

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A. No. 515/2022

IN THE MATTER OF: -

Dharamvir

.....Applicant

Versus

State of Haryana & Anr.

.....Respondent

Interim Report by Sh. Pardeep Kumar, Member Secretary in compliance of Hon'ble NGT order dated 29.04.2024 with respect to compliance of the observations of the status report filed on 27.04.2024

Background:-

A complaint Dated 23.04.2022 about pollution in Holy River Markanda at Naraingarh, Ambala was lodged to Hon'ble NGT by Sh. Dharamvir Resident of Naraingarh, Distt.- Ambala. The applicant has raised the issues that polluted industrial waste water coming from factories located at Kala Amb, Himachal Pradesh is being discharged into River Markanda via. Jattanwala Nallah and polluting further the River Markanda. Hence same is an Interstate Matter. Hon'ble NGT has taken the cognizance vide O.A No. 515/2022.

Order dated 14.03.2023:-

Further during hearing conducted on dated 14.03.2023, while considering the reply/ response of the respondents submitted on various dates, the Hon'ble NGT found its appropriate to constitute another Joint Committee vide its order dated 14.03.2023 comprising of the representatives of the following central agencies including various departments from both of the States :-

1. The Ministry of Environment, Forest and Climate Change, New Delhi.
2. The Central Pollution Control Board, New Delhi.
3. Additional Chief Secretary/Principal Secretary, Department of Jal Shakti
4. Additional Chief Secretary/Principal Secretary, Department of Environment
5. Additional Chief Secretary/Principal Secretary, Department of Industry
6. State Pollution Control Board

7. Deputy Commissioner, Nahan (Himachal Pradesh) and Ambala & Kurukshetra

Order dated 18.07.2023:-

While considering the report during hearing conducted on 18.07.2023, the Hon'ble NGT directed:-

"To Clearly indicate quantity of sewage and industrial effluents being discharged into river Markanda directly or indirectly through drains and take necessary steps and to ensure that there shall not be untreated discharge of waste water (sewage and industrial) into the water body or river and covering earlier observations on flood plain zone and encroachments and submit a report within 03 months."

Order dated 29.04.2024:-

The joint committee has submitted its final report before Hon'ble NGT on dated 27.04.2024. Further, Hon'ble NGT has considered the report and further directed that compliance report/ objections if any may be filed by the concerned respondents if so desired at least one week before the date of hearing fixed for 29.07.2024. Therefore, the State of Haryana needs to submit the compliance report of observations/ suggestions/ recommendation made by Joint Committee for State of Haryana.

Interim Compliance report w.r.t. the observations/ recommendations made by the Joint Committee in its status report submitted before Hon'ble NGT on dated 27.04.2024:-

It was also directed by Hon'ble NGT to submit detailed pointwise suggestions for remedial action required to be taken with specific mention of the concerned Authority statutorily obligated for taking up of the requisite action and hence the Interim compliance report w.r.t. observations/ recommendations made by Joint Committee after obtaining the latest status/ action taken report from Stakeholder departments of State of Haryana is given as below:-

1. As per the status given by EIC, Irrigation Department, Haryana vide his letter no. 7583 dated 11.10.2023, the total length of river Markanda from entry point in Haryana State to final merger into river Ghaggar at Kaithal Haryana is approximate 125.00 km. The length of marginal bund on both sides of river is approximate 116.00 km. The River Markanda is not notified under flood Plain Zone (FPZ). All the rivers flowing through the land of private owners.

Further the Action taken report regarding demarcation and notification of Flood Plane Zone (FPZ) of River Markanda will be submitted shortly in consultation with Irrigation Department, Haryana during next review meeting fixed on dated 06.08.2024.

2. As per information provided by the Mining Officer, Ambala vide his letter dated 16/02/2024, the following actions have been taken to curb the illegal

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Mining in the said potential area of District Ambala:

