB to award a "short term activity" i.e., not more than 3 weeks time period to PAU and afore-said organisations to arrive at the present status of river Beas with regard to the Bio-diversity survey so as to arrive at pathogenicity index, plankton profile, Fish diversity as a part of the ecological health survey including water quality of the river Beas for physico-chemical and biological and heavy metals and these departments shall submit the study/outcome of the 3 week project by 3<sup>rd</sup> Jan 2019 to the Monitoring Committee indicating the present status of river Beas and a comparison with the findings with the historical data. PPCB shall take immediate action on the afore-said matter to enable the concerned departments to complete the studies and for submission of the reports by 03.01.2019.
3. Action plans for restoration of river Beas finalised in consultation through its departmental committees should be submitted to the Committee by PPCB on or before December 31, 2018.
4. The Department of Fisheries shall furnish the data relating the list of species observed by their department during the period May 2017 to November 2018.
5. Cane Commissioner, Punjab State Government is required to submit a brief note to the committee within fifteen days on the situation which lead to issue an order for additional cane crushing by the industry namely M/s Chadha Sugar and Industries Pvt. Ltd and what powers such an order was issued without ascertaining the safety and cane crushing capacity of the Unit and without consulting the regulatory authorities including PPCB.
6. The Wild Life Department was requested to submit their report with regard to the historical and present status of aquatic species data in river Beas by December 31, 2018 to the Committee.
7. The Committee also suggested M/s Chadha Sugar and Industries Pvt. Ltd to get the study conducted through any reputed organisation with regard to the present status of river Beas. Also, Committee suggested M/s Chadha Sugar and Industries Pvt. Ltd to submit detailed action plans to avoid future accidents of molasses discharges from their premises into the environment including the

measures taken during the discharge of molasses into river Beas on May 16, 2018

8. As Director of Factories will be fully responsible on aspects relating to safety aspects and will ensure all safety measures are in place by the sugar industry so as to ensure that spill over and molasses or any other miss-happening does not occur in future. The measures suggested by Director of Factories to the sugar industries to be submitted to the committee within fifteen days.
9. Department of Forest and Wildlife Preservation, Punjab shall share the information and findings of the studies with regard to aquatic river Beas species survey (including comparison with the historical data of river Beas during the last year, prior to and after incidence of molasses discharge in river Beas as well as the latest findings) to the Committee on or before 03 January 2019.
10. It was decided by the Committee members to visit the site of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur, after the meeting to know the present conditions with regard to the provision made for storage of molasses within the industry premises.

The Meeting ended with vote of thanks to the Chair.

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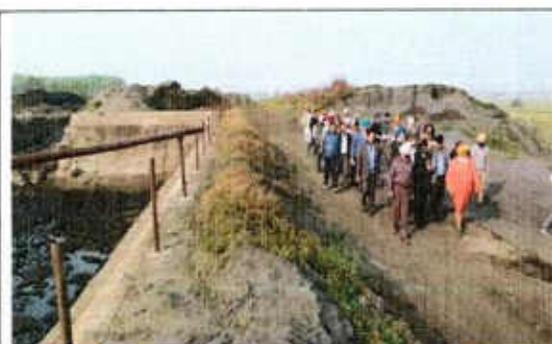
## List of Participants

**Sixth Meeting of Monitoring Committee for Ensuring Compliance to Hon'ble NGT order dated 24.07.2018 in the matter of O.A No 101 of 2014 344 of 2018 and 345 of 2018.**

Date: 05/12/2018 at 9.30 AM

Venue: Committee Room, PPCB, Jalandhar.

S. No.	Name of Official	Organization/ Division
1.	Shri Balbir Singh Seechewal	Member and Chairman of the Meeting
2.	Shri A.S Dhaliwal	Member and Chief Engineer, Deptt of Local Govt, Punjab
3.	Shri J.Chandra Babu	Scientist 'D' and Nodal Officer, CPCB
4.	Shri Niraj Mathur	Member and SEE,RPCB Jaipur
5.	Dr. Tejdeep K Kler	PAU Ludhiana
6.	Dr.Meera D Ansal	GADVASU Ludhiana
7.	Dr Shammi Kapoor	Head, Deptt of Microbiology, PAU Ludhiana
8.	Dr. S.N Datta	College of Fisheries, GADVASU, Ludhiana
9.	Shri Rajinder Tanwar,	ETO, Chadha Sugar (Excise and Taxation, Gurdaspur)
10.	Shri GS Majithia	CEE, PPCB, Jalandhar
11.	Dr. Madan Mohan	Director, Fisheries Deptt, Punjab
12.	Shri Jagjivan Lal	Forest Division, Jalandhar
13.	Ms. Kalpana K, IFS	Dept of Forest, Wildlife Preservation Division, Ferozpur Wildlife
14.	Ms. Gitanjali Kanwar	WWF India
15.	Ms. G.Geethanjali, IFS	Conservator of Forest (Wildlife), Parks and Protected Area
16.	Shri Sanjiv Kumar	B.O Jalandhar
17.	Shri Wilbart Samson	DFO Gurdaspur
18.	Shri Satnam Singh	CF Bist Jalandhar
19.	Shri Sandeep Bahl	SEE,ZO Amritsar
20.	Shri Devinder Pal Singh F.R Range Kapurthala Forest Division	Punjab Forest Deptt
21.	Er. Ravinder Bhatti	EE, RO, Batala.
22.	Er. Rantej Sharma	AEE,RO, Batala.
23.	Shri R.A Singh	Chadha Sugar & Industries Pvt Ltd
24.	Mrs. Jasdeep Kaur Chadha	Chadha Sugar & Industries Pvt Ltd
25.	Shri Pradeep Ahuja	Chadha Sugar & Industries Pvt Ltd



**VISIT TO ACCIDENTAL SITE MADE BY THE MONITORING COMMITTEE ON 06-12-2018**



**KAHNUWAN DRAIN ADJACENT TO THE MOLASSES STORAGE TANK IN M/S CHADHA SUGAR & INDUSTRIES (P) LTD., VILLAGE KIRI AFGANA, TEHSIL BATALA, DISTRICT GURDASPUR**



**DAMAGED OPEN MOLASSES STORAGE TANK OF M/S CHADHA SUGAR & INDUSTRIES (P) LTD., VILLAGE KIRI AFGANA, TEHSIL BATALA, DISTRICT GURDASPUR**



