

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

Original Application No. 632 of 2023

In the matter of Suo Moto Cognizance

In Re: News Item published in The Hindu dated 06.10.2023 titled "**Pollution takes a front seat as Stubble Fires Spike in Punjab**"INDEX

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Place: SAS NAGAR (MOHALI)

Date: 17.11.2023


Member Secretary,
Punjab Pollution Control Board
Nabha Road, Patiala
On behalf of the State of Punjab

**Member Secretary
Punjab Pollution Control Board
PATIALA.**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

Original Application No. 632 of 2023

In the matter of Suo Moto Cognizance

In Re: News Item published in The Hindu dated 06.10.2023 titled **"Pollution takes a front seat as Stubble Fires Spike in Punjab"**

Status / Action taken report on behalf of State of Punjab through Member Secretary, Punjab Pollution Control Board.

RESPECTFULLY SHOWETH

1. That the Hon'ble National Green Tribunal was pleased to take Suo Motto Cognizance of a News Item published in The Hindu dated 06.10.2023 titled **"Pollution takes a front seat as Stubble Fires Spike in Punjab"** and issued notice to the State of Punjab through its Chief Secretary, Ministry of Environment, Forest and Climate Change through its Secretary and the Director Commission for Air Quality Management.
2. That considering the fact that the Hon'ble Supreme Court of India has also taken cognizance of the subject matter of the stubble burning in Writ Petition (Civil) No. 13029 of 1985 and directions were issued vide order dated 7.11.2023 to ensure that crop burning is stopped forthwith, the Hon'ble National Green Tribunal was pleased to pass an order dated 8.11.2023, the relevant extract of which as contained in paragraph 5, 6 and 7 is reproduced herein below for kind perusal and reference:

"5. In terms of the aforesaid direction, the State of Punjab and all other States adjacent to Delhi were required to ensure stopping of crop burning "forthwith". The order was passed

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by the Hon'ble Supreme Court yesterday and we have taken out the Indian Space Research Organization (ISRO) Satellite image at 10:00 am today depicting the near real time active agricultural fire in the country.

6. A perusal of the above image reveals large number of active agricultural fire incidents in the State of Punjab as the entire State of Punjab is shown as "Red" in that map. The direction issued by the Hon'ble Supreme Court is required to be complied with by all the concerned authorities in true spirit so that a proper compliance can be gathered from taking a real time active agricultural fire report from the ISRO satellite image. It has not been denied that from ISRO satellite image, the longitude and latitude of the pinpointed active agricultural fire incident can be ascertained. Thus, concerned authorities at Punjab need to take the issue seriously and fully comply with the direction of Hon'ble Supreme Court.

7. The matter is coming before the Hon'ble Supreme Court on 10.11.2023. Hence, we adjourn this OA to 20.11.2023. Let further action taken report be filed on or before the next date of hearing."

3. That respectfully, it is submitted that the State of Punjab is fully committed and dedicated to make compliance of the orders of the Hon'ble Supreme Court of India and the Hon'ble National Green Tribunal. In immediate compliance to the orders dated 7.11.2023 of the Hon'ble Supreme Court, the Chief Secretary to Government of Punjab has issued directions vide memo no.OSD(L)/CS/306 dated 7.11.2023 to the Director General of Police, Punjab; all the District Magistrates; all the Commissioners of Police / Senior Superintendent of Police; all the Station House Officers in the State of Punjab to ensure strict compliance of the orders dated 7.11.2023 in true letter and

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spirit. A copy of memo no. OSD(L)/CS/306 dated 7.11.2023 is enclosed as **Annexure-A** for kind perusal.

4. That in order to strictly implement the directions / orders dated 7.11.2023 of the Hon'ble Supreme Court of India in letter and spirit and pursuance to memo no. 306 dated 7.11.2023 issued by the Chief Secretary, Punjab, the Director General of Police, Punjab has taken the following immediate actions:

