

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI
(PRINCIPAL BENCH)**

Original Application No. 225 of 2022

with

I.A No. 596/2023 and I.A No.815 of 2023

In the matter of

Nitin Dhiman

..... Applicant

V/s

State of Punjab and Others

..... Respondent

Application for seeking time to file report of the committee constituted by the Hon'ble Tribunal vide order dated 04.01.2024 as well as the report of Punjab Pollution Control Board

RESPECTFULLY SHOWETH

- 1) That the subject cited case is pending for adjudication before the Hon'ble National Green Tribunal. The Hon'ble National Green Tribunal was pleased to pass an order dated 4.1.2024 thereby constituting a committee comprising of the representatives of MOEF&CC, CPCB, PSPCB, and Experts nominated by the Principal Secretaries, Science, Technology and Environment and Water Resources, Departments of the Government of Punjab to carry out study

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examine the aspects of utilisation of treated effluent discharged by CETPs and STPS for irrigation and modalities of connecting the same to irrigation canals and channels instead of rivers. The committee has been asked to submit report by 31.1.2024.

- 2) That at the same time the Punjab Pollution Control Board has been directed vide the said order dated 4.1.2024 to take samples from Buddha Nallah at different locations in the district Ludhiana and get the same analysed for quality with respect to all parameters prescribed for treatment of sewage/industrial effluents and file its report regarding the same one week before the date of hearing fixed hereinafter. In this regard, the relevant extract of para no. 17, 18 and 19 of the order dated 4.1.2024 is reproduced herein below for kind perusal and reference.

17. In these facts and circumstances of the case, we consider it appropriate to constitute a committee comprising of the representatives of MOEF&CC, CPCB, PSPCB, and Experts nominated by the Principal Secretaries, Science, Technology and Environment and Water Resources, Departments of the Government of Punjab to carry out study examine the aspects of utilisation of treated effluent discharged by CETPs and STPS for irrigation and modalities of connecting the same to irrigation canals and channels instead of rivers. The committee may co-opt any expert, constitute any sub-committee, undertake such visits and join/hear affected persons/NGOs as considered necessary and shall make its

recommendations on or before 31.01.2024. The PSPCB shall be the nodal agency for coordination and compliance and shall bear all the expenses incurred by the Joint Committee in respect of the above said study.

18. As per report submitted by the PSPCB, all CETPs are discharging their treated effluent into Buddha Nallah leading to River Sutlej. The PSPCB is directed to take samples from Buddha Nallah at different locations in the district Ludhiana and get the same analysed for quality with respect to all parameters prescribed for treatment of sewage/industrial effluents and file its report regarding the same one week before the date of hearing fixed hereinafter.
19. The PSPCB and the MC, Ludhiana are directed to file status reports in tabular format regarding (i) action taken against all the non-compliant units; (ii) present status of units which are stated to be closed as to whether the same have been temporarily or permanently closed; (iii) detailed compliance status of all the dyeing industries which are not connected to the three CETPs; (iv) the compliance status of all the dyeing industries with respect to withdrawal and utilization of ground water and compliance with conditions, if any, imposed at the time of grant of permission by the Punjab State Ground Water Authority particularly condition regarding re-charge of ground water; and (v) the wastewater generated by each of the



dyeing industries connected with all the three CETPs, the wastewater from each of the said dyeing industries received in the CETPs, the production capacity and the share in the CETP of each of the said dyeing industries. The PSPCB and the MC, Ludhiana are also directed to include in their status report their response to the observations made by the Amicus Curiae in his report filed vide email dated 03.08.2023.

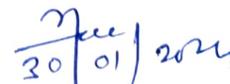
- 3) That in compliance to order dated 4.1.2024, the Chief Environmental Engineer has written a letter no. 91-98 dated 16.1.2024 to the various departments requesting for nomination of the members in the Joint Committee. A copy of letter no. 91-98 dated 16.1.2024 is enclosed herewith as **Annexure-A**. A Joint Committee of representatives of Ministry of Environment, Forest and Climate Change, Central Pollution Control Board, Punjab Pollution Control Board, Department of Water Resources and two experts from Punjab Agricultural University was constituted in consultation with the Government of Punjab, Department of Science, Technology and Environment. A meeting of the members of the said Joint Committee was convened by the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana on 24.1.2024 in the committee room of the Punjab Pollution Control Board, Head Office at Patiala vide letter no. R.O/LDH-1/153-158 dated 23.1.2024. A copy of letter dated 23.1.2024 is enclosed herewith as **Annexure-B**.
- 4) That the meeting of the members of the Joint Committee was held on 24.1.2024 through hybrid mode and the matter was deliberated in detail. All the members of the Joint Committee requested to approach the Hon'ble

National Green Tribunal for grant of four month time to prepare the report. The minutes of the meeting held on 24.1.2024 is enclosed herewith as **Annexure-C**.