**Central Pollution Control Board**  
(Ministry of Environment, Forest & Climate Change, Govt. of India)  
Parivesh Bhawan, East Arjun Nagar,  
Delhi – 110032

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**Minutes of Seventh Meeting of Monitoring Committee held on 08.01.2019 in Committee Room of Punjab State Council for Science and Technology, Mahatma Gandhi Institute, Chandigarh for Ensuring Compliance to Hon'ble NGT Order dated 24.07.2018 in the matter of OA No. 101/2014 (Sobha Singh Vs. State of Punjab & Ors), O.A No 344 of 2018 and 345 of 2018 (Discharge of Molasses in River Beas) and Original Application No. 206/2016 (Capt. Hans Raj Singha Vs. Union of India & Ors)**

Seventh meeting of the Monitoring Committee constituted by Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi vide orders was held with the concerned departments on 08.01.2019 in 'the Committee Room of Punjab State Council for Science and Technology, Mahatma Gandhi Institute Chandigarh' to discuss and review the issues relating to action plan for restoration of Rivers Beas and Sutlej. Sh. J.Chandra Babu, Scientist 'D' Nodal Officer, CPCB requested Shri Balbir Singh Seechewal, Member, Punjab Pollution Control Board to chair the meeting. The list of officials who attended the meeting is annexed (**Annexure-I**).

Thereafter, the representatives of different departments/ organizations of Punjab State were requested to apprise about the action plans prepared for restoration of river Sutlej, issue relating to the discharge of molasses in river Beas. It was observed that different agencies responsible have prepared individual action plans in respect of their respective jurisdiction. Therefore, the Monitoring Committee directed that the action plans with timelines and financial estimates prepared by the concerned departments of Punjab State should be compiled by the PPCB and Member of Monitoring Committee representing from the local government and only after approval of the Punjab State

Government the action plans should be submitted to the Monitoring Committee by 15.01.2019 for filing before the Hon'ble NGT for consideration.

The Monitoring Committee also reviewed the issues relating to rejuvenation of the Rivers Beas proposed by Faculty of Punjab Agriculture University (PAU) Ludhiana, Faculty of Guru Angad Dev Veterinary and Animal Sciences University (GADVASU) Ludhiana, Fisheries Department and Forest Department/ Wildlife Department (WWF) were also discussed. The submissions made by the stakeholders is detailed below:-

- (1) The representatives of M/s Chadha Sugar and Industries Pvt. Ltd., Kiri Afghana, Gurdaspur submitted documents in compliance of the sixth meeting of the Monitoring Committee. They submitted proposals to avoid accidents in future. The steps taken by the proponent include construction of additional storage tank, provision of new cooling system for molasses improvements in storage tanks and provision of warning system in case of temperature rise. The industry also proposes to keep the molasses based distillery continuously operational in future.
- (2) Fisheries Department – Director Fisheries Department informed that fishing in River Beas from Talwara head works to Harike Wetlands had been banned by the Forest & Wildlife Department with effect from 17.05.2018. Committee requested Fisheries department to submit a status report based on the available information.
- (3) Forest Department (Wildlife Division) Punjab Government informed that they filed an FIR and challan under the Wildlife Protection Act against the sugar industry. They also submitted limited data with regard to the historical and present status of wildlife and aquatic species in river Beas.
- (4) Director of Factories sought more time to submit information to the Monitoring Committee.
- (5) PPCB informed that the PPCB Expert Committee in its meeting held on 22.11.2018 has allocated funds to PCCF Mohali, GADVASU Ludhiana, PAU Ludhiana for carrying out studies.

- (6) The committee also requested the Chairman PPCB to intervene in the matter of fund allocation to GADVASU, PAU and PCCF for completing the task as these institutes had raised this issue before the Monitoring Committee.

News appeared in the local newspaper with regard to the discharge of effluent by M/s. Chadha Sugar and Industries Pvt. Limited in to the adjacent drain was also discussed and PPCB was requested to examine the issue and to report to the Committee within two days.

Thereafter, the Monitoring Committee directed all the concerned institutes/ organizations and the PPCB and the other concerned State Departments to incorporate suggestions given in the earlier meetings and to submit the assessment reports by all the concerned departments to the Monitoring Committee by 15.01.2019 positively.

The Meeting ended with vote of thanks to the Chair.

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### ATTENDANCE SHEET

(VII Meeting of the Monitoring Committee held on 08-01-2019 at PSCST, Sector-26, Chandigarh for ensuring compliance to Hon'ble NGT Order dated 24-07-2018 in the matter of O.A. No. 101/2014 titled as Sobha Singh & Ors. Vs State of Punjab & Ors.)

