

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****Appeal No. 40/2024****(IA NO 544/2024, IA NO 536/2024)****IN THE MATTER OF****Panjab Dyers Association Tajpur Road Ludhiana****Appellant****Versus****Punjab Pollution Control Board & Ors.****Respondents****INDEX**

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Through

**RICHA KAPOOR
ADVOCATE****Delhi High Court
Lawyers block-I, Chamber No. 407,
New Delhi-110003**

DATED: 24.12.2024

NEW DELHI

Fw: Directions under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 to Punjab Pollution Control Board - reg.

From: Zonal Office-2, Ludhiana (seezo2ldhppcb@yahoo.com)

To: ppcbzo3@yahoo.com; eero4ldh@gmail.com

Date: Wednesday 14 August, 2024 at 04:42 pm IST

Regards

Senior Environmental Engineer,
Zonal Office-II,
Punjab Pollution Control Board, Ludhiana.

----- Forwarded Message -----

From: Pardeep Gupta <ceeludhiana@yahoo.com>

To: zo1ldh <ppcbzo1ldh@gmail.com>; R. K Ratra SEE <seezo2ldhppcb@yahoo.com>

Sent: Wednesday, August 14, 2024 at 04:33:16 PM GMT+5:30

Subject: Fw: Directions under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 to Punjab Pollution Control Board - reg.

MOST URGENT

Regards

Chief Environmental Engineer
Punjab Pollution Control Board
Ludhiana

----- Forwarded message -----

From: Member Secretary PPCB <msppcb@punjab.gov.in>

To: CEELDH <ceeludhiana@yahoo.com>

Cc: msppcb <msppcb@gmail.com>

Sent: Wednesday 14 August, 2024 at 04:25:03 pm IST

Subject: Fwd: Directions under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 to Punjab Pollution Control Board - reg.

From: "IPC VII Division CPCB" <ipc7.cpcb@gov.in>

To: "Member Secretary PPCB" <msppcb@punjab.gov.in>

Cc: "AP VIG" <chairman.ptl.ppcb@punjab.gov.in>, chairmanppcb@yahoo.co.in, "Narender Sharma" <narendersharma.cpcb@gov.in>, "CPCB IPC VI DIV" <ipc6.cpcb@gov.in>, "Vinod Babu Bommathula" <bvbabu.cpcb@nic.in>, "WQM Division, CPCB" <wqm1.cpcb@gov.in>, "P. K. Gupta" <pkgupta.cpcb@nic.in>, "AMIT THAKKAR" <amitthakkar.cpcb@nic.in>, "Ms Chitrakshi" <chitrakshi.cpcb@gov.in>, "Gokul Kannan T" <gokulkannan.cpcb@gov.in>

Sent: Wednesday, August 14, 2024 12:29:11 PM


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

Subject: Directions under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 to Punjab Pollution Control Board - reg.

Sir/Madam,

This has the reference to the Directions under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 issued to Punjab Pollution Control Board regarding non-compliance status of four CETPs namely,


- 1. 40 MLD CETP- near Central Jail, Tajpur Road (Focal Point Module), Ludhiana, Punjab.**
- 2. 50 MLD CETP Tajpur-Rahon Road Cluster, Ludhiana, near Central Jail, Tajpur Road, Ludhiana, Punjab.**
- 3. 15 MLD CETP- Bahadurke Road, Ludhiana, Punjab.**
- 4. 500 KLD CETP, Plot No. D-260-261, Phase-VIII, Focal Point, Ludhiana, Punjab.**

Kindly see the attached file.

With Regards,
IPC - VII Division
Central Pollution Control Board
Delhi.



Directions to PPCB.PDF
3MB


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

Speed Post

CPCB/IPC-VII/CETP-Ludhiana/3471

Dated: 12.08.2024

To

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

Subject: Directions under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 regarding non-compliance status of four CETPs namely A. 40 MLD CETP- near Central Jail, Tajpur Road (Focal Point Module), Ludhiana, Punjab, B. 50 MLD CETP Tajpur-Rabon Road Cluster, Ludhiana, near Central Jail, Tajpur Road, Ludhiana, Punjab, C. 15 MLD CETP- Bahadurke Road, Ludhiana, Punjab and D. 500 KLD CETP, Plot No. D-260-261, Phase-VB1, Focal Point, Ludhiana, Punjab.

WHEREAS, amongst others, under Section 17 of the Water (Prevention & Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB), (or Pollution Control Committee for Union Territories) constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams and wells located in the State and to secure the execution therefore; and

WHEREAS, amongst others, under Section 16 of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to coordinate activities of the State Pollution Control Boards and Pollution Control Committees and to provide technical assistance and guidance to SPCBs/PCCs; and

WHEREAS, amongst others, under Section 16 of the Water (Prevention & Control of Pollution) Act, 1974, one of the functions of the Central Pollution Control Board (CPCB), is to promote cleanliness of streams and wells in different areas of the State; and

WHEREAS, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries, Common Effluent Treatment Plants (CETPs) and Sewage Treatment Plants (STPs) under the Environment (Protection) Act, 1986 and the rules framed there under; and

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

o/c

दिनांक 12/08/24

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.in


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

WHEREAS, there is a need to inculcate the habit of self-monitoring within the CETPs for complying with the prescribed standards and this can be achieved by installing Online Continuous Effluent Monitoring System (OCEMS); and

WHEREAS, four CETPs namely (i) CETP - 40 MLD near Central Jail, Tajpur Road (Focal Point Module), Ludhiana, Punjab, (ii) CETP - 50 MLD Tajpur-Rahon Road Cluster, Ludhiana, near Central Jail, Tajpur Road, Ludhiana, Punjab, (iii) CETP - 15 MLD Bahadurke Road, Ludhiana, Punjab and (iv) CETP - 500 MLD CETP, Plot No. D-260-261, Phase-VIII, Focal Point, Ludhiana, Punjab were inspected by CPCB officials along with officials of Punjab PCB during 22.04.2024 and 23.04.2024 based on the communication of the Central Monitoring Committee (CMC) with CPCB. Following major observations were made:

A. CETP - 40 MLD, near Central Jail, Tajpur Road (Focal Point Module), Ludhiana, Punjab (herein after referred as CETP):

- I. During the visit on 22.04.2024, the CETP was found operational with the flow rate of 29 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 Budha Nallah (which meets River Sutlej) through underground pipeline from CETP. However, as per the Environmental Clearance (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 Budha Nallah".
- II. The consent under the Air Act, 1981 is valid upto 29.12.2024 and the Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 is valid upto 19.12.2024 for the operation of 40 MLD CETP. However, the consent under the Water Act, 1974 was valid till 15.05.2023. The CETP has applied for renewal of consent to PPCB on 07.09.2023.
- III. It was reported that 72 Dyeing and Printing units have obtained membership from CETP. It was also informed by the CETP operator that inlet norms for CETP is not prescribed in the consent.
- IV. Grab samples were collected from the CETP during monitoring. The analysis result of samples collected from CETP outlet reveals that BOD:54 mg/l (Standard: 30 mg/l), COD:262 mg/l (Standard:250 mg/l), Chloride:2284 mg/l (Standard: 1000 mg/l) and Sulphide:2.4 mg/L (Standard: 2 mg/l) exceeds the notified effluent discharge standards for CETP. Remaining monitored parameters are within the prescribed standards.


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

- V. Grab sample were also collected from the Sequential Batch Reactor (SBR) tank for MLSS & MLVSS. The analysis result reveals that the concentration of MLSS: 4661 mg/l (Designed range: 5000-7000 mg/l) and concentration of MLVSS: 3000 mg/l (Designed range: 3500-4200 mg/l) are less than the designed range, which indicates the poor operation of the SBR.
- VI. 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.
- VII. The CETP has provided sludge storage facility and obtained membership from M/s Re-sustainability Limited (M/s Ramky Enviro Engineers Limited). The CETP had disposed 3517.235 MT sludge (as per the log book records) during the year 2023-24.

B. CETP - 50 MLD, Tajpur-Rahon Road Cluster, Ludhiana, near Central Jail, Tajpur Road, Ludhiana, Punjab.


- I. 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 that as per the consent, the CETP is permitted to discharge the treated effluent into Budha 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 Budha Nallah*".
- II. 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 applied for renewal of consent and authorization to PPCB on 31.08.2023.
- III. It was reported that 110 Dyeing and Printing units have obtained membership from CETP. It was also informed by the CETP operator that inlet norms for CETP is not prescribed in the consent.
- IV. 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.

- V. 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.
- VI. 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.
- VII. 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 TSD and further, as per log book records, about 173 MT was stored in the premises.

C. CETP - 15 MLD CETP- Bahadurke Road, Ludhiana, Punjab.

- I. 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 Budha 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.
- II. 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.
- III. It was reported that 36 Dyeing/Printing/washing units have obtained membership from CETP and connected to the CETP at the time of visit. It was also informed by the CETP operator that inlet norms for CETP is not prescribed in the consent.