- i. A District Level Task Force (DLTF Mining) constituted under the Chairmanship of Deputy Commissioner, Ambala.
 - ii. The DC Ambala has also constituted an inter Departmental Team consisting of Police, Sales Tax, RTA, Irrigation, PWD, Forest and Mines Departments for conducting regular field visits every day.
 - iii. In addition to above, a team of State Enforcement Bureau Officials is also doing checking/legal action to control the illegal mining in riverbed areas of District Ambala.
 - iv. As per report provided by the Mining Department, Ambala this is a routine and continuous exercise being made by the Local Administration. During 01.08.2023 to 31.01.2024, total penalty of Rs. 67,21,850/- stands deposited by the 18 no. of violators. Further the action Taken Report is yet to be submitted by Mining Department for illegal mining activities identified by the Joint Committee inside the River Markanda in Kala Amb Area at Village Dera of District Ambala and same shall be submitted shortly after obtaining ATR from the respective Department.
3. After the examination of the details provided by the Revenue Department, Ambala it shows that the land in one of the 07 Lime sludge dumping locations is owned by M/s Ruchira Papers Ltd, Trilokpur Road, Kalaamb, Himachal Pradesh which is also a self-generator of this Lime Sludge, indicating that M/s Ruchira Papers Ltd may be involved in dumping the Lime Sludge on the banks of River. RO HPSPCB Sirmaur needs to make necessary surveillance to stop further dumping of said Lime Sludge and Ash which is being generated from nearby industries operating in Kala Amb area of HP itself. Also action is pending to be taken on M/s Ruchira Papers Ltd, Trilokpur Road, Kala Amb by HPSPCB and State of Himachal Pradesh as it was identified during the perusal of the Joint Committee that one of dumping site is owned by the generating unit itself. Hence the Hon'ble NGT is requested to issue the necessary directions to the HPSPCB and State of Himachal Pradesh to identify and initiate action against the violators and to take necessary steps for removal of the dumped material along the bank of River on the Polluter Pay Principle with restoration of sites identified by the Joint Committee with further ensuring that no such fresh dumping to be happened on the banks of River Markanda by the generating industries existing in Kala Amb area of HP.
4. 02 no. of State Level review meetings were convened under the Chairmanship of Chairman, HSPCB alongwith the Administrative secretaries/HODs of the stakeholder departments of Haryana to obtain the information and time bound action plan for *tapping/diversion/treatment of these discharge points* pertaining to the respective departments and to discuss other issues based upon the non-compliances observed by the Joint Committee in its progress report earlier filed, wherever interventions required from the other departments.
- Total 38 No. of discharge points were identified and reported to the Joint Committee by State of Haryana after obtaining information from Irrigation &

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Water Resources Department (Jal Shakti), Haryana from its different 03 No. of Districts i.e. Panchkula, Ambala & Kurukshetra carrying untreated domestic effluent and further merging in to River Markanda or into its Tributaries directly or indirectly (covering from entry point of River Markanda in Haryana at Kala Amb to its final merger into River Ghaggar at Kaithal, Haryana).

Further, after receipt of requisite information and the action plan obtained from the stakeholder departments for tapping/diversion/treatment of these 38 no. of discharge points, the latest status is enclosed herewith at Annexure-R/1.

5. Total 145 MLD of sewage is being generated from different 12 towns of 04 Districts at Panchkula, Ambala, Kurukshetra and Kaithal of Haryana which are located in catchment area of River Markanda and its tributaries. There are total 40 no. of Sewerage Treatment Plants (STP's) have already been installed and operational in these 04 no. of Districts i.e Panchkula, Ambala, Kurukshetra and Kaithal of Haryana with having total 264 MLD of installed capacity, as summarized in the following Table:

District	Existing STPs		Under Construction STPs	
	Number	Capacity (MLD)	Number	Capacity (MLD)
Ambala	14	51	4 (ULBD)	44
Kurukshetra	4	59.5	0	0
Panchkula	15	97.25	0	0
Kaithal	7	56	0	0
Total	40	264 MLD	4	44

- The Haryana State has fixed stringent norms for discharge of sewage in compliance of the directions issued by the Hon'ble NGT vide its order dated 15.06.2020 in OA No. 138 of 2016 wherein parameters fixed as BOD-10 mg/L, Total Suspended Solid-20 mg/L, COD-50 mg/L and Fecal Coliform less than 100 MPN/100 ml.
- Out of these total 40 STPs, 26 Nos. of STPs were have been reported complying and 14 Nos. of STPs were reported non-complying by the Joint Committee at the time of filing its progress report on dated 17.10.2023 based upon the latest monitoring reports available.
- Total Environmental Compensation amounting of Rs. 963.30 Lacs have been assessed by the respective Regional officers of HSPCB and recommended for imposition and finalization to the competent authority based upon the HSPCB policy order dated 22.12.2021 and same area under finalization by ECAC, HSPCB.
- Apart from initiating the action for imposition of Environmental compensation, the cases for filing prosecution complaint before Hon'ble Special Environment Court at Kurukshetra have also been initiated by the respective

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RO offices of HSPCB for all of the above 14 no. of STPs against the officers and contractors responsible under the provisions of Water (Prevention & Control of Pollution) Act, 1974.