Sr. No.	Name of the Official	Designation and Organization	Tel./ Mobile No.	Email ID
1.	Shri Balbir Singh Seechewal	Member and Chairman of the Meeting	9417319463	<a href="mailto:santseechewalji@gmail.com">santseechewalji@gmail.com</a>
2.	Shri A.S. Dhaliwal	Chief Engineer, DoLG	9988824055	<a href="mailto:amandeep.dhaliwal.mcj@gmail.com">amandeep.dhaliwal.mcj@gmail.com</a>
3.	Shri J.ChandraBabu	Scientist 'D' and Nodal Officer, CPCB	9868278903	<a href="mailto:jcb.cpcb@nic.in">jcb.cpcb@nic.in</a>
4.	Shri Niraj Mathur	SEE RPCB	9460049410	<a href="mailto:nirirpcb@gmail.com">nirirpcb@gmail.com</a>
5.	Shri S. S. Marwaha	Chairman, PPCB		<a href="mailto:chairmanppcb@yahoo.co.in">chairmanppcb@yahoo.co.in</a>
6.	Shri Pawan Garg	Member Secretary, PPCB		<a href="mailto:msppcb@gmail.com">msppcb@gmail.com</a>
7.	Shri Rajeev Sharma	SEE, PPCB	9779054005	<a href="mailto:seezo2ldhppcb@yahoo.com">seezo2ldhppcb@yahoo.com</a>
8.	Shri Vidhyasagari IFS	DFO (M & E) Deptt. of Forest	9412927063	<a href="mailto:pccfcomplex@gmail.com">pccfcomplex@gmail.com</a>
9.	Shri Neeraj Kumar	DFO (W C) o/o CGLW Pb	9463596843	<a href="mailto:cglwpunjab@gmail.com">cglwpunjab@gmail.com</a>
10.	Shri G.S. Majithia	CEE (Jal), PPCB	9878950509	<a href="mailto:ceejalandar@yahoo.com">ceejalandar@yahoo.com</a>
11.	Dr. Madan Mohan	Director, Fishery Deptt. Punjab	9582898981	<a href="mailto:difisherypb@gmail.com">difisherypb@gmail.com</a>
12.	Shri Rakesh Hans	Scientist-D, CGWB NWRC, Chandigarh	01725021960	<a href="mailto:rdnwr-cgwb@nic.in">rdnwr-cgwb@nic.in</a>
13.	Shri Sandeep Bahl	SEE, PPCB, Zonal Office, Amritsar	9878950518	<a href="mailto:seezoasr@yahoo.com">seezoasr@yahoo.com</a>
14.	Shri Parmal Singh	JDP (Pb)	9888045801	<a href="mailto:dofofficework@gmail.com">dofofficework@gmail.com</a>
15.	Ms. Ishy Sanjhm	ADF, Batala	8198084514	<a href="mailto:dofofficework@gmail.com">dofofficework@gmail.com</a> <a href="mailto:adf.labbatala@punjab.gov.in">adf.labbatala@punjab.gov.in</a>
16.	Dr. G.B. Singh	Asstt. Director Health & Family Welfare	9855105496	<a href="mailto:dhspunjab@gmail.com">dhspunjab@gmail.com</a>
17.	Dr. Tejdeep Kaur Kler	Senior Ornithologist PAU, Ludhiana	9855965904	<a href="mailto:tejdeepkler@pau.edu">tejdeepkler@pau.edu</a>
18.	Dr. Priya Katyai	Assistant Microbiologist	9888507787	<a href="mailto:drpkatyai@pau.edu">drpkatyai@pau.edu</a>
19.	Dr. Syed Shabih	Assistant Scientist (Fisheries), College of Fisheries, GADVASU, Ludhiana	9780764402	<a href="mailto:fish_ab@rediffmail.com">fish_ab@rediffmail.com</a>
20.	Dr. Meera D. Ansal	Head Department of Aquaculture, College of Fisheries, GADVASU	9417109667 9592087100	<a href="mailto:ansalmd@gmail.com">ansalmd@gmail.com</a>
21.	Ms. Gitanjali Kanwar	Coordinator- Aquatic Biodiversity, WWF-India	9465882746	<a href="mailto:gifanjalkanwar@gmail.com">gifanjalkanwar@gmail.com</a>
22.	Shri Sukhjeet Singh	Seechewal	9417044263	<a href="mailto:sukhjiat@gmail.com">sukhjiat@gmail.com</a>
23.	Dr. Gurjit Kaur	Member DHS, Punjab	9815900869	-

## Analysis results of the Water Quality carried out by Monitoring Committee during 07-08 October 2018

S.No	Sampling Date	Sampling Location	Name of Water Body	DO	pH	Conductivity $\mu$ mho/cm	TDS (in mg/l)	COD (in mg/l)	BOD (in mg/l)	Cl (in mg/l)	Total Alkalinity (in mg/l)	Hardness as CaCO <sub>3</sub> (in mg/l)	Ca as CaCO <sub>3</sub> (in mg/l)	Mg as CaCO <sub>3</sub> (in mg/l)	Nitrite-NO <sub>2</sub> (in mg/l)	Nitrate--NO <sub>3</sub>	P (in mg/l)	Amonia (in mg/l)	FC in MPN/100ML	TC in MPN/100ML
1	08.10.2018	Beas River at Mirthal Bridge, Bela Mastgarh, Punjab (32.098149, 75.61143)	Beas	7.3	8.5	208	116	7	1	10	141	140	21	21	BDL	0.9	0.9	BDL	9200	3500
2	08.10.2018	River Beas A/c Kanhuwan Swan drain at Gandhowal (31.69431, 75.52278)	Beas	7.6	8.1	161	94	11	2	10	88	112	32	7	BDL	0.7	0.1	0.2	2000	2000
3	07.10.2018	River Beas B/c to Sutlej at Harike (31.15077, 74.951119)	Beas	6.8	8.3	160	92	11	1	9	86	98	32	4	0.01	0.5	0.1	0.3	27000	9300
4	08.10.2018	Kanhuwan Swan drain at Bhait (31.759594, 75.536893)	Kanhuwan Swan		8.17	463	168	3	1	-	-	-	-	-	-	-	0.11	BDL		

S.No	Sampling Date	Sampling Location	Name of Water Body	OP_DDT	PP_DDT	DDT_DDE_DDD	AlphaEndosulphan	BetaEndosulphan	Aldrin	Dieldrin	2, 4-D	Chloropyrifos	Methyl Parathion	HCH Alpha	HCH Beta	HCH Delta	Ethion	Diomethoate	Malathion	
1	08.10.2018	Beas River at Mirthal Bridge, Bela Mastgarh, Punjab (32.098149, 75.61143)	Beas	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL
2	07.10.2018	River Beas B/c to Sutlej at Harike (31.15077, 74.951119)	Beas	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL

Note: All values in  $\mu$ g/l

S.No	Sampling Date	Sampling Location	Name of Water Body	As (mg/l)	Cd (in mg/l)	Cr (in mg/l)	Cu (in mg/l)	Fe (in mg/l)	Ni (in mg/l)	Pb (in mg/l)	Zn (in mg/l)
1	08.10.2018	Beas River at Mirthal Bridge, Bela Mastgarh, Punjab (32.098149, 75.61143)	Beas	BDL	BDL	BDL	BDL	1.28	BDL	BDL	0.02
2	08.10.2018	River Beas A/c Kanhuwan Swan drain at Gandhowal (31.69431, 75.52278)	Beas	BDL	BDL	BDL	BDL	4.54	BDL	BDL	0.03
2	07.10.2018	River Beas B/c to Sutlej at Harike (31.15077, 74.951119)	Beas	BDL	BDL	0.02	0.02	13.53	0.01	BDL	0.04
4	08.10.2018	Kanhuwan Swan drain at Bhait (31.759594, 75.536893)	Kanhuwan Swan	BDL	BDL	BDL	BDL	1.18	BDL	BDL	0.02