 Environmental Engineer
 Punjab Pollution Control Board
 Regional Office-III, Ludhiana

- IV. 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 are within the prescribed standards.
- V. 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.
- VI. 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.
- VII. 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.
- D. CETP - 500 KLD CETP, Plot No. D-260-261, Phase-VIII, Focal Point, Ludhiana, Punjab.**
- I. During the visit on 23.04.2024, the CETP was found operational with the flow rate of 450 KLD. It is informed that the CETP receives effluent through dedicated tankers from member units through vehicles (56 in number) equipped with GPS system for carrying effluent. The CETP comprised of physico-chemical process followed by filtration, two stage Reverse Osmosis (RO) followed by evaporator to achieve ZLD as per the consent and EC condition.
- II. The Air consent is valid upto 30.06.2028 and the Water consent is valid upto 30.06.2027 for the operation of 500 KLD CETP. However, the Authorization under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 was valid till 16.06.2021. It was informed that the CETP has applied for renewal of authorization to PPCB on 01.10.2021.
- III. It was reported that 1613 Electroplating industries / Metal Surface Treatment units have obtained membership from CETP and connected to the CETP at the time of

visit. It was also informed by the CETP operator that inlet norms for CETP is not prescribed in the consent.

- IV. On the day of visit, it was observed that the flow meters are installed at RO Feed, RO Reject, Evaporators Vessels feed and Evaporator concentrate. It was reported that the CETP have not installed differential pressure gauge system at Cation-Anion and Carbon filter systems which can be used to indicate the choking/scaling of filtration system.
- V. During the visit, grab samples were collected from the RO outlet of CETP. The analysis result reveals that treated effluent is complying with the notified discharge standards. Discharge of effluent from the CETP premises was not observed during visit. It is reported that treated effluent (RO Permeate and Condensate) is used for cooling tower makeup water, plantation, gardening, watering to MC parks, DC office, NH-95, construction work. The CETP has also made agreement with M/s Vardhman Special Steels Limited C-58, Focal point Phase-3, Ludhiana, to take 100 KLD treated effluent through tankers for using in different purpose as per requirement. Furthermore, the CETP operator has maintained the records of the treated effluent taken by the users for gardening, construction activities & industrial use and others. The CETP has established an Environmental laboratory.
- VI. The CETP has installed OCEMS (Electromagnetic flow meter, PTZ camera) at the final outlet / RO permeate which is connected to CPCB/PPCB portal in compliance of CPCB directions.
- VII. The CETP has installed 05 KLD STP with Moving Bed Biofilm Reactor (MBBR) for treatment of domestic wastewater.

AND, NOW, THEREFORE, in exercise of powers conferred under section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention and control of pollution) Act, 1981, Punjab Pollution Control Board (PPCB) is hereby directed to take appropriate action including imposing environmental compensation and to ensure that CETPs are 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 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.



 Environmental Engineer
 Punjab Pollution Control Board
 Regional Office-III, Ludhiana

- 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:

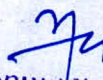
- a. To prescribe disposal condition to respective CETPs in accordance with the Environmental clearance by MoEF&CC dated 03.05.2013 and 08.12.2014.
- b. To prescribe the inlet standard for CETP in accordance to the CETP notification dated 01.01.2016.
- c. To regularly undertake verification of member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

The action taken by PPCB be intimated to CPCB within 15 days of receipt of these directions.


(Bharat Kumar Sharma)
Member Secretary

Copy to:

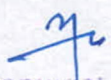
1. **The Chairman** : for information, please.
Punjab Pollution Control Board
Vatavaran Bhawan, Nabha Road
Patiala Punjab
2. **The Additional Secretary (CP Division)** : for information, please.
Ministry of Environment, Forests & Climate
Change,
Prithvi Wing, 2nd Floor, Indira Paryavaran
Bhawan, Jor Bagh Road,
New Delhi-110 003.

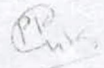

Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

3. **The Regional Director (Chandigarh)** : for follow-up, please.
Central Pollution Control Board
BSNL Telephone Exchange, 2nd Floor
Sector - 49C, Chandigarh - 160047
4. **Divisional Head, WQM-I,** : for information, please.
CPCB, Delhi
5. **Divisional Head, IPC-VI,** : for information, please.
CPCB, Delhi
6. **Divisional Head, IT** : for uploading on CPCB
CPCB, Delhi website, please.



(Bharat Kumar Sharma)


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana



o/c



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



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

E-mail: seezo2idhppcb@yahoo.com

Ph.No. 0161-2670141

No. PPCB/SEE/ZO-2/LDH/2024/5795

Regd.

Dated 25/09/24

To

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

Sub: **Proceedings of the personal hearing given by Chairman of the Board on 18.09.2024 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

Fr. G.S. Majithia, Member Secretary

Fr. Pardeep Gupta, CEE, Ludhiana

Fr. Kuldeep Singh, SEE, ZO-2, Ludhiana

Fr. Nikhil Gupta, EE, ZO-2, Ludhiana

On behalf of SPV

Sh. Vivek Jindal, Director

Sh. G.P. Singh, Director

Sh. I.K. Kapila, Advocate, Hon'ble Supreme Court of India

Environmental Engineer, Zonal Office-2, Ludhiana brought out that 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.

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.

The SPV was granted consent to operate under Water (Prevention & Control of Pollution) Act, 1974, vide no. CTOW/Fresn/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.


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

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.

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.


 Environmental Engineer
 Punjab Pollution Control Board
 Regional Office-III, Ludhiana

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

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 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.

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.

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).

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 OCEMS 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.

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.

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


 Environmental Engineer
 Punjab Pollution Control Board
 Regional Office-III, Ludhiana

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 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 50 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 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.

Apart from the issuance of directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 to the SPV of 50 MLD CETP as mentioned above, the concerned Environmental Engineer of Regional Office-3, 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 Buddha 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 process the consent application of the SPV pending with the Board, immediately on merits.
- c. 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. 5796

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

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. 5797

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 & necessary action.

For and on behalf of
Punjab Pollution Control Board

Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, 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/2024/5349

Regd.

Dated ..29/08/24.

To

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

Subject: Notice to issue 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 for treatment of waste water from the cluster of textiles dyeing industries located at Tajpur Road in Ludhiana.

And whereas, it is mandatory on the part of SPV to install proper and adequate pollution control devices so as to ensure that the concentration of various pollutants in effluent being discharged by CETP, conforms to the effluent standards as prescribed by the Board.

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 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 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 45 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. During visit it was informed to the team that 110 Dyeing and Printing units have obtained membership from CETP.
4. Further, 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.

Environmental Engineer
Punjab Pollution Control Board
Regional Office-II, Ludhiana

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, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 to the SPV with an opportunity of personal hearing before the Chairman of the Board and it has been proposed to issue the directions which may include taking legal action against the responsible persons of the SPV, to impose the appropriate Environmental Compensation based on polluter pays principle and to adopt the appropriate disposal as mandated in the Environmental Clearance issued vide letter dated 03.05.2013.

As such, you are, hereby, given an opportunity to file objections, if any, on the proposed actions before the Chairman of the Board on 13.09.2024 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.

Kishan 29/8/24
For and on behalf of

Chairman, Punjab Pollution Control Board

Endst. No. _____

Dated _____

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.

sd
For and on behalf of
Chairman, Punjab Pollution Control Board

3
Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, F-618-B, Back Side CICU Office, Phase-5, Focal Point, Ludhiana
E-mail: scezo2ldhppcb@yahoo.com

Ph No. 0161-2670141

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

Regd.

Dated

To

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

ਸੇਵਾ ਵਿਖੇ ਮੁਹੱਬਤ ਕਰਕੇ/ਮੁੱਖ ਮਿਸ਼ਨ ਵਿੱਚ
ਨਵੀਂ ਡਾਕ ਚੁੱਕਾ ਦਿੱਤੀ
ਵਾਤਾ ਵਿੱਚ
ਮਿਤੀ ਨ 22.09 ਮਿਤੀ 17/09/24

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

Reference: Board's letter no. 5349 dated 29.08.2024.

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 was issued to the SPV with an opportunity of personal hearing before Chairman of the Board on 13.09.2024, however, the same has been postponed due to some administrative reasons and now re-scheduled to be held on 18.09.2024.

As such, you are, hereby, given an opportunity to file objections, if any, on the proposed actions before the Chairman of the Board on 18.09.2024 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.

SAK
For and on behalf of
Chairman, Punjab Pollution Control Board

Endst. No. 5642

Dated 12/09/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information & to inform the SPV through e-mail and telephonically / whatsapp (and keep a receipt) regarding date and time of personal hearing and ensure the presence of representative of the SPV during the hearing.

For and on behalf of
Chairman, Punjab Pollution Control Board

Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, 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/2024/5805

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:


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

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 OCEMS 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 OCEMS 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


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

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

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


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

(380)



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, I-618-B, Back Side CICU Office, Phase-5, Local Point, Ludhiana
E-mail: seezo2ldhppcb@yahoo.com

Ph No: 0161 2670111

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

Regd.

Dated

To

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

ਮਹਾਂਸ਼ਰ ਸਰ/ਸਮ ਕਲਰਕ/ਡੀ. ਓ. ਓ/ਸਰ ਵਾਤਾ ਵਿੱਚ
ਨਵੀ ਡਾਕ ਜੀ. ਵਾਤਾ ਵਿੱਚ
ਵਾਤਾ ਵਿੱਚ
ਤਾਇਰੀ ਨੰ 22.10/24 ਮਿਤੀ 22/10/24

Subject: Notice to issue 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 for treatment of waste water from the cluster of textiles dyeing industries located at Tajpur Road in Ludhiana.

And whereas, it is mandatory on the part of SPV to install proper and adequate pollution control devices so as to ensure that the concentration of various pollutants in effluent being discharged by CETP, conforms to the effluent standards as prescribed by the Board.

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 22.04.2024. 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 consent 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. During visit it was informed to the team that 110 Dyeing and Printing units have obtained membership from CETP.
4. Further, 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.

Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

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.

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 TSDI and further, as per log book records, about 173 MT was stored in the premises.