- a) Director General of Police, Punjab, held a detailed meeting through video conferencing with all the Range Additional Director Generals of Police, Inspector Generals of Police, Deputy Inspector Generals of Police, all Commissioners of Police; all Senior Superintendents of Police, (ADGPs/IGPs/DIGS, all CPS/SSPs), Halqa Deputy Superintendents of Police (DSPs) and Station House Officers (SHOs) and brought the directions dated 7.11.2023 of Hon'ble Supreme Court and Chief Secretary, Punjab into their notice and issued strict instructions for meticulously compliance of the same. The minutes of meeting held by the Director General of Police on 08.11.2023 are enclosed herewith as **Annexure - B**.
- b) The office of Director General of Police, Punjab, vide letter No. 3085-3400/PS/DGP/PB dated 08.11.2023 has issued directions to all the field units in the State of Punjab to take various measures, detailed therein, for meticulous compliance of the directions issued by the Apex Court. A copy of the said letter dated 08.11.2023 is enclosed herewith as **Annexure-C**.
- c) The office of Director General of Police, Punjab vide letter No. 3409-3825/PS/DGP/PB dated 08.11.2023 has designated the Special Director General of Police, Law and Order, Punjab as the Police Nodal Officer to monitor the action being taken by the SHOS, Sub Divisional DSPs, other Gazetted Officers, CPS/SSPs and Range ADGPS/IGPS/DIGS to ensure compliance of orders of Hon'ble Supreme Court by monitoring the action for forthwith stopping of



stubble burning in the State of Punjab. A copy of the said letter dated 08.11.2023 is enclosed herewith as **Annexure-D**.

- 5) That the orders to stop stubble burning were issued by the Hon'ble Supreme Court of India on 7.11.2023 and there upon prompt and immediate action was taken by the State Government to ensure strict compliance of the said orders of the Hon'ble Supreme Court and the State machinery was mobilized in the shortest available period and within the short period of two days the stubble burning incidents were brought down to 639 upto 9.11.2023 with the sincere, continuous and concerted efforts of various departments of State Government. The actions taken by the police and civil administration are summarized herein below:

A) Actions taken in public interest

- i) Civil Administration and local police had worked together as a team to stop the stubble burning incident forthwith.
 - ii) Farmers were engaged and informed that stubble burning is violative of law and action would be taken against them.
 - iii) The alternate mechanisms available for stubble management will be fully utilized. The police officers had conducted analysis of resources available and in coordination with Civil Administration ensured that all available resources are deployed.
 - iv) Liaison and coordination are maintained with fire department for deployment of fire tenders wherever required.
 - v) Extensive efforts were made by the Public Police by launching social media campaigns through various state level and district level social media handles to sensitize the public and all other stakeholders to stop and prevent stubble burning in the State of Punjab.
- B) That it is pertinent to mention here that in order to make compliance of the directions dated 7.11.2023 of the Hon'ble Supreme Court of India, the officers of the District Administration, Police Officers alongwith field

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officers are monitoring the situation at ground level. The farmers are being educated about ill effects of burning of paddy straw and are persuaded to manage the paddy straw through available alternate mechanisms.

- C) Apart from the above, to strictly enforce the orders dated 7.11.2023 of the Hon'ble Supreme Court, following actions have been taken by the State against the defaulters who were found indulged in stubble burning.
- i) Environmental Compensation amounting to Rs.13018000/- has been imposed.
 - ii) 251 number of FIRs have been lodged.
 - iii) 171 number of spots were identified for stacking stubble at village level.
 - iv) 394 number of red entries were made in revenue record against the erring farmers.
- D) That with the continuous and concerted efforts made by various departments, the stubble burning incidents in the State has come down to 104 on November 11, 2023. The comparison of fire incidents of previous years with current year upto 11.11.2023 has shown reduction of 41.7%.
- 6) That in further compliance to the orders dated 7.11.2023 of the Hon'ble Supreme Court, the Chief Secretary to Government of Punjab, Director General of Police and other officers of Punjab have participated in the meeting called by the Cabinet Secretary to Government of India through hybrid mode on 8.11.2023.
- 7) That in compliance to the orders dated 10.11.2023 passed by the Hon'ble Supreme Court flagging the issue of long terms measures which will be required for crop diversification to be done in a phased manner including alternative varieties of paddy and encourage the crops which do not have such stubble which is required to be removed, It is respectfully submitted that

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the Special Chief Secretary to Government of Punjab, Department of Agriculture and Farmers Welfare vide demi official letter no. 3523 dated 8.11.2023 written to Secretary to Government of India, Ministry of Agriculture and Farmers Welfare has submitted comprehensive action plan to address stubble burning in Punjab. The relevant facts put forth in the Demi Official letter by the Special Chief Secretary, Punjab to the Secretary to Government of India, Ministry of Agriculture and Farmers Welfare are summarized herein below:

- a) Minimum Support Price based assured procurement for alternative crops to paddy in Punjab was tabulated in the D.O letter as under:

Crop	Yield*	MSP/ AV. Market Price (Rs./q)	Gross returns (Rs. / Acre)	Total Costs (Rs. / Acre)	Net returns (Rs./Acre)	Price to be at par with paddy / wheat Rs./q)	Price required to shift from paddy (Rs./q)
Maize	23	2090	48070	20943	27127	2730	3000
Cotton	10.5	6620	69510	29323	40187	6777	10000
Basmati	16	3700	59200	21173	38027	3938	4500
Moong	4.5	8558	38511	13045	25466	12196	12500
Mash	3.6	6950	25020	14572	10448	15669	16000
Arhar	5.3	7000	37100	16515	20585	11010	11000
Soybean	7	4600	32200	16489	15711	8332	8500
Groundnut	12	6377	76524	31785	44739	6135	7000
Paddy	30	2203	66090	24254	41836	-	-

*As per package of practices for Kharif Crops, PAU, Ludhiana.