- **Present compliance Status, Up-gradation targets and Action taken with regard to these 14 no. of Non-complying STPs:**

These 14 no. of STPs were under up gradation to meet out with the aforesaid stringent effluent discharge standards, out of these 11 no. of STPs have now been up-graded and reported complying as on date. All of these 14 no. of STPs pertaining to PHED Department, the latest Action taken report alongwith the timelines to complete the work of up gradation to meet out with the prescribed effluent discharge standards submitted by EIC PHED vide its letter dated 27.07.2024 is given as below:

Sr. No.	Name of district	STP	Likely date of achieving of discharge standards committed by PHED and present compliance status	Action taken by HSPCB
1	Ambala	3.25 MLD, Naya Gaon, Unit-I, Ambala City	The STP has been upgraded to achieve stringent standard prescribed by HSPCB and as per the latest analysis report the STP is complying since March, 2024.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 85,50,000/- assessed and recommended for imposition and finalization to the competent authority.
2	Ambala	3.25 MLD, Naya Gaon, Unit-II, Ambala City	The STP has been upgraded to achieve stringent standard prescribed by HSPCB and as per the latest analysis report the STP is complying since April, 2024.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 85,50,000/- Assessed and recommended for imposition and finalization to the competent authority.
3	Ambala	5 MLD, Baldev Nagar, Unit-I, Ambala City	The STP has been upgraded to achieve stringent standard prescribed by HSPCB. Currently STP is under Trial run.	Based upon the past violations for non-achievement of effluent discharge standards Environmental Compensation of Rs.82,50,000/- Assessed and recommended for imposition and finalization to the competent authority.
4	Ambala	3.25 MLD, Baldev Nagar, Unit-II, Ambala City	The STP has been upgraded to achieve stringent standard prescribed by HSPCB. Currently STP is under Trial run.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 82,50,000/- Assessed and recommended for imposition and finalization to the competent authority.
5	Ambala	5 MLD, Moti	The STP has been upgraded to achieve stringent	Based upon the past violations for non-achievement of prescribed effluent

Sr. No.	Name of district	STP	Likely date of achieving of discharge standards committed by PHED and present compliance status	Action taken by HSPCB
		Nagar, Unit-I, Ambala City	standard prescribed by HSPCB and as per the latest analysis report the STP is complying since Feb, 2024.	discharge standards the Environmental Compensation of Rs. 79,20,000/- Assessed and recommended for imposition and finalization to the competent authority.
6	Ambala	5 MLD, Moti Nagar, Unit-II, Ambala City	The STP has been upgraded to achieve stringent standard prescribed by HSPCB and as per the latest analysis report the STP is complying since Feb, 2024.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 79,20,000/- Assessed and recommended for imposition and finalization to the competent authority.
7	Ambala	3.25 MLD, Nasirpur, Ambala City	The STP has been upgraded to achieve stringent standard prescribed by HSPCB and as per the latest analysis report the STP is complying since March, 2024.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 82,50,000/- Assessed and recommended for imposition and finalization to the competent authority.
8	Ambala	3.25 MLD, Devi Nagar, Ambala City	The STP is complying w.r.t. to general effluent discharge standards of BOD level of 30 mg/L but yet to achieve stringent standards prescribed by HSPCB. A DPR for construction of New STP has been prepared by PHED and further action will be taken after the approval of the competent authority/ Government.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 82,50,000/- Assessed and recommended for imposition and finalization to the competent authority.
9	Ambala	3 MLD, Naraingarh	The work for up-gradation of STP is in progress and likely to be completed by 31.08.2024.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 28,80,000/- Assessed and recommended for imposition and finalization to the competent authority.
10	Ambala	4 MLD,	STP is now complying and as per the latest analysis	Based upon the past violations for non-achievement of prescribed effluent

Sr. No.	Name of district	STP	Likely date of achieving of discharge standards committed by PHED and present compliance status	Action taken by HSPCB
		Barara	report the STP is complying since Dec, 2023.	discharge standards the Environmental Compensation of Rs. 2,90,000/- Assessed and recommended for imposition and finalization to the competent authority.
11	Ambala	6 MLD, Model Town, Ambala City	STP is now complying and as per the latest analysis report the STP is complying since June, 2023.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 79,20,000/- Assessed and recommended for imposition and finalization to the competent authority.
12	Kurukshe- ra	8 MLD, Modal Town, Pehowa	The work for Upgradation of STP was allotted to M/s Rathee Construction Company on 01.08.2022 but contractor could not start the work after repeated request. Clause 3 was imposed against the firm. The DNIT for risk and cost of M/s Rathee Construction Company has been received and the same is under scrutiny in head office. The work is in progress and likely to be completed by 30.06.2025 as reported by PHED.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 73,30,000/- Assessed and recommended for imposition and finalization to the competent authority.
13	Panchkula	4.5 MLD, Ram Bagh Road, Kalka	STP is now complying and as per the latest analysis report the STP is complying since Dec, 2023.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 70,70,000/- Assessed and recommended for imposition and finalization to the competent authority.
14	Panchkula	0.25 MLD, Bangla Basti, Kalka	STP is now complying and as per the latest analysis report the STP is complying since May, 2024.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 49,00,000/- Assessed and recommended for imposition and finalization to the

Sr. No.	Name of district	STP	Likely date of achieving of discharge standards committed by PHED and present compliance status	Action taken by HSPCB
				competent authority.