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

And whereas, 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 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.

And whereas, Punjab Pollution Control Board was directed by the 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/EIP 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), 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 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, 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. 5805 dated 25.09.2024.

And whereas, the SPV was again directed by the Regional Office of the Board to comply with above said directions of the Competent Authority of the Board. Also, a copy of the above said directions was delivered to the SPV through special messenger. However, as reported by the Regional Office-3, Ludhiana of the Board the SPV is not complying with the directions issued to it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and is discharging its effluent into Buddha Nallah. Thus, the SPV is violating the conditions of the Environmental Clearance granted by the Ministry of Environment, Forest and Climate change dated 03.05.2013 and directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 to the SPV with an opportunity of personal hearing before the Chairman of the Board and it has been proposed to issue the directions which may include closure of the operations of the CETP, issuing directions to the member units of the CETP to close down their operations, imposition of EC due to damage caused to the environment and taking legal action against the responsible persons of the SPV.

As such, you are, hereby, given an opportunity to file objections, if any, on the proposed actions before the Chairman of the Board on 29.10.2024 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. 6092

Dated 14/10/24

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 w.r.t directions issued by the Board and the operational status of all member units of SPV well before the hearing.

[Signature]
For and on behalf of
Chairman, Punjab Pollution Control Board

[Signature]
Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Zonal Office-II, F-648-B, Back Side CEC Office, Phase-5, Focal Point, Ludhiana
E-mail: zonal2@ppcb@punjab.gov.in

Ph No. 0161-2670111

No. PPCB/SEE/ZO-2/LDH/2024/5275

Regd.

Dated 17/12/24

To

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

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

Whereas, the Punjab Dyers Association (PDA), a Special Purpose Vehicle (SPV) is responsible for the establishment, up-gradation, operation and maintenance of 50 MLD CETP for treatment of waste water from the cluster of textiles dyeing industries located at Tajpur Road in Ludhiana and has been operational since June, 2022.

And whereas, it is mandatory on part of the SPV to obtain the 'consent to establish' (NOC) u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

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

And whereas, it is mandatory on the part of SPV to comply with the conditions of the environmental clearance and the environmental norms prescribed by the MoEF&CC, Govt. of India, as well as by the Punjab Pollution Control Board.

And whereas, the SPV was granted Environmental Clearance by the Ministry of Environment, Forest and Climate Change vide letter no. F.No.10-92/2010-IA.III dated 03.05.2013 for establishment of Common Effluent Treatment Plant of capacity 117 MLD for treatment of trade effluent of cluster of dyeing units of Ludhiana subject to the specific condition that "there will be no discharge in the Buddha Nallah.

And whereas, the matter regarding the release of grant-in-aid to the SPV considered by the MoEF&CC, Govt. of India in its appraisal committee on 11.10.2019 in which the grant-in-aid was approved to the SPV by the MoEF&CC, Govt. of India, subject to following conditions:

- i. PDA will operate the CETP to comply with the parameters as proposed in the DPR and as per the undertaking submitted to the Punjab Pollution Control Board.
- ii. PDA will install suitable tertiary treatment unit with the CETP to achieve effluent discharge standards of BOD 10 mg/l and COD 50 mg/l at their own cost within six months' time of commissioning and not later than December, 2020.
- iii. The CETP will not discharge its effluent into Buddha Nallah and it will reuse either into the back process or irrigation by laying their own network at their own cost.

And whereas, the SPV was granted Consent to Establish (NOC) for setting up of the CETP on 10.06.2014 having validity upto 09.06.2016. The said validity was extended from time to time. The SPV, after expiry of the previous Consent to Establish again obtained fresh NOC from the Board vide no. CTE/Fresh/LDH3/2021/16675058 dated 16.11.2021 having validity upto 31.03.2022. The NOC was granted/ extended subject to suitable conditions and the special conditions relevant in the subject cited matter are reproduced as under:

- There shall be no discharge into the Budha Nallah.
- The farmers shall be made aware that the water supplied to them is treated effluent.

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- The project proponent shall comply with all the conditions imposed in the Environmental clearance granted by the MoEF&CC vide L.No. 10/92/2010 IA.III dated 03.05.2011.
- The project proponent shall incorporate the recent standards revised by the MoEF&CC for the discharge of effluents from textile industry notified vide G.S.R. 978 (I) dated 10.10.2016 while finalizing the DPR/ getting the design finalised from IIT, Delhi besides, incorporating the stringent standards already decided for the discharge of treated wastewater of CETP of dyeing industries of Ludhiana for irrigation purposes in the meeting dated 25.11.2010 taken by the Chairman, Central Pollution Control Board, New Delhi.
- The SPV shall get feasibility report for discharge of treated effluent onto land for irrigation from PRSC or any other agency within 3 months.
- The SPV shall follow the guidelines prescribed by the Central Government in the scheme under which grant in aid had to be extended or any other guidelines prescribed by the State Government or Punjab Pollution Control Board or any other concerned agency.

And whereas, the SPV was granted Consent to Operate (CTO) by the Board under the Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/ Fresh/ LDH3/ 2022/ 18478759 dated 23/08/2022 which got expired on 22/08/2023. The said consent was granted temporarily for discharge of trade effluent into the Buddha Nallah with following special conditions relevant with the subject cited matter:

- The SPV shall submit the feasibility report to reuse treated effluent onto land for irrigation by 25.08.2022.
 - The SPV shall ensure that there is no overflow from the manholes in the conveyance system of CETP of 50 MLD capacity at any location.
- The SPV shall stabilise the CETP so as to achieve the prescribed standards at the final outlet by 30.09.2022 failing which the Board shall be constrained to refuse the consent to operate the outlet & issue closure directions to the member industries & impose Environmental Compensation without any further notice.

And whereas, the Punjab Pollution Control Board is monitoring the SPV since the date of its inception. The CETP is not meeting with the standards prescribed in the DPR of the project. The project is also not meeting with the standards prescribed by the Ministry of Environment, Forest and Climate Change.

And whereas, the Punjab Pollution Control Board has been issuing notices to the SPV for the various non-compliance including stoppage of discharge into Buddha Nallah and achievement of standards as mentioned in the DPR submitted to the MoEF&CC, Govt. of India while obtaining grant-in-aid as well as the standards for textile industries and CETPs as notified by the MoEF&CC, Govt. of India on 01.01.2016.

And whereas, due to above said non-compliances by the SPV and also due to non-achievement of prescribed standards, the Punjab Pollution Control Board has imposed Environmental Compensation on the SPV.

And whereas, due to the above said non-compliances the Consent to operate (CTO) under the Water (Prevention & Control of Pollution) Act, 1974 applied by the SPV was refused by the Board vide no. CTOW/ Renewal/ LDH3/ 2024/ 23440371 dated 27.02.2024.

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 also carried out inspection of the CETP of capacity 50 MLD on 22.04.2024 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. During visit it was informed to the team that 110 Dyeing and Printing units have obtained membership from CETP.
 4. Further, 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 was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, 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 from PPCB and comply with all the conditions mentioned thereof.


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- 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 directed by the 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), 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 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, 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. 5805 dated 25.09.2024.

And whereas, the SPV was again directed by the Regional Office of the Board to comply with above said directions of the Competent Authority of the Board. Also, a copy of the above said directions was delivered to the SPV through special messenger. However, as reported by the Regional Office-3, Ludhiana of the Board the SPV is not complying with the directions issued to it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and is discharging its effluent into Buddha Nallah. Thus, the SPV is violating the conditions of the Environmental Clearance granted by the Ministry of Environment, Forest and Climate change dated 03.05.2013 and directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, 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.

And whereas, in the meantime, the SPV filed an appeal in the Hon'ble NGT against the direction issued by the Board u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, the said matter came up for hearing on 04.11.2024. The relevant part of the order is reproduced as under:

"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.

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Punjab Pollution Control Board
Ludhiana

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

And whereas, no one from the SPV attended the hearing.

And whereas, Environmental Engineer, Zonal Office-2, Ludhiana apprised the chair that the SPV vide e-mail dated 18.11.2024 informed that they had already filed appeal before the Hon'ble NGT against the directions issued by the Board and the next date of hearing is scheduled on 02.12.2024. SPV further requested that the advocate who had to represent their matter before the chair was not available on 19.11.2024 and thus requested to afford the date of hearing to the SPV after 02.12.2024.

And whereas, after detailed deliberations and considering the material facts of the case and also the on-going appeal pending in the Hon'ble NGT, the Chairman of the Board decided that the SPV shall be afforded another opportunity of hearing after 02.12.2024.

And whereas, the SPV of 15 MLD CETP approached the Hon'ble NGT against the order dated 26.09.2024 passed by the Board issuing directions u/s 33-A of the Water Act, 1974 restricting discharge of the CETP into Buddha Nallah. The matter came up for hearing before the Hon'ble NGT on 09.12.2024 and the orders have been uploaded on the website of the Hon'ble NGT on 16.12.2024. The extract of the proceedings and the order, relevant to the subject cited matter is as under:

"Para no. 9, Mr. Jaskirat Singh present in person submits that he has filed OA No. 1327/ 2024 seeking execution of the order dated 26.09.2024 which is under challenge in this Appeal. He has submitted that the authorities are misinterpreting the order of the Tribunal dated 04.11.2024 passed in Appeal No. 40/ 2024 and Appeal No. 41/2024 and are treating it to be a blanket stay order and permitting the STPs in question to discharge the effluent in Buddha Nallah.