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- b) The relevant facts relating to the diversification of various crops namely maize, cotton, basmati rice with economic viability with suggestions of necessary regulatory and legal amendments were mentioned and described in the demi official letter.
- c) In addition to the paddy diversification initiatives, urgent need has been felt for shared cash incentive to the farmers to reduce stubble burning, ban on procurement of long duration of varieties of rice, direct industry subsidy for large balers, viability grp funding for biomass power in the demi official letter.

A copy of demi official letter no. 3523 dated 8.11.2023 is enclosed herewith as **Annexure-E** for kind perusal.

- 8) That keeping in view the up-ward trend in farm fires post 11.11.2023, the Chief Secretary to Government of Punjab has prevailed upon the Deputy Commissioners and Senior Superintendents of Police of the State that high number of fire incidents on 13 and 14 November, 2023 are totally unacceptable. All the Deputy Commissioners and Senior Superintendents of Police were directed by the Chief Secretary, Punjab vide memo no. CSO/1078-1079 dated 14.11.2023 to accord Top Priority to controlling incidents of stubble burning and ensure that the instance of stubble burning are immediately reduced to ZERO. A copy of memo no. CSO/1078-1079 dated 14.11.2023 is enclosed herewith as **Annexure-F**.
- 9) That the State of Punjab is making sincere endeavor to make the entire state free from stubble burning incidents in the coming years. However, it is stated that the problem of stubble burning which is continuing for the last so many years will gradually decrease and vanish with the collective efforts of the State of Punjab and the Central Government.

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10) That the Status / Action Taken Report is hereby submitted in compliance to order dated 20.10.2023 for kind perusal and consideration of this Hon'ble Tribunal.

Submitted by

Date: 17.11.2023

Place: SASNAGAR (MOHALI)


(Gurindar Singh Majithia)
Member Secretary,
Punjab Pollution Control Board,
Patiala

On behalf of the State of Punjab

**Member Secretary
Punjab Pollution Control Board
PATIALA.**



Office of Chief Secretary
Government of Punjab

To

1. Director General of Police, Punjab
2. All the District Magistrates in the State of Punjab
3. All the Commissioners of Police/Senior Superintendent of Police in the State of Punjab
4. All the Station House Officers in the State of Punjab
(through respective Commissioners of Police/Senior Superintendents of Police)

Memo No. OSD (L)/CS/306
Dated: 7.11.2023

Subject:- Compliance of directions given by Hon'ble Supreme Court of India in Writ Petition (Civil) No. 13029 of 1985 titled as M.C. Mehta Vs Union of India and Ors.

1. In the above mentioned case today Hon'ble Supreme Court directed as below:-

"We direct the State Government of Punjab and for that matter to all other States adjacent to Delhi, which are Haryana, Rajasthan and Uttar Pradesh and some parts of Delhi to ensure that crop burning is stopped forthwith and local SHO is made responsible for it under the overall supervision of the DGP and Chief Secretary for the time being."

Copy of the Order of Hon'ble Supreme Court is enclosed herewith.

2. You are asked to ensure strict compliance of Orders of Hon'ble Supreme Court in true letter and spirit.
3. District Magistrates and CPs/SSPs are directed to jointly hold Review Meeting in this regard DAILY at 6.30 p.m. (because Satellite data is received around 4.30 p.m.). In the meeting, village wise and Station House Officer (SHO) wise situation should be reviewed. If any stubble burning incident is found to have taken place in the jurisdiction of any SHO, prompt disciplinary action be taken against him.
4. This should be treated as MOST IMPORTANT.