**“Dedicated River Health Monitoring Cell”**

**at GADVASU**

**for**

**Conservation and Restoration of the River Beas**

**Under**

**Action Plan for Conservation and Restoration of Ecology of River  
Beas, Including Rejuvenation of aquatic life in the wake of spillage  
of molasses in River Beas**

**Short Term Study Report**

**Period: 14.12.2018 - 15.01.19**

**(4 Weeks)**



**Guru Angad Dev Veterinary and Animal Sciences University  
(GADVASU)  
Ludhiana, Punjab- 141004**

**College of Fisheries**  
**Guru Angad Dev Veterinary & Animal Sciences University (GADVASU)**  
**Ludhiana, Punjab- 141004**

“Dedicated River Health Monitoring Cell” at GADVASU, Ludhiana for Conservation and Restoration of the River Beas

Under

**Action Plan for Conservation and Restoration of Ecology of River Beas, Including Rejuvenation of aquatic life in the wake of spillage of molasses in River Beas**

Total Budget Demanded under revised proposal – 57.00 Lakhs (3 years)

Total Budget Sanctioned – 27.50 Lakh (3 years)

Funds Received for 1<sup>st</sup> year - 12.80 Lakh on 19.12.2018

### Short Term Study Report

Period under Report: 4 Weeks (20.12.2018 - 16.01.19)

#### **I. Activities as per approved action Plan**

1. Selection of Spots
2. Water Quality Analysis
  - Physico-Chemical Parameters
  - Nutrient Status
  - Plankton Profile
3. Fish Diversity Estimation
4. Identification of Potential Contaminants
  - Pesticides & Heavy Metal
  - Microbial load (Pathogenicity index)

#### **II. Progress report of short term activity (4 weeks)**

##### **1. Selection of Spots**

4 spots selected between Kiri Afgana (Spot of molasses spillage in Batala, District Gurdaspur) and Harike Pattan (Table 1) to assess water quality downstream from site of the site of molasses spillage.

**Table 1. Details of Spots**

Spot	Details	Coordinates	Remarks
Spot-1	Kiri Afghana, District Gurdaspur (Near Chaddha Sugar Mill)	31.1315 <sup>0</sup> N 75.0318 <sup>0</sup> E	Another 2 spots to be added for further study ✓ Kiri afgana and Beas ✓ Between Beas and Karmuwala (Dolphin hotspot)
Spot-2	Beas Bridge, Beas (District Amritsar)	31.0901 <sup>0</sup> N 74.5704 <sup>0</sup> E	
Spot-3	Village Karmuwala, Tarantaran)*	31.1315 <sup>0</sup> N 75.0318 <sup>0</sup> E	
Spot-4	Harike Pattan, District Tran Taran/Ferozepur	31.0901 <sup>0</sup> N 74.5704 <sup>0</sup> E	

\* Dolphin Hotspot

**2. Water Quality Analysis**

**i. Water quality Parameters**

Water quality was analyzed, in terms various physico chemical parameters, in the 'Water Quality Lab' of Department of Aquaculture, College of Fisheries, GASDVASU and the results are given in Table.2

**Table 2. Water Quality of River Beas at Selected Spots**

Parameter	Spot-1 Kiri Afghana	Spot-2 Beas Bridge	Spot-3 Village Karmuwala	Spot-4 Harike Pattan
Transparency (cm)	43.5	30.0	25.66	25.83
Specific Conductivity (µS/cm)	353.0	188.5	192.43	195.26
Total dissolved solids (TDS) (mg/l)	173.0	93.6	96.0	92.5
pH	7.80	7.53	8.00	8.20
Free Carbon Dioxide (mg/l)	4.0	6.0	4.9	6.0
Total Alkalinity (mg/l)	182.66	94.0	136.66	143.33
Total Hardness (mg/l)	188.0	112.0	133.33	125.33
Chloride (mg/l)	20.0	21.33	22.00	21.66
Sodium (Na) (mg/l)	35.83	35.53	35.4	35.43
Potassium (K) (mg/l)	104.7	106.3	106.26	106.13
Dissolved Oxygen (DO) (mg/l)	8.72	9.59	9.82	9.87
Biological Oxygen Demand (BOD) (mg/l)	2.22	0.713	0.87	1.40
NO <sub>2</sub> -N(mg/l)	0.030	0.030	0.015	0.008
NH <sub>3</sub> -N(mg/l)	0.29	0.08	0.046	0.016

**Remarks :** All the Physico-chemical parameters of water at selected 4 spots were within the permissible limits as per BIS. **However, Relative water quality reveals higher levels of TDS, total alkalinity, total hardness, BOD and ammonia levels at spot-1 (Kiri Afgana).**

**ii. Nutrient Status**

The nutrient status in terms of nitrates and phosphates were analyzed in the 'Water Quality Lab' of Department of Aquaculture, College of Fisheries, GASDVASU and are the results are presented in Table 3.

**Table 3. Nutrient Status in Water of River Beas at Selected Spots**

Parameter	Spot-1 Kiri Afghana	Spot-2 Beas Bridge	Spot-3 Village Karmuwala	Spot-4 Harike Pattan
Nitrates /NO <sub>3</sub> - N (mg/l)	2.30	3.46	1.60	1.10
Phosphates /PO <sub>4</sub> -P (mg/l)	1.60	1.82	0.53	0.50

**Remarks:** Although the nitrates and phosphates concentrations were within the permissible levels as per BIS standards, but relative values indicate higher concentration at Spot-1 (Kiri Afgana) and Spot-2 (Beas Bridge).

**iii. Plankton Profile**

Quantitative and Qualitative Plankton profile (Phytoplankton and Zooplankton population) was estimated, in the 'Water Quality Lab' of Department of Aquaculture, College of Fisheries, GASDVASU, for all the spots with special reference to pollution indicator species and the results are presented in Table 4 & Table 5.

