

**HP STATE POLLUTION CONTROL BOARD,
BELOW BCS, PHASE-III, NEW SHIMLA**

No. HPPCB/ OA No. 136/2020 /- 16699

Dated: 17-10-2020

From: The Member Secretary

To
✓ The Registrar General,
Hon'ble National Green Tribunal, Copernicus Marg,
New Delhi

Subject:- Compliance of order dated 22-07-2020 passed in OA No. 136/2020 titled Veteran Forum for Transparency in Public Life V/s State of HP & Ors. pending before the Hon'ble National Green Tribunal.

Sir,

This has reference to order dated 22-07-2020 passed by Hon'ble National Green Tribunal, Delhi in the afore-cited matter related to alleged discharge of waste water into rivers by M/s Acme Life Sciences, Nalagarh and Helios Pharmaceuticals, village Malpur Distt. Solan HP wherein following directions has been passed:-

".....3. Let a joint Committee of CPCB, State PCB and District Magistrate, Solan look into the above issues in the light of contents of the application and take such further action as may found necessary. The State PCB will be the Nodal Agency for compliance and coordination. A factual and action taken report may be furnished to this Tribunal within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF....."

In compliance to afore-cited order dated 22-7-2020, the joint committee comprising of Additional District Magistrate Solan, Senior Environmental Engineer, HPSPCB Baddi and Scientist E, CPCB, Delhi visited the pharma units and CETP Baddi on 12th to 13th October 2020. The copy of detailed Interim report submitted by the joint committee is annexed as **Annexure-A**.

As per interim report received from the joint committee, after Hon'ble NGT's order dated 27-7-2020, the applicant supplied the documents / set of papers only on 17-9-2020 so, only thereafter the said committee could proceed further in the matter. Reportedly now it will take 3-4 weeks for analysis of samples taken by the joint Committee and the involvement of approved external laboratory is required for sampling and analysis of the residual antibiotics in CETP and industrial effluents. The joint committee will also be required to visit the site more than once for verification of the findings after evaluation of analysis results from State Pollution Control Board laboratory besides verification of illegal discharge after receipt of location details from the applicant. Hence, joint committee has requested that it may kindly be permitted to file the final action taken report, before the next date of hearing i.e. 04-01-2020.

The copy of Interim Report submitted by the joint committee (annexed as **Annexure-A**) may be placed on record and in view of above, the joint committee may kindly be allowed to file final report before next date of hearing please.

(Encl. as above)


Aditya Negi (IAS)
Member Secretary
HPSPCB Shimla




ANNEXURE - A

H.P. STATE POLLUTION CONTROL BOARD

Regional Office Baddi, Sai Road Baddi, Distt. Solan (HP)

No./PCB/SEE (RO Baddi)/ NGT Court case file /2010- 2009-10

Dated ¹⁴ ~~14~~ 10.2020

To

✓ The Member Secretary,
HP State Pollution Control Board,
Him Parivesh, Phase-III, New Shimla-171009

Subject: OA No. 136/2020 titled Vetran Forum for Transparency in Public Life V/s
State of HP & Ors. Pending before the Hon'ble National Green Tribunal.

Sir,

Kindly refer to letter no. HPPCB/OA No. 136/2020/-15899-15901 dated 01.10.2018. In this context, please find enclosed herewith the interim report of Joint Committee constituted in the matter of O.A. No. 136/2020 in compliance of the order of Hon'ble NGT dated 22.07.2020 along with attendance sheet.

Submitted for information and further necessary action, please.

Yours faithfully

Er P. C. Gupta
Senior Environmental Engineer
HPSPCB Baddi

Interim Report of the Joint Committee constituted in the matter of O.A. No. 136/2020 in compliance of the order of Hon'ble NGT dated 22.07.2020

Background:

In the O.A. No. 136/2020, a prayer has been by the applicant before the Hon'ble NGT, to direct remedial action against discharge of waste in CETP at Baddi by Acme Life Sciences, Nalagarh and Helios Pharmaceuticals at Solan to prevent pollution of river Sirsa and Satluj.

Hon'ble NGT vide its order dated 22/7/2020 observed and directed as under:

"The above issue may need to be looked into and action taken to prevent discharge of untreated chemical waste in water bodies in the interest of environment and public health.

Let a joint Committee of CPCB, State PCB and District Magistrate, Solan look into the above issues in the light of contents of the application and take such further action as may found necessary. The State PCB will be the Nodal Agency for compliance and coordination. A factual and action taken report may be furnished to this Tribunal within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

The Joint Committee Constituted in this matter comprised of the following members:

- Sh. Ajay Kumar Yadav, IAS, ADC/SDM, Solan (Nominated by District Magistrate, Solan)
- Er. P C Gupta, Senior Environmental Engineer (SEE), HPPCB, Baddi (Nominated by HPPCB)
- Dr. Narender Sharma, Scientist 'E', CPCB, Delhi (Nominated by CPCB)

It was also directed by Hon'ble NGT that the applicant may serve a set of papers on CPCB, State PCB and District Magistrate, Solan and file affidavit of service within 10 days.