Para no. 10, In the other two appeals wherein, the interim order has been passed, there is a clear Environmental Clearance (EC) condition that there will be no discharge of effluent / treated water in Buddha Nallah. In the present appeal, counsel for the Appellant has referred to the EC dated 08.12.2014 wherein the specific condition no. (iv) required the proponent to maintain zero discharge. The EC condition is binding. Hence, by way of interim order, we direct that till the next date of hearing no coercive steps in pursuance to the impugned order will be taken, subject to compliance with the environmental norms and clearance conditions. We clarify that non-adherence to the specific condition of maintaining zero discharge is non-compliance with the environmental norms."

And whereas, after April 2024, when the CPCB carried out monitoring of the CETPs, the CETP has been monitored by the Board on various times and it has never achieved results as per the MoEF&CC criteria.

And whereas, the Board has got conducted a 3rd party monitoring of CETP- 15 MLD from "Shri Ram Institute for Industrial Research" on 13.11.2024. As per the analysis report received from the lab the concentration of various parameters i.e. BoD= 38 mg/l and TDS = 2275 mg/l was found beyond the permissible limits and thus is not meeting with the standards as prescribed by the MoEF&CC, Govt. of India as well as the standards as mentioned in the DPR while obtaining grant-in-aid from the MoEF&CC, Govt. of India. Also, as per the results, the effluent being received at the inlet of the CETP is not meeting with the inlet design parameter of the CETP.

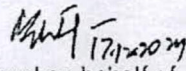
And whereas, the SPV is neither complying with the conditions as stipulated in the Environmental Clearance nor the conditions of financial aid given by the MoEF&CC, Govt. of India.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 to the SPV with an opportunity of personal hearing before the Chairman of the Board and it has been proposed to issue the following directions:

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Punjab Pollution Control Board
Regional Office-III, Ludhiana

1. That the operation of SPV shall be stopped for effecting the earlier directions issued for closure of outlet into Budha Nallah.
2. That Punjab State Power Corporation Limited (PSPCL) Authority shall be directed to disconnect the supply of electricity available to the SPV.
3. That the complaint shall be filed in the Competent Court of Law against the director and other responsible persons of the SPV for non-compliance of directions issued u/s 33-A of Water Act, 1974.
4. That the consent to operate granted under the Water Act, 1974 to the member units of SPV shall be revoked.
5. That all the member units of SPV shall dismantle and remove all outlets and stop forthwith discharging its trade effluent into sewer or drain or through any other mode.
6. That Punjab State Power Corporation Limited (PSPCL) Authority shall be directed to disconnect the supply of electric connection available to the member units of the SPV.
7. That an Environmental Compensation shall be imposed on the SPV/CETP for non-compliance of directions issued u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974

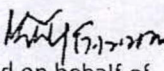
As such, you are, hereby, given an opportunity to file objections, if any, on the proposed actions before the Chairman of the Board on 08.01.2025 at 11:00 am in his office at Vatavaran Bhawan, Punjab Pollution Control Board, Nabha Road, Head Office, Patiala, failing which the proposed action shall be taken or any other action deemed fit in the matter will be taken without any further notice/ opportunity.


 For and on behalf of
 Chairman, Punjab Pollution Control Board

Endst. No. 6876

Dated 17/12/24

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


 For and on behalf of
 Chairman, Punjab Pollution Control Board


 Environmental Engineer
 Punjab Pollution Control Board
 Regional Office-III, 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/2024/5508

Registered

Dated 05/09/24

To

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

Subject: Imposition of Environmental Compensation upon CETP of 50 MLD capacity installed at Tajpur Road, Ludhiana for violation of the provisions of Environmental Laws- order thereof.

Please find enclosed order no. 383 dated 04.09.2024 passed by the Competent Authority of the Punjab Pollution Control Board, whereby, the Environmental Compensation amounting to Rs. 1,24,50,000 /- (Rs. One Crore Twenty-Four Lacs Fifty Thousand Only) has been imposed upon the Special Purpose Vehicle (SPV) i.e. Punjab Dyers Association (50 MLD CETP) for violation of the provisions of Environmental Laws for period from 09.06.2022 to 28.07.2023 for information and compliance. It is requested to deposit the Environmental Compensation, within 15 days, from the date of receipt of this order.

DA/as above

[Signature]
Environmental Engineer

Endst. No. 5509

Dated 05/09/24

A copy of the above alongwith order no. 383 dated 04.09.2024 is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information and necessary action. He is requested to get the copy of the above said order received by the project proponent.

DA/as above

[Signature]
Environmental Engineer

[Signature]
Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 383

Dated. 04/9/22

Subject: Imposition of Environmental Compensation upon CETP of 50 MLD capacity installed at Tajpur Road, Ludhiana for violation of the provisions of Environmental Laws.

Order

The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules made there under in the State of Punjab. The main objective of the Board is maintaining or restoring the wholesomeness of water, the preservation of the quality of air and the protection and improvement of the environment.

- 2) The Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India has declared various clusters in the Country as Critically Polluted Areas (CPA), Severely Polluted Area (SPA) based on Cumulative Environmental Pollution Index (CEPI) score. Due to increased industrialization, activities of the Industrial units and some other identical reasons, Ludhiana city has been declared as Critically Polluted Area by the Central Pollution Control Board.
- 3) Briefly stated that the Punjab Dyers Association (PDA) Ludhiana has setup a Common Effluent Treatment Plant (CETP) of capacity 50 MLD for treatment of waste water from the cluster of textiles dyeing industries located at Tajpur Road, Ludhiana. The Special Purpose Vehicle (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.
- 4) The SPV has laid separate conveyance system for carrying waste water from the dyeing industries to CETP of capacity 50 MLD.

Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

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- 5) A complaint regarding incoming of colored dyeing effluent at the inlet of newly installed STP 225 MLD, Tajpur Road, Ludhiana was received. To verify and identify the reason of incoming of this coloured effluent the area of Tajpur Road, Ludhiana was visited on 25.04.2023 jointly by the officers of the Board and Municipal Corporation, Ludhiana. An overflow occurred in the PDA sewer manhole (leading to CETP 50 MLD) located opposite to PSPCL sub-station at Tajpur Road, Ludhiana, which was being stagnated near the Municipal Corporation, Ludhiana manhole. The overflow effluent at the said location was not entering into MCL sewer. However, after further excavation of around 20-25 feet towards Buddha Nallah by JCB machines, an old sewer manhole of MCL was found. This MCL manhole was covered with sand and it was opened with the help of JCB and coloured and hot effluent was seen in this manhole.
- 6) After further excavation 01 manhole of old sewer line was detected which was earlier used to discharge the treated trade effluent of the dyeing industries and nearby area located at Bhamian Road to the STP Jamalpur. This network was closed after the establishment of the CETP 50 MLD. It was found that one new manhole of depth around 5-6 feet was constructed through which the coloured effluent was being discharged into the said MCL manhole from the top side after breaking its wall.
- 7) To verify whether this discharge is either by an individual dyeing unit or from the overflow from PDA line located near to it, the main gate of CETP were closed. When CETP door was closed even for short time of 5 to 10 minutes, the coloured and warm dyeing effluent was found coming back in the MCL manhole, after over flow from the old sewer manhole constructed near to it. The over flow was further leading to STP 225 MLD Jamalpur. The colour and nature of the effluent observed by over flowing of effluent in the MCL manhole, old sewer line and new PDA line was same.
- 8) The Joint team continued its work on 26.04.2023 and called the director of the PDA & the member industries of Bhamian Kalan at site. It was found that one overflow line has been provided from the new PDA conveyance line (backside MCL workshop) to the old sewer manhole, which was leading to MCL sewer as found on 25.04.2023. The dyeing effluent was



also seen back through this overflow to the old said sewer manhole. The visit report was also signed by the director of PDA and member units.

- 9) It was concluded that the above overflow channel was being used by SPV for the discharge of excess trade effluent/ back flow to MCL sewer manhole, which further lead to STP Jamalpur.
- 10) As dedicated line from Bhamian Kalan to CETP 50 MLD has been newly constructed. Hence, it is apprehended that the PDA Tajpur Road has intentionally laid down this bye pass arrangement. This overflow line was got dismantled with the help of JCB at site in the presence of visiting officers, director of PDA and industrial representative to avoid/ stop any further bye pass and discharge. There is change in the network of PDA pipeline leading to CETP 50 MLD as compared to earlier network map of the SPV. The SPV has changed its pipe network leading CETP without giving any intimation and approval from the Board in this area near Jaswal complex.
- 11) The team also observed that 01 SBR reactor of CETP 50 MLD was under maintenance and avg. Incoming of effluent at CETP is around 32-35 MLD. Hence, there are chances excess effluent was being bye passed through above identified channel.
- 11) The SPV has provided the EMF meters at the inlet and outlet of the CETP and same were not connected with the SCADA / online system. The SPV and individual member units has not provided EMF meter enabled with SCADA / online system at inlet of ground water extraction, despite of commitment given by the SPV while de-sealing of the machines of dyeing units. In absence of proper SCADA / online meter at the inlet of industries water balancing is not possible and there will be chances of bye-pass through unauthorized mode of disposal as identified above.
- 12) The CETP 50 MLD is also being monitored on monthly basis. As per the analysis reports, it was revealed that CETP is achieving the standards of MoEF&CC except TDS, but it is not achieving prescribed standards as prescribed in DPR of CETP. Further, the SPV has not taken any step regarding installation of additional component at CETP to control the TDS.
- 13) The SPV has neither constructed a proper outlet before discharge into Buddha Nallah, from where effluent sample can be collected nor installed one set of additional OCEMS



at the said location. The SPV has yet not submitted the feasibility report for discharge of treated effluent onto land for irrigation as per the decision of the Competent Authority of the Board as per the decision of Competent Authority taken during hearing dated 25.07.2022. Hence, the SPV is not complying with the decisions of personal hearing before Chairman of the Board dated 25.07.2022.