**Table 4. Quantitative and qualitative phytoplankton profile (no./liter) at four spots on River Beas**

Details	Spot-1 Kiri Afghana	Spot-2 Beas Bridge	Spot-3 Village Karmuwala	Spot-4 Harike Pattan
Total Phytoplankton	108 X 10 <sup>6</sup>	168 X 10 <sup>6</sup>	129 X 10 <sup>6</sup>	130 X 10 <sup>6</sup>
Chlorophyceae	77 X 10 <sup>6</sup>	129 X 10 <sup>6</sup>	84 X 10 <sup>6</sup>	94 X 10 <sup>6</sup>
Bacillariophyceae	3 X 10 <sup>6</sup>	-	14 X 10 <sup>6</sup>	1 X 10 <sup>6</sup>
Cyanophyceae	27 X 10 <sup>6</sup>	19 X 10 <sup>6</sup>	19 X 10 <sup>6</sup>	24 X 10 <sup>6</sup>
Dianophyceae	-	19 X 10 <sup>6</sup>	1 X 10 <sup>6</sup>	-

**Remarks:** Although total phytoplankton population was recorded highest at beas bridge site (Spot-2), but population of Cynophyceae group of phytoplankton (pollution indicators) were recorded highest at spot- 1 (Kiri afgana near Chaddha sugar Mill) followed by Site 4 (Harike Pattan)

**Table 5. Quantitative and qualitative Zooplankton profile (no./liter) at four spots on River Beas**

Zooplankton	Spot-1 Kiri Afghana	Spot-2 Beas Bridge	Spot-3 Village Karmuwala	Spot-4 Harike Pattan
Cladocera	16	1	11	19
Copepods	28	23	22	26
Ostracods	10	0	18	10
Protozoa	4	3	3	2
Oligochaeta	0	9	3	9
Diptera	0	0	3	0
<b>Total No. of Zooplankton</b>	<b>58</b>	<b>36</b>	<b>60</b>	<b>66</b>

**Remarks:** Although highest total zooplankton population was recorded at Spot-4 (Harike Pattan) followed by Spot-3 (Karmuwala), Spot-1 (Kiri Afgana and Spot -2 (Beas Bridge), but highest number of copepod population (pollution indicator) was recorded at site-1 (Kiri Afgana) followed by Spot-4 (Harike Pattan) as in case of Cynophyceae group of phytoplankton population.

### 3. Fish Diversity Estimation

- ✓ Fish diversity studies could not be taken up due to ban on fishing in river Beas, owing to its declaration as a 'Conservation Reserve' under wildlife Protection Act (1972)
- ✓ The said studies will be conducted only after obtaining permission from the Chief Wildlife Warden, Department of Forests and Wildlife Preservation, Punjab

### 4. Identification of Potential Contaminants

The water samples were processed for estimation of chemical (pesticides and heavy metals) and biological (Microbial) contaminants and the results are presented in Table 6 and Table 7

#### i. Pesticides Residues

The samples collected from 4 selected spots on River Beas were analyzed in the 'Residue Analysis Lab' of School of Public Health and Zoonoses, GADVASU, for estimation of residue of 16 pesticides (organochlorine and synthetic pyrethroids) and the results are presented in Table 6.

**Table 6. Pesticide concentration in River Beas at selected spots**

S.No.	Pesticide	Spot-1 Kiri Afghana	Spot-2 Beas Bridge	Spot-3 Village Karmuwala	Spot-4 Harike Pattan
1	$\alpha$ BHC	ND*	ND	ND	ND
2	$\beta$ BHC	ND	ND	ND	ND
3	Endosulfan	ND	ND	ND	ND
4	OP-DDD	ND	ND	ND	ND
5	OP-DDE	ND	ND	ND	ND
6	PP-DDD	ND	ND	ND	ND
7	PP-DDE	ND	ND	ND	ND
8	OP-DDT	ND	ND	ND	ND
9	Lindane	ND	ND	ND	ND
10	A-Chlordane	ND	ND	ND	ND
11	Aldrin	ND	ND	ND	ND
12	Cyhalothrin	ND	ND	ND	ND
13	Cypermethrin	ND	ND	ND	ND
14	Permethrin	ND	ND	ND	ND
15	Fipronil	ND	ND	ND	ND
16	Endrin	ND	ND	ND	ND

\*Not Detected

**Remarks:** No pesticide residues were found in any of the water samples collected from the 4 selected spots on River Beas

## ii. Heavy Metals/Elements

The samples collected from 4 selected spots on River Beas were analyzed for estimation of residue of metals/elements and the results are presented in Table 7.

S.No.	Metal	Spot-1 Kiri Afghana	Spot-2 Beas Bridge	Spot-3 Village Karmuwala	Spot-4 Harike Pattan
1	Arsenic	0.007	0.007	0.002	0.006
2	Boron	0.033	0.022	0.021	0.019
3	Cadmium	0.001	0.001	0.001	0.000
4	Chromium	0.002	0.004	0.001	0.005
5	Copper	0.003	0.002	0.002	0.001
6	Iron	0.011	0.001	0.014	0.10
7	Manganese	0.002	0.001	0.002	0.004
8	Nickel	0.112	0.117	0.115	0.119
9	Lead	0.008	0.002	0.003	0.001
10	Zinc	0.013	0.016	0.012	0.019
11	Sulphur	6.554	3.757	3.413	3.245
12	Phosphorous	0.212	0.019	0.020	0.022
13	Sodium	20.42	8.702	8.718	7.947
14	Potassium	1.485	0.842	1.271	1.495
15	Calcium	40.77	24.85	23.84	23.09
16	Magnesium	10.90	4.70	4.46	4.00

**Remarks:** Concentration of all the metals/elements tested was within the permissible levels as per BIS (However, the highest values among 4 sites highlighted)

## iii. Microbial Load

Microbial load in water samples was estimated in terms of Total Plate Count (TPC), Total Coliforms and Fecal Coliforms, in the 'Aquatic Health Management Lab' of Department of Aquatic Environment of College of Fisheries (GADVASU) and the results are presented in Table 8.