- 5) That it is further relevant to mention that the Punjab Pollution Control Board in compliance to the orders dated 4.1.2024 of the Hon'ble National Green Tribunal has collected the samples from various important locations of Buddha Nallah. Preparation of status report with respect to observation of Amicus Curiae report, analysis results of samples collected from Buddha Nallah and status of industries and CETPs will take at-least one month time. As such, it is requested to allow one month time to Punjab Pollution Control Board to file the report before the Hon'ble National Green Tribunal in terms of order dated 4.1.2024. The case is listed for hearing on 01.02.2024.

It is, therefore, prayed that a time period of four months may kindly be granted to Joint Committee for filing its report before the Hon'ble National Green Tribunal and at the same time the Punjab Pollution Control Board may kindly be granted a time period of one month to file the report before the Hon'ble National Green Tribunal in terms of order dated 4.1.2024.

Submitted by



(Gurmit Singh)

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

Date: 30-01-2024

Place: Ludhiana



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
Punjab Pollution Control Board



Chief Office, E 648-B, Phase-5, Focal Point, Ludhiana

Email: ceeludhiana@yahoo.com,

Phone: 0161-2673353

No: 91-98

Date: 16/1/2024

Most Urgent/Time bound

To

1. The Principal Secretary, Government of Punjab,
Department of Water Resources,
Chandigarh. Email: psi@punjab.gov.in
2. The Deputy Director General of Forests (Central),
Ministry of Environment, Forest and Climate Change,
Northern Regional Office, Bays No. 24-25, Sector 31 A,
Dakshin Marg, Chandigarh. Email: ronz.chd-mef@nic.in
3. Sh. J.P Meena, Scientist 'D'
Central Pollution Control Board
Regional Directorate, BSNL Telephone Exchange,
2nd Floor Sector 49, Chandigarh. Email: gurnamsingh.cpcb@nic.in
4. The Member Secretary,
Punjab Pollution Control Board,
Vatavaran Bhavan , Nabha road Patiala. Email: msppcb@gmail.com

Sub:- Compliance of the order dated 4.1.2024 passed by the Hon'ble NGT in O.A. no. 225/2022 titled as Nitin Dhiman Applicant v/s State of Punjab and Others.

Ref:- Hon'ble NGT's Order dated 4.1.2024

The Hon'ble NGT in the subject cited matter has passed the order dated 4.1.2024 and the operative part is reproduced as under:-

17. In these facts and circumstances of the case, we consider it appropriate to constitute a committee comprising of the representatives of MOEF&CC, CPCB, PSPCB, and Experts nominated by the Principal Secretaries, Science, Technology and Environment and Water Resources, Departments of the Government of Punjab to carry out study examine the aspects of utilisation of treated effluent discharged

[Signature]

by CETPs and STPs for irrigation and modalities of connecting the same to irrigation canals and channels instead of rivers. The committee may co-opt any expert, constitute any sub-committee, undertake such visits and join/hear affected persons/NGOs as considered necessary and shall make its recommendations on or before 31.01.2024. The PSPCB shall be the nodal agency for coordination and compliance and shall bear all the expenses incurred by the Joint Committee in respect of the above said study.

It is therefore requested to nominate within 2 days the representative of your department for the committee constituted by the Hon'ble NGT. It is also requested to intimate the email & phone no. of the nominated officer for further communication with the Board.

DA/Copy of NGT orders dated 04.01.2024

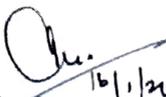

16/1/24
Chief Environmental Engineer

Endst No: 91-98

Date: 16/1/2024

A copy of the above is forwarded to the followings for kind information in the reference to the subject cited order Please:-

1. The Secretary MoEF&CC, Indira Paryavaran Bhawan Jorbagh Road, New Delhi.
2. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi.
3. The Secretary, Department of Science, Technology and Environment, Room No. 725, 7th Floor, Punjab Civil Secretariat -2, Sector 9, Chandigarh.
4. The Chairman, Punjab Pollution Control Board Vatavaran Bhawan Nabha Road, Patiala.


