

Proceedings of the Sixth meeting of NGT Monitoring Committee under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court on 20.08.2019 at 11.00 PM to review the progress on implementation of Action Plans for Clean Rivers

Agenda No. 6.1 Leave of Absence

1. The following Members of the Committee attended the Meeting:

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| Members of the Committee | Sh. Subodh Agrawal |
| | J. Chandra Babu, CPCB |
| | Dr. Babu Ram |
| | Sant Balbir Singh Seechewal |
| | Sh. Prema Lal, RPCB on behalf of Sh. Niraj Mathur, RPCB |

2. Sh. A. Sudhakar of NGT Monitoring Committee and Sh. Satish Chandra, IAS, ACS, Department of Home Affairs & Justice, Special Invitee and Sh. Sanjay Kumar, IAS, ACS, Department of Sports & Youth Affairs, special Invitee could not attend the meeting because of their pre- occupations.

3. The following Officers from various Departments attended the meeting:

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| Department of Science, Technology & Environment | Sh. Rakesh Kumar Verma, IAS, Principal Secretary Sh. Keshav Hingonia, IAS, Additional Secretary Sh. Pardeep Garg, Joint Director Sh. Gurharminder Singh, SSO Ms. Manak Bola, JRF Sh. Gagandeep Singh, T.O. Sh. Parveen Kumar, T.O. |
| PWSSB | Sh. K.P. Goyal, EIC/TA, Ms. Lata Chauhan, XEN, Patiala |
| MC, Ludhiana | Sh. Sanyam Aggarwal, IAS, Addl. Commissioner |
| MC, Jalandhar | Ms. Aashika Jain, IAS, Jt. Commissioner, MCJ |
| PPCB | Sh. Krunesh Garg, Member Secretary Sh. Gulshan Rai, CEE |
| Department of Water Resources | Sh. G.S. Virk, XEN, Head Quarter (Drainage) Sh. S.S. Randhawa, SDO, HQ (Drainage) Sh. Dashrat Kumar, JE |

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| Department of Water Supply & Sanitation | Sh. Rajinder Singh, CE Sh. N.K. Sharma, Senior Design Expert |
| Department of Rural Dev.& Panchayats | Sh. Jaskaran Singh, IAS, Director Sh. Tejpal Singh, SDO |
| Department of Industries & Commerce | Sh. R.S. Bains, Chief Engineer Sh. Sandeep Singh, SDE, PSIEC |
| Department of Soil & Water Conservation | Sh. Arwinder Singh, DSCO |
| Department of Housing & Urban Development | Sh. Sunil Kansal, Chief Engineer, GMADA Sh. Devinder Singh, SE, Head Quarter |
| Department of Health & Family Welfare | Dr. Gurjot Kaur, Deputy Director Dr. Manav Singh, Medical Officer |
| Department of Information & Public Relation | Sh. K.G. Paul, IPRO |
| Punjab State Council for Science & Technology | Sh. Pritpal Singh, SE |

Agenda No. 6.2 Confirmation of the proceedings of the 5th Meeting of NGT Monitoring Committee

Proceedings of the 5th meeting of Monitoring Committee held on 23.07.19 were confirmed.

Agenda No. 6.3 Review of Monitoring of Water Quality of Rivers

1. The committee noted the following milestones to install RTQMS by PPCB:

- (i). Technical evaluation : 31.08.2019
- (ii). Allotment of work : 15.09.2019
- (iii). Delivery & Installation : 15.12.2019

2. The Committee directed PPCB to intimate the locations on Budha Nallah for installation of RTWQMS within a week.
3. PSCST apprised about the progress w.r.t development of IoT based river water quality monitoring system by engaging IIT Ropar. PSCST reported that IIT Ropar has submitted a proposal of Rs. 37 lacs, which is under consideration. The committee directed PSCST to expedite the engagement of IIT Ropar and start the work. PSCST was also directed to expedite the work on setting up of integrated dashboard for environmental compliances using real time online quality monitoring systems.

