

Report of the Joint Committee

In the matter of OA No. 173 of 2023 titled as Shalbhjit Singh vs State of Punjab, in compliance of Orders dated 28.04.2023.

1.0 Background

Briefly stated, the matter is related to letter petition dated 05.11.2022 sent by Nanak Shalbhalleging that there is a pharmaceutical unit namely M/s Nectar Life Sciences Limited at Village Haibatpur, Tehsil DeraBassi, District SAS Nagar (Mohali) which is discharging highly polluted chemical effluents in the agricultural field causing damage to the crops and land. The letter petition was registered as Original Application No. 173 of 2023 titled as Shalbhjit Singh vs State of Punjab

2.0. Orders of the Hon'ble National Green Tribunal

After consideration of the matter, the Hon'ble National Green Tribunal was pleased to pass an order dated 28.04.2023 thereby issuing the following directions:

"We find it appropriate to obtain a factual action taken report for the purpose whereof, we constitute a joint Committee comprising State PCB and District Magistrate, SAS Nagar (Mohali) who shall visit the site, collect relevant information and submit factual as well as action taken, if any, report within two 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"

A copy of order dated 28.4.2023 passed by the Hon'ble National Green Tribunal in O.A No. 173 of 2023 is enclosed for ready reference as Annexure-A.

3.0. Compliance of the orders of the Hon'ble NGT

A. Constitution of Joint District Level Committee

Incompliance of the orders and directions dated 28.4.2023 of the Hon'ble NGT, a Joint Committee under the chairmanship of Deputy Commissioner, SAS Nagar(Mohali) comprising of following members was constituted vide office order no. 2332-33 dated 29.05.2023 (of the office of Deputy Commissioner, SAS Nagar):

- i. Sub-Divisional Magistrate, Derabassi.
- ii. Environmental Engineer, PPCB, SAS Nagar

B. Visit of the Joint Committee to M/s Nectar Life Sciences Limited (Unit-2) at Village Saidpura, Tehsil DeraBassi, District SAS Nagar (Mohali) to verify the status of complaint:

In compliance to the orders dated 28.04.2023 of the Hon'ble Tribunal, the joint committee visited the industry namely M/s Nectar Life Sciences Limited (Unit-2) on 23.06.2023. During visit, the committee carried out stack emission monitoring of the boilers installed within the premises of the industry and also carried out water sampling of ETP, drain passing adjoining to the industry, Multi Effect Evaporator (MEE) and piezometer.

The major observations of the Joint Committee are listed herein below:

1. The industry has obtained Consent to Operate under Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Renewal/SAS/2022/20441856 dated 20.12.2022 and under Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/SAS/2022/20443954 dated 20.12.2022 from the Punjab Pollution Control Board, which has expired on 30.06.2023.
2. The industry has obtained authorization under HWM Rules, 2016 vide no. HWM/renew/SAS/2022/16912809 dated 31.08.2022 from the Punjab Pollution Control Board which has expired on 31.03.2023.
3. The industry Nectar Lifesciences; Unit-II which is a bulk drugs manufacturing unit was in operation. The industry is also having its sister concern company involved in manufacturing of bulk drugs located in Village Haripur Hinduan namely Nectar Lifesciences, Unit-I and the effluent generated from this company is also treated along with its own effluent. The effluent of unit no.1 is being carried through underground/overhead pipeline to unit no.II for treatment.
4. The industry has installed 3 no. boilers, 2 no. boiler of capacity 40 TPH (with Economiser, APH & ESP as APCD) each which were in operation and 1 no. standby boiler @ 25 TPH (Trima cyclone + Bag house filter as APCD) which was not in operation during visit. The industry is using



rice husk, wood chips, sarkanda and wood chopped nada as fuel. The industry was found to be dumping fresh boiler ash within its premises as landfill in non-compliance of hearing decision dated 11.11.2022. During visit, the stack emission monitoring of both the boiler of 40 TPH capacity was carried out and the results were found to be within the prescribed limits. As per OCEMS reading checked, the reading was 43 mg/Nm³ and 67 mg/Nm³. Hence, the OCEMS needs to be calibrated.