6. The joint committee has recommended that all 03 Nos. of CETPs located in the catchment of River Markanda in Haryana found to be non-complying with regard to prescribed parameters. Total Environmental Compensation amounting of Rs. 12 Lacs have been assessed by the respective Regional officers of HSPCB and recommended for imposition and finalization to the competent authority based upon the HSPCB policy order dated 22.12.2021 which are yet to be finalized by ECAC.
- Out of these 03 no. of CETP, 02 no. of CETPs are presently complying with the discharge standards. Further the Action plan with time-lines for up-gradation of remaining 01 no. of CETP at Ambala Cantt has been prepared by HSIIDC, and the target date of same has been lapsed and hence revised date bound action plan for up-gradation of CETP needs to be submitted by HSIIDC for onward appraisal to Hon'ble NGT and the implementation of which may be supervised by HSIIDC.

7. There are total 3 Nos. of CETPs of 6 MLD capacity, which are already operational in aforesaid 2 districts of Haryana existing in catchment area of River Markanda and its Tributaries. These 03 No. of CETPs pertaining to HSIIDC Department which were reported/found non-complying by the sampling conducted by the Joint Committee itself in the month of September, 2023.

Total Environmental Compensation amounting of Rs. 12 Lacs have been assessed by the respective Regional officers of HSPCB for the non-compliant period and recommended for imposition and finalization to the competent authority based upon the HSCB policy order dated 22.12.2021.

The latest Action taken report alongwith the timelines to complete the work of up gradation to meet out with the prescribed effluent discharge standards submitted by DGM, HSIIDC vide his letter dated 02.08.2024 is given in the following Table.

Sr. No.	Name of CETP	Likely date of achieving of discharge standards committed by HSIIDC and present compliance status	Action taken by HSPCB

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1	0.5 MLD, HSIIDC, Barwala, PKL	<p>The work for upgradation of CETP has already been completed in the year 2021 and thereafter achieving the discharge standards as monitored by HSPCB regularly.</p> <p>Also at the time of inspection of Joint Committee CETP was functioning satisfactorily.</p> <p>Now 01 no. of Filter Press has also been installed at CETP for sludge handling and no more up-gradation is required.</p> <p>Online Effluent Quality Monitoring System at outlet is already installed at the CETP. However, to improve the functioning of the CETP, Online Effluent Quality Monitoring System at inlet is also under installation and Connectivity to CPCB/HSPCB server will be completed within a month period.</p> <p>Presently, based upon the recent reports released of the sample collected by HSPCB the parameters are found with in prescribed limits since Dec, 2023.</p>	<p>Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 2,40,000/- Assessed and recommended for imposition and finalization to the competent authority.</p>
2	0.5 MLD, HSIIDC, Ambala Cantt.	<p>The work for upgradation of CETP has already been completed in the year 2021 and thereafter achieving the discharge standards as monitored by HSPCB regularly.</p> <p>Thereafter due to the impact of flood in rainy season of the month of July and August, 2023 all the structure, mechanical & electrical equipment and OCEMS were fully submerged up to the depth of 7 to 8 feet and all the system were got damaged in stagnant water. Further he has submitted that CETP is being upgraded and work amounting to Rs.32.43 Lacs for revamping and up-gradation of the plant will be completed by 15.05.2024.</p> <p>The work for installation of filter press has already been allotted to M/s Energetic Water Engineering Services Pvt. Ltd. and work is in progress & will be completed by 15th Aug 2024.</p> <p>Presently, based upon the recent reports released of the monthly sample collected by HSPCB the parameters are found within prescribed limits since Nov, 2023.</p>	<p>Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 7,30,000/- Assessed and recommended for imposition and finalization to the competent authority.</p>

3	5 MLD, HSIIDC Saha, Ambala	The CETP was newly commissioned in the year 2016 and thereafter achieving the discharge standards as monitored by HSPCB regularly. Also at the time of inspection of Joint Committee CETP was functioning satisfactorily. Presently, based upon the recent reports released of the sample collected by HSPCB the parameters are found within prescribed limits since Oct, 2023 and no more up-gradation is required.	Based upon the past violations for non-achievement of prescribed effluent discharge standards the Environmental Compensation of Rs. 2,30,000/- Assessed and recommended for imposition and finalization to the competent authority.
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8. Joint committee during inspection on 20.02.2024 found Sugar Mill i.e. M/s Naraingarh Sugar Mills Ltd, VPO Banondi, Tehsil Naraingarh, District Ambala engaged in by-passing the untreated trade effluent through a local drain which is further merging to the River network.