16/1/24
Chief Environmental Engineer





No./ R.O/LDH-I/153-158 Through Email Only
To

Date 23.1.24

1. Dr. K.M.Selvan ,
Addl. Director, Scientist E.
Ministry of Environment Forests (Central),
Northern Regional Office, Bays No. 24-25,
Sector-31 A, Chandigarh.
Mob No. 8610032753
E-mail- km.selvan@gov.in
2. Sh. Jagdish Meena, Scientist D.
Central Pollution Control Board,
Regional Directorate,
BSNL Telephone Exchange, 2nd Floor,
Sector-49, Chandigarh.
Mob No. 9653057789
E-mail- gurnamsingh.cpcb@nic.in
3. Dr. Dhanwinder Singh,
Head of Department, Department of Soil Science,
Punjab Agricultural University,
Ludhiana.
Mob No. 9988246643
E-mail- dhanwinder@pau.edu
4. Dr. Rakesh Sharda,
Principal Scientist, Department of Soil & Water Engineering,
Punjab Agricultural University,
Ludhiana.
Mob No. 9855545189
E-mail- Rakesh.sharda@icar.gov.in
5. Sh. Ashutosh Kumar,
Superintending Engineer,
Department of Water Resources,
Ludhiana.
Mob No. 9814814121
E-mail- xensidhwancanal@gmail.com
6. Sh. Gurmeet Singh,
Environmental Engineer,
Regional Office-3, PPCB,
Ludhiana.
Mob No. 9878942034
E-mail- ppcb3@yahoo.com

Sub:- Compliance of the order dated 4.1.2024 passed by the Hon'ble NGT in O.A. no. 225/2022 titled as Nitin Dhiman Applicant v/s State of Punjab and Others.

Ref:- Hon'ble NGT Order dated 4.1.2024.

The Hon'ble NGT in the subject cited matter has passed the order dated 4.1.2024 and the operative part is reproduced as under:-

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17. In these facts and circumstances of the case, we consider it appropriate to constitute a committee comprising of the representatives of MOEF&CC, CPCB, PSPCB, and Experts nominated by the Principal Secretaries, Science, Technology and Environment and Water Resources, Departments of the Government of Punjab to carry out study examine the aspects of utilisation of treated effluent discharged by CETPs and STPS for irrigation and modalities of connecting the same to irrigation canals and channels instead of rivers. The committee may co-opt any expert, constitute any sub-committee, undertake such visits and join/hear affected persons/NGOs as considered necessary and shall make its recommendations on or before 31.01.2024. The PSPCB shall be the nodal agency for coordination and compliance and shall bear all the expenses incurred by the Joint Committee in respect of the above said study.

A committee comprising above said members has been constituted and a meeting has been fixed for 24.01.2024 at 04.00 pm at Committee Room, Head Office, Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala.

It is therefore requested to make it convenient to attend the said meeting to take further necessary action in the matter.

Jacob
23/1/24
Environmental Engineer

dated 23.1.24

Endst. no. 159-162

A copy of above is forwarded to the following for information, please.

1. The Chairman of the Board, Punjab Pollution Control Board, Patiala.
2. The Member Secretary, Punjab Pollution Control Board, Patiala.
3. The Chief Environmental Engineer, Punjab Pollution Control Board, Ludhiana.
4. The Senior Environmental Engineer, Punjab Pollution Control Board, Zonal Office-1, Ludhiana.

Jacob
23/1/24
Environmental Engineer

dated 23.1.24

Endst. no. 163

A copy of above is forwarded to the Environmental Engineer, Regional Office-3, Ludhiana for conduct and overall coordination with the committee members being the Nodal Officer.

Jacob
23/1/24
Environmental Engineer

dated 23.1.24

Endst. no. 164

A copy of above is forwarded to the Computer Section, Punjab Pollution Control, Board, Patiala to generate the link for the above said meeting.

Jacob
23/1/24
Environmental Engineer

dated 23.1.24

Endst. no. 165

A copy of above is forwarded to the Care Taker, Punjab Pollution Control Board, Head Office Patiala to make necessary arrangements for convening the meeting through hybrid mood.

Jacob
23/1/24
Environmental Engineer

Jacob



No.....112-16.....
To

Dated.....27/01/24.....

1. Dr. K.M.Selvan,
Addl. Director, Scientist E,
Ministry of Environment Forest (Central),
Northern Regional Office, Bays No. 24-25,
Sector-31 A, Chandigarh.
2. Sh. Jagdish Meena, Scientist D,
Central Pollution Control Board,
Regional Directorate,
BSNL Telephone Exchange, 2nd Floor,
Sector-49, Chandigarh.
3. Dr. Dhanwinder Singh,
Head of Department, Department of Soil Science,
Punjab Agricultural University,
Ludhiana
4. Dr. Rakesh Sharda,
Principal Scientist, Department of Soil & Water Engineering,
Punjab Agricultural University,
Ludhiana
5. Sh. Ashutosh Kumar,
Superintending Engineer,
Water Resources Department,
Ludhiana

Sub: Minutes of 1st meeting of Joint Committee Constituted in compliance of order dated 04.01.2024 passed in O.A. No. 225/2022 titled as "Nitin Dhiman & Anr. V/s State of Punjab & Ors." held on 24.01.2024 (through hybrid mode).