Agenda No. 6.4 Review of monitoring of functioning of STPs in the catchment area

1. The committee noted that PPCB has monitored 77 STPs against the target of 86 STPs in the catchment area of rivers during the month of July 2019. PPCB informed that the remaining 9 STPs have also been monitored but the data could not be analyzed.
2. The Committee noted that 40% STPs (31 nos.) have been found non-compliant with 47% non-compliance in terms of capacity (520 MLD). The department wise non-compliance of STPs was also reviewed.
3. It was observed that the % non-compliance has decreased during the last 6 months which could be due to effective monitoring and improvement in the operating practices of STPs. The Committee directed that O&M Manual for STPs shall be finalized expeditiously, which shall contain all the relevant aspects to ensure that all the STPs are operated professionally.
4. Keeping in view failure of MES STPs, matter may be taken up with MES authorities for making necessary improvement. All the departments were directed to take concerted actions to bring the non-compliance to significantly low level.
5. PPCB was directed to expedite the action against non-compliant STPs and clear all the 62 pending cases. PPCB shall ensure that all the backlog of pending cases upto June 2019 is cleared by 30th August 2019.
6. The action taken by agencies against the operators/ contractors of non-compliant STPs was reviewed. It was observed that penalties provided in agreements are quite inadequate and the all agencies were advised to increase the penalties upon the renewal of agreements or renegotiate their contracts. The committee took note of meager penalty of Rs. 18,700/- imposed by PWSSB against 3 non complaint STPs and directed PWSSB to review the same.
7. It was decided that the penalty on non-compliant STPs should be commensurate with discharge of excess pollution load and linked with

annual O&M cost and may be finalized as part of O&M manual.

8. It was also decided that OCEMs along flow meters before inflow, outflow and bye pass be installed on all the STPs and operator should maintain a record of water quantity treatment. The display Boards providing the inflow and outflow along with details of various parameters should also be installed at each STP.
9. It was noted that no action has been taken by any agencies against the supervisory staff of non-compliant STPs. It was decided to organize a training workshop of supervisory staff of different agencies of STPs as well as operators of different STPs to sensitize them about different aspects of O&M of STPs.
10. The departments/ agencies have still not given the details of expenditure on O&M for STPs, which is required to estimate the annual expenditure on O&M so that dedicated funds could be provided to ensure timely O&M. All departments shall give the details without any further delay.
11. The progress w.r.t installation of OCEMs/ CCTV on STPs was noted. All the agencies were directed to ensure the installation of OCEMs/ CCTV by 30.11.19 failing which environmental compensation will be imposed.

Agenda No. 6.5 Review of monitoring of functioning of CETPs in the catchment area

1. The committee took a serious note of consistence non-compliance by CETP Leather Complex, Jalandhar since March 2019. PPCB informed that a penalty of Rs. 25 lacs has been imposed on CETP Leather Complex on account of non-compliance and 3 complaints have been filed against PETS and CETP operator in the Court of CJM, Jalandhar. PPCB was asked to take necessary action regarding EC as per NGT's direction dated 17.07.2019 in Sobha Singh case.
2. The role and responsibilities of PPCB w.r.t ensuring that CETPs are run efficiently by respective SPVs were discussed in detail. It was emphasized that PPCB has the requisite powers under Water Act, 1974 and legitimate function to ensure successful operation of CETPs by SPVs as consent to establish and operate the CETPs is provided by PPCB. PPCB is required to check all the technological details provided in DPR at the time of giving consent to operate and if required, get the DPR appraised from expert agencies.
3. PPCB shall accordingly finalize the legal framework for operations of CETPs and SOP for the supervisory staff particularly incorporating the best practices adopted by Chairman, PPCB for CETP, Leather Complex to

improve its performance without much of additional investment.