Chief Secretary

Member Secretary
Punjab Pollution Control Board
PATIALA

MINUTES OF MEETING ON 'MEASURES TO STOP CROP BURNING FORTHWITH' HELD UNDER THE CHAIRMANSHIP OF DIRECTOR GENERAL OF POLICE, PUNJAB, ON 08-11-2023 AT 12:30 PM THROUGH VIDEO CONFERENCING

A meeting through Video Conferencing was held under the chairmanship of the undersigned on 08-11-2023 at 12:30 PM with all the field officers of Punjab Police on the measures to be taken to stop crop burning. The following officers attended the meeting:

- (i) Special Director General of Police, Intelligence, Punjab
- (ii) Special Director General of Police, Law & Order, Punjab
- (iii) All Range ADGPs/IGPs/DIGs In Punjab
- (iv) All Commissioners of Police In Punjab
- (v) All Senior Superintendents of Police in Punjab
- (vi) All Sub Divisional Police Officers in Punjab
- (vii) All Station House Officers in Punjab
- (viii) Staff Officer to DGP, Punjab

2. All the attendees were apprised about the directions issued by the Hon'ble Supreme Court of India, vide order dated 07-11-2023, in Writ Petition (Civil) No. 13029 of 1985 - M.C. Mehta v/s Union of India and Others, on ensuring that crop burning is stopped forthwith. The undersigned further briefed the attendees on the directions issued by the Chief Secretary, Punjab vide memo no. OSD(L)/CS/306 dated 07-11-2023, and directions issued by this office vide memo no. 3085-3400/PS/DGP/PB and memo no. 3409-3825/PS/DGP/PB, both dated 08-11-2023, for compliance of the orders of the Hon'ble Supreme Court in true letter and spirit.

3. After discussing the issue in detail, and taking suggestions from the attendees, the following instructions were issued regarding measures to be taken to ensure meticulous compliance of the directions of the Hon'ble Supreme Court to stop crop burning forthwith:

- (i) All CPs/SSPs are directed to divide their jurisdictional area into Sectors, to identify 'hot-spots' of crop burning in each Sector, and ensure that patrolling is carried out by SHOs and other Police Station Teams to stop stubble burning. A Gazetted Officer is to be

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Member Secretary
Punjab Pollution Control Board
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deputed as Sector Incharge. A massive campaign on war footing should be immediately carried out to stop crop burning forthwith.

(Action to be taken by all SSPs & CPs)

- (ii) All CPs/SSPs are directed to hold regular meetings with the District Magistrates and Civil Administration on the issue of crop burning, and ensure that the Civil Administration and local police work together as a team for immediately stopping crop burning. They should plan joint field visits in consultation with the DMs.

(Action to be taken by all SSPs & CPs)

- (iii) All CPs/SSPs are directed to engage farmers to inform that stubble burning is in violation of law, and action would be taken against those burning stubble. Farmers should be stopped forthwith from stubble burning.

(Action to be taken by all SSPs & CPs)

- (iv) All CPs/SSPs are directed to conduct analysis of alternate mechanisms available for stubble burning, and coordinate with the Civil Administration to ensure that all the available resources are deployed. The requirement of farmers, especially those with smaller land holdings, should also be communicated to the Civil Administration.

(Action to be taken by all SSPs & CPs)

- (v) All CPs/SSPs are directed to monitor the utilization of Collection Points identified by the Civil Administration, where stubble can be collected after being moved from the fields.

(Action to be taken by all SSPs & CPs)

- (vi) All CPs/SSPs are directed to register FIRs for violation of law.

(Action to be taken by all SSPs & CPs)

- (vii) Special DGP, Law & Order, Punjab, who has been designated as the Nodal Officer for monitoring the action taken against stubble burning, is requested to collect and collate relevant information through tours, meetings, field visits and regular monitoring of action

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 Member Secretary
 Punjab Pollution Control Board
 PATIALA.

being undertaken by field units, to ensure meticulous compliance of the directions of the Hon'ble Supreme Court and Instructions Issued in this regard, and to ensure that crop burning is stopped through continuous monitoring, persuasion of the farmers, facilitating the utilization of alternate means of stubble disposal, and legal action for violation of law.

(Action to be taken by Special DGP, Law & Order)

4. All concerned are directed for meticulous compliance.


Director General of Police
Punjab

No. 3834-82/PS/DGP/PB dated Chandigarh the 08-11-2023

A copy of the above is forwarded to the following for necessary action please:

1. The Special Director General of Police, Intelligence, Punjab
2. The Special Director General of Police, Law & Order, Punjab
3. All Range ADGPs/IGPs/DIGs in Punjab
4. All Commissioners of Police in Punjab
5. All Senior Superintendents of Police in Punjab
6. Sh. Deepak Pareek, IPS, Staff Officer to DGP Punjab


Member Secretary
Punjab Pollution Control Board
PATIALA.