5. The industry has provided 3 no. Solvent Recovery Plants (SRPs), which were in operation during visit. The industry has provided Volatile Organic Compound (VOC) meters with the SRPs, but no Total Organic Carbon (TOC) meter has not been installed in compliance of SOP of CPCB. Large no. of spent solvent drums were found lying in open and some of the drums were even corroded.
6. The industry has installed 2 no. borewells and has provided flow meter over them.
7. The industry has installed 2 no. Piezometers, however, only 1 piezometer installed near admin building was in functional condition and the other is in non-functional condition. Sample from the piezometer was collected and the results were found to be within the prescribed limits.
8. The industry has installed CCTV cameras at the treated water outlet and on the storm water drain further leading to garland drain running at back side of the industry, however the same is yet to be linked with the PPCB server.
9. The industry has installed 1 no. incinerator of capacity 4.22 TPD with quencher, scrubber as APCD and followed by stack of adequate height, but the incinerator was not in operation during visit. No arrangement for disposal of scrubber water into ETP has been provided. The industry has not installed OCEMS on the Incinerator. Huge quantity of hazardous waste of category 36.2 i.e filter pads were found lying near the incinerator area in open and not in a dedicated hazardous waste room. The industry has not made any provision for drying the sludge left at the bottom of scrubber water tank.



10. The industry has provided a High TDS Effluent Storage Tank of 300 KL capacity for the storage of High TDS effluent generated from its Oral-D section, Oral-F section, Oral-C section, Oral-H section, SRP-A, SRP-B and SRP-C which was found to be leaking and the waste-water was found collected on ground.
11. The industry has installed 2 MEEs of capacity 350 KLD & 90 KLD for the treatment of High TDS effluent generated from its process, reactor washing, water distilled from SRP tanks, RO reject and Mother Liquor (ML) of this industry as well as its sister concern company Nectar (Unit-1) premises and Multi Effect Evaporator (MEE) of capacity 350 KLD was in operation. The industry has not done color coding of the pipeline carrying High TDS effluent to MEE. There was leakage in glands of the motors of the pipeline carrying MEE concentrate to Agitated Thin Film Drier (ATFD). Sample was collected from MEE feed, MEE condensate and MEE concentrate and as per analysis results, the MEE is not operated efficiently.
12. ATFD was in operation during visit. The industry has also provided a flexible line for carrying the MEE concentrate to ATFD feed tank.
13. The industry has installed ETP of 1500 KLD capacity based on physico-chemical and biological treatment for the treatment of low TDS effluent generated from floor washing, cooling tower blow down, boiler blow down, domestic effluent generated from this industry and its sister concern (Unit-I), MEE condensate and line coming from storm water drain collection pit. The treated water is used for cooling tower & gardening. Sample of RO permeate was collected and results are within prescribed limits of the Board.
14. The industry has provided hazardous waste room for storage of hazardous waste of category 5.1, 36.2, 36.1, 28.1, 28.3, 37.2 and 35.3 having compartments. The walls of the hazardous waste room were damped from inside, no proper stacking of the Hazardous Waste (HW) was observed, date of generation of HW not mentioned on bags, bag number was not mentioned on bags and the quantity of HW was also not mentioned on bags. The industry has not provided dedicated room

for storage of hazardous waste of category 33.1 and same was found stored in open.