14) The SPV has not submitted adequacy certificate of the conveyance system provided at site from the Department of PWSSB as per directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 vide Board letter no. 4888-89 dated 18.07.2022.

15) The CETP 50 MLD was monitored in month of April, 2023 and May, 2023. As per the analysis reports, the CETP is achieving the standards as prescribed by MoEF&CC, but it is not achieving prescribed standards as prescribed in DPR of CETP.

16) A meeting of Vidhan Sabha Committee was held on 08.06.2023 in the Circuit House, Ludhiana and the committee visited the site of STP 225 MLD located at Jamalpur and CETP of capacity 15 MLD, Bahadurke Road & 50 MLD located at Tajpur Road, Ludhiana. During visit to the CETP of capacity 50 MLD, the Committee checked the quality of the treated effluent visually and was not fully satisfied from the quality of the said treated effluent. Accordingly, samples were collected by the Committee as well as by the Board. The samples collected by the Board have been sent to the PBTI, Mohali for analysis of various parameters and the results, the CETP is achieving the standards as prescribed by MoEF&CC except TDS, but it is not achieving prescribed standards as prescribed in DPR of CETP.

17) Also, stagnation of coloured dyeing effluent was found on 15.06.2023 in a plot located near M/s Lotus Clothing, Kakka Road Tajpur Road, Ludhiana. This stagnation was occurred due to overflow from the PDA Tajpur Road Manhole of line carrying effluent to the CETP 50 MLD at above said location.

18) A complaint was received on 19.07.2023 regarding colored effluent being received at the inlet of STP of 225 MLD located at Tajpur Road, Ludhiana. Accordingly, a joint inspection was carried out by the Officers of PPCB along with the officials of MC, Ludhiana starting from 19.07.2023. On 21.07.2023, it was observed that two underground pipe of dia 8" and 12" were coming out from the premises of the CETP of 50 MLD. The PDA members claimed



that the 12" RCC line is provided to discharge rain water and effluent from the office toilets. The CETP is allowed only one dedicated outlet for its discharge, thus two outlets can be misused and also are not authorized. The PDA directors and members did not cooperate with the team and made arguments during the visit. Earlier, one another bypass was found into MC sewer, near MC workshop which was identified by the officers of the Board. Regular incidents of overflow are reported from time to time.

19) The SPV has also not submitted the adequacy certificate of the conveyance system from the PWSSB as already directed by the Board.

20) A complaint was received on 03.08.2023 regarding overflow and discharge of colored dyeing effluent at Iqbal Nagar, Tajpur Road, Ludhiana into Buddha Nallah.

21) To verify the facts the site was immediately visited by the officer of the Board in late evening hours on 03.08.2023 and found that overflow was from the PDA manhole of PDA conveyance line leading to CETP 50 MLD, Near Iqbal Nagar, Tajpur Road, Ludhiana, which was leading to Buddha Dariya. To stop the discharge as safety measures the dyeing units located upstream to this overflow were requested to close its operation. Accordingly, these units were closed to stop the overflow.

22) The same site was again visited on 04.08.2023 in early morning by the officers of the Board and overflow was again found from the said manhole, which was leading to the Buddha Dariya. The SPV of CETP 50 MLD (Tajpur Road Cluster) was again requested by the Board to control the same. Apart from above, stagnation of dyeing effluent was also found at Kakka road, Ludhiana. The overflow from the conveyance system of the CETP laid down by the PDA is occurring regularly and complaints are being received in the Board. After, checking overflow, CETP 50 MLD was also visited by the team and same was found in operation, during visit. As per the record supplied by the operating agency of the CETP, the average incoming of effluent at CETP from 01.07.2023 to 03.08.2023 is around 40 MLD. Further, the capacity of the each SBR tank of CETP is around 6.5 MLD, however, in the one SBR tank in which aeration was under process, the level was around 3 to 3.5 feet down from the top surface. Hence, the intake to CETP is also less, which is also one of the reasons of over flow in the area. The operating agency at site was advised to run the CETP at optimum capacity. Also, on 07.08.2023, again stagnation



/ overflow was observed in open plot near M/s Sara! Dyers and M/s N.V Industry from the conveyance system of CETP 50 MLD. Further, inlet SCADA meters have yet not been installed in member units.

23) Accordingly, notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 along with notice for imposition of Environmental Compensation was issued to the SPV with an opportunity of personal hearing before Chairman of the Board on 09.08.2023. During hearing, it was decided that:

"The Environmental Compensation (EC) be imposed on the SPV for the damage caused to the Environment for the period upto 31.07.2023."

13) It is pertinent to mention here that the Hon'ble Supreme Court of India has considered the concept of Polluter Pays Principle in Indian Council for Enviro Legal Action and Others v/s Union of India and Others (1996) 3SCC 212, Vellore Citizens Welfare Forum v/s Union of India (1996) 5 SCC 647 and held that Polluter Pay's Principle is accepted principle and part of environmental law of the country even without specific statute.

10) Above facts are sufficient for the imposition of Environmental Compensation by invoking the Principle of Polluter Pays and the SPV thus made itself liable for Environmental Compensation under the Polluter Pay's Principle for the period of violation from 09.06.2022 to 28.07.2023.

11) Thus, in view of the above recorded facts, the matter was considered for imposition of Environmental Compensation for the period of violation from 09.06.2022 to 28.07.2023 in accordance with the formula and methodology evolved by the Central Pollution Control Board and adopted by the Punjab Pollution Control Board. The amount of Environmental Compensation for the period of violation from 09.06.2022 to 28.07.2023 (415 days) was calculated to be Rs. 1,24,50,000/- as per following details:

EC	=	PI x N x R x S x LF
PI	=	Violation under Water Act, 1974 by red category unit = 32
N	=	Number of days = 415 (09.06.2022 to 28.07.2023)
R	=	A factor in Rupees = 500 (Large Scale red category project)



S	=	Large Scale project = 1.5
LF	=	Municipal Corporation i.e. Ludhiana having population between one million to five million = 1.25
EC	=	$32 \times 415 \times 500 \times 1.5 \times 1.25 = \text{Rs. } 1,24,50,000/-$ (Rs. One Crore Twenty Four Lac Fifty thousand only)

12) Therefore, the industry is hereby directed to deposit an amount of Rs. 1,24,50,000/- (Rs. One Crore Twenty Four Lac Fifty thousand only) as Environmental compensation for the period of violation from 09.06.2022 to 28.07.2023 with the office of the Punjab Pollution Control Board within 15 days, from the date of receipt of this order, failing which, the Board shall be constrained to initiate necessary action for recovery of the amount of Environmental Compensation by adopting coercive measures, thereafter.

13) Take notice that no further intimation or reminder will be issued by the Board in this regard. Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana is directed to ensure compliance of directions issued in the case. A copy of this order be supplied to all the concerned for compliance.

Adarsh Pal Vig
(Prof. (Dr.) Adarsh Pal Vig)
Chairman

[Signature]
Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, 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/2024/5510

Registered

Dated ...05/09/24,

To

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

Subject: Imposition of Environmental Compensation upon CETP of 50 MLD capacity installed at Tajpur Road, Ludhiana for violation of the provisions of Environmental Laws- order thereof.

Please find enclosed order no. 380 dated 03.09.2024 passed by the Competent Authority of the Punjab Pollution Control Board, whereby, the Environmental Compensation amounting to Rs. 25,00,000 /- (Rs. Twenty-Five Lacs) has been imposed upon the Special Purpose Vehicle (SPV) i.e. Punjab Dyers Association (50 MLD CETP) for violation of the provisions of Environmental Laws for information and compliance. It is requested to deposit the Environmental Compensation, within 15 days, from the date of receipt of this order.

DA/as above

Mehar 05/09/24
Environmental Engineer

Endst. No. ...5511

Dated...05/09/24.

A copy of the above alongwith order no. 380 dated 03.09.2024 is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information and necessary action. He is requested to get the copy of the above said order received by the project proponent.

DA/as above

Mehar 05/09/24
Environmental Engineer

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Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No.380.....

Dated.3/9/2024.....

Subject: Imposition of Environmental Compensation upon CETP of 50 MLD capacity installed at Tajpur Road, Ludhiana for violation of the provisions of Environmental Laws.

Order


That, the Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules made three under in the State of Punjab. The main objective of the Board is maintaining or restoring the wholesomeness of water, the preservation of the quality of air and the protection and improvement of the environment.

2) That, the Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India has declared various clusters in the Country as Critically Polluted Areas (CPA), Severely Polluted Area (SPA) based on Cumulative Environmental Pollution Index (CEPI) score. Due to increased industrialization, activities of the Industrial units and some other identical reasons, Ludhiana city has been declared as Critically Polluted Area by the Central Pollution Control Board.

3) Briefly stated that the Punjab Dyers Association (PDA) Ludhiana has setup a Common Effluent Treatment Plant (CETP) of capacity 50 MLD for treatment of waste water from the cluster of textiles dyeing industries located at Tajpur Road, Ludhiana. The Special Purpose Vehicle (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.