OFFICE OF DIRECTOR GENERAL OF POLICE, PUNJAB

To

1. The Special DGP, Intellgence, Punjab
2. The Special DGP, Law & Order, Punjab
3. All Range ADGPs/IGPs/DIGs In Punjab
4. All Commisloners of Pollice In Punjab
5. All Senior Superintendents of Pollice In Punjab
6. All Sub Divisional Police Officers In Punjab
7. All Station House Officers In Punjab

No. 3085-3400/PS/DGP/PB dated Chandigarh the 08-11-2023

Subject: Compliance of directions given by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 13029 of 1985 – M.C. Mehta v/s Union of India and Others

Memo

The Hon'ble Supreme Court of India vide order dated 07-11-2023 in the above-mentioned Writ Petition, copy enclosed herewith has issued the following directions:

"We direct the State Government of Punjab and for that matter to all other states adjacent to Delhi, which are Haryana, Rajasthan and Uttar Pradesh and some parts of Delhi to ensure that crop burning is stopped forthwith and local SHO is made responsible for it under the overall supervision of the DGP and Chief Secretary for the time being"

2. You are directed to ensure strict compliance of orders of Hon'ble Supreme Court of India in letter and spirit.
3. Chief Secretary, Punjab vide memo no. OSD(L)/CS/306 dated 07-11-2023 has issued directions for strict compliance of orders of Hon'ble Supreme Court in true letter and spirit.
4. The following measures be taken immediately :
 - (I) Dally meetings of SSPs and CPs with District Magistrates at 6.30 pm as directed by the Chief Secretary.
 - (II) SHOs should personally patrol in their jurisdictions and take steps to immediately stop crop burning. Depending on the area and size of the Police Station, sufficient number of additional patrolling parties should be immediately activated.
 - (III) Already District Maglstrates have constituted Cluster Teams for moving in the area. Patrollings to be conducted by the SHOs and other Police


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Station teams should be coordinated with the movement of Cluster Teams and other patrolling being done by the Civil Administration.

- (iv) Civil Administration and local police should work together as a team for forthwith stopping stubble burning.
- (v) SSPs and CPs are directed to divide the districts into Sectors and depute a Gazetted Officer as incharge of the Sector. The Sector Officer should be out in the area supervising the patrolling being done by the SHOs and other Police Station teams to ensure stopping of stubble burning.
- (vi) SSPs should request the District Magistrates for joint field visits to be conducted by the DM and the SSP for overall supervision.
- (vii) FIRs be registered for violation of law.
- (viii) Farmers should be engaged and informed that stubble burning is violative of law and action would be taken against them.
- (ix) The alternate mechanisms available for stubble burning should be fully utilized. SSPs should conduct analysis of resources available and in coordination with the Civil Administration ensure that all available resources are deployed.
- (x) Collection points where stubble can be collected after being moved from the fields have already been earmarked by the Civil Administration. These should be utilized optimally.
- (xi) Liaison and coordination be maintained with the Fire Department for deployment of fire tenders, wherever required.
- (xii) Engagement with citizens and various stakeholders should be done for apprising about the negative effects of stubble burning and the fact that it is illegal and violative of law so that collective societal opinion is built-up against stubble burning.

5. The above measures are illustrative in nature. The efforts made by the Police and the Civil Administration should not remain confined to these but whatever mechanism is effective in forthwith stopping of stubble burning in ensuring compliance of directions of the Hon'ble Supreme Court should be utilized with immediate effect.


Member Secretary
Punjab Pollution Control Board
PATIALA.


Director General of Police,
Punjab

OFFICE OF DIRECTOR GENERAL OF POLICE, PUNJAB

To

1. The Special DGP, Intelligence, Punjab
2. The Special DGP, Law & Order, Punjab
3. All Range ADGPs/IGPs/DIGs In Punjab
4. All Commissioners of Police In Punjab
5. All Senior Superintendents of Police In Punjab
6. All Sub Divisional Police Officers In Punjab
7. All Station House Officers In Punjab

No. 3409-3885/PS/DGP/PB dated Chandigarh the 08-11-2023

Subject: Compliance of directions given by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 13029 of 1985 - M.C. Mehta v/s Union of India and Others - Designation of Police Nodal Officer for monitoring action against Stubble Burning

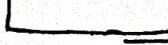
Memo

The Hon'ble Supreme Court of India vide order dated 07-11-2023 in the above-mentioned Writ Petition, copy enclosed herewith has issued the following directions:

"We direct the State Government of Punjab and for that matter to all other states adjacent to Delhi, which are Haryana, Rajasthan and Uttar Pradesh and some parts of Delhi to ensure that crop burning is stopped forthwith and local SHO is made responsible for it under the overall supervision of the DGP and Chief Secretary for the time being"