4. The matter w.r.t to pre-treatment of effluents by the member units of CETPs was discussed in detail. It was informed by PPCB that pre-treatment standards have been prepared and put up in Board Meeting. A proposal is being put to State. Govt. for notification of pre-treatment standards. The committee directed that pre-treatment standards be notified at the earliest as directed by NGT.
5. It was also decided that OCEMs be installed at CETP Leather Complex so that it could be monitored effectively.

Agenda No.6.6 Review of monitoring of functioning of ETPs in the catchment area

1. While reviewing the functioning of the ETPs, the committee noted that only 8% (42 no.) of industries have been inspected by PPCB in the month of July, 2019. The number of inspections are not in consonance with the laid down guidelines of PPCB regarding frequency of inspections for various types of industries. Further, only one inspection was carried out by CEE, and none by Chairman, PPCB. No independent third party inspections have been carried out as directed by the NGT Committee.
2. The Chairman pointed out that the Committee during its field visits has observed that there is no improvement w.r.t industrial pollution and regulating agency is not taking effective actions. All the samples taken from industry have failed. The Chairman further pointed out that PPCB has earlier also been directed to improve its regulatory enforcement, however, no improvement has taken place. PPCB must take the responsibility for effective check on non-compliances by Industries.
3. Principal Secretary, STE informed that in line with the directions of NGT regarding need to audit the regulatory bodies, the Department will carry out regulatory audit of all cases of inspections by the Board w.e.f. 1.1.2019 with the assistance from experts and findings will be utilized to make the regulatory system objective, transparent, accountable and effective.
4. The Committee directed that the explanation of concerned EE/ AEE, in whose jurisdiction the committee found the non-compliance, shall be called and responsibility fixed. The committee directed that "Polluter Pays Principal" be strictly implemented and environmental compensation be imposed in accordance with the order dated 17.07.2019 of NGT in Sobha Singh Case.
5. PPCB was directed to prioritize the inspection of the dyeing units, which are currently discharging in MC Sewer in Ludhiana, in the absence of CETPs, which is one of the reasons for pollution of Buddha Nallah. The results will

be reviewed in detail in next meeting separately for polluting units in the catchment of Buddha Nallah. This will also expedite work on CETPs.

6. PPCB was directed to expedite the action against non-compliant ETPs and clear all the 36 pending cases on priority. PPCB shall ensure that all the backlog of pending cases upto June 2019 will be cleared by 30th August 2019 and EC will be imposed in accordance with the order dated 17.07.2019 of NGT in Sobha Singh Case.
7. The progress for installation of OCEMS was found to be very slow as less than 50% units has so far commissioned for OCEMS. The Committee directed PPCB to take diligent steps to expedite installation of OCEMS and fix the responsibility of Regional Officers for the delay in installation of OCEMS particularly in the catchment of Buddha Nallah. EC shall be imposed for delays in accordance with the order dated 17.07.2019 of NGT in Sobha Singh Case.
8. PPCB was directed to strengthen its water division at Head Office to effectively discharge its duties and enhance the technical expertise. It was also directed to build the capacity of PPCB officers especially SDO level in Ludhiana & Jalandhar w.r.t monitoring & supervision of ETPs, STPs & CETPs by organizing a training workshop involving experts from CPCB & NEERI in last week of September or first week of October. The performance of various SDOs/ EEs needs to be monitored objectively to ensure effective regulatory system to control pollution.

Agenda No. 6.7 Setting up of New/ up gradation/ Rehabilitation of STPs

1. Department of Local Government/ PWSBB was directed to install all the STPs within the time schedule as mentioned in the Action Plan already submitted before the Hon'ble NGT.
2. The committee also noted the slow progress of setting up 3 new STPs by Municipal Corporation, Jalandhar. MCJ informed that the DPR are currently under review at PMIDC level and the matter is being taken up with the concerned quarters for expediting the approval. The Committee directed MCJ to expedite the work as per timelines given in the Action Plan.

