

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**AT PRINCIPAL BENCH, NEW DELHI****(In O.A. No.1325/2024, 1326/2024 & 1327/2024)**

Clubbed with Appeal No. 40 of 2024 & Appeal No. 41 of 2024

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Kuldeep Singh Khaira

(Applicant in Person)

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

AT PRINCIPAL BENCH, NEW DELHI

(In O.A. No.1325/2024, 1326/2024 & 1327/2024)

In the matter of:

Public Action Committee & ors. Applicants

vs.

Union of India & ors.Respondents

Affidavit regarding Additional Submission by the Applicant Kuldeep Singh Khaira in regard with collusion and active connivance of Punjab Government as well as Punjab Pollution Control Board with the SPVs of Polluting CETPs of Dyeing Industries of all three clusters i.e. 50MLD, 40MLD & 15MLD situated at Tajpur Road and Bahadur Ke Road respectively.

Hon'ble Sir,

Respectfully showeth,

The Applicants humbly submit as under:

1. That the polluting Dyeing Industries in Ludhiana are operating at large scale for the last four decades and have been polluting the natural water streams like Budha Dariya and River Satluj blatantly and in

active connivance with the Punjab Pollution Control Board. It is well known fact that as per the Water Act of 1974, it is an offence to contaminate the water stream directly or indirectly but despite 50 years of enactments of the Act, convictions under this act are unheard of in Punjab even though the water body Buddha Dariya has turned into black stream and is now known as Budha Nallah.

- 2.** That after commencement of construction of three impugned CETPs, there was ray of hope that the Budha Nallah will again turn into Budha Dariya but despite mandatory specific condition of Environment Clearance, the Punjab Pollution Control Board allowed all three CETPs to violate the EC condition and discharge the so called treated effluent into Budha Dariya. It is pertinent to humbly submit here that the impugned CETP of 15 MLD laid underground pipe line from CETP to Buddha Dariya whose length is not less than 3 KM and despite ZLD condition in the EC for this treatment plant, the MCL as well as PPCB allowed laying of such huge length of underground pipe network for discharge of effluent into the Buddha Dariya in an illegal manner.

- 3.** That all such activities would have continued until the Central Pollution Control Board, on the direction of this Hon'ble Tribunal visited all the three CETPs, collected samples and submitted its report dated 12-08-2024 along with violation of EC Condition by the three treatment plants & with directions to PPCB to take action on CETPs to stop discharging effluent into Budha Dariya within 15 days. The Applicants after going through related documents raised the issue before the

Punjab Government to take immediate action against the polluters and stop the discharge of effluent from all three impugned CETPs into Budha Dariya.

- 4.** That the people of Punjab under the banner of Kale Pani Da Morcha repeatedly requested Punjab Government to stop such criminal activity being done by all three CETPs and staged peaceful protest on 24th August 2024 at Ludhiana in which, around 10000 people from all over Punjab & Shri Ganganagar (Rajasthan) gathered to get their Fundamental Right to Life as enshrined under Article 21 of the Constitution of India and gave ultimatum to Punjab Government and PPCB to stop the illegal discharge else the People of Punjab and Rajasthan will plug the same on 01-10-2024 but the Punjab Government as well as Punjab State Pollution Control Board failed to act against the polluters.
- 5.** That after issuance of impugned orders to all three CETPs on 25/09/2024 and 26/09/2024 by PPCB, the people of Punjab extended the time of protest from 01-10-2024 to 03-12-2024 but the Punjab Government as well as PPCB, instead of taking action against the Polluter CETPs allowed them to operate 24 x 7 and no action was taken against them. Out of three CETPs, the SPVs of 50MLD and 40MLD filed appeal (Appeal No. 40 of 2024 and Appeal No. 41 of 2024 respectively) with this Hon'ble Tribunal and the Applicants too filed Impleadment Applications (IA 536 of 2024 and IA 537 of 2024 respectively) against

the both. This Hon'ble Tribunal vide orders dated 04-11-2024 issued directions to PPCB at Para No. 12 of orders as under:

Para no. 12: Pressing the prayer for interim relief Learned Counsel for the appellant has submitted that orders will result in shutting down all the industries connected with the CETP in question. Considering the circumstances of the case we direct that till the next date of hearing no coercive steps pursuant to the impugned orders will be taken subject to compliance of environment norms and clearance conditions.

- 6.** That from the orders, it was clear that there is conditional stay against coercive steps i.e. if the impugned CETPs are complying with the EC conditions, the PPCB will not take coercive action but if the impugned CETPs of 50MLD and 40MLD are operating in violations to the Environment Norms and Clearance conditions, there was no restrictions on PPCB to take action as per law. However, the dyeing Industries in active connivance with PPCB projected the stay as blanket stay and the Dyeing Industries even conducted the Press Conference in regard with the same.
- 7.** That on 03-12-2024, to stop People of Punjab and Rajasthan to protest peacefully and plug the illegal outlets of Polluting Industries which are continuously discharging effluent into Budha Dariya, the Punjab Government detained large number of protestors but allowed Dyeing

Industries to conduct gathering of thousands of persons near the outlets of CETPs at Tajpur Road Ludhiana. The citizens from affected areas of Rajasthan were not allowed to enter in Punjab. All such act was done to convert the issue of environment pollution into issue of Law & order, however the affected people of Punjab under the Banner of Kale Pani Da Morcha protested again at Verka Chowk with demand of Protection of their Fundamental Right enshrined under Article 21 for right to Clean and Healthy environment. The ADC (General) Sh. Amarjit Bains IAS representing Government of Punjab visited the spot along with PPCB officials and during talks with representatives of the Morcha (Er. Kapil Dev, Jaskirat Singh and others), he said that they need 7 days time to interpret the Para 12 of orders dated 04-11-2024 issued by this Hon'ble Tribunal. Though the orders were crystal clear, the representatives of the Morcha after discussion with People of Punjab present there agreed for the same but when the Applicants insisted on closure of Bahadue Ke CETP of 15MLD immediately as no Appeal was filed/heard till dated by the Hon'ble Tribunal pertaining to it, he assured that the CETP would be closed in next two days. However no action has been taken by the Punjab Government and PPCB on any of the three CETPs till date.

8. That PPCB instead of taking action against the two impugned CETPs as well as closure of 15MLD CETP of Bahadur Ke Dyeing Industries, in active connivance with SPV of CETP of 15MLD, issued one letter Reference no. PPCB/SEE/ZO-2/LDH/2024/6693-6694 dated 05-12-

2024 in a tearing hurry to SPV of CETP of 15MLD with contents as under:

*“The case was considered. The CETP of 15MLD case is similar in nature to that of the cases of CETP of 40MLD and CETP of 50MLD cases, All the CETPs were given similar directions to stop the discharge of treated effluent into Budha Nallah. The Hon’ble NGT after consideration of the matter has issued directions vide orders dayed 04-11-2024 by clubbing the matters of 40MLD and 50MLD CETP cases, **that no coercive action shall be taken against the CETPs (40MLD and 50MLD).**”*

Considering the aspect, the CETP of 15MLD is hereby given as reasonable period of time to produce the orders of the Hon’ble NGT ar par with th that of the CETP of 40MLD and 50MLD cases, failing which further action in accordance with law will be taken.

From the contents of the letter dated 05-12-2024 issued by PPCB to SPV of 15MLD it is evident that PPCB deliberately and knowingly used the incomplete sentence by projecting it as Blanket Stay against impugned orders of PPCB dated 25-09-2024 and 26-09-2024. This further corroborates the active connivance and collusion of PPCB with all the three SPVs of CETPs of Dyeing Industries. The copy of letter Reference no. PPCB/SEE/ZO-2/LDH/2024/6693-6694 dated 05-12-2024 issued by PPCB to SPV of CETP of 15MLD is produced herewith as **Annexure PX-1**.

9. That beside this, the Deputy Commissioner of Ludhiana sent one letter No. 2600/M.A. dated 04-12-2024 to the Secretary, Science, Technology and Environment, Punjab with subject matter as “Report against the

CETPs Protest held at Verka Milk Plant Ludhiana on 03-12-2024” with content of one para produced as under:

“After extensive deliberations among the administration, PPCB officials and other stakeholders reached the agreement that in case of 50MLD & 40MLD CETPs, legal opinion from the Government of higher level is required to address this matter effectively. A time of 7 days has been decided for obtaining the necessary inputs”.

From contents of above paragraph, it is clear that even the Punjab Government deliberately and knowingly kept their mind closed on clear cut orders of this Hon’ble Tribunal and favoured the Dyeing Industries unlawfully and continuously allowed the discharge of effluent into Budha Dariya till date. The seven days deadline passed on 10-12-2024 but no action has been taken by State Government and PPCB, leaving the innocent citizens to drink this water and leading to a slow death by deadly diseases like Cancer, Hepatitis etc. The copy of letter No. 2600/M.A. dated 04-12-2024 to the Secretary, Science, Technology and Environment, Punjab by Office of DC, Ludhiana is produced herewith as **Annexure PX-2**.

- 10.** That the SPV of CETP 15MLD approached this Hon’ble Tribunal and the matter was heard on 09-12-2024 and Er. Jaskirat Singh (Physically) and Er. Kapil Dev (virtually), both petitioners in O.A. No. 1327 of 2024 attended the hearing. Though there was no ambiguity in

the earlier orders of this Hon'ble Tribunal, this Hon'ble Tribunal passed the orders by elaborating the **EC Condition as Binding**. The other matters which were listed for hearing on 20-03-2024 were also postponed and the hearing of all related matter is fixed for 23-12-2024. The Representatives of Kale Pani da Morcha submitted representation to the DC, Ludhiana on 16-12-2024 along with orders dated 09-12-2024 but no action has been taken to stop the illegal discharge.

From the above produced facts and circumstances, malafide, deliberate and irresponsible behaviour of Punjab Government as well as PPCB in active connivance with the Polluters (SPVs of all three CETPs), it is clear that the Punjab Government as well as PPCB are not at all sincere about the health of People of Punjab and despite mandatory condition of EC (for no discharge in Budha Dariya), allowed the discharge in Budha Dariya even after the directions dated 22-02-2017 of Hon'ble Supreme Court as well as completion of all three CETPs. Further, both Punjab Government never bothered regarding sudden rise in number of cancer cases in Punjab with 42288 cases in the year 2024. It is pertinent to humbly submit here that this data is published by ICMR-NCRP but as per survey done by Applicants in various villages, large numbers of persons suffering from unknown diseases are afraid of giving the samples as they say that known their fate of samples. It is pertinent to humbly submit here that Punjab Government has already stopped preparing data related to cancer to cattle. Overall, huge number of people of Punjab are not living but dying slowly due to

failure of Punjab Government as well as PPCB in implementing the Environmental laws in Punjab. The EC conditions as detailed in CPCB orders acted as ray of hope for the people of Punjab for reversal of damage in terms of severe Pollution done to Water-bodies as done by the Industries in Punjab but Punjab Government as well as PPCB, both have played all the games and stood firm on the side of polluters.

Last but not the least, despite passing of elaborate orders on 09-12-2024 by this Hon'ble Tribunal which further clarified the already clear orders, the PPCB and Govt of Punjab have failed to act and the CETPs are still discharging the effluent into Budha Dariya till date. The Copy of News Published in the Tribune (Ludhiana edition) on 18-12-2024 depicting the discharge of effluent as on 17-12-2024 is produced herewith as Annexure PX-3.

That the following Questions of Law arise for adjudication by this Hon'ble Tribunal in the Original Applications filed by Applicants and connected matters:-

- (1) Whether there is any responsibility of Punjab Government to protect the Environment and natural resources of Punjab people of Punjab as well as to protect the fundamental right of People of Punjab to provide them Healthy Environment?
- (2) Whether the People of Punjab can be left to live on mercy of Government of Punjab and die due to deadly diseases just

because of inefficient/collusive PPCB who has failed to implement the law of the land till date against the Project Proponents (Polluters)?

- (3) Whether the Polluter SPVs of all three impugned CETPs can be allowed to discharge the effluent in Budha Dariya by going against the mandatory Specific condition of EC which is binding?
- (4) Whether the criminal prosecution against the Polluting SPVs of all three CETPs should not be initiated as per provisions of Water Act of 1974?
- (5) Whether Penalty on all three SPVs of impugned CETPs should not be imposed as per the provisions of Section 20 of NGT Act, 2010 from 22-02-2020 till date?

It is, therefore, respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass the orders as prayed by the Applicants in the Original Applications.

Date: 20-12-2024

Place: Ludhiana



Kuldeep Singh Khaira

(Applicant in person)

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ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, E-648-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana
E-mail: seezo2ldhppcb@yahoo.com

Ph No. 0161-2670141

No. PPCB/SEE/ZO-2/LDH/2024/6693-6694 Regd.

Dated 05.12.24

To

- 1) The Chairman,
BahadurKe Textile & Knitwear Association (SPV),
C/o M/s Adinath Dyeing & Finishing Mills,
Bahadurke Road, Dyeing Complex, Ludhiana.
- 2) The Director,
BahadurKe Textile & Knitwear Association (SPV),
C/o M/s Shri Balaji Finishing Mills,
Bahadurke Road, Dyeing Complex, Ludhiana.

Sub: Proceedings of the personal hearing given by Chairman of the Board on 19.11.2024 w.r.t notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.