2. Vide Chief Secretary's Memo No. OSD(L)/CS/306 dated 7-11-2023 and DGP Memo No. 3085-3400/PS/DGP/PB dated 08-11-2023 directions have been issued for ensuring strict compliance of orders of Hon'ble Supreme Court of India in letter and spirit.
3. Special DGP, Law & Order, Punjab is hereby designated as the Police Nodal Officer for monitoring action against stubble burning. He shall monitor the action being taken by the SHOs, Sub Divisional DSPs, other Gazetted Officers, SSPs and CPs, and, the Range ADGPs/IGPs/DIGs for ensuring the compliance of orders of Hon'ble Supreme Court in letter and spirit by forthwith stopping of stubble burning in the State of Punjab.
4. The Police Nodal Officer shall issue suitable directions, hold meetings, conduct tours, and collect & collate relevant information and put-up to the undersigned and the Chief Secretary so that monitoring of the actions being undertaken by the Police to ensure compliance of the directions of the Hon'ble Supreme Court is done in an effective manner.


Member Secretary
Punjab Pollution Control Board
PATIALA.


Director General of Police,
Punjab

Director General of Police
Punjab Chandigarh

ਕੇ ਏ ਪੀ ਸਿਨਹਾ, ਆਈ.ਏ.ਐਸ.
K A P Sinha, IAS



D.O. No. Secy./SCS(Agrm.)/3523

Dated, Chandigarh the 02/11/2023

Special Chief Secretary to Govt. of
Punjab, Department of Agriculture
and Farmers Welfare

ਵਿਸ਼ੇਸ਼ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ,
ਖੇਤੀਬਾੜੀ ਅਤੇ ਕਿਸਾਨ ਭਲਾਈ ਵਿਭਾਗ

Subject: Comprehensive action plan to address stubble burning in Punjab.

Dear Sir

As per the directions of the Honorable Supreme Court of India dated 7th November, 2023, Govt. of Punjab has put together a comprehensive plan to address stubble burning both in the short-term as well as in the long-term through paddy diversification. In that regard, I am presenting here below submissions seeking support from Govt. of India.

In the short run, we have put in position a robust enforcement mechanism, directing all the District Magistrates and the Senior Supdts. of Police in the State to implement the orders of the Hon'ble Supreme Court of India on enforcement measures in its true letter and spirits. (Copy enclosed as Annexure 'A' for ready reference.)

For the long term sustainable measures, I would submit that the area under paddy has been continuing to increase steadily and has reached 78 lakh acres during the current year in Punjab. Paddy cultivation severely depletes groundwater, is responsible for significant methane (greenhouse gas) emissions, damages soil health, reduces biodiversity, and causes severe environmental pollution through incidents like stubble burning. Several expert committees at Center and State levels have recommended immediate paddy diversification for many decades now. However, most efforts have not been successful due to high productivity, assured procurement and higher returns from paddy than the alternative crops during the kharif season.

Today, we feel, there is a unique opportunity for both Govt of India and Govt of Punjab to collaborate and create a new paradigm for

JK
Member Secretary
Punjab Pollution Control Board
PATIALA.

agriculture in the country where crops can be grown according to the changing nutritional and economic needs of the country. This can be possible by making returns from alternative crops like cotton, maize, basmati rice, agroforestry, horticulture etc. attractive enough for the farmers to enable them shift to such crops smoothly.

Table 1. Estimates of prices for alternative crops to the paddy in Punjab

Crop	Yield* (q/acre)	MSP / Av. Market price (Rs/q)	Gross returns (Rs/acre)	Total costs (Rs/acre)	Net returns (Rs/acre)	Price to be at par with paddy/ wheat (Rs/q)	Price required to shift from paddy (Rs/q)
Maize	23	2090	48070	20943	27127	2730	3000
Cotton	10.5	6620	69510	29323	40187	6777	10000
Basmati	16	3700	59200	21173	38027	3938	4500
Moong	4.5	8558	38511	13045	25466	12196	12500
Mash	3.6	6950	25020	14572	10448	15669	16000
Arhar	5.3	7000	37100	16515	20585	11010	11000
Soybean	7	4600	32200	16489	15711	8332	8500
Groundnut	12	6377	76524	31785	44739	6135	7000
Paddy	30	2203	66090	24254	41836	-	-

* As per Package of Practices for Kharif Crops, PAU, Ludhiana

Further in order to enable comprehensive paddy diversification in Punjab, we request the following

- 1) MSP-based assured procurement for a range of kharif crops provided above as in Table 1. If, there is assured public procurement at adequate MSP, the farmers in Punjab would be more than willing to grow any crop in the kharif season. Different parts of Punjab have


 Member Secretary
 Punjab Pollution Control Board
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different agro-climatic conditions and therefore a different set of target crops can replace paddy in each area.