**Table 8. Total Plate Count (TPC), Total Coliforms and Fecal Coliforms count in water samples collected from selected spots on River Beas**

Parameter	Spot-1 Kiri Afghana	Spot-2 Beas Bridge	Spot-3 Village Karmuwala	Spot-4 Harike Pattan
Total Plate Count (TPC) (cfu/ml)	5.16x10 <sup>4</sup>	4.20x10 <sup>5</sup>	1.12x10 <sup>6</sup>	4.0x10 <sup>4</sup>
Total Coliforms MPN/100ml	460	460	460	313
Fecal Coliforms MPN/100ml	17	17	57	14

**Remarks:** Among all the spots highest TPC and Fecal coliform count was reported at spot 3 (Village Karmuwala), however the values were within the permissible limits at all the spots, as per CPCB guidelines. **The results indicate fecal contamination at site Spot 3 – Village Karmuwala, which is a Dolphin hotspot. Fecal coliform although, within prescribed limits (<100 MPN/100ml), but need to be carefully monitored.**

Dean, College of Fisheries  
GADVASU, Ludhiana

## DEPARTMENT OF FISHERIES, PUNJAB

### FISH MORTALITY REPORT DUE TO RELEASE OF MOLASSES INTO BEAS RIVER

On the midnight of 16/17th May 2018, an incident of spillage of molasses in large quantities from EV Grains And Sprints Pvt. Limited (Chadha Sugar Mill near village Keri Afgana in Gurdaspur district into Kahnuwal draine leading into Beas River was reported. A large number fish mortality was observed due to this incident. The water in Beas River turned into redish brown in highly polluted state. About 100 kms stretch of River Beas was impacted in dist. Hoshiarpur and Gurdaspur. This incident was in news from 17th to 25th May 2018. The picture water colour is given here.

#### Action taken by Fisheries Department, Punjab

After getting the information of this incident, the District Fisheries officials of concerned district formed the teams and visited the sites. They observed that colour of Beas River water has become dark brown The picture taken at that time is given here.



Fig. The colour of Beas River water after the incident on 17th May 2018.

#### Report on water quality and fish samples

Water and fish samples were collected by the officials of Fisheries of Gurdaspur district and sent to GADVASU for analysis. The report is given here.

Parameters	Timing of sampling					Optimum range
	9.00 am	2.00 pm	7.00 pm (sampling point 1) near Beas bridge	7.00 pm (sampling point 2) 3.0 km D/S Beas bridge	7.00 pm (sampling point 3) 6.0 km D/S Beas bridge	
pH	5.61	6.64	7.22	6.75	7.17	7.5 - 8.5
Conductivity (uS)	409	303.0	280	270	275	150 - 500
Total dissolved solids (mg l )	212	166.0	154	149	151	50 - 250
Total alkalinity (mg l )	92.2	102.0	94.0	100.0	106.0	50 - 200
Total hardness (mg l )	172.0	128.0	120.0	132.0	124.0	50 - 200
Dissolved Oxygen (mg l )	--	--	3.6	3.8	3.8	> 5.0
Biological Oxygen Demand (mg l )	--	--	5.25	5.45	5.45	2 - 8 (moderately polluted)
Nitrate Nitrogen (mg l )	2.60	0.62	0.18	0.20	0.21	< 1.0
Ammonical Nitrogen(mg l )	0.52	0.41	0.33	0.36	0.30	< 0.1
Phosphate-phosphorus (mg l )	0.57	0.13	0.12	0.12	0.12	0.12

### **A. Water and sediment analysis:-**

Pesticides residuals analysis: Water and sediment samples were analyzed for detection of residuals of 36 pesticides and found negative for all 36 pesticides.

### **B. Fish Sample Report**

#### **I) Microbial examination:-**

No significant Microorganisms from fish tissues could be isolated.

#### **II) Pesticides residuals analysis:**

None of the pesticides was detected in fish sample, which were tested for 14 pesticides.

The report indicates that Beas River water became acidic with about 5.61 pH till the morning hours alongwith higher values of Nitrate, Ammonical nitrogen and BOD which might have caused the drastic living conditions for the lives of all kinds of fishes resulting in the damage to the gills and entire body. There were no traces of pesticides and microbial pathogens.

### **Fish Species Composition observed by Central Inland Fisheries Research Institute Barrackpore conducted survey during the period 2002 to 2005:**

The River Beas and Harike wetlands are fish biodiversity rich . The different studies have recorded about 50 species of fishes from this ecosystem. The Central Inland Fisheries Research Institute Barrackpore conducted survey during the period 2002 to 2005 and published the results in their Bulletin No. 150 year 2007. This study indicated that IMC formed 28.28%, Indian Minor carps 22.44%, common carp 22.02% and other fish species 17.75%. The big size cat fishes were about 8.54%. Among Indian Major Carps *C. mrigala* formed 12.65%, followed by Rohu 8.22%, Calbasu 5.06% and Catla 2.35%. The cat fishes were represented by big size cat fishes *W. attu* (4.28%), *M. seenghala* (3.80%), and *M. aor* (0.46%) ; Murrels, *B. bagarius*, *R. rita*, *N. notopterus* and *N. chitala* were also found in significant numbers.

## Details of damage to fish resources:

### Fish species observed during mortality after molasses release:

The dead fishes in size ranging from few grams to about 150 kg were found washed ashore. The list of dead species of fishes is given here.

#### A: Indian Major Carps (IMC)

- 1 Rohu (*Labeo rohita*)
- 2 Catla (*catla catla*)
3. Mrigal (*Cirrhinus mrigala*)

#### B: Cat Fishes

- 1H *Bagarius bagarius*
- 2H *Wallago attu*
- 3H *Clarias batrachus*
- 4H *Chitala chitala*
- 5H *Notopterus notopterus*
- 6H *Mystus seenghala*
- 7H *Sperata seenghala*
- 8H *Gadusia chapra*
- 9H *Rita Rita*



### **Ban on commercial fishing in River Beas:**

The Forest and Wildlife department declared following portion of Beas River system as Conservation Reserve through its Notification No. 34/13/2017-Ft-5/1052756/1 dated 29.8.2017 with immediate effect

" River Beas with all its water channels from 52 Head Talwara to Harike Barrage including all Government areas in River Beas."

The issue was taken up with Forest and Wildlife Department Punjab and a meeting was held with Chief Conservator Wildlife Punjab on 13.9.2017 wherein the request for not to impose ban on commercial fishing was made as notified water bodies were already auctioned for 2017-18 (i.e. 15th August 2017 to 14th August 2018).. The Forest & Wildlife Department vide their letter No. 34/20/2017-5/1188603/3 dated 19.3.2018 intimated that only rod and line fishing can be carried out. But Forest & Wildlife Department vide letter No. 8186-88 dated 28.3.2018 informed that since fishing rights in Beas River have already been auctioned, the fishing is permitted for 2017-18 season.

After the molasses release incident, Forest and Wildlife Department vide their letter No. 4286 dated 15.10.2018 has informed that after the molasses release incident, the fishing in 185 kms of Beas Stretch is banned for 2-3 years.