The following were present:

On behalf of PPCB

- Er. G.S. Majithia, Member Secretary
Er. R.K. Ratra, CEE, Ludhiana
Sh. Amrik Singh, SLO
Er. Kuldeep Singh, SEE, ZO-2, Ludhiana
Er. Nikhil Gupta, EE, ZO-2, Ludhiana

On behalf of SPV

- Sh. Rajneesh Gupta, Director
Mr. Chiranshu, Advocate

Environmental Engineer, Zonal Office-2, Ludhiana brought out that in compliance of directions of the Central Monitoring Committee (CMC), CPCB has carried out inspection and monitoring of the Buddha Nallah and River Sutlej on 02.04.2024. The CPCB has also carried out inspection of 04 CETPS located at Ludhiana on 22.04.2024 and issued directions u/s 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 regarding non-compliance of four CETPs of Ludhiana. The CETP of capacity 15 MLD was visited by the team of CPCB and following observations were made:

1. During the visit on 22.04.2024, the CETP was found operational with the flow rate of 11.26 MLD. The CETP receives effluent through dedicated underground pipeline and the treatment is based on Sequential Batch Reactor (SBR) technology. It was informed that the CETP is discharging the treated effluent into Buddha Nallah (which meets River Sutlej) through underground pipeline from the CETP. However, as per EC issued by MoEF&CC on 08.12.2014, the CETP is required to establish a Zero Liquid Discharge system.
2. The consent under the Air Act, 1981 is valid upto 31.03.2025 for the operation of 15 MLD CETP. However, the consent under the Water Act, 1974 was valid till 04.01.2023 and the Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 was valid till 04.10.2022 for which the CETP has applied for renewal to PPCB.
3. During visit, it was informed to the team that 36 Dyeing/Printing/washing units had obtained membership from CETP and connected to the CETP.
4. Grab samples were collected from the CETP during monitoring. The analysis results of

sample collected from CETP outlet reveals that BOD: 243 mg/l (Standard: 30 mg/l), COD: 587 mg/l (Standard: 250 mg/l), Chloride: 1904 mg/l (Standard: 1000 mg/l) and Sulphide: 16 mg/l (Standard: 2 mg/l) exceeds the notified effluent discharge standards for CETP. Remaining monitored parameters were found within the prescribed standards.

5. Further, the grab samples were collected from the Sequential Batch Reactor (SBR) tank for MLSS & MLVSS. The sample analysis results reveals that the concentration of MLSS: 2639 mg/l (Designed value: 4840 mg/l) and concentration MLVSS: 1179 mg/l (Designed value: 3872 mg/l) are less than the designed values, which indicates the poor operation of the SBR.
6. The CETP has installed Online Continuous Effluent Monitoring System (OCEMS) at the final outlet of treated effluent for the parameters pH, TSS, COD, BOD with connectivity to PPCB & CPCB servers. During the visit, the OCEMS was found operational and variation in OCEMS reading compared with the monitored results was also reported which indicates the improper working / validation / calibration of OCEMS system.
7. During the visit, it was observed that the CETP has provided sludge storage facility and obtained membership from M/s Re-sustainability Limited (M/s RamkyEnviro Engineers Limited) for disposal of sludge. The CETP had disposed 602.685 MT Sludge during the period of 02.04.2023 to 31.03.2024, through TSDF.

The SPV was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

In light of deficiencies as observed by CPCB in operation of the CETPs of Ludhiana installed for dyeing units on its visit on 22.04.2024, the Central Pollution Control Board has issued directions u/s 18/1(b) of the Water (Prevention & Control of Pollution) Act, 1974 vide letter dated 12.08.2024 to take appropriate action including imposing Environmental Compensation and to ensure that the CETP is operated ensuring:

- a) Operation/ augmentation of the treatment system, appropriately, so as to meet the prescribed discharge standards and to comply with the disposal condition mentioned in the Environmental Clearance by MoEF&CC dated 03.05.2013 and 08.12.2014 in the aforesaid 40 MLD, 50 MLD & 15 MLD CETPs. Further, to stop discharging of treated effluent into Buddha Nallah from 50 MLD, 40 MLD & 15 MLD CETPs.
- b) With valid consent under the Water Act, 1974/ Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 from PPCB and comply with all the conditions mentioned thereof.
- c) Undertaking regular calibration, maintenance and validation of the OCEMS analysers as per standard operating procedures/recommendations of the suppliers, so as to ensure generation of continuous & reliable data.

Accordingly, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 was issued to the SPV with an opportunity of personal hearing before Chairman of the Board on 13.09.2024 postponed to 18.09.2024, wherein the Chairman of the Board in exercise of the powers conferred u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 decided to issue the following directions to the SPV of CETP of 15 MLD capacity:

1. The SPV shall ensure that the operation / augmentation of treatment system of CETP is appropriately made, so as to meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 08.12.2014.
2. The SPV shall immediately stop the discharge of effluent from the CETP of 15 MLD capacity into Buddha Nallah or any other surface water body.

Accordingly, directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 was issued to the SPV vide Board's letter no. 5802-03 dated 25.09.2024.

A copy of the directions issued to the SPV was delivered to the SPV vide Regional Office-3, Ludhiana letter no. 1971-72 dated 26.09.2024 through a special messenger. However, SPV is not complying with the directions of the Competent Authority of the Board and is still discharging treated effluent of CETP-15 MLD into Buddha Nallah as the outlet of CETP-15 MLD falling into Budha Nallah was visited by officer of the Board on 30.09.2024 and same was found in operation. Further, the SCADA system of CETP-15 MLD was also checked and it was observed that the discharge of CETP 15 MLD into Budha Nallah from the period of 27.09.2024 to 30.09.2024 was recorded. Thus, the SPV is violating the conditions of the Environmental

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Clearance granted by the Ministry of Environment, Forest and Climate change dated 03.05.2013 and is not complying with the directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 issued to the SPV.

Accordingly, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 was issued to the SPV with an opportunity of personal hearing before the Chairman of the Board on 29.10.2024 postponed to 19.11.2024.

Sh. Rajneesh Gupta, Director of the SPV attended the hearing and submitted a written reply which was taken on record. He informed that the CETP has been established after obtaining Grant in Aid from the Central Government for the conventional treatment which was further changed to SBR based technology following a decision by the State Government. The MoEF&CC was notified by the PPCB regarding this and the MoEF&CC continued releasing financial aid. The representative of the CETP of 15 MLD informed the Board that their case is similar to that of the CETP of 40 MLD and CETP of 50 MLD case. They have also filed an appeal before the Hon'ble National Green Tribunal against the orders of the Board and requested to drop the proceedings.

The Case was considered. The CETP of 15 MLD case is similar in nature to that of the cases of CETP of 40 MLD and CETP of 50 MLD cases. All the CETPs were given similar directions to stop the discharge of treated effluent into Buddha Nallah. The Hon'ble NGT after consideration of the matter has issued directions vide order dated 04-11-2024 by clubbing the matters of 40 MLD and 50 MLD CETP cases, that no coercive action shall be taken against the CETPs (40 MLD and 50 MLD).

Considering this aspect, the CETP of 15 MLD is hereby given a reasonable period of time to produce the orders of the Hon'ble NGT at par with that of the CETP of 40 MLD and CETP of 50 MLD cases, failing which further action in accordance with law will be taken.

You are, therefore, requested to comply with the decisions of the personal hearing within stipulated period and submit compliance report to the Board.

Endst. No.....⁶⁶⁹⁵.....

Kuljit 05.12.24
 For and on behalf of
 Punjab Pollution Control Board
 Dated ...^{05.12.24}.....

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information & necessary action.

Kuljit 05.12.24
 For and on behalf of
 Punjab Pollution Control Board



ANNEXURE PX-2 15
ਦਫ਼ਤਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ 104 - ਕਮ - ਜ਼ਿਲ੍ਹਾ ਮੈਜਿਸਟਰੇਟ, ਲੁਧਿਆਣਾ
OFFICE OF THE DEPUTY COMMISSIONER - CUM -
DISTRICT MAGISTRATE, LUDHIANA
(M.A Branch)

To

The Secretary,
Science, Technology, and Environment,
Punjab

No. 26000 /M.A

Dated. 04.12.2024

Sub- Report against the CETPs Protest held at Verka Milk Plant Ludhiana on 03-12-2024.

This is in reference to the recent protest organized by demonstrators at the Verka Milk Plant, Ludhiana, which led to the obstruction of the Ferozepur Highway and Ludhiana Highway. The protest was carried out against the operation of three Common Effluent Treatment Plants (CETPs) of 50 MLD, 40 MLD, and 15 MLD capacities. The protestors demanded immediate compliance of orders vide letter No. 5805 dated 25.09.2024 for 50 MLD CETP (Annexure-A), letter No. 5642 dated 26.09.2024 and for 40 MLD CETP (Annexure-B) and letter No. 5804 dated 25.09.2024 for 15 MLD CETP (Annexure-C) issued by the Chairman, PPCB, for closure of these CETPs,

The orders of PPCB were Challenged by the stakeholders before the NGT and NGT ordered for the 50 MLD CETP and 40 MLD CETP as under

"Pressing the prayer for interim relief Learned Counsel for the appellant has submitted that impugned orders will result in shutting down all the industries connected with the CETP in question. Considering the circumstances of the case we direct that till the next date of hearing no coercive steps in pursuant to the impugned order will be taken subject to compliance of environmental norms and clearance conditions"

On the Other hand, PPCB has issued a letter No. 6309 dated 28.10.2024 for a hearing of the Chairman and Director of Bahadurke Textile and Knitwear Association (SPV) before the PPCB Chairman on dated 19-11-2024 and application by Chairman be decided within 2 days, and the final decision is pending at the Chairman's level.

But the protestors, however, were not convinced, as the NGT's stay does not explicitly revoke the closure orders of the PPCB Chairman, but it was a conditioned order as per which no coercive action shall be taken subject to compliance of Environment norms & clearance condition dated 04.11.2024. Protesters further stated that since the CETP are not fulfilling the norms, therefore the coercive action can be taken.

After extensive deliberations among the administration, PPCB officials, and other stakeholders, reached the agreement that in case of 50 MLD & 40 MLD CETPs, a legal opinion from the Government at the higher level is required to address this matter effectively. A timeline of 7 days has been decided for obtaining the necessary inputs.

Considering public safety and to restore normalcy, the administration assured the protestors, that the following actions are required to be taken:-

1. In case of 50 MLD & 40 MLD CETPs: A legal opinion from the Government at the higher level is required to address this matter effectively. A timeline of 7 days has been decided for obtaining the necessary action.

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2. In case of 15 MLD CETP: Although there is no relief from the NGT for this plant, PPCB SE informed that a hearing has been scheduled for the Chairman and Director of Bahadurke Textile and Knitwear Association (SPV) before the PPCB Chairman on 19-11-2024, and the final decision is pending at the Chairman's level. Accordingly, it was decided that 2 days would be required to determine the course of action



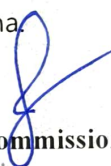
**Deputy Commissioner
Ludhiana.**

Endst No.- 26001-05 /M.A

Dated- 04-12-2024

A Copy is forwarded to following officers for information and necessary action please:

1. Chairman, Punjab Pollution Control Ludhiana.
2. Senior Environmental Engineer, Punjab Pollution Control Ludhiana.
3. Environmental Engineer, Punjab Pollution Control Ludhiana.
4. P.A to Deputy Commissioner, Ludhiana and Steno to ADC (G) Ludhiana.



**Deputy Commissioner
Ludhiana**



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, E-648-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana

E-mail: seezo2ldhppcb@yahoo.com

Ph No. 0161-2670141

No. PPCB/SEE/ZO-2/LDH/2024/.5885

Regd.

Dated ..02/09/24

To

The Chairman,
Punjab Dyers Association 50 MLD CETP Plant,
Backside Central Jail, Tajpur Road, Ludhiana.

Sub: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.

Whereas, Punjab Dyers Association (SPV) is operating a Common Effluent Treatment Plant (CETP) of capacity 50 MLD installed for treatment of waste water of the cluster of textiles dyeing industries located at Tajpur Road in Ludhiana.

And whereas, since the inception and commissioning, the SPV of 50 MLD capacity is being pursued by the Board from time to time for the compliance of the provisions of environmental laws especially the Water (Prevention and Control of Pollution) Act, 1974 by way of issuing notices, requests, reminders and affording of opportunities of hearing before the Competent Authority. The officers of the Board are also carrying out the monthly monitoring of the Common Effluent Treatment Plant since the commissioning of the CETP.

And whereas, the SPV was granted consent to operate under Water (Prevention & Control of Pollution) Act, 1974, vide no. CTOW/Fresh/LDH3/2022/18475759 dated 23.08.2022, valid upto 22.08.2023 for the treatment of waste water generated from the cluster of textiles dyeing industries located at Tajpur Road in Ludhiana with following special conditions that:

1. The SPV shall install and connect the flow meters at individual outlets of industries into conveyance system and flow meter at inlet / outlet of CETP with the web-based server by 25.08.2022.
2. The SPV shall complete the construction work of hazardous waste storage room at site by 25.08.2022.
3. The SPV shall submit the feasibility report to reuse treated effluent onto land for irrigation by 25.08.2022.
4. The SPV shall ensure that there is no overflow from the manholes in the conveyance system of CETP 50 MLD at any locations.
5. The SPV shall construct a proper outlet before discharge into Budha Nallah, from where effluent sample can be collected, within 10 days and also install one set of additional OCEMS at the said location, within one month.
6. The SPV shall stabilize the CETP so as to achieve the prescribed standard at the final outlet by 30.09.2022 failing which the Board shall be constrained to refuse consent to operate the outlet & issue closure directions to the member industries & impose Environmental Compensation without any further notice.
7. The SPV shall submit the feasibility report for discharge of treated effluent onto land for irrigation by 25.08.2022.