5) That, the SPV was afforded an opportunity of personal hearing before Chairman of the Board on 09.08.2023 due to various violations, wherein it was decided as under:

- The SPV shall ensure that there is no overflow from the manholes in the conveyance system of CETP 50 MLD at any locations.*
- The SPV shall submit adequacy certificate of the conveyance system provided at site from the Department of PWSSB as per directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 vide Board letter no. 4888-89 dated 18.07.2022, within one month.*
- Since, the conveyance system of the CETP is owned and maintained by the PDA, as such, PDA is required to take action as per law against such persons (making illegal connection into the conveyance system) at their own level.*


Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

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- d) The SPV shall submit the feasibility report to reuse treated effluent onto land for irrigation, within one month.
- e) 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.
- f) It was made clear to the PDA that the sole responsibility regarding achievement of standards at the outlet of CETP lies with the PDA and Board shall feel constrained to take action as per law against the PDA, in case, any violation is observed in future.
- g) The Environmental Compensation (EC) be imposed on the SPV for the damage caused to the Environment for the period upto 31.07.2023.
- 6) That, the Grant-in-Aid was sanctioned to M/s Punjab Dyers Association for setting up of 50 MLD CETP at Tajpur Road, Ludhiana. While sanctioning the Grant-in-Aid, following special conditions were imposed on the SPV:
- a) PDA will operate the CETP to comply with the parameters as purposed in the DPR and as the undertaking submitted to Punjab Pollution Control Board.
- b) PDA will install suitable tertiary treatment unit with the CETP to achieve effluent discharge standards of BOD 10 mg/l and COD 50 mg/l at their own cost within six months' time of commissioning and not later than December, 2020.
- 7) That, the CETP 50 MLD was monitored in month of July, 2023, August, 2023 and September, 2023, October, 2023, November, 2023, December, 2023 & January, 2024. As per the analysis reports the CETP was found not achieving the standards as prescribed by the MoEF&CC as well as stringent standards as per DPR.
- 8) That, the SPV was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and not complying with the special conditions imposed during the sanction of Grant-in-Aid. Further, the SPV had not taken any steps for providing tertiary treatment components to control the TDS.
- 9) That, the SPV applied for renewal of 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 through OCMMS. However, the SPV did not submit any conclusive record w.r.t no. of shares issued by PDA / held by various members. Also, the PDA was required to get these shares DEMAT from ROC, within a time bound manner. Accordingly, the SPV industry was also given personal hearing before the Chairman of the Board on 30.10.2023 whereas it was decided as under:
1. The Environmental Compensation (EC) be imposed on the SPV for the continued violations upto 30.09.2023.
 2. The SPV shall comply with the following conditions as imposed by the MoEF&CC while releasing grant-in aid to the SPV:
 - a. PDA will operate the CETP to comply with the parameters proposed in the DPR and as the undertaking submitted to Punjab Pollution Control Board.



- b. PDA will install suitable tertiary treatment unit with the CETP to achieve effluent discharge standards of BOD 10 mg/l and COD 50 mg/l at their own cost within six months' time of commissioning and not later than December, 2020.
3. The applications for obtaining consent to operate shall be decided after obtaining analysis results of the CETP for the samples collected by the Regional Office -3, Ludhiana in the month of October, 2023.
- 10) That, the show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 was also issued to the SPV for the above said reasons with an opportunity to submit written reply, within 07 days. However, the reply submitted by the SPV through e-mail to the said SCN was not found satisfactory.
- 11) That, the SPV did not submit any proposal regarding installation of tertiary treatment to achieve effluent discharge standards of BOD 10 mg/l and COD 50 mg/l.
- 12) That, the Municipal Corporation, Ludhiana vide its letter dated 16.01.2024 informed that there was a leakage in PDA line near Vijay Nagar Pulli (opposite G.P. Dyeing).
- 13) That, a videography dated 03.02.2024 of Hon'ble Member Parliament, Sh. Balbir Singh Seechewal Ji alongwith Sh. Daljit Singh Bhola Grewal, MLA Ludhiana East was received in the Board on 04.02.2024, in which team of Hon'ble Member Parliament, claimed that they had found a leakage in the Manhole of PDA line on 02.02.2023 and untreated effluent was being discharged into Buddha Dariya from this Manhole. It was also shown that the Manhole was freshly repaired by PDA. Location of this manhole was traced by officers of the Board on 04.02.2024 with representatives of Hon'ble Member Parliament in Bhamian Kalan, back side of City Bus yard.
- 14) That, another video clip was again received by the Board on 06.02.2024 from the team of Hon'ble MP Sant Baba Balbir Singh Seechewal Ji. In this video clip, a channel containing treated effluent of STP 225 MLD was found punctured from one side and coloured effluent was found coming from the 2 no. punctured holes which was ultimately going to Buddha Nallah after mixing with treated effluent of STP Jamalpur. Acting upon this video clip, officers of this office arrived at the site on 07.02.2024 in the early morning and started efforts to trace the source of effluent coming out in the channel as shown in the video clip. During further excavation, it was found that a pipeline of PDA containing untreated effluent of dyeing industries of Mahavir Complex (connecting 2 haudies of PDA lines i.e. upstream and downstream of site under complaint) was passing under the channel of STP Jamalpur just below the area where said two no. holes were observed in the outlet channel and colored effluent was also observed flowing around that pipeline. Thus, the possibility of leakage from the conveyance line of PDA passing under the channel of STP 225 MLD could not be ruled out.
- 15) That, accordingly, show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and notice to issue directions under u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 was issued to the SPV with an



opportunity of personal hearing before Chairman of the Board on 12.02.2024, wherein it was decided as under:

1. *Consent applied by the SPV under the Water (Prevention & Control of Pollution) Act, 1974 be refused.*
2. *Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 be issued for temporary closure of all the member units of the 50 MLD CETP, till all the leakages in its conveyance system are plugged properly and discharge of its un-treated effluent is stopped.*
3. *The PDA shall immediately take steps to stop the discharge of un-treated trade effluent.*
4. *The Environmental Compensation be imposed on the SPV for the damage caused to the environment.*
5. *Further action shall be taken after reviewing the progress made by the SPV.*

16) That, in compliance of the decision of the personal hearing, consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 was refused vide no. CTOW/Renewal/LDH3/2024/23440371 dated 23.02.2024. Also, the following directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 were issued to the all member units of PDA on 13.02.2024:

"That, the industry shall close down its operations temporarily, till all the leakages in its conveyance system of CETP are plugged properly and discharge of its un-treated effluent is stopped."

17) That, in compliance of above said decisions, PDA took shut down of all the member units of CETP 50 MLD on 13.02.2024 and 14.02.2024 and leakage was repaired. The repair was verified by the officers of the Board and no further leakage was observed from that point thereafter. The main cause of the frequent leakages from manholes was that all the manholes were constructed with brick masonry material and flow rate as well as pressure in the manholes was very high and thus the manholes should had been concrete casted instead of brick masonry material.

18) That, frequent complaints had been received by the Board regarding overflow in the PDA conveyance system manholes laid in the area of Mahaveer Complex, Geeta Colony, Jaswal Complex etc of Tajpur Road.

19) That, the area of Tajpur Road was visited by the officers of the Board alongwith Hon'ble Member Parliament Baba Balbir Singh Seechewal Ji and officials of Municipal Corporation, Ludhiana. During visit 02 complainants arrived at the site of visit and informed that PDA used to dispose of colored effluent in vacant plots which cause stagnation in plots of Jaswal complex Ludhiana. They also added that their own industry (green category) is also situated at Jaswal complex and colored water also comes from the submersibles of their factory. Thereafter, area of Jaswal complex was visited and waste water was found stagnated in 03 plots



of Jaswal complex and from one plot stagnated waste water was being pumped into the manhole of PDA line with the help of pump. The PDA informed that the stagnated waste water was rain water and they were shifting the stagnated water from plots to their own sewer network to clear stagnation. During visit, a beaker of waste water was also filled from stagnation and water was appearing turbid in colour and seemed like domestic wastewater/ rain water.

20) That, the wastewater sampling of CETP 50 MLD was carried out in the month of February, 2024 & March, 2024 and as per analysis results the CETP was found not achieving the standard prescribed as per DPR.

21) That, as per physical observation during visit on 06.03.2024 in the area, possibility of overflow from the PDA manhole could not be ruled out as frequent complaints were being received by the Board regarding overflow in the area of Tajpur Road, complex from PDA manholes.

22) That, the area of Tajpur Road, Ludhiana was visited by officer of the Board on 29.03.2024 to verify the video clip regarding overflow in manholes of PDA line near Fish Market, Tajpur Road, Ludhiana. During visit, it was observed that the overflow in the manholes was due to choking of the lines connected with the manholes. The overflow was controlled by the PDA immediately by removing the blockage from the manhole and connecting lines.

23) That, the CETP was visited by the officers of the Board on 05.04.2024 during odd hours at about 9:30 pm to verify status of video clip regarding disposal of colored effluent from the outlet of CETP 50 MLD into Buddha Nallah and during visit effluent samples were collected from inlet and outlet of CETP and physical appearance of sample collected from outlet was slightly yellowish.

24) That, thereafter outlet of CETP situated at Budha Nallah was again visited on same day at 11:50 pm and it was observed that dark colored effluent was being discharged from outlet of CETP into Buddha Nallah. It was apprehended that the CETP had provided a by-pass arrangement to discharge untreated effluent into Buddha Nallah through outlet pipe as the color of effluent at outlet was similar to color at inlet of CETP. Effluent samples were also collected from outlet to CETP at 11:50 PM.