Agenda No. 6.8 Progress for setting up of New CETPs

1. The Committee noted with serious concern that 15 MLD CETP, Bahadur ke Road, which was to be commissioned by 30th June, 2019 has yet not been commissioned. The work on CETP had commenced in year 2013 and there have been multiple breaches of timelines since then.

2. PPCB reported that EC has been imposed on SPV of 15 MLD CETP w.e.f. 01.07.2019. PPCB informed that 15 MLD CETP will be fully functional within 3 months. PPCB further informed that incase CETP is allowed to connect to Municipal Sewer for final discharge, the CETP can be functional before 3 months. MCL however did not agree to connect the discharge to Municipal Sewer, which is already causing serious problems to the corporation and it will be against the principle of segregating industrial effluents from domestic waste water.
3. PPCB further informed that the SPVs of 40 MLD CETP and 50 MLD CETP have also been issued directions under section 33 of the Water Act, 1974 and PPCB will impose environmental compensation on SPVs as per action plan.
4. The Committee after due deliberations directed PPCB as under:
 - (i). PPCB shall ensure that all the CETPs (15 MLD, 50 MLD and 40 MLD) for dyeing industries of Ludhiana should be completed and commissioned within the time schedule as mentioned in the Action Plan already submitted before the Hon'ble NGT.
 - (ii). PPCB shall put a dedicated team exclusively for monitoring the progress and resolving and escalating the issues of CETPs on day to day basis till the CETPs are commissioned.
 - (iii). PPCB shall take action regarding EC as per the order dated 17.07.2019 passed by NGT in Shobha Singh case, which provides that Competent Authority can go back upto 5 years to assess the environmental compensation.
 - (iv). PPCB shall invoke its powers under Water Act, 1974 to pass necessary directions to industrial units to form SPV and set up the CETPs to control water pollution in Buddha Nallah and river Sutlej. Setting up of CETPs should not be left as a voluntary measure but a mandatory direction from PPCB under Water Act, 1974. Delays in the availability of funds with SPVs is not a valid excuse keeping in view the judgment and order dated 17.11.2011 of Hon'ble High Court, subsequent commitment given by the SPVs at the time of splitting the proposal of setting up of 117 MLD CETP that the smaller CETPs will be constructed at their own costs.
5. The Committee also clarified that EC be taken as temporary action w.r.t non-operationalization of CETPs. Further deterrent action of reducing the permissible discharges and closure of units etc. shall also be considered by PPCB, if SPVs don't take diligent and urgent steps to complete the CETPs.

Agenda No. 6.9 Reconciliation of Domestic Wastewater & Industrial Effluents for Ludhiana City

1. A detailed presentation was made on Report prepared for management and treatment of wastewater of Ludhiana city to address all issues concerning segregation of domestic wastewater and industrial effluents for enabling lasting solution to pollution of Budha Nallah/ river Sutlej.
2. The Committee was apprised about the history of various court cases, recommendations of P. Ram Committee, recommendations of NEERI, gaps in wastewater being generated, status of STPs/ CETPs, segregation of industrial & domestic wastewater for abatement of pollution of Budha Nallah/ river Sutlej.
3. The Committee was also apprised that in order to make various agencies accountable, the role and responsibilities of PPCB, MCL and PSCST in control of pollution in Ludhiana city have been clearly described and the same would be monitoring by Deptt of Environment to achieve the target of making Buddha Nallah/ river Sutlej clean within the timeline set by NGT i.e. 31st March 2021.
4. MCL further pointed out that not only Jamalpur STP but other STPs have also been refused the grant of consent to operate, which would mean shutting down these STPs, which would only lead to catastrophe and public health crisis.
5. PPCB informed that consent has been refused as the STPs were not meeting the norms. PPCB has already taken action against SPV of 15 MLD for not commissioning the CETP and has also given directions to other two CETPs of 40 MLD and 50 MLD to commission the CETPs as per the action plan failing which, EC will be imposed on them as per NGT directions.
6. The Committee was informed that the Government was separately examining the representation of MCL and MCL has also filed appeal u/s 28 of the Act against the orders of PPCB and as such no intervention of the Committee was needed at present.
7. It was however noted that refusal to grant consent may work with industries as it may not have any bearing on public health and order whereas shutting up of STPs would lead to public health catastrophe resulting in avoidable crisis and chaos. MCL was accordingly directed that STPs shall not be shut down/ closed.
8. It was also noted that MCL has provided extensive support in mapping of textile units, conveyance system of MCL & proposed CETPs and various outlets of Budha Nallah on GIS and has been taking diligent steps for preparing a comprehensive plan, which can only be finalized with certainty about three CETPs, which are under implementation for past many years.