We also request for your specific attention to maize, cotton, basmati rice which are crops where the state government has already made several efforts to promote:

2) **Diversification to Maize** - Maize is a water and environment friendly crop and has high potential to be used by the existing ethanol industry in the state. Various distilleries in Punjab have already expressed their interest in shifting to maize if it is made available at an economical price. This is also synergistic with Govt of India's strategic aims and presents an ideal opportunity for paddy diversification. In order to enable the same, we would request to:

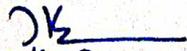
- a. Increase ethanol ex-mill prices from maize feedstock or reduce ex-mill prices from rice: Currently, declared prices are @ ₹66/litre (from maize) and @ ₹64/litre from damaged rice. Prices from FCI rice were Rs 2/litre higher than maize but has been currently temporarily suspended. In order to incentivize maize, ex-mill prices for maize based ethanol may be further increased and that from rice may be decreased
- b. MSP-based procurement of maize and provision to the ethanol industry. Until recently, Govt of India has been procuring rice at an effective economic cost of almost Rs 35-40/kg and FCI was supplying this rice to ethanol distilleries at ~Rs 20/kg. Procurement (at MSP) and delivery of maize (at Rs 2000/q) to distilleries by contrast has the potential to save ~1600 Cr for Govt. of India
- c. Increase in MSP of Maize: To make this crop a viable proposition in Punjab, its MSP needs to be increased as shown in Table 1.
- d. Govt. of Punjab may inturn commit to taking various actions such as investing in dryer infrastructure, pneumatic planters etc.


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reducing water-guzzling spring maize, managing local procurement operations, increasing farmer income through carbon credits, and coordinating between various ethanol distilleries in the state.

3) **Diversification to Cotton:** Govt. of Punjab has already taken several steps in 2023 to promote cotton cultivation in the state (timely availability of water, deployment of Kisan Mitras, seed subsidy, destruction of cotton stalks, reduction of moong cultivation in cotton areas etc.) which has resulted in higher yields this year than neighbouring states. However, there is much more to be done to arrest the overall decline in cotton cultivation. We thus, would like to add the following:-

- a. Keeping in view the risks involved of insect-pests, diseases and sensitivity to environmental vagaries, the MSP of cotton may be increased as shown in Table 1. Further procurement should be assured with early entry of Cotton Corporation of India below a threshold level
- b. An advisory from CICR or Govt. of India on deployment of Mating Disruption Technique technologies will help provide protection from pink bollworm for farmers. Currently, the technology is available only from a single vendor which makes procurement difficult
- c. Make necessary regulatory and legal amendments to bring in latest seed technologies (such as BG III and BG IV) into Punjab: Before the release of Bt cotton in Punjab, insecticide use increased from 1280 MT (technical grade) in 1980-81 to 3800 MT in 2001-02 to control American Bollworm. Following the approval of Bt Cotton in 2005, consumption of insecticides came down to 2495 MT in the state in the first year itself. Subsequently, Bollgard II was approved during 2007 and as a result, the productivity of cotton remained above 700 kg lint/ha


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for many years in the state. However, during 2020 pink bollworm developed resistance against Cry proteins and became devastating on large area during 2022 and 2023. Presently, pink bollworm is being managed with heavy insecticide usage, which has severe environmental, health and effectiveness issues. Further, yields are steadily reducing leading to widespread damage to farmers as well as loss of jobs in the textile industry. The rest of the world has moved on to improved technologies but India is left behind. In order to save cotton cultivation, available transgenic technologies like Bollgard III and Bollgard IV or any other transgenic that impart resistance to the pink bollworm should be tested and if found suitable, should be released for cultivation after regulatory approvals at the earliest. We strongly urge upon to consider necessary legal and regulatory approvals to bring in the latest cotton seed technologies to India, especially since 98% of farmers are already buying hybrid seeds every year. This will increase farmer income by Rs 10,000/acre immediately (by way of reduced costs), raise yields in long term (leading to manifold profits), save cotton, reduce paddy, reduce environmental and health impacts (through reduced insecticide usage), and create tens of thousands of jobs through the textile industry.

4) **Diversification to Basmati Rice:**

- a. We also strongly urge for removal of all Minimum Export Price norms on Basmati price, as Basmati rice is a unique export from India and price restrictions have artificially reduced exports, hurting the profits of farmers and reducing foreign exchange for the country. While Basmati rice has been steadily rising in Punjab and has hit ~6 LH this year.
- b. We also request for engaging with our diplomatic missions abroad to support development of new markets for Basmati exports – especially Canada, USA, South Africa, Central Asia etc.