However, since the set of papers was not received, SPCB, a request was made to the applicant by SPCB through email vide letter dated PCB/RO Baddi/NGT/20/602-06 dated 14/9/2020, to provide the set of papers, enabling the joint Committee to take necessary action, in compliance of the directions of Hon'ble NGT. Accordingly, the applicant provided the set of papers through email dated September 17, 2020.

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The examination of the original application filed by the applicant, by the joint committee revealed that the following major issues have been raised by the applicant:

1. Prior study of carrying capacity before granting permission /CTE/CTO to the industries.
2. Discharge of untreated water and chemical waste by Acme Life Sciences and Helios Pharmaceuticals in Sirsa River that finally meets to Sutlaj river, environmental compensation and revival of Sirsa river and Sutlaj River by taking appropriate measures.
3. Design and adequacy of CETP, Baddi, to neutralize API.
4. Presence of antibiotics in the environment and antimicrobial resistance.
5. No connectivity of industries located in Nalagarh area with CETP and discharge of untreated waste into open drains.
6. Underutilization of CETP capacity showing that the industries are directly discharging trade effluents and incapability to neutralize API.
7. Non-disposal of sludge generated at industrial units located at Nalagarh, at TSDF Plant, Dhabota, Village, Nalagarh.

Interim Report:

In order to assess the adequacy and performance of the CETP and verify the facts w.r.t. two pharma units listed in the original application, the joint committee visited ETP and pharma units on 12 – 13 October, 2020.

The following are the preliminary observations made by the Joint Committee during visit to the CETP:

1. The CETP has not installed the system to completely treat category IV effluent. Despite the fact that CETP does not have the capacity to treat this type of effluent, CETP has entered into the tripartite agreement with the Industries generating Category IV effluent has been receiving this category of effluent since 2016. The CETP was requested to provide details of the industries generating and routing Category IV effluent from the industries through CETP along with characteristics of such effluent, to further examine the issue and submit authentic & validated report to Hon'ble NGT.

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2. As per Environmental Clearance granted to CETP Baddi by the Ministry of Environment, Forests and Climate Change (MoEF&CC) vide F. No. 10-53/2011-IA-III dated 08.01.2013, the member industries with hydraulic loading more than 200 KLD shall treat the effluent in the existing onsite ETPs (as already these industries have provided onsite ETP consisting of primary/secondary and tertiary treatment system) to the standards mentioned in the consent orders issued by the State PCB and then discharge into CETP for further treatment discharging into CETP for further treatment. However, it was informed that few Units with hydraulic loading of 200 KLD are not treating effluent in the onsite ETPs and supplying primary treated effluent to CETP. Therefore, CETP has not been complying with this condition of the Environmental Clearance granted by MoEF&CC for the last 04 years. The CETP was requested to provide volume and characteristics of the effluents supplied by the industries generated effluent > 200 KLD, to further examine the issue and its impact on the performance of CETP.
 3. The Joint Committee collected effluents samples from the various stages of treatment, to assess the adequacy and efficiency of CETP w.r.t prescribed standards. The samples were also drawn from the upstream and downstream of the adjoining river. The samples were sent to Central Laboratory of SPCB and the results are expected in 3-4 weeks

The observations made by the Joint Committee during visit to the two Pharma units i.e. M/s Acme Life Sciences and M/s Helios Pharmaceuticals mentioned in the original application are as follows:

1. Both the pharma units have connectivity with the CETP for supplying the primary treated effluent, for further treatment at CETP. No effluent was found to be discharged directly by the Units.

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2. The samples were collected from various stages of treatment plant and sent to Central Laboratory of State Pollution Control Board for analysis. The results of analysis are expected in 3-4 weeks.

The laboratory of the State Pollution Control Board, does not have the facility for analysis of residual antibiotics in the effluent samples. Hence, it was decided by the Joint Committee to hire approved external laboratory for sampling and analysis of effluent samples from CETP and pharma units, during next visit of the Joint Committee.

The Joint Committee could not locate the point from where samples were drawn by the applicant as mentioned in the original application. Therefore, Joint Committee is requesting the applicant through HSPCB, to provide location details alongwith longitude and latitude, enabling the Joint Committee to address issue of discharge of untreated effluent by the pharma industries.

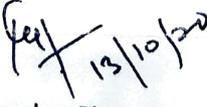
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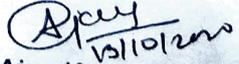
The analysis of the samples taken by the Joint Committee will take 3-4 weeks and the involvement of approved external laboratory is required for sampling and analysis of the residual antibiotics in CETP and industrial effluents. The Joint Committee may be required to revisit the site more than once for verification of the findings after evaluation of analysis results from state pollution control board laboratory besides verification of illegal discharge after receipt of location details from the applicant.

In view of the above, it is humbly prayed to Hon'ble National Green Tribunal that Joint Committee may kindly be permitted to file the Final Report along with Action Taken Report (ATR), before the next date of hearing i.e. 04.01.2021


Er. P C Gupta
SEE, HPPCB, Baddi

Dated: 13/10/2020


Dr. Narender Sharma
Scientist 'E', CPCB, Delhi


Sh. Ajay Kumar Yadav, IAS
ADC, Solan