9. The Committee noted the work done for reconciliation of waste water in the city of Ludhiana and way forward for addressing all issues concerning management and treatment of waste water of Ludhiana including setting up of CETP for scattered units. The Committee directed all the concerned agencies namely PPCB, MCL and PSCST to expedite various measures outlined in the report for abatement of water pollution in Buddha Nallah/ river Sutlej with due diligence & dedication.
10. It was also decided that a mega workshop for creating awareness among industries and other sections of the society about the hazardous impact of pollution on natural resources and human health be organized by PPCB and MCL involving Baba Secchewal Ji, other NGOs and experts from CPCB, NEERI, etc. at Ludhiana in the Month of September.

Agenda No. 6.10 Review of progress of other miscellaneous issues

1. **Progress of setting up of ETPs/ Biogas Plants for Dairy and Misc. Waste**
 - (i). MCL reported that it has been decided not to shift the Tajpur Dairies. The Committee directed MCL & MCJ to provide firm timelines for setting up of ETPs & Biogas Plants for management of dairy waste.
 - (ii). MCL was directed to send a written communication to PEDA regarding the decision of not shifting the dairies and setting up Biogas Plant at Tajpur Dairy Complex.
2. **Release of 200 cusec water to Buddha Nallah**

It was reported by DWR that the project will be completed within a period of one year after the release of funds. MCL and PPCB to release their share of cost.
3. **Review of progress w.r.t. release of 150 cusec of water from Mukerian Hydrel Channel to Holy Bein**

DWR reported that necessary funds amounting to Rs. 2.5 Cr have been approved by Govt. of Punjab and project would be completed by 15.10.19
4. **Review of progress for setting up of treatment facilities in villages**

The Committee noted the progress.
5. **Reused of treated wastewater of STPs for irrigation**

The Committee noted the progress.
6. **Preventing dumping of Solid Waste into Buddha Nallah**

The Committee noted the progress and did not find it satisfactory. MCL was

directed to make greater efforts to ensure at least few stretches of 500 meters completely free of solid waste.

7. Review of the progress regarding organization of Health Check-up Camps

Director, Health was directed to take up the matter with Govt. to involve PGI Chandigarh for carrying out the epidemiological studies to establish correlation with the disease caused due to water pollution

Agenda No. 6.11 Action taken on decisions/ observations of NGT Monitoring Committee during Field Visits

The Committee was informed that Action Taken Reports have been received from all the departments except Department of Health. The summary of ATRs is as under:

| Sr No. | Agency | No. of Actions Recommended by NGT | Current Status | | |
|--------|--------|-----------------------------------|------------------|----------------|------------------|
| | | | Completed | Under Progress | Action not Taken |
| 1 | PPCB | 53 | 29 | 24 | - |
| 2 | PWSSB | 4 | 2 | 1 | 1 |
| 3 | MCL | 9 | 5 | 4 | |
| 4 | MCJ | 8 | 2 | 6 | - |
| 5 | DLG | 2 | - | 1 | 1 |
| 6. | DRDP | 1 | 1 | - | - |
| 7. | DWR | 2 | 1 | 1 | - |
| 8. | DoH | 1 | ATR not received | | |

It was decided to review the same in the next meeting, meanwhile, the department will review the action taken reports in detail and present the same in the next meeting.

The meeting ended with vote of thanks to the Chair.