And whereas, the officer further brought out that in compliance of directions of the Central Monitoring Committee (CMC), CPCB has carried out inspection and monitoring of the Buddha Nallah and River Sutlej on 02.04.2024. The CPCB has also carried out inspection of 04 CETPs located at Ludhiana on 22.04.2024 and issued directions u/s 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 to the Punjab Pollution Control Board regarding non-compliance of four CETPs of Ludhiana. The CETP of capacity 50 MLD was visited by the team of CPCB and following observations were made:

1. During the visit on 22.04.2024, the CETP was found operational with the flow rate of 46 MLD. The CETP receives effluent through dedicated underground pipeline and the treatment is based on Sequential Batch Reactor (SBR) technology. It was informed to the team that as per the consent, the CETP is permitted to discharge the treated effluent into Buddha Nallah (which meets River Sutlej) through underground pipeline from CETP. However, as per the EC issued by MoEF&CC to the CETP dated 03.05.2013, "the treated wastewater will be used for irrigation" and it is also mentioned in the special terms & conditions that, "There shall be no discharge into Buddha Nallah".
2. The consent under the Air Act, 1981 is valid upto 31.03.2026 for the operation of 50 MLD CETP. However, the Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 was valid till 04.12.2023 and the consent under the Water Act, 1974 was valid till 22.08.2023. The CETP has not got its consent under the Water (Prevention & Control of Pollution) Act, 1974 and authorization under the Hazardous & Other Wastes (Management and Trans-boundary Movement) Rules, 2016 renewed, till date.
3. It was reported that 110 Dyeing and Printing units have obtained membership from common effluent treatment plant, it was also informed by the CETP operator that inlet norms for CETP is not prescribed in the consent.
4. Grab samples were collected from the CETP during monitoring. The analysis result of samples collected from CETP outlet reveals that BOD: 128 mg/l (Standard: 30 mg/l), COD: 382 mg/l (Standard: 250 mg/l) and Chloride: 1713 mg/l (Standard: 1000 mg/l) exceeds the notified effluent discharge standards for CETP. Remaining monitored parameters are within the prescribed standards.
5. Grab sample were also collected from the Sequential Batch Reactor (SBR) tank for MLSS & MLVSS. The analysis result reveals that the concentration of MLSS: 300 mg/l (Designed value: 5000 mg/l) and concentration of MLVSS: 215 mg/l (Designed value: 4000 mg/l) are less than the designed values, which indicates the poor operation of the SBR.
6. The CETP has installed Online Continuous Effluent Monitoring System (OCEMS) at the final outlet of treated wastewater for the parameters pH, TSS, COD, BOD, with connectivity to PPCB & CPCB servers. During the visit, the OCEMS was found operational and variation in OCEMS reading compared with the monitored results - was also reported which indicates the improper working / validation / calibration of OCEMS system.
7. During the visit, it was observed that the CETP has provided sludge storage facility and obtained membership from M/s Re-sustainability Limited (M/s Ramky Enviro Engineers Limited) for disposal of sludge. The CETP had disposed 1597.20 MT sludge during the year 2023-24 through TSDF and further, as per log book records, about 173 MT was stored in the premises.

And whereas, the SPV is violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, Environmental Engineer, Zonal Office-2, Ludhiana brought out that in light of deficiencies as observed by CPCB team of officers in operation of the CETPs of Ludhiana installed for dyeing units during its visit on 22.04.2024, the Central Pollution Control Board has issued directions u/s 18/1(b) of the Water (Prevention & Control of Pollution) Act, 1974 to the Punjab Pollution Control Board vide letter no. CPCB/IPC-VII/CETP-Ludhiana/3471 dated 12.08.2024 to take appropriate action in the matter including imposition of Environmental Compensation and to ensure that the CETP is operated ensuring:

- a) *Operation/ augmentation of the treatment system, appropriately, so as to meet the prescribed discharge standards and to comply with the disposal condition mentioned in the Environmental Clearance by MoEF&CC dated 03.05.2013 and 08.12.2014 in the aforesaid 40 MLD, 50 MLD & 15 MLD CETPs. Further, to stop discharging of treated effluent into Buddha Nallah from 50 MLD, 40 MLD & 15 MLD CETPs.*

- b) *With valid consent under the Water Act, 1974/ Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 form PPCB and comply with all the conditions mentioned thereof.*
- c) *Undertaking regular calibration, maintenance and validation of the OCMS analysers as per standard operating procedures/recommendations of the suppliers, so as to ensure generation of continuous & reliable data.*

And whereas, vide the said directions dated 12.08.2024, the Punjab Pollution Control Board has been further directed by Central Pollution Control Board as under:

- a. To prescribe disposal condition to respective CETPs in accordance with the Environmental Clearance by MoEF&CC dated 03.05.2013 & 08.12.2014.
- b. To prescribe inlet standards for CETP in accordance to the CETP notification dated 01.01.2016.
- c. To regularly undertake verification of member industries of the CETP for ensuring proper operation of PETP/ETP by individual member industry.

And whereas, considering the directions issued by the Central Pollution Control Board u/s 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 to the Punjab Pollution Control Board vide letter dated 12.08.2024, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 was issued to the SPV with an opportunity of personal hearing before Chairman of the Board on 13.09.2024 (postponed to 18.09.2024).

And whereas, Sh. Vivek Jindal & Sh. G.P. Singh, Directors of SPV (CETP 50 MLD) and Sh. I.K. Kapila, Advocate, Hon'ble Supreme Court of India attended the hearing and submitted a written reply which was taken on record. At first instance, the representatives had shown disagreement with the technical report of the CPCB in light of assumed technical errors and requested for resampling of the CETP. The representatives further informed that the OCMS system had been got calibrated. Regarding utilization of treated wastewater for irrigation purposes, no proposal was submitted by the representatives of the SPV. It was further informed that the SPV has applied for obtaining consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 to the Board.

And whereas, during hearing, it was observed by the Competent Authority that the SPV was earlier granted Environmental Clearance by the MoEF&CC on 03.05.2013 with a specific condition that there shall be no discharge into the Buddha Nallah. The SPV is constantly being pursued by the Board to submit proposal / feasibility report to re-use the effluent onto land for irrigation as a condition of consent to operate granted temporarily under the Water (Prevention & Control of Pollution) Act, 1974 as well as in various hearings afforded to the SPV by the Competent Authority / Chairman of the Board. But, the SPV has failed to submit any proposal in this regard and thus the SPV is violating the provisions of Environmental Clearance obtained from the Ministry of Environment, Forest and Climate Change, Government of India. Even after the imposition Environmental Compensation and Bank Guarantee for compliance of environmental norms, the SPV is still violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 as concluded by the CPCB in its report.

And whereas, the representatives of the SPV could not give any satisfactory reply to the observations raised by the competent authority during the course of hearing.

And whereas, after detailed deliberations and hearing the representatives of SPV, officers of the Board and taking into consideration various factors including the seriousness of the issue, the Chairman of the Board observed that the objective to restrain the discharge of effluent into Budha Nallah cannot be achieved except with the issuance of directions. It is a fit case to invoke the provisions of section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 for issuance of suitable directions to the SPV operating the CETP of 50 MLD capacity at Tajpur Road, Ludhiana. Hence, the Chairman of the Board in exercise of the powers conferred

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u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 decided to issue the following directions to the SPV of CETP of 50 MLD capacity:

1. The SPV shall meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 03.05.2013.
2. The SPV shall immediately stop the discharge of effluent from the CETP of 50 MLD capacity into Buddha Nallah or any other surface water body.

And whereas, the proceedings of the hearing were conveyed to the industry vide no. 5795-96 dated 25.09.2024.

Now, therefore, the Competent Authority of the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988, issues the following directions:

1. That, the SPV shall meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 03.05.2013.
2. That, the SPV shall immediately stop the discharge of effluent from the CETP of 50 MLD capacity into Buddha Nallah or any other surface water body.

In case of failure to comply with the above said directions, you are liable for action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988.


Endst. No. 5806

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For and on behalf of
Punjab Pollution Control Board
Dated 25/09/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information and necessary action. He is also directed to submit report regarding effective compliance of above said directions, within 3 days positively.

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For and on behalf of
Punjab Pollution Control Board

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 PUNJAB POLLUTION CONTROL BOARD Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana		
Tele Fax:- 0161-4673789	Website:- www.ppcb.gov.in	email:- ppcbzo1ldh@gmail.com
No. 5842	Speed Post/Online	Date 26/09/24
To		

M/s Punjab Dyers Association (Focal Point Module),
8.65 Acre Land, Tajpur Road, Jamalpur Awana,
Ludhiana.

Sub: Proceeding of the personal hearing given before the Chairman of the Board on 18.09.2024 w.r.t. notice to issue directions u/s 33-A of the Water Act, 1974 as well as show cause notice for revocation of consent to operate granted under the Water Act, 1974 alongwith notice for imposition of Environmental Compensation (EC).

The following were present:

On behalf of Punjab Pollution Control Board

Er. G. S. Majithia, Member Secretary, Punjab Pollution Control Board
Er. Pardeep Gupta, Chief Environmental Engineer, Ludhiana
Er. Ravinder Bhatti, Senior Environmental Engineer, Zonal Office-1, Ludhiana
Er. Pardeep Balu, Add. Senior Environmental Engineer, Zonal Office-1, Ludhiana

On behalf of the CETP

No one attended the hearing.

The Senior Environmental Engineer, Zonal Office-1, Ludhiana brought out that the Punjab Dyers Association (PDA) was earlier granted consent under the Water Act, 1974 vide no. CTOW/Renewal/LDH1/2024/23519336 dated 28.06.2024 valid upto 30.06.2026 for discharge of trade effluent into Budha Nallah after treatment through CETP of 40 MLD (Focal Point Module) and domestic effluent onto land for plantation through septic tank.

The SPV was earlier given personal hearing before Chairman of the Board on 12.06.2023, wherein it was decided that on the basis of best assessment and judgment, an interim amount of Environmental Compensation (EC) of Rs. 75 lacs (Seventy Five Lacs) be imposed on the SPV (CETP 40 MLD, Focal Point Module) for violations made by the SPV and the SPV shall immediately deposit the same in the O/o Environmental Engineer, Regional Office-4, Ludhiana, within one week.

The CETP has deposited Environmental Compensation amounting to Rs. 40 Lacs vide RRR1722355084065 dated 21.06.2023 & Rs. 35 Lacs vide RRR1732355120611 dated 22.06.2023.

The Central Pollution Control Board (CPCB) has jointly carried out the inspection of Common effluent treatment plant (CETP- 40 MLD Focal Point Module) located in Ludhiana during April 22- 23, 2024 alongwith PPCB officers to verify the compliance status. The observations of the team are as under :-

1. The CETP is designed to treat 40 MLD capacity for treatment of effluent generated from dyeing & printing units located at focal point (Phase 1 to 08). However, presently, CETP operated at flow rate 29.00 MLD. The CETP is utilizing 73% of its capacity.
2. The CETP receives effluent through dedicated underground pipe line from member units to the CETP.
3. Pre-treatment system has not installed at individual member units level prior to send CETP inlet for treatment, as informed by the CETP operator.
4. Team observed that CETP operator has installed Electromagnetic Flow Meter at locations of Inlet receiving chamber, outlet of Equalization Tank, and final outlet of CETP.
5. The CETP is based on physico-chemical followed by biological (SBR) process. The CETP comprised of Receiving Chamber (20.83 m²) > Coarse Screen (Mechanical Manual) Raw effluent Collection Sump (416.670 m²) > Stilling Chamber (20.830 m³) > Fine Screen (mechanical + manual) Manual Grit Chamber (2 No., 81.0 m³) > Oil & Grease Skimmer > Equalization Tank (20040 m²) > PH Correction Tank-1 (555.560 m² Lime & FeSO₄, dosing, RT-20 min) > Sludge Blanket Clarifier (3721.374 m³, Poly Dosing, RT-2.23 hr) > pH

Correction Tank-II (138.890 m³, RT-15 min) > SBR Basins (04), Chlorine Contact Tank (833.33 m³, RT-30 min) Treated Effluent Disposal > Centrifuge > Dryer.