In regard to above, enclosed please find herewith minutes of 1st meeting of Joint Committee Constituted in compliance of order dated 04.01.2024 passed by Hon'ble NGT in O.A. No. 225/2022 held on 24.01.2024 at Head Office, Patiala of the Board for your kind information and further necessary action in the matter, please.

DA/As above.

Handwritten signature

Handwritten signature
27/01/2024

**Environmental Engineer
R.O-3, (Nodal Officer)**

Minutes of 1st meeting of Joint Committee Constituted in compliance of order dated 04.01.2024 passed in O.A. No. 225/2022 titled as "Nitin Dhiman & Anr. V/s State of Punjab & Ors." held on 24.01.2024 (through hybrid mode).

The following were present:

List of participants is attached herewith as Annexure-I

At the outset Er. Gurmit Singh, Environmental Engineer, Punjab Pollution Control Board, welcomed all the members of Joint Committee.

Thereafter, he apprised all committee members about orders dated 04.01.2024 passed by the Hon'ble NGT in O.A No. 225/2022 titled as Nitin Dhiman & Ors. Vs State of Punjab & Ors and mandate of the joint committee constituted in compliance to the said orders of the Hon'ble NGT. Operative part of the orders passed by the Hon'ble NGT is as under:

17. In these facts and circumstances of the case, we consider it appropriate to constitute a committee comprising of the representatives of MOEF&CC, CPCB, PSPCB, and Experts nominated by the Principal Secretaries, Science, Technology and Environment and Water Resources, Departments of the Government of Punjab to carry out study examine the aspects of utilization of treated effluent discharged by CETPs and STPS for irrigation and modalities of connecting the same to irrigation canals and channels instead of rivers. The committee may co-opt any expert, constitute any sub-committee, undertake such visits and join/hear affected persons/NGOs as considered necessary and shall make its recommendations on or before 31.01.2024. The PSPCB shall be the nodal agency for coordination and compliance and shall bear all the expenses incurred by the Joint Committee in respect of the above said study.

He further apprised to the committee that the Hon'ble NGT has given a time period to file the report of joint committee by 31st January, 2024 and next date of hearing is fixed on 01.02.2024. He further requested the Superintendent Engineer, Department of Water Resources to brief about the proposed project of their department regarding utilization of water of Buddha Darya for irrigation purposes.

Sh. Ashutosh Kumar, Superintendent Engineer, Water Resources Department, Punjab briefed about the project that their department has prepared a scheme worth Rs. 48.0 Crore for revival of lower Buddha Nallah so as to utilize the water flowing in it for irrigation purposes. He further informed that upper Buddha Nallah flows directly into River Sutlej, however, lower Buddha Nallah flows about 33 Km parallel to River Sutlej. The lower Buddha Nallah currently acting as drainage channel and carries the flow of catchment area of adjoining villages during the flood season. It is proposed that on completion of this project, the treated water which will be diverted in the lower Buddha Nallah will provide the irrigation facilities in more than 15 villages in

the vicinity. As the full supply level of Lower Buddha Nallah is lower than the NSL hence irrigation facilities will be provided by lifting water by use of lift pumps. Therefore, after completion of this proposed project, this lower Buddha Nallah act as drain for carrying rainy water and as canal for providing water for irrigation purposes by lifting the water from it.

Member Secretary, EPCB inquired that whether after revival of Lower Buddha Nallah, whether the remaining portion of upper Buddha Nallah will become dry or not.

SE, WRD informed that the Lower Buddha Nallah will be restored to capacity of 200 cusecs. It will cater the irrigation facilities to about 12000 acres CCA by lifting the water from it as per demand for irrigation and rest of water will discharge into the Jassowal drain. Any water above 200cs will flow in the remaining portion of upper Buddha Nallah.

Dr. Rakesh Sharda, Principal Scientist, PAU added that there may be some metal in the water flowing into Buddha Nallah and this may lead to contamination in the soil and if the water does not meet with the parameter prescribed for irrigation purpose then in that case the water will not be fit for irrigation and can affects the crops.

Dr. Dhanwinder Singh, HOD, Department of Soil, PAU endorsed the statement of Dr. Rakesh Sharda and added that water will not be fit for irrigation, if it contains metals and parameter EC & RSC beyond the prescribed limits for irrigation purposes. He further asked that it should also be ensured that the whole water flowing into Buddha Nallah should be treated and no untreated effluent is discharged into Buddha Nallah.