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In addition to paddy diversification initiatives as indicated above, there is also an urgent need to address the immediate impact of stubble burning. In that regard:

1. **Shared Cash Incentive to Reduce Stubble Burning** – As directed by the Honourable Supreme Court, a cash incentive of ~Rs 2500/acre may be provided to farmers. This will potentially cost ~2000 Cr. If Govt. of India were to bear 50% of the burden and it is assumed that 75% of farmers will avail of it, expected burden for Govt of India is ~Rs 750 Cr. This can be further reduced based on acreage limits and other criteria. Govt. of Punjab is committed for strong implementation of the proposed incentive with automated satellite-based verification of burning.
2. **Ban procurement of Long-Duration varieties of rice (>110 days):** As you are already aware, Govt. of Punjab has already banned long-duration varieties of rice. These varieties are extremely dangerous as they have a much higher straw load (and groundwater consumption), are not easily dealt with by CRM machines, have a shorter time window, and are responsible for a majority of the pollution during the critical period in late Oct and early Nov. We request that Govt. of India may consider helping us to enforce the ban by banning *procurement* of long-duration varieties by FCI or reducing MSP for those varieties by Rs 100-200/quintal.
3. **Extend direct industry subsidy for large balers**– We thank you and the Ministry of Agriculture, Govt. of India for the CRM subsidy scheme. As of date, Punjab has distributed 1608 small balers and only 12 big balers under the scheme. As you are aware, Punjab has 20 MMT of paddy straw and ~1608 small balers can bale ~2-2.5 MMT in a season. In the long run, it is essential to both increase ex-situ demand as well as ensure *efficient aggregation* in the short time-window between rice harvest and wheat sowing. Therefore, it is essential to deploy larger balers that can cover up to ~100 acres per day. Govt. of India may consider extending the large baler subsidy directly to ex-situ industries registered by PEDAA/appropriate authority to enable this.


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4. **Viability Gap Funding for Biomass Power** – Biomass power is one of the prominent ex-situ uses of paddy straw. 100 MW of power generation can consume ~1 MMT of paddy straw. Punjab already has 11 such functioning plants in the same. However, the tariffs of biomass power are very high (in the range of ~Rs 7.5/kwh). Hence, further extension of biomass power will require a Viability Gap Funding of Rs ~175 Cr per year (for 100 MW). Considering the employment and environmental benefits, we further request you to consider sharing the VGF with Govt of Punjab in a 50-50 ratio.

5. On the issue of the Punjab Preservation of Sub Soil Act, 2009, it is added that primary objective of this Act has been to preserve the sub soil water by delaying the transplanting of rice. However, in view of the Hon'ble Supreme Court order, the State Govt. shall appropriately review it to ensure that it does not exacerbate the stubble burning problem.

I am extremely hopeful of favorable consideration of our well thought proposal as indicate above, in the Ministry.

With warm personal regards.

Yours sincerely,



(K A P Sinha)

Sh. Manoj Ahuja, IAS
Secretary to Govt. of India,
Ministry of Agriculture and Farmers Welfare,
New Delhi.


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**Government of Punjab
Office of Chief Secretary, Punjab**

To

- (i). All the Deputy Commissioners in the State of Punjab
- (ii). All the Senior Superintendents of Police in the State of Punjab

Memo No: CSO/1078-1079 Dated: Chandigarh 14th November, 2023

Sub: Compliance of Orders dated 7-11-2023 and 10-11-2023 of Hon'ble Supreme Court in Writ Petition (C) No. 13029 of 1985 titled as M.C. Mehta v/s Union of India and ors.

- 1. As you are aware, in the above mentioned case, Hon'ble Supreme Court has taken a very serious view of the stubble burning incidents taking place in Punjab.
- 2. Last week there was a downward trend in the number of fire incidents. However, during last 3-4 days there has been an upward trend in farm fires as is shown by the table below:

Date	Nov 11, 2023	Nov 12, 2023	Nov 13, 2023	Nov 14, 2023
No. of farm fire incidents	104	987	1624	1776

- 3. High number of fire incidents on 13th and 14th November 2023 are totally unacceptable.
- 4. You are again directed to accord Top Priority to controlling incidents of stubble burning and ensure that the instance of stubble burning are immediately reduced to ZERO.

Chief Secretary, Punjab

Endst. No: CSO/1080

Dated: Chandigarh 14th November, 2023

Copy of the above is forwarded to Director General of Police, Punjab for information and necessary action.

Chief Secretary, Punjab

**Member Secretary
Punjab Pollution Control Board
PATIALA.**