6. The sample analysis result of collected samples from Equalization tank, final outlet of CETP are tabulated below:

Parameters	Sampling Locations		Standards
	Inlet of Equalization Tank	Final outlet of CETP	
Ph	8.2	8.3	6-9
TSS	181	28	100
TDS	4972	4636	--
Chloride	2551	2284	1000
Fluoride	1.1	0.9	2
Sulphate	295	461	1000
Sulphide	--	2.4	2
Phosphate as P	0.7	0.20	5
Ammonical Nitrogen	15	04	50
Nitrate-N	9.3	4.7	10
TKN	20	06	50
Phenol as (C ₆ H ₅ OH)	0.2	0.1	1
Oil & Grease	-	BDL	10
BOD	376	54	30
COD	943	262	250

All values are in mg/l except pH

7. It is evident from the above analysis results that the CETP is not complying with the prescribed MoEF & CC effluent norms w.r.t BOD, COD, Sulphide and Chloride.
8. During monitoring, the biomass concentration in the SBR basins MLSS 4661 mg/l (against the designed range 5000-7000 mg/l) MLVSS 3000 mg/l (against the designed range 3500-4200 mg/l) were respectively.
9. The MLSS and MLVSS were found less against designed range which indicates poor operation of the biological system.
10. Team collected samples of heavy metals from inlet and final outlet of CETP to verify the stipulated norms. The analysis results of heavy metal samples are given as below:

Sampling Location	Sample Code	T-Cr	Cd	Cu	Mn	Pb	Zn	Ni	As
I/L of Eq. Tank	40 A1	0.034	BDL	0.081	0.117	BDL	0.151	0.01	BDL
Final O/L	40 A6	BDL	BDL	1.108	0.107	BDL	0.015	0.005	BDL
Prescribed norms		02	0.05	03	02	0.1	05	03	0.2

All values are in mg/l except pH

11. The analysis results of heavy metals revealed that the CETP is complying with the prescribed effluent norms.
12. Online Continuous Effluent monitoring system OCEMS is installed at inlet and final outlet of CETP for measuring influent and effluent waste water quality. On the day of inspection, OCEMS at Inlet and final outlet of CETP were found operational. As informed by the CETP operator OCEMS of final outlet is connected to PPCB/CPCB server. The final outlet OCMEs values observed at time of sampling. The relative difference between online data and laboratory analysis data are presented below:

Sampling Location	Analysis results	Date/time 12.00 PM	Parameters			
			pH	TSS	COD	BOD
Final outlet of CETP	Lab Data	22/04/2024	8.3	28	262	54
	Online data	22/04/2024	7.9	46	188	25.7
% Variation w.r.t. Laboratory Data			(-)5.06	(+)64.28	(-)28.24	-52.40

13. The value recorded on line monitoring system values of pH, BOD, COD is lower than the lab analysis data however, value of TSS is higher than lab analysis data. Further it has been reported by CPCB that the CETP installed Online Continuous Effluent Monitoring System (OCEMS) at final outlet of treated effluent for the parameters-pH, TSS, COD, BOD with connectivity to PPCB & CPCB servers. During the visit, the OCEMS was found operational and variation in OCEMS reading compared with monitored results was also reported which indicates the improper working/validation/calibration of OCEMS system.
14. As informed by CETP operator that Bio sludge generated from SBR basin is collected into bio- sludge sump its further fed into centrifuge for dewatering whereas chemical sludge generated from Sludge Blanket Clarifier is collected into chemical sludge sump and it is fed into centrifuge for dewatering of the same. The filtrate of decanter is enrouted to pH Correction Tank -1 for further treatment.
15. At the time of visit, team observed that The CETP has made Shed for storage of the CETP sludge. As per log book records CETP sludge 3517.235 MT during (FY 23-24) was sent to TSDF M/s Re sustainability Limited (M/s Ramky Enviro Engineers Limited) for final disposal.
16. As per EC issued (MoEF&CC dated 13/05/2013) mentioned in special Terms & condition that the CETP shall not discharge into Budha Nallah. However, treated effluent of CETP is discharged into Budha Nallah through underground pipeline 1 km. The Budha Nallah is ultimately meeting into River Sutlej.

The Punjab Pollution Control Board is regularly monitoring the quality of the effluent at the inlet & outlet of the CETP and the latest results are as under:

Date	01.01.24	03.02.24	25.02.24	21.03.24	03.04.24	05.04.24	02.05.24	06.06.24	01.07.24	02.08.24	Standards	Design Standards
Parameter	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	MoEF/CC	
pH	8.1	8.3	8.2	8.2	8.0	8.0	8.2	8.2	8	8.26	6.0 - 9.0	5.5-9.0
TSS	12	28	85	39	20	49	34	59	50	43	100	50
TDS	2409	3541	4636	5688	3341	3993	3639	3984	2923	4074	2100	Inlet TDS +/- 10% variation
COD	120	112	140	152	148	136	148	139	76	142	250	100
BOD	17	16	22	27	22	20	28	27	14	26	30	10
O & G	8.0	5.8	4.8	7.2	6.2	6.6	5.8	5.4	5.6	6.2	10	10
Phenolic Compound	BDL	BDL	1.0	0.8	1.5	BDL	1	1	1	2.2	1	-
Sulphides	BDL	BDL	BDL	BDL	BDL	0.6	BDL	BDL	BDL	1.1	2	-
Amm. Nitrogen	2.5	4.7	5.4	BDL	3.4	2.8	2.8	1.2	BDL	1.6	50	2
SAR	32.5	34	36.16	41	20.9	36.0	25.8	BDL	BDL	BDL	-	-
Total Chromium	BDL	BDL	BDL	0.14	0.15	BDL	BDL	379	180	292	-	-
RSC	7.36	7.92	8.8	7.84	6.36	6.8	6.96	2	0.44	0.3	-	-
Bio-assay	90% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	90% survival of fish in 100% effluent in 96 Hr	90% survival of fish in 100% effluent in 96 Hr	70% survival of fish in 100% effluent in 96 Hr	90% survival of fish in 100% effluent in 96 Hrs.	90% survival of fish in 100% effluent in 96 Hrs.

The SPV is violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

The CPCB vide its letter no. 3471 dated 12.08.2024, issued directions under section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention and control of pollution) Act, 1981, to the Punjab Pollution Control Board (PPCB) to take appropriate action including imposing Environmental Compensation and to ensure that CETPs are operated ensuring:

- Operation/augmentation of the treatment system, appropriately, so as to meet the prescribed discharge standards and to comply with the disposal condition mentioned in the Environmental Clearance by MoEF & CC dated 03.05.2013 and 08.12.2014 in the

aforesaid 40 MLD, 50 MLD and 15 MLD CETPs. Further, to stop discharging of treated effluent into Buddha Nallah from the 50 MLD CETP, 40 MLD CETP and 15 MLD CETPs.

- b. With valid consent under the Water Act-1974 / Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 from PPCB and comply with all the conditions mentioned thereof.
- c. Undertaking regular calibration, maintenance and validation of the OCEMS analysers as per standard operating procedures/ recommendations of the suppliers, so as to ensure generation of continuous & reliable data.

Further, PPCB is also hereby directed:

- a. To prescribe disposal condition to respective CETPs in accordance with the Environmental Clearance by MoEF&CC dated 03.05.2013 and 08.12.2014.
- b. To prescribe the inlet standard for CETP in accordance to the CETP notification dated 01.01.2016.
- c. To regularly undertake verification of member industries of the CETP for ensuring proper operation of PETP/ETP by individual member industry.

A joint inspection was also conducted by the Board officers and MC officials on 25.07.2024 in response to a news item reporting the discharge of dyeing effluent onto the road in the Nichi Mangli area. During the inspection, only rainwater was found stagnated. The 02 dyeing industries namely M/s BPR Zippers and M/s Pacific Dyers located in Focal Point, Nichi Mangli, Ludhiana in the vicinity were also checked, and their discharge was confirmed to be flowing into the dedicated PDA sewer line. The MCL officials informed that the colored effluent had temporarily overflowed onto the road from the PDA sewer houndi due to high pressure from the dyeing effluent. The matter is regarding overflow of the PDA sewer line.

The PDA is required to produce following documents during the hearing:-

1. Mechanism adopted by the PDA to control the stipulated flow rate from each of the dyeing unit to avoid immediate and sudden discharge of effluent thereby incapacitating the dedicating conveyance line.
2. The complete conveyance line flow map alongwith the elevation, size of the pipeline and other requisite details indicating clear cut directions of effluent flow from Focal Point area to the CETP at Tajpur Road.
3. Stipulated flow rate prescribed for the above 2 units alongwith the record of the discharge as well as the average flow rate of last three months.
4. The record of discharge recorded by SCADA system installed at the extraction points of the above 2 dyeing units along with the record of the same for last three months.

In view of above, the CETP was issued notice to issue directions u/s 33-A of the Water Act, 1974 as well as show cause notice for revocation of consent to operate granted under the Water Act, 1974 alongwith notice for imposition of Environmental Compensation (EC) with hearing before Chairman of the Board on 13.09.2024, postponed to 18.09.2024. But, no one from the CETP attended the hearing.

It was observed by the Competent Authority that the SPV was earlier granted Environmental Clearance by the MoEF & CC on 03.05.2013 with a specific condition that there shall be no discharge into the Buddha Nallah. The SPV is constantly being pursued by the Board to submit proposal / feasibility report to re-use the effluent onto land for irrigation as a condition of consent to operate granted temporarily under the Water (Prevention & Control of Pollution) Act, 1974 as well as in various hearings afforded of the SPV by the Chairman of the Board. But, the SPV has failed to submit any proposal in this regard and thus the SPV is violating the provisions of Environmental Clearance obtained by it from the MoEF&CC. Further, the SPV has been imposed Environmental Compensation for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 as observed from time to time, but, the SPV is still violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 as concluded by the CPCB in its report.

The representatives of the SPV have ¹¹⁴not attended the hearing nor have given any reply in writing to the observations raised in the show cause notice.

In the given circumstances, the Board has been left with no other alternative or option but to proceed ex-parte in the case and to take decisions on the basis of the available record keeping in view the Act and conduct of the CETP. The decisions shall be binding upon the CETP and in case of failure of the CETP to comply with the decisions mentioned below, further stringent action shall be taken by the Board in accordance with the provisions of law.

After detailed deliberations and hearing the officers of the Board and taking into consideration various factors including the seriousness of the issue, the Chairman of the Board observed that the objective to restrain the discharge of effluent into Budha Nallah cannot be achieved except with the issuance of directions. It is a fit case to invoke the provisions of section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 for issuance of suitable directions to the SPV operating the CETP of 40 MLD capacity at Tajpur Road, Ludhiana. Hence, the Chairman of the Board in exercise of the powers conferred u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 decided to issue the following directions to the SPV of CETP of 40 MLD capacity:

1. The consent to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 be revoked.
2. The SPV shall meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 03.05.2013.
3. The SPV shall immediately stop the discharge of effluent from the CETP of 40 MLD capacity into Buddha Nallah or any other surface water body.

Apart from the issuance of directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 to the SPV of 40 MLD CETP as mentioned above, the concerned Environmental Engineer of Regional Office-1, Ludhiana may also be directed by making endorsement of the above order to carry out the following actions:

- a. To calculate the Environmental Compensation since the start of CETP considering continued violations being committed by the SPV by way of discharging its effluent into the Budha Nallah in violation of the conditions of Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change by adjusting the period / amount of the EC already imposed by the Board and deposited by the SPV.
- b. To personally ensure the compliance of above said decisions and submit report with recommendations without any delay.

You are, therefore, requested to comply with the decisions of the personal hearing within stipulated period and submit compliance report to the Board.

Endst. No...5643.....

For and on behalf of
Punjab Pollution Control Board
Dated ...26/09/24

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, Parivesh Bhawan, New Arjun Nagar, Delhi- 110032 for kind information & necessary action, please.

Endst. No...5644.....

For and on behalf of
Punjab Pollution Control Board
Dated ...26/09/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-1, Ludhiana for information & necessary action.

For and on behalf of
Punjab Pollution Control Board

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PUNJAB POLLUTION CONTROL BOARD
Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana

Tele Fax:- 0161-4673789

Website:- www.ppcb.gov.inemail:- ppcbzo1ldh@gmail.comNo. 5845
To

Date 26/09/24

M/s Punjab Dyers Association (Focal Point Module),
 8.65 Acre Land, Tajpur Road, Jamalpur Awana,
 Ludhiana.

Sub: Revocation of consent to operate granted under the Water (Prevention & Control of Pollution) Act, 1974

Whereas, it is mandatory on the part of the CETP to obtain consent to establish of the Board u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 of Air (Prevention & Control of Pollution) Act 1981 before the establishment/ expansion of the unit.

And whereas, it is mandatory on the part of the CETP to obtain consent to operate of the Board to operate an outlet u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 for discharging of effluent from its industrial premises.

And whereas, it is mandatory on the part of the CETP to provide adequate and appropriate effluent pollution control facilities to bring down the concentration of various pollutants in its effluent within the permissible limits prescribed by the Board.

And whereas, the Punjab Dyers Association (PDA) was earlier granted consent under the Water Act, 1974 vide no. CTOW/Renewal/LDH1/2024/23519336 dated 28.06.2024 valid upto 30.06.2026 for discharge of trade effluent into Budha Nallah after treatment through CETP of 40 MLD (Focal Point Module) and domestic effluent onto land for plantation through septic tank.

And whereas, the SPV was earlier given personal hearing before Chairman of the Board on 12.06.2023, wherein it was decided that on the basis of best assessment and judgment, an interim amount of Environmental Compensation (EC) of Rs. 75 lacs (Seventy Five Lacs) be imposed on the SPV (CETP 40 MLD, Focal Point Module) for violations made by the SPV and the SPV shall immediately deposit the same in the O/o Environmental Engineer, Regional Office-4, Ludhiana, within one week.

And whereas, the CETP has deposited Environmental Compensation amounting to Rs. 40 Lacs vide RRR1722355084065 dated 21.06.2023 & Rs. 35 Lacs vide RRR1732355120611 dated 22.06.2023.