Hence, it is made clear that since fishing was permitted only for 2017-18 season, due to heavy loss of fishes due to molasses release, no fishing was carried out from May 2018 onwards.

### **Fish seed stocking in Beas River After the incident :**

As per the request of Forest and Wildlife Departments 17.80 lac fish seed produced at Fish Seed Farms of the department at Kapurthala, Hoshiarpur, Gurdaspur and Amritsar was provided for stocking. The first seed stocking near Beas bridge (near-Amritsar- Delhi highway NH-1) was carried out by Hon'ble Sh. Navjot Singh Sidhu Cabinet Minister, Govt. of Punjab, Few pictures are given here.



**List of fishes reported by Fisheries Department Punjab from May 2017 to May 2018**

As instructed in Proceeding of the Meeting of the Committee held on 5th December 18 at Jallundhar, the list of fishes caught in commercial fishing from May 2017 to April 2018 is enclosed In ANNEXURE-I for information.

**Recommendations:**

1. Effort must be made to improve the fish habitat as their feeding and breeding habitats have been damaged.
2. The re-stocking of the desired fish species may be carried out in phased manner.
3. The herbivore and omnivore fish species (Indian major carps and chinese carps) may be stocked first, and after their build up carnivore (Cat fishes) to be introduced.later to recreate the proper balce of fish species.
4. As already suggested in 5th December 2018 meeting by the department, a quick fish survey may be carried out by a competent institution like National Bureau of Fish Genetic Resources , Lucknow.

**Department of Fisheries Punjab**  
**Livestock Complex, Sector 68, SAS Nagar**

**List of Fish Species reported during the period of May, 2017 to November, 2018 in Beas River**

Sr. No.	District Name	May, 2017	June	July	August	September	October	November	December
1.	Amritsar	Labeo rohita Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala	-	-	-	Labeo rohita Labeo bata Channa sp. Wallago attu Mystus seenghala	Labeo rohita Labeo bata Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala Chitala sp	Labeo rohita Labeo bata Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala Chitala sp	Labeo rohita Labeo bata Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala Chitala sp
2.	Gurdaspur	Labeo rohita Catla catla Cirrhinus mrigla Labeo bata Channa sp Wallago attu Mystus seenghala Chitala sp Bagarius sp Tor putitora	Labeo rohita Wallago attu Mystus seenghala Chitala sp Bagarius sp	-	-	Labeo rohita Wallago attu Mystus seenghala Chitala sp Bagarius sp	Labeo rohita Wallago attu Mystus seenghala Chitala sp Bagarius sp	Labeo rohita Wallago attu Mystus seenghala Chitala sp Bagarius sp	Labeo rohita Catla catla Cirrhinus mrigla Labeo rohita Chitala sp Wallago attu Mystus seenghala Chitala sp Bagarius sp Tor putitora

3.	Hoshiarpur	Labeo rohita Catla catla Cirrhinus mrigla Labeo bata Wallago attu Bagarius sp Mystus seenghala	Labeo rohita Cirrhinus mrigla Labeo bata Channa sp Wallago attu	-	-	Labeo rohita Cirrhinus mrigla Hypophthalmichthys molitrix Wallago attu Mystus seenghala	Labeo rohita Cirrhinus mrigla Channa sp Wallago attu Mystus seenghala	Labeo rohita Hypophthalmichthys molitrix	Labeo bata

Sr. No.	District Name	January, 2018	February	March	April	May	June	July	August
1.	Amritsar	Labeo rohita Labeo bata Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala Chitala sp	Labeo rohita Labeo bata Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala Chitala sp	Labeo rohita Labeo bata Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala Chitala sp	Labeo rohita Labeo bata Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala Chitala sp	Labeo rohita Labeo bata Catla catla Cirrhinus mrigla Wallago attu Mystus seenghala Chitala sp	-	-	-
2.	Gurdaspur	Labeo rohita Catla catla Cirrhinus mrigla Labeo rohita Chitala sp Wallago attu Mystus seenghala Chitala sp Bagarius sp Tor putitora	Labeo rohita Catla catla Cirrhinus mrigla Labeo rohita Chitala sp Wallago attu Mystus seenghala Chitala sp Bagarius sp Tor putitora	Labeo rohita Catla catla Cirrhinus mrigla Labeo rohita Chitala sp Wallago attu Mystus seenghala Chitala sp Bagarius sp Tor putitora	Labeo rohita Catla catla Cirrhinus mrigla Labeo rohita Chitala sp Wallago attu Mystus seenghala Chitala sp Bagarius sp Tor putitora	Labeo rohita Catla catla Cirrhinus mrigla Labeo rohita Chitala sp Wallago attu Mystus seenghala Chitala sp Bagarius sp Tor putitora	-	-	-

3.	Hoshiarpur	Cirrhinus mrigla Labeo bata Mystus seenghala	Labeo bata Mystus seenghala	Labeo rohita Catla catla Cirrhinus mrigla Labeo calbasu Hypophthalmichthys molitrix Channa sp Wallago attu Mystus seenghala	Labeo rohita Catla catla Cirrhinus mrigla Cyprinus carpio Ctenopharyngodon idellus Hypophthalmichthys molitrix Channa sp Wallago attu Mystus seenghala	Labeo rohita Catla catla Cirrhinus mrigla Labeo calbasu Cyprinus carpio Ctenopharyngodon idellus Hypophthalmichthys molitrix Channa sp Wallago attu Mystus seenghala	-	-	-

Sr. No.	District Name	September, 2018	October	November
1.	Amritsar	-	-	-
2.	Gurdaspur	-	-	-
3.	Hoshiarpur	-	-	-

Fishing in Beas from Talwara head works to Harke wetlands has been banned by Forest & Wildlife Department.

**Director of Factories, Punjab**  
**Labour Bhawan, Model Welfare Centre,**  
**Phase 10, Mohali**

To

Member Secretary  
Punjab Pollution Control Board,  
Vatavaran Bhawan, Nabha Road,  
Patiala.

No./C-39/DOF/ 390  
Dated 15/1/19

**Subject:** Minutes of 6<sup>th</sup> meeting of the monitoring Committee held on 5-12-2018 (Second Day) at PPCB, Jalandhar for ensuring compliance to the Hon'ble NGT order dated 24-07-2018 in the matter of OA No. 101/2014 titled Sobha Singh & Ors. Vs. State of Punjab & Ors in connection with discharge of molasses in river Beas.