25) That, in continuation to observations of 05.04.2024 regarding possibility of by-pass system, CETP 50 MLD was again visited on 06.04.2024 and conveyance lines of CETP were checked and it was observed that CETP 50 MLD had provided a manhole and a large size Gate Valve in a closed room (with locked door and no window) located in a gated premises near PSPCL 66 KV Sub Station. This premise is not the part of CETP premises but it is under the control of PDA. Through this manhole untreated effluent could be directly diverted into 50 MLD CETP outlet line which ultimately falls into Buddha Nallah without any treatment.

26) That, further, on evening of 14.05.2024, a telephonic message was received from the MCL officials that untreated effluent of dyeing industries was being discharged into sewer line of MCL at street no. 1, Vijay Nagar, Geeta Nagar Colony. The area was inspected by officers



of the Board alongwith officials of MCL and it was observed that the color of effluent in MCL manhole was pink and the effluent flowing in PDA line at Geeta Nagar was also pink in color. Accordingly, the area around the MCL manhole in street no-1, Vijay nagar was excavated by MCL and an underground 12 inch SW Pipeline was found in Street no -1. With the help of bamboo sticks it was observed that the 12 inch SW pipe was coming from PDA haudi on main Geeta Nagar toward MCL haudi in Street no-1, Vijay Nagar. Excavation at street no-1, Vijay Nagar was done till late night on 14.05.2024. The excavation in street no. -1 was again started in the morning of 15.05.2024. Pipeline of jetting machine was inserted in 12 inch SW pipeline from MCL manhole side and this pipeline reached PDA manhole on main Geeta Nagar Colony. Thus, PDA has made a clear bye-pass arrangement from its manhole on main Geeta Nagar Road (Near G.P. Dyeing) to MCL haudi in Street no-1, Vijay Nagar, Geeta Colony, Ludhiana (Back side of M/s Gupta Shivam Dyeing, Geeta Nagar). The MCL has disconnected this 12 inch SW pipe from its haudi in street no -1, Vijay Nagar, Geeta Colony, Ludhiana.

27) That, it shows that the PDA had intentionally provided bypass to discharge untreated effluent into Buddha Nailah.

28) That, the SPV was deliberately violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and degrading the environment.

29) That, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 was issued to the SPV with an opportunity of personal hearing before Chairman of the Board on 20.05.2024. However, no one from the SPV attended the hearing. The SPV has sent an e-mail dated 17.05.2024, requesting for another date of hearing.

30) That, the matter was considered by the Competent Authority of the Board and it was decided to afford another opportunity of personal hearing to the SPV.

31) That, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 was issued to the SPV with an opportunity of personal hearing before Chairman of the Board on 14.06.2024.

32) That, Sh. Bobby Jindal, Proprietor of the SPV attended the hearing and submitted a written reply which was taken on record. He stated that they had not submitted any conclusive record regarding allotment of shares to members of CETP. Allotment of shares to member units had been finalized to complete satisfaction of Board. He stated that all the man holes prone to leakage had been constructed in concrete mix instead of brick masonry. The blockage in the sewer line was promptly rectified by the PDA upon coming the defect into its notice. Regarding discharge of dark colour effluent at about 11:30 pm on 05.04.2024, he added that in absence of full test report of said effluent it was not possible to offer any comment / explanation for quality of the effluent from CETP at that time. He informed that neither they were bye passing any waste water nor they had any active bye pass arrangement. Finding a defunct manhole and sluice valve did not having basis to apprehend existence of any bye pass arrangement for direct discharge of waste water into Buddha Nailah. Sewer network for collection of wastewater from



member units was laid prior to construction and commissioning of CETP which was held up till 2019 for want of sanction of project of CETP by MoEF&CC. The said sewer line was connected to CETP inlet when the CETP was constructed and the said manhole and manual valve in it remained disconnected and inoperable. It was neither connected to CETP inlet line nor the CETP outlet carrier line to Buddha Nallah. As matter of abundant precaution, said manhole had now been completely dismantled. The connection of sewer network with municipal sewer to STP had been removed simultaneously with connection of said network to CETP inlet upon its commissioning. Thus, there had never been nor there was any possibility of bye pass of waste water to Buddha Nallah from industries through sewer network.

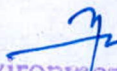
33) After hearing, the Director of the SPV, officers of the Board and considering the material facts of the case, the Chairman of the Board decided as under:

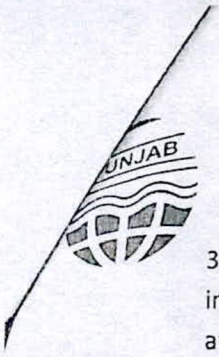
1. The PDA shall ensure that all the member units of CETP 50 MLD shall make connectivity of their effluent directly into dedicated sewer line of PDA and shall not discharge their effluent into the PDA sewer line through any other secondary sewer line laid in the area. Environmental Engineer, Regional Office-3, Ludhiana shall verify the same and report compliance.
2. The PDA shall submit bank guarantee of Rs. 50 Lakh as an assurance that in future, there will be no overflow from the PDA sewer line / manholes in the area to avoid stagnation of effluent on roads/ in vacant plots of the area.
3. The Environmental Compensation of Rs. 25 Lakh be imposed on the SPV for the damage caused to the Environment.
4. The PDA shall submit adequacy certificate of the conveyance system provided at site form the Department of PWSSB as per directions u/s 33-A of the Water (Prevention & Control of Pollution Act) Act, 1974 vide Board letter no. 4888-89 dated 18.07.2022, within one month.
5. It was made clear to PDA that responsibility to stop unauthorized discharges into PDA sewer lines lies with PDA and PDA have to take corrective actions in this regard.
6. The Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana shall process the 'Consent to Operate' application under the Water (Prevention & Control of Pollution Act) Act, 1974 on merits.

34) It is pertinent to mention here that the Hon'ble Supreme Court of India has considered the concept of Polluter Pays Principle in Indian Council for Enviro Legal Action and Others v/s Union of India and Others (1996) 3SCC 212, Vellore Citizens Welfare Forum v/s Union of India (1996) 5 SCC 647 and held that Polluter Pay's Principle is accepted principle and part of environmental law of the country even without specific statute.

35) Above facts are sufficient for the imposition of Environmental Compensation by invoking the Principle of Polluter Pays and the SPV thus made itself liable for Environmental Compensation under the Polluter Pay's Principle.

Page 7 of 8


 Environmental Engineer
 Punjab Pollution Control Board
 Regional Office-III, Ludhiana



36) Thus, in view of the above recorded facts, the matter was considered for imposition of Environmental Compensation of Rs. 25 Lacs as decided in the personal hearing afforded to the SPV.

37) Therefore, the SPV is hereby directed to deposit an amount of Rs. 25,00,000/- (Rs. Twenty Five Lac only) as Environmental compensation with the office of the Punjab Pollution Control Board within 15 days, from the date of receipt of this order, failing which, the Board shall be constrained to initiate necessary action for recovery of the amount of Environmental Compensation by adopting coercive measures, thereafter.

38) Take notice that no further intimation or reminder will be issued by the Board in this regard. Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana is directed to ensure compliance of directions issued in the case. A copy of this order be supplied to all the concerned for compliance.

Adarsh Pal Vig
(Prof. (Dr.) Adarsh Pal Vig)
Chairman

[Signature]
Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, 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/.....

Registered

ਸਾਨਾਮਰ ਸਹਾਇਕ ਕਲਰਕ/ਡੀ.ਓ.ਓ/ਸ਼੍ਰੀ ਵਾਤਾ ਇੰਜੀ

To

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

ਨਵੀਂ ਡਾਕ ਜ਼. ਵਾਤਾ ਇੰਜੀ

ਵਾਤਾ ਇੰਜੀ

ਡਾਇਰੀ ਨੰ ੨੨੮.੨੨ ਮਿਤੀ ੨੦/12/24

Subject: Imposition of Environmental Compensation upon CETP of 50 MLD capacity installed at Tajpur Road, Ludhiana for violation of the provisions of Environmental Laws- order thereof.

Please find enclosed order no. 465 dated 27.11.2024 passed by the Competent Authority of the Punjab Pollution Control Board, whereby, the Environmental Compensation amounting to Rs. 58,80,000/- (Rs. Fifty-Eight Lacs Eighty Thousand Only) has been imposed upon the Special Purpose Vehicle (SPV) i.e. Punjab Dyers Association (50 MLD CETP) for violation of the provisions of Environmental Laws for period from 01.08.2023 to 12.02.2024 for information and compliance. It is requested to deposit the Environmental Compensation, within 15 days, from the date of receipt of this order.

DA/as above

sd/-

Environmental Engineer

Endst. No. 6622

Dated 29/11/24

A copy of the above alongwith order no. 465 dated 27.11.2024 is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana for information and necessary action. He is requested to get the copy of the above said order received by the project proponent.

DA/as above

Environmental Engineer

Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

465
D.

Dated. 27/11/24

Subject: Imposition of Environmental Compensation upon CETP of 50 MLD capacity installed at Tajpur Road, Ludhiana for violation of the provisions of Environmental Laws.

Order

That, the Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules made three under in the State of Punjab. The main objective of the Board is maintaining or restoring the wholesomeness of water, the preservation of the quality of air and the protection and improvement of the environment.

2) That, the Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India has declared various clusters in the Country as Critically Polluted Areas (CPA), Severely Polluted Area (SPA) based on Cumulative Environmental Pollution Index (CEPI) score. Due to increased industrialization, activities of the Industrial units and some other identical reasons, Ludhiana city has been declared as Critically Polluted Area by the Central Pollution Control Board.