And whereas, the Central Pollution Control Board (CPCB) has jointly carried out the inspection of Common effluent treatment plant (CETP- 40 MLD Focal Point Module) located in Ludhiana during April 22- 23, 2024 alongwith PPCB officers to verify the compliance status. The observations of the team are as under:-

1. The CETP is designed to treat 40 MLD capacity for treatment of effluent generated from dyeing & printing units located at focal point (Phase 1 to 08). However, presently, CETP operated at flow rate 29.00 MLD. The CETP is utilizing 73% of its capacity.
2. The CETP receives effluent through dedicated underground pipe line from member units to the CETP.
3. Pre-treatment system has not installed at individual member units level prior to send CETP inlet for treatment, as informed by the CETP operator.
4. Team observed that CETP operator has installed Electromagnetic Flow Meter at locations of Inlet receiving chamber, outlet of Equalization Tank, and final outlet of CETP.
5. The CETP is based on physico-chemical followed by biological (SBR) process. The CETP comprised of Receiving Chamber (20.83 m²) > Coarse Screen (Mechanical Manual) Raw effluent Collection Sump (416.670 m²) > Stilling Chamber (20.830 m³) > Fine Screen (mechanical + manual) Manual Grit Chamber (2 No., 81.0 m³) > Oil & Grease Skimmer > Equalization Tank (20040 m²) > PH Correction Tank-1 (555.560 m² Lime & FeSO₄, dosing, RT-20 min) > Sludge Blanket Clarifier (3721.374 m³, Poly Dosing, RT-2.23 hr) > pH Correction Tank-II (138.890 m³, RT-5 min) > SBR Basins (04), Chlorine Contact Tank (833.33 m³, RT-30 min) Treated Effluent Disposal > Centrifuge > Dryer.
6. The sample analysis result of collected samples from Equalization tank, final outlet of CETP are tabulated below:

Parameters	Sampling Locations		Standards
	Inlet of Equalization Tank	Final outlet of CETP	
Ph	8.2	8.3	6-9
TSS	181	28	100
TDS	4972	4636	--
Chloride	2551	2284	1000

Fluoride	1.1	0.9	2
Sulphate	295	461	1000
Sulphide	--	2.4	2
Phosphate as P	0.7	0.20	5
Ammonical Nitrogen	15	04	50
Nitrate-N	9.3	4.7	10
TKN	20	06	50
Phenol as (C ₆ H ₅ OH)	0.2	0.1	1
Oil & Grease	-	BDL	10
BOD	376	54	30
COD	943	262	250

All values are in mg/l except pH

- It is evident from the above analysis results that the CETP is not complying with the prescribed MoEF & CC effluent norms w.r.t BOD, COD, Sulphide and Chloride.
- During monitoring, the biomass concentration in the SBR basins MLSS 4661 mg/l (against the designed range 5000-7000 mg/l) MLVSS 3000 mg/l (against the designed range 3500-4200 mg/l) were respectively.
- The MLSS and MLVSS were found less against designed range which indicates poor operation of the biological system.
- Team collected samples of heavy metals from inlet and final outlet of CETP to verify the stipulated norms. The analysis results of heavy metal samples are given as below:

Sampling Location	Sample Code	T-Cr	Cd	Cu	Mn	Pb	Zn	Ni	As
I/L of Eq. Tank	40 A1	0.034	BDL	0.081	0.117	BDL	0.151	0.01	BDL
Final O/L	40 A6	BDL	BDL	1.108	0.107	BDL	0.015	0.005	BDL
Prescribed norms		02	0.05	03	02	0.1	05	03	0.2

All values are in mg/l except pH

- The analysis results of heavy metals revealed that the CETP is complying with the prescribed effluent norms.
- Online Continuous Effluent monitoring system OCEMS is installed at inlet and final outlet of CETP for measuring influent and effluent waste water quality. On the day of inspection, OCEMS at Inlet and final outlet of CETP were found operational. As informed by the CETP operator OCEMS of final outlet is connected to PPCB/CPCB server. The final outlet OCMEs values observed at time of sampling. The relative difference between online data and laboratory analysis data are presented below:

Sampling Location	Analysis results	Date/time 12.00 PM	Parameters			
			pH	TSS	COD	BOD
Final outlet of CETP	Lab Data	22/04/2024	8.3	28	262	54
	Online data	22/04/2024	7.9	46	188	25.7
% Variation w.r.t. Laboratory Data			(-)-5.06	(+)64.28	(-)-28.24	-52.40

- The value recorded on line monitoring system values of pH, BOD, COD is lower than the lab analysis data however, value of TSS is higher than lab analysis data. Further it has been reported by CPCB that the CETP installed Online Continuous Effluent Monitoring System (OCEMS) at final outlet of treated effluent for the parameters-pH, TSS, COD, BOD with connectivity to PPCB & CPCB servers. During the visit, the OCEMS was found operational and variation in OCEMS reading compared with monitored results was also reported which indicates the improper working/validation/calibration of OCEMS system.
- As informed by CETP operator that Bio sludge generated from SBR basin is collected into bio-sludge sump its further fed into centrifuge for dewatering whereas chemical sludge generated from Sludge Blanket Clarifier is collected into chemical sludge sump and it is fed into centrifuge for dewatering of the same. The filtrate of decanter is enrouted to pH Correction Tank -1 for further treatment.
- At the time of visit, team observed that The CETP has made Shed for storage of the CETP sludge. As per log book records CETP sludge 3517.235 MT during (FY 23-24) was sent to TSDF M/s Re sustainability Limited (M/s Ramky Enviro Engineers Limited) for final disposal.
- As per EC issued (MoEF&CC dated 13/05/2013) mentioned in special Terms & condition that the CETP shall not discharge into Budha Nallah. However, treated effluent of CETP is discharged into Budha Nallah through underground pipeline 1 km. The Budha Nallah is ultimately meeting into River Sutlej.

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And whereas, the Punjab Pollution Control Board is regularly monitoring the quality of the effluent at the inlet & outlet of the CETP and the latest results are as under:

Date	01.01.24	03.02.24	25.02.24	21.03.24	03.04.24	05.04.24	02.05.24	06.06.2024	01.07.2024	02.08.2024	Standards	Design Standards
Parameter	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	MoEF/CC	Standards
pH	8.1	8.3	8.2	8.2	8.0	8.0	8.2	8.2	8	8.26	6.0 - 9.0	5.5-9.0
TSS	12	28	85	39	20	49	34	59	50	43	100	50
TDS	2409	3541	4636	5688	3341	3993	3639	3984	2923	4074	2100	Inlet TDS +/- 10 % variation
COD	120	112	140	152	148	136	148	139	76	142	250	100
BOD	17	16	22	27	22	20	28	27	14	26	30	10
O & G	8.0	5.8	4.8	7.2	6.2	6.6	5.8	5.4	5.6	6.2	10	10
Phenolic Compound	BDL	BDL	1.0	0.8	1.5	BDL	1	1	1	2.2	1	-
Sulphides	BDL	BDL	BDL	BDL	BDL	0.6	BDL	BDL	BDL	1.1	2	-
Amm. Nitrogen	2.5	4.7	5.4	BDL	3.4	2.8	2.8	1.2	BDL	1.6	50	2
SAR	32.5	34	36.16	41	20.9	36.0	25.8	BDL	BDL	BDL	-	-
Total Chromium	BDL	BDL	BDL	0.14	0.15	BDL	BDL	379	180	292	-	-
RSC	7.36	7.92	8.8	7.84	6.36	6.8	6.96	2	0.44	0.3	-	-
Bio-assay	90% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent after 96 hours	90% survival of fish in 100% effluent in 96 Hr	90% survival of fish in 100% effluent in 96 Hr	70% survival of fish in 100% effluent in 96 Hr	90% survival of fish in 100% effluent in 96 Hrs.	90% survival of fish in 100% effluent in 96 Hrs.

And whereas, the SPV is violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, the CPCB vide its letter no. 3471 dated 12.08.2024, issued directions under section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention and control of pollution) Act, 1981, to the Punjab Pollution Control Board (PPCB) to take appropriate action including imposing Environmental Compensation and to ensure that CETPs are operated ensuring:

- Operation/augmentation of the treatment system, appropriately, so as to meet the prescribed discharge standards and to comply with the disposal condition mentioned in the Environmental Clearance by MoEF & CC dated 03.05.2013 and 08.12.2014 in the aforesaid 40 MLD, 50 MLD and 15 MLD CETPs. Further, to stop discharging of treated effluent into Buddha Nallah from the 50 MLD CETP, 40 MLD CETP and 15 MLD CETPs.
- With valid consent under the Water Act-1974 / Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 from PPCB and comply with all the conditions mentioned thereof.
- Undertaking regular calibration, maintenance and validation of the OCEMS analysers as per standard operating procedures/ recommendations of the suppliers, so as to ensure generation of continuous & reliable data.

Further, PPCB is also hereby directed:

- To prescribe disposal condition to respective CETPs in accordance with the Environmental Clearance by MoEF&CC dated 03.05.2013 and 08.12.2014.
- To prescribe the inlet standard for CETP in accordance to the CETP notification dated 01.01.2016.
- To regularly undertake verification of member industries of the CETP for ensuring proper operation of PETP/ETP by individual member industry.

And whereas, a joint inspection was also conducted by the Board officers and MC officials on 25.07.2024 in response to a news item reporting the discharge of dyeing effluent onto the road in the Nichi Mangli area. During the inspection, only rainwater was found stagnated. The 02 dyeing industries namely M/s BPR Zippers and M/s Pacific Dyers located in Focal Point, Nichi Mangli, Ludhiana in the vicinity were also checked, and their discharge was confirmed to be flowing into the dedicated PDA sewer line. The MCL officials informed that the colored effluent had temporarily overflowed onto the road from the PDA sewer houndi due to high pressure from the dyeing effluent. The matter is regarding overflow of the PDA sewer line.

The PDA is required to produce following documents during the hearing:-

- Mechanism adopted by the PDA to control the stipulated flow rate from each of the dyeing unit to avoid immediate and sudden discharge of effluent thereby incapacitating the dedicating conveyance line.

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2. The complete conveyance line flow map along with the elevation, size of the pipeline and other requisite details indicating clear cut directions of effluent flow from Focal Point area to the CETP at Tajpur Road.
 3. Stipulated flow rate prescribed for the above 2 units along with the record of the discharge as well as the average flow rate of last three months.
 4. The record of discharge recorded by SCADA system installed at the extraction points of the above 2 dyeing units along with the record of the same for last three months.

And whereas, the CETP was issued notice to issue directions u/s 33-A of the Water Act, 1974 as well as show cause notice for revocation of consent to operate granted under the Water Act, 1974 along with notice for imposition of Environmental Compensation (EC) with hearing before Chairman of the Board on 13.09.2024, postponed to 18.09.2024. But, no one from the CETP attended the hearing.

And whereas, it was observed by the chair that the SPV was earlier granted Environmental Clearance by the MoEF & CC on 03.05.2013 with a specific condition that there shall be no discharge into the Buddha Nallah. The SPV is constantly being pursued by the Board to submit proposal / feasibility report to re-use the effluent onto land for irrigation as a condition of consent to operate granted temporarily under the Water (Prevention & Control of Pollution) Act, 1974 as well as in various hearings afforded of the SPV by the Chairman of the Board. But, the SPV has failed to submit any proposal in this regard and thus the SPV is violating the provisions of Environmental Clearance obtained by it from the MoEF&CC. Further, the SPV has been imposed Environmental Compensation for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 as observed from time to time, but, the SPV is still violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 as concluded by the CPCB in its report.

And whereas, the representatives of the SPV have neither attended the hearing nor have given any reply in writing to the observations raised in the show cause notice.

And whereas, in the given circumstances, the Board has been left with no other alternative or option but to proceed ex-parte in the case and to take decisions on the basis of the available record keeping in view the Act and conduct of the CETP. The decisions shall be binding upon the CETP and in case of failure of the CETP to comply with the decisions mentioned below, further stringent action shall be taken by the Board in accordance with the provisions of law.

And whereas, after detailed deliberations and hearing the officers of the Board and taking into consideration various factors including the seriousness of the issue, the Chairman of the Board observed that the objective to restrain the discharge of effluent into Buddha Nallah cannot be achieved except with the issuance of directions. It is a fit case to invoke the provisions of section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 for issuance of suitable directions to the SPV operating the CETP of 40 MLD capacity at Tajpur Road, Ludhiana. Hence, the Chairman of the Board in exercise of the powers conferred u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 decided to issue the following directions to the SPV of CETP of 40 MLD capacity:

1. The consent to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 be revoked.
2. The SPV shall meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 03.05.2013.
3. The SPV shall immediately stop the discharge of effluent from the CETP of 40 MLD capacity into Buddha Nallah or any other surface water body.

And whereas, the proceedings of personal hearing held before the Chairman of the Board on 18.09.2024 has been conveyed to the CETP.

As such, in exercise of the powers conferred under the Water (Prevention & Control of Pollution) Act, 1974, the consent to operate granted to the industry under Water (Prevention & Control of Pollution) Act, 1974, is hereby revoked.

Endst. No. 5846

Dated.

26/09/24
Add. Senior Environmental Engineer

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-1, Ludhiana for information & necessary action.

Add. Senior Environmental Engineer



PUNJAB POLLUTION CONTROL BOARD

Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana

Tele Fax:- 0161-4673789

Website:- www.ppcb.gov.in

email:- ppcbzo1ldh@gmail.com

No. 5647

Speed post/Regd.

Date 26/09/24

To

M/s Punjab Dyers Association (Focal Point Module),
8.65 Acre Land, Tajpur Road, Jamalpur Awana,
Ludhiana.

Sub: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.

Whereas, the Punjab Dyers Association (PDA) was earlier granted consent under the Water Act, 1974 vide no. CTOW/Renewal/LDH1/2024/23519336 dated 28.06.2024 valid upto 30.06.2026 for discharge of trade effluent into Budha Nallah after treatment through CETP of 40 MLD (Focal Point Module) and domestic effluent onto land for plantation through septic tank.

And whereas, the SPV was earlier given personal hearing before Chairman of the Board on 12.06.2023, wherein it was decided that on the basis of best assessment and judgment, an interim amount of Environmental Compensation (EC) of Rs. 75 lacs (Seventy Five Lacs) be imposed on the SPV (CETP 40 MLD, Focal Point Module) for violations made by the SPV and the SPV shall immediately deposit the same in the O/o Environmental Engineer, Regional Office-4, Ludhiana, within one week.