SE, WRD informed that at present, water flowing in Upper Buddha Nallah after out falling in river Sutlej is reaching Harike Head Work, where it mixes with fresh water of River Beas and gets diluted and thereafter it is being used for irrigation purposes in the state of Punjab & Rajasthan through Rajasthan Feeder and Ferozepur Feeder canals. 

On enquiry SEE, PPCB informed that there are 03 CETPS and 06 STPs installed in Ludhiana for treatment of industrial effluent and domestic effluent respectively, which are achieving more or less the prescribed parameter and hence treated waste water can be used for irrigation purposes. However, there are some untapped points of domestic effluent in Ludhiana through which untreated domestic effluent is still discharged into Buddha Nallah. He further suggested that to deliberate the matter, the committee should take assistance of department of Soil & Water Conservation, Punjab.

Chief Environmental Engineer, PPCB, Ludhiana enquired about the demand period of water for irrigation.

SE, WRD informed that Water requirement is mainly during Kharif season for paddy crop and only to 4-5 intermittent watering is required during Rabbi Season.

Dr. Rakesh Sharda added that instead of spending large amount of Rs. 48.0 crore on the proposed project of water resources department,



alternatives for utilization of treated water of CETPs and STPs should be found separately. He also informed that he had visited Israel in past and observed that they have developed a well-maintained system for utilization of treated water of CETPs/STPs and in case, metals are detected in the treated effluent, the system automatically shut downs. He also suggested that treated water of only STPs should be used for irrigation purposes.

Sh. Jagdish Meena, Scientist D, CPCB suggested that possibility should be explored that treated water of CETPs should be reused by the member industries. He further added that there are so many parameters fixed for use of water for irrigation of crops and utilization of water for irrigation is not possible, hence, STP water can only be used for irrigation purposes also treated water from STPs can be used for non-portable purposes such as bus cleaning and railway cleaning, flushing through dual plumbing system, horticulture and irrigation.

Dr. Rakesh Sharda added that in case of mixed land area there are possibilities of availabilities of various pollutants in the water and hence cannot be used for irrigation purposes.

Dr. Dhanwinder Singh suggested that possibility for multiple uses of Buddha Nallah water should be explored.

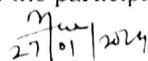
Dr. K.M Selvan asked that filed visit is required to be carried out to check the actual on-site situation. He further suggested that in order to reach any conclusion in the matter, we must also study the analysis results of Buddha Nallah water/ CETP treated effluent/ STPs treated waste water samples collected in the past an expert from the department of Soil & Water Conservation, Punjab, and Agriculture department may also be made member of joint committee to explore the possibility for utilization of water of Buddha Nallah.

In the last, Member Secretary, PPCB endorsed the suggestion of Dr. K.M Selvan and also suggested that there are vast aspects, which are required to be studied before preparation of joint committee report which will take 3-4 months as it is complex issue. Hence, we must request the Hon'ble NGT to allow 4-month time to examine the issue and to prepare the report.

All members of the joint committee give their consent that Hon'ble NGT must be requested to allow 4-month time to prepare the report.

It was also decided in the meeting that analysis results of Buddha Nallah water/ CETP treated effluent/ STPs treated waste water samples collected in the past will be shared to all members of the joint committee and site visit will be carried out in the first week of February, 2024.

Meeting ended with vote of thanks to all the participants.


27/01/2024
Environmental Engineer
R.O-3, (Nodal Officer)
Punjab Pollution Control Board



Annexure-I

List of Participants

Sr. No	Name of the officer	Designation	Department	Mode of Appearance
1	Er. G.S Majithia (Special Invitee)	Member Secretary,	PPCB	Physical
2	Er. Pardeep Gupta (Special Invitee)	Chief Environmental Engineer	PPCB	Physical
3	Dr. K.M Selvan	Additional Director	MOEF &CC	Through VC
4	Er. Paramjeet Singh (Special Invitee)	Senior Environmental Engineer	PPCB	Physical
5	Er. Aashutosh Kumar (Member)	Superintending Engineer	Department of Water Resources	Physical
6	Sh. Jagdish Meena (Member)	Scientist D	CPCB	Through VC
7	Dr. Dhanwinder Singh (Member)	HOD, Department of Soil Science	Punjab Agriculture University, Ludhiana	Through VC
8	Sh. Rakesh Sharda (Member)	Principal Scientist	Punjab Agriculture University, Ludhiana	Through VC
9	Er. Gurmit Singh (Member)	Environmental Engineer	PPCB	Physical