15. The site of old ETP which has now been made redundant by the industry was also visited and it was observed that the collection tank of capacity 90 KL of ETP was filled with effluent and sample was collected from the collection tank and as per results the collection tanks consists of LTDS effluent. The motor for disposing off the wastewater to the newly installed ETP was not in operation. The other components of the old ETP were also filled with effluent and sludge and the representative was asked to treat the same.
16. A large no. of solvent drums and empty drums were found lying on the ground and some of the empty drums were also found lying in the area. Most of the tanks filled with solvent were found to be corroded.
17. The industry has provided a collection pit near the MEE area as an arrangement for storage of spillage effluent mixed with storm water from where the industry pumps the water back to ETP as per requirement.
18. The samples of the drain coming from village HaripurHinduan upstream and downstream of the industry were collected to adjudge any contamination due to industrial discharge. As per analysis results, the contamination in the drain at the upstream of the industry is due to domestic effluent and at the downstream side of the industry there is no significant increase in parameters after the drain passes the industry which shows that there is no contamination due to industrial effluent.
19. The industry has developed plantation area as per karnal technology near Admin Building measuring 4.5 acres and at the backside of the industry measuring 44 acres. The plantation area was found dry. Besides the plantation area developed as per karnal technology, the industry has also developed green area measuring 13 acres near the admin building and 7 acres at the backside of the industry.
20. **No illegal discharge of effluent by the industry into any agricultural fields was observed.**

4.0 Observations and Recommendations of Joint Committee

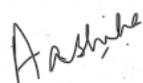
The industry was found in non-compliance of many pollution norms as speculated in observations above. Their authorization under Hazardous Waste Management Rules, 2016 from the Punjab Pollution Control Board had already expired on 31.03.2023 and Consent to Operate under Water Act, 1974 and Air Act, 1981 has also expired on 30.06.2023. Specific mention for observation vide point no. 4, 5, 9, 10 and 14 may be taken into consideration. With respect to the specific points of the current complaint, no illegal discharge of chemical effluent into any agricultural field was observed during this visit of the Joint Committee. However, keeping in mind, the other discrepancies, frequent visits and samplings will be planned of the industry for future investigation and compliance of norms.

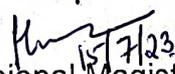
5.0. Action for other violations by PPCB

On the basis of the violations of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as observed by the Joint Committee during inspection, action is being taken by PPCB against the industry.

6.0 Submission of Report

The factual action taken report is hereby submitted by the Joint Committee in compliance to order dated 28.4.2023 for kind consideration and appropriate orders.


Deputy Commissioner
Mohali


15/7/23
Sub Divisional Magistrate,
Derabassi


Environmental Engineer,
PPCB, RO Mohali

Item No. 02

Court No. 1

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

Original Application No. 173/2023

Shalbhjit Singh

Applicant

Versus

State of Punjab

Respondent

Date of hearing: 28.04.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER****Application is registered based on a complaint received by post/e-mail****ORDER**

1. This original application under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been registered on a letter petition dated 05.11.2022 sent by Nanak Shalbh alleging that there is a pharmaceutical unit namely M/s Nectar Life Sciences Limited at Village Haibatpur, Tehsil Dera Bassi, District SAS Nagar (Mohali) which is discharging highly polluted chemical effluents in the agricultural field causing damage to the crops and land. Photographs have been appended to the complaint in support of above allegations.

2. Though, there are some other complaints made in the letter by the applicant but the same are with regard to getting Panchayat land by Proponent and is not within the authority of this Tribunal, hence we go only to the extent of the issue raised with regard to damage to environment.

3. In our view, a substantial question relating to environment arising due to implementation of Scheduled enactment under NGT Act, 2010 has arisen but before taking any further action in the matter, we find it appropriate to obtain a factual action taken report, for the purpose whereof, we constitute a joint Committee comprising State PCB and District Magistrate, SAS Nagar (Mohali) who shall visit the site, collect relevant information and submit factual as well as action taken, if any, report within two 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.

4. District Magistrate, SAS Nagar (Mohali) shall be the nodal agency for coordination and compliance of this order.

5. List for further consideration on 17.07.2023.

6. A copy of this order be forwarded to State PCB and District Magistrate, SAS Nagar (Mohali) by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

April 28, 2023
Original Application No. 173/2023
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