And whereas, the CETP has deposited Environmental Compensation amounting to Rs. 40 Lacs vide RRR1722355084065 dated 21.06.2023 & Rs. 35 Lacs vide RRR1732355120611 dated 22.06.2023.

And whereas, the Central Pollution Control Board (CPCB) has jointly carried out the inspection of Common effluent treatment plant (CETP- 40 MLD Focal Point Module) located in Ludhiana during April 22- 23, 2024 alongwith PPCB officers to verify the compliance status. The observations of the team are as under :-

1. The CETP is designed to treat 40 MLD capacity for treatment of effluent generated from dyeing & printing units located at focal point (Phase 1 to 08). However, presently, CETP operated at flow rate 29.00 MLD. The CETP is utilizing 73% of its capacity.
2. The CETP receives effluent through dedicated underground pipe line from member units to the CETP.
3. Pre-treatment system has not installed at individual member units level prior to send CETP inlet for treatment, as informed by the CETP operator.
4. Team observed that CETP operator has installed Electromagnetic Flow Meter at locations of Inlet receiving chamber, outlet of Equalization Tank, and final outlet of CETP.
5. The CETP is based on physico-chemical followed by biological (SBR) process. The CETP comprised of Receiving Chamber (20.83 m²) > Coarse Screen (Mechanical Manual) Raw effluent Collection Sump (416.670 m²) > Stilling Chamber (20.830 m³) > Fine Screen (mechanical + manual) Manual Grit Chamber (2 No., 81.0 m³) > Oil & Grease Skimmer > Equalization Tank (20040 m²) > PH Correction Tank-1 (555.560 m² Lime & FeSO₄, dosing, RT-20 min) > Sludge Blanket Clarifier (3721.374 m³, Poly Dosing, RT-2.23 hr) > pH Correction Tank-II (138.890 m³, RT-5 min) > SBR Basins (04), Chlorine Contact Tank (833.33 m³, RT-30 min) Treated Effluent Disposal > Centrifuge > Dryer.
6. The sample analysis result of collected samples from Equalization tank, final outlet of CETP are tabulated below:

Parameters	Sampling Locations		Standards
	Inlet of Equalization Tank	Final outlet of CETP	
Ph	8.2	8.3	6-9
TSS	181	28	100
TDS	4972	4636	--
Chloride	2551	2284	1000
Fluoride	1.1	0.9	2

Sulphate	295	461	1000
Sulphide	--	2.4	2
Phosphate as P	0.7	0.20	5
Ammonical Nitrogen	15	04	50
Nitrate-N	9.3	4.7	10
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Phenol as (C ₆ H ₅ OH)	0.2	0.1	1
Oil & Grease	-	BDL	10
BOD	376	54	30
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All values are in mg/l except pH

- It is evident from the above analysis results that the CETP is not complying with the prescribed MoEF & CC effluent norms w.r.t BOD, COD, Sulphide and Chloride.
- During monitoring, the biomass concentration in the SBR basins MLSS 4661 mg/l (against the designed range 5000-7000 mg/l) MLVSS 3000 mg/l (against the designed range 3500-4200 mg/l) were respectively.
- The MLSS and MLVSS were found less against designed range which indicates poor operation of the biological system.
- Team collected samples of heavy metals from inlet and final outlet of CETP to verify the stipulated norms. The analysis results of heavy metal samples are given as below:

Sampling Location	Sample Code	T-Cr	Cd	Cu	Mn	Pb	Zn	Ni	As
I/L of Eq. Tank	40 A1	0.034	BDL	0.081	0.117	BDL	0.151	0.01	BDL
Final O/L	40 A6	BDL	BDL	1.108	0.107	BDL	0.015	0.005	BDL
Prescribed norms		02	0.05	03	02	0.1	05	03	0.2

All values are in mg/l except pH

- The analysis results of heavy metals revealed that the CETP is complying with the prescribed effluent norms.
- Online Continuous Effluent monitoring system OCEMS is installed at inlet and final outlet of CETP for measuring influent and effluent waste water quality. On the day of inspection, OCEMS at Inlet and final outlet of CETP were found operational. As informed by the CETP operator OCEMS of final outlet is connected to PPCB/CPCB server. The final outlet OCMES values observed at time of sampling. The relative difference between online data and laboratory analysis data are presented below:

Sampling Location	Analysis results	Date/time 12.00 PM	Parameters			
			pH	TSS	COD	BOD
Final outlet of CETP	Lab Data	22/04/2024	8.3	28	262	54
	Online data	22/04/2024	7.9	46	188	25.7
% Variation w.r.t. Laboratory Data			(-)5.06	(+)64.28	(-)28.24	-52.40

- The value recorded on line monitoring system values of pH, BOD, COD is lower than the lab analysis data however, value of TSS is higher than lab analysis data. Further it has been reported by CPCB that the CETP installed Online Continuous Effluent Monitoring System (OCEMS) at final outlet of treated effluent for the parameters-pH, TSS, COD, BOD with connectivity to PPCB & CPCB servers. During the visit, the OCEMS was found operational and variation in OCEMS reading compared with monitored results was also reported which indicates the improper working/validation/calibration of OCEMS system.
- As informed by CETP operator that Bio sludge generated from SBR basin is collected into bio-sludge sump its further fed into centrifuge for dewatering whereas chemical sludge generated from Sludge Blanket Clarifier is collected into chemical sludge sump and it is fed

into centrifuge for dewatering of the sludge. The filtrate of decanter is enrouted to pH Correction Tank -1 for further treatment.

15. At the time of visit, team observed that The CETP has made Shed for storage of the CETP sludge. As per log book records CETP sludge 3517.235 MT during (FY 23-24) was sent to TSDF M/s Re sustainability Limited (M/s Ramky Enviro Engineers Limited) for final disposal.
16. As per EC issued (MoEF&CC dated 13/05/2013) mentioned in special Terms & condition that the CETP shall not discharge into Budha Nallah. However, treated effluent of CETP is discharged into Budha Nallah through underground pipeline 1 km. The Budha Nallah is ultimately meeting into River Sutlej.

And whereas, the Punjab Pollution Control Board is regularly monitoring the quality of the effluent at the inlet & outlet of the CETP and the latest results are as under:

Date	01.01.24	03.02.24	25.02.24	21.03.24	03.04.24	05.04.24	02.05.24	06.06.24	01.07.24	02.08.24	Standards	Design Standards
Parameter	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	Outlet	MoEF/CC	
pH	8.1	8.3	8.2	8.2	8.0	8.0	8.2	8.2	8	8.26	6.0 - 9.0	5.5-9.0
TSS	12	28	85	39	20	49	34	59	50	43	100	50
TDS	2409	3541	4636	5688	3341	3993	3639	3984	2923	4074	2100	Inlet TDS +/- 10 % variation
COD	120	112	140	152	148	136	148	139	76	142	250	100
BOD	17	16	22	27	22	20	28	27	14	26	30	10
O & G	8.0	5.8	4.8	7.2	6.2	6.6	5.8	5.4	5.6	6.2	10	10
Phenolic Compound	BDL	BDL	1.0	0.8	1.5	BDL	1	1	1	2.2	1	-
Sulphides	BDL	BDL	BDL	BDL	BDL	0.6	BDL	BDL	BDL	1.1	2	-
Amm. Nitrogen	2.5	4.7	5.4	BDL	3.4	2.8	2.8	1.2	BDL	1.6	50	2
SAR	32.5	34	36.16	41	20.9	36.0	25.8	BDL	BDL	BDL	-	-
Total Chromium	BDL	BDL	BDL	0.14	0.15	BDL	BDL	379	180	292	-	-
RSC	7.36	7.92	8.8	7.84	6.36	6.8	6.96	2	0.44	0.3	-	-
Bio-assay	90% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	100% survival of fish in 100% effluent in 96 Hr	90% survival of fish in 100% effluent in 96 Hr	90% survival of fish in 100% effluent in 96 Hr	70% survival of fish in 100% effluent in 96 Hr	90% survival of fish in 100% effluent in 96 Hrs.	90% survival of fish in 100% effluent in 96 Hrs.

And whereas, the SPV is violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, the CPCB vide its letter no. 3471 dated 12.08.2024, issued directions under section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention and control of pollution) Act, 1981, to the Punjab Pollution Control Board (PPCB) to take appropriate action including imposing Environmental Compensation and to ensure that CETPs are operated ensuring:

- Operation/augmentation of the treatment system, appropriately, so as to meet the prescribed discharge standards and to comply with the disposal condition mentioned in the Environmental Clearance by MoEF & CC dated 03.05.2013 and 08.12.2014 in the aforesaid 40 MLD, 50 MLD and 15 MLD CETPs. Further, to stop discharging of treated effluent into Buddha Nallah from the 50 MLD CETP, 40 MLD CETP and 15 MLD CETPs.
- With valid consent under the Water Act-1974 / Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 from PPCB and comply with all the conditions mentioned thereof.
- Undertaking regular calibration, maintenance and validation of the OCEMS analysers as per standard operating procedures/ recommendations of the suppliers, so as to ensure generation of continuous & reliable data.

Further, PPCB is also hereby directed:

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achieved except with the issuance of directions. It is a fit case to invoke the provisions of section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 for issuance of suitable directions to the SPV operating the CETP of 40 MLD capacity at Tajpur Road, Ludhiana. Hence, the Chairman of the Board in exercise of the powers conferred u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 decided to issue the following directions to the SPV of CETP of 40 MLD capacity:

1. The consent to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 be revoked.
2. The SPV shall meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 03.05.2013.
3. The SPV shall immediately stop the discharge of effluent from the CETP of 40 MLD capacity into Buddha Nallah or any other surface water body.

And whereas, the proceedings of personal hearing held before the Chairman of the Board on 18.09.2024 has been conveyed to the CETP and consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 has been revoked.

Now, therefore, the Competent Authority of the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988, issues the following directions:

1. That, the SPV shall meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 03.05.2013.
2. That, the SPV shall immediately stop the discharge of effluent from the CETP of 40 MLD capacity into Buddha Nallah or any other surface water body.

In case of failure to comply with the above said direction, you are liable for action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988.

For and on behalf of
Punjab Pollution Control Board

Dated 26/09/24

Endst. No. 5848

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-1, Ludhiana for information and necessary action. It is also directed to submit report regarding effective compliance of above said directions, within 3 days positively.

For and on behalf of
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, E-648-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana
E-mail: seezo2ldhppcb@yahoo.com

Ph No. 0161-2670141

No. PPCB/SEE/ZO-2/LDH/2024/.....

Regd.

Dated

To

- 1) The Chairman,
Bahadur Ke Textile & Knitwear Association (SPV),
C/o M/s Adinath Dyeing & Finishing Mills, Bahadurke Road,
Dyeing Complex, Ludhiana.
- 2) The Director,
Bahadur Ke Textile & Knitwear Association (SPV),
C/o M/s Shri Balaji Finishing Mills, Bahadurke Road,
Dyeing Complex, Ludhiana.

ਮਹਾਂਸ਼ਿਰ ਸਹਾ/ਸਸ ਕਲਰਕ/ਡੀ.ਈ.ਓ/ਸਹਾ ਵਾਤਾ ਇੰਜੀ
ਨਵੀ ਡਾਕ ਜ਼. ਵਾਤਾ ਇੰਜੀ
ਵਾਤਾ ਇੰਜੀ
ਤਾਇਰੀ ਨੰ. 33.6 ਮਿਤੀ 09/09/24

Sub: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.

Whereas, Bahadur Ke Textile Knitwear Association (SPV for CETP) has installed and is operating the Common Effluent Treatment Plant (CETP) of capacity 15 MLD for treatment of waste water from the cluster of textiles dyeing industries located at Bahadur Ke Road in Ludhiana.

And whereas, earlier the SPV was granted consents to operate under Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Renewal/LDH3/2022/18251904 dated 05.07.2022 and Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Varied/LDH3/2023/ 20380901 dated 25.04.2023, to operate the CETP of capacity 15 MLD for the treatment of effluent generated from dyeing industries located at Bahadurke Road, Ludhiana, both the consents had expired on 04.01.2023 and 31.03.2024 respectively.

And whereas, since the inception and commissioning, the SPV of 15 MLD capacity is being pursued by the Board from time to time for the compliance of the provisions of environmental laws especially the Water (Prevention and Control of Pollution) Act, 1974 by way of issuing notices, requests, reminders and affording of opportunities of hearing before the Competent Authority. The officers of the Board are also carrying out the monthly monitoring of the Common Effluent Treatment Plant since the commissioning of the CETP.

And whereas, the SPV, BKTKA was given personal hearing before the Chairman of the Board on 16.06.2023 u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 for non-achievement of effluent discharge standards at final outlet of CETP-15 MLD. After hearing the representations of the SPV and the officers of the Board and considering the relevant facts of the case, the Chairman of the Board has decided as under:

1. SPV shall submit a time bound proposal for up-gradation and augmentation of the CETP along with PERT Chart so as to achieve the prescribed standards as well as the standards as mentioned in the DPR appraised at the time of approval of financial aid received from, the Government for this CETP, within 30 days.
2. SPV shall submit a time bound proposal for 2nd Phase of up-gradation of CETP to ZLD along with PERT Chart as per the condition of Environmental Clearance granted by MoEF&CC, within 30 days.
3. SPV shall take all necessary measures to reduce the concentration of various pollutants at source including pretreatment in the member units wherever required so as to meet with inlet standards of DR at CETP and issue necessary directions to this effect to the member units.
4. Till the up-gradation of CETP, SPV shall operate the existing CETP with best of its ability, adequately and efficiently so as to achieve the prescribed standards.