Presently, the unit is lying non-operational due to seasonal off. The Action for initiating closure against the unit has already been initiated by RO, HSPCB, Ambala along with the imposition of Environmental Compensation based upon the Policy applicable on such violations and same is under consideration at Head office presently necessary action taken shortly.

9. The proposal for setting up of new 04 no. of STPs to cater the need of treatment of MC area, Ambala Sadar is under implementation and same was reported to the Joint Committee. All of these 04 no. of under construction STPs relates to MC, Ambala Sadar and hence latest report w.r.t completion of construction and likely date of commissioning submitted by ULBD vide its letter dated 26.07.2024 given as below:-

Sr. No.	Name & address of STP proposed	Estimated date of commissioning	Capacity (in MLD)	Source of effluent will be received/ area/ drain of Tapping	Remarks
1	12 Cross road	13.12.2025	12	Domestic effluent from residential colonies which is presently being discharged into River Tangri via Mahesh	The previous agency failed to execute the work, therefore this office resigned the contract, now the contract for balance work at risk and cost of M/s KKSIL has been issued to new agency on dated 13.03.2024. Now the work is in progress and the

				Nagar Drain	domestic effluent will be diverted to STP by 31.03.2026.
2	Khuda Khurd	13.12.2025	12	-----do-----	The previous agency failed to execute the work, therefore this office resigned the contract, now the contract for balance work at risk and cost of M/s KKSIL has been issued to new agency on dated 13.03.2024. Now the work is in progress and the domestic effluent will be diverted to STP by 31.03.2026.
3	Machonda	30.09.2024	10	-----do-----	The STP at Babyal has been completed and now is in trial run. The remaining domestic effluent will be diverted to STP by 30.09.2024.
4	Babyal	STP is Commissioned and under trial run	10	-----do-----	The STP at Manchonda has been completed and now is under trial run. The remaining domestic effluent will be diverted to STP by 31.12.2024.
		Total	44 MLD		

10. The XEN, Water Service Division, Irrigation Department, Ambala has submitted vide his letter dated 22.02.2024 that all the Rivers in District Ambala are non-perennial and having steep slope. Hence no water body can be created in Rivers of District Ambala. Hence, presently no Rejuvenation/remedial measures Plan has been claimed/suggested by Irrigation & Water Resources Department (Jal Shakti), Haryana.

Further the matter will be discussed in the Next State Level review meeting scheduled to be held on dated 06.08.2024 alongwith Stakeholder Departments under the Chairmanship of Chairman, HSPCB based upon the qualitative and quantitative assessment done by the Joint committee in its report filed on dated 27.04.2024.

Further as suggested by the Joint committee the joint monitoring of River Markanda and its Tributaries at Border line of both the States shall be started soon in association with HPSPCB, HSPCB and Irrigation Department.

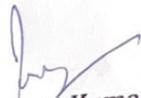
11. As reported by EIC, PHED vide his letter dated 27.07.2024 all superintending Engineer of the Department are directed to conduct surprise visit of STPs to monitor proper functioning of Online monitoring devices.

Further the Regional officer of HSPCB in the field are being continuously directed to cross check the calibration certificates and functioning of OCEMS devices installed by

the STPs/ CETPs in the field and manipulation identified if any is being strictly taken up.

12. The present interim compliance report has been filed based upon the partial response/ action taken report received from the concerned stakeholder departments. Further a State Level review meeting has also scheduled to be held on 06.08.2024 alongwith Stakeholder Departments of State of Haryana under the Chairmanship of Chairman, HSPCB to review the pending action to be taken and remaining compliances to be made by the Department concerned in view of observations raised by the Joint committee in its report filed on dated 27.04.2024 and same shall be submitted before the Hon'ble NGT within one month of convening of the meeting.

Therefore. Hon'ble Tribunal is requested to grant one month time for submission of complete compliance report in the present matter.


Pardeep Kumar,
Member Secretary,
Haryana State Pollution
Control Board

Date: 02.08.2024
Place: Panchkula