3) Briefly stated that the Punjab Dyers Association (PDA) Ludhiana has setup a Common Effluent Treatment Plant (CETP) of capacity 50 MLD for treatment of waste water from the cluster of textiles dyeing industries located at Tajpur Road, Ludhiana. The Special Purpose Vehicle (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.

5) That, the SPV was afforded an opportunity of personal hearing before Chairman of the Board on 09.08.2023 due to various violations, wherein it was decided as under:

- The SPV shall ensure that there is no overflow from the manholes in the conveyance system of CETP 50 MLD at any locations.
- The SPV shall submit adequacy certificate of the conveyance system provided at site from the Department of PWSSB as per directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 vide Board letter no. 4888-89 dated 18.07.2022, within one month.

Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ - 147001
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- c) Since, the conveyance system of the CETP is owned and maintained by the PDA, as such, PDA is required to take action as per law against such persons (making illegal connection into the conveyance system) at their own level.
- d) The SPV shall submit the feasibility report to reuse treated effluent onto land for irrigation, within one month.
- e) 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.
- f) It was made clear to the PDA that the sole responsibility regarding achievement of standards at the outlet of CETP lies with the PDA and Board shall feel constrained to take action as per law against the PDA, in case, any violation is observed in future.
- g) The Environmental Compensation (EC) be imposed on the SPV for the damage caused to the Environment for the period upto 31.07.2023.

6) That, the Grant-in-Aid was sanctioned to M/s Punjab Dyers Association for setting up of 50 MLD CETP at Tajpur Road, Ludhiana. While sanctioning the Grant-in-Aid, following special conditions were imposed on the SPV:

- a) PDA will operate the CETP to comply with the parameters as purposed in the DPR and as the undertaking submitted to Punjab Pollution Control Board.
- b) PDA will install suitable tertiary treatment unit with the CETP to achieve effluent discharge standards of BOD 10 mg/l and COD 50 mg/l at their own cost within six months' time of commissioning and not later than December, 2020.

7) That, the CETP 50 MLD was monitored in month of July, 2023, August, 2023 and September, 2023, October, 2023, November, 2023, December, 2023 & January, 2024. As per the analysis reports the CETP was found not achieving the standards as prescribed by the MoEF&CC as well as stringent standards as per DPR.

8) That, the SPV was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and not complying with the special conditions imposed during the sanction of Grant-in-Aid. Further, the SPV had not taken any steps for providing tertiary treatment components to control the TDS.

9) That, the SPV applied for renewal of 'Consent to Operate' under the Water (Prevention & Control of Pollution) Act, 1974 through OCMMS. However, the SPV did not submit any conclusive record w.r.t no. of shares issued by PDA / held by various members. Also, the PDA was required to get these shares DEMAT from ROC, within a time bound manner. Accordingly, the SPV industry was also given personal hearing before the Chairman of the Board on 30.10.2023 whereas it was decided as under:

1. The Environmental Compensation (EC) be imposed on the SPV for the continued violations upto 30.09.2023.



2. The SPV shall comply with the following conditions as imposed by the MoEF&CC while releasing grant-in aid to the SPV:
 - a. PDA will operate the CETP to comply with the parameters proposed in the DPR and as the undertaking submitted to Punjab Pollution Control Board.
 - b. PDA will install suitable tertiary treatment unit with the CETP to achieve effluent discharge standards of BOD 10 mg/l and COD 50 mg/l at their own cost within six months' time of commissioning and not later than December, 2020.
3. The applications for obtaining consent to operate shall be decided after obtaining analysis results of the CETP for the samples collected by the Regional Office -3, Ludhiana in the month of October, 2023.
 - 10) That, the show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 was also issued to the SPV for the above said reasons with an opportunity to submit written reply, within 07 days. However, the reply submitted by the SPV through e-mail to the said SCN was not found satisfactory.
 - 11) That, the SPV did not submit any proposal regarding installation of tertiary treatment to achieve effluent discharge standards of BOD 10 mg/l and COD 50 mg/l.
 - 12) That, the Municipal Corporation, Ludhiana vide its letter dated 16.01.2024 informed that there was a leakage in PDA line near Vijay Nagar Pulli (opposite G.P. Dyeing).
 - 13) That, a videography dated 03.02.2024 of Hon'ble Member Parliament, Sh. Balbir Singh Seechewal Ji alongwith Sh. Daljit Singh Bhola Grewal, MLA Ludhiana East was received in the Board on 04.02.2024, in which team of Hon'ble Member Parliament, claimed that they had found a leakage in the Manhole of PDA line on 02.02.2023 and untreated effluent was being discharged into Buddha Dariya from this Manhole. It was also shown that the Manhole was freshly repaired by PDA. Location of this manhole was traced by officers of the Board on 04.02.2024 with representatives of Hon'ble Member Parliament in Bhamian Kalan, back side of City Bus yard.
 - 14) That, another video clip was again received by the Board on 06.02.2024 from the team of Hon'ble MP Sant Baba Balbir Singh Seechewal Ji. In this video clip, a channel containing treated effluent of STP 225 MLD was found punctured from one side and coloured effluent was found coming from the 2 no. punctured holes which was ultimately going to Budhha Nallah after mixing with treated effluent of STP Jamalpur. Acting upon this video clip, officers of this office arrived at the site on 07.02.2024 in the early morning and started efforts to trace the source of effluent coming out in the channel as shown in the video clip. During further excavation, it was found that a pipeline of PDA containing untreated effluent of dyeing industries of Mahavir Complex (connecting 2 haudies of PDA lines i.e. upstream and downstream of site under



complaint) was passing under the channel of STP Jamalpur just below the area where said two no. holes were observed in the outlet channel and colored effluent was also observed flowing around that pipeline. Thus, the possibility of leakage from the conveyance line of PDA passing under the channel of STP 225 MLD could not be ruled out.

15) That, accordingly, show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and notice to issue directions under u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 was issued to the SPV with an opportunity of personal hearing before Chairman of the Board on 12.02.2024, wherein it was decided as under:

1. *Consent applied by the SPV under the Water (Prevention & Control of Pollution) Act, 1974 be refused.*
2. *Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 be issued for temporary closure of all the member units of the 50 MLD CETP, till all the leakages in its conveyance system are plugged properly and discharge of its un-treated effluent is stopped.*
3. *The PDA shall immediately take steps to stop the discharge of un-treated trade effluent.*
4. *The Environmental Compensation be imposed on the SPV for the damage caused to the environment.*
5. *Further action shall be taken after reviewing the progress made by the SPV.*

16) it is pertinent to mention here that the Hon'ble Supreme Court of India has considered the concept of Polluter Pays Principle in Indian Council for Enviro Legal Action and Others v/s Union of India and Others (1996) 3SCC 212, Vellore Citizens Welfare Forum v/s Union of India (1996) 5 SCC 647 and held that Polluter Pay's Principle is accepted principle and part of environmental law of the country even without specific statute.

17) Above facts are sufficient for the imposition of Environmental Compensation by invoking the Principle of Polluter Pays and the SPV thus made itself liable for Environmental Compensation under the Polluter Pay's Principle.

18) Thus, in view of the above recorded facts, the matter was considered for imposition of Environmental Compensation for the period of violation from 01.08.2023 to 12.02.2024 in accordance with the formula and methodology evolved by the Central Pollution Control Board and adopted by the Punjab Pollution Control Board. The amount of Environmental Compensation for the period of violation from 01.08.2023 to 12.02.2024 (196 days) was calculated to be Rs. 58,80,000/- (18,30,000 + 40,50,000) as per following details:

(i) 01.08.2023 to 30.09.2023

EC	=	PI x N x R x S x LF
PI	=	Violation under Water Act, 1974 by red category unit = 32
N	=	Number of days = 61 (01.08.2023 to 30.09.2023)
R	=	A factor in Rupees = 500 (Large Scale red category project)
S	=	Large Scale project = 1.5
LF	=	Since the project is located in city with population less than 5 million = 1.25
EC	=	32 x 61 x 500 x 1.5 x 1.25 = Rs. 18,30,000/- (Rs. Eighteen Lacs Thirty Thousand only)

(ii) 01.10.2023 to 12.02.2024

EC	=	PI x N x R x S x LF
PI	=	Violation under Water Act, 1974 by red category unit = 32
N	=	Number of days = 135 (01.08.2023 to 30.09.2023)
R	=	A factor in Rupees = 500 (Large Scale red category project)
S	=	Large Scale project = 1.5
LF	=	Since the project is located in city with population less than 5 million = 1.25
EC	=	32 x 135 x 500 x 1.5 x 1.25 = Rs. 40,50,000/- (Rs. Forty Lacs Fifty Thousand only)

19) Therefore, the SPV is hereby directed to deposit an amount of Rs. 58,80,000/- (18,30,000 + 40,50,000) (Fifty Eight Lacs Eighty Thousand Only) as Environmental compensation with the office of the Punjab Pollution Control Board within 15 days, from the date of receipt of this order, failing which, the Board shall be constrained to initiate necessary action for recovery of the amount of Environmental Compensation by adopting coercive measures, thereafter.

20) Take notice that no further intimation or reminder will be issued by the Board in this regard. Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana is directed to ensure compliance of directions issued in the case. A copy of this order be supplied to all the concerned for compliance.

ਮਿਤਰ ਮਾ ਪੇਸ਼
(Prof. (Dr.) Adarsh Pal Vig)
Chairman

Environmental Engineer
Punjab Pollution Control Board
Regional Office-III, Ludhiana