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5. SPV shall also work on the removal of colour at the final outlet of the CETP to achieve the desired standards as well as to the visual satisfaction.
 6. SPV shall submit the performance bank guarantee of remaining amount after deduction of the EC i.e. (2,40,00,000 - 77,62,500 = 1,62,37,500) of Rs. 1,62,37,500/-, within 15 days.
 7. SPV shall get installed SCADA enabled flow meters with all the member units at intake supply (submersible pumps / MC supply / other sources) having connectivity with the Online Monitoring System of CETP and access to Punjab Pollution Control Board, within one month to ensure that no bye-pass of effluents is being operated by them. Till the installation of online meters, the industry shall must have EMF or mechanical meter at intake supply for which record is to be maintained on day to day basis.
 8. SPV shall provide flow meter, CCTV cameras and Online Monitoring Mechanism at its final outlet leading to Buddha Nallah, within one month.
 9. Environmental Compensation for the period of 20.04.2022 to 11.05.2023 (date of last sampling) shall be imposed on the SP for not operating the CET properly and efficiently resulting in non-achievement of results. Regional Office-3, Ludhiana to calculate the amount of Environmental Compensation and obtain necessary approvals.
 10. Legal action against the SPV (CETP 15 MLD, Bahadur Ke Road, Ludhiana) and its Directors (M/s Bahadur Ke Textile & Knitwear Association (SPV) as well as CETP operator be initiated in the Competent Court of Jurisdiction.

And whereas, the SPV has not complied with the decisions of the hearing mentioned above from serial no.1 to serial no. 06 as the SPV has neither submitted any proposal to adopt ZLD nor submitted bank guarantee of remaining amount after deduction of the EC.

And whereas, the CETP of capacity 15 MLD installed at Bahadurke Road, Ludhiana for the treatment of effluent generated from the dyeing industries of Bahadurke cluster is fully operational since July 2020 and CETP is being regularly monitored by the Board on monthly basis. The CETP has failed to achieve the stringent discharge standards prescribed by the Board for the CETP since its commissioning.

And whereas, the SPV had applied for renewal of consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and accordingly, CETP 15 MLD was visited by officer of the Board on 11.04.2024 and it was observed as under:

1. CETP was in operation for the treatment of effluent generated from the member dyeing industries. DAF was also in line and operational.
2. CETP had recently added 03 new sludge de-watering machines alongwith 02 existing sludge centrifuge pumps and these newly installed 03 machines were in operation and existing 02 were in standby mode.
3. The recently added 01 wood fired boiler of capacity 01TPH with cyclone separator as an APCD alongwith steam paddler drier was also in operation.
4. During visit effluent was collected and sent to the Board's lab for analysis, as per the analysis report CETP is achieving the discharge standards prescribed by the MoEF&CC except one parameter i.e. TDS but it has failed to achieve stringent discharge standards prescribed by the Board.
5. CETP is complying with the provisions of the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, the SPV has failed to comply with the decisions taken during the personal hearing dated 16.06.2023 and to achieve stringent effluent discharge standards. Thus, the SPV was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, the SPV was granted Environmental Clearance vide MoEF&CC letter dated 08.12.2014 for the establishment of CETP based on Zero Liquid Discharge (ZLD). Thereafter a follow up meeting of Appraisal Committee on CETP was held in the MoEF&CC on 03.03.2016

and during the meeting it was decided that the SPV shall install CETP based on conventional treatment method in 1st phase and may adopt ZLD in 2nd phase. Minutes of the said meeting were issued vide MoEF&CC letter dated 18.03.2016, but the SPV has not submitted any proposal till date to adopt 2nd phase i.e. ZLD.

And whereas, the SPV has filed appeals before the Appellate Authority-cum-Secretary to Government of Punjab, Department of Science Technology and Environment against following decisions of the Board:

1. Imposition of EC amounting to Rs. 01 crore to the SPV vide minutes of meeting dated 08.10.2021.
2. Imposition of EC amounting to Rs. 77.625 Lacs to the SPV vide Board's no. 335 dated 4.10.2022
3. Against the decision of the Board to obtain Performance Bank Guarantee of Rs. 2.4 Crores from the SPV.

And whereas, however, above appeals filed by the SPV were decided and dismissed by the Appellate Authority-cum-Secretary to Government of Punjab, Department of Science, Technology and Environment vide orders dated 20.05.2024.

Environmental Compensation (EC) amounting to Rs.1 crore has already been deposited by the SPV and EC amounting to Rs.77.625 lacs has been recovered from the amount of performance bank guarantee of Rs. 2.4 crore earlier submitted by the SPV. However, the SPV has not submitted performance bank guarantee of remaining amount after deduction of the EC amounting to Rs. 77.625 Lac by the Board i.e. $(2,40,00,000 - 77,62,500 = 1,62,37,500)$ till date. The appeal filed by the SPV against this BG has already been dismissed by the Appellate Authority.

And whereas, the SPV is not complying with the decisions of the Competent Authority.

And whereas, show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 was issued to the SPV with an opportunity of personal hearing before the Chairman of the Board on 09.07.2024 postponed to 12.07.2024, postponed to 16.07.2024 and postponed to 23.07.2024. No one on behalf of SPV attended the hearing. Considering the request of the SPV, the hearing was further postponed to 09.08.2024. However, no one on behalf of SPV again attended the hearing on 09.08.2024.

And whereas, keeping in view the act and conduct of the SPV, it was observed that the SPV is not serious about resolving the issues / violations reported on part of the CETP and SPV is not attending the hearing being afforded by the Board to avoid the implementation of the provisions of Environmental Laws. After considering all the aspects of the case, the Chairman of the Board decided to proceed ex-parte and has taken the following decisions:

1. The consent to operate applied by the SPV under the Water (Prevention & Control of Pollution) Act, 1974 be refused as ex-parte decision.
2. Notice to issue directions u/s 33-A of the Water Act, 1974 to take measures to control the pollution generated by the CETP, which may include taking legal action against the responsible persons of the SPV, to stop the transaction of the bank account of SPV with immediate effect, to impose the appropriate Environmental Compensation based on polluter pays principle and to upgrade the existing CETP to the ZLD, be issued to the SPV alongwith an opportunity of personal hearing before the Chairman of the Board.

And whereas, the proceedings were conveyed to the SPV vide Board's letter no 5336-37 dated 29.08.2024.

And whereas, in compliance to the decisions of hearing the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 was refused vide no. CTOW/Renewal/LDH3/2024/ 25302219 dated 30.08.2024.

And whereas, in compliance of directions of the Central Monitoring Committee (CMC), CPCB has carried out inspection and monitoring of the Buddha Nallah and River Sutlej on 02.04.2024. The CPCB has also carried out inspection of 04 CETPS located at Ludhiana on

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22.04.2024 and issued directions u/s 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 regarding non-compliance of four CETPs of Ludhiana. The CETP of capacity 15 MLD was visited by the team of CPCB and following observations were made:

1. During the visit on 22.04.2024, the CETP was found operational with the flow rate of 11.26 MLD. The CETP receives effluent through dedicated underground pipeline and the treatment is based on Sequential Batch Reactor (SBR) technology. It was informed that the CETP is discharging the treated effluent into Buddha Nallah (which meets River Sutlej) through underground pipeline from the CETP. However, as per EC issued by MoEF&CC on 08.12.2014, the CETP is required to establish a Zero Liquid Discharge system.
2. The consent under the Air Act, 1981 is valid upto 31.03.2025 for the operation of 15 MLD CETP. However, the consent under the Water Act, 1974 was valid till 04.01.2023 and the Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 was valid till 04.10.2022 for which the CETP has applied for renewal to PPCB.
3. During visit, it was informed to the team that 36 Dyeing/Printing/washing units had obtained membership from CETP and connected to the CETP.
4. Grab samples were collected from the CETP during monitoring. The analysis results of sample collected from CETP outlet reveals that B OD: 243 mg/l (Standard: 30 mg/l), COD: 587 mg/l (Standard: 250 mg/l), Chloride: 1904 mg/l (Standard: 1000 mg/l) and Sulphide: 16 mg/l (Standard: 2 mg/l) exceeds the notified effluent discharge standards for CETP. Remaining monitored parameters were found within the prescribed standards.
5. Further, the grab samples were collected from the Sequential Batch Reactor (SBR) tank for MLSS & MLVSS. The sample analysis results reveals that the concentration of MLSS: 2639 mg/l (Designed value: 4840 mg/l) and concentration MLVSS: 1179 mg/l (Designed value: 3872 mg/l) are less than the designed values, which indicates the poor operation of the SBR.
6. The CETP has installed Online Continuous Effluent Monitoring System (OCEMS) at the final outlet of treated effluent for the parameters pH, TSS, COD, BOD with connectivity to PPCB & CPCB servers. During the visit, the OCEMS was found operational and variation in OCEMS reading compared with the monitored results was also reported which indicates the improper working / validation / calibration of OCEMS system.
7. During the visit, it was observed that the CETP has provided sludge storage facility and obtained membership from M/s Re-sustainability Limited (M/s Ramky Enviro Engineers Limited) for disposal of sludge. The CETP had disposed 602.685 MT Sludge during the period of 02.04.2023 to 31.03.2024, through TSDF.

And whereas, the SPV is violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, Environmental Engineer, Zonal Office-2, Ludhiana brought out that in light of deficiencies as observed by CPCB in operation of the CETPs of Ludhiana installed for dyeing units on its visit on 22.04.2024, the Central Pollution Control Board has issued directions u/s 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 vide letter dated 12.08.2024 to take appropriate action including imposing Environmental Compensation and to ensure that the CETP is operated ensuring:

- a) Operation/ augmentation of the treatment system, appropriately, so as to meet the prescribed discharge standards and to comply with the disposal condition mentioned in the Environmental Clearance by MoEF&CC dated 03.05.2013 and 08.12.2014 in the aforesaid 40 MLD, 50 MLD & 15 MLD CETPs. Further, to stop discharging of treated effluent into Buddha Nallah from 50 MLD, 40 MLD & 15 MLD CETPs.

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- b) With valid consent under the Water Act, 1974/ Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 form PPCB and comply with all the conditions mentioned thereof.
- c) Undertaking regular calibration, maintenance and validation of the OCEMS analysers as per standard operating procedures/recommendations of the suppliers, so as to ensure generation of continuous & reliable data.

And whereas, Punjab Pollution Control Board was further directed by Central Pollution Control Board as under:

- a. To prescribe disposal condition to respective CETPs in accordance with the Environmental Clearance by MoEF&CC dated 03.05.2013 & 08.12.2014.
- b. To prescribe inlet standards for CETP in accordance to the CETP notification dated 01.01.2016.
- c. To regularly undertake verification of member industries of the CETP for ensuring proper operation of PETP/ETP by individual member industry.

And whereas, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 was issued to the SPV with an opportunity of personal hearing before Chairman of the Board on 13.09.2024 postponed to 18.09.2024.

And whereas, Sh. Lalit Jain, Director of the SPV (CETP of 15 MLD) alongwith Sh. I.K. Kapila, Advocate, Hon'ble Supreme Court of India attended the hearing and submitted a written reply which was taken on record. The representatives stated that although the EC was obtained by the SPV for ZLD based treatment but later on the project was conceived on the SBR based secondary level treatment. The representatives further contended that other two CETPs of 40 MLD & 50 MLD capacity were duly sanctioned without any condition / requirement for ZLD level treatment. Regarding the submission of Bank Guarantee as per decision of personal hearing afforded to the SPV by Chairman of the Board on 16.06.2023, the representatives informed that the SPV has challenged the said decision by way of filing appeal before the Appellate Authority and the decision is pending. The representatives disagreed with the technical observations as reported by the CPCB and did not find the same acceptable to the SPV and insisted not to penalize the SPV on the basis of the said report. The representatives further informed that the SPV has applied for obtaining the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 with the Board.

And whereas, during hearing, it was observed by the Competent Authority that the SPV has been constantly pursued by the Board to submit proposal for upgradation of the CETP to ZLD technology in consonance with the EC conditions and thus not to discharge its effluent into the Buddha Nallah. However, the SPV has not taken any step in this direction. The Ludhiana city has been declared as critically polluted area due to various reasons and one of the reasons is the activities of the industrial units in violation of the environmental norms. Though the Board has imposed EC and performance Bank Guarantee but the SPV is still violating the provisions of the Water (Prevention and Control of Pollution) Act, 1974.

And whereas, the representatives of the SPV could not give any satisfactory reply to the observations raised during the hearing.

And whereas, after detailed deliberations and hearing the representatives of SPV, officers of the Board and taking into consideration various factors including the seriousness of the issue, the Chairman of the Board observed that the objective to restrain the discharge of effluent into Budha Nallah cannot be achieved except with the issuance of directions. It is a fit case to invoke the provisions of section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 for issuance of suitable directions to the SPV operating the CETP of 15 MLD capacity at Bahadurke Road, Ludhiana. Hence, the Chairman of the Board in exercise of the powers conferred u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 decided to issue the following directions to the SPV of CETP of 15 MLD capacity:

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1. The SPV shall ensure that the operation / augmentation of treatment system of CETP is appropriately made, so as to meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 08.12.2014.
 2. The SPV shall immediately stop the discharge of effluent from the CETP of 15 MLD capacity into Buddha Nallah or any other surface water body.

And whereas, the proceedings of the hearing were conveyed to the industry vide no. 5798-99 dated 25.09.2024.

Now, therefore, the Competent Authority of the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988, issues the following directions:

1. That, the SPV shall ensure that the operation / augmentation of treatment system of CETP is appropriately made, so as to meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 08.12.2014.
2. That, the SPV shall immediately stop the discharge of effluent from the CETP of 15 MLD capacity into Buddha Nallah or any other surface water body.