**Reference:** Your office letter No. 36430-439 dated 17-12-2018 on the subject cited above.

Please find enclosed here with requisite reply at serial no. 8 desired by you is as below.

Sr. No.	Item No. 8	Reply
1	As Director of Factories will be fully responsible on aspects relating to safety aspects and will ensure all safety measures are in place by the Sugar Industry so as to ensure that spill over and molasses or any other miss-happening does not occur in future. The measures suggested by Director of Factories to the sugar industries to be submitted to the committee within fifteen days.	All the sugar mills running in state will be inspected by the field officers (Deputy/Assistant Director of Factories). The observations/ suggestions noted by the field officers will be forwarded to the concerned employer for compliance to ensure safety of plant and industrial worker within premises as per Factories Act 1948 & Punjab Factory Rules 1952 M/s: Chadha Sugar & Industries Private Limited, Village Kiri Afgana, Tehsil Batala, Gurdaspur has already been inspected and mock drill has already been conducted by the field officer (Copy of Annexure 1). The observations has been already conveyed to the occupier. The Control of trade waste/ spillages of molasses will be ensured by Punjab Pollution Control Board.

  
Addl. Director of Factories,  
For Director of Factories, Punjab.

Factory Inspection Report ( Dated : 24-Sep-2018 )

31/0/18  
120

1. Owner Name: Munesh Pal  
 2. Organization Name: CHADHA SUGARS AND INDUSTRIES PVT LTD  
 3. Organization Address: KIRI AFGANA, BAHADURPUR RAJOYA, Batala, Gurdaspur  
 4. Site Address: KIRI AFGANA, BAHADURPUR RAJOYA, Batala, Gurdaspur  
 5. Factory Inspector Name: Ishu Sanghar  
 6. CircleName: Batala

7. Violations  
 ACT: Compliance Inspections under The Factories Act, 1948

Violations	Section	Remarks
Attendance register is not maintained as per Form-25.	Rule-110	
The resolution regarding nomination of Occupier among Board of directors is not produced during the time of inspection.	Section-2(n)	
Following registers are not produced: 1. Inspection book in Form-35. 2. Particulars of Room register in Form-13 3. Register of accidents and dangerous occurrence 4. Lime washing Register	Section-9D	
Onsite emergency plan is not having approval from Director of factories Punjab.	Section-41B	
Full time factory medical officer is not employed along with nurse, dresser cum compounder and one sweeper cum ward boy throughout the working period.	Section-41G & Rule-67Q	
Workers are not medically examined by qualified medical practitioner and Pre-employment & Periodical medical examination record of workers is not produced.	Rule-67P	
Shelter or Rest room is not provided for Workers as per rules.	Section-78	
Health and safety policy is not displayed at conspicuous places in the factory.	Rule-67I	
A notice regarding persons trained in First aid treatment is not displayed at conspicuous place in factory.	Rule-69A	
Personal Protective equipments are not provided to workers employed in boiler area and for doing electrical maintenance in control room area.	Rule-67D	
Material safety data sheet for chemicals being used is not displayed in factory and containers of hazardous substances is not clearly labelled.	Rule-67J	
All parts of plant or machinery being used in factory and operated at pressure greater than Atmospheric pressure are not examined from Competent person recognized by Director of factories Punjab.	Section-31	
Fire exit is not marked in the plant and Fire fighting drills record is not maintained as per rules.	Rule-66	
Sufficient and suitable lighting is not provided in factory.	Section-17	

Phone. 91-172-2702486, Fax. 91-172-2704091

Safe working load is not displayed over EOT cranes.	Section-29	
Colour coding scheme is not displayed in factory.	Rule-102	
Pits and openings in floor are not securely fenced.	Section-33	
Drinking water and Toilet notices are not displayed.	Section-18,19	

8. No. of Male Employees : 206  
 9. No. of Female Employees : 0  
 10. Total No. of Employees : 206  
 11. No. of Male Employees Present at Inspection : 178  
 12. No. of Female Employees Present at Inspection : 0  
 13. Total No. of Employees Present at Inspection : 178  
 14. Remarks: NA  
 15. DispatchNo: BatF/201809/11  
 16. Inspection Date: 24-Sep-2018 14:00:00  
 17. Dispatch Date: 26-Sep-2018 09:15:19  
 18. Load( In KW ) : 1000 (Above)  
 19. Manufacturing Process: Power Generation + Sugar Manufacturing  
 (During inspection, repair work is being carried out in factory)  
 20. Building Plan Approved: Yes  
 21. Factory License Renewed: Yes  
 22. Shift Timings: Notice not displayed in form-11.

ADF / DDF Name: Ishu Sanghar

Circle Name: Batala

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Notice of violations found during Inspection Under Factories Act, 1948 & Punjab Factory Rules, 1952 - E-Labour Punjab

To  
M/S CHADHA SUGARS AND INDUSTRIES PVT LTD,  
KIRI AFGANA, BAHADURPUR RAJOYA, Batala , Gurdaspur  
No. BatF/201809/11 Dated 26-Sep-2018 , Chandigarh

Subject: Regarding notice of violations found during Inspection under Factories Act, 1948 & Punjab Factory Rules, 1952.

Deputy/Assistant Director of Factories Ishu Sanghar has sent the inspection report to this office after inspecting your establishment on 24-Sep-2018 under Factories Act, 1948 & Punjab Factory Rules, 1952. After inspection violations have been recorded in the inspection book / Inspection note has been sent. 30 days of time is given to you for removing the violations and you are advised to send the compliance report of the inspection with proofs to this office and to the respective inspecting officer after rectifying the violations within given period. In case, requisite information is not received in this office within stipulated period, legal action will be taken against you.

Endst No: BatF/201809/11  
Dated: 26-Sep-2018 ,Chandigarh

A Copy is forwarded to Deputy/Assistant Director of Factories, Ishu Sanghar with reference to endorsement no. BatF/201809/11 Dated 26-Sep-2018 to ensure the compliance of violation found at the time of inspection & send the information within 10 days from the lapse of 30 days of time given to the management for rectifying the shortcomings.

Joint Director of Factories,  
Director of Factories,  
Punjab.

Joint Director of Factories,  
Director of Factories,  
Punjab.

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