In case of failure to comply with the above said directions, you are liable for action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988.

Endst. No. 5804

For and on behalf of
Punjab Pollution Control Board
Dated 25/09/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information and necessary action. He is also directed to submit report regarding effective compliance of above said directions, within 3 days positively.

For and on behalf of
Punjab Pollution Control Board

Item Nos.01 & 02

Court No. 1

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

Appeal No. 40/2024
(I.A. No. 536/2024)
With
Appeal No. 41/2024
(IA NO 537/2024, IA NO 529/2024, IA NO 528/2024)

Panjab Dyers Association

Appellant

Versus

Punjab Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 04.11.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Appellant: Mr. A.R. Takkar, Ms. Shriya Takkar, Mr. Manan Takkar & Ms. Aastha Tyagi, Advs. for Appellant in Appeal No. 41/2024
Mr. I.K. Kapila, Adv. for Appellant in Appeal No. 40/2024

ORDER

1. Though in these two appeals, different orders are under challenged but factual background leading to passing of these orders is same therefore the appeals are taken up together.

2. In Appeal No. 41/2024 has been filed by the appellant challenging the order dated 26.09.2024 passed by the respondent board under Section 33 A of The Water (Prevention and Control of Pollution) Act, 1974 against the appellant CETP directing as under:

“And whereas, the proceedings of personal hearing held before the Chairman of the Board on 18.09.2024 has been conveyed to the CETP and consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 has been revoked.

Now, therefore, the Competent Authority of the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A

of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988, issues the following directions:

1. That, the SPV shall meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 03.05.2013.

2. That, the SPV shall immediately stop the discharge of effluent from the CETP of 40 MLD capacity into Buddha Nallah or any other surface water body.

In case of failure to comply with the above said direction, you are liable for action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988”

3. In the connecting appeal No. 40/2024 the appellant has challenged the order dated 25-26.09.2024 issued by the Respondent Board under Section 33 A of The Water (Prevention And Control of Pollution) Act, 1974 directing as under :

“Now, therefore, the Competent Authority of the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988, issues the following directions:

1. That, the SPV shall meet with the prescribed discharge standards and to comply with the disposal conditions mentioned in the Environmental Clearance granted by the Ministry of Environment, Forest and Climate Change dated 03.05.2013.

2. That, the SPV shall immediately stop the discharge of effluent from the CETP of 50 MLD capacity into Buddha Nallah or any other surface water body.

In case of failure to comply with the above said directions, you are liable for action u/s 41 of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988.”

4. Learned counsel for the appellant in Appeal No. 41/2024 has pointed out that the Environmental Clearance dated 03.05.2013 was granted by MoEF in respect of the construction of CETP at Village Jamalur Awana, Panchayat Jamalpur Awana, Taluk Ludhiana East, Ludhiana District Punjab by the Appellant for the proposed 117 MLD CETP. He submits that subsequently three separate CETP have been set

up i.e. 15 MLD, 50 MLD and 40 MLD CETP. The present impugned orders have been passed in respect of 40 MLD and 50 MLD CETP.

5. Specific conditions No. 5(ii) of the EC dated 03.05.2013 is relevant here which provides as under:

“5. (ii) There shall be no discharge into Buddha nallah.”

6. In August 2022: PPCB had issued consent to operate for 50 MLD CETP imposing conditions that CETP effluent shall be discharged into Buddha Nala in compliance to the prescribed standards.

7. He has also pointed out that the DPR for the project was prepared and sent wherein there was a proposal for connecting the outlet of CETP with the outlet of nearby STP and that the State Government had prepared a scheme Annexure A-15 providing as under:

“The diverted water in Lower Budha Dariya will provide the irrigation facilities in more than 15 villages in the vicinity. As, Lower BudhaDariya is lower than NSL, hence irrigation facilities will be provided by lifting water by use of Diesel Lift Pumps”

8. He has also submitted that the action plan annexure A-16 was prepared relating to utilization of treated waste water of Ludhiana City through Buddha Nallah. He has also relied upon the CTO annexure A9 which contain the condition relating to the disposal of treated trade effluent into Buddha Nallah. He submit that the State Government has failed to comply with the conditions of the scheme concerning lifting of the discharge of STP where the CETP is meeting. Consequently, the CETP treated effluent is discharging in Buddha Nalla and for that violation of EC condition the appellant cannot be blamed.

9. He has also raised an issue that impugned order has been passed without fully complying with the principle of natural justice. Referring to

the show cause notice dated 04.09.2024 Annexure A-18 he has submitted that the date of hearing was fixed before the Chairman of the Board at Vatavaran Bhavan, Nabha Road, Patiala on 13.09.2024 at 10.30 AM. He submits that the appellant was telephonically informed about the adjournment of that date and was conveyed that the next date will be informed later. He has also submitted that the intimation about the next date fixed on 18.09.2024 was sent to the appellant on 17.09.2024 at 08.30 PM therefore the appellant had sent the email annexure A 19 attaching therewith the letter dated 18.09.2024 addressing difficulty in attending the proceeding because the Directors conversant with the issue were on business tour. He submits that in spite of the said communication, the Concerned Authority proceeded with the matter and had passed the impugned order without due application of mind and without considering all the relevant circumstances.

10. In the connected Appeal No. 40/2024 the same grounds have been raised.

11. These are statutory appeals. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal. The Appellant is directed to serve the respondents and file an affidavit of service.

12. Pressing the prayer for interim relief Learned Counsel for the appellant has submitted that impugned orders will result in shutting down all the industries connected with the CETP in question. Considering the circumstances of the case we direct that till the next date of hearing

no coercive steps in pursuant to the impugned order will be taken subject to compliance of environmental norms and clearance conditions.

13. PPCB is directed to produce the original record along with a copy thereof concerning to passing of the impugned orders.

14. I.A. No. 537/2024 in Appeal No. 41/2024 and I.A. no. 536/2024 in 40/2024 have been filed by certain local residents. Applicants in the I.As are directed to supply a copy of the I.A to the Counsel for the appellant within three days. It will be open to the Appellant to file reply to the I.As within three weeks.

15. List on 02.12.2024

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 4, 2024
Appeal No. 40/2024 &
Appeal No. 41/2024
HB



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, E-648-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana
E-mail: seezo2ldhppcb@yahoo.com

Ph No. 0161-2670141

No. PPCB/SEE/ZO-2/LDH/2024/.....

Regd./speed post

Dated

To

- 1) The Chairman,
Bahadur Ke Textile & Knitwear Association (SPV),
C/o M/s Adinath Dyeing & Finishing Mills,
Bahadurke Road, Dyeing Complex, Ludhiana.
- 2) The Director,
Bahadur Ke Textile & Knitwear Association (SPV),
C/o M/s Shri Balaji Finishing Mills,
Bahadurke Road, Dyeing Complex, Ludhiana.

ਜਨਮਕਰ ਸਹਾ/ਸਸ ਕਲਰਕ/ਡੀ.ਓ.ਓ/ਸਹਾ ਵਾਤਾ ਟਿਜਾ
ਨਵੀ ਡਾਕ ਜੂ. ਵਾਤਾ ਇੰਜੀ
ਵਾਤਾ ਇੰਜੀ
ਡਾਇਰੀ ਨੰ 3599 ਮਿਤੀ 28/10/24

Subject: Notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.

Reference: This office letter no. 6088-89 dated 14.10.2024.

Whereas, the SPV was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 with an opportunity of personal hearing before Chairman of the Board on 29.10.2024. However, the hearing has been postponed due to some administrative reasons and re-scheduled to be held on 19.11.2024.

As such, you are, hereby, given an opportunity to file objections, if any, on the proposed actions before the Chairman of the Board on 19.11.2024 at 11:00 AM in his office at Vatavaran Bhawan, Punjab Pollution Control Board, Nabha Road, Head Office, Patiala, failing which the proposed action shall be taken or any other action deemed fit in the matter will be taken without any further notice/ opportunity.

Sd/-
For and on behalf of
Chairman, Punjab Pollution Control Board

Endst. No. 6309

Dated 28/10/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information & necessary action. He is requested to inform the SPV regarding date and time of personal hearing and ensure the presence of representative of SPV during the hearing. He is also requested to attend the hearing and give the latest status of compliance made by SPV with the direction issued by the Board, and the operational status of all member unit industries of SPV well before the hearing.

Sd/-
For and on behalf of
Chairman, Punjab Pollution Control Board

leaders of parties across the state's political spectrum against certain clauses of the policy that seek to pro-

mental to our agriculture-based economy," Khuddian told *The Tribune*.
It is learnt that while the

policy, saying it is an im-
rect way of bringing back
the three farm laws that
were suspended by the Cen-
tre in November 2021.

backing the farmers' cause
and urged the government
to resolve various issues at
the earliest.

tariff, withdrawal of police
cases and justice for the vic-
tims of the 2021 Lakhimpur
Kheri violence etc.

been sent to the committee
by them, he added. The letter
also has the signatures of
farm leader Jagjit Singh

Despite NGT order, treated effluents flow into Buddha Nullah

TRIBUNE NEWS SERVICE

LUDHIANA, DECEMBER 17

Flouting with impunity the ban imposed by the National Green Tribunal (NGT), all three common effluent treatment plants (CETPs) continue to discharge 105 MLD effluents/treated water into the Buddha Nullah without any check.
Environmentalists and civil

society members have threat-
ened direct action against the
Punjab Pollution Control
Board (PPCB) and the state
government, for failing to
check water pollution.

Clarifying on its previous
order dated November 4,
which was being misinter-
preted by the enforcement
agencies to allow the dis-
charge of effluents, the NGT

Environmentalists warn PPCB, govt of action

Principal Bench, in its fresh
order pronounced on Decem-
ber 9, said, "There is a clear
environmental clearance (EC)
condition that there will be no
discharge of effluents/treated
water in the Buddha Nullah.
The EC condition is binding."

"We clarify that non-adher-
ence to the specific condition
of maintaining zero dis-
charge is non-compliance
with the environmental
norms," the NGT ordered.
Jaskirat Singh of Kale Pani
Da Morcha, a civil society

movement to save the Bud-
dha Nullah, submitted before
the NGT that the authorities
were misinterpreting its
order dated November 4 and
were treating it to be a blan-
ket stay permitting the STPs
to discharge effluents into
the Buddha Nullah.
The counsel for the appel-
lant submitted that the PPCB
has permitted such discharge

into the Buddha Nullah, but
he could not point out how the
PPCB passed such an order
contrary to the specified con-
ditions. On this, the NGT
directed the PPCB Member
Secretary to file an affidavit
explaining how such permis-
sion was granted in contra-
vention of the EC conditions.
It posted the matter for fur-
ther hearing on December 23.

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
AT PRINCIPAL BENCH, NEW DELHI

(In the O.A. 1325 of 2024, 1326 of 2024 & 1327 of 2024)

Public Action Committee & ors. Applicants

vs.

Union of India & ors. Respondents

Affidavit of Kuldeep Singh Khaira (aged 47 years) s/o s. Ujjagar Singh Khaira, r/o #125, Ishar Nagar, Ludhiana.

RESPECTFULLY SHOWETH:

I, the above mentioned deponent do hereby solemnly affirm and declare as under:-

1. That the deponent is one of the Applicants (in person) in Original Application No. 1325/2024, 1326/2024 & 1327/2024 filed before this Hon'ble National Green Tribunal.

That the contents of paras no. 1 to 10 of the accompanying the Additional Submission dated 20-12-2024 along with Annexures are true and correct to best of my knowledge.

Place: Ludhiana
Dated: 20.12.2024

Certified that the affidavit/S.P.A./GPA has been read over & explained to the deponent executant who seemed Directly to understand the same at the time making the same.
Kuldeep Singh Khaira
DEPONENT

Verification:

Verified that the contents of para 1 and 2 of this affidavit are true and correct. No part of it is false, and nothing material has been kept concealed therefrom.

Place: Ludhiana
Dated: 20.12.2024

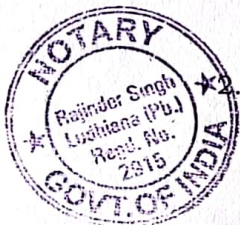
Kuldeep Singh Khaira
DEPONENT

Attested as Identified

[Signature]
NOTARY PUBLIC
Dist. Ludhiana PB.

I know the deponent/Executant/Idemnity Personaly He/She has signed/Thumb marked in my presence

20 DEC 2024



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PAC MattewaraSutlej <mattewarasutlejpac@gmail.com>

**Additional submission by Applicants of O.A. No. 1325 of 2024,
1326 of 2024 and 1327 of 2024**

PAC MattewaraSutlej <mattewarasutlejpac@gmail.com>

Fri, Dec 20, 2024 at
9:28 PM

To: secy-moef@nic.in, mscb.cpcb@nic.in, msppcb@punjab.gov.in,
punjabdyerasso@gmail.com, ppcbzo1ldh@gmail.com, secy.te@punjab.gov.in,
xensidhwancanal@gmail.com, pdafocalpoint@gmail.com, adinathdyeing@yahoo.co.in,
prince@artlo.in, artakkar@artlo.in, kapilak@yahoo.co.in

Dear sir,

PFA Additional submission by Applicants of O.A. No. 1325 of 2024, 1326 of 2024 and
1327 of 2024 being submitted before Hon'ble NGT in said original Applications.

Regards

Public Action Committee
Petitioner in O.A. No. 1325, 1326 & 1327 of 2024
#561-L, Model Town,
Ludhiana
Mobile: 9855544433, 9872007872

 **Additional Submission by Applicants.pdf**
9390K